



SHIRE
of
DANDARAGAN

MINUTES

of the

ORDINARY COUNCIL MEETING

held at the

COUNCIL CHAMBERS, JURIEN BAY

on

THURSDAY 23 MARCH 2023

COMMENCING AT 4.00PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)

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MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2023

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Shire President declared the meeting open at 4pm and welcomed those present.

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

1.2 DISCLAIMER READING

The disclaimer was read aloud as there were 1 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 L Holmes	(President)
Councillor P Scharf	(Deputy President)
Councillor J Clarke	
Councillor A Eyre	
Councillor R Glasfurd	
Councillor W Gibson	
Councillor M McDonald	
Councillor R Rybarczyk	
Councillor R Shanahun	

Staff

Mr B Bailey	(Chief Executive Officer)
Mr B Pepper	(Executive Manager Infrastructure)
Mr L Fouché	(Executive Manager Development Services)
Mrs N Winsloe	(Executive Secretary)
Mrs T Slee	(Economic Development Manager)
Ms R Sutton	(Manager Customer & Community Services)

Apologies

Nil

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2023**Approved Leave of Absence**

Nil

Observers

Ms T Burlas, Mr H Johnson

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE**COUNCIL DECISION**

Moved Cr Clarke, seconded Cr Gibson

That the following request for leave of absence be approved:
Cr R Shanahun – 16 April 2023 to 28 May 2023

CARRIED 9 / 0

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

Moved Cr Eyre, seconded Cr Scharf

That the minutes of the Ordinary Meeting of Council held be confirmed.

CARRIED 9 / 0

6.2 MINUTES OF THE SPECIAL COUNCIL MEETING HELD 9 MARCH 2023**COUNCIL DECISION**

Moved Cr Eyre, seconded Cr Rybarczyk

That the minutes of the Ordinary Meeting of Council held be confirmed.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2023**CARRIED 9 / 0****7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Mr H Johnson addressed Council in support of his budget request to have the access road around the Dandaragan bowling green sealed.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 CORPORATE & COMMUNITY SERVICES

9.1.1 BUDGET REVIEW 2022 / 2023

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Corporate Services / Financial Statement and Budgets / Reviews / 2022 – 2023
Disclosure of Interest:	None
Date:	28 February 2023
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

That the budget review for the 2022 / 2023 financial year based on the financial statements from 1 July 2022 to 31 December 2022 be adopted.

BACKGROUND

33A of Financial Management Regulations (1996) states;

- (1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must —*
 - (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
 - (b) *consider the local government's financial position as at the date of the review; and*
 - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*

- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2023**COMMENT**

Staff have reviewed the 2022 / 2023 budget to identify any significant variances. The financial statements to the 31 December 2022 have been used as the basis for the review, however, where a variance has occurred and is known prior to the completion of the staff component of the review on 13 February 2023, these have been accounted for.

A variance of opening deficit budget to actuals was \$107,647. A number of variances (attached) were identified in the review culminating in an overall recognition of a deficit of \$4,781. Attached is the summary of the identified variances, the Rates Setting Statement and other statements showing the effect of these variances.

For 2022/2023 the budget review has considered the completability of projects and where it is determined that a project will not be completed within this financial year it has been removed. Any projects that have been deleted can be re-considered in the 2023/2024 budget deliberations.

The budget review with a surplus of \$83,970 was presented to the Audit Committee on 23 February 2023. The Committee endorsed the officer's recommendation to present the unchanged budget review to Council for endorsement.

However, since this time an administrative error has been identified from the budget review presented to the audit committee. An additional Financial Assistance Grant of \$88,751 was included in the review, unfortunately this was a miscalculation and should not have been included. It has now been removed from the final version of the budget review presented for Council adoption.

The new documentation has corrected this error and now presents the correct financial position after the effect of the budget review.

CONSULTATION

- Chief Executive Officer
- Executive Manager Infrastructure
- Executive Manager Development Services

STATUTORY ENVIRONMENT

- Regulation 33A and 34 of the Local Government Financial Management Regulations (1996)

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2023

FINANCIAL IMPLICATIONS

The adoption of this review will amend the budget with an overall recognition of a deficit of \$4,781.

STRATEGIC IMPLICATIONS

There are no direct strategic implications relevant to this item, however, legislative compliance, strong financial controls and good governance are core functions of Local Government.

Any projects proposed to be brought forward should consider their alignment with the goals contained in the Community Strategic Plan and/or projects already identified in the Corporate Business Plan.

ATTACHMENTS

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

- Budget Review identified variances and statements for the period ending 30 June 2023 (Doc Id: SODR-1034602345-11016)
(Marked 9.1.1)

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanahun, seconded Cr Gibson

That the budget review, as presented with a deficit of \$4,781 be adopted, with the following variances being formally adopted as budget amendments;

GENERAL LEDGER ACCOUNT NAME	SCHEDULE	AMOUNT DR/(CR)	AMENDED (SURPLUS) / DEFICIT
Discount Allowed	Rate Revenue	22,000	129,647
Ex gratia Rates	Other General Purpose Income	(6,669)	122,978
Grants Commission	Other General Purpose Income	(156,798)	(33,820)
Local Roads	Other General Purpose Income	(37,696)	(71,516)
Lease Charges	Airfields	(11,672)	(83,188)
Fuel Rebate	Plant Operations	20,000	(63,188)
Other Civic and Official Functions and Events	Members of Council	(14,000)	(77,188)
Dining and Refresh CM dinners/all alcohol	Members of Council	14,000	(63,188)
Mitigation Activity Fund Grant	Fire Prevention	(121,250)	(184,438)
Materials and Contracts (ALL)	Fire Prevention	121,250	(63,188)
Materials and Contracts (ALL)	Other Recreation and Sport	13,156	(50,032)
Impounded & Abandoned Vehicles	Other Law Order Public Safety	(727)	(50,759)
Septic Tanks (Private Works)	Sewerage	(544)	(51,303)
Controlled Waste Water Corp Fee	Sewerage	(116)	(51,419)
Controlled Waste DEC tracking Fee	Sewerage	(44)	(51,463)

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GENERAL LEDGER ACCOUNT NAME	SCHEDULE	AMOUNT DR/(CR)	AMENDED (SURPLUS) / DEFICIT
Advertising Income	Tourism and Area Promotion	(450)	(51,913)
Debtor - Bad Debts	Tourism and Area Promotion	450	(51,463)
Debtor - Bad Debts	Sewerage	704	(50,759)
Debtor - Bad Debts	Other Law Order Public Safety	727	(50,032)
Materials and Contracts (ALL)	Pest Control	9,801	(40,231)
Controlled Waste DEC tracking form	Sewerage	35,000	(5,231)
Plant - Fuel & Oil	Protection of the Environment	2,000	(3,231)
WMNRG - Landcare	Protection of the Environment	(2,000)	(5,231)
Contributions & Donations	Public Halls and Civic Centres	60,000	54,769
Buildings & Improvements	Other Community Amenities	25,000	79,769
Building Renewal Reserve	#N/A	(25,000)	54,769
Retained Earnings - Net Movement in Reserves	#N/A	25,000	79,769
Transfers From Reserve Funds	#N/A	(25,000)	54,769
Lease Charges	Public Halls and Civic Centres	(21,069)	33,700
Insurance	Public Halls and Civic Centres	(12,265)	21,435
Insurance Claims	Other Recreation and Sport	7,605	29,040
Other Grants	Other Recreation and Sport	(2,000)	27,040
Other Materials and Contracts Expenses	Other Recreation and Sport	2,000	29,040
Infrastructure - Parks & Reserves	Other Recreation and Sport	20,000	49,040
Buildings & Improvements	Other Recreation and Sport	30,000	79,040
Other Non Operating Contributions	Other Recreation and Sport	(42,390)	36,650
Other Non-Operating Grants	Other Recreation and Sport	(84,780)	(48,130)
Recreation Plan	Other Recreation and Sport	(72,889)	(121,019)
Infrastructure - Other	Other Recreation and Sport	207,466	86,447
Sport and Recreation Reserve	#N/A	(7,407)	79,040
Retained Earnings - Net Movement in Reserves	#N/A	7,407	86,447
Transfers From Reserve Funds	#N/A	(7,407)	79,040
Other Grants	Other Recreation and Sport	(7,500)	71,540
Other Grants	Other Recreation and Sport	(1,000)	70,540
Other Materials and Contracts Expenses	Other Recreation and Sport	1,000	71,540
Other Grants	Libraries	(5,000)	66,540
Other Materials and Contracts Expenses	Libraries	5,000	71,540
Other Materials and Contracts Expenses	Other Culture	20,000	91,540
Infrastructure - Roads	Streets Roads Bridges Depots Maint	(4,515)	87,026
Infrastructure - Roads	Streets Roads Bridges Depots Maint	(4,289)	82,737
Infrastructure - Roads	Streets Roads Bridges Depots Maint	(3,860)	78,877

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GENERAL LEDGER ACCOUNT NAME	SCHEDULE	AMOUNT DR/(CR)	AMENDED (SURPLUS) / DEFICIT
Infrastructure - Roads	Streets Roads Bridges Depots Maint	(1,961)	76,915
Other Non Operating Contributions	Streets Roads Bridges Depots Maint	552,500	629,415
Infrastructure - Roads	Streets Roads Bridges Depots Maint	(38,551)	590,864
Infrastructure - Roads	Streets Roads Bridges Depots Maint	(36,624)	554,241
Infrastructure - Roads	Streets Roads Bridges Depots Maint	(38,819)	515,421
Infrastructure - Roads	Streets Roads Bridges Depots Maint	(18,343)	497,078
Infrastructure - Roads	Streets Roads Bridges Depots Maint	(420,163)	76,915
Infrastructure - Roads	Streets Roads Bridges Depots Maint	(21,133)	55,783
Infrastructure - Roads	Streets Roads Bridges Depots Maint	(20,076)	35,707
Infrastructure - Roads	Streets Roads Bridges Depots Maint	(27,529)	8,178
Infrastructure - Roads	Streets Roads Bridges Depots Maint	(13,437)	(5,259)
Infrastructure - Roads	Streets Roads Bridges Depots Maint	(84,250)	(89,509)
Infrastructure - Roads	Streets Roads Bridges Depots Maint	21,133	(68,377)
Infrastructure - Roads	Streets Roads Bridges Depots Maint	20,076	(48,301)
Infrastructure - Roads	Streets Roads Bridges Depots Maint	27,529	(20,772)
Infrastructure - Roads	Streets Roads Bridges Depots Maint	13,437	(7,335)
Infrastructure - Roads	Streets Roads Bridges Depots Maint	84,250	76,915
WSFN	Streets Roads Bridges Depots Maint	(156,470)	(79,555)
Infrastructure - Roads	Streets Roads Bridges Depots Maint	167,671	88,116
Accumulated Depreciation	Various	(2,106,329)	(2,018,213)
Depreciation	Various	2,106,329	88,116
Plant & Equipment replacement program	Various	(83,335)	4,781
		Total (Surplus) / Deficit	4,781

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CARRIED BY ABSOLUTE MAJORITY 9 / 0

9.1.2 STATUTORY COMPLIANCE AUDIT RETURN 2022

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Corporate Services / Finance and Rates / Audits / Internal Reviews / Compliance Audit Returns
Disclosure of Interest:	None
Date:	13 March 2023
Author:	Sharon McArdle, Coordinator of Governance & Human Resources
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To adopt the Statutory Compliance Audit Return for the period 1 January 2022 to 31 December 2022.

BACKGROUND

Local governments in Western Australia are required to complete, on an annual basis, a Compliance Audit Return (CAR). The Return is a self-assessment of compliance with Local Government (Audit) Regulation 13 and covers areas of compliance considered high risk as follows:

- financial interest disclosures;
- procurement and tendering;
- delegation and use of delegated power;
- the recruitment and appointment of the Chief Executive Officer; and
- integrated planning and reporting.

The Compliance Audit Return has been reviewed by the Audit Committee at its meeting held on Thursday, 23 February 2023 with the following recommendation being carried:

OFFICER RECOMMENDATION / AUDIT COMMITTEE DECISION

Moved Cr Eyre, seconded Cr Clarke

That the Compliance Audit Return as per attached (Doc Id: SODR-2042075298-52398) for the period 1 January 2022 to 31 December 2022 be presented to Council for adoption.

CARRIED 3 / 0

Following Council's review and adoption of the Compliance Audit Return a certified copy of the return, along with the relevant section of the minutes and any additional information explaining or qualifying the compliance audit, is to be submitted to the Director General of the Department of Communities by **31 March 2023**.

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COMMENT

For the period 1 January 2022 to 31 December 2022 the CAR demonstrates that the Shire has achieved the required level of compliance.

CONSULTATION

- Chief Executive Officer
- Executive Manager Corporate and Community Services
- Coordinator Governance & Human Resources
- Executive Secretary

STATUTORY ENVIRONMENT

The contents of the Compliance Audit Return relates to Section 14.3A of the *Local Government (Audit) Regulations 1996* whereby the local government's audit committee is to review the compliance audit return and is to report to the council the results of that review in order for Council to then adopt the Compliance Audit Return.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Compliance Audit Return 2022 (Doc Id: SODR-2042075298-52398)
(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Eyre, seconded Cr Clarke

That the Compliance Audit Return as per attached (Doc Id: SODR-2042075298-52398) for the period 1 January 2022 to 31 December 2022 be adopted.

CARRIED 9 / 0

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2023
9.1.3 AUDIT COMMITTEE MINUTES – 23 FEBRUARY 2023

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Corporate Services / Finance and Rates / Audits / Audit Committee Meetings
Disclosure of Interest:	None
Date:	14 March 2023
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To receive the Audit Committee Meeting Minutes (unconfirmed) held on 23 February 2023.

BACKGROUND

The Local Government Act (1995) requires Council to establish an Audit Committee to assist Council to fulfil corporate governance, stewardship, leadership and control responsibilities in relation to the Shire's financial reporting and audit responsibilities.

Due to the small number of Audit Committee meetings held during the year there is a significant delay between the audit meetings and the subsequent confirmation of the minutes of that meeting at the following audit committee meeting and hence, a further delay in presentation to Council of the minutes for adoption.

Therefore, it is considered more appropriate to present the unconfirmed minutes to Council for receipt. Should any issue arise at the adoption of these minutes at the following audit committee meeting varying the accuracy of the unconfirmed minutes, these changes will be presented to Council at the following Council meeting.

COMMENT

The purpose of the Audit Committee Meeting held 23 February was to consider the Budget Review for 2022 / 23, and the Compliance Audit Return 2022.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Minutes of the Audit Committee Meeting (unconfirmed) held on 23 February 2023 (Doc Id: SODR-2042075298-52630)
(Marked 9.1.3)

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VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION**Moved Cr Scharf, seconded Cr Shanhun****That the unconfirmed minutes of the Audit Committee Meeting (Doc Id: SODR-2042075298-52630) held on 23 February 2023 be received.****CARRIED 9 / 0****9.1.4 BUDGET AMENDMENT FOR STATE NRM COMMUNITY STEWARDSHIP GRANT**

Location:	Shire of Dandaragan
Applicant:	Not Applicable
Folder Path:	Development Services / Planning / Turquoise Coast Management Group / ORV Project
Disclosure of Interest:	Nil
Date:	10 March 2023
Author:	Louis Fouché, Executive Manger Development Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

This purpose of this report is for Council to endorse the receipt of State Natural Resource Management (NRM) Community Stewardship Grant Program funding for the management of vehicle impacts on the coastal environments within the Shires of Dandaragan, Gingin and Coorow. The report also recommends the amendment of the budget to allow for the subsequent proportional expenditure associated with the Coordinator Environmental Projects (Off Road Vehicles Management) position.

BACKGROUND

In 2021 the Turquoise Coast Management Group (TCMG) was formed, bringing together coastal managers and community groups from the region north of Perth up to the Shire of Coorow. The TCMG identified the impacts of unmanaged vehicle use on coastal environments north of Perth as its overwhelming management priority. The group proposed to seek resources to address this issue.

In discussion with the Shires of Gingin and Coorow, the Shire has applied for and has been allocated a Western Australian (WA) Government State NRM Community Stewardship Grant (Large) towards the project.

The project will be conducted across three local government areas and will be directed by a steering group represented by the following land managers and key stakeholders:

- Shires of Dandaragan, Gingin and Coorow

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- Department of Biodiversity, Conservation and Attractions
- Turquoise Coast Management Group

Project goals include:

- To continue the activities of the TCMG in this project.
- To engage a fulltime coordinator shared across three local government authorities.
- To develop a Stakeholder Engagement Strategy to support widespread consultation with the diverse range of off road / recreational vehicle stakeholders.
- To develop a Masterplan of the project area to identify priority areas for future on-ground works.
- Expand a "code off-road" education campaign (e-media, signs and brochures) into the project area, including customised maps for different locations.
- Reinvigorate the Tending the Tracks alliance program.

Outcomes at project conclusion will be:

- Improved coastal ecosystems in priority areas.
- Improved dune resilience against coastal hazards in priority areas.
- Improved coastal manager capacity to manage off road / recreational vehicle impacts. in priority areas via a comprehensive Masterplan.
- Improved off road / recreational vehicle driver knowledge and behaviour through project engagement and widespread distribution of Code Off-Road type education material.
- Off road / recreational vehicle and Coast care conservation partnerships maintained and developed through the Tending the Tracks Alliance.

The State NRM Grant will be primarily fund a Coordinator Environmental Projects (Off Road Vehicles Management) position as well as other associated project costs over a two-year period. The Shire will host the position although project time will be spread across all three local government areas. Additional contributions will be made by the respective local governments as indicated in the Financial Implications section of this report.

COMMENT

The State NRM Community Stewardship Grant in conjunction with the co-contributions from the participating local governments, will provide the required funding for the project to manage impacts of off-road vehicle use on coastal environments in the Shires of Dandaragan, Gingin and Coorow.

In order to align Council's resourcing to the newly created Coordinator Environmental Projects (Off Road Vehicles Management) position, this item recommends the endorsement of

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the funding and associated expenditure for the position as well as the other project costs via a budget amendment.

The current grant agreement is broken into two years as indicated in the Financial Implications section of this report. Given that the initial grant funding allocation and commencement of the position only occur towards the end of the 2022/2023/ financial year, the necessary amendments will have to be made to the current budget to recognise the relevant income and expenditure.

It is recommended that the first grant milestone payment of \$44,200 to the Shire and the initial employment costs of \$18,000 associated with the Coordinator Environmental Projects (Off Road Vehicles Management) position be recognised and included in the 2022/2023 financial year's budget.

Future aspects of the funding and expenditure will be included in annual budget processes.

CONSULTATION

- Shires of Gingin and Coorow
- Department of Biodiversity, Conservation and Attractions
- Northern Agricultural Catchments Council
- Turquoise Coast Management Group

STATUTORY ENVIRONMENT

Local Government Act 1995 section 6.8

6.8 Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –

- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
- (b) is authorised in advance by resolution*; or
- (c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

Project Budget Totals			
Year	State NRM funding	Co-contributions*	Total value
2023	\$80,200	\$94,420	\$174,620
2024	\$96,600	\$90,800	\$187,400
Totals	\$176,800	\$185,220	\$362,020

* The co-contributions will be shared equally across each of the participating three local governments.

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The first project milestone has been reached with the completion of contractual obligations, which enables the payment of \$44,200 to the Shire in the 2022/2023 financial year.

The employee costs associated with the Coordinator Environmental Projects (Off Road Vehicles Management) position is estimated at \$15,600 and the Materials and Contract expenditure amount is estimated at \$2,400 in the 2022/2023 financial year.

STRATEGIC IMPLICATIONS

Strategic Community Plan - Envision 2029

03 - Environment	The Shire will be a responsible custodian of the environment, working with community groups and other entities to increase renewable energy initiatives, vegetation cover and rehabilitate degraded public land throughout the local region.
Priority Outcomes	Our Roles
Our region is acknowledged for environmental practices, projects and initiatives that enhance the environment and our liveability within it.	Collaborate with the community to improve our waterways, coastal reserves, road reserves and bushland.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Eyre, seconded Cr Glasfurd

That in relation to the State NRM Community Stewardship Grant Program, Council authorise a budget amendment within the “other law, order, public safety” sub-program within the 2022/2023 budget to recognise:

- 1. A Contract Liability of \$44,200; and**
- 2. An Employee Costs expenditure amount of \$15,600; and**
- 3. A Materials and contract expenditure amount of \$2,400; and**
- 4. An Operating Grant (transferred from Contract Liability) of 18,000.**

CARRIED BY ABSOLUTE MAJORITY 9 / 0

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2023**9.1.5 ACCOUNTS FOR PAYMENT – FEBRUARY 2023**

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Corporate Services/Finance and Rates/Creditors/Expenditure
Disclosure of Interest:	None
Date:	13 March 2023
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To accept the cheque, EFT, BPAY and direct debit listing for the month of February 2023.

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, electronic funds transfer (EFT), BPAY and direct debit payments for February 2023 totalled \$1,662,764.62 for the Municipal Fund.

Should Councillors wish to raise any issues relating to the February 2023 Accounts for payment, please do not hesitate to contact the Executive Manager Corporate and Community Services 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

- Chief Executive Officer

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 at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

Cheque, EFT and direct debit listings for February 2023 (Doc Id: SODR-2042075298-53273)

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(Marked 9.1.5)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Rybarczyk

That the Cheque, EFT, BPAY and direct debit payment listing for the period ending 28 February 2023 totalling \$1,662,764.62 be adopted.

CARRIED 9 / 0

9.1.6 FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 28 FEBRUARY 2023

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Corporate Services / Department Management / Reporting / Monthly Financial Statements / 2022-2023
Disclosure of Interest:	None
Date:	13 March 2023
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To table and adopted the monthly financial statements for the period ending 28 February 2023.

BACKGROUND

In accordance with the Local Government Act 1995 and Financial Management Regulations (1996), monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 28 February 2023.

COMMENT

Regulation 34 of the Financial Management Regulations (1996) requires the following information to be provided to Council:

1. Net Current Assets

Council's adjusted net current assets surplus / (deficit) position as at the 28 February 2023 was \$2,225,038. Net current Asset are calculated by deducting current liabilities from current assets as reported in the Statement of Financial Position. In accordance with regulation 34 of the Local Government Financial Management Regulations (1996) the net current assets are adjusted to establish a surplus / (deficit) position within the monthly financial statements. The current position indicates that Council can easily meet its short-term liquidity or solvency.

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The adjusted net current assets position is reflected on page 10 and reconciled with the Rate Setting Statement on page 3 of the financial statements.

The amount raised from rates, shown on the Rate Setting Statement (page 3), reconciles with note 2 (page 9) of the financial statements and provides information to Council on the budget vs actual rates raised.

2. Material Variances

During budget adoption a 10 percent and \$10,000 threshold for these variances to be reported was set.

Note 14 (page 24) of the attached report details any significant variances.

Should Councillors wish to raise any issues relating to the 28 February 2023 financial statements, please do not hesitate to contact the Executive Manager Corporate and Community Services 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

- Chief Executive Officer

STATUTORY ENVIRONMENT

- Regulation 34 of the Local Government Financial Management Regulations (1996)

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Financial statements for the period ending 28 February 2023 (Doc Id: SODR-1743450996-2902)
(Marked 9.1.6)

VOTING REQUIREMENT

Simple majority

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OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Eyre, seconded Cr Shanhun

That the monthly financial statements for the period 28 February 2023 be adopted.

CARRIED 9 / 0

9.1.7 BUDGET AMENDMENT FOR NEW SANDY CAPE CAMPGROUND BORE

Location:	Shire of Dandaragan
Applicant:	Nil
Folder Path:	Development Services / Ranger Services / Council Items / Ranger Budget Amendments
Disclosure of Interest:	Nil
Date:	21 October 2022
Author:	Trinity Burlas, Principal Environmental Health & Regulatory Officer
Senior Officer:	Louis Fouché, Executive Manager Development Services

PROPOSAL

To authorise a budget amendment for a new bore and compound fence at Sandy Cape Campground.

BACKGROUND

The current bore at Sandy Cape is at the end of its life and is drawing too much salt which has caused irreversible damage. The Infrastructure team has assessed the current bore and determined that a repair is not possible, and a new bore will need to be installed.

COMMENT

The new bore is essential for the remaining four flushing toilets and two showers in the main campground. The new bore will also reduce the cost of filling up the water tanks at the campground with a water truck.

A fence around the new bore and pump is necessary to prevent unauthorised access to the bore pump and solar panels that will power the pump.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 section 6.8

6.8 Expenditure from municipal fund not included in annual budget

(2) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure -

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- (d) is incurred in a financial year before the adoption of the annual budget by the local government; or
- (e) is authorised in advance by resolution*; or
- (f) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The installation of the new bore and pump for Sandy Cape and compound fence will increase the 2022/2023 budget expenditure for Sandy Cape by \$23,000.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Scharf, seconded Cr Gibson

That Council authorise a budget amendment to recognise an Infrastructure – Other asset for the purchase and installation of a bore and associated compound fencing at Sandy Cape Campground for the amount of \$23,000.

CARRIED BY ABSOLUTE MAJORITY 9 / 0

9.2 INFRASTRUCTURE SERVICES**9.3 DEVELOPMENT SERVICES**

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9.3.1 PROPOSED WORKFORCE ACCOMMODATION – LOT 1865 DANDARAGAN ROAD, DANDARAGAN

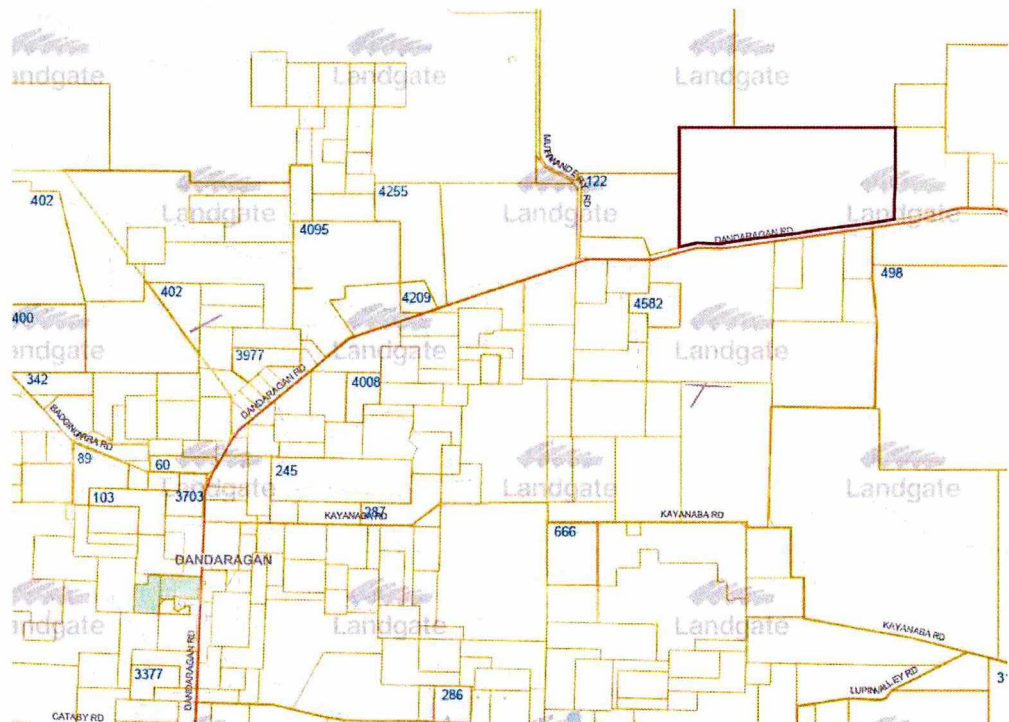
Location:	Lot 1865 Dandaragan Road, Dandaragan
Applicant:	Mineral Resources Energy
Landowner:	Key Asset Pty Ltd
Folder Path:	Development Services/ Applications/ Development/ 2023/ 16
Disclosure of Interest:	Nil
Date:	13 March 2023
Author:	Rory Mackay, Principal Planning & Building Officer
Senior Officer:	Louis Fouche, Executive Manager Development Services

PROPOSAL

The applicant is seeking development approval for a 52-bed workforce accommodation camp at Lot 1865 Dandaragan Road, Dandaragan for a period of two years.

BACKGROUND

The subject property is located 13kms from the Dandaragan townsite and is accessed off Dandaragan Road.



Location map of Lot 1865 Dandaragan Road, Dandaragan

The proposed workforce accommodation camp will be sited within an existing gravel borrow on the property, 1.2km away from Mineral Resources Energy (MRE) Dandaragan Deep-1 Exploration Drilling Program within Petroleum Licence EP507, managed under the Petroleum and *Geothermal Energy Resources Act 1967* as shown in the attached activity area and access route plan.

The applicant has outlined that the drilling activities are scheduled to commence in June of 2023 and planned to be completed over a

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period of up to 60 days. An average of 42 personnel is required to support the drilling operations, with a maximum of 52 personnel at full occupancy. Once drilling activities have commenced, they will be conducted continuously on a 24-hour basis with two crews working back-to-back on 12-hour shifts.

An approval period of two years is sought given if the drilling is successful, then the workers would return intermittently to conduct further evaluation works on the well. Typically, the personnel required at this stage would be less than the initial drilling period, however, to prevent the need for re-application the extended period has been applied for. At the end of the two-year period, the development will be removed from the site and the site rehabilitated to its current undeveloped state.

In addition to the 52 accommodation units the development will also have an office, communal kitchen, dining, laundry and gym facilities.

Wastewater is to be dealt with via an onsite system, approved to the requirements of the Department of Health and the Shire, power will be supplied by diesel generators and potable water will be carted to site and stored in tanks for use.

COMMENT

The development is not within close proximity to any residential dwellings with the distance to the nearest residential dwelling being more than 2.5km. The development is also located 1.3km from the Dandaragan Road frontage and is screened by existing bushland. Consequently, it is deemed that the development is unlikely to have an impact on the amenity of the locality or the predominant broadacre farming use of the subject property.

The applicant has stated that Red Gum Village, the existing workforce accommodation provider in the Dandaragan townsite, has been considered as an accommodation option, however the applicant has not been able to obtain assurance from Red Gum Village that there will be the required accommodation capacity at the required drilling time mid-year. Shire staff are aware of this workforce accommodation bottleneck as a result of meetings with Red Gum Village and other mining companies who operate within the Shire. In addition to this, the mobile accommodation camp is on a long-term contract to support MRS drilling operations and cannot be relinquished for the relatively short duration of the Dandaragan Deep-1 Exploration Drilling Program.

The road access to the development makes use of existing driveway and crossover which links onto a straight section of Dandaragan Road. Vehicle parking will be on an existing and extended gravel hardstand. Given the small timeframe of the intensity of the development this traffic arrangement is deemed suitable.

An isolated section of bushland which surrounds the proposed development site has been identified and designated as 'Bushfire Prone' by the Fire and Emergency Services Commissioner under the *Fire and Emergency Services Act 1998*. As the development meets all of the following criteria under State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7), a Bushfire Attack Level (BAL) Assessment and accompanying Bushfire Management Plan (which includes an Emergency Evacuation Plan for proposed occupants and a Risk Management Plan for any flammable on-site hazards) is required given:

The development:

- results in the intensification of development (or land use);
- results in an increase of employees;
- involves the occupation of employees on site for any considerable amount of time; and
- results in an increase to the bushfire threat.



Bushfire prone mapping (pink shading) of the development site

As the development site and surrounding isolated bushland is within an existing farmed paddock, it is anticipated that the above assessment and management plan can meet the bushfire protection criteria of SPP3.7 of location; siting and design of development; vehicular access; and water to reduce the bushfire hazard to an acceptable level. As such, recommended conditions of development approval require these bushfire planning documents prior to lodging an application for a building permit.

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The limited (two year) time period required for the work camp has influenced the officer's recommendation, consistent with three other similar development approved by Council within the Shire's Rural zone. Council is therefore recommended to first determine that the development is consistent with the Rural zone it is located within and secondly, provide conditional development approval to the proposal.

CONSULTATION

As the reporting officer considered the use may be consistent with the objective of the Rural, the application was advertised to adjoining neighbours and the wider public from 10 February to 10 March 2023. No submissions were received.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7.

The subject property is zoned 'Rural' under this Scheme.

The proposed land use of 'workforce accommodation' is a land use not listed under the Zoning Table of the Scheme.

In accordance with Clause 3.4.2 of the Scheme, Council is to either:

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

The Rural zone of the Scheme has the following objective:

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.

- Planning and Development (Local Planning Schemes) Regulations 2015

These Regulations define 'workforce accommodation' as a: *premises, 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.*

POLICY IMPLICATIONS

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Western Australian Planning Commission – Position Statement:
Workforce accommodation January 2018:

Under the Planning and Development Act 2005 planning decision-makers can control the following in regards to workforce accommodation development applications:

1. The terms of an approval related to: timeframe; setbacks; landscaping; parking and access; location and appearance of buildings; integration with surrounding areas; and any other land use planning matters relevant to the site.
2. The ability to approve/refuse a proposal considering local planning scheme requirements.

FINANCIAL IMPLICATIONS

The applicant has paid the required development application in accordance with the Shire's Fees and Charges.

STRATEGIC IMPLICATIONS

- Local Planning Strategy (2020)

This Strategy states the following in regard to workforce accommodation:

The 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.*

Strategic Community Plan – Envision 2029:

02 – Propensity	The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy.
Priority Outcomes	Our Roles
Our Shire has a contemporary land use planning system that responds to, and creates, economic opportunities.	Ensuring that our planning framework is modern and meets the needs of industry, small business, and emerging opportunities.

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ATTACHMENTS.

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

- Development application 16/23 (SODR-1262144384-17037)
(Marked 9.3.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Clarke, seconded Cr Glasfurd

That Council:

1. Determine that the proposed land use of 'Workforce Accommodation' is consistent with the objectives of the 'Rural' zone and therefore can be considered for development approval in accordance with clause 3.4.2 of the *Shire of Dandaragan Local Planning Scheme No.7*.
2. Grant development approval for Workforce Accommodation upon Lot 1865 Dandaragan Road, Dandaragan subject to the following conditions and advice notes:
 - A. All development shall be carried out only in accordance with the details of the application as approved herein and any approved plan. Subject to any modifications required as a consequence of any conditions of this approval the approved plans shall not be altered without the prior written approval of the Shire of Dandaragan.
 - B. This approval is for 'Workforce Accommodation' as shown on approved plans and defined in Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
 - C. This development approval is valid for a period of two years. On or prior to the end of this period, the structure is to be permanently removed from the lot and the land reinstated to its former condition.
 - D. Prior to lodging an application for a building permit, the applicant must lodge with the Shire of Dandaragan a 'Bushfire Attack Level (BAL) Assessment' for the development.
 - E. Prior to lodging an application for a building permit, a 'Bushfire Management Plan' for the development must be submitted to, and approved to, and thereafter implemented to, the satisfaction of the Shire of Dandaragan.
 - F. The development must be constructed in accordance with *Australian Standard 3959 – Construction of Buildings in Bush Fire Prone Areas* (or superseding standard) and the approved Bushfire Management Plan.
 - G. All external lighting shall comply with the requirements of *AS4282 – Control of Obtrusive Effects of Outdoor*

Lighting and the Western Australian Planning Commission's Dark Sky Principles to prevent light spill from the site to the satisfaction of the Shire of Dandaragan.

- H. The proponent shall provide and maintain a potable water supply to the development with sufficient on-site storage for a minimum of 48 hours peak usage to the satisfaction of the Shire of Dandaragan.
- I. All stormwater must be contained and disposed of on-site at all times, to the satisfaction of the Shire of Dandaragan.
- J. The development shall only be occupied by resource industry workers to the satisfaction of the Shire of Dandaragan. No accommodation is permitted to third parties without written approval from the Shire of Dandaragan.
- K. Prior to commencement of the approved use, the proponent must submit and have approved by the Shire of Dandaragan, and thereafter implement to the satisfaction of the Shire of Dandaragan, an Operational Management Plan addressing the following matters:
 - i. Operating Strategy;
 - ii. Emergency Evacuation Plan; and
 - iii. Management Plans for the operational Waste, Wastewater, Dust and Noise of the development.
- L. Prior to commencement of construction, the proponent must submit and have approved by the Shire of Dandaragan, and thereafter implement to the satisfaction of the Shire of Dandaragan, a Construction Management Plan addressing the following matters:
 - i. How materials and equipment will be delivered and removed from the site;
 - ii. How materials and equipment will be stored on the site;
 - iii. Parking arrangements for contractors;
 - iv. Construction waste disposal strategy and location of waste disposal bins;
 - v. How risks of wind and/or water borne erosion and sedimentation will be minimised during and after the works; and
 - vi. Other matters likely to impact on the surrounding properties.

Advice notes:

- I. Waste/rubbish (e.g. plastic, spoilt food, kitchen waste etc.) should be stored as to prevent animals or humans from dispersing the contents. The bins should be located on a hard stand and constructed in a way as to prevent liquids and other forms of waste from escaping into the environment and contaminating the site.

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Segregation of waste materials should be undertaken to ensure they are appropriately disposed of.

- II. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the applicant and landowner and not the Shire of Dandaragan to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire of Dandaragan's attention.
- III. This is a development approval of the Shire of Dandaragan under its *Local Planning Scheme No.7*. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
- IV. Should the applicant be aggrieved by this decision, or any conditions imposed, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. An application must be submitted within 28 days of the determination.

CARRIED 9 / 0

9.3.2 RECONSIDERATION OF REFUSAL DECISION FOR PROPOSED OUTBUILDING – LOT 10 (NO.15) GRIGSON STREET, JURIEN BAY

Location:	Lot 10 (15) Grigson Street, Jurien Bay
Applicant & Landowner:	CA Ryan
File Ref:	Development Services/ Applications/ Development/ 2022/ 122/ SAT/ Reconsideration
Disclosure of Interest:	Nil
Date:	9 March 2023
Author:	Rory Mackay, Principal Planning & Building Officer
Senior Officer:	Louis Fouche, Executive Manager of Development Services

PROPOSAL

Council is invited to reconsider its decision to refuse development approval for an oversized outbuilding at Lot 10 Grigson Street, Jurien Bay, based on revised development plans.



Location Plan – Lot 10 (No.15) Grigson Street, Jurien Bay

BACKGROUND

On 15 December 2022, Council resolved the following:

That Council refuse the development application for the proposed outbuilding at Lot 10 (No.15) Grigson Street, Jurien Bay as the development would not comply with orderly and proper planning for the locality and if approved, set an undesirable precedent for similar development applications in the future, inconsistent with Local Planning Policy 9.4 Outbuilding – Residential Areas (clause 67(2) of the Deemed Provisions for local planning schemes).

Advice to applicant:

- A. A revised outbuilding development application that is consistent with the Shire of Dandaragan Local Planning Policy 9.4 Outbuildings – Residential Areas, will be considered by Council.*
- B. If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be submitted within 28 days of this determination.*

CARRIED 8 / 0

The applicant lodged an application for the review of this decision with the State Administrative Tribunal (SAT) under section 252(1) of the *Planning and Development Act 2005*. A SAT Directions Hearing was held by videoconference on the 27 January 2023 and two SAT Mediation sessions were held on 13 February 2023 (onsite and at the Shire Offices) and 7 March 2023 (videoconference) respectively.

The SAT Member has invited Council to reconsider its refusal decision based on revised plans from the applicant.

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The applicant now proposes an 8m by 11.3m (90.4m²) enclosed outbuilding with a wall height of 3.6m and a ridge height of 4.7m at the rear of the 1,214m² property. This revised application is in lieu of the proposed 144m² outbuilding refused by Council. The applicant has also increased the rear and nearest side setback from 1m to 1.5m as detailed on the attached site plan.

The outbuilding will be a steel frame clad in Colorbond steel sheeting. Colourbond Dune (light grey) will be used for the roof in combination with Colourbond Southerly (cool grey) for the walls and roller doors.

Only a three-bedroom, one-bathroom dwelling exists on the property. There is no carport or garage structure attached to the dwelling.

The applicant has sought the above outbuilding size for storage needs for recreational vehicles (boat, caravan, 4x4), in addition to materials and tools required for an owner/builder demolition and rebuild of a substantial two storey residence on the property in future years.

COMMENT

Council's *Local Planning Policy 9.4: Outbuildings - Residential Areas* (Policy) outlines the following parameters for outbuildings:

	LPP9.4	Proposed
Area	80m ²	90.4m ²
Wall/gutter height	3.6m	3.6m
Ridge Height	4.5m	4.7m
Side/rear setback	1.5m	1.5m

Where a proposal does not meet the deemed-to-comply provisions of the Policy the decision maker is to consider the application against the design principles of the Policy (which is as per the R-Codes). The R-Codes design principles applicable for the proposed outbuilding are:

Outbuildings 5.4.3, P3

Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.

The revised outbuilding design is considered to meet the above design principle for the following reasons:

- The proposed outbuilding will be located behind the existing dwelling, to the rear of the property, which is design characteristic consistent throughout Jurien Bay.
- The proposed outbuilding will use 7.5% of the large 1214m² property which is located in a foreshore locality known historically for large rear outbuildings.

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- The proposed total/ridge variation of 4.7m in lieu of 4.5m is considered minor as it is less than 5% and is unlikely to have a significant impact on adjoining properties owners given the deemed-to-comply boundary setbacks have been met.
- The area variation of 90.4m² in lieu of 80m² is a result of the applicant forfeiting their rights to also erect a freestanding garden shed up to 10m² on the property, of which is generally exempt from requiring development or building approval for residential properties.
- A standard condition of development approval requires that stormwater be contained and controlled on the applicant's property. This will ensure that no gutters or downpipes/stormwater are located or run into adjoining properties.
- The location, bulk, scale and appearance of the outbuilding is in keeping with the established streetscape and will not significantly impact adjoining property owners.

Given the above it is recommended that Council approve the reconsideration of the development application subject to conditions, including a condition that garden shed is not permitted to be erected on the development site in lieu of the extra floor area of the subject outbuilding.

CONSULTATION

The revised design was not referred to adjoining landowners as it is considered that the design does not significantly impact neighbouring landowners.

STATUTORY ENVIRONMENT

- Planning and Development Act 2005
Section 252. Decision made in exercise of discretionary power under planning scheme
(1) Subject to subsection (3), if —
 - (a) under a planning scheme, the grant of any consent, permission, approval or other authorisation is in the discretion of a responsible authority; and*
 - (b) a person has applied to the responsible authority for such a grant; and*
 - (c) the responsible authority has —*
 - (i) refused the application; or*
 - (ii) granted it subject to any condition, the applicant may apply to the State Administrative Tribunal for a review, in accordance with this Part, of the responsible authority's decision.*
- State Administrative Tribunal Act 2004
Section 31. Tribunal may invite decision-maker to reconsider decision
(1) At any stage of a proceeding for the review of a reviewable

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decision, the Tribunal may invite the decision-maker to reconsider the decision.

(2) Upon being invited by the Tribunal to reconsider the reviewable

decision, the decision-maker may —

(a) affirm the decision; or

(b) vary the decision; or

(c) set aside the decision and substitute its new decision.

(3) If the decision-maker varies the decision or sets it aside and substitutes a new decision, unless the proceeding for a review is withdrawn it is taken to be for the review of the decision as varied or the substituted decision.

- Planning and Development (Local Planning Schemes) Regulations 2015
 - Deemed provisions for local planning schemes
 - Cl.67. Consideration of application by local government
- Schedule 4 of the Building Regulations 2012
 - Cl.2 . Kinds of building work for which a building permit is not required
 - Construction, erection, assembly or placement of a freestanding Class 10a building that —
 - (a) has a floor area not exceeding 10 m²
- Local Planning Scheme No 7:
 - Clause 4.2 of the Scheme outlines *State Planning Policy 3.1 - Residential Design Codes* is to read as part of the Scheme.

An outbuilding is defined by the Residential Design Codes (R-Codes) (State Planning Policy 7.3) as:

An enclosed non-habitable structure that is detached from any dwelling.

The subject property is zoned Residential under the Scheme with a density code of R12.5.

POLICY IMPLICATIONS

Local Planning Policy 9.4 Outbuildings Residential Areas

FINANCIAL IMPLICATIONS

The applicant paid the required fee for the initial development application. Council does not receive additional funds for this reconsideration decision.

STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029

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02 – Propensity	The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy.
Priority Outcomes	Our Roles
Our Shire has a contemporary land use planning system that responds to, and creates, economic opportunities.	Ensuring that our planning framework is modern and meets the needs of industry, small business, and emerging opportunities.

ATTACHMENTS

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

- Revised development plans (Doc Id: SODR-1262144384-16928 & SODR-1262144384-16929)
- Refused development plans (Doc Id: SODR-1262144384-16032, SODR-1262144384-16088)
(Marked 9.3.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION 1 / COUNCIL DECISION 1

Moved Cr Gibson, seconded Cr Rybarczyk

That Council, pursuant to section 31(2)(c) of the *State Administrative Tribunal Act 2004* sets aside the following refusal decision for an outbuilding at Lot 10 Grigson Street, Jurien Bay made on 15 December 2022:

That Council refuse the development application for the proposed outbuilding at Lot 10 (No.15) Grigson Street, Jurien Bay as the development would not comply with orderly and proper planning for the locality and if approved, set an undesirable precedent for similar development applications in the future, inconsistent with Local Planning Policy 9.4 Outbuilding – Residential Areas (clause 67(2) of the Deemed Provisions for local planning schemes).

Advice to applicant:

- A revised outbuilding development application that is consistent with the Shire of Dandaragan Local Planning Policy 9.4 Outbuildings – Residential Areas, will be considered by Council.**
- If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be submitted within 28 days of this determination.**

CARRIED 8 / 1

OFFICER RECOMMENDATION 2 / COUNCIL DECISION 2

Moved Cr Eyre, seconded Cr Scharf

That Council substitutes its decision on 15 December 2022 to refuse the development application for a 144m² outbuilding by granting development approval for a 90.4m² outbuilding at Lot 10 Grigson Street, Jurien Bay subject to following conditions and advice note:

Conditions:

1. All development, subject to any conditions of this approval, shall be in accordance with the approved development plans, which form part of this development approval, to the specifications and satisfaction of the Shire of Dandaragan.
2. All stormwater must be contained and disposed of on-site at all times, to the satisfaction of the Shire of Dandaragan.
3. The outbuilding is not to be used for human habitation, to the satisfaction of the Shire of Dandaragan.
4. The landowner is not permitted to erect an additional freestanding garden shed on the subject property, to the satisfaction of the Shire of Dandaragan.

Advice Note:

In relation to condition 4 this approval provides dispensation for an addition 10m² outbuilding floor area in the total floor area of 90m², which exceeds the 80m² permissible outbuilding floor area in *Local Planning Policy 9.4: Outbuildings - Residential Areas*. The additional floor area is provided in lieu of the floor area normally allowed without a Building Permit for Class 10a buildings in Schedule 4, Cl.2 of the Building Regulations 2012.

CARRIED 8 / 1

9.4 GOVERNANCE & ADMINISTRATION

9.4.1 COUNCIL MEETING SCHEDULE 2023 / 2024

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Office of the CEO / Council Support / Council Meetings / Meeting Schedule
Disclosure of Interest:	None
Date:	13 March 2023
Author:	Robyn Headland, Co-Ordinator Records Management
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To determine a Council meeting schedule for the period 1 July 2023 to 30 June 2024 and to consider start times for Council Meetings.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2023**BACKGROUND**

On an annual basis, local governments in Western Australia are required to establish and advertise a schedule of Council meetings. The Shire of Dandaragan's current schedule sets meetings up to 30 June 2023 and as such it is timely to adopt a new schedule.

COMMENT

Currently, Council meets every fourth Thursday of the month, excepting December. Other changes can occur due to public holidays and Council has the discretion to reduce the total number of meetings as long as ordinary meetings are not held more than 3 months apart. There are a number of Local Government's that do not hold a meeting in January.

The December meeting is scheduled the week prior to Christmas. Council is also required to hold an Annual General Meeting of Electors (AGM). Traditionally these have been held in January on the same day as the scheduled Ordinary Meeting of Council on a rotational basis across the four established townsites within the Shire. However, with the recent changes to the auditing requirements for Local Government there is significant uncertainty that audited financial statements will be available in time for presentation at a January meeting on an ongoing basis.

The presentation of an annual report that contains audited financial is a pre-requisite for holding the AGM. This, combined with the historically low turnout at AGMs in the recent past has been considered in the officer's recommendation to hold the January meeting at the Jurien Bay Council chambers whether or not an AGM is held on this date.

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

CONSULTATION

Nil

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2023

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council adopt the following meeting schedule for the 2023 / 2024 financial year:

DAY	DATE	TIME	MEETING VENUE
Thurs	27 July 2023	4.00pm	Jurien Bay
Thurs	24 August 2023	11.00am	Jurien Bay
Thurs	21 September 2023	4.00pm	Dandaragan
Thurs	26 October 2023	4.00pm	Jurien Bay
Thurs	23 November 2023	4.00pm	Cervantes
Thurs	14 December 2023	4.00pm	Jurien Bay
Thurs	25 January 2024	4.00pm	Jurien Bay
Thurs	22 February 2024	4.00pm	Jurien Bay
Thurs	22 March 2024	4.00pm	Jurien Bay
Wed	24 April 2024	4.00pm	Badgingarra
Thurs	23 May 2024	4.00pm	Jurien Bay
Thurs	27 June 2024	4.00pm	Jurien Bay

COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Glasfurd

That Council adopt the following meeting schedule for the 2023 / 2024 financial year minus the 25 January 2024 meeting.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2023

DAY	DATE	TIME	MEETING VENUE
Thurs	27 July 2023	4.00pm	Jurien Bay
Thurs	24 August 2023	11.00am	Jurien Bay
Thurs	21 September 2023	4.00pm	Dandaragan
Thurs	26 October 2023	4.00pm	Jurien Bay
Thurs	23 November 2023	4.00pm	Cervantes
Thurs	14 December 2023	4.00pm	Jurien Bay
Thurs	22 February 2024	4.00pm	Jurien Bay
Thurs	22 March 2024	4.00pm	Jurien Bay
Wed	24 April 2024	4.00pm	Badgingarra
Thurs	23 May 2024	4.00pm	Jurien Bay
Thurs	27 June 2024	4.00pm	Jurien Bay

CARRIED 9 / 0

Reason for variation from the officer's recommendation: Council decided to remove the January Ordinary Council meeting which is common in the industry reflecting the summer holiday period and what has traditionally been a brief agenda.

9.4.2 PROPOSED NEW POLICY - ECONOMIC DEVELOPMENT GRANT

Location:	Shire of Dandaragan
Applicant:	Nil
Folder Path:	Office of the CEO / Economic Development / Grants
Disclosure of Interest:	Nil
Date:	14 March 2023
Author:	Tricia Slee, Economic Development Manager
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To establish a Policy to guide the administration of the Economic Development Grant.

BACKGROUND

Since 2020 Council has supported a Major Event Grant as a means of attracting major events to be staged within the Shire. The aim of

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 23 MARCH 2023

adding this stream to the Community Grants Program was to increase external expenditure within the Shire via increased visitation and overnight stays targeting participating in major events staged in the Shire.

Recent review by Councillors and officers of the Major Event Grants awarded to date indicated that a number of the events supported were not necessarily 'major events' and did not necessarily attract significant external expenditure into the Shire's local economy. Feedback from Council at a briefing session in November 2022, and the subsequent discussion by members of the Community Grants assessment panel on 25 January 2023 regarding the Major Event Grant draft policy noted Councillors' desire to broaden the scope of the grant criteria to focus on a range of projects that could demonstrate the potential to achieve economic benefits for the Shire, rather than just major events.

Councillors also expressed their desire to see the grant criteria more closely aligned with the economic development priorities endorsed by Council in the Strategic Community Plan and the Economic and Tourism Development Strategy. The name of the grant was also discussed with the majority Councillors supporting a change from Major Event Grant to Economic Development Grant.

Based on the suggestions received from Councillors from these two meetings, an Economic Development Grant Policy was drafted and sent to Councillors for their review on 20 February 2023 and discussed in detail at a briefing session on 23 February 2023.

The attached Economic Development Grant Policy (draft) reflects the feedback from Councillors, incorporating the requested changes and the proposed policy content for Council consideration for endorsement for public advertising.

COMMENT

The Economic Development Grant will aim to support innovation, attract investment in industry and encourage a broad range of projects with the potential to spur the economy within the Shire of Dandaragan.

A grant focused specifically on supporting projects that demonstrate the capacity to deliver desired economic benefits in the Shire can help Council address and meet its key strategic economic development priorities.

Offering an annual Economic Development Grant as an incentive to attract development opportunities and major projects to the Shire will help to create or keep private sector jobs and investments, attract private sector capital, increase tourism activities and visitation, and increase external expenditure with local businesses.

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CONSULTATION

This proposal has been established in response to consultation carried out through the Envision 2029 community consultation process.

This proposal for the establishment of a Shire funded Economic Development Grant has been established in response to feedback from Council at the:

- Council Meeting November 2022
- Community Grant Assessment Panel January 2023
- Council Forum February 2023

The proposed Economic Development Grant Policy aligns closely with the economic development priorities outlined in the Strategic Community Plan and the Economic and Tourism Development Strategy developed through consultation with community members.

This item is to finalise the draft policy for public consultation.

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

This proposal seeks to introduce an Economic Development Grant Policy.

FINANCIAL IMPLICATIONS

Adoption of this policy will require a budget allocation from general revenue of \$30,000 annually.

STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029

02 - Prosperity	The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy.
Priority Outcomes	Our Roles
Our region is celebrated as a major contributor to the State's food production with a diverse range of agricultural, fishery and horticultural enterprises.	Advocate and facilitate the reduction in economic barriers such as access to water, electricity, logistics infrastructure and telecommunications.
	Collaborate with local industry to maximise economic returns by supporting and advocating research and development initiatives that have local relevance.
The Shire is home to a successful and growing market for domestic and international tourism.	Collaborate with local stakeholders and facilitate an independent tourism association to develop and implement a destination marketing strategy and information service.

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<p>Jurien Bay continues to grow as a regional centre that services and delivers benefits throughout the Shire</p>	<p>Facilitate and support events that promote the region and deliver a positive economic impact.</p> <p>Support the development of new products and services that increase the attraction of the region to the tourism market, in particular Indigenous cultural experiences.</p> <p>Implement a modern economic growth plan which harnesses the economic potential of existing and emerging industries.</p> <p>Leverage public and private sector partnerships to deliver new infrastructure required to achieve sustainable economic and population growth.</p>
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Economic and Tourism Development Strategy – Envision 2029

Target Sectors from Economic and Tourism Development Strategy	Priority Outcomes from Economic and Tourism Development Strategy
<p>Aged Care Agricultural Intensification Agricultural Processing Air Services Aquaculture Civil Works Renewable Energy Tourism</p>	<p>Increased Demographic Balance Increased Investment Spend Increased Jobs Increased Visitors Increased Population</p>

ATTACHMENTS

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

- **DRAFT Economic Development Grant Policy (Doc ID: SODR-461937211-1304)**
(Marked 9.4.2)

VOTING REQUIREMENT

Simple majority.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Scharf

That Council endorse the draft Economic Development Grant Policy (Doc ID: SODR-461937211-1304) for public advertising and community consultation.

CARRIED 9 / 0

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9.4.3 COMMUNITY GRANTS POLICY

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Customer & Community Services / Department Management / CCs Agenda Items
Disclosure of Interest:	Nil
Date:	13 March 2023
Author:	Rhiarn Sutton, Acting Manager Customer and Community Services
Senior Officer:	Scott Clayton, Executive Manager Corporate and Community Service

PROPOSAL

To endorse changes to Policy 5.1 C-5CG01 – Community Grants.

BACKGROUND

The purpose of the Community Grants Policy review is to refine an equitable and transparent process for the awarding of grant funds to community-based organisations, to support the promotion and development of social, economic, recreational, art and cultural benefits for the residents of the Shire of Dandaragan.

Council currently allocates 0.5% of the gross yield of budgeted rates income to fund recurring and annual community grants to assist with:

- programs, activities and initiatives delivered by community groups;
- support community development initiatives;
- increase the range of events, activities, and services in the Shire;
- encourage the development of excellence and leadership in recreational, sporting, economic, tourism, and cultural pursuits; and
- encourage the promotion of the Shire's positive attributes.

The maximum annual grant payable under the policy is \$2,000 and is generally considered to be for small events or activities.

COMMENT

Recommendations from the Grants Committee panel and Shire officers during recent community grant rounds identified the need to review the current policy to align the policy, program guidelines and application form. In addition to this, it was also identified that modification to the assessment process was required to ensure that applications are being assessed equitably.

During discussions with Councillors and staff at the Council Forum held 23 February 2023, it was noted that there was a need to raise the monetary amounts currently awarded to standing grant recipients to continue to operate their event, project, or initiative.

Standing grants include Student Awards, Cervantes Art Show, Jurien Beach Mission and Cervantes Family Festival, Australia Day festivities and the Mid-West Group of Affiliate Agricultural Society.

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Shire officers believe by having a comprehensive policy and management procedure it would provide an equitable assessment upon receivals of grant applications. The inclusion of specific guidelines and the alignment to Council's strategic direction will support the committee in their review of the applications.

The following annual grant guidelines have been drafted to ensure the Shire would be targeting events, projects, or initiatives to support community groups. Amendments to the annual grant aligns the eligibility criteria, funding objectives, ineligible applications, and assessment criteria. The following content has been included:

Eligibility criteria - Applicants must be an incorporated association to be eligible for funding.

Funding objectives - funding is available for community-based events, projects or initiatives that:

- Promote and celebrate community spirit, connected community and resilience that bring our communities together. This can include events, projects or initiatives that recognise the value of creative and cultural arts,
- Facilitate and support the promotion of the region resulting in increased attraction to the Shire of Dandaragan that delivers a positive economic impact,
- Enhance the environment and our liveability within it,
- Support good governance and forward planning for incorporated associations based in the Shire of Dandaragan to deliver their objectives.

Ineligible applications:

1. The application addresses at least one funding objective. Applications that address more than one funding objective will be scored higher.
2. The application demonstrates community involvement in the design and implementation or delivery of the event/projects/initiatives.
3. The application demonstrates a genuine community need for the event.
4. The applicant provides evidence that the project or activity can be delivered and demonstrates value for money.
5. The applicant demonstrates that they will contribute cash and/or in kind support to the level that would be expected for the event/activity/initiative being proposed. In addition, if applicable the applicant demonstrates that funding support, cash or in kind, from corporate sponsors or grant programmes from other agencies has been secured or sought.

The assessment will assess each application in response to the assessment criteria based on the scale of 1 to 5, to establish an initial priority list, as detailed below:

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Rating	Description
1	Poor: Does not meet criteria
2	Fair: Partially meets criteria
3	Good: Meets criteria
4	Very good: Exceeds the criteria
5	Outstanding: Greatly exceeds the criteria

The panel, prior to assessing the application against the Assessment Criteria, may apply a relative weighting to individual assessment criteria's.

In determining the grant recipient recommendations to Council, the panel will consider the final assessment criteria rating for each application but may also give consideration to the following factors:

- Repeat events that have been funded in previous years;
- Multiple events from a single applicant;
- Ineligible applications that the panel considers worthy of funding; and
- Any other factor that the panel may consider relevant.

Applications must include the following documentation;

- Completed community grants application form;
- Latest annual financial statements in accordance with the tier level as prescribed in Associations Incorporation Act 2015;
- A letter of support from supporting organisations (if applicable); and
- Quote or sufficient evidence to support the value of budgeted expenditure items as outlined in application.

Endorsing the change in policy and the ongoing annual budget allocation will ensure that the Shire's existing community grant rounds and standing grants are relative in its approach.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

Policy 5.1 C-5CG01 – Community Grants will be amended as reflected in attachment (Doc Id: SODR-1876983588-1222)

FINANCIAL IMPLICATIONS

Adoption of the amended policy will have no effect on the budget allocation calculation method.

STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029

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02 - Prosperity	The Shire will experience broad economic and population growth with decreasing economic barriers, diversified agriculture and fisheries output and vibrant visitor economy.
Priority Outcomes	Our Roles
The Shire is home to a successful and growing market for domestic and international tourism	Facilitate and support events that promote the region and deliver a positive economic impact. Support the development of new products and services that increase the attraction of the region to the tourism market, in particular indigenous cultural experiences.

ATTACHMENTS

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

- 5.1 C-5CG01 – existing Community Grants Policy (Doc Id: SODR-878193511-2639)
- 5.1 C-5CG01 – Amended Community Grants Policy (Doc Id: SODR-1876983588-1222)
(Marked 9.4.3)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Eyre, seconded Cr Clarke

That Council adopt the Policy 5.1 C-5CG01 – Community Grants as amended in attachment (Doc Id: SODR-1876983588-1222)

CARRIED 9 / 0

9.5 COUNCILLOR INFORMATION BULLETIN

9.5.1 SHIRE OF DANDARAGAN – FEBRUARY COUNCIL STATUS REPORT

Document ID: [SODR-1739978813-6272]

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 23 February 2023. **(Marked 9.5.1)**

9.5.2 SHIRE OF DANDARAGAN – BUILDING STATISTICS – FEBRUARY 2023

Document ID: [SODR-2045798944-4202]

Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for February 2023. **(Marked 9.5.2)**

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9.5.3 SHIRE OF DANDARAGAN – PLANNING STATISTICS – FEBRUARY 2023

Document ID: [SODR-2045798944-4201]

Attached to the agenda is a copy of the Shire of Dandaragan Planning Statistics for February 2023. **(Marked 9.5.3)**

9.5.4 SHIRE OF DANDARAGAN TOURISM / LIBRARY / COMMUNITY ACTIVITIES REPORT FOR – FEBRUARY 2023

Document ID: [SODR-1876983588-1232]

Attached to the agenda is monthly report for Tourism / Library for February 2023. **(Marked 9.5.4)**

9.5.5 DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES - WARD AND REPRESENTATION REVIEW

Document ID: [SODR-878193511-6537]

Attached to the Agenda is approval of the Shire of Dandaragan's ward and representation review. **(Marked 9.5.5)**

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 4.23pm.

These minutes were confirmed at a meeting on..... 27 April 2023

Signed Leslee Holmes

Presiding person at the meeting at which the minutes were confirmed

Date 27 April 2023