



SHIRE
of
DANDARAGAN

MINUTES

of the

ORDINARY COUNCIL MEETING

held at the

COUNCIL CHAMBERS, JURIEN BAY

on

THURSDAY, 22 OCTOBER 2026

COMMENCING AT 4.00PM

THESE MINUTES ARE YET TO BE CONFIRMED

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

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MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 OCTOBER 2026

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 4.00pm and welcomed those present.

"I would like to acknowledge the traditional owners of the land we are meeting on today, the Yued people of the great Nyungar Nation and we pay our respects to Elders both past, present and emerging."

1.2 DISCLAIMER READING

The disclaimer was read aloud as there were 1 member of the public present.

"The Shire of Dandaragan accepts no responsibility for any statements or actions arising from discussion during this meeting."

Members of the public should not act on verbal comments made during the meeting and should rely on the official written confirmation of Council decisions issued within fourteen (14) days."

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members

Councillor T O'Gorman

(President)

Councillor G Lethlean

(Deputy President)

Councillor W Gibson

Councillor R Glasford

Councillor S Johnson

Councillor S Krakowiak

Councillor S Young

Staff

Mr B Bailey

(Chief Executive Officer)

Mrs R Pink

(Executive Manager of Corporate Services)

Mr A MacKenzie

(A/ Executive Manager Development Services)

Miss C Filbey

(Manager Community and Customer Services)

Mrs K Dean

(Administration & Council Support Officer)

Apologies

Nil

Approved Leave of Absence

Nil

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 OCTOBER 2026**Observers**

Nil

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 CONFIRMATION OF MINUTES**6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD****COUNCIL DECISION**

Moved Cr Gibson, seconded Cr Lethlean

That the minutes of the Ordinary Meeting of Council held on Thursday, 24 September 2026 be confirmed.

CARRIED 7 / 0

**FOR: Cr O'Gorman, Cr Lethlean, Cr Gibson, Cr Young,
Cr Johnson, Cr Glasfurd, Cr Krakowiak**

AGAINST: Nil

7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Cr O'Gorman thanked Cr Lethlean for fulfilling the duties of Shire President during his approved leave in August and September 2026 and commended him for his contribution

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 CORPORATE & COMMUNITY SERVICES

9.1.1 ACCOUNTS FOR PAYMENT FOR THE PERIOD ENDED 30 SEPTEMBER 2026

Location:	Shire of Dandaragan
Applicant:	N/A
File Reference:	Doc Id: SODR-2042075298-165014
Disclosure of Interest:	Nil
Date:	12 October 2026
Author:	Irina Shmeleva, Senior Finance Officer
Senior Officer:	Rebecca Pink, Executive Manager Corporate Services

PROPOSAL

To receive the Cheque, EFT, BPAY, Direct Debit and Fuel Card listing for the month of September 2026.

BACKGROUND

In accordance with the *Local Government Act 1995*, and *Financial Management Regulations 1996*, a list of expenditure payments is required to be presented to Council.

COMMENT

The Cheque, EFT, BPAY and Direct Debit (including fuel cards) payments for September 2026 totalled \$1,850,180.56 for the Municipal Fund.

Should Councillors wish to raise any issues relating to the September 2026 Accounts for payment, please do not hesitate to contact the Executive Manager prior to the Council Meeting, in order that research can be undertaken, and details provided either at the time of the query or at the meeting.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Regulation 13 of the *Local Government Financial Management Regulations 1997*.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report currently.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

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ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Cheque, EFT, BPAY, Direct Debit and Fuel Card listings for September 2026 (Doc Id: SODR-2042075298-165034)

(Marked 9.1.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Lethlean, seconded Cr Krakowiak

That Council receives the Cheque, EFT, BPAY, Direct Debit and Fuel Card payment listing for the period ending 30 September 2026, totalling \$1,850,180.56.

CARRIED 7 / 0

**FOR: Cr O'Gorman, Cr Lethlean, Cr Gibson, Cr Young,
Cr Johnson, Cr Glasfurd, Cr Krakowiak**

AGAINST: Nil

9.1.2 FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 31 AUGUST 2026

Location:	Shire of Dandaragan
Applicant:	N/A
File Reference:	Doc Id: SODR-2042075298-165013
Disclosure of Interest:	None
Date:	12 October 2026
Author:	Rebecca Pink, Executive Manager Corporate Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To present the Monthly Financial Report for the period ending 31 August 2026 to Council for consideration in accordance with legislative requirements.

BACKGROUND

Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996* require a monthly statement of financial activity, a monthly statement of financial position, and explanation of material variances to be presented to Council.

The report must be presented at an ordinary meeting of Council within two months after the end of the month to which the statement relates. Regulations prescribe the information to be contained in the report.

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The Monthly Financial Report has been compiled to comply with the *Local Government Act 1995*, associated regulations, and to the extent they are not inconsistent with the *Local Government Act 1995* and the Australian Accounting Standards.

In accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, Council has adopted on 27 August 2026 the annual material variance threshold of 10% for reporting budget variances within monthly financial reporting for the 2026/27 financial year, subject to a \$10,000 minimum, below which, variances are not required to be reported.

COMMENT

The Monthly Financial Report for the period ending 31 August 2026 is attached to include the following information as required by legislation:

- Statement of Financial Activity;
- Statement of Financial Position;
- Note 1 – Basis of Preparation and Significant Accounting Policies;
- Note 2 – Statement of Financial Activity Information; and
- Note 3 - Explanation of Material Variances.

As there is no legislative requirement for supplementary financial information to be considered with the Monthly Financial Report presented to Council, and to assist with compliance with the accounting standards, the supplementary information included at the back of the report is now provided as separate information to assist Councillors in understanding key movements, variances, and balances.

Councillors are invited to review the report in advance of the meeting and are encouraged to raise any queries or requests for clarification with the Executive Manager prior to the Council Meeting, to allow for relevant research to be undertaken and responses provided either in advance or at the meeting.

STATUTORY ENVIRONMENT

- *Local Government Act 1995*
- Regulation 34 and 35 of the *Local Government (Financial Management) Regulations 1996*.

POLICY IMPLICATIONS

There are no known policy implications associated with this item.

FINANCIAL IMPLICATIONS

The presentation of the Monthly Financial Report provides Council with regular updates on the Shire's financial performance and position and supports Council's governance and oversight responsibilities in accordance with the *Local Government Act 1995* and associated regulations.

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STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this item.

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Financial statements for the period ending 31 August 2026 (Doc Id: SODR-2042075298-165209).

(Marked 9.1.2)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Young, seconded Cr Johnson

That Council receive the Monthly Financial Report for the period ended 31 August 2026.

CARRIED 7 / 0

**FOR: Cr O'Gorman, Cr Lethlean, Cr Gibson, Cr Young,
Cr Johnson, Cr Glasfurd, Cr Krakowiak**

AGAINST: Nil

9.1.3 PROPOSED TARMAC JURIEN BAY EVENT

Location:	Shire of Dandaragan
Applicant:	Tarmac Events
File Reference:	Doc Id: SODR-1876983588-3123
Disclosure of Interest:	Nil
Date:	8 October 2026
Author:	Carly Filbey, Manager Customer and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

That Council consider the application by Tarmac Events to run the proposed Tarmac Jurien Bay motorsport event in May 2027, subject to the organiser obtaining all required approvals and satisfying event management, risk management, road closure, safety and other operational conditions.

BACKGROUND

Tarmac Events has proposed a closed-road tarmac rally in Jurien Bay in May 2027. The proposal is for an organised motorsport event involving temporary road closures, spectator and emergency management arrangements. The proposed course, program, timing and affected roads remain subject to final operational planning.

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The indicative program comprises a rally stage in the Jurien Bay Heights area on the Saturday and a town stage on the Sunday, followed by a community event on the Jurien Bay Foreshore featuring vehicle displays, entertainment, food vendors and activities. The event will provide opportunities for local businesses and community groups to participate through food and market stalls, promotional displays, entertainment, volunteering and the delivery of community activities, encouraging local involvement and supporting economic benefits for the town.

The Shire invited community feedback on the proposal before bringing the application to Council for consideration. The consultation period closed on 25 September 2026.

COMMENT

The proposed event has the potential to attract visitors, increase activity for accommodation, hospitality and retail operators, and add a distinctive event to the Jurien Bay calendar. The inclusion of a foreshore community event would complement the rally program by creating a vibrant, family-friendly atmosphere where residents and visitors can enjoy vehicle displays, live entertainment, food vendors and activities, providing an opportunity for the broader community to experience the event beyond the competitive rally stages.

Community feedback was predominantly supportive, while identifying matters that require careful management, particularly the effects of temporary road closures on residents, property access, noise, wildlife, road safety, parking and spectator movements. These matters should be addressed through detailed planning and communication with relevant residents and stakeholders.

Tarmac Events is to be responsible for event planning, funding and delivery, including qualified traffic management personnel, traffic management plans, road closure signage and equipment, safety and emergency arrangements, required insurance, stakeholder notifications.

The Shire may provide limited in-kind support through promotion on its website and social media, liaison with stakeholders, and officer attendance on the day, within existing staff resources.

The proposed event will incorporate two key rally locations within Jurien Bay, as illustrated in the maps below. Map 1 identifies the proposed rally stages within the Jurien Bay Heights area, while Map 2 outlines the proposed town stage. Both locations will require temporary road closures and appropriate traffic management arrangements to facilitate the safe operation of the event.

The temporary road closures will impact residents and landowners along the proposed rally routes, with vehicle access to and from affected properties likely to be restricted during designated event periods. This may require residents to plan their movements around

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scheduled road closures, with access arrangements and closure times to be communicated in advance. The event organiser will be responsible for consulting with affected residents and businesses, providing adequate notice and implementing appropriate traffic management measures to minimise disruption. Where a resident requires access to or from their property outside of pre-arranged times, including in the event of an emergency or unforeseen circumstances, the event organiser will have procedures in place to temporarily suspend the timed rally stage to facilitate safe access.

Given the nature of the event, consideration will also need to be given to vehicle speeds, spectator safety, potential damage to road infrastructure and surrounding properties, and emergency vehicle access. The event organiser will be required to demonstrate how these risks will be managed through appropriate safety, traffic management and event planning documentation, including arrangements for responding to and rectifying any damage associated with the event.

Map 1



This aerial map of Durien Bay, Western Australia, highlights a specific area outlined in red, indicating the proposed site for the Durien Bay Community Centre. The map shows a coastal area with a beach and ocean to the west. The red-outlined area is situated inland from the beach, bounded by Wilson Street to the west, Durien Street to the east, and Durien Bay Road to the south. The map also shows other streets in the area, including Durien Street, Durien Bay Road, and Durien Bay Road. The Durien Bay logo is visible in the bottom right corner.

- Tarmac Events
- General Public
- Chief Executive Officer

Nil

Nil

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FINANCIAL IMPLICATIONS

Tarmac Events will be responsible for all costs associated with planning, coordinating and delivering the event. No direct cash contribution from the Shire is proposed.

The Shire's anticipated contribution is limited to in-kind support from existing operational resources, including event promotion through the Shire's website and social media, stakeholder liaison and officer attendance during the event.

STRATEGIC IMPLICATIONS

Strategic Community Plan Envision 2029

Prosperity	The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy.
Priority Outcomes	The Shire is home to a successful and growing market for domestic and international tourism.
Our Roles	Facilitate and support events that promote the region and deliver a positive economic impact.

ATTACHMENTS

Circulated with the agenda are the following items relevant to this report:

- Tarmac Events - Event Application (Doc Id: SODR-437506902-16425).
- Community Feedback Submissions (Doc Id: SODR-437506902-16629).

(Marked 9.1.3)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Johnson

That Council:

1. Endorses the proposed Tarmac Jurien Bay event scheduled for May 2027, recognising its potential tourism, economic and community benefits.
2. Notes that the event application will be assessed and determined administratively, the event application submitted by Tarmac Events, subject to the organiser obtaining all necessary approvals and satisfying the Shire's event management, risk management, road closure, public safety and operational requirements before the event proceeds.

CARRIED 7 / 0**FOR: Cr O'Gorman, Cr Lethlean, Cr Gibson, Cr Young,
Cr Johnson, Cr Glasfurd, Cr Krakowiak****AGAINST: Nil****9.1.4 BADGINGARRA RECREATION PRECINCT MASTERPLAN**

Location:	Badgingarra
Applicant:	N/A
File Reference:	Doc Id: SODR-1876983588-3122
Disclosure of Interest:	Nil
Date:	8 October 2026
Author:	Makayla Hendry, Community Development Officer
Senior Officer:	Carly Filbey, Manager Community and Customer Services

PROPOSAL

This item recommends that Council endorse the draft Badgingarra Recreation Precinct Masterplan.

BACKGROUND

The Badgingarra Recreation Precinct is located on North West Road within the Badgingarra townsite and is a long-established community hub supporting social, cultural and recreational activity for residents of Badgingarra and the surrounding rural district. The precinct includes the Badgingarra Community Centre, Shire-run library service, bowling green, golf course, tennis courts, playgrounds and main sporting oval.

While the precinct does not currently accommodate a CMCFL winter sporting code, it remains Badgingarra's primary civic and social recreation facility. The Master Plan therefore focuses on renewal, enhancing outdoor areas, accessibility, multipurpose community use and long-term asset sustainability rather than expansion for formal competition sport.

The Shire's Sport and Recreation Plan recommends that recreation reserves in each town be subject to a master planning process involving consultation with local sport and recreation groups. The Badgingarra Recreation Precinct Master Plan has been prepared through a working group process and is now ready to be released for broader public advertising.

The draft Master Plan establishes a staged renewal pathway for the Community Centre and surrounding outdoor areas, with an estimated total project commitment of approximately \$5.19 million across four stages. The plan is intended to guide future grant

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applications, community fundraising, renewable energy community benefit contributions and future Council budget considerations.

COMMENT

The draft Badgingarra Recreation Precinct Plan has been prepared to provide a clear long-term vision for the precinct and guide staged investment in facilities that are fit-for-purpose, accessible and financially sustainable. The planning work confirms that the existing recreation facilities are highly valued by the community, with the priority being renewal and improved functionality rather than significant expansion.

Stage 1	Recreation Hall upgrades, mezzanine fit out, lift and stairs, forecourt improvements and accessible ramps.
Stage 2	External works and landscaping, including new stage, playground, viewing shelters, pathways, shade structures, BBQ facilities and event lawns.
Stage 3	New compliant ablutions facility to support the function room and broader precinct use.
Stage 4	Function room refurbishment, bar relocation, upgraded glazing and doors, kitchen and bar fit out improvements and shade sails over the function lawn.

Key design principles include retaining and upgrading the existing Community Centre, avoiding unnecessary expansion that may trigger major fire and services compliance costs, activating underutilised spaces such as the mezzanine level, improving accessibility and ablutions, and better connecting the internal function spaces to outdoor gathering, play and event areas.

The draft plan has been informed by a local Working Group comprising representatives of the Badgingarra Community Centre Management Committee, local sporting clubs, community groups and support from Shire officers.

Following further consultation with the Badgingarra Community Association and Parron Wind Farm, the proposed location of the gym was revised to better align with the needs and preferences of the community. The new location on the western side of the oval is being progressed through the Development Application process currently. This is the only proposed change to the Masterplan as a result of the public consultation period.

Two community drop-in consultation sessions were held to provide an opportunity for residents to review the draft Masterplan and provide feedback. A total of three community members attended the sessions, and no submissions were received through the online consultation process.

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CONSULTATION

- MCG Architects
- Badgingarra Recreation Precinct Working Group

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The indicative total project commitment for the four-stage redevelopment is approximately \$5.19 million, comprising approximately \$3.58 million in direct construction works plus allowances for regional construction loading, design and construction contingencies, professional fees, compliance costs and escalation. No immediate construction expenditure is proposed through this item. Future works will be subject to detailed design, refined cost estimates, external funding opportunities, community or project contributions and future Council budget deliberations.

STRATEGIC IMPLICATIONS

Shire of Dandaragan Council Plan

Outcome	Our recreation precincts will be contemporary and highly utilised
Initiative	Complete the Jurien Bay, Dandaragan and Badgingarra Recreation Precinct Masterplans.

ATTACHMENTS

Circulated with the agenda are the following items relevant to this report:

- Badgingarra Recreation Precinct Masterplan (Doc Id: SODR-1272937250-4945).
- Badgingarra Recreation Precinct Masterplan Drawing and Design Set (Doc Id: SODR-1272937250-4946).
- Site plans and indicative designs of new gym (Doc Id: SODR-1739978813-10365).

(Marked 9.1.4)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Lethlean, seconded Cr Krakowiak

That Council endorse the Badgingarra Recreation Precinct Masterplan subject to final documents showing a revised location of the gym facility on the western side of the oval.

CARRIED 7 / 0

**FOR: Cr O'Gorman, Cr Lethlean, Cr Gibson, Cr Young,
Cr Johnson, Cr Glasfurd, Cr Krakowiak**

AGAINST: Nil

9.2 INFRASTRUCTURE SERVICES

9.2.1 SHIRE OF DANDARAGAN PANEL OF PRE-QUALIFIED SUPPLIERS – ADDITIONAL APPLICANTS FOR CONSIDERATION

Location:	Shire of Dandaragan
Applicant:	Various
File Reference:	Doc Id: SODR-872172829-46202
Disclosure of Interest:	Nil
Date:	12 October 2026
Author:	Eilish Collinson, Coordinator Infrastructure Services
Senior Officer:	Brad Pepper, Executive Manager Infrastructure

PROPOSAL

That Council considers applications received from suppliers seeking inclusion in the Shire of Dandaragan Pre-Qualifier Supplier Panel and determines whether the applicants meet the required pre-qualification criteria for inclusion. A Request for Applications to be included on the Pre-Qualified Supplier Panel 2025- 2030 was advertised for the for the following services:

- Building / Construction/Mechanical Services
- Civil Works
- Technical/ Professional Services
- Town Maintenance

BACKGROUND

The Shire maintains a panel of pre-qualified suppliers to support the delivery of works and services. A supplier intake process has recently been undertaken to identify additional qualified suppliers for inclusion on the existing panel. The applicant presented for appointment through this report formed part of the previous supplier intake process but was not included in the assessment considered by Council at the time. The applicant has now been assessed and found to meet the requirements for inclusion on the panel. Council approval is now sought to appoint the successful supplier to the current panel.

Expanding the panel will increase supplier capacity, improve contractor availability, and provide greater flexibility in the delivery of Shire projects and maintenance activities.

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Request for supply is across the following areas:

Building, Construction, and Mechanical Services	<ol style="list-style-type: none"> 1. Roofing including Gutter Cleaning, 2. Demolition Works, 3. Registered Builder 4. Carpenter 5. General Handyman 6. Brick Laying and Paving 7. Glazing Works 8. Working at Heights Services 9. Painting 10. Plumber 11. Electrician, 12. Mechanical Services 13. Fabrication and Welding
Civil Works	<ol style="list-style-type: none"> 1. Engineering Services 2. Road Building and Bulk Earthworks 3. Urban Road Construction 4. Earthmoving Equipment 5. Haulage and Freight 6. Road and Street Maintenance 7. Provision of Earth Moving Equipment at a Fire 8. Supply of Bulk Material
Technical / Professional Services	<ol style="list-style-type: none"> 1. Engineering Consultancy Services 2. Environmental Consultancy Services 3. Asset Management Services
Town Maintenance	<ol style="list-style-type: none"> 1. Vegetation Management 2. Turf Management 3. Irrigation Services 4. Fencing 5. Street Sweeping 6. Drainage Pipe clearing and cleaning

Applications have been received from the following suppliers:

Town Maintenance 3. Irrigation Services	Peter Miley
---	-------------

COMMENT

This application has been assessed against the panel eligibility criteria, capability requirements, compliance obligations and insurance requirements. Officers are satisfied that all the applicant meets the requirements for inclusion on the Supplier Intake Panel.

The applicant has been assessed using the following Qualitative Criteria:

Description of Qualitative Criteria	Weighting %
A) Capabilities Outline the key services, skills, personnel and equipment that your company can provide the Shire of Dandaragan. i. Key services and skills (max 10%)	30%

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ii.Key personnel (max 10%) iii.Relevant equipment (max 10%)	
B) Relevant experience in providing this service. Provide details of previous successful delivery of services: i.Up to a maximum of 2 projects (max 30%) (1 paragraph description outlining scope of work)	30%
C) Location of Business Premises Provide the principal address of your business: i.Shire of Dandaragan (max 40%) Neighbouring local government authority (max 30%) Regional WA (max 10%)	40%

CONSULTATION

Assessment of the application was undertaken by Infrastructure officers in accordance with the supplier Intake Panel conditions and procurement requirements.

STATUTORY ENVIRONMENT

The assessment process has been undertaken in accordance with the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996* and the Shire procurement framework.

POLICY IMPLICATIONS

Applications have been assessed in accordance with the Shire Procurement Policy.

- Purchasing and Tender; and
- Pre-qualified Panels of Suppliers

The selection and engagement of Panel members will be on a project-by-project basis, at the relevant Shire officer's discretion, utilising the expenditure thresholds within Council's Purchasing and Tender Policy to provide the best suitable outcome for the Shire of Dandaragan when procuring each individual service. The panel does not provide exclusivity over any capital and operational expenditure, and it is common practice for Officers to seek quotes from a broad range of local suppliers to ensure value for money is delivered to the community.

FINANCIAL IMPLICATIONS

There are no direct financial implications arising from approval of this supplier. Any future engagements will be subject to approved budgets and procurement requirements.

STRATEGIC IMPLICATIONS

Maintaining a broad supplier panel improves procurement efficiency, competition and value for money outcomes.

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Envision 2029 Strategic Community

Priority Outcomes	Jurien Bay continues to grow as a regional centre that services and delivers benefits through the Shire.
Our roles	Leverage public and private sector partnerships to deliver new infrastructure required to achieve sustainable economic and population growth.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Johnson

That Council:

- 1. Approves the inclusion of the following supplier on the Shire of Dandaragan Panel of Pre-Qualified Suppliers for the remainder of the current panel term, subject to ongoing compliance with the panel conditions, insurance requirements and the Shire's procurement framework:**

Town Maintenance 4. Irrigation Services	Peter Miley
--	--------------------

- 2. Notes that inclusion on the panel does not guarantee work or provide exclusivity, and that all future engagements will remain subject to approved budgets, procurement thresholds, value-for-money assessment and relevant legislative and policy requirements.**

CARRIED 7 / 0

**FOR: Cr O'Gorman, Cr Lethlean, Cr Gibson, Cr Young,
Cr Johnson, Cr Glasfurd, Cr Krakowiak**

AGAINST: Nil

9.3 DEVELOPMENT SERVICES

9.3.1 DRAFT LOCAL PLANNING POLICY 9.16 – EXEMPT DEVELOPMENT

Location:	Shire of Dandaragan
Folder Path:	Doc Id: SODR-877026889-14005
Disclosure of Interest:	Nil
Date:	21 September 2026
Author:	Monica Sullivan, Strategic Planning Coordinator
Senior Officer:	Alex MacKenzie, A/Executive Manager Development Services

PROPOSAL

The purpose of the report is for Council to consider the adoption of the Draft Local Planning Policy 9.16 - Exempt Development for the purpose of public advertising.

BACKGROUND

Clause 61 of Schedule 2 – Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) lists various types of development that are exempt from requiring Development Approval. Item 20 in the exemption table states:

	Column 1 – Works	Column 2 - Conditions
20	Works specified in a local planning policy or local development plan that applies to the works as works that do not require development approval (other than works referred to in item 10).	The works comply with any requirements specified in the local planning policy or local development plan in relation to the exemption from the requirement for development approval.

Note: Item 10 relates to signage where a specific local planning policy has been adopted to deal with these matters.

Furthermore, Clause 61(2)(g) states that development approval is not required for ‘any other use specified in a local planning policy or local development plan that applies to the development as a use that does not require development approval.’

Together, these clauses allow for local government to adopt a local planning policy (LPP) to specify certain land uses and / or works that are considered exempt from requiring Development Approval. The exemptions contained in such a policy are in addition to the general exemptions in the Deemed Provisions, as well as any specific exemptions identified in a local planning scheme.

COMMENT

This LPP has been prepared to:

- provide certainty about what is exempt development;
- streamline the land use planning regulatory process; and
- ensure acceptable development outcomes are maintained.

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It focusses on minor and low impact development and aims to reduce the volume of applications which have limited to no impact on the amenity of surrounding land, or that can be adequately addressed under other legislation. It is noted that in order for a development to be considered exempt under this LPP, it must comply with all relevant development standards in Local Planning Scheme No. 7 (LPS7); the Residential Design Codes (R-Codes), if applicable; any endorsed local planning policy; and any other adopted statutory planning instrument.

In general, the types of development proposed for exemption under the LPP include:

- Minor structures commonly associated with residential development that are not specifically covered under the R-Codes, such as arbors, decking, outdoor cooking facilities and satellite dishes.
- Activities which are more appropriately government by the Shire's *Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2001*, such as mobile traders and al fresco dining, occurring within road reserves or other reserves that are managed by the Shire.
- Structures associated with an 'Agriculture-Extensive' land use (i.e. broadacre farming) in the 'Rural' zone, subject to meeting setback requirements and being located outside of any Special Control Area under LPS7.
- Water tanks with a capacity exceeding 5,000L in 'Rural' and 'Rural Residential' areas. The Regulations exempt water tanks with a capacity of 5,000L or less, however most larger properties require bigger tanks to supply drinking and firefighting water.
- Single Houses in the 'Rural Residential' zone, although State bushfire planning requirements limit where this exemption can be applied. It is noted that single houses complying with the R-Codes and relevant LPS7 requirements are already exempt in the 'Residential', 'Rural Smallholdings' and 'Rural' zones.
- Ancillary Dwellings and horse shelters in the 'Rural Residential', 'Rural Smallholdings' and 'Rural' zones, subject to meeting size and bushfire planning requirements.

A copy of the draft LPP is included in Attachment 1.

CONSULTATION

Clause 4(2) of Schedule 2 – Deemed Provisions for Local Planning Schemes ('Deemed Provisions') of the Regulations requires a minimum advertising period of 21 days for a draft LPP.

Public Notice of the proposed LPP will be given as follows:

- Display of the draft LPP on the Shire website; and
- Display a hard copy of the draft LPP at the front counter of the Shire's Administration Building.

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STATUTORY ENVIRONMENT

Planning and Development (Local Planning Schemes) Regulations 2015

The ability to prepare a LPP is afforded to the Council under clause 3 of Schedule 2 of the Deemed Provisions. The Deemed Provisions allow the Shire to prepare policies in respect to any matter related to the planning and development of the Shire. Policies may apply to a particular class or matter and relate to one or more parts of the Shire's Local Planning Scheme area.

Clause 4 sets out the procedure for making and amending an LPP. LPPs are guidelines used to assist the local government in making decisions under the Local Planning Scheme. They must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies. In considering a development application, the local government must have due regard to relevant LPPs to the extent that the LPP is consistent with the Local Planning Scheme.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

No change to applicable application fees are proposed.

STRATEGIC IMPLICATIONS

Shire of Dandaragan – Council Plan

Prosperity	The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy.
Priority Outcomes	Our Shire has a contemporary land use planning system that responds to and creates economic opportunities.
Initiatives	Review of local planning policies.

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Draft Local Planning Policy 9.16 - Exempt Development (Doc Id: SODR-877026889-12677).

(Marked 9.3.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Lethlean, seconded Cr Krakowiak

That Council:

Pursuant to Clause 4 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015,

adopts the draft Local Planning Policy 9.16: Exempt Development for the purpose of undertaking public consultation.

CARRIED 7 / 0

**FOR: Cr O’Gorman, Cr Lethlean, Cr Gibson, Cr Young,
Cr Johnson, Cr Glasfurd, Cr Krakowiak**

AGAINST: Nil

9.3.2 PROPOSED APPLICATION FOR DEVELOPMENT APPROVAL – 100MW BATTERY ENERGY STORAGE SYSTEM (BESS), 2964 YERRAMULLAH ROAD, DINNER HILL

Location:	2964 Yerramullah Road, Dinner Hill
Applicant:	Harvest Development Project Co Pty Ltd as trustee for the Harvest Development Project Trust a subsidiary of OX2 AB and an affiliate of OX2.
File Reference:	Doc Id: SODR-1262144384-45494
Disclosure of Interest:	Nil
Date:	8 October 2026
Author:	Janine Eriksson, Strategic Planning Coordinator
Senior Officer:	Alex McKenzie, A/Executive Manager Development Services

PROPOSAL

The purpose of this report is for Council to consider granting development approval for an Energy Infrastructure Facility referred to as ‘Harvest Battery Energy Storage System (BESS),’ by Harvest Development Project Co Pty Ltd as trustee for the Harvest Development Project Trust a subsidiary of OX2 AB and an affiliate of OX2 (the proponent).

In the first instance, Council needs to make a determination on whether the proposed Energy Facility as a “use not listed” in the zoning table is compatible with the underlying Rural land use under Clause 3.4.2(a) of the Scheme.

BACKGROUND

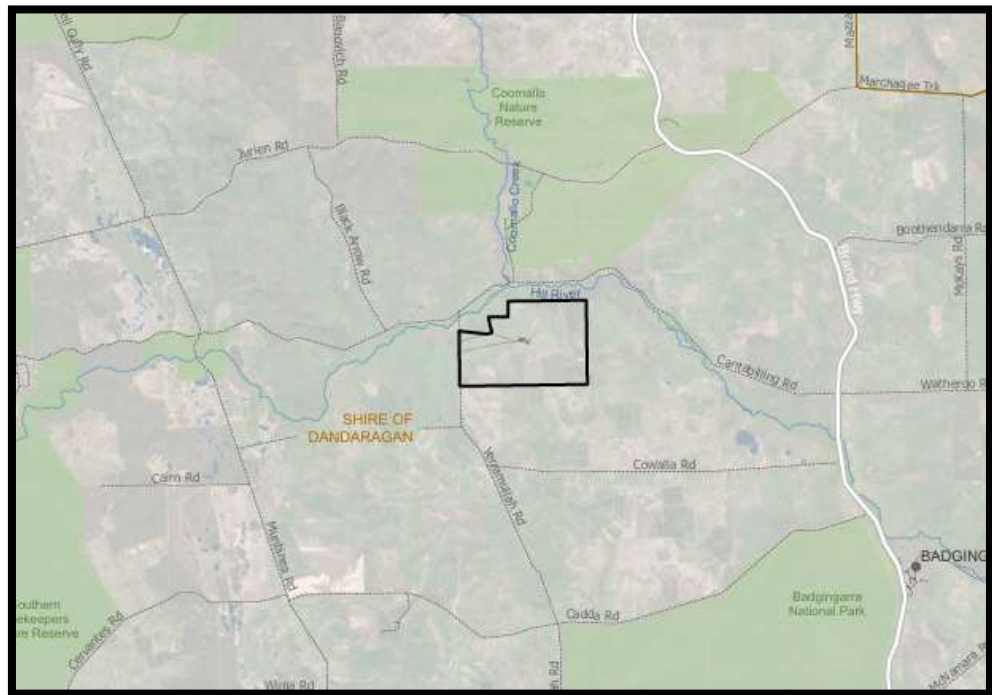
Located at 2964 Yerramullah Road, Dinner Hill (Lot 2 on Deposited Plan 26675) the subject site includes 1,645ha of land predominantly used for agriculture including mixed cropping and grazing and associated rural dwellings and infrastructure. The area surrounding the project is sparsely populated, with neighbouring properties typically consisting of large landholdings made up of multiple lots. Hill River runs parallel to the subject site, approximately 500m to the north and Coomallo Creek and the Coomallo Nature Reserve is located approximately 1km north. An existing 132kV transmission line traverses the property north- south.

The subject land is located south of Cantablling Road and the Dinner Hill River reserve, east of Yerramullah Road and north

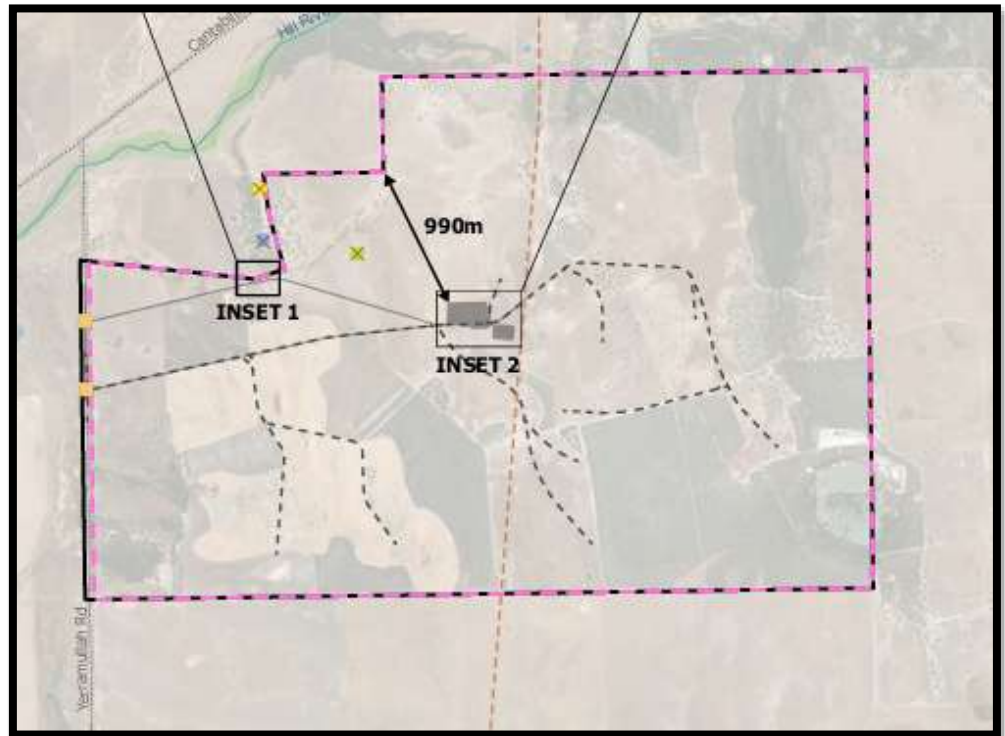
Cowalla Road and approximately 10km west of Brand highway as indicated on Figure 1 below. The proposed BESS and associated infrastructure will occupy a development footprint of 12.3 hectares central to the site (See Figure 2 below).

The recently approved Dinner Hill Temporary met masts (4) and recently submitted proposed Dinner Hill Wind Farm development application are located on the subject land and land holdings immediately east of the subject land.

Figure 1: Subject Land Location



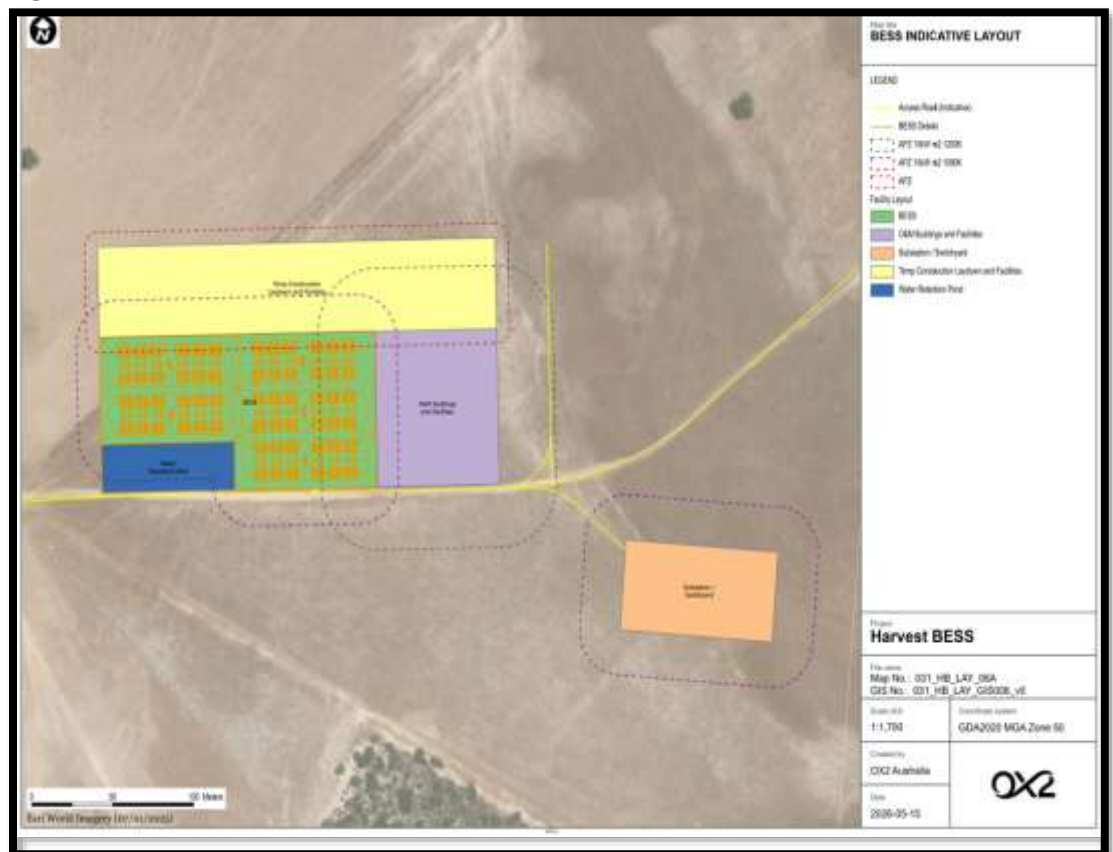
The proposed standalone BESS will have the capacity to store up to approximately 100 megawatts (MW) of electricity with a 4 – 8-hour duration (400 – 800 megawatt-hours (MWh)), for transmission into the South West Interconnected System (SWIS). A BESS stores excess grid energy for later use. It helps balance supply and demand while supporting renewable energy integration.

Figure 2: BESS location on the subject site

The BESS is situated on the subject land approximately 2.5km east of Yerramullah Road and sited in cleared farmland adjacent to the Western Power SWISS (132kV transmission line) (See Figure 3: Site Plan below). The application proposes the following permanent elements:

- A stand-alone BESS with the capacity to store up to approximately 100MW (4 – 8 hours or 400 - 800MWh) of electricity.
- Hardstand areas.
- 132kV Substation and switch yard.
- Operational and maintenance facility.
- Control rooms.
- Construction compound and laydown areas (temporary).
- Concrete batching plants (temporary).
- Site offices and car parking.
- Overhead and underground cabling.
- One upgraded internal access track and one new internal access track.
- Security Fencing.
- Lighting.
- Firefighting water tanks and reticulation system to provide volume of 432,000L.

Figure 3: Site Plan



The Applicant has submitted an indicative site plan and a 3D site visualisation (See Figure 4 below) with the development application. The development application is supported by the following technical reports which are provided in Attachment 2:

- Development Application Report
- Indicative Layout
- Social Impact Assessment
- Ecological Assessment
- Bushfire Compliance CFA Assessment
- Bushfire Management Plan
- Bushfire Risk Report
- Preliminary Hydrogeological Review
- Water Source Assessment
- Noise Impact Assessment
- Visual Assessment Report
- Transport Impact Assessment
- Heritage Assessment

The proponent proposes to commence construction of the 'Harvest BESS in 2028 which is scheduled to last for up to eighteen months. All supporting infrastructure will be maintained as needed, with a projected initial energy delivery lifespan of approximately 30-35 years.

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The average workforce is expected to be 43 personnel, peaking at 70 full-time employees for around six months of the construction period. Peak construction workforce vehicle movements are expected to be around 70 per day. The permanent operational workforce will require approximately 5 workers ongoing.

Planning Context

The subject land is zoned 'Rural' under the Shire's Local Planning Scheme No. 7 (LPS7). The draft WAPC Renewable Energy Code defines energy infrastructure as including renewable energy facilities, transmission systems and battery energy storage systems (BESS). The proposed BESS facility is therefore considered to constitute energy infrastructure. As the proposal does not clearly align with any land use definition contained within Schedule 1 of LPS7, it is considered a 'Use Not Listed' under LPS7.

In accordance with Clause 3.4.2 of the Shire of Dandaragan Local Planning Scheme No. 7 (LPS7) a 'Use Not Listed' may be considered for approval where it can be demonstrated to be consistent with the objectives of the relevant zone.

Following assessment against aims in Clause 1.6 and the objectives of the Rural zone under Clause 3.2 of LPS7, the *Planning and Development (Local Planning Schemes) Regulations 2015* (Deemed Provisions), and relevant State Planning Policies, it is considered that the proposed BESS and supporting infrastructure is compatible with the underlying Rural land use. The use is not inconsistent with the objectives of the Rural zone and is therefore suitable to be supported by Council under Clause 3.4.2(a) of the Scheme.

It is noted that, several recent BESS approvals include the Muchea Battery (Shire of Chittering, 2022), Collie BESS (2023), Collie Battery (2022), Merredin BESS (2024), and Narrogin BESS (2025), Gingin Red Gully BESS (2026) each approved as a 'use not listed' consistent with rural zone objectives or similar zone.

Following engagement with the Shire of Dandaragan, the proponent opted to progress the application via the local government pathway and submitted the development application and associated documents on the 3 August 2026. The proponent was advised that review of the technical documents would be undertaken in conjunction with submissions received from referral agencies and further information may be requested.

COMMENT

The proposed site layout (Figure 3) and visual representation (Figure 4) provide an indicative representation of the proposed use. As a 'use not listed' there are no relevant site and development requirements associated with development in the 'Rural' zone to be considered under LPS7. The location and siting of the proposed

infrastructure in the development footprint of 12.3 hectares on the subject land is confirmed as proposed, however detailed site plans and detailed construction drawings will be required as a condition of approval. Any changes to the site layout and design are required to demonstrate continued compliance with all assessment requirements, including noise, heritage, bush fire management etc.

Figure 4: Visualisation of Harvest BESS and Substation



As the proposed land use is not specifically listed under the applicable planning framework, the development application has been assessed in accordance with Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Clause 67 sets out the matters that a local government must consider when determining development applications and provides the basis for the assessment of unlisted land uses (see the Statutory Environment section below for details). The Shires Local Planning Policy for Renewable Energy facilities provide some guidance in this instance, however, specifically considers windfarm proposals.

The matters considered relevant to the assessment of the proposal under Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, including issues identified through agency referrals and submissions (refer Schedule of Submissions, Attachment 3), are discussed below under the headings of Hazard and Risk, Amenity, and Environment. The proposal did not attract any submissions from the broader community or neighbours.

Hazard and Safety

Bushfire management

The Department of Fire and Emergency Service (DFES) generally acknowledges that the proposed Harvest BESS is not located within a designated bushfire-prone area and therefore does not formally trigger *State Planning Policy 3.7* requirements. However, DFES advises that, due to the inherent fire risks associated with battery

energy storage systems, further work is required to demonstrate that bushfire and facility fire risks have been adequately assessed and managed. DFES generally considers that the submitted Renewable Energy Facility (REF) Guidelines assessment, Bushfire Risk Report and associated documentation did not provide sufficient detail to verify compliance with best-practice fire management requirements. Key issues raised included the need for a more comprehensive assessment of the potential for the BESS to ignite a bushfire, clearer emergency access arrangements, confirmation of firefighting water supplies, detailed site and infrastructure plans, and the preparation of a revised Bushfire Management Plan, and Emergency Management and Risk Management Plans.

The Proponent and the Shire of Dandaragan acknowledge DFES's concerns and consider that these matters may be appropriately addressed through the detailed design phase of the project rather than at the current development approval stage. The recommended conditions of approval require the preparation and updating of a Bushfire Management Plan (BMP), Emergency Management Plan (EMP), Risk Management Plan (RMP) and revised CFA REF Guidelines assessment based on the final detailed design drawings prepared to the satisfaction of the Shire. A detailed response to the DFES submission is included in the Schedule of Submission (See Attachment 3).

The conditions of approval and revised documentation are will be required to address the outstanding matters identified by the Shire of Dandaragan and DFES, including the provision of a minimum 50 metre Asset Protection Zone (APZ) or hardstand surrounding the BESS facility, confirmation of primary and secondary emergency access arrangements to ensure safe access for emergency services (addressed in the Bushfire Risk Report), and detailed firefighting infrastructure requirements including water supply volumes, and tank refill arrangements. The updated and detailed plans will also include a comprehensive assessment of the risk of fire ignition from the BESS itself, together with measures to manage electrical, chemical, explosion, thermal runaway and fire spread risks. Through these revisions, the Proponent and Shire consider that the final design can demonstrate an appropriate level of protection for people, property and infrastructure while meeting the intent of the REF Guidelines and DFES requirements.

The proponent hasn't identified the number of tanks and specific location of the firefighting infrastructure in this proposal, however in the detailed site plans and construction drawings confirms commitment to indicate the following firefighting facilities:

- Water Volume: 432,000L

- Coverage: the same supply serves the substation and terminal, and the hydrants serving the O&M buildings
- Tanks: above-ground, concrete or steel, and non-combustible. All pipes, couplings and fittings must be metal or non-combustible. Number and size are not specified and are to be confirmed at detailed design.
- Siting: more than 15m from BESS cabinets, PCS and other structures, with a BAL-29 asset protection zone around the tanks.
- Outlets: two hydrants, each supplying 10L/s for 4 hours.
- Access: hard-suction points with 125mm Storz couplings, and an all-weather hardstand turnaround within 4m of the tanks (minimum 8m long by 6m wide, 15t GVM). Access must be kept clear, and signage must show the direction to the tanks at each entrance.
- Fittings: external water level indicator, and "FIRE WATER" and capacity signage on each tank.
- Power: pumps run on independent power from the BESS or generators.

Transport Impact

The Transport Impact Assessment (TIA) states that major components of the BESS will be delivered either via port to site routes from Geraldton or the Australian Marine Complex at Henderson via Brand Highway with potential modifications required across key turning areas along each route.

Main Roads WA supports the project in principle but raised concerns regarding the suitability of the local road network to accommodate construction traffic, heavy vehicles and oversize-overmass (OSOM) loads. Main Roads suggested conditions relating to the upgrade of roads and intersections, and the preparation of a traffic management plan and associated advice notes which are recommended to be included.

The Shire considered that the Transport Impact Assessment focused primarily on vehicle geometry and turning movements and did not adequately assess the structural capacity of local roads or the potential maintenance and rehabilitation liabilities arising from the construction task. The Shire recommends the preparation of a 'Road Access and Upgrade Plan' to include that all major construction and OSOM traffic be restricted to a single approved route via Brand Highway, Cowalla Road and Yerramullah Road, supported by appropriate upgrades.

The Shire's Infrastructure Services have recommended that Cantabilling Road, Bibby Road and sections of Yerramullah Road not be used for project construction traffic due to pavement

condition, safety concerns, school bus operations and existing maintenance demands. The Shire also recommends the preparation of a 'Road Use and Maintenance Agreement' for any workforce traffic travelling between Jurien Bay and the site via local roads, including pre and post construction condition surveys, maintenance obligations, repair requirements and traffic management measures. Relevant conditions are included to address the recommendations.

Western Power Easement

The South West interconnected System Transmission power line traverses the site north south. Western Power requires an easement pursuant to Section 167 of the *Planning and Development Act 2005* for existing or planned Western Power distribution and transmission infrastructure being granted free of cost to Western Power.

Amenity

Noise Impact

DWER reviewed the preliminary noise assessment and advised that the proposed Harvest BESS is capable of achieving compliance with the *Environmental Protection (Noise) Regulations 1997*, subject to further refinement of the design and operational details. DWER recommended that the acoustic modelling be reviewed and updated once the final equipment specifications and site layout are confirmed to ensure that noise impacts on surrounding sensitive receptors remain within regulatory limits. Development approval condition will require the preparation of an updated Environmental Noise Assessment based on the detailed design prior to construction and operation of the facility.

(DWER) reviewed the acoustic assessment noting that the original assessment included assessment also based on South Australian noise guidelines, which are not the applicable regulatory framework in Western Australia.

Landscape Visual Impact Assessment

A desktop Visual Impact Assessment was undertaken for the proposed Harvest BESS and associated infrastructure to assess potential visibility from surrounding roads and sensitive receptors. The assessment identified that visibility of the BESS is generally limited by the site's topography, with the facility located on the lower slope of a hill crest and further screened by existing vegetation. While portions of the development may be visible from elevated locations on Nylagarda Road, views from nearby sections of Yerramullah Road are largely obscured by terrain and vegetation. The assessment also identified 15 sensitive receptors located between approximately 2.3km and 5.5km from the development

footprint, with existing riparian vegetation and landscape features expected to provide substantial screening.

The assessment concluded that visual impacts associated with the BESS are expected to be low and largely confined to brief viewing opportunities for passing motorists. The modelling adopted a conservative approach and is likely to overstate actual visibility as it does not account for vegetation or built-form screening. Overall, the BESS is considered unlikely to result in significant adverse visual impacts on the surrounding landscape or community amenity.

Environment

Vegetation

The Department of Biodiversity, Conservation and Attractions (DBCA) did not object to the proposed Harvest BESS and was generally satisfied that the development has been sited within a predominantly cleared agricultural landscape to minimise impacts on native vegetation and environmental values. DBCA's advice largely related to ensuring standard environmental management measures are implemented during detailed design and construction, including compliance with any vegetation clearing requirements.

Water management

DWER provided advice regarding water management, groundwater licensing and environmental protection measures. The agency recommends that detailed stormwater and drainage controls be developed to manage potential contamination risks associated with the BESS, including appropriate bunding and containment measures for any chemical leaks or fire-water runoff. DWER further noted that groundwater abstraction and bore construction may require licensing under the *Rights in Water and Irrigation Act 1914*, and that any clearing of native vegetation would need to comply with relevant statutory approval requirements. In response, development approval conditions and advice notes will require the preparation of a Stormwater Management Plan and ongoing compliance with all relevant licensing and environmental approval requirements prior to construction, ensuring that water resources and environmental values are appropriately protected throughout the life of the development.

The owners of the property immediately north-east of the subject land contacted the Shire and raised concerns regarding the potential effects of water abstraction and possible contamination associated with the BESS and substation on a water source south of their property that supports aquaculture activities on their property. The landowners did not lodge a formal submission with the Shire. The proponent entered into a private agreement with the

landowners, which in addition to complying with all applicable DWER requirements includes following commitments:

1. If groundwater extraction is required for the Projects, OX2 will commit to undertaking field investigations required to understand which aquifer the neighbours rely on and whether groundwater abstraction from the project area will impact their water supply. A field assessment, including groundwater and seep water sampling and analysis, would assist in determining the source of the seepage that they rely on. If we install a new production bore, we will undertake groundwater sampling and testing, targeting a different geological formation to understand whether there is any hydraulic connectivity between our groundwater source and theirs. If required, we can also target the existing bores in their immediate area for sample and analysis. The investigations that will be undertaken will also seek to satisfy licensing requirements to take water.
2. A minimum 1km setback of any production bore from the neighbour's property boundary, to ensure any abstraction is well beyond the predicted drawdown extent. This commitment has been informed by the hydrology assessment which identified that drawdown around a production bore in the target (Yarragadee) aquifer extends approximately 500–600m from the bore. This setback is comfortably beyond that predicted drawdown extent.

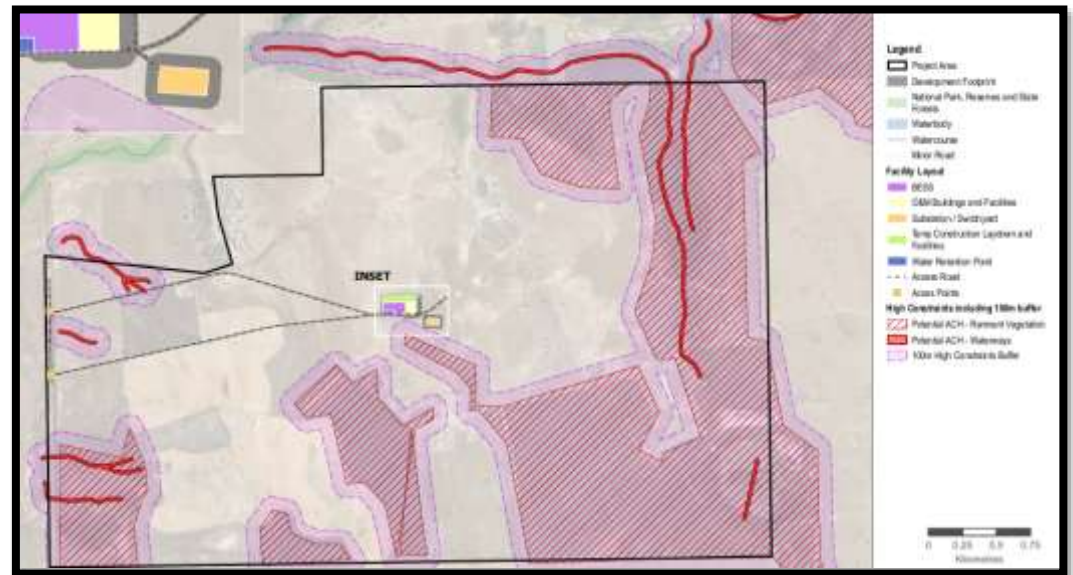
Heritage

A Heritage Risk Assessment was undertaken for the proposed Harvest BESS to identify known and potential heritage values within the project area. The assessment confirmed that there are no registered Aboriginal heritage sites, lodged heritage places or recorded historical heritage places within the project area. However, the assessment identified that areas associated with waterways, wetlands, floodplains and remnant native vegetation have the potential to contain unrecorded Aboriginal cultural heritage (ACH) values, including both tangible and intangible heritage. The proposed BESS, substation and associated infrastructure have largely been located within previously cleared and disturbed agricultural land, reducing the likelihood of direct impacts to heritage values.

The assessment concluded that heritage risks associated with the core BESS development are capable of being appropriately managed through ongoing consultation with the Yued Aboriginal Corporation, targeted ACH surveys in areas of elevated sensitivity, retention of precautionary buffers around sensitive landforms where practicable (100m- as indicated in Figure 5 below), and implementation of cultural heritage management procedures during construction. The report recommends an avoidance-first approach to project design and includes measures such as heritage

awareness training, cultural heritage monitoring where required, and an Unexpected Finds Protocol to ensure any heritage values identified during works are appropriately protected and managed.

Figure 5: Areas of Potential ACH



CONSULTATION

Advertising of the application commenced on 10 August 2026 and concluded on 10 September 2026. Adjoining owners within 500m of the subject site boundaries were notified of the development by mail. The proposal was also publicly advertised on the Shire's website and Facebook page.

One adjoining landowner contacted the Shire and engaged with the proponent to resolve their query. No other submissions were received from neighbours or community members.

State Government and service agency stakeholders were consulted on the proposal through the Shires referral process, with responses received from the following:

- Department of Biodiversity, Conservation and Attractions (DBCA)
- Department of Water and Environmental Regulation (DWER)
- Main Roads Western Australia (Main Roads)
- Department of primary Department of Primary Industries and Regional Development
- Western Power (WP)
- Department of Fire and Emergency Services (DFES)

Responses to all submissions are provided in the Schedule of Submissions in Attachment 3. The Shire considers that the issues raised by the agencies have been sufficiently addressed in the updated documents provided during the assessment period and subject to final information and updated reports being provided prior

to commencement of construction subject of conditions. Matters raised by the agencies have been incorporated into the recommended conditions and advice notes of approval, as considered appropriate.

STATUTORY ENVIRONMENT

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Environmental Protection Act 1986*
- *Environmental Protection (Noise) Regulations 1997*
- *Planning and Development (Significant Development) Regulations 2024*

Local Planning Scheme No. 7

Clause 3.4.2 of LPS7 include use-not-listed provisions that state;

‘3.4.2. If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may:

- a. determine that the use is consistent with the objectives of the particular zone and is therefore permitted.
- b. determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 64 of the deemed provisions in considering an application for development approval; or
- c. determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.’

Relevant Aims of the Scheme for Rural zoned land are set out in Clause 1.6 include:

- *Protection of the Shire of Dandaragan’s viable agricultural base;*
- *Protection and enhancement of the environmental values and natural resources and to promote ecologically sustainable land use and development.*
- *Protect environmentally sensitive waterways throughout the Shire in recognition of their special management requirements;*
- *Protection of the rural vista adjacent to highways;*
- *Provide for planning which is responsive to the changing needs of the community and advancements in technology.*

The Scheme objective for the Rural zone of which the subject properties are zoned is:

To provide for a range of rural activities such as broadacre and diversified farming so as to retain the rural character and amenity of the locality, in such a way as to prevent land degradation and further loss of biodiversity.

The proposed development is not considered to be inconsistent with the relevant objective and aims of the Scheme and is therefore recommended to be supported by Council under Clause 3.4.2(a) of the Scheme.

Planning and Development (Local Planning Schemes) Regulations 2015

Where a proposed land use is not listed in the Zoning Table, the application is assessed with reference to clause 67 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* that states:

‘In considering an application for development approval (other than an application on which approval cannot be granted under subclause (1)), the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application —

- (a) the aims and provisions of this Scheme (including any planning codes that are read, with or without modifications, into this Scheme) and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the *Planning and Development (Local Planning Schemes) Regulations 2015* or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- (c) any approved State planning policy;
- (d) any environmental protection policy approved under the *Environmental Protection Act 1986* section 31(d);
- (e) any policy of the Commission;
- (f) any policy of the State;
- (fa) any local planning strategy for this Scheme endorsed by the Commission;
- (g) any local planning policy for the Scheme area;
- (h) any structure plan or local development plan that relates to the development;
- (i) any report of the review of the local planning scheme that has been published under the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;
- (k) the built heritage conservation of any place that is of cultural significance;
- (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;

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- (m) the compatibility of the development with its setting, including —
 - (i) the compatibility of the development with the desired future character of its setting; and
 - (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality including the following —
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;
- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;
- (s) the adequacy of —
 - (i) the proposed means of access to and egress from the site; and
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (u) the availability and adequacy for the development of the following —
 - (i) public transport services;
 - (ii) public utility services;
 - (iii) storage, management and collection of waste;
 - (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
 - (v) access by older people and people with disability;
- (v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result

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from economic competition between new and existing businesses;

- (w) the history of the site where the development is to be located;
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;
 - (za) the comments or submissions received from any authority consulted under clause 66;
 - (zb) any other planning consideration the local government considers appropriate.'

POLICY IMPLICATIONS

- State Planning Policy 2.0 - Environment and Natural Resources Policy
- State Planning Policy 2.5 – Rural Planning
- State Planning Policy 2.9 – Water
- State Planning Policy 4.1 – Industrial Interface
- State Planning Policy 3.7 – Bushfire
- Western Australian Planning Commission – Position Statement Renewable Energy Facilities

Draft Renewable Energy Planning Code 2025 (Code)

The Western Australian Planning Commission (WAPC) released the Code for public consultation on 15 December 2025, and submissions closed on 10 April 2026. The Code is intended to guide the assessment of development applications for energy infrastructure (including renewable energy facilities, battery energy storage systems and transmission systems) setting out:

- the objectives and development provisions for their siting, design, construction, operation and decommissioning; and
- the materials required to accompany associated development applications.

The Code (and any amendments to it) is made under Part 3A of the *Planning and Development Act 2005* and in accordance with the *Planning and Development (Planning Codes) Regulations 2024*.

The Code will include 5 parts as indicated below (currently only part 1 and 2 have been prepared);

- Code intent (Part 1)
- Wind farms (Part 2);
- Transmission systems (Part 3 – to be prepared);
- Solar farms (Part 4 – to be prepared); and
- Battery energy storage systems (Part 5 – to be prepared).

The RE Code will form part of the Scheme when enacted.

FINANCIAL IMPLICATIONS

The applicant has paid the maximum development application fee of \$34,196 with the BESS estimated to cost \$140 million.

If approved, the proponent has committed to the establishment of a Community Benefit Fund with funding of \$125 per MW per annum over the life of the project, which equates to \$12,500 per annum at maximum energy output. In addition, a Neighbour Benefit Program will be implemented to recognise the potential impacts that neighbouring landholders may experience during construction and operations, providing targeted benefits to directly affected stakeholders.

There is currently no statutory mechanism to require community benefit payments under the planning system at present, should a rating be applied to the use in the future, it should be noted that this would apply to the BESS activity, and not the landowner.

STRATEGIC IMPLICATIONS

Local Planning Strategy

Section 4.5 - Rural

Strategic Directions

4. Support non-rural land uses that are compatible with, and complement, the primary use of the land.

Section 4.7 – Economy

Strategic Directions

7. Work with industry to investigate and identify opportunities for renewable energy projects based on the Shire's competitive advantages (i.e. coastal winds and flat terrain).

Actions – Renewable Energy

11. Promote opportunities for renewable energy across the Shire, based on the Shire's favourable climactic and environmental attributes and investigate how agricultural projects may benefit.

Section 4.8 – Utility Infrastructure

Actions – Energy

4. When assessing proposals for wind farms and other alternative energy infrastructure, the Shire will consider visual landscape issues and other relevant matters set out in the Western Australian Planning Commission's Position Statement on Renewable Energy Facilities.

Section 4.11 - Environment and Natural Resources

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 OCTOBER 2026

Strategic Directions

3. *Protect the valued landscape characteristics of the Shire's natural and rural landscapes, as assets to be appreciated by residents and tourists.*

Shire of Dandaragan – Council Plan

Prosperity	The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy.
Priority Outcomes	Our Shire has a contemporary land use planning system that responds to and creates economic opportunities

ATTACHMENTS

Circulated with the agenda are the following items relevant to this report:

- Attachment 1: Development Application report and Site Plan (Doc Id: SODR-1262144384-46560). ELECTRONIC ONLY.
- Attachment 2: Schedule of Submissions (Doc Id: SODR-1262144384-45494).

(Marked 9.3.2)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Young, seconded Cr Glasfurd

A. That Council, pursuant to Clause 3.4.2(a) of Local Planning Scheme No. 7, determines that the proposed Energy Infrastructure is appropriate as a “Use Not Listed” development and consistent with the objectives of the Rural zone and is therefore permitted,

B. That Council grants development approval for the proposed Energy Infrastructure known as the Harvest Battery Energy Storage System (BESS), located on 2946 Yerramullah Road, Dinner Hill subject to the following conditions and advice notes:

Conditions:

- 1. All development shall be in accordance with the approved development plans and accompanying documentation submitted by Harvest Development Project Co Pty Ltd as trustee for the Harvest Development Project Trust a subsidiary of OX2 AB and an affiliate of OX2, to the specifications and satisfaction of the Shire of Dandaragan,**

subject to any modifications required as a consequence of any condition(s) of this approval.

2. This decision constitutes development approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. This approval is for a Battery Energy Storage System facility providing up to 100 megawatts (MW) of electricity with a 4 - 8-hour duration (400 – 800 megawatt-hours (MWh)), and a 132kV Substation and associated infrastructure.
4. Prior to development, arrangements shall be made for the provision of an easement pursuant to Section 167 of the *Planning and Development Act 2005* for existing or planned Western Power distribution and transmission infrastructure being granted free of cost to Western Power.
5. Prior to the commencement of site works, final designs of the overall layout, built form and configuration of the proposed development within the BESS development footprint (12.3ha) are to be provided to the Shire of Dandaragan for approval. Detailed design drawings are to be included for all structures, including but not limited to all components of the Battery Energy Storage System, all infrastructure associated with the substations, any operations and maintenance or stores buildings (temporary and permanent), temporary concrete batching plants, water supply and firefighting infrastructure and hardstand areas are to be submitted by the proponent and approved by the Shire of Dandaragan.
6. The proponent will be required to seek relevant groundwater licensing under the RIWI Act and Part V of the *Environmental Protection Act 1986 (EP Act)* if required.
7. Prior to construction commencing on-site, the applicant is to submit for approval to the Shire of Dandaragan either:
 - a) Updated reports which assess the impact of the final detailed design of the BESS and relevant development approval conditions and advice notes; or
 - b) A technical note from the author of the report or equivalent expert confirming that the change in location of the turbines does not change the outcome or recommendations in the report.

The reports to which this condition relate to are the:

- (i) Ecological Assessment
- (ii) Bushfire Compliance CFA Assessment
- (iii) Bushfire Management Plan
- (iv) Bushfire Risk Report
- (v) Preliminary Hydrogeological Review
- (vi) Water Source Assessment
- (vii) Noise Impact Assessment
- (viii) Visual Assessment Report
- (ix) Transport Impact Assessment
- (x) Heritage Assessment
- (xi) Waste Management

8. Prior to construction, the proponent is to update and submit with the detailed construction drawings, the Environmental Noise Assessment (ENA) by a qualified acoustic consultant confirming the development can comply with the relevant provisions of the *Environmental Protection (Noise) Regulations 1997* (as amended), to the satisfaction of the Shire of Dandaragan, on advice from the Department of Water and Environmental Regulation (DWER).

9. Prior to the commencement of site works, a Construction and Environmental Management Plan is to be submitted to the Shire of Dandaragan` for approval and shall include the following:

- a) Contact details of essential site personnel, construction period and operating hours;
- b) Community information, consultation and complaints management plan;
- c) Public safety, security and amenity;
- d) Traffic and parking management;
- e) Noise and dust management plan;
- f) Waste management during construction, including the storage and disposal of hydrocarbons, chemicals, and potentially hazardous substances, to be in accordance with the Department of Water and Environmental Regulation Guidelines and Water Quality Protection Notes;
- g) Earthworks, excavation, land retention/piling methods and associated matters, all to be contained within the approved development site;
- h) Stormwater Management and sediment control;
- i) Access and parking plan shall be submitted;
- j) Security and Hazardous Work Zone / Restricted Area fencing details;
- k) Amenity and office buildings;
- l) Potable water supply.

10. The approved Construction and Environmental Management Plan is to be implemented and adhered to thereafter, to the satisfaction of the Shire of Dandaragan.
11. Prior to the commencement of the approved use, an Operational Management Plan is to be submitted to the Shire of Dandaragan for approval, and on advice from relevant state agencies (if required), that at a minimum includes the following:
 - a) Operating Strategy;
 - b) Stormwater Management Plan (including surface water and wind erosion management);
 - c) Biosecurity Management Plan;
 - d) Washdown area;
 - e) Dust Management.
12. The approved Operational Management Plan is to be implemented and adhered to thereafter for the life of the development, to the satisfaction of the Shire of Dandaragan.
13. Prior to the commencement of site works, a revised Bushfire Management Plan shall be submitted to and approved by the Shire of Dandaragan, in consultation with the Department of Fire and Emergency Services.
14. The approved Bushfire Management Plan is to be implemented and adhered to thereafter for the life of the development, to the satisfaction of the Shire of Dandaragan.
15. Notwithstanding the approved Bushfire Management Plan, a minimum 50-metre-wide hardstand and/or low-fuel Asset Protection Zone (APZ) shall be established around the entire perimeter of the Battery Energy Storage System (BESS) compound prior to operation of the facility. The APZ and/or hardstand area shall be maintained for the life of the development, managed to minimise bushfire fuel loads, and remain free of combustible vegetation and materials, to the satisfaction of the Shire of Dandaragan.
16. Prior to the commencement of the approved use, an Emergency Management Plan shall be submitted to and approved by the Shire of Dandaragan, in consultation with Department of Fire and Emergency Services (as required).
17. The approved Emergency Management Plan is to be implemented and adhered to thereafter for the life of the

development, to the satisfaction of the Shire of Dandaragan.

18. Prior to commencement of construction, a detailed Risk Management Plan (RMP) addressing the requirements of the CFA Design Guidelines and Model Requirements – Renewable Energy Facilities (REF Guidelines) shall be prepared in consultation with Department of Fire and Emergency Services and submitted to the Shire of Dandaragan for approval.
19. Prior to the commencement of any of the BESS and associated project components, the developer must ensure the transport route is suitable, and any road or intersection upgrades are completed to the satisfaction of the Shire, in consultation with Main Roads WA.
20. A Transport Management Plan in conjunction with an application for a permit that requires vehicle and machinery access and movement for Over Sized Over Mass (OSOM) Vehicles shall be submitted for approval to the satisfaction of the Shire of Dandaragan, in consultation with Main Roads Western Australia and thereafter implemented to the satisfaction of the Shire of Dandaragan. The Traffic Management Plan shall address, at minimum:
 - a) Construction vehicle speed limits;
 - b) Approved haulage routes and times of operation (to avoid conflicts with school buses and community use);
 - c) Dust suppression and local road safety measures;
 - d) The necessary approvals/permits from Main Roads WA Heavy Vehicle Operations Branch; and
 - e) Any other reasonable requirements of Main Roads WA.
21. All project-related construction deliveries, heavy vehicles, restricted-access vehicles, OSOM vehicles, construction plant and material haulage associated with the development must access the site from Brand Highway via Cowalla Road and Yerramullah Road. No alternative construction route may be used without the prior written approval of the Shire of Dandaragan.
22. Prior to commencement of construction, other than preliminary surveying, environmental investigations or geotechnical investigations, the landowner/applicant must prepare and obtain the Shire's written approval of a 'Road Access and Upgrade Plan', in consultation with Main Roads. The plan must include the detailed design,

construction program, funding arrangements and completion requirements for:

- a) reconstruction and sealing of Cowalla Road from the western extent of the Parron Maam Marang Farm Cowalla Road upgrade, anticipated to be approximately SLK 12.60, to the Cowalla Road/Yerramullah Road intersection;
- b) reconstruction and sealing of Yerramullah Road from the Cowalla Road intersection to each approved Harvest BESS site access;
- c) reconstruction or upgrading of the Cowalla Road/Yerramullah Road intersection to safely accommodate the largest design vehicle and all anticipated OSOM vehicle configurations;
- d) construction of the site crossovers and associated acceleration, deceleration, turning, drainage, signage and sight-distance treatments;
- e) all required drainage, culverts, shoulders, guideposts, signs, road tie-ins and roadside reinstatement; and
- f) testing, quality-control records, as-constructed information and practical-completion inspections.

Upgraded sections of road must be constructed to the applicable Shire standards and Shire-approved engineering drawings. All design, construction, testing and approval costs are to be met by the landowner/applicant.

23. The road and intersection works required under Condition 22 must be completed to the satisfaction of the Shire before the first movement of any project-related heavy vehicle, restricted-access vehicle or OSOM vehicle to the development site. Where the applicant proposes to rely on works being delivered by another development, the applicant must first provide evidence satisfactory to the Shire that those works:

- a) have reached practical completion;
- b) have been accepted by the relevant road authority;
- c) are available for lawful use by Harvest BESS project traffic; and
- d) have been designed and constructed to accommodate the Harvest BESS vehicle task.

Where the works have not been completed or accepted, the applicant remains responsible for delivering or securing the necessary works before project traffic commences.

- 24. Prior to the commencement of project construction traffic, the Brand Highway/Cowalla Road intersection shall be constructed to accommodate the largest anticipated design vehicle and OSOM movement to the satisfaction of the Shire of Dandaragan, in consultation with Main Roads WA and shall include all necessary drainage and signage. Any additional works, permits or traffic-management measures required by Main Roads Western Australia must be completed or obtained at the applicant's cost.**
- 25. The proponent must undertake regular inspections of all Shire roads approved for project use during construction and commissioning. Any damage, abnormal deterioration or safety defect caused or materially contributed to by project-related traffic must be repaired by the proponent, at its cost, within the timeframe directed by the Shire.**
- 26. Prior to commencement of construction, the proponent is to prepare a 'Road Use and Maintenance Agreement' for any workforce traffic travelling between Jurien Bay and the site via local roads, including pre and post construction condition surveys, maintenance obligations, repair requirements and traffic management measures.**
- 27. The detailed construction plans are to set aside areas for the parking of vehicles together with the associated access. The carparking areas shall:**

 - a) be installed to the satisfaction of the Shire of Dandaragan prior to the commencement of the approved use;**
 - b) be maintained thereafter to the satisfaction of the Shire of Dandaragan.**
- 28. Prior to the commencement of construction, a Site and Soil Evaluation (SSE) shall be prepared by a suitably qualified consultant during the wettest time of year in accordance with AS/NZS 1547:2012 and submitted to the Shire of Dandaragan for approval, demonstrating the suitability of the land for on-site treatment and disposal of wastewater.**
- 29. Within 12 months of the development being decommissioned, a Decommissioning Plan is to be submitted to and approved by the Shire of Dandaragan, and on advice from relevant state agencies. The Decommissioning Plan, at a minimum, is to outline the following:**

- All infrastructure associated with the development shall be decommissioned and removed within 12 months of the use /development ceasing, unless the Shire of Dandaragan agrees otherwise.
- In conjunction with decommissioning of the development, the plan shall demonstrate how the site will be remediated and returned to agricultural production without residual contamination at the end of the operational lifespan of the facility, to the agricultural land.

Advice Notes:

1. This is a development approval of the Shire of Dandaragan under its Local Planning Scheme No.7. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
2. If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. An application must be submitted within 28 days of the determination.
3. Further to this approval, the applicant is required to submit working drawings and specifications to comply with the requirements of the *Building Act 2011* and *Health Act 2016*, which are to be approved by the Shire of Dandaragan.
4. In relation to Condition 1, Any significant changes to the project footprint or appearance of project elements resulting from detailed design may require an amended or subsequent development approval
5. The proponent is required to obtain a Clearing Permit in accordance with the provisions of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* in the case of any proposal to clear existing remnant native vegetation on the development site.
6. Noise levels from the approved development are to comply, at all times, with the limits identified in the *Environmental Protection Authority Environmental Protection (Noise) Regulations 1997* (as amended).

7. The Applicant is advised that all basic raw materials (i.e. sand and gravel) to be used in the construction of the development are to be sourced from locations within the development site and transported using roads internal to the property or from external locations that have a current valid Extractive Industry licence.
8. An application to Construct or Install an Apparatus for the Treatment of Sewage for each onsite wastewater treatment system, temporary or otherwise, will be required to be submitted to the Shire of Dandaragan. The treatment and disposal of wastewater generated on site, either temporarily or permanently, is required to comply with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* and the requirements of *State Planning Policy 2.9 – Water*.
9. All drinking water provided on site must meet the health-related requirements of the *Australian Drinking Water Guidelines 2011*.
10. Regarding Condition 4: Western Power advises pursuant to Section 167 of the *Planning and Development Act 2005* that the following standard advice applies prior to development.
 - (i) The development shall be designed and constructed to protect Western Power infrastructure and interests from potential land use conflict.
 - (ii) No development (including drainage, fill, fencing, storage or parking) will be permitted within Western Power line and cable easements or restriction zones without the prior written approval of Western Power.
 - (iii) The applicant should formally progress the Western Power network connection and substation arrangements with Western Power.
 - (iv) Arrangements being made to the specifications of Western Power for the provision of necessary electricity easements as and where required.
11. Regarding Condition 9 and 11: The stormwater management plan should identify stormwater management, water storage, bunding, impermeable surfaces and other control measures to contain and control chemical leaks.
12. Regarding Condition 11: the proponent is advised that an Operational Biosecurity Management plan that includes machinery inspection, cleaning of equipment, monitoring

of weeds across the site, contingencies and reporting is included in the Operational Management Plan and prepared in consultation with Department of Primary Industries and Regional Development.

13. Regarding Condition 18: DFES advise that the RMP should address the following model requirements of the REF Guidelines:

- a) Detailed site plans showing the location of site vehicle access points, internal roads, wind turbines, battery containers, substations, buildings and fire water supplies.
- b) The exact specifications of the elements within the renewable energy facility, such as the battery chemistry, relevant specifications and technical data sheets on the BESS facility.
- c) Details of the fire, smoke, heat, and toxic off-gassing detection system for the BESS facility. The system should specify what triggers an internal operator response and what triggers a 000 call.
- d) Details of the explosion prevention and venting system for the BESS facility.
- e) Details of the battery management and monitoring system. The system should enable the operator to intervene for the prevention of thermal runaway.
- f) Details of the system to prevent water ingress to battery containers and appropriate ingress protection rating for containers.
- g) Details of the warning and alarm system within battery containers and/or the facility. The system should specify what each alarm signal means.

14. Regarding Condition 18: DFES Regional Operations request confirmation of the following matters be provided prior to construction:

- All access roads and tracks servicing the BESS are constructed and maintained to an all-weather standard suitable for urban firefighting appliances.
- Suitable hardstand areas are provided to allow for appliance access, manoeuvring and staging during an incident. Modification to the submission is required to address the Assessment advice.
- Details of the available firefighting water supplies, including capacity, reliability and access.
- Details of the hydrant and/or ring main arrangements servicing the facility and associated infrastructure.

15. The applicant is advised to have due regard to the *Draft Renewable Energy Planning Code (December 2025)* including the code objectives and Appendix 2 – Material to accompany a development application, when preparing detailed design documentation.
16. Separate advice is recommended to be obtained from the Department of Fire and Emergency Services, the Department of Mines, Industry Regulation and Safety (Building and Energy Division – Dangerous Goods), the Department of Energy and Economic Diversification (Energy Policy WA), and the Department of Water and Environmental Regulation (Green Energy Approvals Directorate) regarding hazardous materials management, dangerous goods approvals, and emergency response planning for the BESS facility.
17. The applicant is advised that the DFES District Officer responsible for this region and the local fire and emergency services should be consulted during the construction phase and prior to facility being activated. It is considered critical for local fire and emergency services to understand the facility in detail and the measures required to ensure the safety of firefighting personnel when working in or around different parts of the facility or surrounding properties.
18. Regarding Condition 10: Any Intersection upgrades between the Brand Highway and Local Road(s) design is to be informed by an updated Traffic Impact Assessment, and concept designs (Design and Report required for 15%, 85%, 100% and Issued for Construction) to the satisfaction of Main Roads and the Local Government.
19. Regarding Condition 19: The applicant is required to submit an application form to Undertake Works within the Road Reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads.
20. Regarding Condition 20: The route on Brand Hwy from the Port to the development site must be suitable for the transport of battery storage components. Any upgrades

identified as part of the Transport Management plan must be completed to LGA's satisfaction, in consultation with Main Roads WA, including Cantabilling Road and any other intersections.

21. Regarding Condition 20: Heavy vehicle access must be approved from Main Roads where the routes relating to the development application are not approved for the proposed heavy vehicle combinations including RAV's (Restricted Access Vehicles) and OSOM (Over Sized, Over Mass) vehicles. Main Roads is the relevant authority to issue such approvals. Such an approval may be subject to any necessary intersection upgrades being undertaken at the applicant's expense to the satisfaction of the Shire of Dandaragan in consultation with Main Roads. The applicant is advised to contact Main Roads' Heavy Vehicle Services branch to ascertain any approval requirements. Information can also be found on the Heavy Vehicles Access Requirements in WA section of the Main Roads website. Any change in the type of Restricted Access Vehicle (RAV) to service the development may be subject to future support and approval from the Shire of Dandaragan and Main Roads. Such an approval may be subject to necessary intersection upgrades being undertaken at the applicant's expense to the satisfaction of the Shire of Dandaragan, in consultation with Main Roads.
22. The upgrading/widening of Brand Highway is not in Main Roads current 4-year forward estimated construction program and all projects not listed are subject to change without notice, and Main Roads assumes no liability for the information provided.
23. Any signage visible from the Brand Highway must comply to Main Roads WA's advertising signage policy, that requires a separate application to Main Roads.
24. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Dandaragan Local Planning Scheme No.7 and may result in compliance action being initiated by the Shire of Dandaragan.

CARRIED 7 / 0

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 OCTOBER 2026
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**FOR: Cr O'Gorman, Cr Lethlean, Cr Gibson, Cr Young,
Cr Johnson, Cr Glasfurd, Cr Krakowiak**

AGAINST: Nil

9.3.3 DRAFT LOCAL PLANNING POLICY 9.13 COMMERCIAL DEVELOPMENT WITHIN THE JURIEBAY FORESHORE

Location:	N/A
File Reference:	Doc Id: SODR-877026889-14444
Disclosure of Interest:	Nil
Date:	14 October 2026
Author:	Alex MacKenzie, A/Executive Manager Development Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

The purpose of the report is for Council to consider the adoption of the amended, draft, *Local Planning Policy 9.13 Commercial Development within the Jurie Bay Foreshore (LPP 9.13)* for the purpose of public advertising.

BACKGROUND

For the purposes of the policy, the foreshore comprises the reserve land abutting the seaward side of Grigson Street and Heaton Street, extending from Cook Street to the south to Doust Street to the north (refer Attachment 2). The masterplan for the Jurie Bay foreshore was recently updated to include the designation of new commercial development nodes. The purpose of LPP 9.13 is to ensure that commercial development within the foreshore occurs in line with the vision of the adopted foreshore masterplan (refer Attachment 3).

LPP 9.13 does not replace the Shire's Local Planning Policy 9.11 - Mobile and Itinerant Vendors and Commercial Activities on Reserve Land (Including Foreshore). LPP 9.13 applies to development of commercial nodes the subject of a lease whereas LPP 9.11 applies to trading activities that are more mobile and temporary in nature. Whereas LPP 9.11 focuses primarily on vendor management; the intent of LPP 9.13 is to provide guidance for longer-term and more permanent, strategic foreshore activation. Specifically, LPP 9.13 details the parameters for how the commercial node locations in the foreshore may be developed.

The draft LPP has been prepared in accordance with the *Draft WA Planning Manual – Local Planning Policies* chapter.

COMMENT

The 2026 Masterplan recognises the Jurie Bay Foreshore as a regional recreation, tourism and community destination and

supports commercial activity where it contributes to the activation of the foreshore whilst maintaining the area as predominantly, open space, public reserve. Informed by extensive community consultation, the adopted Masterplan represents a framework for the foreshore that seeks to respond to and protect the interests of the community. Accordingly, the draft LPP contains the following key elements.

Preferred Commercial Activities

The following commercial activities may be supported within the foreshore reserve, subject to all required approvals:

- Supports the objectives of the adopted Jurien Bay Foreshore Masterplan.
- Encourages appropriate commercial activity and development that enhances the visitor experience and community use of the foreshore.
- Protects public access, recreation opportunities, coastal character and visual amenity.
- Provides opportunities for local business, tourism and economic development.
- Protects open green space by minimising the need for car parking.

The following commercial activities may be supported within the foreshore reserve, subject to all required approvals:

- Cafés;
- Restaurants;
- Food and beverage premises;
- Kiosks;
- Grab-and-go food outlets;
- Mobile food and beverage vendors;
- Equipment hire operators associated with coastal recreation, tourism and active transport activities;
- Commercial activities associated with approved events, markets and community festivals; and
- Other commercial activities determined by Council to be consistent with the objectives of this policy and the adopted Foreshore Masterplan.

Non-Preferred Activities

The following activities are not supported within the Foreshore Reserve:

- Drive-through premises;
- Chain fast-food outlets;
- General retail activities which are not directly related to food, beverage, tourism or recreation;

- Activities resulting in the exclusive occupation of public open space;
- Activities that adversely impact public access, safety or the recreational function of the reserve.

Commercial Opportunity Locations

Under the Masterplan, consideration may be given to commercial development in the commercial node locations identified by the adopted Jurien Bay Foreshore Masterplan. A summary of expectations for each location is set out below.

Central Commercial Node (Jetty Precinct)

Intended as the principal commercial node for the foreshore precinct. The masterplan emphasises the need for built form in this location to be limited to single storey in order to protect access to views for adjoining development and residents. The masterplan also limits the capacity of the secondary commercial offering to 200-pax in order to limit the number of parking spaces needed. This is intended to protect the availability of green open space.

Southern Commercial Node (Fauntleroy Park – Cook Street)

Allows for consideration of a two-storey food and beverage offering to be positioned in front of the existing water tanks. An application will need to be supported by demand analysis demonstrating that the proposal will not cause existing local F&B businesses to become unviable. Two-storey built form may be considered for the reason that access to ocean view for adjoining residences has already been interrupted by existing trees and infrastructure on-site.

Northern Commercial Node (Dobbyn Park-Doust Street)

Intended to allow for a small-scale, single-storey, commercial offering supporting casual foreshore use. Potential for an elevated timber deck area to achieve ocean views while not impacting on access to views for adjacent residences.

Design and Operational Requirements

Any commercial activity or development within the foreshore reserve should:

- a) Maintain public access to the coastline, beach and foreshore facilities.
- b) Preserve significant ocean views, foreshore vistas and view corridors.
- c) Respond appropriately to coastal hazard and adaptation planning requirements.
- d) Utilise lightweight and coastal-responsive design.
- e) Incorporate durable materials suitable for a coastal environment.
- f) Maintain pedestrian priority within the foreshore precinct.
- g) Minimise noise, traffic and lighting impacts.
- h) Incorporate lighting consistent with adopted Dark Sky principles.
- i) Respect the character, amenity and environmental values of the foreshore reserve.

Assessment Criteria

When determining an application, Council may consider:

- Consistency with the Jurien Bay Foreshore Masterplan;
- Contribution to activation of the foreshore;
- Public benefit and tourism outcomes;
- Impacts on open space, public access and recreational use;
- Noise, traffic and parking implications;
- Environmental impacts;
- Coastal hazard considerations;
- Visual amenity and landscape character;
- Market demand and potential impact on local commercial operators;
- Event management requirements; and
- Any other matter considered relevant by Council.

Mobile Vendors

Mobile vendors may be approved for temporary operation in designated vendor hardstand locations identified within the Foreshore Masterplan. Applications for mobile trading will be assessed under the Shire's *Local Planning Policy 9.11 - Mobile and Itinerant Vendors and Commercial Activities on Reserve Land (Including Foreshore)*.

Next Steps

It is recommended that Council adopt the draft LPP for a period of public advertising, as detailed below.

CONSULTATION

Clause 4(2) of Schedule 2 – Deemed Provisions for Local Planning Schemes ('Deemed Provisions') of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires a minimum advertising period of 21 days for a draft LPP.

Public Notice of the proposed LPP will be given as follows:

- Display of the draft LPP and submission form on the Shire website; and
- Display hard copies of the draft LPP and submission form at the front counter of the Shire's Administration Building.

STATUTORY ENVIRONMENT

Local Planning Scheme No.7

This Policy is a Local Planning Policy adopted pursuant to Part 2 clause 4 of the deemed provisions of LPS7.

Activities on Thoroughfares and Trading in Public Places Local Law (2019)

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 OCTOBER 2026

POLICY IMPLICATIONS

Local Planning Policy 9.11 – Mobile and Itinerant Vendors and Commercial Activities on Reserved Land (Including Foreshore)

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Council Plan 2024

Prosperity	The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy
Outcomes	We will play a more active role in the development of land where supply is constrained and seek diverse solutions for increasing housing supply. Our Shire has a contemporary land use planning system that responds to and creates economic opportunities.

Shire of Dandaragan Local Planning Strategy

ATTACHMENTS

Circulated with the agenda are the following items relevant to this report:

- Attachment 1 - Draft Local Planning Policy 9.13 Commercial Development within the Jurien Bay Foreshore (Doc ID: SODR-877026889-14092).
- Attachment 2 – Jurien Bay Foreshore Masterplan Report (Doc ID: SODR-877026889-14093) – ELECTRONIC ONLY.
- Attachment 3 – Existing Foreshore Commercial Development Plan Local Planning Policy 9.13 (Doc ID: SODR-877026889-14444).

(Marked 9.3.3)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Lethlean, seconded Cr Johnson

That Council pursuant to Clause 4 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, endorses draft Local Planning Policy 9.13 Commercial Development within the Jurien Bay Foreshore for the purpose of undertaking public consultation for a period of 21-days.

CARRIED 7 / 0

**FOR: Cr O'Gorman, Cr Lethlean, Cr Gibson, Cr Young,
Cr Johnson, Cr Glasfurd, Cr Krakowiak**

AGAINST: Nil

9.4 GOVERNANCE & ADMINISTRATION

9.4.1 DBCA LEASE EXTENSION - JURIEBAY CIVIC CENTRE

Location:	Jurien Bay Civic Centre, Lot 124 Bashford Street, Jurien Bay
Applicant:	Minister for Works / Department of Biodiversity, Conservation and Attractions
File Reference:	Doc Id: SODR-1739978813-10353
Disclosure of Interest:	Nil
Date:	9 October 2026
Author:	Brent Bailey, Chief Executive Officer
Senior Officer:	Not Applicable

PROPOSAL

To consider a ten-year extension of the existing lease for office accommodation occupied by the Department of Biodiversity, Conservation and Attractions at the Jurien Bay Civic Centre, in accordance with the negotiated terms and draft Deed of Extension and Variation, and to authorise finalisation and execution of the lease documentation.

BACKGROUND

The Minister for Works currently leases two areas within the Jurien Bay Civic Centre for occupation by the Department of Biodiversity, Conservation and Attractions (DBCA). The lease arrangements comprise an original ten-year term from 1 January 2015 to 31 December 2024 and a subsequent two-year extension from 1 January 2025 to 31 December 2026.

Government Office Accommodation, through Cushman & Wakefield, commenced negotiations with the Shire for DBCA to remain in the premises beyond 31 December 2026. DBCA has identified a long-term requirement to continue operating from the Civic Centre and sought a further ten-year lease term.

Negotiations considered the commencing rent, application of rent across the entire net lettable area, annual rent reviews, a mid-term market review and future renewal options. The parties have agreed the commercial terms and the State Solicitor's Office has prepared a draft Deed of Extension and Variation of Lease for consideration.

COMMENT

The proposed extension retains DBCA as a long-term government tenant within the Civic Centre and provides the Shire with a stable rental stream from an established commercial tenancy. The final negotiated position also standardises the rental rate across the full leased area, addressing the previous application of different square-metre rates to the two occupied areas.

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The principal terms contained in the draft deed are summarised below:

Lease element	Proposed term
Tenant	Minister for Works, with the premises occupied by DBCA
Premises	Office Premises being a part of the Jurien Bay Civic Centre Lot 124, Bashford Street, Jurien Bay. Approximately 544.3 square metres,
Commencement	1 January 2027
Extended term	10 years, expiring 31 December 2036
Commencing rent	\$92,531 per annum plus GST, equivalent to \$170 per square metre per annum plus GST
Annual reviews	3% fixed increases from 2028 to 2031 and from 2033 to 2036
Market review	1 January 2032
Further options	Two further five-year options commencing 1 January 2037 and 1 January 2042
Costs and duty	Each party meets its own legal costs; the tenant pays duty assessed on the deed
Other provisions	Existing lease remains in force except to the extent varied by the deed

The review structure provides income certainty while retaining a market test at the midpoint of the term. Council approval is sought for the material commercial terms, with the Chief Executive Officer to finalise and execute the documentation under the Shire's existing delegated authority, including making non-material administrative or drafting amendments.

CONSULTATION

- Department of Biodiversity, Conservation and Attractions
- Cushman & Wakefield
- State Solicitor's Office

STATUTORY ENVIRONMENT

Local Government Act 1995, section 3.58 - Disposing of property.

A lease is a disposition of property for section 3.58. Regulation 30(2)(c) of the *Local Government (Functions and General) Regulations 1996* excludes a disposition of land to the Crown in right of the State or Commonwealth, or to a department, agency or instrumentality of the Crown. As the tenant is the Minister for Works, the extension is an exempt disposition and does not require the public notice process otherwise applying under section 3.58.

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Local Government Act 1995, section 9.49A - Execution of documents.

The final deed will be executed in accordance with the Act and the Shire's Delegations Register.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The commencing base rent will be \$92,531 per annum plus GST from 1 January 2027. The lease provides for annual fixed increases of 3%, except for a market rent review on 1 January 2032.

The tenant will continue to contribute to applicable variable outgoings in accordance with the lease. Each party will meet its own legal costs, and the tenant will be responsible for duty assessed on the deed. The extension provides income certainty for ten years and retains occupation of approximately 544.3 square metres of Civic Centre office accommodation.

STRATEGIC IMPLICATIONS

Shire of Dandaragan Council Plan

Role	Leverage public and private sector partnerships to deliver new infrastructure required to achieve sustainable economic and population growth.
Outcome	Jurien Bay continues to grow as a regional centre that services and delivers benefits through the Shire.

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Draft Deed of Extension and Variation of Lease - Jurien Bay Civic Centre (Doc Id: SODR-1739978813-10356).

(Marked 9.4.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

**Moved Cr Krakowiak, seconded Cr Young
That Council:**

- 1. Approves the extension of the lease of the Department of Biodiversity, Conservation and Attractions premises at the Jurien Bay Civic Centre to the Minister for Works for a further term of ten years commencing 1 January 2027 and expiring 31 December 2036, on the material terms set out in this report and the draft Deed of Extension and Variation of Lease.**

2. Authorises the Chief Executive Officer to finalise and execute the Deed of Extension and Variation of Lease and any related lease documents necessary to give effect to Council's decision.
3. Authorises the Chief Executive Officer to agree to minor administrative, drafting or legal amendments to the final documents, provided those amendments do not materially alter the term, rent, review mechanism, renewal options or overall intent approved by Council.
4. Notes that the lease is an exempt disposition under regulation 30(2)(c) of the *Local Government (Functions and General) Regulations 1996* because the land is being leased to the Crown in right of the State.

CARRIED 7 / 0

**FOR: Cr O'Gorman, Cr Lethlean, Cr Gibson, Cr Young,
Cr Johnson, Cr Glasfurd, Cr Krakowiak**

AGAINST: Nil

9.4.2 POLICY 1.1 - PURCHASING AND TENDER REVIEW

Location:	Shire of Dandaragan
Applicant:	N/A
File Reference:	Doc Id: SODR-461937211-1778
Disclosure of Interest:	Nil
Date:	9 October 2026
Author:	Lauren Miles, Human Resources Coordinator
Senior Officer:	Rebecca Pink, Executive Manager Corporate Services

PROPOSAL

That Council review and endorse the proposed amendments to Policy 1.1 – Purchasing and Tender.

BACKGROUND

Policy 1.1 – Purchasing and Tender provides the framework for the procurement of goods and services and establishes requirements to ensure purchasing activities are undertaken in a fair, transparent and accountable manner.

A review of the policy has been undertaken to ensure alignment with current legislative requirements, procurement practices, delegation authorities and related Shire policies. The policy was last reviewed in June 2022.

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COMMENT

The reviewed policy includes amendments to improve clarity, strengthen governance and ensure consistency in procurement processes across the organisation.

Additional detail has been included to:

- Align purchasing authorities and approval requirements with the Shire's Delegations Register.
- Update quotation thresholds and quotation requirements, including mandatory written quotations.
- Strengthen documentation and record-keeping requirements for procurement activities.
- Clarify specification requirements for higher-value purchases.
- Update tendering and tender advertising requirements to reflect current practices.
- Reinforce requirements relating to panel arrangements, sole source procurement and contract management.
- Include reference to Policy 1.3 – Regional Price Preference where applicable.
- Strengthen provisions preventing the splitting of purchases to avoid quotation or tender requirements.

These changes ensure improved governance, transparency, accountability and consistency in the procurement of goods and services.

CONSULTATION

Executive Management Team

STATUTORY ENVIRONMENT

- *Local Government Act 1995*
- *Local Government (Functions and General) Regulations 1996*

POLICY IMPLICATIONS

This report relates to Policy 1.1 – Purchasing and Tender. Adoption of the reviewed policy will replace the existing version.

FINANCIAL IMPLICATIONS

The policy provides a framework to support value for money procurement, appropriate financial controls and responsible expenditure of public funds. There are no direct financial implications associated with the adoption of the reviewed policy.

STRATEGIC IMPLICATIONS

The policy supports good governance, sound financial management, accountability and transparency in procurement practices across the organisation.

ATTACHMENTS

Circulated with the agenda are the following items relevant to this report:

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- Policy 1.1 - Purchasing and Tender (Doc Id: SODR-878193511-2761).
- Policy 1.1 - Purchasing and Tender – Reviewed (Doc Id: SODR-461937211-1779).
- Delegation 1.3.7 Financial Management Systems and Procedures – Authorised Person Listing (Doc Id: SODR-461937211-1673).

(Marked 9.4.2)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Johnson, seconded Cr Lethlean

CER RECOMMENDATION

That Council review and endorse Policy 1.1 - Purchasing and Tender as presented.

CARRIED 7 / 0

**FOR: Cr O'Gorman, Cr Lethlean, Cr Gibson, Cr Young,
Cr Johnson, Cr Glasfurd, Cr Krakowiak**

AGAINST: Nil

9.4.3 REQUEST FOR TENDER - DANDARAGAN RECREATION PRECINCT CHANGEROOMS - RESERVE 24385 DANDARAGAN

Location:	Reserve 24385, Dandaragan Road, Dandaragan
Applicant:	N/A
File Reference:	Doc Id: SODR-878193511-12174
Disclosure of Interest:	Nil
Date:	14 October 2026
Author:	Alex MacKenzie, A/Executive Manager Development Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

The purpose of this report is for Council to consider the tenders received for RFT 01-2027 – Dandaragan Recreation Precinct Changerooms Project, reject all tenders, and authorise the Chief Executive Officer to procure the project either through negotiations with the original tenderers or through an applicable preferred supplier panel or other procurement arrangement exempt from the public tender requirements.

BACKGROUND

Council last year endorsed the Dandaragan Recreation Precinct Masterplan (Masterplan) which identified the construction of a new changerooms building as a priority. The project aims to deliver a modern, accessible changeroom facility adjacent to the existing

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football shed, consistent with the AFL Preferred Facility Guidelines (2024).

The Shire of Dandaragan issued a request for tender in September 2026 inviting suitably qualified contractors to submit proposals for the construction of new changeroom building. Tenders closed on 12 October with submissions received from Engenuity Group and ACorp.

It should be noted that the Shire's regional preference policy does not apply on the basis that neither of the tenderers are based within the Shire of Dandaragan.

COMMENT

Following evaluation against the published compliance and qualitative criteria, both tenders were found to materially exceed the available project budget and were therefore considered to represent insufficient value for money. The tendered construction costs equated to greater than \$5,000 per square metre, which is considered excessive for a project of this nature and does not represent an acceptable use of public funds. Both submissions also did not adequately address key design requirements specified in the tender, including provision for an externally accessible storage area and direct access between the western side of the changerooms and the adjoining playground.

The evaluation concluded that, while both proposals indicated the desired completion timeframe could be achieved, neither tender offered an acceptable combination of price, design compliance and value for money. It is therefore recommended that Council reject both tenders and authorise the Chief Executive Officer to pursue an alternative procurement outcome by either negotiating with one or both original tenderers under regulation 18(5) or seeking quotations through an applicable preferred supplier panel or other procurement arrangement exempt from the public tender requirements under regulation 11(2). Any resulting contract would be required to remain within the adopted project budget and comply with the Shire's Purchasing and Tender Policy.

CONSULTATION

The tender was originally advertised in the West Australian and via the Shire's social media over a 26-day period (minimum 14-days required), with the submission period closing on 4pm Monday 12 October.

STATUTORY ENVIRONMENT

- *Local Government Act 1995* – Section 3.57
- *Local Government (Functions and General) Regulations 1996* – Part 4 (Tenders for providing goods or services)

Regulation 18(5):

If a local government has invited tenders and no tender is accepted, it may invite new tenders or may enter into negotiations with a person who tendered, with a view to entering into a contract. Regulation 11 requires public tenders to be invited where the consideration under a proposed contract is expected to exceed the prescribed tender threshold, unless an exemption under regulation 11(2) applies. Relevant exemptions may permit procurement through an eligible preferred supplier arrangement, including the WALGA Preferred Supplier Program or another arrangement that satisfies the requirements of the Regulations.

Division 3 of Part 4, comprising regulations 24AA to 24AJ, prescribes the requirements for establishing and operating a local government panel of pre-qualified suppliers and awarding contracts to panel members. Any use of a Shire-established panel must be within the panel's approved category and scope and undertaken in accordance with the applicable work-allocation process and the Shire's Purchasing and Tender Policy.

Accordingly, if no tender is accepted, the Shire may invite new public tenders, negotiate with either or both original tenderers under regulation 18(5), or procure the works through an applicable preferred supplier panel or other arrangement where a regulation 11(2) exemption is available and all associated regulatory and policy requirements are satisfied.

POLICY IMPLICATIONS*Shire of Dandaragan Policy 1.6 – Regional Price Preference*

A price preference will apply to suppliers who are based in, operate from, or source goods and services from within the Shire Region in relation to all tenders invited by the Shire for the supply of goods, services and construction (building) services, unless the tender document specifically states prior to advertising of the tender that this policy does not apply. The regional price preference enables tenders to be evaluated as if the proposed tender bid price were reduced in accordance with permitted price preferences as specified in this policy.

Shire of Dandaragan Policy 1.3 – Purchasing and Tender

Objective

The objective of this Policy is to:

- deliver value for money using a best practice approach to the procurement of all goods and services.
- ensure consistency for all purchasing activities.
- provide compliance with the Local Government Act 1995 and the Local Government (Function and General) Regulations 1996.

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- ensure that the Shire considers the environmental impact of the procurement process across the life cycle of the goods and services procured.

FINANCIAL IMPLICATIONS

The project has been included in the Shire's adopted 2026-27 budget with capital expenditure forecast at \$1m.

STRATEGIC IMPLICATIONS

Shire of Dandaragan Council Plan

Infrastructure	The Shire will sustain a dynamic infrastructure network responsive to usage demand that attracts and retains residents and businesses
Priority Outcomes	Our recreation precincts will be contemporary and highly utilised
Initiatives	Complete the Dandaragan Recreation Precinct Masterplan

The Shire's Sport and Recreation Plan 2022

Establishes a minimum level of service for the provision of infrastructure of four sets of gender diverse changerooms with toilets and showers at each winter sport season hosting recreation precinct in the Shire, being the towns of Cervantes, Dandaragan and Jurien Bay.

ATTACHMENTS

Circulated with the agenda are the following items relevant to this report:

- CONFIDENTIAL - Attachment 1 – Engenuity Tender (Doc ID: SODR-878193511-12175).
- CONFIDENTIAL - Attachment 2 – Acorp Tender (Doc ID: SODR-878193511-12172). ELECTRONIC ONLY
- Attachment 3 – Tender Request 01-2027 (Doc ID: SODR-878193511-12139). ELECTRONIC ONLY
- CONFIDENTIAL - Attachment 4 – Tender Evaluation (Doc ID: SODR-878193511-12176).

(Marked 9.4.3)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Krakowiak, seconded Cr Lethlean
That Council:

- 1. Rejects all tenders received for RFT 01-2027 – Dandaragan Recreation Precinct Changerooms Project.**
- 2. Authorises the Chief Executive Officer to procure the project by either:**

- a. entering into negotiations with either or both persons who submitted a tender, pursuant to regulation 18(5) of the *Local Government (Functions and General) Regulations 1996*; or
 - b. seeking quotations from suitably qualified suppliers through an applicable preferred supplier panel or other procurement arrangement exempt from the public tender requirements under regulation 11(2) of the *Local Government (Functions and General) Regulations 1996*.
3. Authorises the Chief Executive Officer to enter into a contract arising from either procurement process, subject to the final contract being within the adopted project budget and the selected procurement pathway complying with the Shire's Purchasing and Tender Policy.

CARRIED 7 / 0

FOR: Cr O'Gorman, Cr Lethlean, Cr Gibson, Cr Young,
Cr Johnson, Cr Glasfurd, Cr Krakowiak

AGAINST: Nil

9.5 COUNCILLOR INFORMATION BULLETIN

9.5.1 SHIRE OF DANDARAGAN – BUILDING STATISTICS – SEPTEMBER 2026

Document ID: SODR-2045798944-38850

Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for September 2026. **(Marked 9.5.1)**

9.5.2 SHIRE OF DANDARAGAN – PLANNING STATISTICS – SEPTEMBER 2026

Document ID: SODR-2045798944-38855

Attached to the agenda is a copy of the Shire of Dandaragan Planning Statistics for September 2026. **(Marked 9.5.2)**

9.5.3 SHIRE OF DANDARAGAN – ENVIRONMENTAL HEALTH STATISTICS – SEPTEMBER 2026

Document ID: SODR-2045798944-38646

Attached to the agenda is a copy of the Shire of Dandaragan Environmental Health Statistics for September 2026. **(Marked 9.5.3)**

9.5.4 SHIRE OF DANDARAGAN TOURISM / LIBRARY / COMMUNITY ACTIVITIES REPORT - SEPTEMBER 2026

Document ID: SODR-1876983588-3115

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Attached to the agenda is monthly report for Tourism / Library for September 2026. **(Marked 9.5.4)**

10 NEW BUSINESS OF AN URGENT NATURE – INTRODUCED BY RESOLUTION OF THE MEETING

Nil

11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC

Section 5.23 of the *Local Government Act 1995* stipulates that all Council Meetings are generally open to the public. Section 5.23 goes on to identify specific situations in which the Council or committee may close to members of the public the meeting, or part of the meeting.

In situations where it is deemed that a meeting or part of a meeting must be closed to the public, Section 5.23 (3) states “A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.”

For a decision to be recorded in the minute a formal motion must be passed by Simple majority clearly stating the reason for the closure in accordance with Section 5.23 of the *Local Government Act 1995*.

Local Government Act 1995

5.23. Meetings generally open to public

- (1) The following are to be open to members of the public —
 - (a) all council meetings;
 - (b) all meetings of a committee.
- (2) Despite subsection (1), if any of the following matters is to be dealt with at a meeting, the council or committee must close the meeting to members of the public to the extent necessary to ensure that the matter is dealt with at the meeting on a confidential basis —
 - (a) a matter that a committee of a House of Parliament, or a joint committee of both Houses, has advised the local government must be dealt with on a confidential basis;
 - (b) a matter relating to the recruitment or employment of the CEO or a senior employee, including the following —
 - (i) the termination of employment;
 - (ii) a review of performance under section 5.38;
 - (c) a prescribed matter;

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- (d) a matter that is the subject of a direction given under section 5.23AA(1).

COUNCIL DECISION

Moved Cr Young, seconded Cr Gibson

That the meeting be closed to members of the public in accordance with Section 5.23(2)(b) of the Local Government Act 1995 and Regulation 4A of the Local Government (Administration) Regulations 1996 to allow Council to discuss Item 11.1.1 Appointment of Senior Employee – Executive Manager Development Services and Item 11.1.2 CEO Annual Performance Review 2025/26.

CARRIED 7 / 0

**FOR: Cr O'Gorman, Cr Lethlean, Cr Gibson, Cr Young,
Cr Johnson, Cr Glasfurd, Cr Krakowiak**

AGAINST: Nil

At 4.13pm, all members of the public and non-essential staff left the meeting, and Council proceeded behind closed doors.

11.1.1 APPOINTMENT OF SENIOR EMPLOYEE - EXECUTIVE MANAGER DEVELOPMENT SERVICES

Location:	Shire of Dandaragan
Applicant:	Not applicable
Folder Path:	Doc Id: SODR-430439565-2586
Disclosure of Interest:	Nil
Date:	5 October 2026
Author:	Lauren Miles, Human Resources Coordinator
Senior Officer:	Brent Bailey, Chief Executive Officer

This report has been abridged due to the confidential nature of the content that is contained within this report.

OFFICER RECOMMENDATION / COUNCIL DECISION
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Moved Cr Gibson, seconded Cr Lethlean

That Council agrees to accept the recommendation of the Chief Executive Officer, in accordance with Section 5.37(2) of the Local Government Act 1995, to appoint Mr Alexander Ross MacKenzie to the position of Executive Manager Development Services for the Shire of Dandaragan.

CARRIED 7 / 0

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**FOR: Cr O'Gorman, Cr Lethlean, Cr Gibson, Cr Young,
Cr Johnson, Cr Glasfurd, Cr Krakowiak**

AGAINST: Nil

The Chief Executive Officer, Mr Brent Bailey, declared a Financial Interest in Item 11.1.2 – CEO Annual Performance Review and left the meeting at 4.14pm.

11.1.2 CEO ANNUAL PERFORMANCE REVIEW 2025/26

Location:	Shire of Dandaragan
Applicant:	N/A
File Reference:	Doc Id: SODR-1739978813-10404
Disclosure of Interest:	The author discloses an interest in this item as it relates to his employment contract.
Date:	16 October 2026
Author:	Brent Bailey, Chief Executive Officer
Senior Officer:	N/A

This report has been abridged due to the confidential nature of the content that is contained within this report.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Young, seconded Cr Johnson

That Council, in accordance with section 5.38 of the *Local Government Act 1995* and the Shire of Dandaragan's Standards for CEO Recruitment, Performance and Termination:

- 1. Notes that Mr Brent Bailey's annual performance review for the 2025/26 period has been completed;**
- 2. Determines that the Chief Executive Officer has met the performance requirements of the role for the 2025/26 review period;**
- 3. Receives the confidential CEO Performance Review Report 2025/26;**
- 4. Endorses the adjustment to the Chief Executive Officer's remuneration package as detailed in the confidential CEO Performance Review Report 2025/26;**
- 5. Endorses the following project based KPI's for the 2026/27 review period; and**

KPI	KPI Detail
1. Strategic Growth and Renewable Energy Transition	Lead the Shire's response to major renewable energy, industrial and population growth opportunities, including community benefit outcomes, cumulative impact management and strategic advocacy.

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2. Housing and Workforce Accommodation	Progress the HSP2 housing project, key worker accommodation and residential land supply initiatives to support workforce attraction, population growth and community sustainability.
3. Essential Infrastructure and Service Advocacy	Advance strategic solutions and advocacy for water, wastewater, power, transport, health and aged care infrastructure required to support future growth and community wellbeing.
4. Major Project Delivery and Place Making	Progress implementation of Council's budgeted priority projects including recreation precincts, foreshore initiatives, and economic development projects, with a focus on moving projects from planning into delivery.
5. Financial Sustainability and Legacy Investment	Position the Shire to responsibly leverage community benefit funding, grant opportunities and strategic investment while maintaining long-term financial sustainability and affordability.

6. Schedules the next annual review of the Chief Executive Officer's performance to be completed by 30 September 2027.

CARRIED 7 / 0

**FOR: Cr O'Gorman, Cr Lethlean, Cr Gibson, Cr Young,
Cr Johnson, Cr Glasfurd, Cr Krakowiak**

AGAINST: Nil

COUNCIL DECISION

Moved Cr Johnson, seconded Cr Young
That the meeting be re-opened to the public at 4.19pm.

CARRIED 7 / 0

**FOR: Cr O'Gorman, Cr Lethlean, Cr Gibson, Cr Young,
Cr Johnson, Cr Glasfurd, Cr Krakowiak**

AGAINST: Nil

The Shire President read the Council's decisions aloud after the meeting was reopened to the public.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 22 OCTOBER 2026**12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

13 CLOSURE OF MEETING

The presiding member declared the meeting closed at 4.20pm.

These minutes were confirmed at a meeting on

Signed

Presiding person at the meeting at which the minutes were confirmed

Date