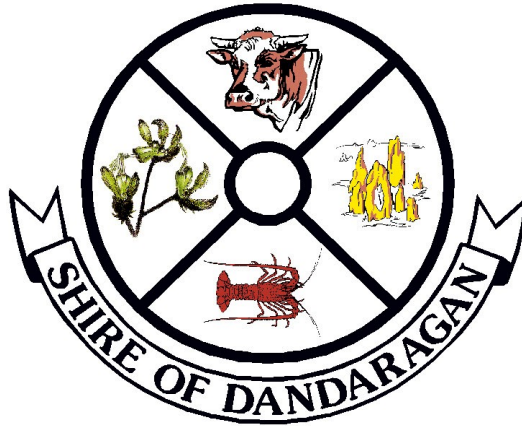




SHIRE
of
DANDARAGAN

MINUTES

of the

ORDINARY COUNCIL MEETING

held at the

COUNCIL CHAMBERS, JURIEN BAY

on

THURSDAY 23 OCTOBER 2055

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 23 OCTOBER 2025

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

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

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

1.2 DISCLAIMER READING

The disclaimer was read aloud as there were seven members of the public present.

"No responsibility whatsoever is implied or accepted by the Shire of Dandaragan for any act, omission, statement or intimation occurring during this meeting."

It is strongly advised that persons do not act on what is heard, and should only rely on written confirmation of Council's decision, which will be provided within fourteen days."

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members

Councillor T O’Gorman	(President)
Councillor G Lethlean	(Deputy President)
Councillor W Gibson	
Councillor S Young	
Councillor R Glasfurd	
Councillor S Johnson	
Councillor S Krakowiak	

Staff

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

Apologies

Nil

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Approved Leave of Absence

Nil

Observers

Nil

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Miss Hannah

There is a significant shortage of affordable rental housing in Jurien Bay. What steps is the Council taking to address this issue and support the community?

Shire President Response

Yes, this is an issue affecting Jurien Bay and many other areas across the state. The Development Services team is actively working on ways to make more land available to the public, so that people have the opportunity to purchase land for building homes — whether for their own use or to contribute to the local rental market. We currently have a project underway in Dandaragan to prepare 40 blocks for release to the market. In Jurien Bay, we also have a smaller number of lots in Jurien Bay that we're working to make available as soon as possible.

On today's agenda, we have an item concerning 19 lots that are nearly ready for market, pending some final adjustments. The Shire is not in a financial position to build houses for community but our focus is on ensuring that as much land as possible is made available to support housing development in all our communities.

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD 25 SEPTEMBER 2025

COUNCIL DECISION

Moved Cr Gibson, seconded Cr Lethlean

That the minutes of the Ordinary Meeting of Council held 25 September 2025 be confirmed.

CARRIED 7/0

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 OCTOBER 2025

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

AGAINST: Nil

7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Arkar, State Leader of Neoen Australia, thanked the Shire Council, CEO, and Development Services team for their support of the Yathroo Wind Farm. He outlined that the project aims to support the State Government's plan to retire coal power in Collie by 2029, provide local employment, deliver the announced Community Benefit Fund, and create long-term opportunities for the Dandaragan community.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 CORPORATE & COMMUNITY SERVICES

9.1.1 ACCOUNTS FOR PAYMENT FOR THE PERIOD ENDED 30 SEPTEMBER 2025

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Doc Id: SODR-2042075298-143325
Disclosure of Interest:	None
Date:	11 October 2025
Author:	Rebecca Pink, Executive Manager Corporate Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To receive the Cheque, EFT, BPAY, Direct Debit and Fuel Card listing for the month of September 2025.

BACKGROUND

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

COMMENT

The Cheque, EFT, BPAY and Direct Debit (including fuel cards) payments for September 2025 totalled **\$851,061.68** for the Municipal Fund.

Should Councillors wish to raise any issues relating to the September 2025 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.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 OCTOBER 2025
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ATTACHMENTS

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

- Cheque, EFT, BPAY, Direct Debit and Fuel Card listings for September 2025 (Doc Id: SODR-2042075298-143324).

(Marked 9.1.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Young, seconded Cr Lethlean

That Council receives the Cheque, EFT, BPAY, Direct Debit and Fuel Card payment listing for the period ending 30 September 2025, totalling \$851,061.68.

CARRIED 7 / 0

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

AGAINST: Nil

9.1.2 FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 30 SEPTEMBER 2025

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Doc Id: SODR-2042075298-143263
Disclosure of Interest:	None
Date:	11 October 2025
Author:	Rebecca Pink, Executive Manager Corporate Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To present the Monthly Financial Report for the period ending 30 September 2025 to Council.

BACKGROUND

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

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

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

In accordance with *regulation 34(5) of the Local Government (Financial Management) Regulations 1996*, on 24 July 2025, Council adopted the annual material variance threshold of 10% for reporting budget variances within monthly financial reporting for the 2025/26 financial year, subject to a \$10,000 minimum, below which, variances are not required to be reported.

COMMENT

The Monthly Financial Report for the period ending 30 September 2025 is attached to include the following information as required by legislation:

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

There is no legislative requirement for supplementary financial information to be considered with the monthly financial reports presented to Council, however, to assist Council with explanatory details for the above statements, there is supplementary information at the back of the statements.

Should Councillors wish to raise any issues relating to the 30 September 2025 financial statements, please do not hesitate to contact the Executive Manager prior to the Council Meeting for research to be undertaken and details provided either at the time of the query or at the meeting.

STATUTORY ENVIRONMENT

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 these monthly financial reports provides Council with regular updates regarding the status of the financial position and assists to comply with the *Local Government Act 1995* and associated regulations.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this item.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 OCTOBER 2025

ATTACHMENTS

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

- Financial statements for the period ending 30 September 2025
(Doc Id: SODR-2042075298-143347)

(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Johnson, seconded Cr Krakowiak

That Council receives the Monthly Financial Report for the period ending 30 September 2025.

CARRIED 7 / 0

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

AGAINST: Nil

9.1.3 PUBLIC ART COMMITTEE WORKING GROUP EXTENSION

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	SODR-437506902-14124
Disclosure of Interest:	Nil
Date:	8 October 2025
Author:	Kayla Jones, Community Development Officer
Senior Officer:	Rhiarn Sutton, Manager Customer and Community Services

PROPOSAL

The purpose of this item is for Council to consider extending the term of the current Public Art Committee members by 12 months and to approve the advertising of one additional community position to fill the existing vacancy.

BACKGROUND

In November 2023, Council endorsed the Public Art Committee nominations, appointing two Councillors and four community representatives to the working group.

Council resolved as follows:

That Council:

1. *Endorse the following nominees as members of the Public Art Committee Working Group:*

1. *Allison Whybrow*

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2. Marilyn Gazeley
3. Barb Green
4. Dianne Knight

2. *Appoint the following Councillors, as Council representatives for the Working Group:*

1. *Cr Sharon Young*
2. *Cr Rob Shanahun*
3. *Cr Rose Glasfurd*

3. *Authorise the Chief Executive Officer to approve the appointment of a Dandaragan community representative to the Public Art Committee Working Group if a nomination is forthcoming.*

A few months following the formation of the committee, one community member resigned, leaving a vacant position that has not yet been filled.

COMMENT

The current two-year term of the Public Art Committee is due to conclude shortly. Ordinarily, this would trigger a call for new nominations; however, the committee is currently overseeing an ongoing project.

To maintain continuity and retain existing knowledge and experience, it is proposed that Council extend the current members' terms by 12 months.

It is further recommended that Council approve advertising for one new community member to fill the current vacancy on the committee.

CONSULTATION

Public Art Committee Members

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

There are no financial implications in relation to this item.

STRATEGIC IMPLICATIONS

Shire of Dandaragan Council Plan – Community Aspirations

Priority Outcome	The Shire has an active community development program supporting events, cultural development and community building activities
Initiative	Support a range of community events and provide funding for external agencies and community groups to coordinate these events.

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ATTACHMENTS

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

- Public Art Committee Terms of Reference [Doc Id: SODR-437506902-10806]

(Marked 9.1.3)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Glasfurd, seconded Cr Krakowiak

That Council:

- 1. Extends the term of the current Public Art Committee members by 12 months to allow for the continuation of the current project; and**
- 2. Approve the advertising of one additional community member position to fill the existing vacancy on the Public Art Committee.**

CARRIED 7 / 0

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

AGAINST: Nil

9.3 DEVELOPMENT SERVICES

9.3.1 JURIEB BAY FORESHORE MASTERPLAN REVIEW

Location:	Jurien Bay Foreshore Reserve 28541
Applicant:	N/A
Folder Path:	SODR-877026889-11095
Disclosure of Interest:	Nil.
Date:	6 October 2025
Author:	Alex MacKenzie, Manager Planning and Building Services
Senior Officer:	Louis Fouche, Executive Manager Development Services

PROPOSAL

The review of the Jurien Bay Foreshore Masterplan was identified in the 2025-2026 Council Plan as a priority action. The current review is intended to ensure that land use and development is informed by the community's vision and expectations for the foreshore. UDLA has been engaged to amend the Shire's 2020 masterplan with the following high-level objectives:

- Provide direction for how additional commercial activity in specific locations may occur within the foreshore reserve.

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- Ensure availability of additional parking bays and ablution facilities.
- Guide how development may occur with consideration for coastal processes, permanence of structures and built form design.
- Uphold the primary use of the reserve as open space and protect adjoining property interests.

Three main concepts have been prepared providing alternative options for the positioning of commercial floor-space, parking, and ablutions. The interface of the Beach Café 'location' and the anticipated future development context of Heaton and Roberts Street have also been considered. This report is presented to Council to request that the draft concepts be endorsed for the purposes of initiating public consultation over a 42-day period.



Location Plan for Jurien Bay Foreshore Masterplan

BACKGROUND

Responding to a period of economic downturn, the Shire's 2019-2020 Strategic Community Plan pointed to the need for activation of the foreshore. Specifically, the preparation of the Foreshore Masterplan in 2020 aimed to:

- Unlock economic opportunity;
- Facilitate activation of the foreshore (event spaces and supporting infrastructure, day to day use, tourism and locals);
- Provide certainty into the future regarding staged implementation of amenity upgrades and landscape improvements (what, where, when, look and feel etc);
- Reflect community consensus around the location of the skatepark; and
- Allow opportunities for community art and events within the foreshore.

It was considered that the above would fulfil Council's commercial aspirations for the Beach Cafe location while balancing community interests and potential impacts on the natural environment. When presented to Council for adoption in 2020, it was stated that the UDLA masterplan would:

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- Address public use of the foreshore;
- Establish a proactive and where appropriate, an 'entrepreneurial', approach to the management of the Reserve;
- Respond to the unique nature of the foreshore;
- Guide building design to respond to the coastal location;
- Provide for public art and culture; and
- Allow for interconnectivity of recreational land uses, development and facilities that activate the foreshore.

Development and use of the foreshore in the years since has been seen to be generally consistent with the above. In September 2023 Council granted development approval for 'Retail Containers', effectively expanding the commercial footprint of the Beach Café lease. In April 2025 the Shire was presented with a subsequent proposal from the current lessee of the Beach Cafe detailing a different development option from that was approved in 2023. An expansion of the commercial footprint is a key consideration of the revised masterplan, however, is at the discretion of Council.

COMMENT

The purpose of this report is for Council to consider the updated strategic vision for the Jurien Bay foreshore. It should be made clear that consideration of any development proposal within the foreshore will occur via the development assessment process should any such application be submitted to the Shire.

Cervantes Foreshore and Masterplan for Jurien Foreshore 'North'

A masterplan will be prepared for the section of the Jurien Bay foreshore extending northwards from Doust Street to the southern end of the marina in this financial year. It is anticipated that this work will be progressed following the current review. As this will be a new masterplan, the community will have an opportunity to participate in more comprehensive consultation and provide direct input into this process.

Additionally, it is envisaged that the review of the Cervantes foreshore masterplan will be undertaken in the coming year, subject to allocation in the 2026-2027 budget for this.

Key Changes to the Foreshore Masterplan

Recent interest from food and beverage operators to invest in new offerings within the foreshore has reinforced the need to examine what form of development is appropriate for the location. The Shire's requested changes to the 2020 masterplan are as follows:

- Remove 'Container Bar' as this use has effectively been incorporated in the Beach Café.
- Explore the deck area and connections with proposed commercial activity.

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- Investigate parking scenarios in ‘town square’ / main beach parking location and servicing needs of development.
- Explore angle parking along Grigson Street and removal of the swale no longer required for drainage.
- Explore Recreational Vehicle (RV) and long vehicle parking scenarios.
- Investigate opportunities for use of swale next to jetty and links to café
- Provide for an extension to the jetty.
- Identify a potential ablution location near the playground north of the town square / main beach car park.
- Explore mobile vendor spaces adjacent to basketball courts on Heaton Street.
- Explore additional commercial nodes along Grigson and Heaton Streets.
- Retain beach access nodes.
- Provide direction for activation / use of the hardstand area at the western end of the main beach / town square car park.
- Include provision for night sky friendly lighting and minimal signage along foreshore

The above changes are preliminary, and a finalised masterplan will be informed by the community engagement and Council consideration processes.

Matters to be Addressed in Revised Foreshore Masterplan Report

The masterplan report document accompanies the plan and provides additional detail around how the foreshore should function and how development may occur with particular consideration for:

- *Coastal processes*

Development will need to be in accordance with the State Coastal Planning Policy and the Shire’s Coastal Hazard Risk Management and Adaptation Plan (CHRMAP).

- *Built form design*

Structures will need to be of a design that is complementary to the coastal location and potentially non-permanent in nature depending on how a proposal fits with the CHRMAP.

- *Lighting*

The objective will be to minimise the potential for lighting of development (and of lighting within the foreshore reserve generally) to impact on adjoining residents and on the night sky. The height of lighting structures will also be minimised where appropriate.

- *Servicing needs and parking arrangements*

This is a key aspect which will need to be designed and managed towards limiting the impact of traffic on adjoining residential areas.

- *Height of structures and shade trees*

The masterplan will provide guidance to protect access to views i.e. limiting tree planting to trees capable of reaching a height less than 3m at maturity. Limiting unnecessary signage and structures such as poles which may obstruct sightlines will be a priority.

The 2020 masterplan report will be updated following the public consultation process to ensure that community feedback is captured.

Key Elements of Masterplan Options 1, 2 & 3

While the above largely refers to changes to the overall masterplan in line with broader objectives for the foreshore; the following represents a summary of the respective options as they relate to the area adjacent to the Beach Cafe (shown hatched in red in Attachment 1).

Option 1



This option provides for a commercial offering to be positioned approximately 40m to the south of the Beach Cafe. The siting of the building in this way would ensure that access to views from the approved caravan park chalets will be minimised.

Under this option, the internal floor-area of the development would be slightly less than the existing Beach Cafe with the intention being to provide an alternative offering in the foreshore while minimising built form. A timber deck would provide connection to the Beach Cafe and allow for additional seating for customers and visitors. An

ablutions facility would be available to the public as part of this option.

Option 2



In this option the commercial offering would be positioned slightly closer to the Beach Cafe with the development footprint to be similar to that of the existing Beach Cafe. The siting of the building in this scenario would limit potential impacts on views for the approved chalets at the caravan park. A timber deck would provide connection to the Beach Cafe and allow for additional seating for customers and visitors. An ablutions facility would be available to the public as part of this option.

Option 3



This concept presents a commercial offering to effectively adjoin the Beach Cafe, to be positioned on the existing elevated paving area. The development footprint would be similar to that of the Beach Cafe, and it could be expected that in this location, the building would likely impact on westward views from the future caravan park chalets. A timber deck would provide connection to the Beach Cafe and allow for additional seating for customers and visitors. An

ablutions facility would be available to the public as part of this option.

Other Options

Although not specifically presented in option form, the public could comment on and preference certain components of each option or choose not to preference specific options i.e. the commercial floor space. Council is not obliged to approve any specific option or component thereof should Council so decide. Council could also have further studies commissioned i.e. economic impact and / or commercial best use studies to inform the masterplan.

CONSULTATION

It is proposed that the foreshore masterplan be advertised for public comment over a period of 42-days. This is consistent with standard practice for advertising of higher level planning documents such as structure plans, which under clause 18 of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires that a minimum period of 42 days be available for public comment.

STATUTORY ENVIRONMENT

N/A

POLICY IMPLICATIONS

Local Planning Policy 9.13 – Jurien Bay Foreshore Commercial Development Plan

Objectives

- *Activation of the Jurien Bay Foreshore recognising that while public open space is high priority and should not be compromised, people want amenities and activities that enhance their experience of the Foreshore.*
- *Provide specific guidance on the requirements for the operation of commercial and community land uses on the Jurien Bay Foreshore.*
- *Encourage commercial operators to operate in locations that support the activation of the Jurien Bay Foreshore, while complementing the existing businesses within the Jurien Bay City Centre.*
- *Identify the preferred locations for particular activities and to regulate the intensity of commercial activities on the Jurien Bay Foreshore.*
- *The effective use and management of the Jurien Bay Foreshore resulting in a space that is people focused which promotes health and wellbeing through active and passive recreation.*

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Coastal Hazard Risk Management Adaptation Plan

The Shire's CHRMAP was adopted by Council in June 2018 and has the following purposes:

- *to ensure that development and the location of coastal facilities takes into account coastal processes, landform stability, coastal hazards, climate change and biophysical criteria;*
- *to guide the identification of appropriate areas for the sustainable use of the coast for housing, tourism, recreation, ocean access, maritime industry, commercial and other activities; • to provide for public coastal foreshore reserves and access to them on the coast; and*
- *to protect, conserve and enhance coastal zone values, particularly in areas of landscape, biodiversity and ecosystem integrity, indigenous and cultural significance.*

FINANCIAL IMPLICATIONS

The cost of engaging UDLA to prepare the revised Foreshore Masterplan has been approximately \$15K to-date.

STRATEGIC IMPLICATIONS

Shire of Dandaragan Council Plan

Council Priorities	Initiative
Community	We have accessible community spaces and infrastructure which supports social connections
Infrastructure	Review and update the Jurien Bay and Cervantes Foreshore Masterplans

Jurien Bay Growth Plan

Action 26 - The future management and development of the foreshore reserves needs to ensure that opportunities for tourism and recreational use are optimised.

Local Planning Strategy 2020

Economy - Strategic Directions Support growth of the tourism sector by assisting operators to provide a range of products to cater for differing consumer experiences and expectations.

Environment and Natural Resources - Actions Ensure planning proposals in the coastal hazard risk area, as identified in the local planning scheme, mitigate or manage risks in accordance with the Shire of Dandaragan Coastal Hazard Risk Management and Adaptation Plan and State policy.

10.4.5 Townscape Quality

The Shire will develop individual plans for Jurien Bay and Cervantes that explore the identity of each town and develops ways in which this identity can be reflected in the style, appearance and quality of public spaces. This could include elements such as plantings, artwork, signage, colour schemes, street and park furniture and landscaping.

ATTACHMENTS

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

- Attachment 1: Jurien Bay Foreshore Masterplan Concepts (Doc Id: SODR-877026889-11122)
- Attachment 2: 2020 Jurien Bay – Cervantes Foreshore Masterplan Report (Doc Id: SODR-877026889-11095)

(Marked 9.3.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Lethlean

That Council endorses the draft Jurien Bay Foreshore Masterplan Concepts for the purpose of undertaking public consultation over a minimum period of 42 days.

CARRIED 7 / 0

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

AGAINST: Nil

9.3.2 PROPOSED BEACHRIDGE ESTATE LOCAL DEVELOPMENT PLAN - LOTS 929-933, 943-947 AND 1939 – 1942 BEACHRIDGE DRIVE AND LOTS 934-938 AUTUMN WAY, JURIEN BAY

Location:	Lots 929-933,943-947 and 1939-1942 Beachridge Drive, and Lots 934-938 Autumn Way, Jurien Bay
Applicant:	Lorraine Elliott Planning Services on behalf of Ardross Estates Pty Ltd
Folder Path:	SODR-1262144384-31356
Disclosure of Interest:	Nil
Date:	6 October 2025
Author:	Monica Sullivan, Strategic Planning Coordinator
Senior Officer:	Louis Fouché, Executive Manager Development Services

PROPOSAL

The purpose of this report is for Council to consider advertising a draft Local Development Plan (LDP) prepared for 19 lots in Beachridge Estate. The lots are zoned 'Special Development Area 1' under the Shire's Local Planning Scheme No. 7 (LPS7), with development to be in accordance with the Turquoise Coast Area 1 Structure Plan. The Structure Plan shows the subject land as 'Residential' with a density coding of 'R40.' The LDP proposes variations to the Deemed to Comply provisions of the Residential Design Codes (R-Codes), as well as some additional requirements regarding building design.

Council is further requested to grant delegation to the Chief Executive Officer to approve the LDP at the conclusion of advertising. This delegation would be subject to no objections being received during the advertising period that raise valid planning concerns, and no significant modifications resulting from either the public advertising or the Western Australian Planning Commission (WAPC) assessment.

BACKGROUND

Under the current State Planning Framework, a LDP is a mechanism used to coordinate and assist in achieving better built form outcomes by linking lot design to future development. It can facilitate the design and coordination of development upon small and highly constrained lots, and supplement development standards contained within local planning schemes and the Residential Design Codes (R-Codes).

Under the *Planning and Development (Local Planning Schemes) Regulations* (the Regulations) local government is the approving authority for LDPs, unless approval from the WAPC is required. WAPC approval is required when the LDP seeks to vary Deemed-to-Comply provisions of the R-Codes beyond what is permitted under Clause 3.4.2(a) of the R-Codes. In this case, as the proposed LDP seeks to vary Element 5.4.1 - Open Space, WAPC approval of the LDP will be required prior to Shire endorsement. The approval period for LDPs under the Regulations is 10 years.

The Regulations require that a LDP is advertised for a minimum period of 14 days. As Shire officers do not have delegated authority to advertise LDPs, Council is requested to determine whether advertising of the LDP is appropriate.

Lots that are proposed to be included within the LDP are shown in the figure below.



Lots on Beachridge Drive and Autumn Way included in LDP area.

The draft LDP is included as Attachment 1 to this report. The planning consultant's letter of justification is included as Attachment 2.

The Applicant has also provided three indicative house designs showing how the provisions of the LDP can be achieved. Two are of modular construction (a single storey and a double storey option) and one is of traditional construction. These designs will not form part of the LDP or be required to be used, rather, they provide an example of the scale and form of development that would be permitted under the LDP. The indicative house designs are included as Attachment 3.

COMMENT

The table below summarises the key changes to the Deemed-to-Comply provisions of the R-Codes that are proposed under the LDP with comment on their suitability.

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R-Codes Element	Deemed-to-Comply Provision	LDP Provision	Officer Comment
5.1.4 - Open Space	45% of lot area	Minimum of 35% for 13 lots. Minimum of 40% for 1 lot No change to Deemed-to-Comply for 5 lots	Supported, refer below.
5.1.2 - Street Setback	4m minimum, can be reduced by 50% in some circumstances	3m minimum, excluding window incursions. No further reduction permitted.	Supported, refer below.
5.1.3 - Lot boundary setbacks	Nil setback for two site boundaries for 2/3 the length of the boundary behind the front setback	Nil setback for one side boundary only, full length of the boundary behind the front setback.	Supported, refer below.
5.1.3 - Lot boundary setbacks	Second storey side setback dependant on length and height of wall - minimum for two storey house (6m wall height) would be 1.2m for 9m wall length	Second storey setback to be a minimum of 2m where there is a boundary wall at ground level.	Supported. Reduces building bulk and limits overshadowing onto adjoining lot.
5.1.3 - Lot boundary setbacks	Side setback determined by length and height of wall and window placement – generally 1.5m with windows	2m for primary internal living space and outdoor living area (where positioned in north-facing location)	Supported. Allows for maximum northern sun exposure.
5.2.1. - Setback of Garages and Carports	Can be located along any street frontage. Minimum setback of 1.5m from secondary street	Must be located along rear laneway and location specified on LDP. Minimum setback of 0.5m from secondary street.	Supported. Consistent design to maximise passive surveillance of primary street and open space.
5.2.1. - Garage width	Must be no more than 50% of the frontage for single storey house	Minimum width of 6m (50% of frontage for smallest lots)	Supported. Limits parking of vehicles on verges.
5.4.4 - External Fixtures, Utilities and Facilities	No external storage area required for single house	Minimum 6m ² internal storage in garage/carport	Supported. Allows for storage needs to be met as sheds unlikely to be constructed given lot areas.

Reduction in Open Space

The LDP proposes reductions in open space for 14 of the included lots, or 73% of the development. The variations proposed range from 5% (one lot) to 10% (13 lots). The Applicant has stated that the reduction in open space will allow for housing to be constructed on the lots that is consistent with the size and configuration that is

typical in Jurien Bay and provides adequate area for vehicle parking and storage without compromising amenity.

It is noted that the proposed variation is the maximum that will be supported and is based on the largest footprint of the three indicative designs proposed (the double storey modular). If the cottage house design (or similar) was selected, the amount of open space would be 39% on the smallest lot, and would be 43% on the midsize lots, a variation of only 2% from the Deemed-to-Comply provisions.

The original LDP did not reflect the difference in variation due to the differing lot sizes (stating 35% variation for all lots), and the Applicant has requested that it be updated accordingly prior to advertising, which is set out in the Officer's recommendation below.

The variation has been assessed against the Design Principles of the R-Codes and is considered suitable for the following reasons:

- The rear garage and access configuration means that no open space is occupied by driveways and vehicle parking, which is common in a standard house design. While reduced in area, the amount of open space provided is capable of active and passive recreational use.
- The proposed 3m front setback is consistent with the surrounding lots in Beachridge Estate and is sufficient to provide an attractive streetscape with landscaping and vegetation.
- The size and configuration of the outdoor living areas meets the R-Codes' requirements, providing opportunities for outdoor pursuits.
- The increased side setback distance from one boundary to the primary living space and alfresco area along the northern exposure ensures adequate sunlight to dwellings.

Reduced Front Setback

The LDP proposes that the front setback be reduced from 4m to 3m. This allows for housing to be brought slightly forward to encourage more active open space in the rear yard, whilst still allowing for lawn and landscaping to create a pleasing streetscape.

Whilst this variation is 1m less than the Deemed-to-Comply provisions, Clause 2.1(iii) of Element 5.1.2 of the R-Codes typically allows for a further 50% reduction in front setback, down to 2m for R40 coded lots, if certain criteria are met. It is not the LDP's intention to allow for further reduction in setback from 3m, and a 1.5m front setback is not supported. Therefore, it is requested that the draft LDP is modified prior to advertising, to clarify this.

The variation has been assessed against the Design Principles of the R-Codes and is considered suitable for the following reasons:

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- A 3m front setback is consistent with the established streetscape in Beachridge Estate and continues the existing character of the area.
- The setback will not adversely impact the privacy of lots, particularly as the LDP relates to elevated blocks requiring stair access to the primary street.
- As parking and vehicle access are located to the rear of the lots, there will be uninterrupted passive surveillance of the street from the dwelling, particularly as each dwelling will be required to have a porch or verandah along the primary street frontage.

Side Setbacks

The LDP allows for a slightly elongated nil setback along one side boundary than what is permitted in the Deemed-to-Comply provisions. This reflects that all garages / carports are required to be constructed on the boundary and allows for building bulk to be concentrated on one side, with a more generous setback required on the other side of the lot for increased solar access and ventilation to the primary living space and outdoor living area.

Under the Deemed-to-Comply provisions for the R-40 code, a nil setback can be permitted for up to 2 site boundaries. As it is intended that the nil setback be applied to one boundary only, it is requested that the LDP is modified prior to advertising to clarify this.

The side setback variation has been assessed against the Design Principles of the R-Codes and is considered suitable for the following reasons:

- The variation is only a minor increase in what is permitted under the R-Codes, and will not unreasonably increase building bulk or limit sunlight and ventilation on adjoining properties (particularly as these properties have increased setback requirements adjoining the boundary wall).
- The variation makes more effective use of space for outdoor living.
- No overlooking is possible in a single storey house (as fill is not permitted), and a double storey house would be required to comply with the overlooking provisions of the R-Codes.

Elements not Covered in the R-Codes

The LDP also includes some design elements that are not covered in the R-Codes, including:

- Minimum ceiling height of 2.7m for habitable rooms at ground level;
- Minimum roof pitch of 24 degrees, however other roof forms such as skillion roofs (minimum 3 degree pitch) are permitted if they complement the coastal setting.
- Floor level of dwellings to be a maximum of 150mm above the front stair landing.

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- Fencing installed by the developer not to be modified or removed without approval.

These design elements are supported as they will facilitate comfortable dwellings and lead to a consistent streetscape, with all dwellings at similar levels to limit any overlooking and additional fill.

Conclusion

Based on the above, the draft LDP is considered appropriate, and it is recommended that Council proceed with public advertising, subject to some minor modifications as set out in the Officer's recommendation.

CONSULTATION

Should Council support the advertising of the draft LDP, the proposal will be forwarded to adjoining landowners along Autumn Way who have the potential to be directly impacted by its implementation. The LDP will also be available for inspection via the Council website. An advertising period of 14 days is proposed, which is in accordance with the Regulations.

The draft LDP was previously forwarded to the Department of Planning, Lands, and Heritage (DPLH) for preliminary feedback. DPLH feedback has been considered in the drafting of this report.

After advertising has concluded, the LDP will be forwarded to the DPLH for formal consideration by the WAPC. Should the WAPC resolve to support the LDP, the Shire will be able to endorse the document, therefore delegation to the CEO is sought for this.

STATUTORY ENVIRONMENT

Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2 Deemed provisions for local planning schemes

46. Term used: local development plan

In this Part — local development plan means a plan setting out specific and detailed guidance for a future development including one or more of the following —

- (a) site and development standards that are to apply to the development;
- (b) specifying exemptions from the requirement to obtain development approval for development in the area to which the plan relates.

47. When local development plan may be prepared

A local development plan in respect of an area of land in the Scheme area may be prepared if —

- (a) the Commission has identified the preparation of a local development plan as a condition of approval of a plan of subdivision of the area; or
- (b) a local planning policy or structure plan requires a local development plan to be prepared for the area; or

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- (c) another provision of this Scheme requires a local development plan to be prepared for the area; or
- (d) the Commission and the local government considers that a local development plan is required for the purposes of orderly and proper planning.

48. Preparation of local development plan

(1) A local development plan must —

- (a) be prepared in a manner and form approved by the Commission; and
- (b) include any maps or other material considered by the local government to be necessary; and
- (c) set out the following information —
 - (i) the standards to be applied for the buildings, other structures and works that form part of the development to which it applies;
 - (ii) details of the arrangements to be made for vehicles to access the area covered by the plan.

(3) A person may make an application to the local government for a local development plan prepared by the person in the circumstances set out in clause 47 to be assessed and advertised if the person is —

- (a) a person who is the owner of any or all of the land in the area to which the plan relates; or
- (b) an agent of a person referred to in paragraph (a).

50. Advertising of local development plan

(1) The local government must, within 28 days of preparing a local development plan or accepting an application for a local development plan to be assessed and advertised —

- (a) advertise the proposed local development plan in accordance with subclause (2); and
- (b) seek comments in relation to the proposed local development plan from any public authority or utility service that the local government considers appropriate.

(2) The local government —

- (a) must advertise the proposed local development plan by publishing in accordance with clause 87 —
 - (i) the proposed local development plan; and
 - (ii) a notice of the proposed local development plan; and
 - (iii) any accompanying material in relation to the proposed local development plan that the local government considers should be published; and
- (b) may also advertise the proposed local development plan by doing either or both of the following —
 - (i) giving notice of the proposed local development plan to owners and occupiers who, in the opinion of the local government, are likely to be affected by the approval of the plan;

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(5) The period for making submissions specified in a notice under subclause (4)(b) must not be less than the period of 14 days after the day on which the notice of the proposed local development plan is first published under subclause (2)(a)(ii).

52. Decision of local government

(1) Following consideration of a proposed local development plan, including any amendments made to the plan to address matters raised in submissions, the local government must —

- (a) approve the local development plan; or
- (b) require the person who prepared the local development plan to —
 - (i) modify the plan in the manner specified by the local government; and
 - (ii) resubmit the modified plan to the local government for approval; or
- (c) refuse to approve the plan.

(1A) The local government must not approve a local development plan under subclause (1) if —

- (a) the local development plan amends or replaces a deemed-to-comply provision of the R-Codes; and
- (b) under the R-Codes, the Commission's approval is required for the local development plan; and
- (c) the Commission has not approved the local development plan

56. Effect of local development plan

(1) A decision-maker for an application for development approval in an area that is covered by a local development plan that has been approved by the local government must have due regard to, but is not bound by, the local development plan when deciding the application.

57. Duration of approval

(1) The approval of a local development plan has effect for a period of 10 years commencing on the day on which the local government approves the plan, or another period determined by the local government, unless the local government earlier revokes its approval.

POLICY IMPLICATIONS

WAPC Framework for Local Development Plans

1.2 A local development plan is to be used in limited situations to guide and coordinate development outcomes for a particular site and is not to be used purely as a means to vary the deemed-to-comply provisions of the R-Codes. It is only to apply to specific lots, or group of lots, and not to entire housing estates or subdivision stages within a development.

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1.3 Schedule 2, Part 6, clause 47 of the Regulations sets out the instances when a local development plan is to be prepared and submitted to the local government for approval. It is a document to which the local government may give due regard when making decisions in respect to the development of land within the local development plan. They generally are not to be used to inform subdivision layout.

1.4 To expand on clause 47 of the Regulations, a local development plan may be prepared in the following circumstances:

- lots with an area less than 260m² and irregularly configured lots;
- lots where specific vehicle access and egress control is required;
- lots abutting public open space;
- local and neighbourhood centres;
- lots that have been identified to accommodate a future change of use;
- lots with particular site constraints (e.g. steeply sloping land); and
- to address noise buffer and amelioration requirements.

In this case, the LDP is considered appropriate as specific vehicle access control is required (i.e. that all lots have vehicle access from the secondary street frontage), and lots abut Public Open Space and Foreshore Reserves.

FINANCIAL IMPLICATIONS

Under Council's Fees and Charges, the fee associated with assessing and advertising a LDP is to be charged at a per-hour basis, in accordance with the hourly rates established under the *Planning and Development Regulations 2009*. A fee of \$3,837 has been levied and paid by the Applicant.

STRATEGIC IMPLICATIONS

Local Planning Strategy 2020

4.1 - Settlement Planning – Strategic Directions

General

1. Promote and support urban growth and infill in a manner that concentrates settlement and growth in and around the four existing townsites, the rural hinterland and rural areas.

Jurien Bay

6. Recognise Jurien Bay as the regional centre providing services and facilities to serve the wider regional community.
7. Plan for an aspirational population of 20,000+.
8. Acknowledge that there are sufficient vacant lots and land zoned for residential land use to satisfy demand beyond 15 years.

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Actions

2. Support staged development of identified residential expansion areas in accordance with the Turquoise Coast and North Head structure plans, subject to availability of utility infrastructure.

Strategic Community Plan – Envision 2029

Prosperity	The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy.
Priority Outcomes	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: Draft Local Development Plan (Doc ID: SODR-1262144384-31581)
- Attachment 2: Consultant Submission – Draft Local Development Plan (Doc ID: SODR – 1262144384-31582)
- Attachment 3: Indicative House Designs Combined (Doc ID: SODR-1262144384-32504)

(Marked 9.3.2)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Young, seconded Cr Lethlean

That Council:

1. Requires the draft Local Development Plan (LDP) for Lots 929-933, 943-947 and 1939-1942 Beachridge Drive, and Lots 934-938 Autumn Way, Jurien Bay to be modified as follows:
 - a. Replace Design Provision 1 with the following table:

1. Open Space Provision	
Lots 929-931, 934-938, 943-947	35% minimum open space
Lot 932	40% minimum open space

- b. Replace Design Provision 2 with the following:

“The minimum building setback (including porches / verandah or covered areas) from the primary street is a minimum of 3m. A further setback reduction of 50%, as set out in C2.1(iii) of Element 5.1.2 of the R-Codes, is not permitted.”

- c. Delete Design Provision 4, as this is in accordance with the Deemed-to-Comply provisions.

d. Modify Design Provision 5 to state:

“Nil setbacks for some dwellings are permissible to one side boundary at ground level only, as shown on the LDP for a maximum length prescribed by the primary street setback and the garage location. Nil side setbacks for dwellings are not permitted for any road and laneway side boundaries.”

- 2. Subject to the required modifications being completed, approves the advertising of the draft Local Development Plan for a minimum period of 14 days.**
- 3. Delegates to the Chief Executive Officer the power to approve the draft Local Development Plan further to endorsement from the Western Australian Planning Commission (WAPC), subject to no objections being received during the advertising period that raise valid planning concerns, and no significant modifications resulting from either the public advertising or the WAPC assessment.**

CARRIED 7 / 0

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

AGAINST: Nil

9.3.3 PROPOSED APPLICATION FOR DEVELOPMENT APPROVAL – RENEWABLE ENERGY FACILITY – YATHROO WIND FARM AND BATTERY ENERGY STORAGE SYSTEM

Location:	Various Lots, Yathroo and Mimegarra
Applicant:	Neoen Australia Pty Ltd
Landowner:	Various
File Path:	SODR-1262144384-30167
Disclosure of Interest:	Nil
Date:	6 October 2025
Author:	Monica Sullivan, Strategic Planning Coordinator
Senior Officer:	Louis Fouché, Executive Manager Development Services

PROPOSAL

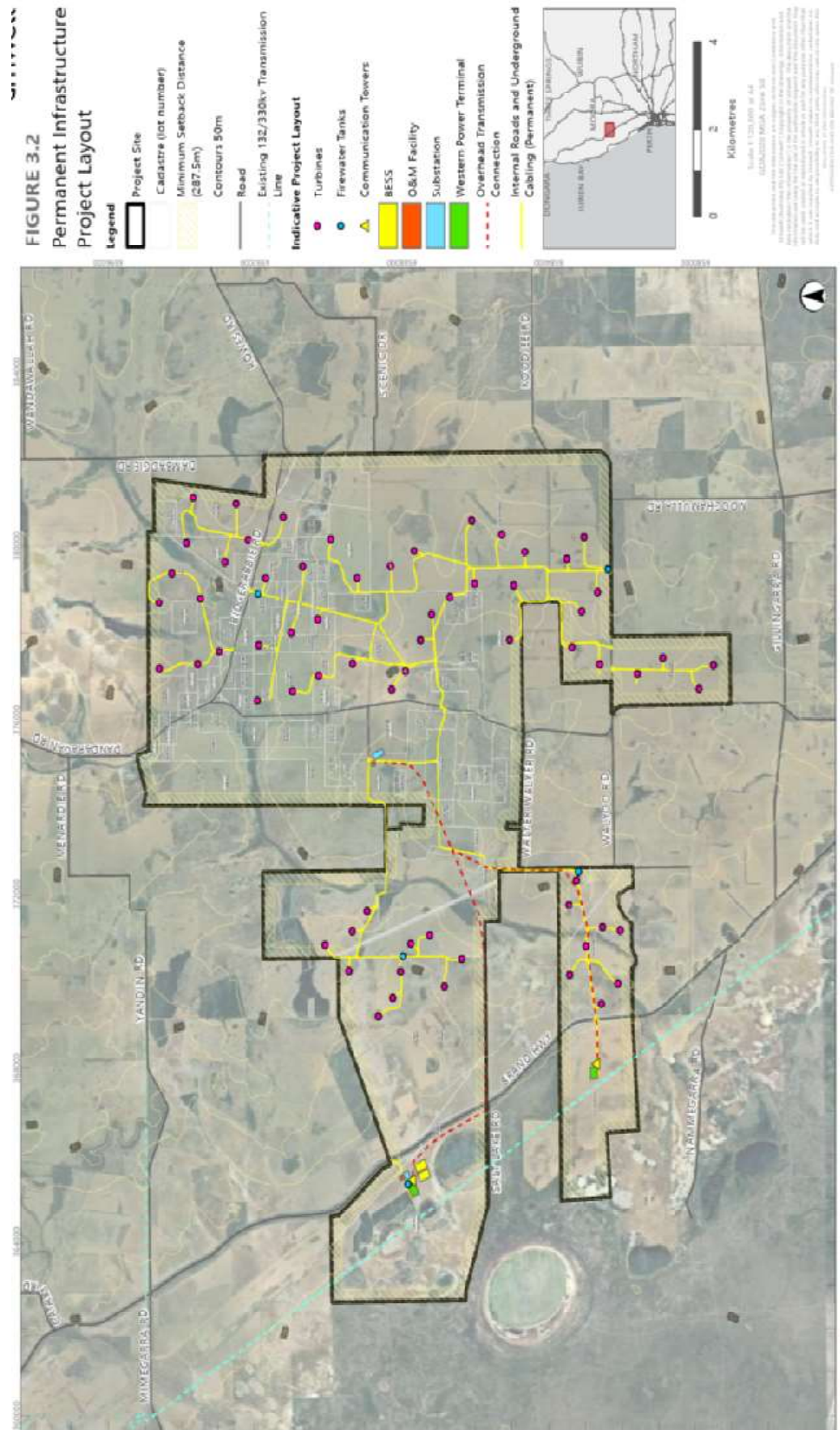
The purpose of this report is for Council to consider granting development approval for a renewable energy facility referred to as the 'Yathroo Wind Farm,' located on 15,617ha of land comprising 63 land parcels in the localities of Yathroo and Mimegarra. The application proposes the following permanent elements:

- 65 wind turbines with a hub height of up to 170 m above ground level ('AGL') and a tip height, or total overall height,

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- of 261 m AGL. The maximum total production capacity of the turbines will be 500 MW.
- Three meteorological masts with a total height of 170m AGL each;
 - Two communications towers, with a total height of 85 m each;
 - A Battery Energy Storage System (BESS) with a capacity of 400MW/3200MWh, proposed to be situated on 9479 Brand Highway, Mimegarra. The BESS will occupy a footprint of up to 24 ha and comprise up to 896 battery containers, 224 transformers, 16 ring main units, lightning protection masts, an Operations and Maintenance (O&M) building, access roads, car parking, firewater tanks and security fencing.
 - Two wind farm substations, occupying a footprint of up to 1.5 ha, comprising HV switchgear and metering equipment, HV step-up transformers, harmonic filters, capacitor banks, Western Power relay equipment, Medium Voltage (MV) switchgear, lightning protection masts, and security fencing.
 - A Western Power terminal, proposed to be located at one of two locations, either next to the BESS or on Lot 1 on Diagram 54772, located approximately 2km to the south. The Western Power terminal will occupy a footprint of up to 5 ha and comprise HV busbars, circuit breakers, disconnectors, transmission towers, current transformers, voltage transformers, surge arresters metering equipment; Western Power relay equipment including secondary systems for protection, metering and automation including a Relay Room to house sensitive equipment, lightning protection and security fencing.
 - Up to 710 km of underground cabling, laid in trenches, connecting the turbines to the substation.
 - Up to 14 km of overhead power lines, connecting to one of two substations and the existing Western Power 132/320 kV double circuit transmission line. Power line structures will generally be up to 60m tall and spaced at 250m to 500m intervals.
 - A wind farm Operations and Maintenance building, stores building, internal access tracks, fire water tanks and a turkey nest dam with a capacity of up to 1000m³ of water.

The locations of the proposed turbines, BESS and supporting infrastructure are shown in the figure below.

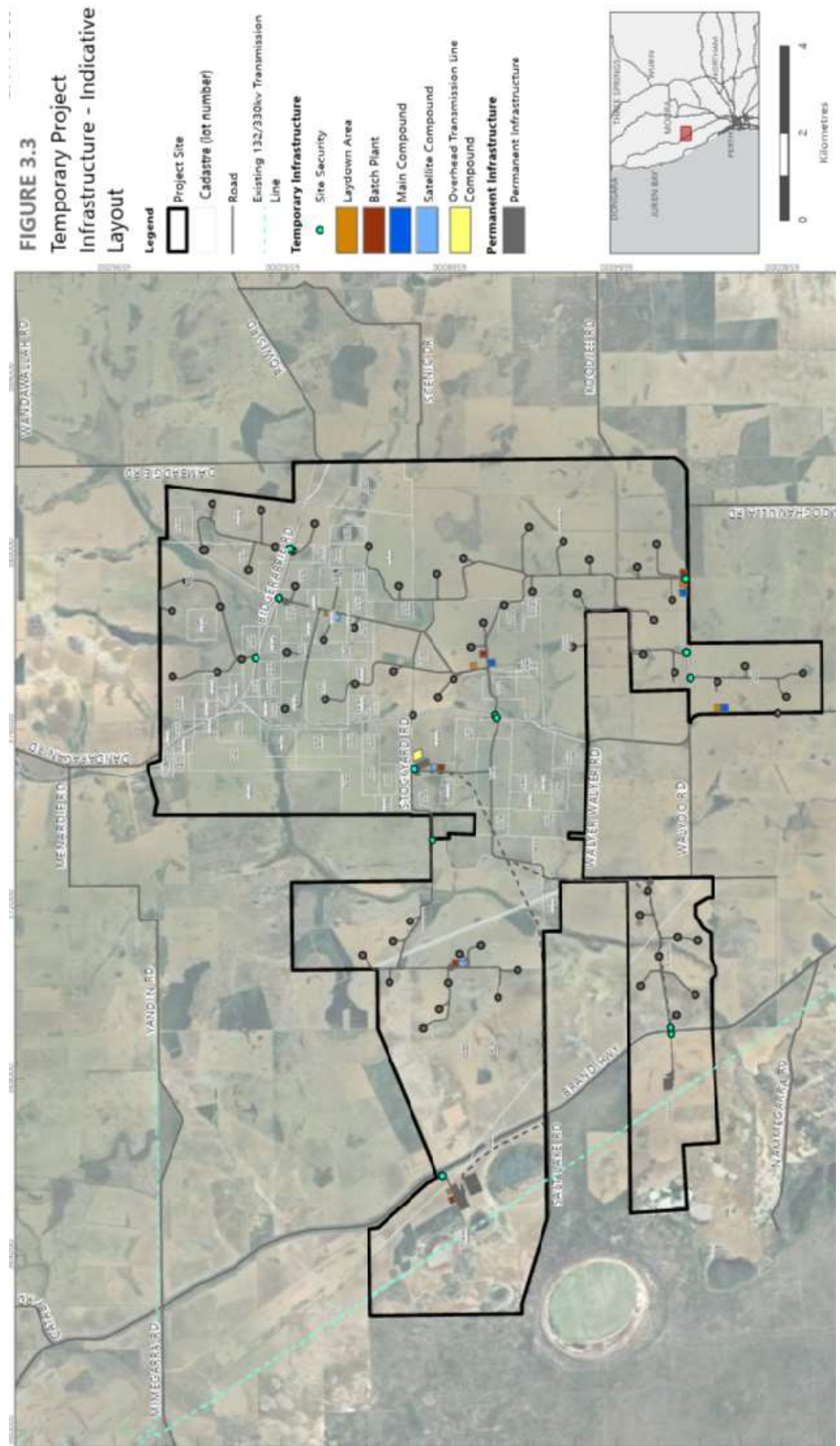


Location plan of proposed permanent wind farm and BESS infrastructure at various Lots in Yathroo and Mimegarra.

The application also proposes a number of temporary elements, including:

- Up to 3 main compounds of 4 ha each, comprising temporary office and stores buildings, parking for workers, and a large, fenced, graded / hardstand area for storage of wind farm components.
- Up to 4 satellite compounds of up to 2.25 ha each, also comprising temporary office and stores buildings and fenced laydown areas;
- Up to 5 dedicated laydown areas, with dimensions of 150m x 150m;
- Temporary turbine hardstands, which will be cleared and graded areas to support the construction of the crane boom and the laydown of blades prior to lifting. Two hardstands are proposed at each turbine with dimensions of 150m x 15m for the crane boom and 90m x 20m for the laydown area;
- Up to 5 demountable concrete batching plants, each with a total capacity of up to 240m³/h, including concrete truck loading hardstands, loading bays, hoppers, cement and admixture silos, a water tank, stockpiles and in-ground water recycling.

The locations of the temporary infrastructure are shown in the figure below:



Location plan of proposed temporary wind farm infrastructure at various Lots in Yathroo and Mimegarra.

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BACKGROUND

The proposed renewable energy facility will be constructed on portions of the following lots, which are all zoned 'Rural' under the Shire's *Local Planning Scheme No. 7* ('LPS7'). 9479 Brand Highway and Lot Lot 1 on Diagram 54772, located on the western side of the Brand Highway, are also located within Special Control Area No. 1 (SCA1) - Bassendean Sands.

Lot	Plan / Diagram	Street Address
8	47960	1202 Dandaragan Road, Yathroo
3434	159966	796 Dandaragan Road, Yathroo
1	D54772	-
2	D54772	8908 Brand Highway, Yathroo
3828	209669	9294 Brand Highway, Yathroo
550	246492	-
M457	3051	-
82	419507	-
643	247950	-
642	247951	-
330	245050	-
660	249931	-
182	228030	-
M1151	D4939	-
188	245061	-
3830	209669	9479 Brand Highway, Mimegarra
2	60276	-
3	60276	-
M458	3048	1468 Dandaragan Road, Yathroo
641	247952	-
152	245062	-
994	107510	-
285	245044	-
483	245174	-
481	245180	-
482	245181	-
250	245182	-
645	247948	-
331	245051	-
151	228030	-
202	228030	-
209	228030	-
232	228030	-
638	247949	-
639	247963	-
433	245189	-
343	246423	-
551	246479	-

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631	247958	-
640	247960	-
632	247962	-
286	246419	-
661	249929	-
M460	3048	-
M461	3051	-
M639	3048	-
488	245179	-
521	245188	-
522	245159	-
524	245160	-
630	247953	-
634	247959	-
662	249929	-
523	245158	-
106	228030	-
107	228030	-
200	228030	-
12	419508	-
81	419507	-
M1152	D5022	-
M1129	D4942	-
108	228030	-
109	228030	-

Table 1 - Lots included within Yathroo Wind Farm project area

Council has previously determined that a 'renewable energy facility,' which is a use not listed under LPS7, is consistent with the objectives of the 'Rural' zone in accordance with Clause 3.4.2 a) of LPS7. This determination was upheld most recently in relation to the proposed expansion of the Parron Wind Farm in December 2024. It is recommended that procedurally this determination be confirmed for the subject application.

The Applicant has submitted elevation drawings of the turbines, meteorological masts, and communications towers, and an indicative site plan and elevation drawings for the BESS. These are provided in Attachment 1. The development application is supported by the following technical reports which are provided in Attachment 2:

- Development Application Report;
- Preliminary Decommissioning and Rehabilitation Management Plan;
- Preliminary Construction Environmental Management Plan;
- Community and Stakeholder Engagement Plan;
- Flood Modelling Study;
- Noise Impact Assessment;
- Landscape and Visual Impact Assessment;

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- Traffic Impact Assessment;
- Heritage Due Diligence Assessment;
- Aviation Impact Assessment;
- Bushfire Management Plan;
- Electromagnetic Interference Assessment;
- Shadow Flicker and Blade Glint Assessment;
- Detailed and Targeted Flora and Vegetation Assessment;
- Basic and Targeted Fauna Assessment (submitted subsequent to Further Information Request);
- Bushfire Risk Report (submitted subsequent to Further Information Request); and
- Assessment Against Country Fire Authority Victoria's 'Design Guidelines and Model Requirements – Renewable Energy Facilities.' (submitted subsequent to Further Information Request).

COMMENT

The site layout prepared by Umwelt on behalf of the proponent has been drafted based on the findings of all technical studies completed for the development to date. As a result, the proponent's criteria for identified turbine locations are based on the least impact in terms of cultural heritage importance, impact on native vegetation, flora and fauna; and potential adverse effects on adjoining property owners, whilst still maintaining an optimal energy generation outcome for the development.

There are no relevant site and development requirements associated with development in the 'Rural' zone to be considered under LPS7. However, the proposed has been assessed against the provisions of the 'Renewable Energy Facilities' Local Planning Policy and has been deemed compliant with the policy.

Two of the associated project lots, which are on the western side of the Brand Highway and include the site of the proposed BESS, substation, and Western Power terminal, are included in SCA1 – Bassendean Sands. The objectives of the SCA under Clause 5.2.2 of LPS7 are:

- A) *to avoid land uses and development of a type and intensity that would impact on native vegetation, wetlands and their buffers, and groundwater quantity and quality; and*
- B) *to ensure that future land uses in the area do not degrade the area.*

The proposed infrastructure will be located in cleared areas of the site, and the proponent has advised that no ground disturbing works will occur within 50 m of mapped wetland boundaries. Furthermore, no groundwater abstraction is proposed within the SCA.

Potential impacts on wetlands and their buffers from surface water runoff will need to be carefully managed.

The following matters are considered relevant to the assessment of the proposal and will be addressed in detail.

- Visual impact;
- Aviation safety impact;
- Noise impact;
- Environmental impact, primarily related to vegetation clearing, flora and fauna, and surface water management.
- Risk Management arrangements, particularly regarding bushfire and the BESS;
- Aboriginal and historic heritage impact;
- Electromagnetic interference;
- Shadow flicker and blade glint impact;
- Traffic impact and maintenance of Shire roads;
- Temporary construction facilities, notably concrete batching plants; and
- Workforce Accommodation.

Visual Impact

A Landscape and Visual Impact Assessment (LVIA) was completed for the project area and approximately 30kms beyond, which considered the impact of the proposed development on views and visual receptor audiences around the project site. The LVIA defined nine Landscape Character Types (LCTs) and included 16 viewpoints from various locations.

The LVIA concluded that there would be direct moderate, not significant impact on one LCT (Central Coast and Midlands Wheatbelt Rural and Forested Uplands) due to the influence of wind turbines on localised parts of the broad-scale rural landscape. However, this LCT is already modified by existing wind farm infrastructure. Minor, not significant impact was also identified in one LCT (Caren Caren Brook) within the site, due to the accommodation of access tracks. No direct impact was identified on any areas denoted as having high scenic amenity value and impacts on the other LCTs were considered indirect.

Furthermore, there are no significant impacts to identified visual receivers, except for passing motorists on a short, 2km section of the Brand Highway where it passes through the project site and very close (<1km) views toward two wind turbines are possible. However, wind turbines associated with the Yandin wind farm are already visible from nearby sections of the Brand Highway at similar distances.

However, the LVIA does acknowledge that the project will introduce significant change in views at localised scales. This includes changes from the introduction of elements such as the substation and BESS, as these will 'introduce additional large-scale infrastructure into the rural landscape.' Whilst visual mitigation options are generally not practicable for the turbines due to their extreme height, it is considered that screening landscaping can and should be implemented to reduce the visibility of the substation.

BESS, and Western Power terminal from adjoining properties and public roads. Therefore, a condition of approval is recommended requiring a landscaping plan to be prepared and implemented to reduce the visual impact of the substation, BESS, and Western Power terminal on the amenity of the locality.

Aviation Safety

An Aviation Impact Assessment ('AIA') was undertaken and referred to the relevant aviation authorities.

Key findings and recommendations from the AIA are summarised below:

- The proposed development satisfies the planning provisions and will not create incompatible intrusions or compromise the safety of existing airports and associated navigation and communication facilities.
- There is one unnamed uncertified aerodrome (associated with a landowner involved in the project) identified within 3 nautical miles (nm) of the project site. Based on mapping included in the AIA, it appears this aerodrome is 1.2km from the closest turbine.
- The wind turbines would impact the Grid LSAT, which would need to be raised by 100 ft to 2800 ft AMSL. This change was supported by AirServices Australia and CASA and will need to be actioned by the proponent at a suitable time.
- The AIA initially identified that the project would impact three (3) air route LSATs, which was an issue originally objected to by CASA. However further dialogue between the proponent, AirServices Australia and CASA have clarified that no air routes would be impacted.
- The AIA concluded that obstacle lighting on the turbines was not required to satisfactorily address the risk of aircraft collision with a wind turbine. However, it states that CASA would make this determination, given the objects are more than 100 m AGL. CASA has recommended that lighting be installed on the turbines as they will be located up to 356 feet within navigable airspace. This will be a condition of approval, with allowance for further consultation with CASA about the most appropriate way to ensure aircraft safety is maintained.

It is noted that a local aerial spraying contractor expressed concern about continuing operations in proximity to the wind farm, and recommended the development of a formal operating procedure outlining how aerial operations could safely continue. As landowner submissions and DFES also raised concern about the potential impact of the turbines both on agricultural and aerial firefighting operations, this is considered a valid request and has been included as a condition of approval.

Noise Impact

The Noise Impact Assessment (NIA) states that background noise monitoring was undertaken at seven (7) locations in proximity to the wind farm from January – March 2025. All background levels were below 30 dBA and therefore had no influence on the derivation of wind-dependent noise criteria, with the exception of one residence, which recorded high levels of extraneous noise from mechanical plant on the property.

Noise modelling was then undertaken, which predicted that the noise levels at all uninvolved residences would not exceed the Environmental Protection (Noise) Regulations 1997 (Noise Regulations) limits of 35dB(A). Among involved dwellings, 5 dwellings are predicted to have minor exceedances of 1dB(A) (4 properties) and 3dB(A) (1 Property). Noise modelling was also undertaken for the BESS and predicted compliance with the assigned levels for all dwellings.

The NIA was forwarded to the Department of Water and Environmental Regulation (DWER) for review. DWER provided a report which generally supported the methodology used and conclusions drawn, with the exception of the permissible noise criteria used for associated dwellings, which was set at 45dB(A). DWER advised that previously noise sensitive receivers on a development site were considered to be within the noise sensitive premises, such that the assigned noise levels did not apply. However a level of 40dBA has been recommended for previous projects to provide some protection to health and amenity. The appropriate way of assessing involved receivers is being discussed at a State government level, and it is not considered the role of the Shire to determine how the Noise Regulations are interpreted. As such, a condition of approval will require noise levels to comply with the Noise Regulations.

DWER also queried the methodology used to calculate combined emissions from the wind turbines and the BESS. To clarify the impact, the proponent has committed to undertaking a post-development noise monitoring program within the first 6 months of operations, to quantify levels and demonstrate compliance with the Noise Regulations. The noise monitoring program will also identify suitable mitigation actions, if required. This will be a condition of approval.

Environmental Impact

Due to the significance of the proposed development, the proponent has advised that the development will be referred to the Environmental Protection Authority under Part IV of the *Environmental Protection Act 1986*. This referral will ensure that a comprehensive assessment of the environmental impacts of the proposal is undertaken. Notwithstanding this, key environmental considerations are briefly summarised below.

Vegetation Clearing

The development application report states that 86% of the project area (which equates to a total of over 13,500 ha) is already cleared land that is predominantly used for agricultural activities. The current layout will require clearing of 15 ha of native vegetation, 8 ha of planted native vegetation, and 5 ha of isolated trees. The majority of the vegetation proposed to be removed is considered to be in degraded condition.

The proponent has advised that the majority of trees that are potentially suitable for Carnaby's Black Cockatoo nesting area have been surveyed. All Rank 1 (trees with activity at hollow observed) and Rank 2 (trees with hollows of suitable size with chew marks visible) will be preserved, and any trees that have not been surveyed will be surveyed prior to clearing, and avoided if deemed Rank 1 or Rank 2.

A clearing permit will be required to clear vegetation in accordance with the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

Fauna Management

A basic and targeted Fauna Assessment was undertaken with three conservation significant fauna species recorded within the project area, being Carnaby's Black Cockatoo, Peregrine Falcon and Wood Sandpiper. The proponent has committed to develop a Bird and Bat Adaptive Management Plan to identify and manage any potential impacts on fauna, and this is recommended as a condition of approval, with the plan to be approved in consultation with the Department of Biodiversity, Conservation and Attractions.

Surface Water Management

There are three significant streams intersecting the project, including Caren Caren Brook and Yathroo Brook. Lake Guraga, which is listed on the Directory of Important Wetlands, is located approximately 1.4km of the project area, and lots on the western side of the Brand Highway are included within SCA1.

The Preliminary Construction Environmental Management Plan contains some recommendations for managing surface water, however given the sensitivity of the area it is recommended that a detailed surface water management plan be prepared as a condition of development approval.

Risk Management Impact

The majority of the project area is identified as a Bushfire Prone Area. The proponent has prepared a Bushfire Management Plan and Bushfire Risk Report, both which have been referred to and supported by the Department of Fire and Emergency Services. A proposed condition of approval will require the recommendations of these plans to be implemented at all times.

The introduction of the BESS introduces additional risks to the project area. Accordingly, DFES recommended that a broader Risk Management Plan be prepared to address risks beyond bushfire, including electrical, chemical, explosion, potential fire spread, mechanical damage, landscape hazards and aerial firefighting. This is recommended as a condition of approval.

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

Aboriginal and Historic Heritage Impact

A desktop Aboriginal and historic heritage assessment (AHHA) was undertaken by Umwelt. This assessment identified one place of historic heritage significance within the project area, being the Yathroo Homestead and outbuildings which are included on the Shire's Municipal Inventory with a Management Category of 1 - Exceptional Cultural Heritage Significance. The Shire commissioned the preparation of an independent Heritage Impact Statement (HIS) by a suitably qualified professional to assess potential impact on the heritage place. The HIS concluded that the proposed development will have no impact on the heritage place.

With regard to Aboriginal Heritage, there are two registered Aboriginal Heritage sites within the project area, both located on the western side of the Brand Highway near the proposed location of the BESS. The AHHA also identified some areas which have a higher likelihood of containing Aboriginal cultural heritage significance, mostly concentrated around the brooks, creeks, lakes and wetlands within and adjacent to the project area. This is consistent with the submission made by the Yued Aboriginal Corporation. The AHHA also identified a high potential for artefact scatters and scarred trees within the project area.

Six (6) previous Aboriginal heritage surveys occurred within the project area, however due to the large size of the area considerable land has not been surveyed. Due to the high potential for Aboriginal heritage sites to exist within the area, and the relatively undisturbed nature of much of the land, The AHHA recommends that pedestrian field surveys be undertaken with Yued Traditional Owner representation, prior to works commencing. It further recommends Yued people are engaged and surveyed to document intangible cultural values. This is recommended as a condition of approval.

It is also noted that the proponent has entered into a Yued Heritage Protection Agreement with the Yued Aboriginal Corporation. Whilst the Shire is not privy to the details of this agreement, an Advice Note will be added to confirm the proponent's commitments under this Agreement.

Electromagnetic Interference Impact

Wind turbines can cause electromagnetic interference (EMI) by emitting electromagnetic energy through their electrical systems. Further, as they are large metallic structures, they can also diffract or partially reflect radio waves.

The EMI assessment submitted with the development application concluded that potential EMI impacts on fixed point-to-point links, trigonometrical stations and survey marks, satellite internet and television services, emergency services communication, wireless internet and CB radio, are not expected or are considered to be minor. There is also a low likelihood of interference with mobile phone coverage. Whilst interference with AM and FM radio signals may be experienced in the immediate vicinity of a turbine, there is a low likelihood of interference at nearby residences.

With regard to television signal, the report identified that 32 dwellings within approximately 5 km of the project area, that are currently receiving weak signals from the Moora, Lancelin, and Perth television broadcast transmitters, may experience interference to those services. The report suggests that coverage maps indicate most dwellings in the vicinity of the project are unlikely to be receiving signals from these transmitters. Notwithstanding this, a proposed condition of approval has been added to offer residents within 5km of a wind turbine a pre-construction and post-construction assessment of television reception, with any loss in reception to be remedied by the proponent.

Western Power advised that the turbines are likely to interfere with a point-to-multipoint link that they operate from a nearby base station, however it is understood that they have made an internal recommendation to reroute the link to an alternative base station to avoid any potential impacts from the development.

Finally, the EMI assessment states that there will be some interference to the Watheroo Weather Radar, which is operated by the Bureau of Meteorology (BoM). The proponent has engaged separately with BoM to undertake a Comprehensive Impact Assessment, in accordance with BoM's procedures, and will work with BoM to identify suitable mitigation strategies should unacceptable impacts be identified. BoM was referred the development application and advised that no further action is required from the Shire.

Shadow Flicker and Blade Glint Impact

A Shadow Flicker and Blade Glint Assessment was undertaken in accordance with the *Draft National Wind Farm Development Guidelines for Australia* (2010). The Draft National Guidelines recommend limits of 30 hours per year on the theoretical shadow flicker duration, and 10 hours per year on the actual shadow flicker duration. 46 dwellings in proximity to the development were included in the modelling.

Based on the assessment, two dwellings, both associated with the project, are expected to experience shadow flicker at or above a moderate level of intensity (a level likely to cause annoyance) within 50 m of the dwelling. However, both dwellings are predicted to experience theoretical shadow flicker durations below the recommended limit of 30 hours per year within 50 m of the dwelling. When considering the likely reduction in shadow flicker due to cloud cover and rotor orientation, the predicted actual shadow flicker durations within 50 m of the dwelling are also below the recommended limit of 10 hours per year.

With regards to blade glint, the assessment states that wind turbine blades must be finished using a low reflective treatment such that reflective glinting from the blade surface or strobing reflections caused by blade rotation is mitigated. This will be recommended as a condition of approval.

Traffic Impact and Maintenance of Shire Roads

It is anticipated that the turbine components will be shipped to site from the Australian Marine Complex at Henderson via the Brand Highway.

Sixteen site access points are proposed, including:

- 3 from the Brand Highway;
- 4 from Dandaragan Road;
- 4 from Bidgerabbie Road;
- 2 from Stockyard Road; and
- 3 from Rows Road.

A condition of approval is recommended requiring 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. Access points on the Brand Highway are to be constructed in accordance with Main Roads standards and procedures.

The Transport Impact Assessment (TIA) submitted with the development application proposes an increase in traffic volumes during construction from 20 vehicles per day (vpd) to 98 vpd on Stockyard Road, including Oversize Overmass (OSOM) vehicles, and from 10 vpd to 86 vpd on Bidgerabbie Road. These roads are unsealed, and in their current condition are not considered suitable for the projected heavy vehicle haulage tasks and ancillary increased traffic volumes associated with service trucks and light vehicles. Additionally, there is a significant gap in the assessment of pavement suitability as provided in the road condition report. Upgrades need to occur prior to the construction period as otherwise there is a risk that such roads will deteriorate to an unsafe standard.

Given this, a condition of approval will request that Stockyard Road be sealed for 2.3 kms from the intersection with Dandaragan Road,

and that Bidgerabbie Road be sealed between Dandaragan Road and Rowes Road, with the cost of upgrades to be borne by the proponent.

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.

The TIA also recommends upgrading the Dandaragan Road and Stockyard Road intersection to a basic left and basic right treatment, to accommodate the construction traffic. This is recommended as a condition of approval.

A standard condition of approval is proposed requiring preparation of a Road Condition Report, including a dilapidation assessment, which will be repeated at the conclusion of construction, to ensure that any damage to the roads is rectified by the proponent at their cost. A Traffic Management Plan is also recommended as a requirement to ensure road safety will be maintained throughout the construction period and that all relevant approvals and permits are secured from Main Roads.

These recommended 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.

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 five 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 concrete batching plants can be considered ancillary to the predominant use of the land for a renewable energy facility during the construction phase. 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 300 m to 500 m separation distance between a concrete batching plant and a sensitive land use, dependant on the size of the plant. The proponent has prepared mapping showing the distance between the temporary batching plants and sensitive receptors. The closest distance is 1.5 km, from the plant proposed to the south of Stockyard Road, with all other plants exceeding 2 km from the nearest dwelling. This is considered a sufficient separation distance to mitigate potential impacts.

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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.

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 Community Engagement Plan includes analysis of current accommodation providers and discussion of the options for housing the temporary workforce. These options include partnering with local accommodation providers, incentivising long-term rentals, providing transport from regional centres, partnering with the Shire to explore longer-term accommodation options, and construction of a temporary worker camp. Any future proposal to construct a workforce accommodation camp will require a separate Development Application.

Conclusion

Given the above, it is recommended that Council grant development approval to the proposal subject to relevant conditions and Advice Notes. Due to the scale and complexity of the development, it is recommended that the approval be issued for a period of four years instead of the standard two years.

CONSULTATION

Adjoining owners of properties were identified within 500m of the boundaries of the development site who could be affected by the granting of development approval. The proposal was also publicly advertised on the Shire's website and Facebook page. Consultation was undertaken from 24 July to 25 August 2025.

Four landowner submissions were received at the conclusion of the advertising period. All submissions were in objection to the development, with concerns around amenity, environmental impacts, noise, strain on the road network, and perceived loss of property and business value. Responses to the landowner concerns are provided in a detailed Schedule of Submissions, which is included as Attachment 3 to this report.

In summary, 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.

The proposal was also referred to relevant government agencies, with responses received from the following:

- Civil Aviation Safety Authority (CASA);
- Air Services Australia;
- Bureau of Meteorology (BoM);
- Department of Water and Environmental Regulation (DWER);

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- Department of Biodiversity, Conservation and Attractions (DBCA);
- Main Roads WA;
- Department of Planning, Lands and Heritage (Aboriginal Heritage);
- Department of Local Government, Industry Regulation and Safety (DLGIRS);
- Department of Fire and Emergency Services (DFES); and
- Yued Aboriginal Corporation.

Responses to the referral agencies' submissions are provided in the Schedule of Submissions in Attachment 3. No objections were received from government agencies, with some recommending additional conditions of approval or making the proponent aware of requirements under separate legislation.

STATUTORY ENVIRONMENT

Local Planning Scheme No. 7:

Relevant Aims of the Scheme 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 considered to comply with this objective and relevant aims of the Scheme.

5.2 Special Control Area No. 1 – Bassendean Sands

The Bassendean Sands is an important environmental unit in the central coast area, noted as a significant area comprising deep porous sands hydrologically connected to a number of wetlands. It is particularly vulnerable to pollution, eutrophication and salination due to its low nutrient-holding ability and the potential for winter waterlogging. It contains areas of native vegetation and wetlands

that provide habitat for threatened species and communities, notably Banksia woodlands and black cockatoos.

5.2.1 The purpose of the Special Control Area is to preserve and enhance the ecological values of the Bassendean Sands and interrelated wetlands, and to ensure protection of the Shire's public drinking water sources.

5.2.2 The objectives of the Special Control Area are:

- a) to avoid land uses and development of a type and intensity that would impact on native vegetation, wetlands and their buffers, and groundwater quantity and quality; and*
- b) to ensure that future land uses in the area do not degrade the area.*

5.2.3 A request for rezoning, subdivision or development approval in the Special Control Area should be referred to the agencies responsible for wetlands, groundwater, biodiversity and/or environmental impacts for advice and any recommendations, and the local government is to have due regard to any advice received.

5.2.4 In considering an application for rezoning, subdivision or development approval in the Special Control Area, the local government will only support proposals where there would be:

- a) minimal impact on native vegetation, including individual trees and other remnants located within pasture;*
- b) no clearing, filling or additional discharge into, or other impacts on, wetlands and their buffers, and other waterlogged areas;*
- c) sustainable nutrient loads and where the introduction of additional nutrients that may enter the groundwater, for example, from fertilizers or stock or wastewater or increased stormwater runoff, is managed; and*
- d) no reduced quantity of water within adjoining public drinking water source areas (in Special Control Area 4) as a result of any water extraction.*

5.2.5 In considering an application for rezoning, subdivision or development approval, the local government is to be satisfied that the proposal can occur and be managed in accordance with Clause 5.2.4, taking into account any cumulative adverse effects of previously accepted proposals, without affecting the quality of water and other environmental attributes of the area.

5.2.6 Despite any other provision of the Scheme, all development in the Special Control Area requires approval of the local government.

5.2.7 Notwithstanding Table 1 and Clause 3.3 of the Scheme, where a development may affect water quality and other environmental attributes it shall not be permitted within the Special Control Area.

POLICY IMPLICATIONS

Western Australian Planning Commission – Position Statement
Renewable Energy Facilities:

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.

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 Yathroo wind farm and BESS estimated to cost \$1 billion.

If approved, the proponent has committed to the establishment of a Community Benefit Fund with funding of \$1,050 per MW per annum over the life of the project, which equates to \$525,000 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.

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The community benefit amount is consistent with the New South Wales Department of Planning, Housing and Infrastructure's 'Benefit Sharing Guideline,' as no benchmark has yet been determined for WA.

The Shire has expressed its interest in administering the Community Benefit Fund, with the intention that funds will be allocated to progress projects and strategic objectives as identified in the Shire's Council Plan. However, the proponent has advised its preferred mechanism for administering the fund is through the charitable arm of Bendigo Bank, guided by an Advisory Committee comprising nominees from the Shire, Traditional Owners, community groups, and the proponent.

There is no statutory mechanism to require community benefit payments under the planning system at present.

STRATEGIC IMPLICATIONS

Local Planning Strategy

Section 4.5 - Rural

Strategic Directions

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

Section 4.7 – Economy

Strategic Directions

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

Actions – Renewable Energy

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

Section 4.8 – Utility Infrastructure

Actions – Energy

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

Section 4.11 - Environment and Natural Resources

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

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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: Combined Documents (Doc Id: SODR-1262144384-32505)
- Attachment 2: Combined Documents Part 1 (Doc Id: SODR-1262144384-32521)
- Attachment 2: Appendix K (Doc Id: SODR-1262144384-32336)
- Attachment 2: Appendix L (Doc Id: SODR-1262144384-32328)
- Attachment 2: Appendix N (Doc Id: SODR-1262144384-32344)
- Attachment 2: Combined Documents Part 3 (Doc Id: SODR-1262144384-32525)
- Attachment 3: Schedule of Submissions (SODR-1262144384-32342)

(Marked 9.3.3)

VOTING REQUIREMENT

Simple Majority.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Lethlean

That Council:

- 1. Determines that the proposed land use of 'Renewable Energy Facility' is consistent with the objective of the 'Rural' zone and is therefore permitted in accordance with clause 3.4.2 a) of the Shire of Dandaragan Local Planning Scheme No. 7; and**
- 2. Grants development approval for the proposed renewable energy facility known as the Yathroo Wind Farm and Battery Energy Storage System (BESS), on the lots set out in Table 1 in the Officer's Report, subject to the following conditions and advice notes:**
 - 1. All development shall be in accordance with the approved development plans and accompanying documentation submitted by Neoen Australia Pty Ltd dated 10 July 2025, 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, until 23 October 2029. If the development is not substantially commenced within this period, this approval shall lapse and be of no further effect.
3. The approved wind turbines may be micro-sited within a 300 m radius of the turbine locations on the endorsed development plans. Prior to the commencement of construction, amended development plans, including the final siting of wind turbine locations, shall be submitted to and approved by the Shire of Dandaragan.
4. Prior to the commencement of construction, final 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 are to be submitted and approved by the Shire of Dandaragan. Any significant changes to the project footprint or appearance of project elements resulting from detailed design may require an amended or subsequent development approval.
5. Prior to the commencement of construction, the proponent shall upgrade and seal the following road sections to a standard suitable for accommodating construction traffic, to the satisfaction of the Shire of Dandaragan:

 - a) Stockyard Road for approximately 2.3km west of its intersection with Dandaragan Road; and
 - b) Bidgerabbie Road, for the area being used to support construction of the project, between its intersection with Dandaragan Road and its intersection with Rows Road.
6. 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.
7. Prior to the commencement of construction, the proponent shall upgrade the intersection of

Stockyard Road and Dandaragan Road to a suitable standard to accommodate construction traffic, to the satisfaction of the Shire of Dandaragan.

- 8. 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:**

 - 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.
- 9. 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. 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.**
- 10. Prior to commencement of works on-site, the vehicular access points onto the subject land shall be constructed to the satisfaction of the Shire of Dandaragan, in consultation with Main Roads WA for any access points required from the Brand Highway. Construction 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.**

11. 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.
12. 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.
13. 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 and offer residents with a dwelling located within 5km of a wind turbine a pre-construction and post-construction assessment of television reception. The proponent shall remedy any reception problems attributable to the presence of the wind farm at dwellings located within 5km of approved wind turbine locations.
14. Noise levels from the approved development shall comply, at all times, with the limits identified in the *Environmental Protection Authority Environmental Protection (Noise) Regulations 1997* (as amended).
15. Prior to the commencement of development:
 - a. an updated Noise Impact Assessment from a qualified acoustic consultant is to be provided confirming the development can comply with the relevant provisions of the *Environmental Protection (Noise) Regulations 1997* (as amended), to the satisfaction of the Shire of Dandaragan, on advice from the Department of Water and Environmental Regulation.
 - b. Prior to operation of the relevant stage of development, a report from a qualified acoustic consultant is to be provided confirming that all relevant recommendations and mitigations

contained in the updated Noise Impact Assessment have been implemented to the satisfaction of the Shire of Dandaragan.

16. 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 align with industry best practice.
17. Selected 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.
18. Prior to the commencement of operations, the proponent is to establish a formal operating procedure outlining how aerial spraying and aerial firefighting suppression operations can safely be undertaken within the project area and on adjoining properties within 3nm of the project area. This procedure is to be developed in consultation with local aerial spraying contractors, fire and emergency services and local emergency management personnel. The finalised operating procedure is to be provided to the Shire of Dandaragan.
19. Prior to the approved development being decommissioned, an updated 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 roads (pending landowner agreement), concrete pads, footings and inground cables) in order to return the lots to their pre-development state or to a condition otherwise agreed with landholders and the Shire of Dandaragan. The Decommissioning and Rehabilitation Management Plan is to be thereafter implemented to the satisfaction of the Shire of Dandaragan.
20. Prior to the commencement of construction, the proponent shall undertake detailed, on-ground cultural heritage surveys over targeted areas of proposed infrastructure, including Yued Traditional Owner participation, to ensure compliance with the *Aboriginal Heritage Act (1972)* (as amended). Surveys

- should consider both tangible and intangible cultural heritage values.
21. Prior to the commencement of construction, a detailed Surface Water Management Plan (applicable for the construction and operational phase of the project) shall be prepared and submitted to the Shire of Dandaragan for approval, in consultation with the Department for Water and Environmental Regulation. The surface water management plan should, at minimum:
 - a) incorporate appropriate design methods to manage water erosion from intense summer and/or winter rainfall events;
 - b) demonstrate how the development will ensure no clearing, filling or additional discharge into, or other impacts on, road reserves and wetlands, and how impacts on other waterlogged areas will be minimised;
 - c) Demonstrate that additional nutrients that are introduced to, or may enter the groundwater, are managed to result in no deterioration in groundwater quality;
 - d) Contain suitable measures for the containment and management of hydrocarbons, chemicals and firewater associated with the BESS;
 - e) Describe measures that will be taken to minimise impact on waterbodies when infrastructure is required to cross creek lines; and
 - f) Incorporate post-development flood modelling prior to the completion of construction to verify that the appropriate design features and mitigations will achieve the surface water management objectives.
 22. Prior to the commencement of construction, the proponent shall develop and implement a Bird and Bat Adaptive Management Plan, to the satisfaction of the Shire in consultation with the Department of Biodiversity, Conservation and Attractions.
 23. The applicant is to implement to the satisfaction of the Shire of Dandaragan the approved Bushfire Management Plan and Bushfire Risk Report prepared by Bushfire Prone Planning and dated July 2025 for the life of approved development.
 24. Prior to the commencement of construction, an Emergency Management Plan shall be prepared and implemented, to the satisfaction of the Shire of Dandaragan in consultation with the Department of Fire and Emergency Services.
 25. Prior to the commencement of construction, a Risk

Management Plan shall be prepared and implemented, 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.

26. For the BESS component of the development, the area set aside for the parking of vehicles together with the associated access as shown on the attached approved plan(s) 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.
27. Prior to the commencement of construction, a landscaping plan shall be prepared, specifically addressing how the visual impact of development components including the BESS, substations, and Western Power terminal could be reduced or mitigated where practical from public roads and neighbouring properties. The landscaping plan shall be approved by the Shire of Dandaragan and thereafter implemented at all times.
28. The proponent shall (prior to the erection of wind turbine generators) provide notification to the RAAF Aeronautical Service, Air Service Australia and the Civil Aviation Safety Authority of the location and height details of the wind turbine generators.

Advice Notes:

- A. The background noise limits for the proposed development are to be based on the prerecorded background noise measurements.**
- B. Any amendments resulting in significant additional environmental impacts in the opinion of the Shire of Dandaragan shall require referral to the Environmental Protection Authority.**
- C. 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.**
- D. 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.**
- E. Prior to the commencement of construction, the proponent shall make arrangements in consultation with the Yued Aboriginal Corporation for any required Aboriginal heritage monitoring.**
- F. In relation to Condition 10, the proponent is required to submit an application to Main Roads WA to undertake works within the road reserve prior to undertaking any works within the Brand Highway road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads.**
- G. In relation to Condition 11, the proponent should consult with Main Roads Western Australia, Heavy Vehicle Services and the Midwest Gascoyne Office on the proposed route.**
- H. In relation to Condition 11, Main Roads advises that Heavy vehicle access must be approved from Main Roads where the routes relating to the development application are not approved for the proposed heavy vehicle combinations. Main Roads 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. The applicant is advised to contact Main Roads' Heavy Vehicle Services branch to ascertain any approval requirements. Information can also be found on the Heavy Vehicles Access Requirements in WA section of the Main Roads website.

- I. Main Roads advises that no powerlines are to be installed within and parallel to the Brand Highway road reserve.
- J. Main Roads advises that the private power line shall require a Deed of Agreement with Main Roads to cross the Brand Highway road reserve. In the first instance Main Roads preference is that all utilities crossings are underground. Where the above ground power transmission lines are proposed to cross the Brand Highway road reserve, the proponent will need to demonstrate in writing to the satisfaction of Main Roads that no other alternative is feasible in accordance with the Main Roads Policy and Guideline for Utility Services in the Road Reserve. Where power lines cross the road reserve they must do so perpendicular to the road.
- K. Main Roads advises that all power crossing proposals must be in accordance with:
 - a. Main Roads Approval to Work within the Road Reserve Application and Procedure. This process includes any onsite environmental or heritage assessment.
 - b. Main Roads Policy and Guideline for Utility Services in the Road Reserve.
 - c. Utility Providers Code of Practise: Section 8.2 Clearance from Overhead Powerlines
 - d. Main Roads Guide to Design of Oversize and Over-Mass Vehicle Corridors
- L. In relation to Condition No. 17, the Applicant is advised that the Civil Aviation Safety Authority has recommended consideration of a radar-activated type system of steady red low intensity (200 cd) 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.
- M. In relation to Condition 19, 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.

- N. In relation to Condition 19, 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.
- O. The Yued Heritage Protection Agreement is to be implemented at all times throughout the project lifespan.
- P. In relation to Condition 24, 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.
- Q. In relation to Condition 25, 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 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.

CARRIED 7 / 0

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

AGAINST: Nil

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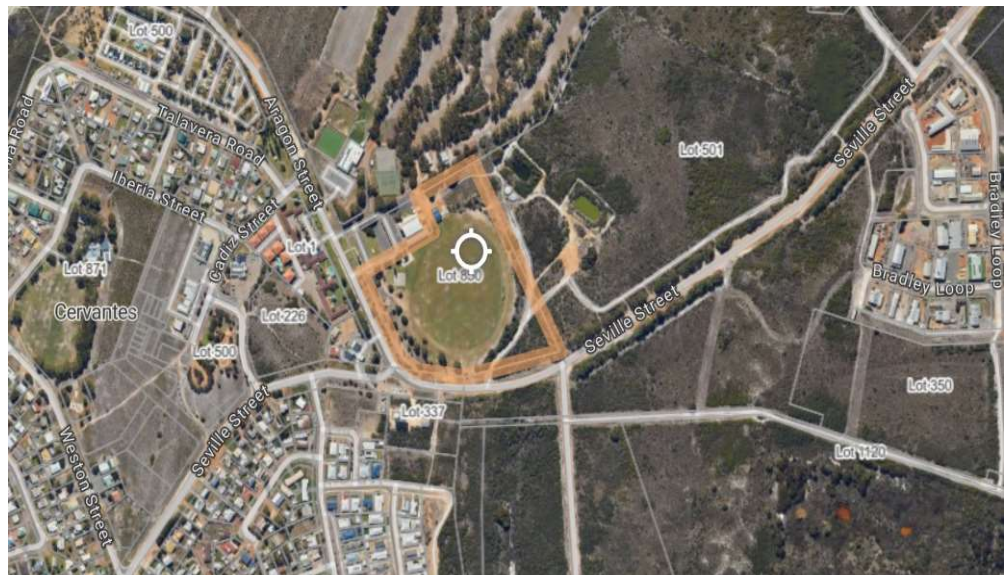
9.3.4 REQUEST FOR TENDER - CERVANTES RECREATION CENTRE CHANGEROOMS, RESERVE 40711, 2 ARAGON STREET, CERVANTES

Location:	Reserve 40711, Lot 850, 2 Aragon Street, Cervantes
Applicant:	N/A
Folder Path:	SODR-877026889-11107
Disclosure of Interest:	Nil.
Date:	13 October 2025
Author:	Alex MacKenzie, Manager Planning and Building Services
Senior Officer:	Louis Fouche, Executive Manager Development Services

PROPOSAL

The purpose of the report is for Council to consider tenders received for RFT 01-2026 – Cervantes Changeroom and Umpire Amenities Upgrade Project.

BACKGROUND



Location plan for Reserve 40711, Lot 850, 2 Aragon Street, Cervantes

On 25 August 2022, the Council endorsed the Cervantes Recreation Precinct Masterplan (Masterplan). With development guided by the Cervantes Recreation Precinct Working Group, the Masterplan articulates the community's vision for the precinct.

Council also endorsed the working group's recommendation of priority order for the detailed design and project development stages, with an upgrade to the changerooms listed as the fourth priority:

- 1) Establishment of Cervantes Men's Shed Lease.
- 2) Cervantes Community Recreation Centre entrance and new library.
- 3) Repurposing of the old library.
- 4) Football club change rooms and umpires' rooms.

In 2024 the Shire was successful in securing \$210K in grant funding from the Community Sporting and Recreation Facilities Fund

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(CSRFF) to progress an upgrade of the changerooms and umpire's room.

In August 2025, the Shire of Dandaragan issued a Request for Tender RFT 01-2026 seeking suitably qualified contractors for the construction of new changerooms and umpire amenities at the Cervantes Community Recreation Centre.

COMMENT

The project forms part of the Cervantes Recreation Precinct Masterplan (2023) and aims to deliver a modern, accessible changeroom facility adjacent to the existing football shed, consistent with the AFL Preferred Facility Guidelines (2024).

The scope of works included:

- Two new changerooms (home and away) and umpire amenities
- Plumbing, electrical, drainage, mechanical, and finishing works
- Universal access compliance and full site reinstatement

Tenders closed on 26 September 2025, with submissions received from:

1. Hickey Construction and MCG Architects; and
2. RBT Manufacturing.

It should be noted that the RBT Manufacturing submission was received after the advertised closing time for submissions and subsequently deemed non-conforming. Also, the Shire's regional preference policy does not apply on the basis that neither of the tenderers are based within the Shire of Dandaragan.

Following assessment in accordance with the published compliance and qualitative criteria, tendered prices were found to be higher / significantly higher (respectively) than the available project budget allocation contained within the 2025/26 Capital Works Program. Additionally, the tender formally received did not satisfy the Shire's requirements around the timeframe for project completion.

The evaluation concluded that while the one submission received met with qualitative and compliance requirements; the prices and timeframes proposed received were not within the project parameters for funding and completion and therefore cannot be recommended for acceptance.

Accepting any of the tenders would commit the Shire to expenditure levels considerably above those approved by Council and outside the scope of existing funding commitments. As such, acceptance of a tender substantially above the available budget does not represent value for money and would not be prudent under the Local Government (Functions and General) Regulations 1996.

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In accordance with Regulation 18(5), Council may decline to accept a tender and subsequently either:

- Call for new tenders; or
- Enter into negotiations with suitable suppliers; or
- Reassess the project design and delivery options.

Officers recommend that Council reject all tenders and undertake a review of the project design, scope, and cost plan to identify potential reductions or alternative construction methodologies that could bring the project within budget. This may include modular or staged delivery options, or the pursuit of additional grant funding before re-advertising the works.

Rejecting tenders and seeking other options will ensure that the Shire delivers the project responsibly within agreed to project budgets while maintaining alignment with strategic community priorities.

CONSULTATION

The tender was advertised in the West Australian and via the Shire's social media for 28 days with the submission period closing at 4pm on Friday 26 September 2025.

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 3.57

Local Government (Functions and General) Regulations 1996 – Part 4 (Tenders for providing goods or services)

Regulation 18(5):

“If a local government has invited tenders and no tender is accepted, it may invite new tenders or may enter into negotiations with a person who tendered, with a view to entering into a contract.

POLICY IMPLICATIONS

Shire of Dandaragan Policy 1.6 – Regional Price Preference

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

Shire of Dandaragan Policy 1.3 – Purchasing and Tender

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Objective

The objective of this Policy is to:

- deliver value for money using a best practice approach to the procurement of all goods and services.
- ensure consistency for all purchasing activities.
- provide compliance with the Local Government Act 1995 and the Local Government (Function and General) Regulations 1996.
- ensure that the Shire considers the environmental impact of the procurement process across the life cycle of the goods and services procured.

FINANCIAL IMPLICATIONS

The rejection of tenders as proposed will allow the Shire to seek more suitably priced proposals that align with the Shire's budget.

STRATEGIC IMPLICATIONS

Shire of Dandaragan Council Plan

Infrastructure	The Shire will sustain a dynamic infrastructure network responsive to usage demand that attracts and retains residents and businesses
Priority Outcomes	Our recreation precincts will be contemporary and highly utilised
Initiatives	Complete the construction of a new changeroom block at the Cervantes Recreation Centre

Strategic Community Plan 2022–2032

Goal 2: Healthy, Safe and Active Communities

Strategy 2.2.2: Maintain and enhance recreation and community facilities to meet local needs.

The Shire's Sport and Recreation Plan 2022

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

ATTACHMENTS

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

- Tender Evaluation Report (Doc Id: SODR-2045798944-37655)
(Marked 9.3.4)

VOTING REQUIREMENT

Simple Majority.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Young, seconded Cr Krakowiak

That Council:

1. Rejects all tenders received for RFT 01-2026 – Cervantes Changeroom and Umpire Amenities Upgrade Project, in accordance with Regulation 18(5) of the Local Government (Functions and General) Regulations 1996, due to:
 - Tendered prices exceeding the available budget;
 - Proposed timeframes not meeting project requirements;
2. Delegates authority to the Chief Executive Officer to:
 - a. Refine the project scope, specifications, delivery timeframe, and cost plan;
 - b. Invite selected local builders and the two original Perth-based tenderers to submit quotations or revised proposals, ensuring a fair and transparent process;
 - c. Evaluate submissions that meet the approved project scope, timeline, and budget; and
 - d. Enter into and execute a contract for the project, provided the total contract value is within 10% of the approved budget.
3. Requires the CEO to report outcomes to Council for further consideration where:
 - The contract value exceeds the approved budget by more than 10%; or
 - Any material changes to the project scope or specifications are proposed.

CARRIED 7 / 0

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

AGAINST: Nil

9.3.5 DRAFT LOCAL PLANNING POLICY 9.15 WORKFORCE ACCOMMODATION

Location:	N/A
Folder Path:	SODR-877026889-11061
Disclosure of Interest:	Nil
Date:	25 September 2025
Author:	Janine Eriksson, Strategic Planning Coordinator
Senior Officer:	Louis Fouché, Executive Manager Development Services

PROPOSAL

The purpose of the report is for Council to consider the adoption of the *Draft Local Planning Policy 9.15: Workforce Accommodation* for the purpose of public advertising.

BACKGROUND

The Shire of Dandaragan's Local Planning Scheme No. 7 (LPS7) does not provide specific guidance for the development of 'Workforce Accommodation'. As a result, 'Workforce Accommodation' is considered a 'use not listed' and must be assessed in accordance with Clause 3.4.2(b) of LPS7, which is classified as a complex application requiring public advertising for a minimum of 28 days.

The Shire is currently reviewing LPS7, for which the *Report of Review* recommends that the revised Local Planning Scheme No. 8 (LPS8) include a formal definition of 'Workforce Accommodation'. LPS8 will also introduce development control requirements and indicate land use permissibility's across relevant zones for Workforce Accommodation.

In the interim, in line with the State Planning Framework, and recommendations from the Local Planning Strategy, it is considered beneficial to prepare a Local Planning Policy (LPP) to provide guidance on the Shire's expectations for Development Application requirements and the assessment criteria for Workforce Accommodation proposals.

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

COMMENT

The draft LPP (See Attachment 1: Draft LPP 9.15 Workforce Accommodation) contains the following key elements.

- Introduction, Interpretation and Objectives.
- Development Application requirements, and information to be submitted with an application for "Workforce Accommodation". The information required for larger workforce accommodation proposals (i.e. workforce village') includes evidence demonstrating the need for the size and location of the proposal and includes the requirement for preparation of detailed operational management and decommissioning plans.
- Location and design provisions outline the suitability of workforce accommodation in both urban and rural areas. Development standards include 'basic design standards' appropriate for temporary workforce accommodation in rural areas, and 'high design standards' are included for some urban or townsites, particularly where it can be demonstrated that the infrastructure or dwellings can be adapted for reuse.

- Workforce accommodation is required to be serviced by all key essential infrastructure and encourages servicing upgrades and improvements in and adjacent to townsites that will be available for reuse once the workforce accommodation period concludes.

The preparation of the draft LPP (the policy) considers the statutory and strategic planning environment as detailed in the relevant sections of this report. Further explanation of the policy objectives and provisions relative to the type of workforce accommodation, location and adaptive reuse is provided below for context.

Type of Workforce Accommodation

A key component of the policy recognises that workforce accommodation, as defined under the planning regulations, is intended for temporary use. While this is central to the policy, it also acknowledges that the nature of workforce accommodation may vary. As temporary workforce accommodation is typically used to meet housing needs where suitable permanent housing at the required scale is unavailable, and may offer lower levels of amenity, it is important that proposals demonstrate a genuine, project-specific need.

The policy categorises workforce accommodation into two main types which are described in the interpretation section of the policy as either *small scale workforce accommodation* or a *workforce village*. The scale of the development is based on building classifications provided under the *National Construction Code 2025*.

Small scale accommodation is capped at 12 occupants and generally applies to housing seasonal or part time farm workers, or workers supporting small scale basic raw material operations. The policy considers small scale accommodation (approximately 300m²) clustered with existing buildings/development that provides temporary, or part time accommodation may not be subject to a time limit as it is part of the ongoing low key business needs of rural operations.

A **workforce village** is temporary workforce accommodation that caters for 13 or more occupants and may support a 'construction workforce' associated with the renewable or resources industry. A workforce village is camp-style accommodation considered suitable for the duration of its operational need, with the expectation that it will be removed once no longer required.

Location

An objective of the policy is to encourage workforce accommodation to be located within or close to urban centres and townsites. This approach aims to deliver mutual benefits for local communities and businesses by supporting economic activity and social integration.

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To support this objective, the policy outlines specific provisions guiding the location of workforce accommodation based on the following considerations:

- Operations situated within a 30-minute driving distance of a townsite are encouraged to provide town-based accommodation for their workers or develop workforce accommodation in close proximity to the town. This recommendation is based on research by Professor Fiona Haslam McKenzie for the Town of Port Hedland. Her study considered the standard 12-hour work roster and the need for a minimum seven-hour rest period, concluding that a total commute of one hour per day (30 minutes each way) is both appropriate and sustainable.
- Accommodation for short-term workers is supported when it is integrated into existing approved developments in town centres, such as tourist or visitor accommodation facilities.
- Accommodation for permanent or operational staff is encouraged within existing residential areas, consistent with standard residential development.
- In Badgingarra and Dandaragan, workforce accommodation may be considered in residential zones where it is sensitively located outside existing developed areas, and where it supports infrastructure upgrades and activates the townsite.

The policy generally considers workforce accommodation unsuitable in:

- Residential zones of Cervantes and Jurien Bay, due to limited residential land and potential land use conflicts.
- The 'Regional Centre' and 'Industrial' zones, where such development may not align with the intended land use.

Adaptive reuse

The policy includes design standards to reflect the surrounding amenity. Workforce accommodation developed to meet high design standards of the policy, is intended to be suitable for adaptive reuse following the conclusion of the term of the approval.

Adaptive reuse presents uncertainties regarding the future use and tenure of buildings and facilities once workforce accommodation ceases. Given that the local planning framework, under the *Planning and Development Act 2005*, cannot mandate legacy or community benefit outcomes (at this time), the reuse of the buildings largely depends on the commercial decisions of the proponent. To address this, the policy encourages proponents to submit a statement of intent outlining potential reuse or decommissioning plans for infrastructure and buildings/facilities. This statement of intent helps inform current and future planning decisions and supports local governments or agencies in managing any gifted assets, ensuring that long-term maintenance and operational responsibilities are considered.

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The policy recognises that extending infrastructure to development sites within townsites can lead to improvements in servicing capacity. These assets are likely to remain in place even if the associated buildings or facilities are later removed, which may attract or support future compatible development.

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

CONSULTATION

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

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

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

STATUTORY ENVIRONMENT

Shire of Dandaragan Local Planning Scheme No.7

'Workforce Accommodation' is a land use classification (use class) that is not listed within the zoning table of the Scheme. On this basis, 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.'*

Western Australian Planning Commission – Position Statement: Workforce accommodation (Position Statement)

The Position Statement outlines development requirements for workforce accommodation under the *Planning and Development Act 2005* and provides guidance to local governments on using the local planning framework to manage such developments. It highlights how planning instruments such as local planning schemes and strategies, and local planning policies can be used to control workforce accommodation, except where the *Mining Act 1978* or *State Agreement Acts* take precedence.

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The ability to prepare and adopt an LPP to guide decision making on workforce accommodation is supported in the Position Statement:

6.3 Where scheme provisions are not required, local planning policies can also provide guidance on workforce accommodation and be consistent with this Position Statement. Local planning policies are made pursuant to a scheme and assist local governments in the guidance of discretion.

The draft LPP has been developed to provide local level guidance relevant to the matters that are outlined in the Position Statement.

The Planning and Development Act 2005

The Planning and Development Act 2005 establishes a general requirement for all development to obtain approval through a development application made under a planning scheme. However, the jurisdictions of the *Mining Act 1978* and *State Agreement Acts* can vary the application of the *Planning and Development Act 2005*.

The Position Statement includes the following table which clarifies the factors which planning decisions makers can control and not control in consideration of workforce accommodation under the *Planning and Development Act 2005*.

Control	Not Control
1. Where a planning application is required, the terms of an approval related to: (a) timeframe (b) setbacks (c) landscaping (d) parking and access (e) location and appearance of buildings. (f) integration with surrounding areas. (g) any other land use planning matters relevant to the site. (2) Where a planning application is required, the ability to approve/refuse a proposal considering local planning scheme requirements.	1. Any matters specified by a State Agreement Act. 2. The issuing of a mining tenement made under the Mining Act 1978 – which can include a general purpose lease for ‘any other purpose directly connected with mining operations’ (may be located in a townsite). 3. That workforce accommodation needs to be met by permanent accommodation rather than ‘camps’. 4. That workforce accommodation be located in a town rather than a minesite. 5. Whether the land for workforce accommodation is owned by the Crown or held in fee simple. 6. Requirements for ‘community contributions’ by workforce accommodation proponents. 7. Requirements for workforce accommodation to achieve ‘legacy benefits’

Planning and Development (Local Planning Schemes) Regulations 2015 (the Planning Regulations)

The ability to prepare a LPP is afforded to the Council under clause 3 of Schedule 2 of the Deemed Provisions. The Deemed Provisions

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allow the Shire to prepare policies in respect to any matter related to planning and development. Policies may apply to a particular class or matter and relate to one or more parts of the Shire's Local Planning Scheme area. Clause 4 sets out the procedure for making (and amending) a LPP.

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

The Planning Regulations define Workforce Accommodation as a:

“premise, which may include modular or relocatable buildings, used —

- (a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and*
- (b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors.”*

In cases where no provisions exist in the Scheme or associated policies, Clause 67 of the Deemed Provisions under planning regulations outlines the matters to be considered when assessing the suitability of a proposal.

Clause 64 of the Deemed provisions sets out the requirements for advertising applications as referred to in Clause 3.4.2 of LPS7. Clause 64 (1) (a) refers to the process of a 'Complex Application' The deemed provisions define a complex application to mean:

- (a) an application for approval of development that is a use of land if the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located; or*
- (b) an application of a kind identified elsewhere in this Scheme, or in a local planning policy, as a complex application for development approval.*

Statement of Planning Policy 3.0 Urban Growth and Settlement (WAPC 2006)(SPP 3.0)

SPP 3.0 supports accommodation models that integrate mining and resource sector workers into nearby regional communities where feasible, rather than relying solely on isolated workforce camps. This approach encourages the use of existing housing land, infrastructure, and services, allowing the workforce to contribute to the local economy and benefit from community amenities. The policy acknowledges that fly-in fly-out (FIFO) (which may be interpreted as to apply to drive-in drive-out

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arrangements) are often necessary due to remoteness and labour shortages, however the policy promotes a balanced planning response.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

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
Outcomes	We will play a more active role in the development of land where supply is constrained and seek diverse solutions for increasing housing supply. Our Shire has a contemporary land use planning system that responds to and creates economic opportunities.

Shire of Dandaragan Local Planning Strategy

Section 6.9.1 Accommodation for mining workers (operations/construction)

Mining and construction operators from time to time need to establish accommodation for their workers. Accommodation requirements for workers can be temporary, in the case of the construction of infrastructure workers, or more permanent, for instance for mining operators that would require the accommodation for the life of the mine. In most instances, workforce accommodation is constructed within a mining lease area, so Shire has a limited statutory responsibility. Outside of these areas, however, a proposal for workforce accommodation may need to be assessed under the Scheme. Shire encourages operators to locate non-key permanent staff in established townsites. Where this is not possible due to the remoteness of a mining activity, Shire will consider the on-site provision of temporary and permanent workers accommodation based on the merits of specific applications by considering the following:

- *suitable access to the property being provided.*
- *the availability of services and infrastructures.*
- *the management of potential adverse impacts and land use conflict.*
- *consideration of fire risks and management.*
- *adequate landscaping and screening.*
- *the need for security and lighting and associated impacts; and*
- *rehabilitation of the site after the cessation of operations.*

6.9.2 Key findings

- *Mining is an important economic activity.*
- *There is a need to prepare a local planning policy to provide further guidance when planning for workforce accommodation to service mining projects.*

The Shire of Dandaragan Local Planning Strategy identifies the need for a Local Planning Policy (LPP) to guide the planning and assessment of workforce accommodation and provides high level guidance for items to be considered.

ATTACHMENTS

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

- Draft Local Planning Policy 9.15: Workforce Accommodation (SODR-877026889-11062)

(Marked 9.3.5)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Johnson

That Council pursuant to Clause 4 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, endorses the *Draft Local Planning Policy 9.15 Workforce Accommodation* for the purpose of undertaking public consultation for a minimum period of 21 days.

CARRIED 7 / 0

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

AGAINST: Nil

9.4 GOVERNANCE & ADMINISTRATION**9.4.1 ELECTION OF DELEGATES TO VARIOUS COMMITTEES AND ORGANISATIONS**

Location:	N/A
Applicant:	N/A
Folder Path:	SODR-1739978813-9039
Disclosure of Interest:	None
Date:	1 October 2025
Author:	Kristy Dean, Administration Officer
Senior Officer:	Brent Bailey, Chief Executive Officer

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PROPOSAL

To appoint Council representatives to various committees and organisations.

BACKGROUND

The Shire of Dandaragan provides representation to a range of community organisations as well as its own working groups. Delegates to these organisations are appointed following the election of each new Council and effectively serve a term of two years.

COMMENT

The following table shows the Shire of Dandaragan list of delegates to outside committees & organisations as established on 26 October 2023. Councillors will need to work through the table to review the need for committee representation and reappoint representatives to the various groups.

To facilitate open discussion on this item it is recommended that Council suspends clauses 8.8 and 10.5 of the Shire of Dandaragan Local Government (Council Meetings) Local Law 2019.

Advance Dandaragan	Cr Glasfurd
Aggies Cottage Management Committee (Wolba Wolba)	Cr Glasfurd
Audit Committee (Shire of Dandaragan)	Cr Lethlean, Cr Clarke, Cr McDonald, Cr O’Gorman
Avon Midland Zone WALGA	President & Deputy President
Badgingarra Community Centre Management Committee	Cr McDonald
Badgingarra Community Association	Cr McDonald
Cervantes Ratepayers and Progress Association	Cr O’Gorman
Community Grants Committee	Cr Lethlean, Cr Young, Cr Glasfurd, Cr Clarke
Dandaragan Community Centre Management Committee	Cr Glasfurd
Dept of Transport - Marine Advisory Committee – Jurien Bay	Cr O’Gorman
Jurien Bay Chamber of Commerce	Cr Clarke
Jurien Bay Progress Association	Cr O’Gorman
Lancelin Defence Training Area Management Advisory Committee	Cr Gibson
Leeuwin Scholarship Panel	Cr McDonald, Cr Lethlean, Cr Clarke, Cr Young
Local Emergency Management Committee	Cr O’Gorman (also Chair)
Regional Joint Development Assessment Panel	Member Cr McDonald Member Cr O’Gorman Alternate Member Cr Clarke Alternate Member Cr Glasfurd
Moora Local Health Advisory Group	Cr Glasfurd
Moore Catchment Council	Cr Glasfurd
Moora Sub Regional Road Group	Cr Gibson
Northern Growth Alliance (Chittering, Dandaragan & Gingin)	Shire President, Cr O’Gorman Deputy President Cr McDonald (proxy)

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Cervantes Men's Shed	Cr Gibson
Jurien Bay Aerodrome Working Group	Cr Gibson, Cr _____
Yandin Windfarm Community Fund	Cr O'Gorman
Jurien Bay Recreation Precinct Working Group	Cr McDonald, Cr O'Gorman

CONSULTATION

This item establishes Councillor representation on several local community groups and advocacy committees. It is an important source of consultation between Council and the community.

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

Council Policy 1.13 C-1EMEPD013 – Elected Members Entitlements and Professional Development applies. - 4.4 Travel Expenses

Note: this clause also applies to non-elected members

1. *All Elected members and Council appointed delegates (who are not elected members) will be paid the Local Government Officer's Award rate per kilometre for all travelling expenses incurred in attending the following:*
 - *annual and special and general meetings of electors;*
 - *officially called civic receptions;*
 - *visits by Ministers of the Crown to the Council or with it;*
 - *Council inspection tours;*
 - *Council authorised meetings with government agencies;*
 - *other Council called meetings of Councillors and staff;*
 - *committee meetings;*
 - *community group meetings or meetings with key stakeholders which in the opinion of the CEO or Shire President require a Council member present, and where prior approval has been provided by the CEO or Shire President.*
 - *official meetings as delegates of Council;*
 - *ordinary meetings of Council;*
 - *official locality inspections; and*
 - *Council authorised conferences/ seminars/ professional development courses.*

FINANCIAL IMPLICATIONS

Elected members representing the Shire of Dandaragan as Council endorsed delegates are eligible to claim travel expenses in accordance with Policy 1.13 - C-1EMEPD013 Elected Members Entitlements and Professional Development.

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STRATEGIC IMPLICATIONS

A number of the delegate positions relate to working groups or committees that have direct involvement with specific actions within the Shire of Dandaragan Council Plan.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

COUNCIL DECISION

Moved Cr Young, seconded Cr Lethlean

That Council Suspend Clauses 8.8 And 10.5 of the Shire of Dandaragan Local Government (Council Meetings) Local Law 2019.

CARRIED 7 / 0

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

AGAINST: Nil

COUNCIL DECISION

Moved Cr Young, seconded Cr Lethlean

That Council reinstate Clauses 8.8 And 10.5 of the Shire of Dandaragan Local Government (Council Meetings) Local Law 2019.

CARRIED 7 / 0

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

AGAINST: Nil

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Young

That Council appoint the following delegates for the term of the current Council:

Advance Dandaragan	Cr Glasfurd, Cr Lethlean (proxy)
Aggies Cottage Management Committee (Wolba Wolba)	Cr Glasfurd, Cr Lethlean (proxy)
Audit Committee (Shire of Dandaragan)	Cr Young, Cr Lethlean, Cr Johnson, Cr O'Gorman
Avon Midland Zone WALGA	President & Deputy President
Badgingarra Community Centre Management Committee	Cr Lethlean

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Badgingarra Community Association	Cr Lethlean
Central Coast Health Advisory Group	Cr Krakowiak, Cr Young
Central West Coast Senior Citizen Group Inc.	Cr O’Gorman
Cervantes Ratepayers and Progress Association	Cr Johnson
Community Grants Committee	Cr Young, Cr Glasfurd, Cr Gibson, Cr Krakowiak
Dandaragan Community Centre Management Committee	Cr Glasfurd
Dept of Transport - Marine Advisory Committee - Cervantes	Cr Johnson
Dept of Transport - Marine Advisory Committee – Jurien Bay	Cr Young
Jurien Bay Chamber of Commerce	Cr Young
Jurien Bay Community Resource Centre Committee	Cr O’Gorman
Jurien Bay Community Centre Management Committee	Cr Krakowiak
Jurien Bay Progress Association	Cr O’Gorman
Youth Scholarship Panel	Cr Young, Cr O’Gorman, Cr Lethlean, Cr Krakowiak
Local Emergency Management Committee	Cr O’Gorman (also Chair)
Regional Joint Development Assessment Panel	Member Cr O’Gorman Member Cr Glasfurd Alternate Member Cr Lethlean Alternate Member Cr Young
Moora Sub Regional Road Group	Cr Lethlean & Cr Gibson (proxy)
Northern Growth Alliance (Chittering, Dandaragan & Gingin)	Shire President Deputy President (proxy)
Jurien Bay Aerodrome Working Group	Cr Gibson
Yandin Windfarm Community Fund	Cr O’Gorman

CARRIED 7 / 0

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

AGAINST: Nil

9.5 COUNCILLOR INFORMATION BULLETIN

9.5.1 SHIRE OF DANDARAGAN – BUILDING STATISTICS – SEPTEMBER 2025

Document ID: SODR-2045798944-37553

Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for September 2025. **(Marked 9.5.1)**

9.5.2 SHIRE OF DANDARAGAN – PLANNING STATISTICS – SEPTEMBER 2025

Document ID: SODR-2045798944-37554

Attached to the agenda is a copy of the Shire of Dandaragan Planning Statistics for September 2025. **(Marked 9.5.2)**

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9.5.3 SHIRE OF DANDARAGAN TOURISM / LIBRARY / COMMUNITY ACTIVITIES REPORT FOR SEPTEMBER 2025

Document ID: SODR-1876983588-2705

Attached to the agenda is monthly report for Tourism / Library for September 2025. **(Marked 9.5.3)**

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 4.29pm.

These minutes were confirmed at a meeting on

.....

Signed

Presiding person at the meeting at which the minutes were confirmed

Date