



SHIRE
of
DANDARAGAN

MINUTES

of the

ORDINARY COUNCIL MEETING

held at the

COUNCIL CHAMBERS, JURIE BAY

on

28 MAY 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 28 MAY 2026
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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 4pm 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 6 members 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 S Johnson	
Councillor S Krakowiak	
Councillor S Young	

Staff

Mr B Bailey	(Chief Executive Officer)
Mr L Fouché	(Executive Manager Development Services)
Mr B Pepper	(Executive Manager Infrastructure)
Mrs R Pink	(Executive Manager of Corporate Services)
Mr A MacKenzie	(Manager Development Planning)
Mrs K Dean	(Administration Officer)

Apologies

Councillor W Gibson

Approved Leave of Absence

Councillor R Glasfurd

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 MAY 2026**Observers**

There were 6 members of the public and 2 staff members present.

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME***Vicki Bridge***

Regarding the Extractive Industries limestone quarry that's going ahead at 290 Indian Ocean Drive, has the application looked into reducing the speed zones from Middleton Boulevard to the site? I'm requesting that the speed limit be reduced from 110km/h to 70km/h for at least 5 kilometres, south of Middleton Boulevard, in both directions, to reduce the significant traffic and engine noise impacting nearby residents in the Beachridge area.

Shire President Response

The Shire President advised that the Shire does not have authority to alter speed limits, noting that any changes to speed limits are determined by Main Roads WA.

Manager Development Planning Response

The Manager Development Planning clarified that the limestone quarry proposal at 290 Indian Ocean Drive was currently out for public consultation and was not being considered for determination at this meeting. It was noted that concerns regarding speed limits could be submitted formally to the Shire as part of the consultation process, and any such submission would be considered in the assessment and referred to traffic engineer at Main Roads WA for comment.

Allan & Laurel Watts

We live on Melaleuca Way, and you have the list of all our objections regarding Item 9.3.1. It has a covenant registered to the title and we have the original covenant from when we bought our land over 20 years ago. [In the area] there is a covenant and it says it's to be limited to a single residential dwelling. While the proposal presented is a single building, the internal configuration and intended use clearly facilitate a form of occupation that extends beyond the intent of a single dwelling by enabling independent use of a secondary accommodation area. The Shire would need to consider the proposed development complies with the covenant, particularly in relation to its intended use and functional operation.

Executive Manager Development Services Response

The Executive Manager Development Services advised that, while Beachridge and other estates may be subject to restrictive covenants, Council and the Shire are not parties to those covenants, which are matters between the landowner and the developer.

Allan Watts

How come there's one [property owner] who wants to run a business there, and here's five people here that object, and there's plenty others around there that object. How can that one [property owner] dominate the rest of the community?

Shire President Response

The Shire President advised that the proposal before Council was considered to comply with the Local Planning Scheme as a "holiday house" within a residential area and reiterated that restrictive covenants are private matters between the landowner and developer and are not matters administered under the Scheme.

Manager Development Planning Response

The Manager Development Planning advised that the Shire was currently reviewing its Local Planning Scheme and that there may be an opportunity for community members to make submissions during the public advertising process later in the year regarding short-stay accommodation and area-specific design considerations. It was noted that any proposed changes would need to be considered through the formal scheme review process and referred to Council for determination.

Allan Watts

So, you can hold up on giving this the go ahead until all that is done?

Manager Development Planning Response

The Manager Development Planning advised that the Shire was not able to defer consideration of the application pending completion of the Local Planning Scheme review, and that the application was required to be determined under the current planning framework.

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

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6 CONFIRMATION OF MINUTES**6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON THURSDAY 23 APRIL 2026.****COUNCIL DECISION****Moved Cr Johnson, seconded Cr Young****That the minutes of the Ordinary Meeting of Council held 23 April 2026 be confirmed.****CARRIED 5 / 0****7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

The Shire President acknowledged that Jurien Bay had recently been named Small Tourism Town of the Year at the awards held in Carnarvon, noting that this achievement would see the town represent Western Australia at the national finals in Canberra in September. The recognition was noted as a significant achievement for Jurien Bay and the wider community.

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 APRIL 2026**

Location:	Shire of Dandaragan
Applicant:	N/A
File Reference:	Doc Id: SODR-2042075298-158144
Disclosure of Interest:	Nil
Date:	13 May 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 April 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.

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COMMENT

The Cheque, EFT, BPAY and Direct Debit (including fuel cards) payments for April 2026 totalled **\$1,884,785.86** for the Municipal Fund.

Should Councillors wish to raise any issues relating to the April 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.

ATTACHMENTS

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

- Cheque, EFT, BPAY, Direct Debit and Fuel Card listings for April 2026 (Doc Id: SODR-2042075298-158140).

(Marked 9.1.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Lethlean, seconded Cr Young

That Council receives the Cheque, EFT, BPAY, Direct Debit and Fuel Card payment listing for the period ending 30 April 2026 totalling \$1,884,785.86.

CARRIED 5 / 0

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

AGAINST: Nil

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9.1.2 FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 30 APRIL 2026

Location:	Shire of Dandaragan
Applicant:	N/A
File Reference:	Doc Id: SODR-2042075298-158275
Disclosure of Interest:	None
Date:	15 May 2026
Author:	Irina Shmeleva, Senior Finance Officer
Senior Officer: Services	Rebecca Pink, Executive Manager Corporate

PROPOSAL

To present the Monthly Financial Report for the period ending 30 April 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 local government to prepare and present to Council a monthly statement of financial activity, a monthly statement of financial position, and an explanation of material variances.

The Regulations further require that the Monthly Financial Report be presented to Council at an Ordinary Council Meeting within two (2) months after the end of the month, to which the statements relate and prescribe the minimum information to be included.

The Monthly Financial Report has been prepared in compliance with the *Local Government Act 1995*, the *Local Government (Financial Management) Regulations 1996* and where not inconsistent with the Act, the Australian Accounting Standards. In accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996*, Council adopted an annual material variance threshold of 10%, subject to a minimum variance of \$10,000, for the reporting of budget variances for the 2025/26 financial year at its meeting held on 24 July 2025.

COMMENT

The Monthly Financial Report for the period ending 30 April 2026 is attached for Council's consideration and includes 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.

While there is no legislative requirement for supplementary financial information to accompany the Monthly Financial Report, additional explanatory schedules and supporting detail

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have been included at the back of the report 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 and timely 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.

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 30 April 2026 (Doc Id: SODR-2042075298-158423).

(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Krakowiak, seconded Cr Johnson

That Council receive the Monthly Financial Report for the period ended 30 April 2026.

CARRIED 5 / 0

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

AGAINST: Nil

9.1.3 ENDORSE DRAFT DISABILITY ACCESS AND INCLUSION PLAN FOR PUBLIC ADVERTISING

Location:	Shire of Dandaragan
Applicant:	N/A
File Reference:	Doc Id: SODR-437506902-13497
Disclosure of Interest:	N/A
Date:	11 May 2026
Author:	Rhiarn Sutton, Manager Customer and Community Service
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To seek Council approval to endorse the draft Shire of Dandaragan Disability Access and Inclusion Plan for public advertising.

BACKGROUND

The Shire of Dandaragan's first Disability Service Plan (DSP) was developed in 1996 to address the access barriers within the community. Since the inception of Disability Access and Inclusion Plans (DAIP) in 2004, the Shire's DAIP has undergone 5 reviews, including this most recent review.

Since the adoption of the initial DSP, the Shire has implemented a range of initiatives and made significant progress in improving access and inclusion. This has included partnering with the Jurien Bay Community Resource Centre to purchase and manage a beach (all-terrain) wheelchair, installing a pedestrian island in the town centre, redeveloping the disability beach ramp at the Jurien Bay Marina, undertaking biennial access audits across the Shire, and increasing consultation with people with disability during the planning and development of new infrastructure.

COMMENT

During this review, a public survey was distributed to the general public and organisations working in the disability space to get feedback on how the public rate the Shire's customer service, buildings and facilities, and other services for people with disability.

In addition, information from an internal survey distributed to all staff and Councillors was sourced to get a better understanding of ways to improve service and support to members of the community with disability, their carers or family. 19 public submissions and 24 internal submissions were received during the public comment period.

The Disability Access and Inclusion Plan (DAIP) Implementation Plan outlines key initiatives to improve access and inclusion across the Shire. These include improving accessibility of buildings, public spaces, and pathways; ensuring Shire services and events are inclusive; and providing information in accessible formats. The plan also focuses on strengthening staff awareness

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and training, improving customer service processes, supporting local businesses and community groups to enhance accessibility, and ensuring inclusive consultation and employment practices. Ongoing monitoring and reporting will support continuous improvement in access and inclusion across all Shire operations.

CONSULTATION

A comprehensive community consultation phase was undertaken during May–June, with a public survey open for 30 days. Surveys were available via the Shire website and social media platforms. Hard copies were also accessible at the Jurien Bay Health Centre, Shire Administration Centre, libraries, community centres across the Shire, and the Visitor Centre. Information about the survey was promoted through Shire Matters, and staff advised that in-person and phone assistance was available to support survey completion. Emails were also distributed to approximately 114 community members. Additional consultation was undertaken through community engagement sessions and online during the development of the Community Development Plan.

STATUTORY ENVIRONMENT

Disability Services Act 1993 Part 5 — Disability access and inclusion plans by public authorities.

28 (5) A public authority may review its disability access and inclusion plan at any time.

(8) After reviewing its disability access and inclusion plan, a public authority may amend the plan or prepare a new plan.

(9) If at any time a public authority amends its disability access and inclusion plan or prepares a new plan, whether after a review or not, it must lodge the amended or new plan with the Commission as soon as practicable after doing so.

(10) A public authority must undertake public consultation in accordance with the procedure specified in the regulations when preparing, reviewing or amending a disability access and inclusion plan.

DPLH DAIP Legislation and Disability in Australia (for State Government) – Part 4 - Disability Services Regulations 2004

(10) Procedure for public consultation by authorities (section 29E)

1. For the purposes of section 29E of the Act, a public authority is to undertake consultation in relation to its disability access and inclusion plan by calling for submissions either generally or specifically:

a) by notice in a newspaper circulating throughout the State or, in the case of a local government, the district of that local government under the Local Government Act 1995 and (Regulation 10 amended June 2013)

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b) and on any website maintained by or on behalf of the public authority.

2. Nothing in sub regulation (1) prevents a public authority from also undertaking any other consultation.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Costs for advertising the draft Plan may occur. Adoption of the Plan will also require consideration of funding for disability access and inclusion improvements as part of each budget cycle.

STRATEGIC IMPLICATIONS

Shire of Dandaragan Council Plan

Outcomes	Initiative
We are a safe, active and healthy community	Review the Shire's Disability, Access and Inclusion Plan

ATTACHMENTS

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

- Shire of Dandaragan Draft Disability Access and Inclusion Plan (DAIP) 2026-2030 (Doc Id: SODR-437506902-13498).
- Shire of Dandaragan DAIP Review Survey Results (Doc Id: SODR-437506902-16334).

(Marked 9.1.3)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Young, seconded Cr Johnson

That Council endorse the draft Disability Access and Inclusion Plan (DAIP) for public advertising.

CARRIED 5 / 0

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

AGAINST: Nil

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9.1.4 REQUEST FOR MANAGEMENT ORDER OVER RESERVE 45501

Location:	Shire of Dandaragan
Applicant:	N/A
File Reference:	Doc Id: SODR-1876983588-406
Disclosure of Interest:	Nil
Date:	14 May 2026
Author:	Rhiarn Sutton, Manager Customer and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

The purpose of this item is for Council to request a Management Order over Reserve 45501, 12 Weston Street Cervantes.

BACKGROUND

Reserve 45501 was previously occupied by St John Ambulance as a local sub-centre operating from a small facility on the site. The facility was utilised to support emergency response services within the Cervantes community.

In early 2026, St John Ambulance relocated its operations to a new and larger premises at 24 Seville Street, Cervantes, and as a result, no longer requires the Weston Street facility.

The reserve is currently held under a Management Order by the State Government of Western Australia.



COMMENT

This proposal seeks to confirm Council's interest in obtaining a Management Order over Reserve 45501 to enable the Shire to assume care, control and management of the reserve.

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Should the application be successful, the building will be transferred on an “as is” basis, with the Shire assuming responsibility for all associated transfer fees, settlement costs, and any ongoing maintenance, compliance requirements, or liabilities.

The facility presents a practical opportunity for community use, with existing infrastructure including toilet amenities, kitchen facilities, and a meeting room space. Subject to Council direction, the site could be utilised by local community groups, or by the Shire to support community activities, service delivery, or other operational requirements.

It is proposed that, should the Shire proceed with acquiring the Management Order, an Expression of Interest process be undertaken to identify suitable community users, ensuring a fair and equitable process for accessing the facility.

Additionally, the Cervantes Volunteer Fire and Emergency Services has expressed interest to the Department of Lands, Planning and Heritage in obtaining a Management Order over the land.

CONSULTATION

St. John WA

STATUTORY ENVIRONMENT

Management Orders are issued under the *Land Administration Act 1997 (WA)* and enable local governments to manage Crown land.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Shire will be responsible for the transfer costs, settlement fees, and any future maintenance or upgrade requirements associated with the facility.

STRATEGIC IMPLICATIONS

Shire of Dandaragan - Council Plan

Community	Outcomes
	We have accessible community spaces and infrastructure which supports social connection

ATTACHMENTS

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

- Correspondence Proposed Management Order (Doc Id: SODR-129784381-1841).
- Reserve Report 45501 (Doc Id: SODR-129784381-1848).
- 12 Weston Street Floor plan (Doc Id: SODR-129784381-1849).
(Marked 9.1.4)

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VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Johnson, seconded Cr Lethlean

That Council:

- 1. Confirms its interest in obtaining a Management Order over Reserve 45501; and**
- 2. Authorises the Chief Executive Officer to progress the application with the Department of Planning, Lands and Heritage for the grant of a Management Order.**

CARRIED 5 / 0

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

AGAINST: Nil

9.3 DEVELOPMENT SERVICES

9.3.1 PROPOSED HOLIDAY HOUSE ON, LOT 345 (4) MELALEUCA WAY, JURIEN BAY

Location:	Lot 345 (4) Melaleuca Way, Jurien Bay
Applicant:	Andrew and Lauren Howes
Folder Path:	Doc Id: SODR-1262144384-39579
Disclosure of Interest:	Nil
Date:	30 April 2026
Author:	Stenie Fouché, Planning Officer
Senior Officer:	Louis Fouché, Executive Manager Development Services

PROPOSAL

The purpose of the report is for Council to consider a development application for the use of Lot 345 (4) Melaleuca Way, Jurien Bay as a Holiday House for eight (8) guests.

BACKGROUND

The development application originally proposed to accommodate thirteen (13) guests. Five objections were received. In response to the objections, the applicant changed the development application to limit the number of guests to eight, however no objections were withdrawn as a result.

Referral to Council is required in terms of Delegation 9.1.2 Town Planning - Other Use and Development due to written objections received.



Location Plan – Lot 345 Melaleuca Way, Jurien Bay

COMMENT

Dwellings provide places for people to shelter, to retreat, to eat and to gather. While temporary accommodation (such as a Holiday House) may be said to also provide these, the intensity, and the manner of these two land uses is not the same. This is because in the context of a holiday house, the premises are not being occupied as a dwelling (permanent residence) but for tourist accommodation.

For example, it was noted in Hope and City of Joondalup [2007], that outdoor areas are routinely used more intensively and for longer hours in short stay accommodation than would often be the case for permanent residential use. Additionally, each time a booking begins, and ends, people enter and leave the premises; this regular movement of different people into and out of the premises has consequential amenity impacts on the surrounding locality.

'Amenity' is defined within the Planning and Development (Local Planning Schemes) Regulation 2015 as all those factors which combine to form the character of an area and include the present and likely future amenity. The Residential Design Codes 2024 expand on this definition to includes the 'liveability', comfort or quality of a place which makes it pleasant and agreeable to be in for individuals and the community. Amenity is important in the public, communal and private domains and includes the enjoyment of sunlight, outlook, privacy and quiet. It also includes protection from pollution and odours.

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It is for the reasons above that Holiday House development applications have to be considered carefully, because if the premises is deemed suitable for use as a Holiday House, then those who choose to stay there, should be entitled to use the premises in an ordinary manner that one may use a Holiday House.

It is acknowledged that this Holiday House land use within an established residential area of Jurien Bay can negatively affect the amenity of nearby permanent residents. The objections received raised this concern as detailed in the Consultation section of this report (Attachment 4).

At present there are 83 approved and renewed holiday houses in Jurien Bay of which 77 are un-hosted and 6 hosted. As shown in Attachment 5, there are some 13 approved holiday houses within 500m of 4 Melaleuca Way. The subject property will be managed by Jurien Bay Realty. This management arrangement provides a local point of call for neighbouring landowners/tenants surrounding the proposed Holiday House and complies with clause 7.5 Management Protocols of the Local Planning Policy 9.12 (Short-Term Rental Accommodation) which requires Holiday House property managers to reside or have their office within 30 minutes driving distance from the premises.

Assessment of the application requires consideration of the provisions and objectives of the Shire's Local Planning Framework.

Additionally, reference must be given to Matters to be Considered under Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 (*Deemed Provisions*).

Local Planning Scheme No.7 - Objectives for Residential Zone

The objective set out in the Planning Scheme for the Residential zone is: To provide for residential development at a range of densities with a variety of housing to meet the needs of different household types through the application of the Residential Design Codes.

It is acknowledged that a Holiday House activity within the established residential area of Jurien Bay can negatively affect the amenity of nearby permanent residents and therefore needs to be managed carefully.

Community Consultation - Submissions Received

Five submissions were received against the original application of 13 guests. Objections raised referred to the impact on the neighbourhood amenity due to noise, anti-social behaviour, lack of sufficient parking, limited availability of the property manager, and local housing shortages. The applicant subsequently amended their application to limit the guests to 8 people. These

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changes were referred to the objectors. None of the objectors withdrew their objections in response to the amended application. All objections are therefore still valid.

An assessment of the application with reference to relevant matters to be considered in terms of clause 67 of the Deemed Provisions, is set out below.

Compatibility of the development with its setting

The proposed Holiday House is a use that is compatible with residential uses in the locality.

Adequacy of:

- 1) Access to and egress from the site: The subject site has an existing vehicle access.
- 2) Arrangements for parking of vehicles: Four parking spaces are available for the Holiday House. The Shire of Dandaragan Short-Term Rental Accommodation policy 9.12, require that three parking bays be provided for eight guests.

Local planning policy

Local Planning Policy 9.12 (Short-Term Rental Accommodation) applies to this application.

Local Planning Policies	LPP 9.12 Short Term Rental Accommodation
Deemed-to-comply	Planning comments
<p>7.1 Utility Servicing A commercial holiday house, unit or apartment satisfies the deemed-to-comply provisions if:</p> <ol style="list-style-type: none"> 1. The premises is connected to reticulated water for the exclusive use of the premises; and 2. The premises is located within the Shire's kerbside refuse collection area; and 3. The premises is connected to reticulated sewerage, or there is an approved on-site effluent disposal system with adequate capacity for the proposed number of guests 	<ol style="list-style-type: none"> 1. The house is connected to reticulated water. 2. Kerbside refuse collection is available at this property. 3. This property is connected to sewer.

<p>7.2 Vehicle Parking C2.1 The premises will have constructed on-site car parking bays, consistent with the size and manoeuvrability criteria set out in the</p>	<p>C2.1 Four parking spaces are available onsite, two in the garage and two on the driveway. The proposed eight guests will require three parking bays.</p>
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Residential Design Codes of Western Australia, but with no more than any of two bays arranged one behind the other in accordance with the following rates:

<i>Maximum guests Minimum parking bays</i>	<i>Maximum guests Minimum parking bays</i>
1-3	1
4-6	2
7-8	3
9-12	4

7.3 Dwelling Design

Commercial holiday house, unit or apartment satisfies the deemed-to-comply provisions if:

C3.1 The premises is an existing, lawful dwelling; or

C3.2 If the premises is not an existing, lawful dwelling, the premises will meet all the relevant design standards and requirements that would apply to a new dwelling on the land; and

C3.3 The maximum number of occupants within a premises complies with the following standards: a.

There is 5.5 square metres per guest in each bedroom utilising beds; and b. There is 3.5 square metres per guest in each bedroom utilising bunks; and c. There is sufficient bedroom space to accommodate the maximum number of guests consistent with (a) and (b) above; and

C3.1 The proposed Holiday House is proposed to operate from a lawfully approved dwelling.

C3.2 Not Applicable.

C3.3 Room size standard:

<i>Room</i>	<i>Size</i>	<i>Possible guests</i>	<i>Proposed</i>
1	26 m ²	<i>Four guests are possible in beds.</i>	<i>The application proposes two guests to a King bed which complies.</i>
2	12.6 m ²	<i>Two guests are possible in beds.</i>	<i>The application proposes two guests to a Queen bed which complies.</i>
3	14.39 m ²	<i>Two guests are possible in beds</i>	<i>The application proposes two guests to a Queen bed which complies.</i>

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<p>C3.4 Bedrooms in a premises are provided in accordance with the following rates:</p> <table border="1" data-bbox="509 779 855 1032"> <thead> <tr> <th>Maximum guests</th> <th>Minimum bedrooms</th> </tr> </thead> <tbody> <tr> <td>1-2</td> <td>1, or studio</td> </tr> <tr> <td>3-4</td> <td>2</td> </tr> <tr> <td>5-7</td> <td>3</td> </tr> <tr> <td>8-12</td> <td>4</td> </tr> </tbody> </table> <p>C3.5 Bathrooms and toilets in a Holiday Home are provided in accordance with the following rates.</p> <table border="1" data-bbox="491 1279 871 1496"> <thead> <tr> <th>Maximum guests</th> <th>Minimum number of bathroom/ toilets</th> </tr> </thead> <tbody> <tr> <td>1-6</td> <td>1 bathroom and 1 toilet</td> </tr> <tr> <td>7-12</td> <td>1 or 2 bathrooms and 2 toilets</td> </tr> </tbody> </table>	Maximum guests	Minimum bedrooms	1-2	1, or studio	3-4	2	5-7	3	8-12	4	Maximum guests	Minimum number of bathroom/ toilets	1-6	1 bathroom and 1 toilet	7-12	1 or 2 bathrooms and 2 toilets	<table border="1"> <tr> <td>4</td> <td>13.24 m²</td> <td>Two guests are possible in beds</td> <td>The application proposes two guests to a Queen bed which complies.</td> </tr> <tr> <td>5</td> <td colspan="3">Reserved for private use by owner</td> </tr> </table>	4	13.24 m ²	Two guests are possible in beds	The application proposes two guests to a Queen bed which complies.	5	Reserved for private use by owner		
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5	Reserved for private use by owner																								
<p>7.4 Overcrowding A commercial holiday house, unit or apartment satisfies the deemed-to-comply provisions if:</p> <p>C4.1 Each occupant over the age of 10 years has 14m³ of airspace within a bedroom for sleeping purposes.</p> <p>C4.2 Each occupant 10 years and under has 8m³ of airspace within a bedroom for sleeping purposes.</p>	<p>The application complies with the room size standard</p> <p>C3.4 Bedroom Rates: Four rooms are available for the proposed eight guests. The application complies with the bedroom standard.</p> <p>C3.5 Bathrooms and toilets The application complies by providing three bathrooms and three toilets.</p> <p>7.4 Overcrowding</p> <ul style="list-style-type: none"> Bedroom 1 has 63 m³ airspace which is sufficient for four guests over 10 years in age. (It is proposed to accommodate two guests over the age of 10 years). This room complies with airspace requirements. Bedroom 2 has 30.68m³ airspace which is sufficient for two guests over 10 years in age. (It is proposed to accommodate two guests over the age of 10 years). This room complies with airspace requirements. Bedroom 3 has 35m³ airspace which is sufficient airspace for two guests over 10 years in age. (It is proposed to accommodate two guests over the age of 10 years). This room complies with airspace requirements. 																								

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	<ul style="list-style-type: none"> • <i>Bedroom 4 has 32.2m³ airspace which is sufficient airspace for two guests over 10 years in age. (It is proposed to accommodate two guests over the age of 10 years). This room complies with airspace requirements.</i>
<p>7.5 Management Protocols</p> <p>1. <i>Property management plan</i></p> <p>2. <i>Code of conduct</i></p> <p>3. <i>Fire and Emergency Plan</i></p>	<p>7.5.1 <i>The proposal complies as a local property manager is selected.</i></p> <p>7.5.2 <i>A Code of Conduct has been provided.</i></p> <p>7.5.3 <i>A Fire and Emergency Plan has been provided.</i></p>

Summary:

The application complies with the Shire of Dandaragan Planning Framework and Local Planning Policy 9.12 (Short Term Rental Accommodation).

CONSULTATION

The surrounding neighbours were consulted for a period of 21 days, and five objections were received to the original application for 13 guests. The applicant subsequently changed their application to eight guests, and these changes were referred to the objectors. None of the objections were subsequently withdrawn. The submission and comment on the submission are provided in Attachment 4.

STATUTORY ENVIRONMENT

Local Planning Scheme no.7

The subject property is zoned Residential (with a Residential Density Coding of R12.5). A Holiday House is a Discretionary (D) use within the Residential Zone. Discretionary means that the use is not permitted unless the local government has exercised its discretion by granting development approval. The use is nevertheless a permissible use within the zone.

A Holiday House is defined as a Single House (excluding Ancillary Accommodation) which might also be used from time to time for short stay accommodation for no more than six (6) people (but does not include a bed and breakfast, guesthouse, chalet and short stay accommodation unit). The Local Planning Policy 9.12 allows for the number of people to be increase depending on the size of the rooms, available airspace, number of bathrooms/toilets and parking available. This reflects the amount of people that normally would reside in the house if being used as a single house.

POLICY IMPLICATIONS

Local Planning Policy 9.12 (Short-Term Rental Accommodation), see Comment section of this report.

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FINANCIAL IMPLICATIONS

The relevant Development Application fee has been received from the applicant.

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

ATTACHMENTS

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

- Attachment 1 - Site Plan (Doc Id: SODR-1262144384-39588).
- Attachment 2 - Floor Plan (Doc Id: SODR-1262144384-39589).
- Attachment 3 - Property Management Plan (Doc Id: SODR-1262144384-39590).
- Attachment 4 - Schedule of Submissions (Doc Id: SODR-1262144384-39584).
- Attachment 5 – Plan Showing Surrounding Holiday Houses (Doc Id: SODR-1262144384-39588)

(Marked 9.3.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Young, seconded Cr Johnson

That Council grant development approval for a holiday house at Lot 345 Melaleuca Way, Jurien Bay subject to the following conditions and advice notes:

Conditions:

- 1. All development shall be carried out only in accordance with the details of the application as approved herein and plans P1 (Site Plan), P2 (Floor Plan) and P3-P7 (Property Management Plan). Subject to any modifications required as a consequence of any conditions of this approval, the approved plans shall not be altered without the prior written approval of the Shire of Dandaragan.**
- 2. This approval shall run with the applicant (Right in Personam). Therefore, if a subsequent purchaser buys the property, the new purchaser will not be able to use the**

property for a commercial holiday house without obtaining a new development approval.

3. The total number of guests to be accommodated in the holiday house shall not exceed eight (8).
4. The holiday house shall be operated in accordance with the approved Property Management Plan, Code of Conduct and Fire and Emergency Plan.
5. The listed 'Property Manager' shall undertake the duties listed on the 'Property Management Plan' submitted with the subject development application.
6. All parking shall be accommodated on site.
7. A sign up to 0.2m² in area listing the approved property manager's contact details must be displayed on a fence, gate or entry statement to the premises to the satisfaction of the Shire of Dandaragan prior to the commencement of the use.
8. This development approval is valid until the 30 June 2027. The Holiday House land use shall cease before, or on this date, unless otherwise approved in writing by the Shire of Dandaragan.

Advice Notes:

- A. 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.
- B. The applicant is advised that the commercial holiday house approval shall expire on 30 June each year. The first annual renewal fees will be waived for un-hosted accommodation which receives initial development approval within six (6) months of 30 June in the same calendar year.
- C. Non-compliance with conditions of approval and complaints received during the approval period will be considered when the Shire considers renewal of development applications.

- D. Under the Short-Term Rental Accommodation Act 2024, all providers of STRA (Short Term Rental Accommodation) within Western Australia, both hosted and un-hosted, are required to register their property with the STRA Register
(<https://www.wa.gov.au/organisation/department-of-local-government-industry-regulation-and-safety/short-term-rental-accommodation-register>)
- E. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the applicant and landowner and not the Shire of Dandaragan to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire of Dandaragan's attention.
- F. 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.

CARRIED 4 / 1

**FOR: Cr O'Gorman, Cr Young,
Cr Johnson, Cr Krakowiak**

AGAINST: Cr Lethlean

9.3.2 PROPOSED APPLICATION FOR DEVELOPMENT APPROVAL – RENEWABLE ENERGY FACILITY – MARRI WIND FARM AND BATTERY ENERGY STORAGE SYSTEM, YATHROO AND REGANS FORD

Location:	Various Lots, Yathroo and Regans Ford
Applicant:	Marri WF Pty Ltd as trustee for Marri WF Unit Trust
File Reference:	Doc Id: SODR-1262144384-40070
Disclosure of Interest:	Nil
Date:	18 May 2026
Author:	Janine Eriksson, Strategic Planning Coordinator
Senior Officer:	Louis Fouché, Executive Manager Development Services

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PROPOSAL

The purpose of this report is for Council to consider granting development approval for a Renewable Energy Facility referred to as the 'Marri Wind Farm,' by Marri WF Pty Ltd as trustee for Marri WF Unit Trust (the proponent). Located on 12,472ha of land comprising 25 land parcels in the localities of Yathroo and Regans Ford, detailed in Table 1 below (the subject land).

In the first instance, Council needs to make a determination on whether the proposed Renewable 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.

Table 1: Marri Wind Farm Host Landholdings

Street address	Lot No	Plan or diagram	Volume/Folio
9148 Brand Highway, Yathroo	12	030647	2219/597
1221 Dandaragan Road, Yathroo	7	014259	1648/342
No Street Address Available	3782	165377	261/49A
257 Walyoo Road, Yathroo	1	007100	1646/980
8402 Brand Highway, Yathroo	2	064881	1660/217
No Street Address Available	3717	206598	1669/387
251 Gillingarra Road, Yathroo	2320	090303	1669/389
581 Walyoo Road, Yathroo	2	007100	1669/390
No street address available	346	247876	1669/388
581 Walyoo Road, Yathroo	5	007100	1669/390
581 Walyoo Road, Yathroo	4	007100	1669/390
581 Walyoo Road, Yathroo	3	007100	1669/390
No street address available	800	057506	2680/230
246 Dandaragan Road, Regans Ford	201	033139	2192/613
450 Dandaragan Road, Regans Ford	3731	164382	1306/385
No Street Address Available	3508	161971	1380/593
773 Gillingarra Road, Yathroo	3103	144559	1388/508
No street address available	3432	159964	1388/511
No street address available	3433	159965	1388/509
No street address available	3442	161970	1388/510
762 Gillingarra Road, Regans Ford	3577	206132	1446/945
1040 Gillingarra Road, Regans Ford	22	074538	2803/442
540 Rowses Road, Yathroo	4	034878	1385/876
620 Rowses Road, Yathroo	3	034878	141/172A
No street address available	1	035688	141/173A

The subject land is predominantly cleared agricultural land used for agricultural and livestock grazing, with a number of homesteads, sheds and associated farming infrastructure located within the rural properties. Areas of remnant vegetation exists

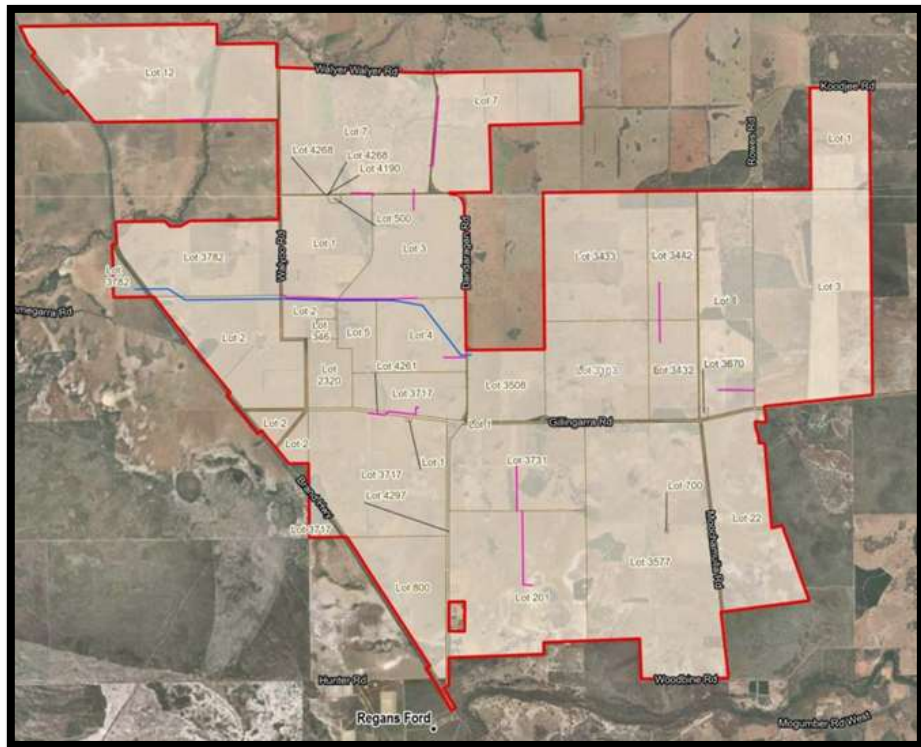
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adjoining road and riparian corridors, with some scattered vegetation adjacent to the homesteads. The Moora-Regans Ford high voltage transmission line runs parallel to the Proposal along the western side of the Brand Highway. The site is located on Brand Highway, a strategic freight and tourist north-south route which connects Perth and Geraldton.

The operational Yandin Wind Farm is located approximately 15km north of the Proposal. The recently approved Yathroo Wind Farm adjoins the northern boundary of the proposal and is situated south of the Yandin Wind Farm.

The Proposed Development Envelope (site area) is generally bound by Walyer Walyer Road to the north, rural landholdings and Moochamulla Road to the east, Woodbine Road to the south and Brand Highway to the west as indicated on Figure 1 below.

Figure 1: Proposed Development Envelope



The application proposes (See Attachment 1: Site Plan and Figure 2 below) the following permanent elements:

- 82 wind turbines with a hub height of up to 184m above ground level (AGL) and a tip height, or total overall height, of up to 275m AGL. The maximum total production capacity of the turbines will be 550MW. Each turbine is supported by concrete gravity foundations of approximately 1.5ha.
- Up to six meteorological masts with a total height of 180m AGL each. Power supply for the masts is via solar panels.

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- One communications tower located at the connection terminal site and substation, with a total height of 85m on an area of approximately 0.5ha.
- A Battery Energy Storage System (BESS) with a capacity of 550MW/6600MWh, proposed to be situated on the corner of Gillingarra Road and Dandaragan Road, Yathroo. The BESS will occupy a footprint of up to 10ha on a 50-ha site and comprises a 330/33/33kV windfarm substation, battery containers, inverters, transformers, control and switch gear equipment, lightning protection masts, and security fencing.
- A windfarm connector substation with a footprint of 7.0ha located on Lot 3782 on Plan/Diagram 165377 Brand highway, and includes transmission towers, disconnectors, transformers, metering equipment, surge arresters, lightning protection masts, communication tower, and security fencing.
- Two alternative locations were indicated on the site plan advertised for the windfarm substation which will be approximately 3ha in area. Wind farm substation Option A has been confirmed and is included on the site plan. Option A is located north of the proposed BESS on Lot 3508 on Plan/Diagram 161971 adjoining Dandaragan Road.
- Underground collector power cabling of approximately 13km is proposed to be located adjacent to access tracks and trenched to up 1.5m below ground level (BGL).
- Up to 7.5km overhead transmission lines connecting the wind farm substation and the electrical connection substation.
- Power line structures will generally be up to 60m tall and spaced at 250m to 500m intervals.
- Operations and maintenance facilities including offices, parking and associated amenities is proposed to be located on a site of 2.2ha north of the BESS on Lot 3508 on Plan/Diagram 161971 adjoining Dandaragan Road.
- Three main access points may involve road upgrades and include the Intersection of Brand Highway and Gillingarra Road, the Intersection of Brand Highway and Dandaragan Road, and Brand Highway turn off to the Connector Substation. Additional access/egress points during construction phase for deliveries to site include Dandaragan Road, Gillingarra Road, Walyoo Road, Moochamulla Road, and Koodjee Road.
- Internal access tracks of up to 10m, fire water tanks as required.

The Development Application (DA) also proposes a number of temporary elements during the construction phase, including:

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- Up to 4 'main compounds' of 4ha each, comprising temporary office and stores buildings, parking for workers, and a large, fenced, graded / hardstand area for storage of wind farm components, portable water tanks, portable toilets, septic sewage system.
- Up to 6 'satellite compounds', up to 3ha each, also comprising temporary office and stores buildings, toilets, water tanks and fenced hardstand areas;
- Up to 5 dedicated laydown areas, with dimensions of 150m x 150m;
- Up to 6 Temporary laydown areas, up to 3ha each.
- Up to 6 concrete batching plant locations, a maximum 5ha each with a total capacity of up to 240m³/h and including concrete truck loading hardstands, loading bays, hoppers, and silos, a water tank, stockpiles and in-ground water recycling.
- Up to 14 Temporary borrow pits at a total combine area of 106ha that will provide gravel for roads, access tracks and laydown areas and will be rehabilitated post construction.
- Temporary construction water to provide approximately 750ML/y to be sourced from existing onsite bores.
- Up to 10 Temporary Turkey's Nest dams each with capacity up to 15,000m³. The dams not required post construction will be rehabilitated to support previous land use.
- Temporary Site Security areas - up to 22 areas with a combined total area of approximately 1ha. These areas include Hardstand, Security personnel huts, Vehicle inspection area and Vehicle/plant/equipment wash down facilities.
- Temporary Biosecurity Laydown Area - 18ha in total Considered to form part of the Temp Laydown Area and will include area for containment of any biosecurity issues (i.e. quarantine).
- Temporary Security Fence Temporary construction site fence.

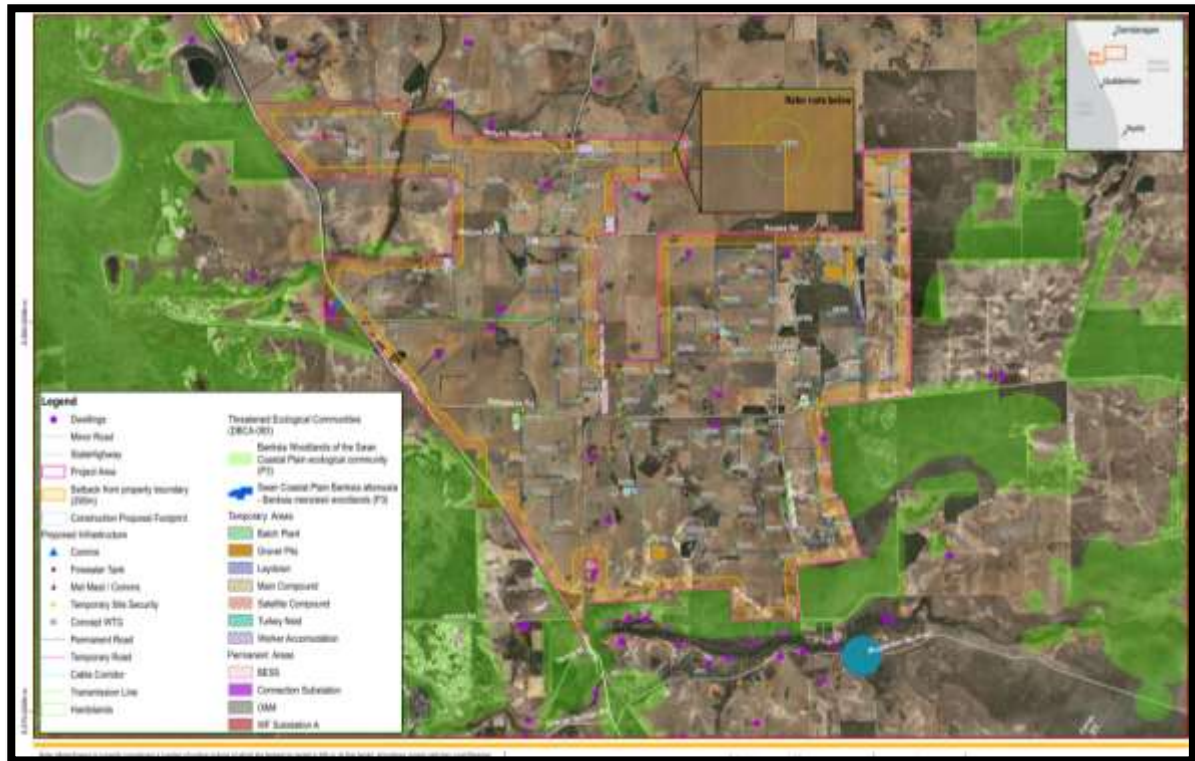
The proponent proposes three indicative Temporary Worker Accommodation (TWA) site options to be addressed as part of a future Development Application. It is noted that only one site may ultimately be proposed if other accommodation options off site cannot be resolved. The sites have been included on the plan to provide transparency with stakeholders. The three sites suggested include:

- Potential Site 1 – Located on Lot 3782 Plan/Diagram 165377 adjoining Walyoo Road. This potential TWA site is setback approximately 3km from the Brand Highway.
- Potential Site 2 – Located on Lot 7 Plan/Diagram 014259 adjoining Walyer Walyer Road. This potential TWA site is setback approximately 7km from the Brand Highway.

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- Potential Site 3 – Located on Lot 7 Plan/Diagram 014259 adjoining Rows Road. This potential TWA site is setback approximately 7km from the Brand Highway.

Figure 2: Site Plan



The Applicant has submitted a Preliminary Design Package which includes elevation drawings of the turbines, meteorological masts, and communications towers, substations, and an indicative site plan and elevation drawings for the BESS and future proposed workforce accommodation. The development application is supported by the following technical reports which are provided in Attachment 2:

- Development Application Report.
- Engagement and Consultation Register.
- Social Impact Assessment.
- Preliminary Design Package.
- Preliminary Decommissioning and Rehabilitation Plan.
- Traffic Impact Statement.
- Preliminary Water Resources Impact Assessment
- Marri Windfarm Flood Study.
- Heritage Due Diligence Assessment.
- Bushfire Management Plan.
- Fatal Flaws Desktop Reconnaissance Report.
- Landscape and Visual Impact Assessment.
- Environmental Noise Assessment (Updated).
- Background Noise Assessment.
- Aviation Impact Assessment.
- Shadow Flicker Assessment.

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- Telecommunications Assessment.

Throughout the process additional reports and information were requested by the EPA and other agencies. Subsequent to the formal advertising period for the proposal, the proponent prepared and submitted the following documents:

- The Supporting Environmental Referral Document.
- Preliminary Bird and Bat Adaptive Management Plan.
- Bushfire Management Plan.

The proponent proposes to commence construction of the 'Marri Wind Farm' in 2027 which is scheduled to last for up to three years. All supporting infrastructure will be maintained as needed, with a projected initial energy delivery lifespan of approximately 35 years.

BACKGROUND

The proposed wind farm is defined as a Renewable Energy Facility and is proposed to be constructed on portions of the lots indicated in Table 1 (subject land), which are all zoned 'Rural' under the Shire's *Local Planning Scheme No. 7 ('LPS7')*.

The Shire's Local Planning Scheme No. 7 (LPS7) does not currently provide specific guidance for Renewable Energy facilities. As a result, such proposals are required to be assessed as a 'use not listed' under the Clause 3.4.2 of the Shire of Dandaragan Local Planning Scheme No. 7 (LPS7).

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), relevant State Planning Policies, and Local Planning Policy 9.14, it is considered that the proposed Renewable Energy Facility (wind farm, 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.

The proponent sought 'Pre- Development Application Lodgement Advice' from the Department of Planning and Heritage (DPLH) State Referral Coordination Unit (SRCU). The SRCU provided advice dated 29 October 2025 which summarised responses from agencies identifying key issues requiring further consideration prior to submission of a development application (See Attachment 3). The proponents updated the technical reports following the SRCU advice prior to lodging with the Shire.

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 14 November 2025. After initial

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review of the documents, it was agreed to accept the application following clarification of a range of matters and receipt of an updated site plan. The proponent was advised that review of the technical documents would be undertaken in conjunction with submissions received from agencies and further information would likely be requested. The Shire formally accepted the proposal on 19 December 2026.

The proponent concurrently lodged an Environmental Review Document (ERD) relating to the proposed renewable energy facility with the Department of Water Environmental Regulation (DWER) Green Energy Directorate – Environmental Protection Authority (EPA) under Section 38 (s.38) of the *Environmental Protection Act 1986* on 3 November 2025. The EPA provided a 'notice requiring further information' dated 27 November 2025. The proponent extended the timeframe for response with the EPA several times and lodged the outstanding information with the EPA Service Unit on 1 May 2026. The referral information was accepted as complete by the EPA Services Unit on 13 May 2026.

On April 16, 2026, the Marri Windfarm was announced as one of five projects deemed as 'state priorities' under the *State Development Act* to fast track renewable projects.

COMMENT

The site layout has been drafted based on the findings of all technical studies completed for the development to date, and in consultation with the host landowners. As a result, the turbine locations are stated to be the least impactful in terms of cultural heritage importance, mining tenements, native vegetation, flora and fauna, whilst maintaining an optimal energy generation outcome for the development. A condition of approval is recommended requiring that prior to construction, the proponent must submit detailed construction drawings, noting that turbine locations may be adjusted through approved micro-siting of up to 300m in accordance with Shire LPP 9.14, with any changes required to demonstrate continued compliance with all setbacks and assessment requirements, including noise, shadow flicker, heritage, bush fire management etc.

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. However, the proposal has been assessed as generally compliant against the provisions of the 'Renewable Energy Facilities' Local Planning Policy 9.14 and with consideration of the Draft Western Australian Planning Commission (WAPC) Renewable Energy Code.

Matters considered relevant to the assessment of the proposal, arising from issues identified in submissions (as per the Schedule of Submissions – Attachment 4), including those received from referral agencies, neighbours, and community members, are

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addressed under the topics of Hazard and Risk, Amenity, Environment and Heritage below.

Hazard and Risk

Aviation Safety

Submissions in relation to aviation safety were received from Air Services Australia (ASA), Civil Aviation Safety Authority (CASA) and Department of Defence (DoD), which focussed on the information provided in the proponents Aviation Impact Statement (AIS).

CASA noted the contents of the report and provided the following advice:

- The proponent to install obstacle lighting on the turbines due to the height of these structures. To limit any potential visual impact on the community.
- Recommends consideration of a radar-activated type system of steady red low intensity (200cd) aviation hazard lighting or contacting obstacle lighting suppliers and discussing whether a cowling system, much like a typical “lampshade”, could be incorporated into the lighting system that could result in little or no downward light spill without impacting aviation safety.
- Wind monitoring masts associated with the development should be marked as per Section 8.110 of CASA's Part 139 (*Aerodromes*) - *Manual of Standards (MOS139)* with the inclusion of aviation hazard markers.
- The coordinates and estimated survey heights of each WTG and wind monitoring mast must be reported to the Airservices Australia Vertical Obstacle Database (VOD) email address.

ASA confirmed that the proposed activity does not impact Airservices operations or facilities at any aerodrome or any air routes and that the proponent is required to complete the Vertical Obstacle Notification Form as soon as the development reaches the maximum height.

The Department of Defence (DoD) raised concerns that the cumulative impact of the Marri, Yandi, and Yathroo Wind Farms within the Shire of Dandaragan would impede Royal Australian Air Force (RAAF) and NATO partner aircraft operations from RAAF Base Pearce. These operations utilise Danger Area D193, a low-flying training airspace extending from ground level to 4,000ft. (Refer to Figure 3).

Figure 3: D193 Low flying danger airspace



It is noted that at the time of preparation of the AIS that the proponents sought advice from DoD, CASA and ASA, and comments were not received from DoD. DoD concerns were raised during the submission process.

The Shire of Dandaragan coordinated a meeting with DoD and DPLH Renewable Energy (RE) Code Policy team to understand the implications of the proposed turbines on flying activities. It was understood from the discussion with DoD that the north south wind farms development in proximity to the Southwest Interconnected System (SWIS) will result in dissecting the low flying danger area, particularly impacting east west flying activities. DoD reports that aircraft train at low levels, sometimes 250ft from ground level into which the proposed turbines would encroach.

The Shire requested further information from DoD, and an updated submission was received on 23 March 2026 which provides information on the low flying danger area routes. The submission notes the need for DoD to work collaboratively with the Shire however states that *'there is a narrow section of land between the Waddi Wind Farm and the Yandin Wind Farm where no proposed wind farms have been identified. Defence is seeking a level of assurance that this corridor remains free of wind turbine obstacles to preserve a route for east to west for low flying manoeuvres to occur.'*

Defence notification requirements are detailed and responded to the Schedule of Submissions and include the following:

- Defence will need assurance that the Dandaragan Shire will discourage further Wind Farm proponents from considering further developments within D193.
- Defence requests that it be notified of the Marri Wind Farm Turbine layouts and any met masts used for the project,

including the location and heights (AGL), before construction commence and the construction timeframe.

The DoD low flying danger area extends across the Shire of Dandaragan and the Shire of Victoria Plains as indicated in Figure 3. In responding to the DoD's request, it is recommended that Council acknowledge the importance of preserving the established east-west low-flying aviation corridor between the Waddi Wind Farm and the Yandin Wind Farm for defence low-flying activities and discourage new wind farm proposals within this corridor where possible. (See Figure 4 which indicates the location of operating, approved and prospective wind farm proposals). The Shire's LPP 9.14 *Renewable Energy Facilities* will be reviewed after the adoption of the WAPC Renewable Energy Code. Should LPP 9.14 be retained, it is recommended that the Shire's commitment to discourage new windfarms in the corridor is reflected in the revised policy. The proposed revision to LPP 9.14 is supported by the Draft RE Code performance outcome, which states:

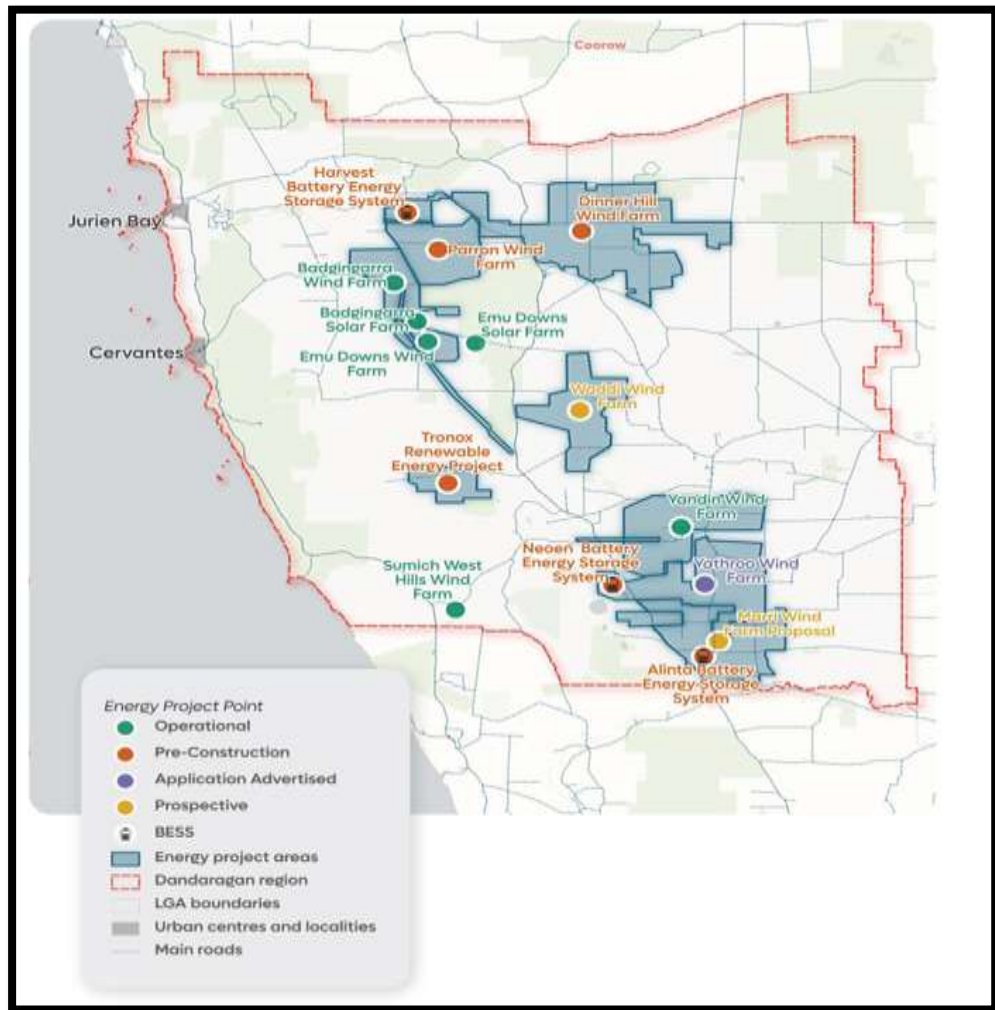
'WF -PO8.1 Wind turbines and associated infrastructure are sited, designed, constructed and operated to:

- a. avoid hazards or unacceptable risks to aircraft safety;*
- b. avoid or minimise adverse impacts on the safety, efficiency or operational integrity of:

 - i. airports, aerodromes and aircraft landing areas and associated aviation operations and navigation; and*
 - ii. low-flying aviation operations, including aerial agricultural activities (spraying and mustering), recreational aviation, military aviation, helicopter operations and emergency air services; and**
- c. avoid or minimise adverse impacts on the development and operation of future aviation infrastructure identified in State and local planning frameworks.'*

It is also acknowledged that proposed amendments to the Western Australian planning framework, if enacted, may result in large-scale renewable energy proposals in regional areas being assessed and determined by the Western Australian Planning Commission (WAPC), rather than local government. Proposed amendments to the *Planning and Development (Significant Development) Regulations 2024* may introduce the first 'mandatory assessment pathway' for *significant renewable energy projects*, requiring all eligible developments to be determined by the WAPC under Part 11B of the *Planning and Development Act 2005*. In this context, including relevant commentary and guidance within the Shire's Local Planning Policy (LPP) remains important to ensure local issues, values and considerations are clearly articulated and available to inform the Shire's advice to the WAPC's assessment in the future.

Figure 4: Shire of Dandaragan Renewable Energy Projects



Bushfire management

DFES has provided two submissions on the Marri Wind Farm proposal. The advice outlined that the Bushfire Advice provided by the proponent was missing certain elements including the preparation of a Bushfire Management Plan (BMP). The proponent sought to prepare the BMP and resubmitted the plan with DFES. The second submission from DFES outlined general support for the BMP with some clarifications and updates that are necessary prior to implementation of the BMP. (See submission 17 in the Schedule of Submissions for details). Engagement with DFES at officer level indicated that there are no fatal flaws and therefore it is considered reasonable to include the updates to the BMP as a condition of development approval.

The BESS and substations introduce additional risks to the project area. DFES notes that the BMP provides the commitment to comply with the Renewable Energy Facility (REF) Guidelines and accepts that *Appendix E: CFA Guidelines Assessment of the BMP* can be considered as a draft Risk Management Plan (RMP). However, DFES requires that a detailed RMP be prepared to demonstrate compliance with the REF Guidelines to address risks beyond bushfire, including electrical, chemical, explosion,

potential fire spread, mechanical damage, landscape hazards and aerial firefighting. This is recommended to be a condition of approval.

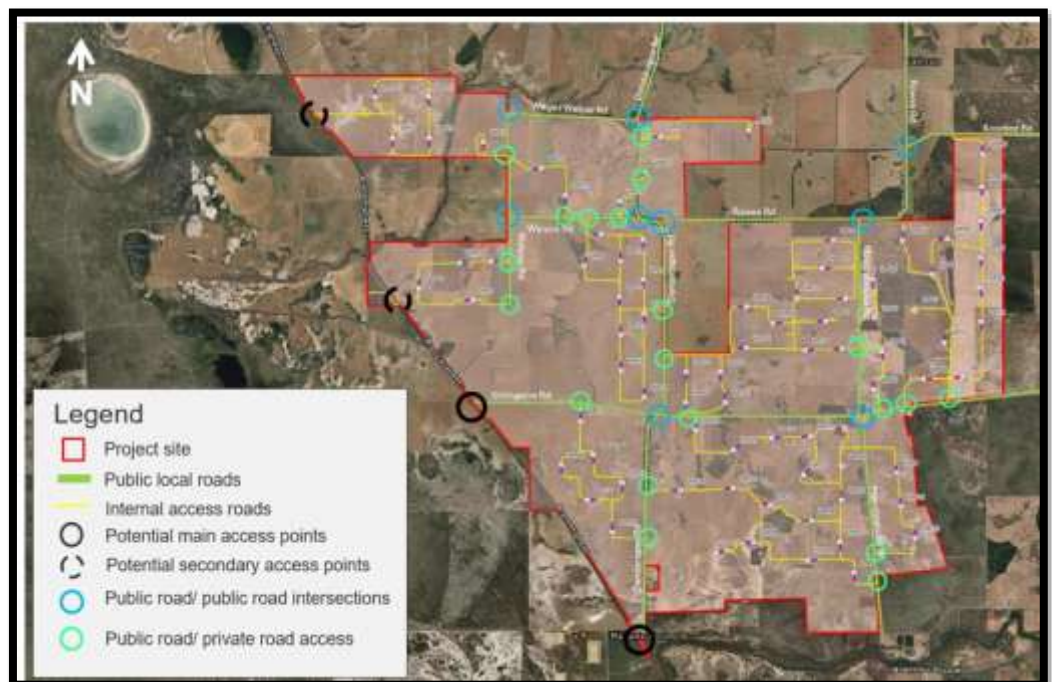
DFES further recommended that an Emergency Management Plan (EMP) be prepared for the development, taking into account various matters. This is recommended to be a condition of approval, with a corresponding Advice Note.

Traffic impact

The Traffic Impact Statement (TIS) considers port to site routes from Geraldton and the Australian Marine Complex at Henderson via Brand Highway with potential modifications required across key turning areas along each route.

The primary access points connecting the project site to the Brand Highway are at Dandaragan Road and Gillingarra Road intersections. Direct access to the substation from the Brand Highway is also proposed, which is located on the west side of the road. A turnaround access to the northern extent of the site from Brand Highway is also indicated. See Figure 5 below.

Figure 5: Road Access



The length of Gillingarra Road east of Brand Highway through the project area (approximately 13km) is required to be upgraded to sealed standard in accordance with the '*Typical Seal Design for Upgrade of Unsealed Roads*' specification to the satisfaction of the Shire of Dandaragan. Sealing Gillingarra Road will provide the primary access route for the site in all weather conditions and accommodate the haulage/freight requirement at RAV7 standards.

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The TIS indicates a further 20 intersections of internal proposed private roads with public roads. Traffic will pass through 9 other existing public road intersections. The TIS states that Shire roads anticipated to cater for the volume of traffic of the project without affecting their operations, include Koodjee, Moochamulla, Walyer Walyer, Walyoo, and Rowses Roads. However, some sections are unsealed or narrow and will require upgrades or condition reporting. The TIS states that the roads likely to require upgrade if they were to be utilised for the Project to transport heavy loads during construction may include:

- Gillingarra Road
- Walyer Walyer Road
- Moochamulla Road
- Koodjee Road
- Walyoo Road

If any unsealed roads are used for construction traffic, the Shire will require all costs of on-going maintenance to be borne by the proponent. A condition of approval is recommended to require all access points onto the subject land to be constructed, drained, and sign marked to the satisfaction of the Shire prior to commencement of works on-site, with all costs to be borne by the developer. A standard condition of approval is recommended requiring preparation of a Road Condition Report, including a dilapidation assessment, which is to be repeated at the conclusion of construction, to ensure that any damage to the roads is rectified by the proponent at their cost.

Main Roads Western Australia (Main Roads) requires that the proponent upgrade the intersections between the Brand Highway and Local Government roads, and the new access to the power station in accordance with Main Roads standards and procedures. Works undertaken within the Brand Highway Road reserve including the overhead transmission line crossing will require an application to undertake works.

A Traffic Management Plan (TMP) in conjunction with an application for a permit that requires vehicle and machinery access and movement for Restricted Access Vehicles (RAV) shall be submitted for approval to the satisfaction of Main Roads. This will ensure that road safety will be maintained throughout the construction period and that all relevant approvals and permits are secured from Main Roads.

These conditions are considered suitable to address the matter of vehicular access to the project site and the particulars of the various agreements will continue to be discussed between the proponent, the Shire, and Main Roads WA (where relevant) as the project proceeds.

Setbacks

The required setback under the Shire's RE LPP 9.14 and the Draft WAPC RE code from non-host lots is 1.1 times the height of the wind turbine. The maximum height being sought for approval by the proponent is up to 275m and therefore the setbacks for the wind turbines from the property boundary is indicated at 302.5m on the site plan. Setbacks are nominated to minimise risk in the case of wind turbine malfunctions, such as blade throw or structural incidents. This setback is achieved throughout the proposal with the exception of wind turbine AE82 which is indicated to be located within the setback area.

The proponent is currently considering a number of turbine options of which the highest tip height is 252m. At this height, all turbines comply with the Local Planning Policy setback requirements. If the proponent were to select a turbine with a maximum tip height of 275 m, Turbine AE82 would not comply with the setback and would need to be reassessed and cited appropriately to meet the setback as indicated on the site plan. The re-siting of this turbine is possible within the micro siting area of 300m set out in the Shire's LPP9.14 and will need to be confirmed on the detailed construction drawings as annotated on the site plan.

The Battery Energy Storage System (BESS), connector Substation and the Wind Farm Substation (Option B) are fixed infrastructure. The site plan originally advertised indicated that the BESS would be located within a 50-ha site on Lot 3508 Dandaragan Road (cnr. Gillingarra Road). Property owners situated to the north of this site are located outside the Marri Wind Farm proposal area and raised concerns about the impact of the BESS and substation on the receiving environment of their property. The concerns relate to the potential impacts of water abstraction and contamination on a water source located to the south of their property, which supports farming activities. In response to these concerns, the proponent has entered into a private agreement with the landowners to ensure adequate separation from the water source. To address the landowners' concerns, the proponent has committed to providing the following setbacks and mitigation measures, which include:

- A minimum 100m setback to be maintained between the southern property boundary and the proposed wind farm substation pad earthworks. Only a proposed access road will be located within this setback. Subject to bushfire management requirements and landowner agreement, landscape planting using local native species will be established within this area.
- The Battery Energy Storage System (BESS) modules and associated substation infrastructure will be located at least 500m from the property boundary.

- Groundwater monitoring will be undertaken both upslope and downslope of the proposed infrastructure, together with water quality monitoring at the landowners' soak.

A detailed plan addressing the agreed setbacks is included as part of the approved development plans. (See Attachment 5). A draft deed of agreement will be prepared for the landowners' review, outlining the proponent's commitment to remediate any contamination to the soak on the subject property in the unlikely event it is attributable to the construction or operation of the Marri Wind Farm. The recommended Development Application conditions also require the proponent to prepare construction, operational, emergency and risk management plans which are to address these issues.

Temporary Construction Facilities

In addition to the temporary operations, maintenance and staff amenities buildings and laydown areas, the application proposes the construction and use of up to six mobile concrete batching plants. This is an industrial land use which is not generally supported on an on-going basis within the 'Rural' zone. In this case, however, the temporary concrete batching plants can be considered ancillary and incidental to the predominant use of the land for a renewable energy facility. Notwithstanding this, it is necessary to assess whether the batching plants will have an adverse impact on adjoining properties.

The Environmental Protection Authority's Guidance Statement No. 3 – Separation distances between industrial and sensitive land uses requires a 300m to 500m separation distance between a concrete batching plant and a sensitive land use, dependant on the size of the plant. The proponent confirms that the distance between the temporary batching plants and nearest sensitive receptor is 700m. This is considered a sufficient separation distance to mitigate potential impacts on sensitive land uses. Should the output of the batching plants exceed 100 tonnes per year, they will be classified as 'prescribed premises' and require a separate works approval / license application under *Part V of the Environmental Protection Act 1986* to be issued by the Department of Water and Environmental Regulation.

Amenity

Noise Impact

The Shires LPP 9.14 requires that wind turbines are to be set back a minimum of 1.5km from any sensitive land use, and that in instances where this setback is to be reduced an Acoustic study and Noise Management Plan is to be prepared by a suitably qualified consultant.

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The proponent prepared an Environmental Noise Assessment (ENA) dated 15 October 2025. DWER's assessment of the ENA, dated 27 January 2025, identified that some receivers may have been omitted from the assessment of noise emissions from the Marri Wind Farm and required these to be addressed in a revised ENA dated 24 February 2026.

As detailed in the schedule of submissions, two receivers located to the north of the Marri Wind Farm, are impacted by cumulative noise emissions from the proposed Marri and Yathroo Wind Farms. It is required that both wind farms demonstrate compliance with the 30 dB(A) criterion at these receivers.

Three receivers within the Yathroo Wind Farm area are recognised as being impacted by noise from the Marri Wind Farm. Several receivers to the south have predicted noise levels between 30–35dB(A) and would therefore comply with the LA10 night-time assigned level. However, if intrusive characteristics, specifically modulation, are detected, a +5dB adjustment would be required, resulting in several exceedances. Following submission of the updated ENA (25 February 2026) in response to DWERS technical advice (Submission 9), DWER further indicated that the curtailment strategies had not been adequately addressed.

DWER's advice also includes that the predicted noise levels of the associated infrastructure (BESS and substations) need to be considered in combination with, and not independently from, turbine noise. The Environmental Protection Authority *Environmental Protection (Noise) Regulations 1997 (as amended)* apply to the overall noise emissions from the project and, therefore, the combined noise emissions from the wind turbines and fixed plant also need to be assessed against the assigned levels.

The submitted proposal includes a connector substation and Wind Farm (WF) Options A and B. Initial advice from the DWER Noise Branch indicated a preference for WF Option A, based on the understanding that the connector substation would be co-located with Option A, which is not the case. The connector substation is located east of Brand Highway. Subsequent officer level engagement with DWER clarified that, while Option A location provides improved noise outcomes, the substations will require mitigation measures to ensure compliance with the *Environmental Protection (Noise) Regulations 1997 (Noise Regulations)* regardless of location. Please note that Option B is no longer being considered as a feasible option by the proponent and has been removed from the development site plan to clarify the proposed that the windfarm substation is proposed to be constructed at the Option A location.

As such, noise impacts are not considered critical to the siting of the connector substation. The ENA should therefore be updated

to confirm the proposed WF substation siting and to identify mitigation measures that will be implemented to address noise emissions in accordance with the Noise Regulations. Noise modelling was also undertaken for the BESS and predicted compliance with the assigned levels for all dwellings.

A condition of the approval is recommended requiring the proponent to update the ENA to address:

- Curtailment strategies for several receivers to the south that could be implemented during operations should modulation be detected.
- Clarifying the role of the receivers that were originally omitted.
- Confirming the proposed substation siting and identify mitigation measures that will be implemented to address noise emissions in accordance with the Noise Regulations.

A Noise Monitoring Plan and Noise Monitoring Report may be required within the first 12 months of the wind farm becoming fully operational and these will also be a condition of the development approval.

Shadow flicker

A Shadow Flicker Assessment was undertaken in consideration of the *Draft National Wind Farm Development Guidelines for Australia (2010)*. The Draft National Guidelines recommend prescribed limits of duration and distance. The consultant report states that the limits of 30 hours per year on the theoretical shadow flicker duration, and 10 hours per year on the actual or realistic shadow flicker duration as set by the *Draft National Guidelines for Australia (2010)* are appropriate. This duration limit is consistent with the Draft WAPC RE Codes performance outcome to ensure that wind turbines are sited and operated so that shadow flicker on any sensitive land on non-host lots does not exceed the duration limits. At this distance the blade covers 50% of the sun area.

The Shadow Flicker assessment provided by the proponent applied an alternative methodology to model the distance at which the wind turbine is suggested to cause annoyance. The proponent considers a limit of 683 times the average blade width. At this distance the blade is modelled to covers 20% of the sun area. The alternative modelling is more conservative than the assessment required under the Draft RE Codes.

Based on the proponent's assessment, shadow flicker has been predicted to affect four non-involved residences with the current proposed turbine layout, but for durations within the allowable limits of 30 hours per year (theoretical) and 30 minutes per day. Eight turbines were identified which if moved within their micro-siting zones, may result in the allowable limits being exceeded for three of the affected dwellings and mitigation may be required.

One additional non-involved residence may also be affected by shadow flicker if the closest turbine to this residence is moved within its micro-siting zone, but the predicted duration in this case is within the allowable limit.

Shadow flicker has been predicted to affect most of the involved (host) residences. Aurecon (the consultants who prepared the report) recommends that the Proponent consult with all relevant landowners in order to assess and implement potential mitigation options. Other nearby residences are beyond the distance threshold for shadow flicker to occur.

It is recommended that the shadow flicker assessment be updated once the final turbine model, layout and hub heights are confirmed. Any required mitigation can be achieved through turbine curtailment using shadow flicker control systems ("flicker timers") that temporarily shut down turbines during periods when shadow flicker would affect nearby residences. While the proponent's assessment adopts more conservative assumptions than those required by the Draft WAPC Renewable Energy Code and applicable national guidelines, it is recommended that, following confirmation of final turbine locations and micro-siting, a comparative assessment be submitted using both methodologies.

This assessment is to demonstrate that all non-host dwellings comply with the cumulative shadow flicker limits set out in the agreed national guidelines. Where curtailment is required to achieve compliance, the Operational Management Plan (OMP) is to clearly outline the curtailment strategies, implementation triggers, and monitoring arrangements. The OMP required to satisfy Performance Outcome WF-PO5.1 where curtailment is proposed, is to be made publicly available on the operator's website for the operational life of the wind farm. This will be recommended as a condition of approval with associated advice.

Landscape Visual Impact assessment

A Landscape and Visual Impact Assessment (LVIA) was completed for the project area in accordance with the *Visual Landscape Planning in Western Australia – A Manual for Evaluation, Assessment, siting and design (WAPC)* and approximately 10kms beyond, which considered the impact of the proposed development, and the cumulative impact of recently approved wind farm, developments on landscapes around the project site. The LVIA defined 3 Landscape Character Zones (LCZs) (Agricultural pasture, Valley Systems and Bushland Reserves) and included 8 viewpoints from various locations.

This assessment has found that all areas of Landscape Character will have low to negligible impact of change, and sensitive receivers will have high to moderate change. There is potential for sensitive receptors (dwellings) located within 8km of the proposed

wind farm and the Yandin and Yathroo wind farms to experience a sense of enclosure from the cumulative impact of wind farms/turbines. While many of these dwellings are associated with wind farm developments, there are also several independent sensitive receivers likely to be exposed to cumulative effects from two or three wind farm projects.

It is recommended that the proponent undertake consultation with affected residents and prepare landscape planning and rehabilitation measures to mitigate potential visual impacts. This should focus on minimising disturbance to productive landscapes and vegetation, integrating infrastructure sensitively within the existing landscape, and implementing appropriate screening and rehabilitation works to maintain landscape character and enhance local biodiversity.

The LVIA states that mitigation measures for landscape impacts will include tailored measures at specific locations. A condition of approval will be recommended requiring a landscaping plan to be prepared and implemented to reduce the visual impact of the connector substation, substation, and BESS on the amenity of the area.

Environment

Due to the significance of the proposed development, the proponent referred the proposal to the Environmental Protection Authority under Section 38 (s.38) Part IV of the *Environmental Protection Act 1986*. The EPA is required to set a Level of Assessment (LOA) prior to the decision-making authority making a determination on the proposal. The Draft Renewable Energy Code confirms that where a proposal has the potential to significantly impact the environment, it must be referred by either the applicant or decision maker to the Environmental Protection Authority (EPA) under Part IV of the *Environmental Protection Act 1986 (EP Act)* Before a development application can be determined:

- the EPA must determine whether to assess the proposal; and
- where assessment is required, the assessment must be completed and the Minister for the Environment must determine whether the proposal may be implemented.

The proponent submitted the 'Fatal Flaws Desktop and Reconnaissance report' with the Shire to outline the environmental considerations which was advertised with the development application in December 2025. The proponent submitted a range of additional environmental documents with the EPA for referral under s.38 which included:

- Fatal Flaws Desktop Assessment and Reconnaissance Survey
- Targeted Flora and Vegetation Survey (Wind Farm)

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- Targeted Flora and Vegetation Survey (Wind Farm and Transmission)
- Additional Vegetation Mapping (Wind Farm and Transmission)
- Basic and Targeted Terrestrial Fauna Survey.pdf
- Targeted Black Cockatoo Survey
- Bird and Bat Management Plan

The Department of Water and Environmental Regulation (DWER) Green Energy Directorate provides EPA advice and assessment relating to the s.38 process for Renewable Energy Proposals. The EPA provided the proponent with a request for further information (RFI) prior to being able to set the LOA on the s.38 referral, and the proponent provided the outstanding information to the EPA on 1 May 2026. In response to the RFI the proponent submitted additional information to address the outstanding matters, which included the following;

- Marri Wind Farm - Supporting Environmental Referral Document
- Technical Memo on the preliminary results of the Bird and Bat Utilisation Survey prepared by Phoenix Environmental
- Preliminary Bird and Bat Management Plan prepared by Bamford Consulting Ecologists
- S.38C Amendments to Proposal Content Document the 'disturbance footprint'

The RFI response included provision of a Bird and Bat Adaptive Management Plan (BBAMP). DWER's review of the BBAMP indicates that the risks of impacts from the operating windfarm on birds and bats, relative to nearby operating and proposed wind farms can be acceptably managed, however refinement of the BBAMP is required to improve confidence in the effectiveness of the plan prior to approval of construction. To reflect this advice, a Development Approval Condition is recommended to be imposed that requires the revision and implementation of a BBAMP, in consultation with DWER and DBCA, prior to the commencement of operations. It is understood that all other matters raised in the RFI were suitably responded to by the proponent.

The proponent amended the proposal in response to addressing the outstanding matters under the s.38 referral. This amendment related to the 'indicative disturbance footprint', and the extent of native vegetation clearing. The revisions included consideration of 0.98ha vegetation impacted outside of the original development envelope associated with 4 road reserve access points to the site. Minor expansion of the development envelope to include portions of road reserves is reflected in the updated development site plan. DWER Green Energy Directorate received the revised documents from the proponent on the 13 May 2026 and included the information in the LOA. It is noted that the extent of native vegetation clearing overall is reduced from 84 ha in the original

proposal to 7.02ha (resulting from re-analysis of native vegetation clearing).

It is noted that the EPA will publish the amended Marri Wind Farm proposal, including the updated Proposal Content Document, in accordance with the requirements of Part IV of the *Environmental Protection Act 1986* when the determination has been made. It is recommended that, prior to consideration of detailed construction documentation, the proponent provide the Shire with a complete and final set of documents that reflect the outcomes of the section 38 assessment process and the EPA's published proposal. This recommendation is proposed to be included as an advice note.

The Department of Biodiversity, Conservation and Attractions (DBCA) and the Department of Water and Environmental Regulation (DWER) provided comments on the original and updated technical environmental reports, with key issues incorporated into the Schedule of Submissions (Attachment 4) and reflected in relevant recommended approval conditions and advice notes. These include requirements relating to the preparation and implementation of the Bird and Bat Adaptive Management Plan (BBAMP), compliance with clearing regulations for native vegetation, and obligations under Section 40 of the *Biodiversity Conservation Act 2016*. DBCA advise that the Supporting Environmental Referral Document acknowledges limitations in the existing flora, vegetation, and fauna surveys, with the proponent committing to undertake further targeted biological surveys in consultation with DWER to ensure consistency with regulatory standards. The advice also highlights the need to obtain a Clearing Permit under the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* where clearing is required and to seek Ministerial Authorisation for any activities that may impact threatened species, alongside early engagement with DBCA to address potential impacts and mitigation measures.

Water management

The Preliminary Water Resource Impact Assessment (WRIA) submitted as part of the DA evaluates the potential water-related considerations associated with the proposed Marri Wind Farm project including the BESS. The WRIA concluded that the impacts to water quality are anticipated to be negligible to minor. DWER has confirmed that any potential impacts identified in the WRIA can be satisfactorily mitigated through implementation of the suite of management plans including a Construction Environmental Management Plan (CEMP), an Emergency Management Plan (EMP), a Risk Management Plan (RMP) and an Operational Environmental Management Plan (OEMP). Appropriate surface water management design methods to manage water erosion from intense summer and/ or winter rainfall events are applicable to the

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construction and operational phase of the project and should be included in the CEMP and OEMP.

The proponent states that groundwater will be sourced using an existing groundwater extraction licence from deep aquifers that will not impact surface waters across the Project Development Envelope, including the soak on 796 Dandaragan Road. The WRIA concluded that as the disturbed area will only make up a negligible to minor portion of the catchment, dewatering requirements for construction will be small and the impacts to runoff volumes, rates and frequency are likely to be negligible to minor. Any application to trade/lease a water entitlement will be assessed in accordance with the DWER's standard policies and procedures, including *Policy - Management of unused licensed water entitlements and Policy - Water Entitlement Transactions for Western Australia*. DWER will be required to formalise an agreement between the landowner, who currently hold the water entitlement, and the proponent, who wishes to access the water for a limited period of time.

A Construction Environmental and Management Plan (CEMP) is required to be finalised as a recommended condition of approval and is to address, at minimum:

- a) Standards and procedures to be implemented during construction of the development and how these will mitigate potential impacts, such as dust and noise, on adjoining properties;
- b) Measures to minimise site disturbance including proposed means of managing erosion, drainage run-off, flooding, water quality, retention of remnant vegetation, topsoil, and weed and disease hygiene;
- c) Vehicle and machinery access and movement; and
- d) The location of any bulk material sources (i.e. sand and gravel) proposed to be used during site construction, the quantities of such materials to be required and the method of transporting materials to the development site. Sand and gravel are only to be taken from within the project site or from borrow pits with an approved extractive industry licence.

An Emergency Management Plan (EMP) is to be developed prior to construction and will detail the storage, transport, handling and use of chemicals, wastes and other substances that could cause harm to receiving environments. This is to be prepared in accordance with *Water Quality Protection Note 10: Containment spills – emergency response plan (Department of Water, 2020)*.

Operational phase controls are to be implemented, requiring an Operational Environmental Management Plan (OEMP) to manage any environmental risks caused by operational activities which includes:

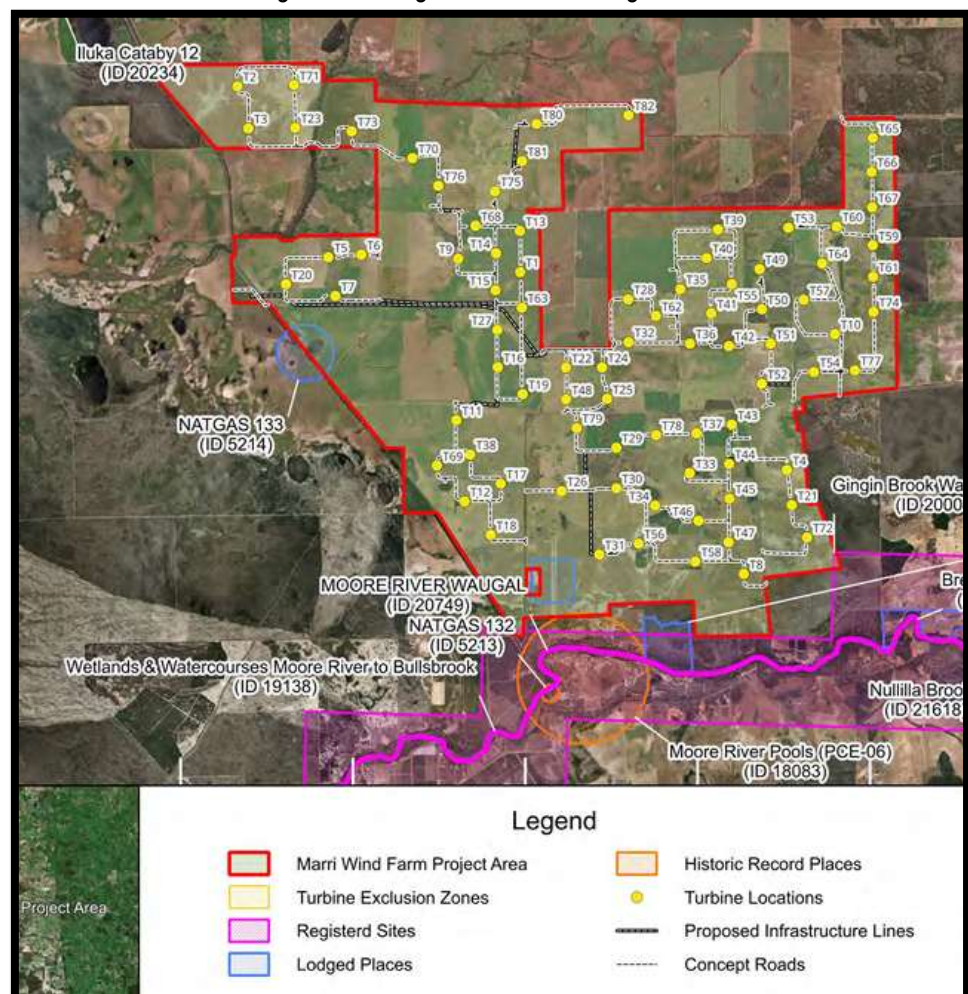
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- The design of permanent drainage, scour protection, control measures and maintenance of access tracks to prevent turbidity and sedimentation in receiving surface water environments.
- Toxic and hazardous substances shall be stored in appropriate storage facilities situated away from water resources to prevent chemical and fuel run-off or leaching from causing significant or persistent environmental harm in accordance with Water Quality Protection Note 65: Toxic and hazardous substances (Department of Water, 2015). Facilities shall be constructed so that substances cannot escape to the environment under any foreseeable conditions.

Aboriginal and Historic Heritage Impact

A desktop Aboriginal and historical cultural heritage due diligence assessment ('AHHA') for the Marri Windfarm was undertaken by Archae-Aus. The DPLH ACHIS database revealed one Registered Aboriginal Heritage place which intersects the boundary of the project area and three previously recorded sites. (See Figure 6).

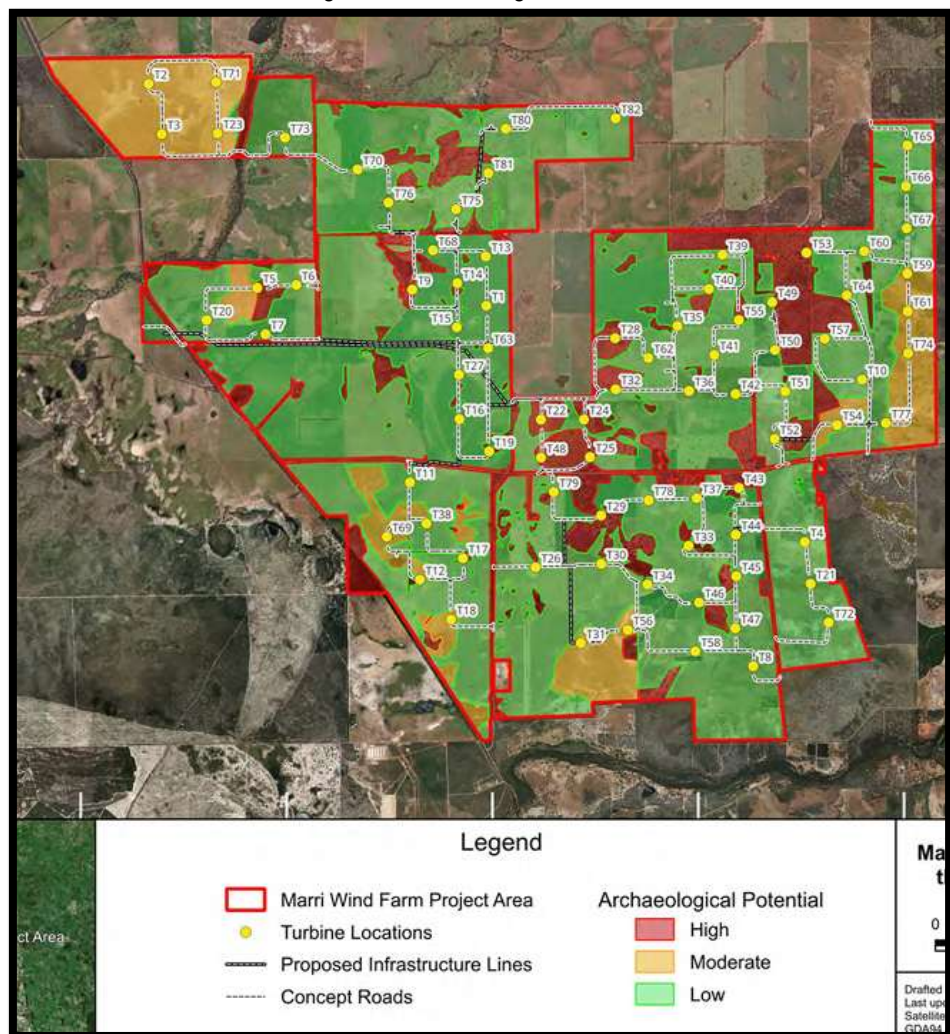
Figure 6: Aboriginal Cultural Heritage Sites



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There have been few archaeological and ethnographic surveys or investigations undertaken in the northern Wheatbelt in the Dandaragan and Gingin regions and therefore the report states that the database is not an accurate reflection of the Aboriginal cultural heritage potential in the area. The Heritage Due Diligence Assessment (DDA) for the project area assessed the potential for site types in the Project Area based on a search of heritage registers (ACHIS and inHerit), and assessment of the environmental, ethnographic, archaeological and historical context for the Dandaragan area, Swan Coastal Plain and wider South West region of Western Australia. The desktop assessment has determined high, moderate and low potential for encountering Aboriginal Cultural Heritage (ACH) within the Project Area. (reflected in Figure 7) and a low to negligible potential for historical heritage. Field assessments are required to ground-truth findings of the initial desktop searches and review undertaken for this report.

Figure 7: Archaeological Potential



The report recommends that following field surveys, the risk assessment should be updated and, where Aboriginal Cultural Heritage (ACH) places are identified, the project should avoid

them where possible or otherwise seek approval and develop a Cultural Heritage Management Plan in consultation with Yued Aboriginal Corporation (YAC).

A submission from Yued Aboriginal Corporation (YAC) advises that they have been working closely with Alinta on this project. YAC advised that their concerns relate to the displacement of black cockatoos and other threatened species when this windfarm and other windfarms are established resulting in changes to the entire landscape. YAC also expressed concerns relating to bushfire risk from wind turbines, particularly in the northeast area which is indicated as having potentially high archaeological potential. (See Figure 7). YAC indicated a preference for greater setbacks from vegetation or controlled burns conducted by them.

The proponent has entered into a Yued Heritage Protection Agreement (YHPA) with YAC for the project. The agreement outlines the processes and requirements for protecting and managing Aboriginal Cultural Heritage (ACH) within the Yued Indigenous Land Use Agreement (ILUA) area. In accordance with this agreement, Alinta is required to submit an Activity Notice to YAC, providing an overview of the Proposal, a description of activities to be undertaken prior to and during ground-disturbance works and as part of the operation of the Marri Wind Farm, and outlining the requirement for archaeological and ethnographic surveys within specific sections of the Project Area.

The YHPA process, together with opportunities for micro-siting of turbines prior to finalisation of construction plans, bushfire assessment requirements, and the requirement for an approved bird and bat adaptation plan, provides appropriate mechanisms for YAC's concerns to be addressed. While the Shire is not privy to the details of the agreement, an Advice Note is recommended to be included on the Development Approval to ensure the proponent upholds its commitments under the YHPA.

Workforce Accommodation

The proponent has advised that the project will yield a construction workforce of approximately 450 people with an estimated 10 workers required on an ongoing basis.

The proponent includes three indicative optional sites for the location of a workforce accommodation village to be the subject of a future development application. Whilst the preferred strategy outlined in the Shires LPP 9.15 Workforce Accommodation is to site workforce accommodation close to existing townsites, the policy does provide the option to consider the development of workforce accommodation on rural zoned land when necessary.

The Department of Health submission notes that the proposed workers' accommodation must consider the health and wellbeing

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of employees and the surrounding community and minimise potential public health impacts in a future development application. This includes considerations such as acceptable noise limits, appropriate separation distances from uses such as concrete batching plants, battery energy storage systems (BESS) and substations, and access to both potable and non-potable water supplies.

An objection has been received from the landowners in proximity to the application site regarding the location of the proposed workforce accommodation sites. Two of the three options are located on Lot 1221 Dandaragan Road. The landowners object to the options presented as they are both located within close proximity to their private dwelling. In response to this concern, proponents will be discouraged from pursuing this site as an option for workforce accommodation.

CONSULTATION

Advertising of the application commenced on 19 December 2025 and concluded on 28 January 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.

Three (3) landowner submissions were received at the conclusion of the advertising period, raising objection to elements of the proposal, with concerns around amenity, environmental impacts (water and fauna habitat), noise, road network and shadow flicker. Responses to the landowner concerns are provided in a detailed Schedule of Submissions, which is included as Attachment 4 to this report. It is considered that the planning-related concerns in the landowner submissions can be addressed through suitable conditions of approval or will be dealt with under separate legislation.

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

- Department of Planning Lands and Heritage [Dampier to Bunbury Natural Gas Pipeline (DBNGP) Corridor]
- Department of Primary Industries and Regional Development (DPIRD)
- Wheatbelt Development Commission (WDC)
- Department of Biodiversity, Conservation and Attractions (DBCA)
- Department of Water and Environmental Regulation (DWER)
- Main Roads Western Australia (Main Roads)
- Department of Health(DOH)
- Air Services Australia (ASA)
- Civil Aviation Safety Authority (CASA)

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- Department of Mines, Petroleum and Exploration (DMPE)
- Yued Aboriginal Corporation (YAC)
- Western Power (WP)
- Department of Fire and Emergency Services (DFES)
- Bureau of Meteorology (BOM)
- Department of Defence (DoD)

The DFES, DBCA, and DWER submissions raised that additional information was required prior to confirmation of advice. In response, the applicant submitted the following additional information (See Attachment 6):

- A revised Bushfire Management Plan
- EPA Request for Information (RFI) response memorandum
- Technical memorandum - Summary of data collected from phase 1 to 7 of the bird and bat utilisation surveys for the Marri Wind Farm Project.

The Shire re-referred the applicant's response and additional information to DFES, DBCA and DWER for updated comments.

DoD raised significant concerns and were invited to further review their concerns via a meeting with Shire of Dandaragan and DPLH planning officers. The DoD provided an additional submission following the meeting.

Responses to all submissions are provided in the Schedule of Submissions in Attachment 4. The Shire considers that the issues raised by the agencies have been sufficiently addressed in the updated documents and follow up advice by the agencies, subject to final information and updated reports being provided prior to commencement of construction. 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

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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.

POLICY IMPLICATIONS

Relevant State Planning Policies

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

WAPC Position Statement: Renewable Energy Facilities (2020)

2. *The local planning framework, principally administered by local government, can effectively manage the development assessment of renewable energy facilities.*

5.3.3 - Visual Impact Assessment

The location and siting of a renewable energy facility may require a visual and landscape impact assessment that addresses:

- *Likely impact on views including the visibility of the facility using view shed analysis and simulations of views from significant viewing locations including residential areas, major scenic drives and lookouts.*

5.3.4 - Noise Impacts

The minimum recommended separation distance between noise-sensitive land uses and a wind turbine is 1,500 metres. The minimum distance may be reduced with the approval of the local government, based upon advice from DWER.

Proposals for new wind turbines within 1,500 metres of an existing or new noise-sensitive premises (excluding caretaker dwellings) will require an acoustic study to enable the local government to determine the acceptability of a lesser separation distance.

5.3.5 - Public and Aviation Safety

Proponents of wind turbine proposals should refer to the National Airports Safeguarding Framework (NASF) Guideline D: Managing the Risk to Aviation Safety of Wind Turbine Installation (Wind Farms) / Wind Monitoring Towers to determine any potential aviation safety risks and possible mitigation measures. Any potential aviation safety risks require consultation with Civil Aviation Safety Authority (CASA), Air Services Australia and/or the Commonwealth Department of Defence.

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*.

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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).

Assessment of development applications is merit based and must demonstrate that the proposal meets the Code's Element Objectives through either Acceptable Outcomes or Performance Outcomes.

The RE Code will form part of the Scheme when enacted. Local Planning Policies must be consistent with the Code and Element Objectives. The Shire of Dandaragan Local Planning Policy (LPP) may be reviewed following formal adoption of the Draft RE Code. While the Draft RE Code generally aligns with the Shire's LPP 9.14, it introduces a reduced turbine micro-siting allowance of up to 100 metres, compared to the 300-metre micro-siting permitted under the existing Shire policy and the previously approved proposal. Overall, the proposal remains broadly consistent with the intent of the WAPC Draft Code.

Local Planning Policy ('LPP') 9.14 - Renewable Energy Facilities:

The proposed development is consistent with the provisions of the Renewable Energy Facilities LPP.

FINANCIAL IMPLICATIONS

The applicant has paid the maximum development application fee of \$34,196 with the Marri wind farm and BESS estimated to cost \$1.7 billion.

If approved, the proponent has committed to the establishment of a Community Benefit Fund with funding of \$1,100 per MW per annum over the life of the project, which equates to \$605,000 per annum at maximum energy output. This contribution value will include neighbour payments, community benefit in the form of major project grants and small project grants, and First Nations benefit sharing.

There is currently no statutory mechanism to require community benefit payments under the planning system at present however the Shire of Dandaragan is a nominated participant in the Community Benefits Plans Pilot project that will guide the distribution of these funds in the medium term.

STRATEGIC IMPLICATIONS

Local Planning Strategy

Section 4.5 - Rural

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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

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

ATTACHMENTS

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

- Attachment 1: Development Application Site Plan (SODR-1262144384-4007100).
- Attachment 2: Development Application report and supporting technical appendices (SODR-1262144384-40072).
- Attachment 3: Pre- Development Application – Lodgement Advice' (SODR-1262144384-40073).
- Attachment 4: Schedule of Submissions (SODR-1262144384-40075).
- Attachment 5: Site Plan – BESS and substation (SODR-1262144384-40076).

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(Marked 9.3.2)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Young, seconded Cr Krakowiak

A. That Council, pursuant to Clause 3.4.2(a) of Local Planning Scheme No. 7, determines that the proposed Renewable Energy Facility development is consistent with the objectives of the Rural zone and is therefore permitted,

B. That Council grants development approval for the proposed Renewable Energy Facility known as the Marri Wind Farm and Battery Energy Storage System (BESS), located on 12,472ha of land comprising 25 land parcels in the localities of Yathroo and Regans Ford as set out in the table below;

Street address	Lot No	Plan or diagram	Volume/Folio
9148 Brand Highway, Yathroo	12	030647	2219/597
1221 Dandaragan Road, Yathroo	7	014259	1648/342
No Street Address Available	3782	165377	261/49A
257 Walyoo Road, Yathroo	1	007100	1646/980
8402 Brand Highway, Yathroo	2	064881	1660/217
No Street Address Available	3717	206598	1669/387
251 Gillingarra Road, Yathroo	2320	090303	1669/389
581 Walyoo Road, Yathroo	2	007100	1669/390
No street address available	346	247876	1669/388
581 Walyoo Road, Yathroo	5	007100	1669/390
581 Walyoo Road, Yathroo	4	007100	1669/390
581 Walyoo Road, Yathroo	3	007100	1669/390
No street address available	800	057506	2680/230
246 Dandaragan Road, Regans Ford	201	033139	2192/613
450 Dandaragan Road, Regans Ford	3731	164382	1306/385
No Street Address Available	3508	161971	1380/593
773 Gillingarra Road, Yathroo	3103	144559	1388/508
No street address available	3432	159964	1388/511
No street address available	3433	159965	1388/509
No street address available	3442	161970	1388/510
762 Gillingarra Road, Regans Ford	3577	206132	1446/945
1040 Gillingarra Road, Regans Ford	22	074538	2803/442
540 Rowes Road, Yathroo	4	034878	1385/876
620 Rowes Road, Yathroo	3	034878	141/172A
No street address available	1	035688	141/173A

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 Marri WF Pty Ltd as trustee for Marri WF Unit Trust, which forms part of this development approval, 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.**
- 3. This approval is for a maximum of 82 wind turbines with a maximum blade tip height of 275m above ground level.**
- 4. The wind turbines and rotors are to be constructed in white or light grey colour to the satisfaction of the Shire of Dandaragan. Wind turbine blades must be finished using a low reflective treatment to minimise reflective glinting from the blade surface or strobing reflections caused by blade rotation to the satisfaction of the Shire of Dandaragan.**
- 5. The approved wind turbines may be micro-sited within a 300m radius of the turbine locations on the endorsed development plans to the satisfaction of the Shire of Dandaragan.**
- 6. Prior to the commencement of construction, detailed plans for the proposed development including the final siting of wind turbine locations, and detailed design drawings for all structures, including but not limited to wind turbines, meteorological masts, communication towers, 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 and hardstand areas shall be submitted by the proponent and approved by the Shire of Dandaragan.**
- 7. The Battery Energy Storage System (BESS) and the associated BESS power substation and development is to be located a minimum of 500m south of the southern boundary with 796 Dandaragan Road (Lot 3434) in accordance with the approved development plan. A**

minimum 100m setback that excludes development with the exception of a proposed access road as indicated on the approved development plan, shall be maintained between the southern property boundary with 796 Dandaragan Road (Lot 3434) and the proposed wind farm substation pad earthworks to the satisfaction of the Shire of Dandaragan.

8. Once turbine locations and parameters have been finalised and prior to construction commencing on-site, an updated Aviation Impact Assessment, including any amendments required to the Grid Lowest Safe Altitude (LSALT) height, is to be submitted to the Shire of Dandaragan for approval.
9. The proponent shall (prior to the erection of wind turbine generators) provide notification to the RAAF Aeronautical Service, Air Service Australia, the Civil Aviation Safety Authority and Department of Defence of the location and height details of the wind turbine generators.
10. 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 turbine locations 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:

- (i) Environment Noise Assessment
- (ii) Shadow Flicker Assessment
- (iii) Telecommunications Assessment
- (iv) Water Resources Impact Assessment
- (v) Bushfire Management Plan
- (vi) Heritage Due Diligence Assessment
- (vii) Bird and Bat Adaptive Management Plan
- (viii) Environmental Assessment Reports (Fatal Flaws Desktop and Reconnaissance Report and subsequent updates– see Advice note 6)
- (ix) Aviation Impact Assessment
- (x) Traffic Impact Assessment
- (xi) Landscape and Visual Impact Assessment.

11. Prior to the commencement of on-site civil works, the proponent shall upgrade and seal the length of Gillingarra Road east of Brand Highway through the project area

(approximately 13km) to the 'Typical Seal Design for Upgrade of Unsealed Roads' specification to the satisfaction of the Shire of Dandaragan.

12. For any unsealed roads that are used for construction traffic, the proponent shall be responsible for the full cost of maintenance, including but not limited to grading, watering, dust suppression and reinstatement, at the frequency deemed necessary by the Shire of Dandaragan, for the duration of the construction phase of the project.
13. The proponent, in consultation with the Shire of Dandaragan, shall commission a Road Condition Report for the proposed local construction access, to be prepared by a suitably recognised engineer (agreed to by both parties) prior to the commencement of construction. The Road Condition Report shall include, as a minimum, the following:
 - a) suitability of the existing pavement strength (in wet and dry conditions) to cater for the proposed haulage loads and traffic volumes;
 - b) suitability of the existing horizontal and vertical alignments to cater for the proposed haulage loads and traffic volumes;
 - c) identify and provide plans and costings for any required upgrade works to the proposed construction access route to make it suitable for the proposed haulage loads and traffic volumes; and
 - d) a joint dilapidation survey of all roads to be used for construction traffic, which shall be repeated at the completion of construction.

The costs associated with the preparation of the Road Condition Report and any road works identified in the Road Condition Report shall be undertaken at the cost of the proponent prior to the commencement of construction works.

14. Any deterioration of the road network, as evidenced by comparison with the joint dilapidation survey in the Road Condition Report, is to be rectified by the proponent at the proponent's cost, to the satisfaction of the Shire of Dandaragan. The Shire of Dandaragan requires the local roads to be in no lesser standard at the end of the construction phase as prior to the commencement of construction.
15. Prior to commencement of works on site, the vehicular access points required from the Brand Highway onto the

subject land shall be constructed to the satisfaction of the Shire of Dandaragan, in consultation with Main Roads WA and shall include all necessary drainage and signage. All costs applicable to the construction or upgrade of the access points onto the site shall be borne by the proponent.

16. The developer must construct an access for the connector power substation connection onto the Brand Highway to the satisfaction of the Shire, in consultation with Main Roads WA.
17. Prior to the commencement of construction, a Traffic Management Plan shall be submitted to and approved by the Shire of Dandaragan in consultation with Main Roads WA 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.
18. Prior to the commencement of construction, or delivery of wind turbine components to the development site, the applicant shall demonstrate to the Shire of Dandaragan's satisfaction that necessary approvals have been obtained in respect of road or intersection upgrades to secure access to the development site.
19. The proponent shall notify property owners with land within 5km of approved wind turbine locations of the potential for interference to TV reception from the wind farm. The proponent shall remedy any TV reception interference reported by landowners at dwellings located within 5km of approved wind turbine locations in the first year of operation, that is attributable to the presence of the approved wind farm.
20. The proponent is to update 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), and submit it prior to construction with the detailed construction drawings to the

satisfaction of the Shire of Dandaragan, on advice from the Department of Water and Environmental Regulation (DWER). The revisions to the ENA require the following;

- a) Curtailment strategies for several receivers to the south that could be implemented during operations should modulation be detected.
- b) Clarification of the role of the receivers that were originally omitted.
- c) Confirm the proposed substation siting and identify mitigation measures that will be implemented to address noise emissions in accordance with the Noise Regulations.
- d) Consistent modelling for all infrastructure. Update modelling methodology for BESS and substations.

21. The proponent shall develop and implement a post-construction Noise Monitoring Plan and Noise Monitoring Report within the first 12 months of the windfarm becoming fully operational, to assess compliance of the operational Wind Farm with the noise criteria.

The post-construction noise monitoring program shall be conducted within six months of operations commencing and shall be conducted at the same time of year as the background noise monitoring. The noise monitoring program shall include suitable mitigation actions should any non-compliance be identified.

The outcomes of the post-construction noise monitoring shall be forwarded to the Shire of Dandaragan and the Department of Water and Environmental Regulation's Environmental Noise Branch, with any necessary mitigation actions thereafter implemented at all times.

22. Wind turbines shall be fitted with low intensity-steady red obstacle/hazard lighting, to operate during poor light and hours of darkness, to the satisfaction of the Shire of Dandaragan in consultation with the Civil Aviation Safety Authority. The lighting shall be designed, as much as is practicable, to minimise amenity impacts on the surrounding area.
23. Prior to the commencement of construction, the proponent shall undertake detailed, on-ground cultural heritage surveys over areas of proposed infrastructure, including Yued Traditional Owner participation, to ensure compliance with the *Aboriginal Heritage Act (1972)* (as amended). Surveys are to consider both tangible and intangible cultural heritage values.

- 24. Prior to the commencement of construction, the proponent shall revise and implement a Bird and Bat Adaptive Management Plan, to the satisfaction of the Shire of Dandaragan on advice of the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions.**
- 25. The applicant is to finalise and implement the Bushfire Management Plan prepared by Western Environmental dated 25 February 2025 for the life of the approved development to the satisfaction of the Shire of Dandaragan, in consultation with the Department of Fire and Emergency Services.**
- 26. Prior to commencement of construction, a Construction Environmental Management Plan (CEMP) will be prepared by the proponent and submitted to the Shire of Dandaragan for approval. The CEMP will outline the specific management measures, responsibilities and monitoring requirements to ensure that construction activities are undertaken in a manner that minimises environmental impacts and complies with all statutory obligations, project commitments and best-practice standards.**
- 27. Prior to the commencement of construction, an Emergency Management Plan shall be prepared and implemented by the proponent to the satisfaction of the Shire of Dandaragan in consultation with the Department of Fire and Emergency Services.**
- 28. Prior to the commencement of construction, a Risk Management Plan shall be prepared and implemented by the proponent to the satisfaction of the Shire of Dandaragan in consultation with the Department of Fire and Emergency Services. The Risk Management Plan shall include the identification and management of renewable energy facility risks and hazards other than bushfire, including electrical, chemical, explosion, potential fire spread, mechanical damage, landscape hazards and aerial firefighting. DFES advises that the Risk Management Plan shall include the following:**

 - a) Details of the BESS facility, its type and size.**
 - b) Firefighting water supply to consider aerial fire suppression operation needs;**
 - c) Details of the explosion prevention system for the BESS facility;**
 - d) Details of the spill containment management measures for the BESS facility.**

- e) Details of appropriate monitoring for the facility infrastructure to ensure that any shorts, faults or equipment failures with the potential to ignite or propagate fire are rapidly identified and controlled.

29. Prior to wind farm operations commencing, an Operational Environmental Management Plan shall be submitted by the proponent to the Shire of Dandaragan for approval to manage any environmental risks caused by operational activities.

The Operational Environment Management Plan will include the following measures;

- a) The design of permanent drainage, scour protection, control measures and maintenance of access tracks to prevent turbidity and sedimentation in receiving surface water environments.
- b) Toxic and hazardous substances shall be stored in appropriate storage facilities situated away from water resources to prevent chemical and fuel run-off or leaching from causing significant or persistent environmental harm in accordance with Water Quality Protection Note 65: Toxic and hazardous substances (Department of Water, 2015). Facilities shall be constructed so that substances cannot escape to the environment under any foreseeable conditions.

The Operational Environmental Management Plan will also include:

- a) Information and contact details of the Operator of the Wind Farm;
- b) A complaints procedure for managing all complaints received, including noise complaints;
- c) The requirement to maintain a complaints register;
- d) Arrangements with adjoining landowners regarding the construction of future dwellings on adjoining lots
- e) and Arrangements with adjoining and nearby landowners undertaking agricultural aerial spraying and or aerial water bombing for fire management.

Once approved, the Operational Environmental Management Plan shall be implemented at all times by the proponent during the operational phase to the satisfaction of the Shire of Dandaragan.

30. For the BESS component of the development, 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;
 - c) be made available for such use at all times and not used for any other purpose unless otherwise approved in writing by the Shire of Dandaragan;
 - d) be formed, constructed and drained such that bays can be used in accordance with the approved plan(s) and use;
 - e) have the boundaries of all vehicle spaces clearly indicated on the ground in conformity with the approved plan(s);
 - f) be designed in accordance with AS2890; and
 - g) if deemed necessary, provide for accessible car parking in accordance with the relevant provisions of the National Construction Code Series and AS2890 Part 6 2009.
31. Prior to the commencement of construction, a landscaping plan shall be prepared by the proponent, addressing how the visual impact of development components including the BESS, substations, and Western Power terminal will be mitigated from public roads and neighbouring properties. The landscaping plan shall be submitted by the proponent for approval by the Shire of Dandaragan and thereafter implemented by the proponent to the satisfaction of the Shire of Dandaragan at all times.
32. Prior to the approved development being decommissioned, an updated Decommissioning and Rehabilitation Management Plan is to be submitted by the proponent for approval by the Shire of Dandaragan. The Decommissioning and Rehabilitation Management Plan shall address the removal of above ground plant and equipment (excluding concrete pads, footings and inground cables) in order to return the lots to their pre-development state. The Decommissioning and Rehabilitation Management Plan is thereafter to be implemented by the proponent to the satisfaction of the Shire of Dandaragan.

Advice Notes:

1. The proponent is advised that the Worker Accommodation site options included on the approved development plans are not considered part of this application.

2. In relation to Condition 3, the proponent is advised that the height of the wind turbines is to be confirmed and submitted with the construction drawings. Turbines that exceed 275m in height or the approved number of 82 turbines will require submission of an amended development application.
3. In relation to Condition 7, Any significant changes to the project footprint or appearance of project elements resulting from detailed design may require an amended or subsequent development approval
4. The proponent is advised that the approved development is located within a low flying training airspace extending from ground level to 4000 feet (Danger Area D193). Prior to the commencement of construction, the proponent should provide the Department of Defence with the approved construction drawings for the project. This information should include the final wind farm turbine layout, the locations and heights (AGL) of all wind turbines and meteorological masts, and details of the proposed construction program, including timing and staging of turbine construction.
5. Any amendments resulting in significant additional environmental impacts in the opinion of the Shire of Dandaragan will require referral to the Environmental Protection Authority.
6. The proponent is advised that, prior to the Shire's consideration of the detailed construction documentation, a complete and final set of documents reflecting the outcomes of the updated s.38 Proposal Content Document, in accordance with Part IV of the *Environmental Protection Act 1986* is to be provided to the Shire. Also see condition 10b(viii).
7. 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.
8. The proponent is advised that Threatened flora and fauna are protected under the *Biodiversity Conservation Act 2016* (BC Act) and that Any impacts that may 'take' or 'disturb' a threatened species require Ministerial Authorisation under Section 40 of the BC Act. It is recommended that the proponent consults with DBCA's Species and Communities Branch

(SpeciesandCommunities@dbca.wa.gov.au), to discuss the potential for impacts on BC Act matters and section 40 requirements in the context of construction and operation of the windfarm, including mitigation measures to avoid interactions with Threatened and Migratory fauna.

9. 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).
10. 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 or from external locations that have a current valid Extractive Industry licence.
11. The Yued Heritage Protection Agreement is noted, including the Yued Aboriginal Corporation's expectation that it is to be implemented at all times throughout the project lifespan. Prior to the commencement of construction, the proponent is to make arrangements in consultation with the Yued Aboriginal Corporation for any required Aboriginal heritage monitoring.
12. In relation to Condition 7, the indicative vegetation area and vegetation screening (10m) shown on the approved development plans are indicative only. The extent and configuration of vegetation planting and screening may be subject to further review and modification to ensure consistency with any required bushfire assessment outcomes and traffic safety requirements.
13. In relation to Condition 11, Sealing Gillingarra Road will provide the primary access route for the site in all weather conditions and accommodate the haulage/freight requirement at RAV7 standards.
14. In relation to Condition 15, Main Roads WA advises that proposed upgrades to existing Local Government road intersections with the Brand Highway shall be upgraded to Main Roads WA requirements, to facilitate the transport of the wind turbines. Main Roads understands that the route of the Wind Turbines and which port shall receive the turbines is not yet decided, and this will determine which intersection(s) are required to be upgraded Gillingarra Rd or Dandaragan Rd.
15. In relation to Condition 15, Main Roads WA advises that the proposed 330kV Overhead Transmission Line crossing is to be designed and constructed in accordance with all

relevant Australian Standards, Western Power technical specifications, and Main Roads WA requirements. Any works within the road reserve must follow Main Roads WA's Approval to Work within the Road Reserve – Application and Procedure, including any required onsite environmental or heritage assessments. The design must also comply with the *Main Roads Policy and Guideline for Utility Services in the Road Reserve*, noting that transmission lines are required to cross the road reserve perpendicular to the roadway, as well as the *Utility Providers Code of Practice (Section 8.2)* regarding clearances from overhead powerlines.

Furthermore, the transmission line crossing must meet the requirements of *Main Roads WA's Guide to the Design of Oversize and Over Mass Vehicle Corridors*, ensuring that conductor heights do not infringe on the 10 m × 10 m trafficable envelope for OSOM vehicle movements. In relation to Condition 16, Main Roads WA advise that the proponent is required to submit an Application form to undertake works within the road reserve prior to undertaking any works within the Brand Highway Road reserve.

16. In relation to Condition 16, a new access for the power substation connection on Lot 3782, must be located, designed and constructed to Main Roads WA requirements.
17. In relation to Condition 17, Main Roads WA advises that Heavy vehicle access must be approved by Main Roads where the routes relating to the development application are not approved for the proposed heavy vehicle combinations. Main Roads WA is the relevant authority to issue such approvals. This includes accreditation under the WA Heavy Vehicle Accreditation (WAHVA) Mass Management Module and approval for Accredited Mass Management Scheme (AMMS).

Such an approval may be subject to any necessary intersection upgrades being undertaken at the applicant's expense to the satisfaction of Main Roads WA. The applicant is advised to contact Main Roads WA's 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 WA website.

18. Main Roads WA advises that no powerlines are to be installed within the Brand Highway Road reserve that run parallel to the road.

19. In relation to Condition No. 22, the Applicant is advised that the Civil Aviation Safety Authority has recommended consideration of a radar-activated type system of steady red low intensity (200cd) aviation hazard lighting or contacting obstacle lighting suppliers and discussing whether a cowling system, much like a typical “lampshade”, could be incorporated into the lighting system that could result in little or no downward light spill without impacting aviation safety, to reduce any amenity impacts of the lighting.
20. In relation to Condition 23, all cables (during operation) and footings (following decommissioning) should be at least 50cm below ground level as to not inhibit deep ripping that might be required to break up layers of compacted soil.
21. In relation to Condition 26, the movement of heavy machinery across the landscape during this rehabilitation will result in soil compaction and the Department of Primary Industry and Regional Development recommends that the rehabilitation includes deep ripping to ensure any compacted areas/layers are broken up.
22. In relation to Condition 27, the Emergency Management Plan is to consider the Bushfire Emergency Plan (BEP) Manual (as published by the Western Australian Planning Commission), Section 7 of the Design Guidelines and Model Requirements for Renewable Energy Facilities, and include procedures for stopping wind turbine generators adjacent to a fire, and set out a process for the operator to engage with the Incident Controller during an Event.
23. 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)*. An application to trade/lease a water entitlement will be assessed in accordance with the department's standard policies and procedures, including *Policy - Management of unused licensed water entitlements* and *Policy - Water Entitlement Transactions for Western Australia*
24. In relation to condition 31, It is recommended that the proponent undertakes consultation with affected residents and prepare landscape planning and rehabilitation measures to mitigate potential visual impacts as recommended in the Landscape Visual Impact Assessment. This should focus on minimising disturbance to productive landscapes and vegetation, integrating infrastructure sensitively within the existing landscape, and implementing appropriate screening and rehabilitation

works to maintain landscape character and enhance local biodiversity.

25. Prior to commencement of works within the DBNGP corridor, all parties must submit a written application for approval from the DBNGP Land Access Minister, via the Department of Planning, Lands and Heritage, by email at infrastructure.corridors@dplh.wa.gov.au. Additional permits and approvals may also be required, through proponent engagement with pipeline operator, being Australian Gas Infrastructure Group (AGIG / Dampier Bunbury Pipeline / DBP), who is conferred Access Rights under the DBP Act. DBP advises early engagement is crucial, with each proposal usually requiring separate risk assessment and consideration of specific engineering requirements.
26. In relation to Condition 26, 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 Construction Environmental Management Plan and prepared in consultation with Department of Primary Industries and Regional Development.
27. 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*.
28. 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.
29. All drinking water provided on site must meet the health-related requirements of the Australian Drinking Water Guidelines 2011.
30. 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.

31. 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.

32. 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.

33. 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.

CARRIED 5 / 0

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

AGAINST: Nil

9.3.3 PROPOSED AMENDMENTS TO RENEWAL ENERGY FACILITY DEVELOPMENT APPROVAL – PARRON WIND FARM, LOTS 3738, 3739, 3742, 3743, 3744 – BADGINGARRA, HILL RIVER LOCALITIES

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Location:	Lots 3738, 3739, 3742, 3743, 3744 – Badgingarra, Hill River localities
Applicant:	Element Advisory on behalf of Zephyr Energy Pty Ltd
File Reference:	Doc Id: SODR-1262144384-40061
Disclosure of Interest:	Nil
Date:	30 March 2026
Author:	Alex MacKenzie, Manager Development Planning
Senior Officer:	Louis Fouche, Executive Manager Development Services

PROPOSAL

The application seeks approval for amendments to the Development Approval granted for the Parron Wind Farm (PWF), approved by Council in December 2024. The amendments primarily relate to:

- Micro-siting of wind turbine generators (WTGs) within the approved 300m tolerance;
- Reduction in turbine numbers from 79 to 78;
- Refinement of ancillary infrastructure layout, including access tracks, substations and hardstand areas;
- Introduction and revision of supporting infrastructure including:
 - Workers accommodation facility;
 - Reduced number of concrete batching plants;
 - Additional Western Power substation and associated infrastructure;
 - Increase in total disturbance footprint (~12%) to reflect detailed design requirements; and
 - Updates to supporting technical documentation including the Environmental Assessment and Management Plan (EAMP), Bushfire Management Plan (BMP) and Noise Impact Assessment (NIA).

The amendments are sought pursuant to Clause 77(1)(c) of the *Planning and Development (Local Planning Schemes) Regulations 2015* as a minor amendment that does not substantially alter the approved development.

The submitted amendments arise from detailed design, technical refinement and ongoing engagement with stakeholders including Western Power and the Yued Aboriginal Corporation.

Figure 1 – Previously Approved Turbine Layout Plan



Figure 2 – Amended Turbine Layout Plan



BACKGROUND

On 19 December 2024, Council granted development approval for the Parron Wind Farm, comprising 79 wind turbines and associated infrastructure, subject to conditions. The current approval expires on 12 December 2029 and includes:

- 79 WTGs generating up to 489.8MW.

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- Electrical infrastructure including substations and reticulation networks.
- Operations and maintenance facilities.
- Temporary construction infrastructure.

Temporary ancillary development used during the construction phase of development includes:

- Laydown area including turbine and blade hardstand, which will be used to store infrastructure ahead of installation.
- Three (3) temporary concrete batching plants, with a footprint of approximately 100m x 100m in size. These will be operated at different points of the site, to support the installation of the WTG.
- Temporary construction infrastructure and facilities including site offices, construction food halls, ablutions, power and water supply, storage/laydown, parking and access points.

COMMENT

The following presents an assessment of the application with regard to the Shire's planning framework and relevant matters to be considered under Clause 67 of the Deemed provisions for local planning schemes (Deemed Provisions).

Key considerations include:

- Consistency with approved land use:
The renewable energy facility has already been approved and remains consistent with the Rural Zone objectives.
- Amenity impacts:
Updated modelling confirms noise, visual, and environmental impacts remain acceptable.
- Orderly and proper planning:
The amendments represent refinement rather than expansion of the project and improve environmental and operational outcomes.
- Infrastructure and servicing:
Road access, utilities and construction planning remain consistent with approved conditions.

The proposed changes reflect the transition from concept design to detailed design and are typical of large-scale infrastructure projects. Key elements include:

- Micro-siting adjustments to turbines to:
 - Avoid environmental constraints (MNES, waterways).
 - Respond to cultural heritage survey outcomes.
 - Maintain setbacks to infrastructure and property boundaries.
- Deletion of one turbine, reducing the total to 78 WTGs.
- Refinement of internal road networks and disturbance corridors.
- Additional substations and infrastructure rationalisation.
- Improved layout efficiency and operational outcomes.

These changes remain consistent with Condition 3 of the approval allowing turbine micro-siting within a 300m radius. The amendment application is considered compliant with the Shire's planning framework, with no variations to relevant requirements proposed.

Consistency with Rural Zone Objectives

The objective of the 'Rural' zone under the Scheme 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 development site has already been approved for the development of a wind farm and is adjacent several other properties which have an operational wind farm upon them. Furthermore, the PWF will be constructed and operated incidental to the established broadacre sheep grazing land use of the subject Rural zoned properties. On this basis, the proposed 'Renewable Energy Facility' land use is considered to be compatible with the objectives for the 'Rural' zone under 3.4.2 of the Scheme.

Noting that the current application represents a minor amendment to the previous approval (at which time Council resolved that the intended use was consistent with the objectives of the zone and therefore permitted); a determination further to the provisions of 4.3.2 of the Scheme is not considered necessary and it is recommended that approval be granted subject to conditions.

CONSULTATION

The amended application was advertised for a period of 28-days with no submissions of comment received. The amendment application was referred to key agencies for comment. Advice received is detailed in the attached schedule of submissions.

STATUTORY ENVIRONMENT

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Schedule 2 Deemed provisions for local planning schemes*
- *Clause 77 – Amending or Cancelling Development Approval*

Amending or cancelling development approval

An owner of land in respect of which development approval has been granted by the local government may make an application to the local government requesting the local government to do any or all of the following — (a) (b) (c) (d) to amend the approval so as to extend the period within which any development approved must be substantially commenced; to amend or delete any condition to which the approval is subject; to amend an aspect of

the development approved which, if amended, would not substantially change the development approved; to cancel the approval.

The local government may determine an application made under subclause (1) by — (a) (b) (c) approving the application without conditions; or approving the application with conditions; or refusing the application.

Shire of Dandaragan Local Planning Scheme No. 7

As the proposed land use class of 'Renewable Energy Facility' is not listed within the Zoning Table of the Scheme, the use-not listed provisions of the Scheme apply, as follows:

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.*

The 'Rural' zone of the Scheme has the objective of:

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.

POLICY IMPLICATIONS

WAPC Position Statement: Renewable Energy Facilities (2020)

Renewable energy facilities 2020 provides guidance for the assessment of development applications for renewable energy proposals in Western Australia. A 'Renewable Energy Facility' is defined by the position statement as:

premises used to generate energy from a renewable energy source and includes any building or other structure used in, or relating to, the generation of energy by a renewable resource. It does not include renewable energy electricity generation where the energy produced principally supplies a domestic and/or business premises and any on selling to the grid is secondary.

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Local Planning Policy 9.14 – Renewable Energy Facilities

The application has been seen to comply with the provisions of the Shire's LPP 9.14.

FINANCIAL IMPLICATIONS

Payment of the applicable application fee (\$295) has been made.

STRATEGIC IMPLICATIONS

Local Planning Strategy 2020

Economy - Strategic Directions: 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: 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.

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 – Amended Development Proposal (SODR-1262144384-39130).
- Attachment 2 – Schedule of Submissions (SODR-1262144384-40148).
- Attachment 3 - Environmental Management Plan (SODR-1262144384-39144).
- Attachment 4 – Amended Parron Wind Farm Layout (SODR-1262144384-40149).

(Marked 9.3.3)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Young, seconded Cr Lethlean

That Council grant approval to amend Development Approval DA131/24 for the Parron Wind Farm Renewable Energy Facility on Lots 3738, 3739, 3742, 3743, 3744 – Badgingarra, Hill River localities, as detailed within the amended plans

dated 2 April 2026, subject to the conditions of approval and advice notes as set out below.

CONDITIONS

- 1. This development approval is valid until 12 December 2029. If the development is not substantially commenced within this period, the approval shall lapse and be of no further effect.**
- 2. All development shall be carried out in accordance with the approved amended plans dated 28 May 2026, unless otherwise approved in writing by the Shire of Dandaragan.**
- 3. Approved wind turbine generators (WTGs) and associated infrastructure may be micro-sited within a 300-metre radius of the locations shown on the approved plans.
Prior to the commencement of construction:**
 - Final siting plans shall be submitted to and approved by the Shire of Dandaragan; and
The siting shall demonstrate consistency with environmental, cultural heritage and infrastructure constraints.**
- 4. The development shall not exceed 78 wind turbine generators, as amended and approved under this application.**
- 5. Prior to the commencement of construction, detailed engineering drawings for all proposed road access, crossovers and upgrades shall be submitted to and approved by the Shire. All works shall be undertaken at the cost of the proponent.**
- 6. The proponent, in consultation with the Shire of Dandaragan, shall commission a Road Condition Report for the proposed local construction access route, to be prepared by a recognised engineer (agreed to by both parties) prior to the commencement of construction. The Road Condition Report shall include, as a minimum, the following:**
 - i. suitability of the existing pavement strength (in wet and dry conditions) to cater for the proposed haulage loads and traffic volumes;**
 - ii. suitability of the existing horizontal and vertical alignments to cater for the proposed haulage loads and traffic volumes;**
 - iii. identify and provide plans and costings for any required upgrade works to the proposed construction access route to make it suitable for the proposed haulage loads and traffic volumes; and**

- iv. a photographic record of the condition of the access route.

The costs associated with the preparation of the Road Condition Report and any road works identified in the Road Condition Report shall be undertaken at the cost of the proponent prior to the commencement of construction works.

The Shire of Dandaragan requires the access route to be in no lesser standard at the end of the construction phase as prior to the commencement of construction.

7. Prior to commencement of construction, a Construction and Traffic Management Plan (CTMP) shall be submitted to and approved by the Shire in consultation with Main Roads WA and thereafter implemented. The CTMP shall address, but not be limited to:
- Construction staging and haulage routes;
 - Road upgrades and intersection treatments;
 - Traffic volumes and vehicle types;
 - Management of oversize loads;
 - Public safety measures;
 - Port-to-site transport arrangements.
8. Prior to commencement of construction, the proponent shall provide construction traffic road signage to the specification and satisfaction of Main Roads Western Australia and the Shire of Dandaragan.
9. Prior to the commencement of construction, or delivery of wind turbine components, the applicant shall demonstrate to the Shire's satisfaction that necessary approvals have been obtained in respect of road or intersection upgrades to secure access to the development site.
10. Noise from the operational approved development shall not exceed more than 5dB(A) above the background noise level or 35dB(A) (using LA90), whichever is the greater, at surrounding noise sensitive premises located outside the approved development boundary unless the noise sensitive premises is the subject of a neighbour waiver agreement with the relevant landowner, for which 30dB(A) indoors and 45dB(A) outdoors shall not be exceeded.
11. Prior to construction, an updated Noise Mitigation Plan shall be submitted and approved by the Shire in consultation with DWER and thereafter implemented for the life of the development.
12. The development shall be carried out in accordance with the amended Environmental Assessment and Management Plan (EAMP). The proponent shall:

- Implement all environmental protection and monitoring measures;
 - Avoid clearing of native vegetation where identified;
 - Implement hygiene and fauna protection protocols.
13. The development shall be undertaken in accordance with the amended Bushfire Management Plan (BMP). Measures shall include:
- Provision of Asset Protection Zones;
 - Firefighting water supply;
 - Emergency access arrangements;
 - Ongoing maintenance for the life of the development.
14. Prior to construction, a Surface Water Management Plan / Water Management Strategy shall be approved and implemented to manage drainage, erosion and groundwater use.
15. Prior to construction, the proponent shall submit a Decommissioning and Land Rehabilitation Plan to the satisfaction of the Shire. The plan shall address:
- Removal of all above-ground infrastructure;
 - Rehabilitation of disturbed land;
 - Post-operational land use compatibility.
16. A Fauna Management Plan shall be implemented to minimise impacts on native fauna, including:
- Vehicle speed control;
 - Habitat protection;
 - Curtailment protocols where necessary.
17. The proponents shall develop and implement a post construction noise monitoring program at the noise sensitive receptors to assess compliance of the operational approved development with the noise limits. The postconstruction noise monitoring program shall be conducted at the same time of year as when the background noise measurements were recorded. Results of the program shall be forwarded to the Department Water and Environmental Regulation Noise Branch.
18. Prior to the approved development being decommissioned, a Decommissioning and Rehabilitation Management Plan is to be submitted to and approved by the Shire of Dandaragan. The Decommissioning and Rehabilitation Management Plan should address the removal of above ground plant and equipment (excluding concrete pads, footings and inground cables) in order to return the lots to their pre-development state. The

Decommissioning and Rehabilitation Management Plan is to be implemented to the satisfaction of the Shire of Dandaragan.

- 19. The development shall be carried out in accordance with the amended Environmental Assessment and Management Plan (EAMP). The proponent shall:**
- **Implement all environmental protection and monitoring measures;**
 - **Avoid clearing of native vegetation where identified;**
 - **Implement hygiene and fauna protection protocols.**
- 20. The development shall be undertaken in accordance with the amended Bushfire Management Plan (BMP). Measures shall include:**
- i. Provision of Asset Protection Zones;**
 - ii. Firefighting water supply;**
 - iii. Emergency access arrangements;**
 - iv. Ongoing maintenance for the life of the development.**
- 21. Prior to the commencement of construction, the applicant shall demonstrate to the Shire's satisfaction that necessary approvals have been obtained in respect of road or intersection upgrades to secure access to the development site.**

ADVICE NOTES

- A. The proponent shall obtain all required approvals from relevant State agencies, including:**
- **Environmental approvals;**
 - **Clearing permits;**
 - **Water licences;**
 - **Main Roads WA approvals.**
- B. The development shall be maintained and operated in accordance with all approved plans, conditions and management measures for the duration of the project lifecycle.**
- C. This approval relates only to planning matters and does not remove the requirement to obtain any other statutory approvals.**
- D. 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.

- E. In relation to Condition 14, should the annual monitoring program for Carnaby's Black Cockatoo indicate significant impacts on Carnaby's Black Cockatoo, particularly in relation to bird strike mortalities, there may be the requirement to report these impacts to the Department of Climate Change, Energy, Environment and Water (DCCEEW).**
- F. The proponent shall ensure sufficient clearance is maintained from Western Power's existing and planned transmission and distribution lines and associated facilities to the satisfaction of Western Power.**
- G. Prior to the commencement of construction, the proponent shall make arrangements in consultation with the South West Aboriginal Land and Sea Council (Central Services Corporation) and Yued Corporation for any required Aboriginal heritage monitoring.**
- H. In relation to Conditions 10 and 11, it is advised that noise from the operational approved development is to comply with the Environmental Protection (Noise) Regulations 1997 based on the testing procedures and analysis contained in the South Australian Environmental Protection Authority's Wind Farms – Environmental Noise Guidelines (as amended).**
- I. The updated acoustic report shall include measures and or procedures to address any areas of non-compliance with the maximum permitted noise levels specified in the *Environmental Protection (Noise) Regulations 1997*.**

CARRIED 5 / 0

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

AGAINST: Nil

9.3.4 PROPOSED BULK EARTHWORKS – PART LOT 9016 HAMERSLEY STREET, JURIE BAY

Location:	Part Lot 9016 Hamersley Street, Jurien Bay
Applicant:	Lorraine Elliot Planning Services on behalf of Ardross Estates Pty Ltd
File Reference:	Doc Id: SODR-1262144384-39810
Disclosure of Interest:	Nil.
Date:	5 May 2026
Author:	Alex MacKenzie, Manager Development Planning
Senior Officer:	Louis Fouche, Executive Manager Development Services

PROPOSAL

The purpose of the report is for Council to consider an application by Ardross Estates to undertake bulk earthworks across an approximate 4.7-ha portion of Lot 9016 Hamersley Street.

Figure 1 - Location Plan



BACKGROUND

While earthworks would typically follow subdivision approval, in this instance it is intended that the works be completed during winter ahead of the prevailing winds that typically occur during warmer months. The applicant has explained that should the works not be undertaken between May and September, then “the window of opportunity” will be lost for another 12 months, seriously delaying the development of some 60 residential lots planned for the site. While bulk earthworks are exempt from development where such works follow subdivision approval; in the current case an application for subdivision approval has not yet been submitted. Development approval is therefore required for the works as proposed.

COMMENT

Bulk earthworks are often undertaken as part of the process of preparing a site for development. The Shire's Engineering Policy 7.7 *Dust Management Requirements for Development Works* was adopted by Council in recognition of the need to manage the impacts of dust and sand movement off-site often associated with such works. Many local governments have similar policies, reflecting a broader acceptance of the need for bulk earthworks to be undertaken as part of subdivision processes. To ensure that such proposals are consistent the principles of orderly and proper planning, bulk earthwork policies typically require that such works, particularly those ahead of subdivision approval, are consistent with the direction of the local government's planning framework.

In the current case, the site is designated for future residential development under the Local Planning Strategy and zoned for residential development under the Scheme. On this basis, the undertaking of earthworks on the Hammersley Street site (to achieve an average finished surface level of 3.0m-3.5m from the current 1.5m-3.0m) will facilitate residential subdivision and development and is consistent with the Shire's Local Planning Framework.

Additionally, the earthworks and intended future use will be both compatible and suitable with consideration of the location, noting the adjoining properties to the west consists of residential development. Similarly, land to the east and south consists of Ardross Estate holdings similarly zoned and designated for future residential land supply.

Shire of Dandaragan Dust Management Policy

The Shire's Dust Management Policy provides direction for the classification and management of risk associated with clearing and bulk earthworks. An assessment undertaken with reference to the State Environmental Dust Management Guidelines puts the classification of risk for the site at level 3 which is a medium risk category. The recommendations for level 3 projects include:

- Appropriate wind fencing along boundaries
- Stabilisation of disturbed land
- Use of watering with minimum water storage capacity of 10,000L
- Preparation of a dust management plan
- Both on and off-site dust monitoring
- Establishing an appropriate complaint management process

Including installation of a notice on-site with relevant contact details for dust reporting. The applicant has explained that all vehicular access will be obtained via Bayliss Street.

Accordingly, it is recommended that approval be conditioned upon the above actions being undertaken to the satisfaction of the Shire.

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Bushfire Management and Environmental Considerations

From a bushfire management perspective, the works as proposed will reduce the bushfire hazard level for both the subject site and adjoining residential properties to the west.

The subject site does not have any threatened ecological species or other environmental designations ascribed to it. Nevertheless, the site has largely been cleared for bushfire management purposes further to consultation with the Shire's emergency services. It is recommended that a stormwater management plan be prepared for the site to ensure that potential impacts associated with storm water runoff are both managed and mitigated.

CONSULTATION

Ardross Estates has had preliminary discussions with officers from the Shire and the Department of Planning, Lands and Heritage (DPLH) regarding their intention to progress a 60-lot subdivision on the subject site.

Public consultation for works as proposed is generally not required where it is consistent with the Local Planning Framework as consultation has already occurred during previous planning processes (i.e. Local Planning Strategy, Structure Plan and Scheme Amendment).

STATUTORY ENVIRONMENT

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2, Part 7, Clause 60, Requirement for Development Approval

A person must not commence or carry out any works on, or use, land in the Scheme area unless –

- (a) The person has obtained the development approval of the local government under Part 8; or*
- (b) Development approval is not required for the development under Clause 61.*

Local Planning Scheme No.7

The subject site is zoned 'Residential' with an R-Code density of R40.

Turquoise Coast Structure Plan

The subject site is located within Development Plan Area 2 designated for residential development under the Turquoise Coast Structure Plan.

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POLICY IMPLICATIONS

7.7 Dust Management Requirements for Development Works within the Shire of Dandaragan

See Comment section of the report.

FINANCIAL IMPLICATIONS

The applicable application fee based on the estimated cost of works has been paid.

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.

Local Planning Strategy

The site ((Part Lot 9016) is designated for 'Future Residential' development under the Shire's Local Planning Strategy prepared in 2020.

ATTACHMENTS

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

- Attachment 1 – Bulk Earthworks Plan (Doc ID: SODR-1262144384-38824).
- Attachment 2 – Application Cover Letter (Doc ID: SODR-1262144384-38823).

(Marked 9.3.4)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Krakowiak, seconded Cr Johnson

That Council grant approval for Bulk Earthworks on Portion of Lot 9016 Hamersley Street as detailed on approved plans dated 28 May 2026, subject to the following conditions and advice notes:

Conditions:

- 1. All development shall be in accordance with the approved Bulk Earthworks plans dated 28 May 2026, which forms part of this development approval, 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. Prior to the commencement of any site works, a Dust Management Plan shall be prepared in accordance with the Shire's Engineering Policy 7.7 to the satisfaction of the Shire. The approved plan shall be implemented, and all work shall be carried out in accordance with the approved plan.
3. All stormwater must be contained and disposed of on-site at all times, to the satisfaction of the Shire of Dandaragan.
4. The development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect.

Where an approval has so lapsed, no development must be carried out without the further approval of the Shire of Dandaragan having first been sought and obtained.

Advice Notes:

- A. 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.
- B. The owner/occupier of the land must comply with the *Site Erosion and Sand Drift Prevention Local Law 2019* at all times.
- C. 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.
- D. Should the applicant or owner be aggrieved by this decision, or any conditions imposed, 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.

CARRIED 5 / 0

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

AGAINST: Nil

9.4 GOVERNANCE & ADMINISTRATION

9.4.1 COUNCIL MEETING SCHEDULE 2026 / 2027

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Doc Id: SODR-1739978813-9236
Disclosure of Interest:	None
Date:	5 May 2026
Author:	Kristy Dean, Administration Officer
Senior Officer:	Rebecca Pink, Executive Manager Corporate Services

PROPOSAL

To determine a Council meeting schedule for the period 1 July 2026 to 30 June 2027, and to consider start times for Council Meetings.

BACKGROUND

On an annual basis, local governments in Western Australia are required to establish and advertise a schedule of Council meetings. The Shire of Dandaragan's current schedule sets meetings up to 30 June 2026 and as such, it is timely to adopt a new schedule.

COMMENT

Currently, Council meets every fourth Thursday of the month, excepting December, which is scheduled for the week prior to the Christmas break, and January where no Council meeting is held. Other changes can occur due to public holidays, and Council has the discretion to reduce the total number of meetings, providing ordinary meetings are not held more than 3 months apart.

Council is also required to hold an Annual General Meeting of Electors (AGM), held after the Annual Report has been adopted by Council. The date for the AGM is determined by Council when the Annual Report is adopted and generally falls in the first quarter of the calendar year.

The August meeting has an earlier start time due to the scheduled school visit.

CONSULTATION

Nil

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 MAY 2026

STATUTORY ENVIRONMENT

Local Government Act 1995 requires the advertising of a local government's ordinary meetings of Council.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Johnson, seconded Cr Lethlean

That Council adopt the following meeting schedule for the 2026 / 2027 financial year:

DAY	DATE	TIME	MEETING VENUE
Thurs	23 July 2026	4.00pm	Jurien Bay
Thurs	27 August 2026	4.00pm	Jurien Bay
Thurs	24 September 2026	4.00pm	Jurien Bay
Thurs	22 October 2026	4.00pm	Jurien Bay
Thurs	26 November 2026	4.00pm	Jurien Bay
Thurs	17 December 2026	4.00pm	Jurien Bay
Thurs	25 February 2027	4.00pm	Jurien Bay
Thurs	25 March 2027	4.00pm	Jurien Bay
Thurs	22 April 2027	4.00pm	Jurien Bay
Thurs	27 May 2027	4.00pm	Jurien Bay
Thurs	24 June 2027	11.00am	Jurien Bay

CARRIED 5 / 0

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

AGAINST: Nil

9.4.2 SELF-SUPPORTING LOANS POLICY REVIEW

Location:	Shire of Dandaragan
Applicant:	N/A
File Reference:	Doc Id: SODR-461937211-1700
Disclosure of Interest:	None
Date:	14 May 2026
Author:	Lauren Miles, Human Resources Coordinator
Senior Officer:	Rebecca Pink, Executive Manager Corporate Services

PROPOSAL

That Council review and endorse the proposed changes to Policy 3.3 Self-Supporting Loans.

BACKGROUND

Policy 3.3 outlines the framework for the provision of self-supporting loans to community organisations for capital projects. The policy ensures that any loans approved by Council are financially sustainable, transparent, and do not place an unintended burden on the Shire's general rate revenue.

COMMENT

The review has resulted in minor updates to improve clarity, strengthen governance, and better articulate assessment and decision-making criteria.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 and associated regulations.

POLICY IMPLICATIONS

The revised policy will update the Shires existing framework for managing Self-Supporting Loans.

FINANCIAL IMPLICATIONS

There are no additional financial implications relating to the revised policy.

STRATEGIC IMPLICATIONS

Policy 3.3 aligns with Council's commitment to supporting community development while maintaining financial sustainability.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 MAY 2026

ATTACHMENTS

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

- Policy 3.3 – Current Self-Supporting Loans Current (Doc Id: SODR-461937211-1171).
- Policy 3.3 – Revised Self-Supporting Loans (Doc Id: SODR-461937211-1699).

(Marked 9.4.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Johnson, seconded Cr Young

That Council review and endorse revised Policy 3.3 - Self-Supporting Loans as presented.

CARRIED 5 / 0

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

AGAINST: Nil

9.5 COUNCILLOR INFORMATION BULLETIN

9.5.1 SHIRE OF DANDARAGAN – BUILDING STATISTICS – APRIL 2026

Document ID: SODR-2045798944-38248

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

9.5.2 SHIRE OF DANDARAGAN – PLANNING STATISTICS – APRIL 2026

Document ID: SODR-2045798944-38250

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

9.5.3 SHIRE OF DANDARAGAN TOURISM / LIBRARY / COMMUNITY ACTIVITIES REPORT FOR APRIL 2026

Document ID: SODR-1876983588-2980

Attached to the agenda is monthly report for Tourism / Library for April 2026. ***(Marked 9.5.3)***

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 28 MAY 2026

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

Nil

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13 CLOSURE OF MEETING

The presiding member declared the meeting closed at 4.35pm.

These minutes were confirmed at a meeting on.....

Signed

Presiding person at the meeting at which the minutes were confirmed

Date