

SHIRE
of
DANDARAGAN

MINUTES

of the

ORDINARY COUNCIL MEETING

held at the

COUNCIL CHAMBERS, JURIEN BAY

on

THURSDAY 24 AUGUST 2023

COMMENCING AT 11.00AM

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 24 AUGUST 2023

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

The Deputy Shire President declared the meeting open at 11.00am 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 36 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 P Scharf	(Deputy President)
Councillor J Clarke	
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)
Ms R Headland	(Council Secretary)
Mr R Mackay	(Planning Officer)
Miss K Jones	(Community Development Officer)
Ms T Slee	(Economic Development Manager)

Apologies

Councillor L Holmes
Councillor A Eyre

Approved Leave of Absence

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 AUGUST 2023

Nil

Observers

Year 5 & 6 Students / Teachers - Dandaragan and Cervantes Primary Schools,
Ms J Mayhew, Mr M Knowles, Mr M Cubitt

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

When did the Shire of Dandaragan start?

The Presiding Member advised that the Shire of Dandaragan used to be called Dandaraga which is an aboriginal word. In 1932, it became Dandaragan and in 1960, District Road Boards became Shires. On 1 July 1961, it became the Shire of Dandaragan.

Can you build a motorbike track in Dandaragan?

The Presiding Member advised that it takes community support for the project which fits well into the Envision 2033 process currently underway. If it gains broad community support further investigation would occur to ensure a facility would meet the associated rules, designs and insurance obligations.

Can you make a zipline in Dandaragan?

The Presiding Member advised that it is imaginative and creative. Think about where you want it and who can operate it and set it up then we can look at how together we might develop funding solutions.

Can you upgrade the skatepark in Dandaragan?

The Presiding Member advised the Shire is currently finalising plans to make improvements to the playground area at the Dandaragan Recreation Precinct, and asked what further improvements to the area are needed?

Harrison (Dandaragan PS): we would like lights so we can see at night in the dark.

Gavin (Dandaragan PS): we would like bigger jumps to get more air and height.

The Presiding Member said to possibly make a school project out of this – take pictures and create a design and put it through Envision 2033. Think about what things each town wants.

Could we have a new playground in Dandaragan?

The Presiding Member where would they like this playground?

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Isack (Dandaragan PS): Demolish the old playground and make a new, bigger one. Maybe a nature playground with a zipline and swings.

Ethan (Dandaragan PS): The slide on the current playground zaps me.
The Presiding Member advised that unfortunately, we can't stop the zapping.

Max (Dandaragan PS): We don't need a new place, just need more stuff.
The Presiding Member advised to look at pictures that would be appropriate for the playground and bring ideas to Advance Dandaragan and Cr Glasfurd.

Amelia (Cervantes PS) Can you fix the damaged skatepark in Cervantes?

The Presiding Member advised that there is provision in the budget to fix it and something that the Infrastructure Department are currently working on.

Georgia (Cervantes PS): There are a range of sports available in Cervantes, how can we start a soccer team?

The Presiding Member advised that if you can get teams, you could possibly get other schools to do competitions. The Shire may also be able to help an association with planning and finding funds to purchase necessary equipment.

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF THE SPECIAL COUNCIL MEETING HELD THURSDAY 22 JUNE 2023

COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Rybarczyk

That the minutes of the Special Council Meeting held Thursday 22 June 2023 be confirmed.

CARRIED 7 / 0

6.2 MINUTES OF THE ORDINARY COUNCIL MEETING HELD THURSDAY 27 JULY 2023

COUNCIL DECISION

Moved Cr Gibson, seconded Cr McDonald

That the minutes of the Ordinary Meeting of Council held Thursday 27 July 2023 be confirmed.

CARRIED 7 / 0

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 AUGUST 2023**7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

The Presiding Member mentioned that Cr Eyre was unwell, wished her a speedy recovery.

8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 CORPORATE & COMMUNITY SERVICES

9.1.1 ACCOUNTS FOR PAYMENT FOR THE PERIOD ENDED 31 JULY 2023

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	SODR-2042075298-60134
Disclosure of Interest:	None
Date:	10 August 2023
Author:	Rebecca Pink, Accountant
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To accept the cheque, EFT, BPAY and direct debit listing for the month of July 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 July 2023 totalled \$774,017.89 for the Municipal Fund.

Should Councillors wish to raise any issues relating to the July 2023 Accounts for payment, please do not hesitate to contact the Accountant 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 at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 AUGUST 2023

- Cheque, EFT and direct debit listings for July 2023 (Doc Id: SODR-2042075298-61178)
(Marked 9.1.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Clarke

That the Cheque, EFT, BPAY and direct debit payment listing for the period ending 31 July 2023 totalling \$774,017.89 be adopted.

CARRIED 7 / 0

9.1.2 FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 31 JULY 2023

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	SODR-2042075298-61284
Disclosure of Interest:	None
Date:	15 August 2023
Author:	Rebecca Pink, Accountant
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To table the monthly financial statements for the period ending 31 July 2023 for adoption by Council.

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 31 July 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 31 July 2023 was \$1,538,454. 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.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 AUGUST 2023

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 31 July 2023 financial statements, please do not hesitate to contact the Accountant 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 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 31 July 2023 (Doc Id: SODR-2042075298-6174)
(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION**Moved Cr Rybarczyk, seconded Cr Glasfurd****That the monthly financial statements for the period 31 July 2023 be adopted.****CARRIED 7 / 0****9.1.3 BADGINGARRA BOWLING CLUB UPGRADE LIGHTING PROJECT**

Location:	Badgingarra Bowling
Applicant:	Badgingarra Bowling Club
Folder Path:	SODR-437506902-10570
Disclosure of Interest:	N/A
Date:	10 August 2023
Author:	Rhiarn Sutton, Manager Customer and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer.

PROPOSAL

For Council to consider lodging a Club Night Lights Program application on behalf of the Badgingarra Bowling Club to upgrade their existing lighting infrastructure.

BACKGROUND

The Badgingarra Bowling Club has been in operation since 1979. The Club maintains a consistent membership base of approximately 30 individuals. During the Corporate Bowls season, this membership expands, ranging between 60-80 participants, encompassing both playing and social members.

The existing lighting system, which is over 20 years old, fails to deliver sufficient illumination for night bowls, including both competitive pennant games and casual social play. This deficiency compromises gameplay quality, overall participant enjoyment and potentially player safety. Occasionally, players face difficulty with clearly observing the bowls, depth perception to the jack and navigating the surrounding vicinity. Upgrading the facility lighting will ensure optimal visibility, enhance player experiences and align with modern standards for sports facilities.

The Club wishes to have an application lodged under the Department of Local Government, Sport and Cultural Industries, Club Night Lights Program (Program).

The Program is a State Government Program designed to provide financial assistance to community groups and local governments to develop sports floodlighting infrastructure. The Program aims to maintain or increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well-designed and well-utilised facilities.

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The Program can fund new and/or upgraded facilities which will maintain or increase physical activity and participation through the provision of floodlighting.

Examples of projects which will be considered for funding include:

- providing floodlighting to community training and/or local match play standard where existing facilities do not meet training standard
- meeting strategic objectives for State sporting associations by providing facilities for competition play at formally identified locations
- replacing aging metal-halide floodlighting with energy efficient LED floodlighting to community training and/or community match play standard power upgrades directly linked to the development of lighting.

The Club is seeking funding from the Shire in accordance with Policy C-6SRF01 – Sport and Recreation Funding. In addition, given the lighting infrastructure becomes a Shire asset at completion, the Shire is requested to consider being the applicant on the grant application which will provide GST recoup advantages as were delivered in a similar project undertaken by the Jurien Bay Football Club.

COMMENT:

According to the Department of Local Government, Sport and Cultural Industries (DLGSCI) the minimum average lux level for bowls is 100Lux. Bowls WA has communicated that while 100lux is suitable for corporate bowls, it falls short of meeting the requirement for competition events as compared below.

The DLGSCI LUX recommendation for Bowls:

Bowls	Competition, recreation, training	100
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Bowls WA LUX recommendation for Bowls:

Table 2.3.1 — LTPs for outdoor (including covered^a) bowling greens

Level of play	Average horizontal maintained illuminance (E_h)	Minimum horizontal uniformity		Maximum uniformity gradient per 2.5 m		Maximum glare rating (GR)	Minimum colour rendering index (R_a)
		(E_{hmin}/E_h) (U_1)	(E_{hmin}/E_{hmax}) (U_2)	G	UG		
Recreation, training, and club competition	100 ^b	0.60	0.40 ^c	30 %	1.43	50	65
State/national competition	200	0.70	0.50 ^c	25 %	1.33	50	65

^a The term "covered" is defined under the term "outdoor sports" in Clause 1.4.13.

^b For competition level 150 lx is preferred where practicable, particularly for covered greens.

^c Where two or more greens are adjacent, and with luminaires operating simultaneously U_2 may be reduced to a minimum value of 0.3.

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The Badgingarra Bowling Club has conveyed their interest in applying for the 100lux program. In addition, they have put forward a plan to enhance the lighting level further from 100lux to 150lux, to meet competition standards, by contributing extra funds. The Club has planned the installation of four lighting towers to achieve the desired lux level, as depicted in the attached lighting plan.

The improved lighting will create more playing opportunities for playing pennants and corporate bowls as well as increased programming flexibility for users. This aims to alleviate the challenges posed by high temperatures enabling night bowls sessions for corporate bowls and competitions.

Attached to this item, the Club has provided a letter of support from Bowls WA that the Club has submitted in conjunction with their funding application. The letter highlights the club's commitment to their application and the importance of the proposed project.

This lighting upgrade is consistent with the Shire of Dandaragan's draft Sport and Recreation Plan for training floodlights.

The Club Night Lights grant is specifically for the funding of new or upgraded facilities in relation to floodlights. Although, this grant is similar to the Community Sporting and Recreation Facilities Fund (CSRFF) with both grants aiming to increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well-designed and well-utilised facility. It is stated in the CSRFF guidelines, "*applications for sports floodlighting are now encouraged to apply through the Club Night Light Program.*"

A local government project assessment sheet must be completed as part of the application form.

The Badgingarra Bowling Club has agreed to fund any cost overruns associated with the project in their entirety and take on the responsibility of all future maintenance of the lighting infrastructure. The Club has established a sinking fund, allocating \$4,500 annually, to proactively address upcoming capital replacement expenses related to the lighting infrastructure.

CONSULTATION

- Badgingarra Bowling Club
- Department of Local Government, Sport and Cultural Industries
- Bowls WA

STATUTORY ENVIRONMENT

Local Government Act 1995 – 6.8 Expenditure from municipal fund not included in annual budget

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.*

(1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) *Where expenditure has been incurred by a local government*

(a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and

(b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

[Section 6.8 amended: No. 1 of 1998 s. 19.]

POLICY IMPLICATIONS

Policy 6.1 C-6SRF01 – Sport and Recreation Funding Eligible Applications.

To be eligible for funding under this program applicants must have;

- i. *Submitted a Community Sport Recreation Facilities Fund Application (CSRFF) to the Department of Local Government, Sport and Cultural Industries' or submitted an application to another funding source for the project.*
- ii. *An own source contribution comprising a minimum of 1/6th of the total project cost in cash.*
- iii. *In determining applications to this fund the Council will give priority to applications that;*
 - *have successfully sourced CSRFF funds or other source of funding;*
 - *can demonstrate that their organisation has a strong membership base and is financially sustainable;*
 - *can demonstrate strong demand for the proposed infrastructure; and*
 - *can deliver projects without the organisation requiring loan funds.*
- iv. *Applicants that have been unsuccessful in a CSRFF application, or other major funding process, remain eligible for funding under this program, however Council's total*

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commitment will not exceed 50% of the approved project budget or the maximum annual funding allocation in a given year.

- v. *Requests must be for a total project cost of greater than \$40,000 (exc GST).*

FINANCIAL IMPLICATIONS

Should Council agree to lodge the grant application on behalf of the Badgingarra Bowling Club, the total financial contribution to the project by the Shire would be \$27,715. The Club has set aside funds for both their contribution to the Night Lights project and any extra expenses that may arise.

As the Project will be lodged by the Shire, income from both the Club and the Department of Local Government, Sport and Cultural Industries will also be recognised.

The total cost of the project will also be recorded as an expense under Infrastructure – Other assets.

The following table summarises the project financials that will be lodged within the application:

Source of funding	\$Amount ex GST
Applicant cash (Local Government)	\$ 27,715
Other funding – (Badgingarra Bowling Club Inc.)	\$ 27,716
CNLP request (No Development Bonus)	\$ 27,783
Total Project Value	\$ 83,214

STRATEGIC IMPLICATIONS

Strategic Community Plan Envision 2029

04 - Community	The Shire's resident population will grow more than the WA regional average supported by increased community recreation and cultural opportunities and access to key liveability factors such as health and wellbeing services and educational opportunities
Priority Outcomes	Our Roles
A safe, healthy, smart and active community that values its history and supports intergenerational relationships	Increase community-building by providing sustainable recreation infrastructure and services, off-peak events, community building programs and place-making concepts in our public spaces

ATTACHMENTS

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

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- CNLP Small Grants Application Form Doc Id: SODR-437506902-10709
- Ignite Electrical quote 100Lux (Doc Id: SODR-437506902-10756)
- Ignite Electrical quote 50Lux (Doc Id: SODR-437506902-10757)
- Lighting plan (Doc Id: SODR-437506902-10716)
- Light poles plan (Doc Id: SODR-437506902-10762)
- Profit and Loss Statement (Doc Id: SODR-437506902-10719)
- Balance Sheet (Doc Id: SODR-437506902-10718)
- Badgingarra Bowling Club meeting minutes (Doc Id: SODR-437506902-10715)
- Bowls WA Letter of Support (Doc Id: SODR-437506902-10758)
- Photograph of current lighting structures (Doc Id: SODR-437506902-10761)
- Installation of Floodlights – Permit enquiry (Doc Id: SODR-437506902-10717)

(Marked 9.1.3)

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr McDonald, seconded Cr Clarke

That Council:

1. In accordance with Shire Policy C-6SRF01 – Sport and Recreation Funding, authorise the Chief Executive Officer (for the Shire of Dandaragan as the applicant), to lodge a Club Night Lights Program application with the Department of Local Government, Sport and Cultural Industries on behalf of the Badgingarra Bowling Club Inc, to upgrade lighting at the Badgingarra Recreation Precinct via the erection of four lighting towers fitted with lights capable of providing 100 lux lighting to the oval with the following funding profile:

Source of funding	\$ Amount ex GST
Applicant cash (Local Government)	\$ 27,715
Other funding – (Badgingarra Bowling Club	\$ 27,716
CNLP request (No Development Bonus)	\$ 27,783
Total Project Value	\$ 83,214

2. Advise the Badgingarra Bowling Club that this approval is subject to:
 - a) The Club agreeing to fund any cost overruns associated with the project in their entirety;
 - b) Confirmation from the Club that they will establish a sinking fund to meet future capital replacement costs of

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 AUGUST 2023

the lighting infrastructure and set aside an annual amount of \$4,500 into this sinking fund; and

- c) All future maintenance of the lighting infrastructure being the responsibility of the Badgingarra Bowling Club Inc.

3. Endorse the following content within the “Project Assessment Sheet”:

	Satisfactory	Unsatisfactory	Not relevant
Project justification	✓		
Planned approach	✓		
Community input	✓		
Management planning	✓		
Access and opportunity	✓		
Design	✓		
Financial viability	✓		
Co-ordination	✓		
Potential to increase Physical activity	✓		
Sustainability	✓		

Priority ranking of no of applications received	1 of 1 application received
Is this project consistent with the (Relevant Strategic Plans)	Shire of Dandaragan’s Strategic Community Plan and Sport and Recreation Plan
Have all planning and building approvals been given for this project?	Yes, the project works will be exempt from requiring development approval under Section 6 (Public works, Act does not interfere) of the <i>Planning and Development Act 2005</i>
If no, what approvals are still outstanding?	N/A
Project rating:	A) Well planned and needed by municipality

4. Subject to the successful receipt of funding under the Club Night Lights Program, authorises a budget amendment to:

- a) recognise an expense under Infrastructure – Other assets for the amount of \$83,214;
- b) Commit \$27,715 of the Shire’s 2023/24 annual budget allocation for Sporting and Recreational Capital Works Fund to this application;
- c) Recognise a non-operating contribution from the Badgingarra Bowling Club Inc. of \$27,716; and
- d) Recognise a non-operating grant from the Department of Local Government, Sport and Cultural Industries to the amount of \$27,783.

CARRIED BY ABSOLUTE MAJORITY 7 / 0

9.2 INFRASTRUCTURE SERVICES

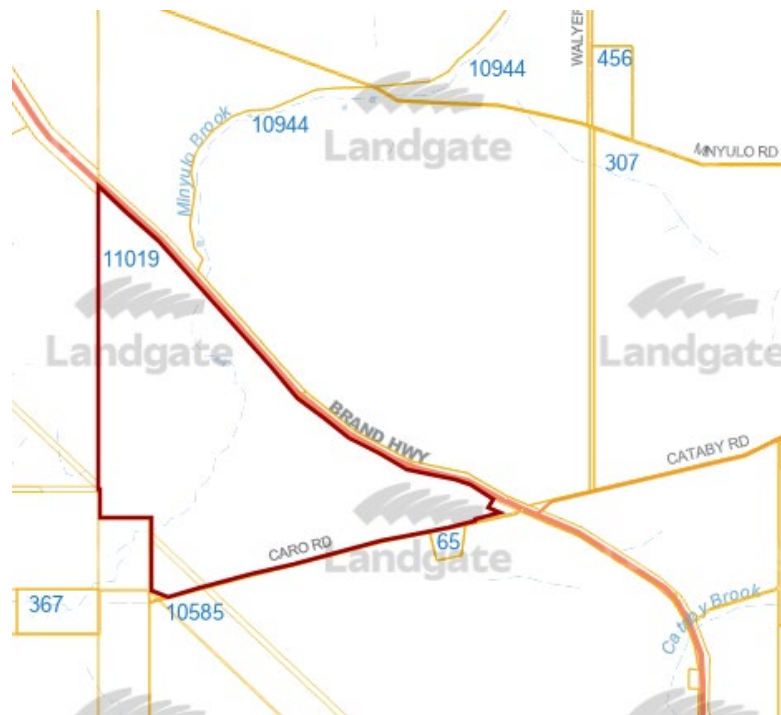
9.3 DEVELOPMENT SERVICES

9.3.1 PROPOSED SOLAR PHOTOVOLTAIC FACILITY – LOT 101 (NO.11019) BRAND HIGHWAY, CATABY

Location:	Lot 101 (No.11019) Brand Highway, Cataby
Applicant:	PWR Hybrid (Cataby) Pty Ltd
Landowner:	Iluka Resources Ltd
File Ref:	SODR-1262144384-18293
Disclosure of Interest:	Nil
Date:	3 August 2023
Author:	Rory Mackay, Principal Planning & Building Officer
Senior Officer:	Louis Fouche, Executive Manager Development Services

PROPOSAL

For Council to consider a development application for a 9.5MW solar photovoltaic facility upon Lot 101 (No.11019) Brand Highway, Cataby and make a recommendation to the Regional Joint Development Assessment Panel (DAP).



Location map of Lot 101 (No.11019) Brand Highway, Cataby

BACKGROUND

As the development has an estimated cost over the \$10 million regional local government development decision threshold, the development application is required to be determined by the DAP.

MINUTES OF ORDINARY COUNCIL MEETING HELD THURSDAY 24 AUGUST 2023

Therefore, Council can only make a recommendation to the DAP, which is the purpose of this report.

The applicant, PWR Hybrid seeks development approval for the construction of a 9.5MW solar photovoltaic facility on a 29ha portion of Lot 101 (No.11019) Brand Highway, Cataby. The development will consist of the following components:

- 16,704 PV modules across 192 east/west tracker rows
- 2 Inverters and transformers
- Substation compound (metering building)
- Meteorological station
- Control room
- Underground cabling with a transmission system connecting into the Cataby substation for Iluka's mining site
- Gravel access road with site entry from internal property accessway (Marianna's Road)
- 2 hardstand areas for parking and laydown/maintenance works
- Fencing and access gates

The produced electricity will be used to power Iluka Resources' neighbouring mine site operations for the life of the mine. At the end of the mine site's life, the produced electricity will be transmitted to the public electricity supply market for the remainder of the development's expected 25-year lifespan. At cessation of the development, the development site will be returned to its current 'agriculture extensive' land use.

The development site borders Iluka Resources' Cataby mining operation which commenced operation in 2019 and has a mine life of up to 14 years. Prior to this, the subject property and the balance of the locality was and is currently used for broadacre farming ('agriculture extensive').

The subject property is situated within Iluka Resources' mining tenement; however, the proposed development site is not within the mining envelope approved by the Department of Mining Industry Regulation and Safety (DMIRS) or the Environmental Protection Authority (EPA). As such, the proposed development will be independent from Iluka Resources' mine site and will be operated by PWR Hybrid under the lease agreement from the landowner (Iluka Resources).

The development site has been leased for the grazing of cattle and sheep since the commencement of mining operations adjacent and is largely covered with tagasaste (tree lucerne), grasses and some eucalyptus trees.

COMMENT

Key considerations for determination of the development proposal against the applicable planning framework are outlined below.

Development site and visual amenity

The proposed development site is on cleared broadacre farming land and requires no clearing of identified significant species of flora or vegetation. The development will not be visually intrusive to views from Brand Highway due to the road reserve buffer vegetation and public power line between the development site and the highway.

Traffic and accessways

The site will be accessed from Brand Highway via “Marianna’s Road” which is a non-gazetted gravel accessway which has a Brand Highway crossover. This accessway provides adjoining farmers and enterprises alternative Brand Highway access while a portion of Caro Road is temporary closed to enable Iluka Resources’ mining activities.

The Shire of Dandaragan resolved to temporarily close a portion of Caro Road for a period of 10 years or at the cessation of mining activities (whichever occurs sooner) at the request of Iluka Resources on 26 April 2018 under Section 3.50 of the *Local Government Act 1995*. This temporary closure was approved subject to the requirement that Iluka Resources provides alternative access to neighbouring land managers who utilised the portion of Caro Road temporarily closed for mining.

The sight distances at the intersection of Brand Highway and ungazetted Marianna’s Road is estimated to be: 305m southbound and 390m northbound.

No significant increase in traffic movements is expected over the life of the development, except for construction traffic, which is estimated to be 10-20 vehicle movements per day for a period of around 10 months. Construction hours are expected to be 6am – 6pm. The peak traffic peak period is expected to be in the morning and evening when sub-contractors move from accommodation to site and vice versa. These vehicles will be predominantly light vehicles. To minimise traffic, carpooling will be actively encouraged, and vehicle movements will be staggered where possible during peak periods. Nonetheless, these vehicle movements are not expected to cause any congestion or potential conflicts with other traffic. The largest vehicle to access the development during construction will be a B-double road train which will be intermittently for the delivery of solar facility components and not during any peak periods. The road trains will travel from the south to the site. It is recommended that construction traffic management forms part of a construction management plan as discussed below.

A further recommended condition of development approval will ensure that the site access is appropriately constructed prior to operation of the solar facility, with all works and associated costs to be borne by the proponent.

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During operation the solar facility will have no personnel on site. It will be managed and monitored remotely from PWR Hybrid's Perth headquarters. Irregular site visits may be conducted (possibly monthly) for a duration of a few hours or as and if required by PWR Hybrid technicians in a light vehicle.

Construction management plan

The applicant has provided the following overview of construction activities:

- New access road (compacted gravel single lane)
- Earthworks and preparation of the site including array area and laydown areas
- Erection of reinforced foundations
- Delivery of solar panels to laydown area
- Assembly of the solar array using cranes
- Installation of underground electrical services between the solar arrays and substation to Iluka Cataby mine site
- Outbuildings for construction and maintenance as and if required (temporary)

A recommended condition of development approval requires a construction management plan prior to the commencement of site works to coordinate the above build stages, traffic to and from the site, and to minimise any site and locality disturbances (noise, dust, waste).

Operational management plan

A condition requiring an operational management plan is recommended, which includes the emergency protocols amongst general operating procedures for the solar facility.

Soil erosion

The property borders the Bassendean Sand Special Control Area (BSSCA) of the Scheme:

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.

Although the development site is not required to comply with the BSSCA provisions of the Scheme the management of stormwater is a relevant consideration given the site also borders the Minyulo Brook. To avoid impacts on this waterway and associated wetlands and groundwater, stormwater from the development site will be managed by gravel windrows bordering the site as well as vegetation cover.

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DPIRD has advised that the typical soil conditions of the development site are also at high risk of wind erosion due to their acidic nature and subsoil compaction. To manage the impacts of wind erosion, DPIRD has recommended that the development site be planted with an appropriate perennial species post construction. In response to this recommendation, a recommended condition of development approval requires the proponent to submit to the Shire for approval and thereafter implement, a post construction landscape management plan for the development site to prevent soil erosion by wind and stormwater.

Aboriginal cultural heritage

The applicant has concluded that no impacts to Aboriginal cultural heritage are expected by the development. Although, Minyulo Brook which borders the development site is a Registered Site (28326) declared under the *Aboriginal Heritage Act 1972*, the proponent has consulted with the Yued Traditional Owners, and with their support, provisioned a 100m buffer from the brook to the development site to protect the registered site, particularly from stormwater flows. A scar tree located to the south of the development site (Register item 20227 Iluka Cataby 04 under assessment) will not be impacted by the development.

Use not listed compatibility with the Rural zone

State Planning Policy 2.5 Rural Planning and the associated guidelines outlines rural zones are highly flexible and can cater for a wide range of land uses and notes that a local planning strategy and/or scheme should demonstrate or express what land uses are considered appropriate in a given local government's Rural zone.

In this circumstance, the Shire's *Local Planning Strategy 2020* (Strategy) provides for the diversification of the Rural zone to enable renewable energy developments and to promote sustainable energy resources in the medium to long term where it does not compromise high priority agricultural land. As the proposed solar facility will be developed on segregated Rural land not identified for prime agriculture use; will provide an additional clean energy fuel source in the Shire (which already has two like developments on Rural land); while also allowing limited extensive agriculture on the balance of the property in the medium to long term; the development is consistent with the intent of SPP2.5, the stated Strategy objectives, and is therefore deemed compatible with the Scheme's objective for the Rural zone.

The proposed use is also considered to be compatible with other land uses permissible in the Rural Zone in the land use table of the *Shire of Dandaragan Local Planning Scheme No.7*.

Decommissioning of the development

In regard to the decommission of the solar PV facility at the end of its useful life, DPIRD has advised that rehabilitation of the development site back to its current extensive agriculture land use

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may be less optimum than revegetating the site. This due to the historical low potential for cropping or pastures on the typical soil conditions of the development site. DPIRD has recommended that the development site be assessed to determine its post decommissioning optimum use in future years.

In response to this recommendation, a recommended condition of development approval requires the proponent to submit to the Shire for approval and thereafter implement, a decommissioning and rehabilitation management plan for the development site prior to the commencement of decommissioning the development.

Conclusion

It is in the proponent's best interest that the development is operated safely with little disturbance to the locality and in doing so, that any potential adverse impacts on the locality are significantly reduced. Nonetheless, best practice management is reinforced by recommended management plans to ensure such occurs for the life of the development.

Based on the above assessment, it is concluded that the proposed development if managed accordingly, will have no significant detrimental impacts on the amenity of the surrounding area and will be consistent with orderly and proper planning under the applicable planning framework. Therefore, the development application is recommended for approval subject to relevant conditions.

CONSULTATION

The development application was advertised from 22 June 2023 to Friday 11 August 2023 to surrounding landowners via letter and the general public through the Shire's newsletter in all local papers, the Shire's website and the Shire's Facebook page. No public submissions were received.

The development application was also referred to the following agencies for a period of 42 days in accordance with clause 66 of the Deemed Provisions:

- Department of Biodiversity, Conservation and Attractions (DBCA);
- Main Roads Western Australia (Main Roads);
- Department of Primary Industries and Regional Development (DPIRD); and
- Department of Planning, Lands and Heritage (DPLH).

The comments received from the above listed agencies, and the officer's response to each are detailed in the attached Schedule of Referral Responses. It is noted that no objections were received from these agencies.

STATUTORY ENVIRONMENT

- Local Planning Scheme No.7
- Part 3 — Zones and the use of land:

3.2 Rural Zone

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.

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.*

POLICY IMPLICATIONS

- State Planning Policy 2.0 Environment and Natural Resources Policy
- State Planning Policy 2.5 Rural Planning & Guidelines
- WAPC Position Statement Renewable Energy Facilities
- WAPC Visual Landscape Planning in Western Australia – A manual for Evaluation, Assessment, Siting and Design
- WAPC Draft Operational Policy 1.12 Planning Proposals adjoining Regional Roads in Western Australia

FINANCIAL IMPLICATIONS

The proponent has paid a total fee of \$40,457 for the development application. \$10,604 has been paid to the DAP for their services, with the remaining \$29, 853 to be retained by the Shire.

STRATEGIC IMPLICATIONS

- Shire of Dandaragan Local Planning Strategy 2020 (Strategy)
Strategic Directions – Rural
Support non-rural uses that are compatible with, and complement, the primary use of the land.

Strategic Directions – Economy

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 – Economy

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.

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Strategic Directions – Utility Infrastructure

Encourage alternative energy generation to support the growth of energy intensive agricultural activities where compatible with other rural uses and character.

Actions – Utility Infrastructure

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.

Strategic Directions – Environment and Natural Resources

Maintain the quantity and quality of surface water and groundwater resources as key assets for biodiversity, economic activities and drinking water.

Actions – Native Title and Historic/Cultural Heritage

Acknowledge and work with the Yued Noongar people as designated Native Title holders to understand their requirements in regard to land use planning.

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 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. Identify and activate underutilised economic and land assets to promote employment and economic activity.
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 recognised as the centre of renewable energy in WA.	Support renewable energy initiatives and encourage further renewable industry development.

ATTACHMENTS.

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

- Development Proposal Report (Doc Id: SODR-1262144384-18297)
- Development Plans (Doc Id: SODR-1262144384-18298)
- DAP/23/02315 Schedule of Referral Responses (Doc Id: SODR-1262144384-19715)
- Draft DAP/23/02315 Responsible Authority Report (Doc Id:

SODR-1262144384-18322) (Available electronically only due to size)

(Marked 9.3.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Glasfurd

That Council recommends that the Regional Joint Development Assessment Panel:

1. Determines that the “solar photovoltaic facility” land use applied for in DAP application reference DAP/23/02515 is compatible with the objectives of the Rural zone in accordance with Clause 3.4.2(a) of the *Shire of Dandaragan Local Planning Scheme No.7*; and
2. Approves DAP Application reference DAP/23/02515 and accompanying plans for a solar photovoltaic facility on Lot 101 Brand Highway, Cataby in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015 subject to the following conditions and advice notes:

Conditions

1. This decision constitutes development approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. All development shall be in accordance with the approved development plans and accompanying documentation submitted by PWR Hybrid dated June 2023, 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.
3. Prior to commencement of the approved use, access and egress to the subject site and any associated road works shall be located and constructed to the satisfaction of the Shire of Dandaragan and include all necessary drainage and signage. Costs applicable to the construction of the access point onto the site and related issues shall be borne by the proponent.
4. 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:
 - a) How materials and equipment will be delivered and removed from the site;
 - b) How materials and equipment will be stored on the site;
 - c) Traffic management arrangements for contractors;

- d) Construction waste disposal strategy and location of waste disposal bins;
 - e) How risks of wind and/or water borne erosion and sedimentation will be minimised during and after the works; and
 - f) Other relevant matters likely to impact on the surrounding properties.
5. 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 operating strategy and emergency management on the site.
 6. 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, a post construction Landscape Management Plan addressing the potential impacts of wind and stormwater soil erosion.
 7. Prior to commencement of decommissioning 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, a Decommissioning and Rehabilitation Management Plan addressing the rehabilitation of the development site post decommission of the approved use.

Advice Notes

1. Should the Applicant be aggrieved by the decision (in part or whole) there is a right pursuant to the *Planning and Development Act 2005* to have the decision reviewed by the State Administrative Tribunal. Such an application must be lodged within twenty-eight (28) days from the date of the decision.
2. 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.
3. 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.

4. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the *Shire of Dandaragan Local Planning Scheme No.7* and may result in legal action being initiated by the Shire of Dandaragan.

CARRIED 7 / 0

Cr Glasfurd declared a Financial Interest in Item 9.3.2 being an owner of the property on which the development is located and left the meeting at 11.22am

9.3.2 REQUEST FOR AMENDMENT TO DEVELOPMENT APPROVAL FOR WIND MONITORING MAST AT WADDI WIND FARM – LOT 3899 (NO.914) MULLERING ROAD, CATABY

Location:	Lot 3899 (No.914) Mullering Road, Cataby
Applicant:	Tilt Renewables Pty Ltd
File Ref:	SODR-1262144384-1261
Disclosure of Interest:	Nil
Date:	2 August 2023
Author:	Rory Mackay, Principal Planning & Building Officer
Senior Officer:	Louis Fouche, Executive Manager Development Services

PROPOSAL

The proponent of the Waddi Wind Farm, Tilt Renewables is requesting a minor amendment to the existing development approval for a temporary wind monitoring mast to be allowed to be decommissioned three months after the commissioning of the wind farm in lieu of three months from the commencement of construction of the wind farm.

BACKGROUND

The proposed Waddi Wind Farm is located approximately 15km north-west of Dandaragan. Development approval for the Waddi Wind Farm was granted by the Shire of Dandaragan in December 2011, and has been amended three times in 2015, 2016 and 2019 collectively.

An incidental development application for the subject temporary wind monitoring mast was also approved in 2011 and amended in 2016.

Current development approval condition 1 for the temporary wind monitoring mast reads as follows:

The temporary wind tower is to be removed within 3 months of the commencement of construction of the wind farm.

The proponent has requested this be altered to read as follows:

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The temporary wind tower is to be removed within 3 months of the commissioning of the wind farm.

The basis of this request from Tilt Renewables is that use of the temporary monitoring mast for a longer period than first approved, has synergies with calibrating the permanent monitoring masts and then the wind turbines that are to be erected in due course.

COMMENT

As the subject request will allow for improved calibration of the permanent monitoring masts to be installed as part of the Waddi Wind Farm project and will result in no adverse impacts to the surrounding locality, it is supported.

The extension of the timeframe that permits the wind monitoring mast is not considered to be significant and it is therefore considered reasonable to approve the minor amendment of development approval subject to the retention of the other conditions imposed on 21 April 2016.

CONSULTATION

As the request is for a single minor amendment, public consultation it is not considered necessary for consultation be undertaken in this instance. Tilt Renewables briefed Council on 22 June 2023 as the Waddi Wind Farm project nears the construction phase in 2024.

STATUTORY ENVIRONMENT

- Local Planning Scheme No 7
- Planning and Development (Local Planning Schemes) Regulations 2015:
 - 77. *Amending or cancelling development approval*
 - (1) *An owner of land in respect of which development approval has been granted by the local government may make an application to the local government requesting the local government to do any or all of the following —*
 - (b) *to amend or delete any condition to which the approval is subject;*
 - (c) *to amend an aspect of the development approved which, if amended, would not substantially change the development approved*

POLICY IMPLICATIONS

- State Planning Policy 2.0 Environment and Natural Resources Policy
- State Planning Policy 2.5 Rural Planning & Guidelines
- WAPC Position Statement Renewable Energy Facilities
- WAPC Visual Landscape Planning in Western Australia – A manual for Evaluation, Assessment, Siting and Design

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FINANCIAL IMPLICATIONS

The applicant has paid the required \$295 fee for the request to amend the development approval condition.

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 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. Identify and activate underutilised economic and land assets to promote employment and economic activity.
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 recognised as the centre of renewable energy in WA.	Support renewable energy initiatives and encourage further renewable industry development.

ATTACHMENTS

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

- Amendment Letter (Doc Id: SODR-1262144384-19583)
- 2016 Development Approval Letter (Doc Id: SODR-1262144384-19585)

(Marked 9.3.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Clarke

That Council pursuant to Clause 77(1)(a) of *Schedule 2: Deemed provisions for local planning schemes of the Planning and Development (Local Planning Schemes) Regulations 2015*, approve the amendment for Condition 1 of development approval granted on 21 April 2016 for a wind monitoring mast on 3899 Mullering Road, Cataby to now read as follows:

- 1. *The temporary wind monitoring tower, the subject of this approval, is to be removed within 3 months of the commissioning of the Waddi Wind Farm, to the satisfaction of the Shire of Dandaragan.***

CARRIED 6 / 0

Cr Glasfurd re-entered the meeting at 11.23am

9.3.3 PROPOSED BOUNDARY REALIGNMENT – LOT 104 (NO.20) SHINGLE AVENUE, JURIE BAY

Location:	Lot 104 (No.20) Shingle Avenue, Jurien Bay
Applicant:	Rhys & Sian Hill
File Path:	SODR-1262144384-18735
Disclosure of Interest:	Nil
Date:	1 August 2023
Author:	Rory Mackay, Principal Planning & Building Officer
Senior Officer:	Louis Fouche, Executive Manager Development Services

PROPOSAL

For Council to consider relinquishing a 330m² portion of public foreshore Reserve 28541 to the adjoining Lot 104 (No.20) Shingle Avenue, Jurien Bay.

BACKGROUND

Historically the landowner of 20 Shingle Avenue has maintained a landscaped portion of foreshore Reserve 28541 where it adjoins the subject property as shown in the aerial image below.



Location Plan - Reserve 28541 adjoining Lot 104 (No.20) Shingle Avenue, Jurien Bay

The subject property was sold on 17 July 2023. The new landowners have requested the Shire consider relinquishing an approximate 330m² portion of the subject reserve to formalise the area the previous landowner landscaped and maintained for several

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decades since the existing single house was built in 1975.

COMMENT

Shire support for this proposal could create an undesirable precedent for future like requests where landowners have maintained landscaping on Shire managed land without formal consent. Although, the subject example is considered unique given the 48-year timeframe the subject portion of land has been maintained by the adjoining landowners without formalisation. The timeframe of unauthorised land management is not considered a critical factor as if this request is approved there are likely to be other examples or requests following.

The request is also not considered to achieve orderly and proper planning as the addition of the land to the subject lot will create an ad hoc lot size and appearance with that of lots in the immediate locality. Approval of this land transfer would provide an avenue to Whitburn Place property owners to also have reason to acquire land from Reserve 28541.

The alternative is for the applicant to apply for a permit under the Shire of Dandaragan Local Government Property Local Law to plant and excavate Shire property to the extent of the historical landscaping. This approach is broadly supported by *Shire Operational Policy 7.4 Street Trees and Streetscapes* which encourages landowners to landscape and beautify public street verges.

It is recommended that Council refuse to relinquish vesting of an approximate 330m² portion of Reserve 28541 to the adjoining landowner of 20 Shingle Avenue Jurien Bay. In doing so, Council is then not required to request that the Minister for Lands excise the relevant adjoining portion of Reserve 28541 for amalgamation into the adjoining 20 Shingle Avenue, Jurien Bay under the *Land Administration Act 1997*.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Land Administration Act 1997

Section 51 - Cancelling, changing etc. reserves, Minister's powers as to the Minister may by order cancel, change the purpose of or amend the boundaries of, or the locations or lots comprising, a reserve.

Section 87. Sale etc. of Crown land for amalgamation with adjoining land

- (1) In this section — adjoining land means the land referred to in subsection (2)(b) or (3)(b), as the case requires.*
- (2) Whenever the Minister considers that a parcel of Crown land is — (a) unsuitable for retention as a separate location or lot, or*

for subdivision and retention as separate locations or lots, because of its geographical location, potential use, size, shape or any other reason based on good land use planning principles; but

(b) suitable for —

(i) conveyance in fee simple to the holder of the fee simple; or

(ii) disposal by way of lease to the holder of a lease granted by the Minister under this Act, of land adjoining that parcel, the Minister may, with the consent of that holder and on payment to the Minister of the price, or of the initial instalment of rent, as the case requires, agreed with that holder, by order convey that parcel in fee simple or lease that parcel to that holder and amalgamate that parcel with the adjoining land.

Shire of Dandaragan Local Government Property Local Law
Activities needing a permit

3.13 (1) A person shall not without a permit –

(e) plant any plant or sow any seeds on local government property;

(m) make any excavation on or erect or remove any fence on local government property;

(2) The local government may exempt a person from compliance with subclause (1) on the application of that person.

POLICY IMPLICATIONS

Shire Policy 7.4 Street Trees and Streetscapes

The objective of this Policy is to set out how the Shire of Dandaragan (Shire) will

(i) promote the use, maintenance and removal of appropriate trees within the public places across the Shire, including foreshore area, urban streets and rural roads; and

(ii) provide the community with direction regarding the development, maintenance, use and vegetation to be used in verges within townsites.

FINANCIAL IMPLICATIONS

If the request is supported by Council and the Department of Planning, Lands and Heritage, the applicant will be required to indemnify the Minister for Lands against all costs, fees and charges incurred to close the subject portion of the reserve via written confirmation from the applicant to the Shire confirming all costs, fees and charges incurred will be paid by the applicant.

A \$1,500 fee for Shire staff to oversee this process is payable should this request be supported by Council.

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STRATEGIC IMPLICATIONS

The subject property and adjacent landscaping are currently located outside the Coastal Hazard Risk Area of the Shire's Coastal Hazard Risk Management Adaptation and Plan.

ATTACHMENTS

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

- Boundary realignment request, map & plan (Doc ID: SODR-1262144384-18737, SODR-1262144384-18736 & SODR-1262144384-18738)

(Marked 9.3.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Glasfurd

That Council:

- 1. Refuse the application to relinquish vesting of an approximate 330m² portion of Reserve 28541 (Lot 11100 on Deposited Plan 52031) to the adjoining landowner of Lot 104 (20) Shingle Avenue Jurien Bay; and**
- 2. Advise the applicant that an application can be made for a permit to maintain the relevant portion of Reserve 28541 (Lot 11100 on Deposited Plan 52031) in terms of clause 3.13 of the *Shire of Dandaragan Local Government Property Local Law*.**

CARRIED 7 / 0

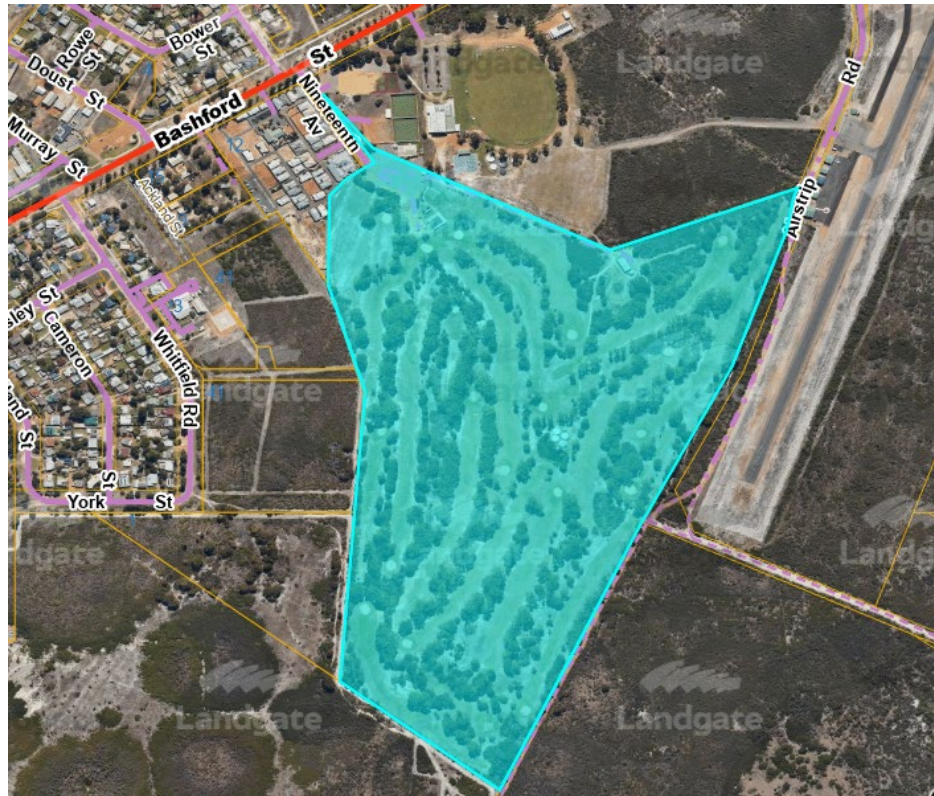
Mr Brent Bailey declared an Impartiality Interest in Item 9.3.4 as a Jurien Bay Country Golf Club Member and being a part owner of a cart which is stored in the shed.

9.3.4 PROPOSED STORAGE SHED – JURIEN BAY COUNTRY GOLF CLUB

Location:	Jurien Bay Golf Club Reserve 38590 (Lot 504 on Plan 64265)
Applicant:	Jurien Bay Building on behalf of the Jurien Bay Country Golf Club
Folder Path:	SODR-1262144384-19718
Disclosure of Interest:	Nil
Date:	4 August 2023
Author:	Rory Mackay, Principal Planning & Building Officer
Senior Officer:	Louis Fouche, Executive Manager Development Services

PROPOSAL

Council is requested to consider granting landowner's consent and development approval for the erection of a storage shed at the Jurien Bay Golf Course Reserve 38590.



Location Map of the Jurien Bay Golf Course Reserve 38590

BACKGROUND

The Jurien Bay Country Golf Club has experienced an influx in the number of its members who have golf carts and wish to store these vehicles on site. This has resulted in the existing cart shed being inadequate resulting in an additional cart storage shed being required.

The construction of 122m² storage shed cladded in Pale Eucalypt Colorbond sheeting with a wall height of 2.4m and ridge height of 3.5m has recently been completed as shown in the below image. The required development and building approvals for this structure have not been issued by the Shire to date. Should Council not provide landowner's consent, the development approval cannot proceed.



The storage shed constructed on the Jurien Bay Golf Course Reserve

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The storage shed is located within Jurien Bay Golf Course Reserve 38590, which is vested with and under the care, control and management of the Shire. As such, Council is required to give landowner's consent for the development application. Should Council not grant this consent, the application cannot proceed (determination of the application is then not required).

Reserve 38590 is reserved for the purposes of 'Parks and Recreation' under the Scheme and has the vested land purpose of 'recreation'. A golf club development including the cart storage shed aligns with this reservation and purpose.

COMMENT

The proposed storage shed:

- has a defined a purpose with a rational need;
- has a minimal appearance which is compatible with that of the other golf club infrastructure; and
- will remain incidental to the existing golf clubhouse which will remain the predominant building on the golf course.

Given the above, it is recommended that Council grant landowner's consent and approve the development application subjects to conditions.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Planning Scheme No 7:

2.4.1. A person must not —

- a) use a Local Reserve; or*
- b) commence or carry out development on a Local Reserve, without first having obtained development approval under Part 7 of the deemed provisions.*

2.4.2. In determining an application for development approval, the local government is to have due regard to —

- a) the matters set out in clause 67 of the deemed provisions; and*
- b) the ultimate purpose intended for the Reserve.*

Land Administration Act 1997:

41. Reserving Crown land, Minister's powers as to
Subject to section 45(6), the Minister may by order reserve Crown land to the Crown for one or more purposes in the public interest.

POLICY IMPLICATIONS

Delegations Register

No delegation is provided under the relevant delegation - 9.1.2 (Town Planning – Other Use and Development).

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FINANCIAL IMPLICATIONS

The applicant has paid the required development application fee, which by way of penalty is triple the standard fee (\$441 in lieu of \$147).

STRATEGIC IMPLICATIONS

Strategic Community Plan, Envision 2029:

01 – Infrastructure	The Shire will work cooperatively with private enterprise and government agencies to develop and maintain a dynamic infrastructure network responsive to usage demand that attracts and retains residents and business.
Priority Outcomes	Our Roles
Our communities contain vibrant, activated open spaces and buildings with high levels of utilisation and functionality.	To manage and facilitate community assets that are flexible, vibrant, adaptable and enjoyable places to occupy employing the principles of place-making and design-thinking.

ATTACHMENTS

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

- Development plans (SODR-1262144384-19723 & SODR-1262144384-19722)

(Marked 9.3.4)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Rybarczyk, seconded Cr Shanhun

That Council:

- 1. Agrees to provide landowner's consent for the development application for a storage shed to be erected on the Jurien Bay Golf Reserve 38590.**
- 2. Grant development approval for a storage shed to be erected on the Jurien Bay Golf Reserve 38590 in accordance with the following conditions:**
 - a) All development 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.**
 - b) All stormwater must be contained and disposed of on-site at all times, to the satisfaction of the Shire of Dandaragan.**

CARRIED 7 / 0

9.4 GOVERNANCE & ADMINISTRATION

Cr Glasfurd declared an Impartiality Interest in Item 9.4.1 being a Committee Member of the applicant.

9.4.1 DANDARAGAN HERITAGE AND CULTURAL CENTRE INC. APPLICATION TO LEASE RESERVE 39073, DANDARAGAN ROAD, DANDARAGAN

Location:	Reserve 39073, Lot 42 on Deposited Plan 186814 Dandaragan Road, Dandaragan
Applicant:	Dandaragan Heritage and Cultural Centre Inc.
Folder Path:	SODR-757425863-1943
Disclosure of Interest:	Nil
Date:	1 August 2023
Author:	Tricia Slee, Economic Development Manager
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

The purpose of this report is for Council to consider the establishment of a lease over Reserve 39073 to the Dandaragan Heritage and Cultural Centre Inc. as well as the amendment of the purpose of the reserve.

BACKGROUND

The family of the late Peter Brown of Dandaragan wish to gift his extensive private collection of tractors and early farm machinery stored on the JAV Brown and Sons 'Bidgerabbie Farm' to the Dandaragan community.

During 2020 the family approached several community members with relevant expertise to discuss how this might best be achieved. As part of this process, these community members formed a committee to progress the vision they had developed together, to develop a fit for purpose cultural and heritage centre in Dandaragan.

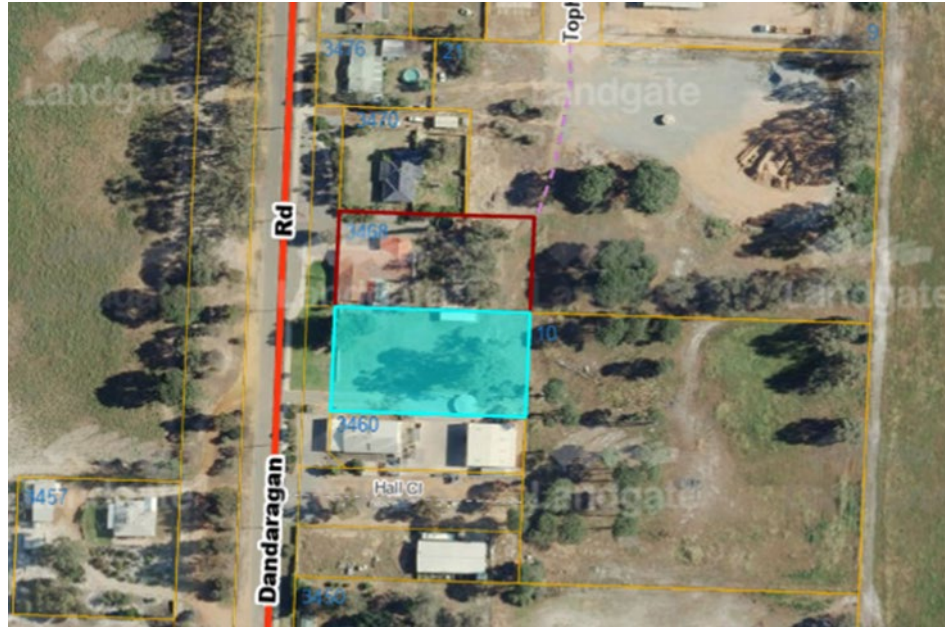
The Dandaragan Heritage and Cultural Centre (DHCC) committee held its first formal meeting on 13 January 2021. The purpose was to discuss how the Peter Brown Collection might be relocated from the farm to be publicly displayed in a purpose-built facility for the enjoyment of local Shire of Dandaragan residents and visitors alike.

The DHCC committee has been meeting regularly since that time, becoming an incorporated association in November 2021.

To achieve its vision, it is necessary for the DHCC committee to have an approved site of land where the new heritage and cultural facility can be developed. Shire staff have been working with the DHCC committee over the past six months to identify a suitable Council vested reserve and to progress an application for the DHCC to lease a suitable piece of Shire land for the DHCC to be developed on.

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Reserve 39073 Dandaragan Road, Dandaragan, which is vested with the Shire, is the preferred site for the DHCC. This reserve is currently reserved for the purpose of 'housing' and is zoned 'Commercial' under the Shire's *Local Planning Scheme No.7* (Scheme).



Location Plan of Reserve 39073, Dandaragan Road, Dandaragan

The DHCC committee seeks confirmation of a land lease before it can commence a program of fundraising, which will include hosting local events and applying for relevant grants. Any potential partner, grantor or philanthropic body will need to see that the DHCC has security of the land prior to releasing funds for building a facility on the land.

The committee is also keen to have surety of tenure so it can register the DHCC project with CBH so that farmers can make donations to this cause during the 2023 harvest (which is only a few months away).

Additionally, the committee intends to apply to register for charitable status with the Australian Charities and Not-For-Profits Commission.

COMMENT

The Dandaragan community has a strong agricultural pioneering history, a passionate community spirit and an unwavering commitment to improving opportunities and facilities for residents and visitors to the township.

The Dandaragan community is becoming a significant hub for an increasing number of major agricultural, renewable energy and resource projects which utilise a range of local community and business services available in the Dandaragan township and surrounds. This, together with increasing tourists (especially

during the wildflower season), means more people are travelling through and visiting the town for work, business, and recreational pursuits.

The growth in local tourism related activities and the town's location on the stunning 'Dandaragan Way' tourist route makes this initiative attractive from a tourism perspective. Additionally, the opportunity to support a growing industry and business hub in the town has led the committee to include in its plans a multipurpose space in the mezzanine area of the proposed DHCC building. It is intended that this space will be available for lease as office (or related) space for growing local businesses that are currently constrained by the lack of available commercial office space within the town. Whilst addressing an identified local business need, this inclusion will also provide a potential income stream to support the administration and maintenance requirements of the DHCC in the future.

The DHCC has on its executive a group of dedicated local and external people with the relevant professional experience and skills to successfully plan and execute this project on behalf of, and most importantly, with the support of, the Dandaragan community. This is demonstrated by Letters of Support received from the Brown family, and organisations representing members of the local Dandaragan community, the Dandaragan Community Resource Centre, and Advance Dandaragan.

It should be noted that whilst the reserve is vested with the Shire, the Shire does not currently have authority to lease this reserve to a third party. An application to have the authority to lease assigned to the Shire by the Minister for Lands and to amend the purpose of the reserve is to be lodged by the Shire with the Department of Planning, Lands and Heritage. From the information available it would be prudent to amend the current purpose from 'housing' to a broader range of relevant intended uses such as exhibition centre, offices, community, and other related purposes.

Once the proponents are in a position to finalise the relevant development plans for the proposal, a development application and building permit will be required.

A portion of the Reserve is currently being used by the adjoining neighbour Nutrien Ag Solutions as a vehicle turnabout / storage area with a reserve gate access approval from the Shire currently in place. If the lease and subsequent development application progresses, Shire officers would need to liaise with the neighbour on this matter, keeping in mind that it is likely to be at least three years before any building works will commence. The CEO has the delegated authority to approve, change and terminate gate access to Shire reserves.

The Shire has already removed the asbestos fence from this

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location and has undertaken as part of its maintenance plan for 2023 / 2024 to remove the old tank from the site.

CONSULTATION

Advance Dandaragan committee meeting on 24 July 2023.

STATUTORY ENVIRONMENT

Land Administration Act 1997

51. Cancelling, changing etc. reserves, Minister's powers as to
Subject to sections 42, 43 and 45, the Minister may by order cancel, change the purpose of or amend the boundaries of, or the locations or lots comprising, a reserve.

Local Government Act 1995

3.58. *Disposing of property*

(1) *In this section —*

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) *Except as stated in this section, a local government can only dispose of property to —*

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6

months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

- (5) *This section does not apply to —*
- (a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
 - (d) any other disposition that is excluded by regulations from the application of this section.*

30. Dispositions of property excluded from Act s. 3.58

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.*
- (2) A disposition of land is an exempt disposition if— (a) the land is disposed of to an owner of adjoining land (in this paragraph called the transferee) and —*
 - (i) its market value is less than \$5 000; and*
 - (ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee; or*
- (b) the land is disposed of to a body, whether incorporated or not —*
 - (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
 - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions.*

Planning and Development Act 2005

Local Planning Scheme No.7

POLICY IMPLICATIONS

Policy 6.2 C-6R02 – Reserves

PART A - Policy Objective To provide guidance regarding the usage and leasing arrangement of Shire Reserves.

Policy Statement 1. Lease Provisions - Reserves

Where Council resolves to lease a Reserve Vested in its control or resolves to lease land owned by it to a local sporting or community organisation, the following notes are to form the basis for the lease agreement:

- (a) Length of lease to be for twenty-one (21) years unless otherwise terminated. (Maximum permissible under management order).*
- (b) Annual rental to be “a peppercorn”.*

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- (c) *The Lessee shall not carry out any permanent structural improvements on the reserve without the prior written approval from the Council.*
- (d) *All structural improvements on the reserve shall be and remain at law, the property of the Shire. The Club shall have the sole use, benefit and enjoyment of the reserve and all structural improvements thereon during the operation of the lease.*
- (e) *The Lessee shall comply with all Acts of Parliament, Orders, Regulations, Local Laws, etc, that apply to the reserve and structural improvements.*
- (f) *The Lessee shall keep the Reserve area and all structural improvements in a maintained, clean and tidy condition at all times and shall comply with any directions of the Council that may be issued requiring works to have the Reserve area and structural improvements placed in a maintained, clean and tidy condition.*
- (g) *The Lessee shall not disturb the surface soil and vegetation in a manner likely to cause erosion. If erosion damage does occur, the Club shall take remedial action as directed by the Council.*
- (h) *The Lessee shall permit the Shire's officers access to the Reserve and structural improvements at all reasonable times to ensure that the lease conditions are being complied with.*
- (i) *The lease may be terminated by the Council if the Club fails to comply with provisions of the lease agreement. The Council shall give the Lessee at least thirty (30) days' notice in writing requiring the Club to rectify the breach of lease before taking action to terminate the lease under this provision.*
- (j) *The Lessee shall not assign or part with possession of any Crown lease without prior approval from the Council and the responsible Minister.*
- (k) *The Lessee shall meet all costs in relation to preparing and stamping the lease document.*
- (l) *Any leases entered into relating to Council's Reserves are to include a plan completed by a licensed surveyor depicting the area of land to be leased as an attachment to the lease document.*

FINANCIAL IMPLICATIONS

The Dandaragan Heritage and Cultural Committee Inc. will be required to pay all costs associated with a land survey of Reserve 39073, which will be an addendum to the lease agreement.

As the proposed lease will be offered as a 'peppercorn lease' a lease processing fee will not be applicable.

STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029

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02 - Economic Development	The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor community.
Priority Outcomes	Our Roles
Our Shire has a contemporary land use planning system that responds to and creates economic opportunities.	Identify and activate underutilised economic and land assets to promote employment and economic activity.

ATTACHMENTS

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

- Application from the Dandaragan Heritage and Cultural Centre Inc. (DHCC) to Lease Council Reserve 39073 (SODR-757425863-1944).
- Concept Drawing DHCC proposed building (SODR-757425863-1942).
- Register of DHCC Executive Committee Professional Expertise (SODR-757425863-1948).
- Budget Preliminary Estimate DHCC Building (SODR-757425863-1946).

(Marked 9.4.1)

VOTING REQUIREMENT

Simple majority.

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Gibson, seconded Cr Shanahun

That Council:

- 1. Authorise the Chief Executive Officer to request the Minister for Lands to:**
 - a. Approve the lease of Reserve 39073, Lot 42 on Deposited Plan 186814 Dandaragan Road, Dandaragan by the Shire to a third party; and**
 - b. Amend the purpose of the reserve from 'housing' to 'exhibition centre, offices, community and other related purposes'.**
- 2. Subject to the Shire being assigned the authority to lease Reserve 39073, Lot 42 on Deposited Plan 186814 Dandaragan Road, Dandaragan from the Minister for Lands, authorise the Chief Executive Officer to negotiate and execute a lease agreement for this reserve with the Dandaragan Heritage and Cultural Committee Inc. inclusive of the following material terms:**
 - a. Authorised use: exhibition centre, offices, community and other related purposes.**
 - b. Term: 21 years**
 - c. Further Term: nil**
 - d. Annual Rent: \$1**
 - e. Council to meet all lease preparation costs.**

3. Authorise the Chief Executive Officer to forward the negotiated lease agreement to the Minister of Lands for final approval.

CARRIED 7 / 0

9.4.2 ENDORSE PUBLIC ARTS COMMITTEE TERMS OF REFERENCE

Location:	Shire of Dandaragan
Applicant:	Nil
Folder Path:	SODR-437506902-8585
Disclosure of Interest:	Nil
Date:	25 July 2023
Author:	Rhiarn Sutton, Manager Customer and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

The purpose of this item is for Council to consider the Terms of Reference for the Public Art Committee and to call for expressions of interest to establish the committee.

BACKGROUND

This item has been brought about by the need to establish a Public Art Committee (PAC) as a part of the implementation of the Public Art and Percent for Art Policy, endorsed by Council, 24 March 2022.

COUNCIL DECISION

Moved Cr Shanahun, seconded Cr Clarke

That Council:

- 1) *Establishes a Shire of Dandaragan Public Arts Committee to facilitate the implementation of the Shire's Public Art and Percent for Art Policy and instruct the CEO to prepare the Terms of Reference for endorsement by Council when the Committee is formally established under Section 5.8 of the Local Government Act 1995.*
- 2) *adopt the Public Art and Percent for Art Policy as identified in the attachments Doc Id: 437506902-8560, subject to the following amendments:*
 - 1.5 Commissioning Models*
Replace 1(b) with - The Shire of Dandaragan Public Arts Committee will meet to review and make recommendations to Council for endorsement of projects where the total value of the artwork is greater than \$10,000.
 - 1.8 Authority for Selection of Artwork*
Replace 2. with - Public art project with a value greater than \$10,000
 - *The Shire of Dandaragan Public Arts Committee will coordinate the selection in accordance with the Terms of Reference for the Committee.*
 - *Council endorsement of the recommended project design and final selection is required.*

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- 3) *In accordance with Section 6.11(1) of the Local Government Act 1995, establish the Public Art/Percent for Art Reserve Account with the Reserve purpose designated as:*

To provide for the accumulation of funds providing financial capacity to deliver major art projects identified in the Shire's Public Art and Percent for Art Policy.

CARRIED 6 / 2

The Draft Terms of Reference underwent discussion during the November 2022 Council Forum, where Councillors provided feedback and requested changes. The revised Terms of Reference was subsequently represented at the February 2023 Council Forum and is now submitted for final endorsement.

COMMENT

The PAC Terms of Reference (TOR) will set out the operating conditions for the Shire of Dandaragan Public Art Committee, including the purpose, structure, and responsibilities of the group's members. The TOR establishes a framework that outlines the operations of the committee, guaranteeing that every member comprehends their specific roles and obligations. This ensures that there is a shared vision and helps to prevent misunderstandings and conflicts among members, leading to more efficient and productive meetings.

The committee will make recommendations to Council when promoting public arts as a tool for cultural expression and development and provide a platform where Councillors and community members can represent the interests, views, opinions and values of the Shire of Dandaragan residents and ratepayers when commissioning and selecting significant public artworks.

The PAC will convene to assess and provide recommendations to the Council for endorsement of projects where the total value of artwork exceeds \$10,000. The TOR process will ensure that evaluation and informed decision making supports significant public art endeavours within the community.

An Expression of Interest for the nomination of members will be advertised. A maximum of four members is required for the PAC with the following fields:

- Arts or arts industry
- Indigenous community
- Tourism
- Youth
- Heritage

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CONSULTATION

The Public Arts Committee will be a primary source of community consultation.

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

POLICY IMPLICATIONS

Establishment of the committee aligns with Policy 5.5 C-5PAPAP05 – Public Art and Percent for Art Policy.

FINANCIAL IMPLICATIONS

The Public Arts Committee will influence the expenditure of Municipal Funds on public art projects within the Shire.

STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029

04 - Community	The Shire's resident population will grow more than the WA regional average supported by increased community recreation and cultural opportunities and access to key liveability factors such as health and wellbeing services and educational opportunities.
Priority Outcomes	Our roles
A Shire built on the strengths of community spirit and resilient, connected communities.	Recognise the value of creative and cultural arts and support its continued growth in our communities.

ATTACHMENTS

- Policy 5.5 C-5PAPAP05 – Public Art and Percent for Art Policy
Doc Id: SODR-878193511-2737
- Public Arts Committee Terms of Reference Doc Id: SODR-437506902-8586

(Marked 9.4.2)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Rybarczyk

That Council:

- 1. Endorse the Public Art Committee Terms of Reference, as indicated in the attachments Doc Id: SODR-437506902-8586;**
- 2. Authorise the Chief Executive Officer to call for community member expressions of interest for the Public Arts Committee.**

CARRIED 7 / 0

COUNCIL DECISION

**Moved Cr Shanhun seconded Cr Rybarczyk
That Council Suspend Clauses 8.8 and 10.5 of the Shire of
Dandaragan Local Government (Council Meetings) Local Law
2019 to facilitate open discussion on item 9.4.3.**

CARRIED 7 / 0

9.4.3 JURIEB BAY RECREATION PRECINCT WORKING GROUP NOMINATIONS

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	SODR-437506902-10379
Disclosure of Interest:	Nil
Date:	11 August 2023
Author:	Brent Bailey, Chief Executive Officer
Senior Officer:	Not applicable

PROPOSAL

The purpose of this item is for Council to consider public nominations for membership of the Jurien Bay Recreation Precinct Working Group.

BACKGROUND

In May 2023, Council endorsed the Jurien Bay Recreation Precinct Working Group Terms of Reference that set out the operating guidelines for the Working Group and authorised the Chief Executive Officer to call for community member nominations on the Jurien Bay Recreation Precinct.

COUNCIL DECISION

Moved Cr Rybarczyk, Seconded Cr Glasfurd

- 1. Endorse the Jurien Bay Recreation Precinct Working Group Terms of Reference as indicated in the attachments Doc Id: SODR-1272937250-1434.*
- 2. Authorise the Chief Executive Officer to call for community member nominations for the Jurien Bay Recreation Precinct Working Group.*
- 3. Appoint Councillor McDonald as the Chair of the Working Group.*
- 4. Endorse the Jurien Bay Recreation Precinct Discussion Paper (Doc Id: SODR-1272937250-1434) to be circulated to the community forming part of the consultation process.*

CARRIED 6 / 0

During the months of June and July, calls for nominations were prominently promoted. Our staff promoted the opportunity to local sporting groups, aiming to ensure a wide-ranging demographic of participants. Officers engaged with senior community members, youth, and families engaged in sports, to promote the development

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of a Working Group that represented a broad cross-section of our community. Sport and recreational club members, located within the Jurien Bay Sporting Precinct, were encouraged to submit nominations for the working group.

The membership will be comprised of a minimum of six and a maximum of nine individuals, selected through the nomination process, which will also include the participation of two Shire of Dandaragan Councillors.

COMMENT

Nominations were received from nine individuals with varying backgrounds and experiences. Based on these nominations, officers recommend the acceptance of the following individuals as members for the 2023/24 financial year. These members will collaborate within the framework of the Jurien Bay Recreation Precinct Terms of Reference to contribute to the development of the masterplan.

INDIVIDUAL NOMINEE	REPRESENTING INTEREST GROUP
Suzanne Troup	Jurien Bay Country Golf Club
Stephanie Krakowiak	Jurien Sport and Recreation, Jurien Bay Football Club
Tony O'Gorman	Jurien Bay Progress Association
Harrison Park	Jurien Bay Football Club
Aaron Altinier	Community Member, Jurien Bay Football Club
Neil Ganzer	Community Member
Ann Hendry	Jurien Bay Central West Coast Senior Citizens Group
Garry Helliwell	Jurien Bowling Club
Bronwen Hooper	Turquoise Coast Netball Association

Every nomination that has been received has been assessed for its relevance and deemed worthy of active participation in the working group. In determining the working group's composition (including deciding a second Councillor representative), Council may choose to suspend relevant standing orders to facilitate open discussion on the matter.

CONSULTATION

The Jurien Bay Recreation Precinct Work Group will be a primary source of community consultation.

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.

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STRATEGIC IMPLICATIONS

Strategic Community Plan - Envision 2029

01 - Infrastructure	The Shire will sustain a dynamic infrastructure network responsive to usage demand that attracts and retains residents and businesses.
Priority Outcomes	Our Role
Our communities contain vibrant, activated public open space and buildings with high levels of utilisation and functionality.	To manage and facilitate community assets that are flexible, vibrant adaptable and enjoyable places to occupy employing the principals of placemaking and design thinking. Increase activation of our public open space and buildings rather than increasing quantity without a demonstrated need.
Priority Outcomes	Our Role
A Shire built on the strengths of community spirit and resilient, connected communities.	Recognise and support the value of our community volunteers and provide meaningful opportunities to contribute to Shire projects and improve local living.

ATTACHMENTS

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

- Jurien Bay Recreation Precinct Terms of Reference (Doc Id: SODR-672334364-36)
- Jurien Bay Recreation Precinct Nominations (Doc Id: SODR-437506902-10768)

(Marked 9.4.5)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Endorse the following nominees as members of the Jurien Bay Recreation Precinct Working Group:
 1. _____
 2. _____
 3. _____
 4. _____
 5. _____
 6. _____
 7. _____
2. Appoint Councillor _____ as the second Council representative for the Working Group.

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--

COUNCIL DECISION

Moved Cr Shanhun, seconded Cr Rybarczyk
That Council reinstate clauses 8.8 and 10.5 of the Shire of Dandaragan Local Government (Council Meetings) Local Law 2019.

CARRIED 7 / 0

COUNCIL DECISION

Moved Cr Rybarczyk, seconded Cr Gibson
That Council:
1. Endorse the following 9 community nominees as members of the Jurien Bay Recreation Precinct Working Group:

1. Suzanne Troup
2. Stephanie Krakowiak
3. Tony O’Gorman
4. Harrison Park
5. Aaron Altinier
6. Neil Ganzer
7. Ann Hendry
8. Garry Helliwell
9. Bronwen Hooper

2. Defer appointing a second Councillor to the Jurien Bay Recreation Precinct Working Group until the meeting after the October 2023 Local Government Elections.

CARRIED 6 / 1

Note: The Officer Recommendation was not adopted due to Council opting to include all nominees as members of the working group.

9.5 COUNCILLOR INFORMATION BULLETIN**9.5.1 SHIRE OF DANDARAGAN – JULY COUNCIL STATUS REPORT**

Document ID: SODR-1739978813-6419

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

9.5.2 SHIRE OF DANDARAGAN – BUILDING STATISTICS – JULY 2023

Document ID: SODR-2045798944-6604

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

9.5.3 SHIRE OF DANDARAGAN – PLANNING STATISTICS – JULY 2023

Document ID: SODR-2045798944-6603

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

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

Document ID: SODR-1876983588-1332

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

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

Nil

11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC

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 11.39pm.

These minutes were confirmed at a meeting on

Signed

Presiding person at the meeting at which the minutes were confirmed

Date