

SHIRE
of
DANDARAGAN

AGENDA AND BUSINESS PAPERS

for the

ORDINARY COUNCIL MEETING

to be held

AT THE COUNCIL CHAMBERS, JURIE BAY

on

THURSDAY, 27 MARCH 2025

COMMENCING AT 4PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)



DISCLAIMER

INFORMATION FOR THE PUBLIC ATTENDING A COUNCIL MEETING

Please note:

The recommendations contained in this agenda are Officer's Recommendations only and should not be acted upon until Council has considered the recommendations and resolved accordingly.

The resolutions of Council should be confirmed by perusing the Minutes of the Council Meeting at which these recommendations were considered.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's Decision.

Brent Bailey
CHIEF EXECUTIVE OFFICER



COUNCIL MEETING INFORMATION NOTES

1. Your Council generally handles all business at Ordinary or Special Council Meetings.
2. From time to time Council may form a Committee, Working Party or Steering group to examine subjects and then report to Council.
3. Generally all meetings are open to the public; however, from time to time Council will be required to deal with personal, legal and other sensitive matters. On those occasions Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.
4. Public Question Time. It is a requirement of the Local Government Act 1995 to allow at least fifteen (15) minutes for public question time following the opening and announcements at the beginning of the meeting. Should there be a series of questions the period can be extended at the discretion of the Presiding Member.

Written notice of each question should be given to the Chief Executive Officer fifteen (15) minutes prior to the commencement of the meeting. A summary of each question and response is included in the Minutes.

When a question is not able to be answered at the Council Meeting a written answer will be provided after the necessary research has been carried out. Council staff will endeavour to provide the answers prior to the next meeting of Council.

Council has prepared an appropriate form and Public Question Time Guideline to assist.

5. **Councillors** may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the Agenda. However, the Councillor can request the meeting to declare the matter **trivial, insignificant** or **in common with a significant number of electors** or **ratepayers**. The Councillor must leave the meeting whilst the matter is discussed and cannot vote unless those present agree as above.

Members of staff, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the Agenda. The member of staff must declare that interest and generally the Presiding Member of the meeting will advise the Officer if he/she is to leave the meeting.

6. Agendas including an Information Bulletin are delivered to Councillors within the requirements of the Local Government Act 1995, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting. Whilst late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Should an elector wish to have a matter placed on the Agenda the relevant information should be forwarded to the Chief Executive Officer in time to allow the matter to be fully researched by staff. An Agenda item including a recommendation will then be submitted to Council for consideration should it be determined appropriate by the Chief Executive Officer.

The Agenda closes the Monday week prior to the Council Meeting (i.e. ten (10) days prior to the meeting).

The Information Bulletin produced as part of the Agenda includes items of interest and information, which does not require a decision of Council.

7. Agendas for Ordinary Meetings are available in the Shire of Dandaragan Administration Centre and all four libraries as well as on the website www.dandaragan.wa.gov.au seventy-two (72) hours prior to the meeting and the public are invited to secure a copy.
8. Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council. Please note the Disclaimer in the Agenda (page 3).
9. Public Inspection of Unconfirmed Minutes (Reg 13)

A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection in the Shire of Dandaragan Libraries and on the website www.dandaragan.wa.gov.au within ten (10) working days after the Meeting.

NOTE:

10.3 Unopposed Business

- (1) Upon a motion being moved and seconded, the person presiding may ask the meeting if any member opposes it.
- (2) If no member signifies opposition to the motion the person presiding may declare the motion in sub clause (1) carried without debate and without taking a vote on it.
- (3) A motion carried under sub clause (2) is to be recorded in the minutes as a unanimous decision of the Council or committee.
- (4) If a member signifies opposition to a motion the motion is to be dealt with according to this Part.

This clause does not apply to any motion or decision to revoke or change a decision which has been made at a Council or committee meeting.

SHIRE OF DANDARAGAN QUESTIONS FROM THE PUBLIC

The Shire of Dandaragan welcomes community participation during public question time as per the Shire of Dandaragan Standing Orders Local Law.

A member of the public who raises a question during question time is requested to:

- (a) provide a copy of his or her questions at least 15 minutes prior to the commencement of the meeting;
- (b) first state his or her name and address;
- (c) direct the question to the President or the Presiding Member;
- (d) ask the question briefly and concisely;
- (e) limit any preamble to matters directly relevant to the question;
- (f) ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where necessary to explain the question;
- (g) each **member of the public** with a question is **entitled to ask up to 3 questions** before other members of the public will be invited to ask their questions;
- (h) when a member of the public gives written notice of a question, the President or Presiding Member may determine that the question is to be responded to as normal business correspondence.

The following is a summary of procedure and a guide to completion of the required form.

1. This is a "question" time only. Orations, explanations or statements of belief will not be accepted or allowed.
2. Questions must relate to a matter affecting the Shire of Dandaragan.
3. Questions must be appropriate and made in good faith. Those containing defamatory remarks, offensive language or question the competency or personal affairs of council members or employees may be ruled inappropriate by the Presiding Member and therefore not considered.
4. Frame your question so that it is both precise and yet fully understood. Long questions covering a multitude of subjects are easily misunderstood and can result in poor replies being given.
5. Write your question down on the attached form, it helps you to express the question clearly and provides staff with an accurate record of exactly what you want to know.
6. When the President or presiding member calls for any questions from the public, stand up and wait until you are acknowledged and invited to speak. Please start by giving your name and address first, then ask the question.
7. Questions to be put to the President or presiding member and answered by the Council. No questions can be put to individual Councillors.
8. The question time will be very early in the meeting. **There is only 15 minutes available for Question Time.** Questions not asked may still be submitted to the meeting and will be responded to by mail.
9. When you have put your question, resume your seat and await the reply. If possible, the President or presiding member will answer directly or invite a staff member with special knowledge to answer in his place. However, it is more likely that the question will have to be researched, in which case the President or presiding member will advise that the question will be received and that an answer will be forwarded in writing. Please note under NO circumstances, will the question be debated or discussed by Council at that meeting.
10. To maximise public participation only three questions per person will initially be considered with a time limit of 2 minutes per person. If there is time after all interested persons have put their questions the President or presiding member will allow further questions, again in limits of two per person.
11. To fill out the form, just enter your name and address in the appropriate areas together with details of any group you are representing, then write out your question.
12. Please ensure your form is submitted to the minute's secretary.

If you have difficulty in or are incapable of writing the question, Shire staff are available on request to assist in this task.

We hope this note assists you in the asking of your question and thank you for your interest and participation in the affairs of our Shire.

SHIRE OF DANDARAGAN

QUESTIONS FROM THE PUBLIC

Any member of the public wishing to participate in Public Question Time during Council or Committee meetings is welcome to do so, however, Council requires your name, address and written questions to be provided to the meeting secretary.

Name: _____ Signature: _____

Address: _____

Contact No: _____ Meeting Date: _____

Council Agenda

Item No: _____

Name of Organisation Representing: _____
(if applicable)

QUESTION:

Each member of the public is entitled to ask up to 3 questions before other members of the public will be invited to ask their question. 15 Minutes is allotted to Public Question Time at Council Meetings.

Please see notes on Public Question Time overleaf...

Table of Contents

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	1
	1.1 DECLARATION OF OPENING.....	1
	1.2 DISCLAIMER READING	1
2	RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE.....	1
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	2
4	PUBLIC QUESTION TIME.....	2
5	APPLICATIONS FOR LEAVE OF ABSENCE.....	2
6	CONFIRMATION OF MINUTES	2
	6.1 MINUTES OF THE ORDINARY MEETING HELD 27 FEBRUARY 2025.....	2
7	NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION.....	2
9	REPORTS OF COMMITTEES AND OFFICERS	3
	9.1 CORPORATE & COMMUNITY SERVICES.....	3
	9.1.1 FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 28 FEBRUARY 2025.....	3
	9.1.2 ACCOUNTS FOR PAYMENT FOR THE PERIOD ENDED 31 FEBRUARY 2025.....	5
	9.1.3 STATUTORY COMPLIANCE AUDIT RETURN 2024.....	7
	9.1.4 BUDGET REVIEW 2024 / 2025.....	9
	9.1.5 COMMUNITY SPORT AND RECREATION FACILITIES FUND APPLICATIONS....	16
	9.2 INFRASTRUCTURE SERVICES	25
	9.3 DEVELOPMENT SERVICES.....	25
	9.3.1 DRAFT COASTAL RECREATIONAL TRACKS MASTERPLAN ADVERTISING.....	25
	9.3.2 PROPOSED TELECOMMUNICATION TOWER – LOT 767 BADGINGARRA ROAD, BADGINGARRA.....	30
	9.3.3 PROPOSED TELECOMMUNICATION TOWER – LOT 245 KAYANABA ROAD, DANDARAGAN.....	37
	9.3.4 PROPOSED TELECOMMUNICATION TOWER – 14314 BRAND HIGHWAY, BADGINGARRA.....	44
	9.3.5 PROPOSED INTENSIVE AGRICULTURE LAND USE (HORTICULTURE) – LOT 23 (NO.2240) MIMEGARRA ROAD, MIMEGARRA	51
	9.3.6 PROPOSED WORKFORCE ACCOMMODATION – LOT 3556 BARBERTON WEST ROAD, YATHROO	62
	9.3.7 PROPOSED BICYCLE HIRE BUSINESS – JURIE BAY FORESHORE RESERVE 28541, PART LOT 303 (25) ROBERTS STREET, JURIE BAY	68
	9.4 GOVERNANCE & ADMINISTRATION	76
	9.4.1 2025 REVIEW OF DELEGATIONS REGISTER	76
	9.4.2 COUNCIL MEETING SCHEDULE 2025 / 2026	78
	9.5 COUNCILLOR INFORMATION BULLETIN.....	80
	9.5.1 SHIRE OF DANDARAGAN – BUILDING STATISTICS – [PLACE].....	80
	9.5.2 SHIRE OF DANDARAGAN – PLANNING STATISTICS – [PLACE]	80
	9.5.3 SHIRE OF DANDARAGAN TOURISM / LIBRARY / COMMUNITY ACTIVITIES REPORT FOR FEBRUARY 2025.....	80
10	NEW BUSINESS OF AN URGENT NATURE – INTRODUCED BY RESOLUTION OF THE MEETING	80
11	CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC	80

**12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN
GIVEN..... 80**

13 CLOSURE OF MEETING..... 80

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

"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

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

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

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members

Councillor T O'Gorman	(President)
Councillor M McDonald	(Deputy President)
Councillor J Clarke	
Councillor W Gibson	
Councillor R Glasfurd	
Councillor S Young	
Councillor G Lethlean	

Staff

Mr B Bailey	(Chief Executive Officer)
Mr L Fouché	(Executive Manager Development Services)
Mr B Pepper	(Executive Manager Infrastructure)
Mrs R Pink	(Acting Executive Manager Corporate Services)
Mr A MacKenzie	(Principal Planning & Building Officer)
Mrs N Winsloe	(Executive Secretary)

Apologies

Approved Leave of Absence

- 3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 4 PUBLIC QUESTION TIME**
- 5 APPLICATIONS FOR LEAVE OF ABSENCE**
- 6 CONFIRMATION OF MINUTES**
 - 6.1 MINUTES OF THE ORDINARY MEETING HELD 27 FEBRUARY 2025**
- 7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**
- 8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 CORPORATE & COMMUNITY SERVICES

9.1.1 FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 28 FEBRUARY 2025

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Doc Id: SODR-2042075298-129788
Disclosure of Interest:	None
Date:	14/03/2024
Author:	Rebecca Pink, Acting Executive Manager Corporate Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To present the Monthly Financial Report for the period ending 28 February 2025 to Council.

BACKGROUND

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

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

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

In accordance with regulation 34(5) of the Local Government (Financial Management) Regulations 1996, on 22nd August 2024, Council adopted the annual material variance threshold of 10% for reporting budget variances within monthly financial reporting for the 2024/25 financial year, subject to a \$10,000 minimum, below which, variances are not required to be reported.

COMMENT

The Monthly Financial Report for the period ending 28 February 2025 is attached to include the following information as required by legislation:

- Statement of Financial Activity;
- Statement of Financial Position;
- Note 1 – Basis of Preparation and Significant Accounting Policies;
- Note 2 – Statement of Financial Activity Information; and

- Note 3 - Explanation of Material Variances.

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

Shire rates were issued on 30 August 2024, which is later than the previous financial year. The supplementary financial information note 5, and the relevant graph, reflect this timing difference through the increase in receivables at month end compared to the same time period the previous year.

Should Councillors wish to raise any issues relating to the 28 February 2025 financial statements, please do not hesitate to contact the Accountant prior to the Council Meeting for research to be undertaken and details provided either at the time of the query or at the meeting.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

There is no known policy implications associated with this item.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this item.

ATTACHMENTS

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

- Financial statements for the period ending 28 February 2025 (Doc Id: SODR-2042075298-129788)
(Marked 9.1.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council receive the Monthly Financial Report for the period ended 28 February 2025.

9.1.2 ACCOUNTS FOR PAYMENT FOR THE PERIOD ENDED 28 FEBRUARY 2025

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Doc Id: SODR-2042075298-129776
Disclosure of Interest:	None
Date:	14/03/2025
Author:	Rebecca Pink, Acting Executive Manager Corporate and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

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

BACKGROUND

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

COMMENT

The Cheque, EFT, BPAY and Direct Debit (including fuel cards) payments for February 2025 totalled **\$1,097,322.16** for the Municipal Fund.

Should Councillors wish to raise any issues relating to the February 2025 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 currently.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 MARCH 2025

Cheque, EFT, BPAY, Direct Debit and Fuel Card listings for February 2025 (Doc Id: SODR-2042075298-129776)
(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Cheque, EFT, BPAY, Direct Debit and Fuel Card payment listing for the period ending 28 February 2025 totalling \$1,097,322.16 be received.

9.1.3 STATUTORY COMPLIANCE AUDIT RETURN 2024

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	SODR-2042075298-27717
Disclosure of Interest:	None
Date:	13 March 2025
Author:	Brent Bailey, Chief Executive Officer

PROPOSAL

To adopt the Statutory Compliance Audit Return for the period 1 January 2024 to 31 December 2024 be adopted.

BACKGROUND

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

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

The Compliance Audit Return will be reviewed by the Audit Committee at its meeting held on Thursday 27 March 2025 prior to the Ordinary Council Meeting.

Following Council's review and adoption of the Compliance Audit Return a certified copy of the return, along with the relevant section of the minutes and any additional information explaining or qualifying the compliance audit, is to be submitted to the Director General of the Department of Communities by **31 March 2025**.

COMMENT

For the period 1 January 2024 to 31 December 2024 the CAR demonstrates that the Shire has achieved the required level of compliance.

CONSULTATION

- Chief Executive Officer
- Coordinator Governance & Human Resources
- Executive Secretary

STATUTORY ENVIRONMENT

The contents of the Compliance Audit Return relates to Section 14.3A of the *Local Government (Audit) Regulations 1996* whereby the local government's audit committee is to review the compliance

audit return and is to report to the council the results of that review in order for Council to then adopt the Compliance Audit Return.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

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

- Compliance Audit Return 2024 (Doc Id: SODR-2042075298-128866)

(Marked 9.1.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Compliance Audit Return as per attached (Doc Id: SODR-2042075298-128866) for the period 1 January 2024 to 31 December 2024 be adopted.

9.1.4 BUDGET REVIEW 2024 / 2025

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Doc Id: SODR-1034602345-11189
Disclosure of Interest:	None
Date:	17 March 2025
Author:	Rebecca Pink, Accountant
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

This item presents the annual budget review for the 2024 / 2025 financial year based on the financial statements from 1 July 2024 to 31 December 2024.

BACKGROUND

Each year all Local Governments are required to conduct a budget review to monitor financial performance and revenue/expenditure expectations. Following the preparation of budget review statements and notes Council is required to determine (by absolute majority) whether to adopt the review, any parts of the review or any recommendations made in the review.

The Department has set out the following guidance for the content of budget reviews.

- The review must consider the local government's position at the date of the review and evaluate outcomes for the end of 2024-25 that are forecast in the budget.
- Provide the estimated end-of-year amount for the item adjacent to each item in the annual budget that states an amount.
- Provide an estimated end-of-year amount for any items that did not have an amount stated in the adopted annual budget.
- Provide a copy of the budget review and the budget review item from the unconfirmed council minutes to the department within 14 days of the council meeting.

COMMENT

Staff have reviewed the 2024 / 2025 budget and actuals to identify any significant variances. The financial statements to the 31 December 2024 have been used as the basis for the review. Forward estimates of revenue and expenditure have been projected to year end and variances have been identified in the budget review statements.

A number of variances (attached) were identified in the review culminating in an overall recognition of a surplus of \$895,755 predominantly made up of project based funding which will eventuate in the following financial year.

For 2024/2025 the budget review has considered the completability of projects and where it is determined that a project will not be completed within this financial year it has been removed. Any projects that have been removed can be re-considered in the 2025/2026 budget deliberations.

The four most notable variances were as follows:

- **Agaton Road Project:** The completion of the Agaton Road project resulted in a savings of \$1.4 million, coming in under budget.

The Agaton Road sealing project, spanning two years, was successfully completed in early December 2024. It was primarily funded through the Remote Rural Upgrade Pilot (RRUP) and supplementary Shire Municipal funding. The final expenditure for the project came in approximately \$6 per square meter under budget, largely due to the economies of scale achieved on this extensive roadworks initiative.

- **LRCI Grant Income:** In accordance with auditor requirements, the Local Road & Community Infrastructure (LRCI) capital grant income was recognised early on 30 June 2024. This resulted in a \$1.1 million reduction in the originally budgeted revenue recognition for the 2024/2025 financial year.

Although LRCI revenue was initially budgeted to be recognised in the 2024/2025 financial year, it was reallocated to the 2023/2024 period per auditor instructions. While this adjustment did not affect cash flow, it resulted in a shift in the classification of funds from restricted to unrestricted cash available for Shire projects. As a consequence, this change reduced the anticipated capital grant income for the 2024/2025 financial year by \$1.1 million which is offset by the reduction in construction costs.

- **Sandy Cape Income:** A reduction in expected income from Sandy Cape amounted to a shortfall of \$300,000, primarily due to lower-than-anticipated campground demand and increased administrative costs from the transition to online bookings.

Sandy Cape's income was projected to be 30% higher than the previous financial year, based on anticipated steady growth in visitor numbers and an increase in camping fees introduced 1 July 2024. However, this forecast has not

materialised as expected. A range of factors are at play including weather, the price elasticity of demand and the transition to online bookings has led to a rise in administrative costs, primarily due to the increased fees / commission charged by the SpacetoCo booking platform.

- **Delay in Cervantes Changeroom & Recreation Centre Works:** The Cervantes Changeroom & Recreation Centre works will be carried out later this calendar year to avoid undertaking construction activities during the Winter Sports Season and during the Cervantes Arts Festival. While initial planning and consultancy will proceed this financial year, the majority of the work will be carried over to FY26

The Cervantes Changeroom & Recreation Centre projects have been delayed to avoid undertaking construction activities during the Winter Sports Season and during the Cervantes Arts Festival, impacting the timeline for construction and development. While initial planning and consultancy will still take place within this financial year, the lack of available personnel has hindered progress on key phases of the project. As a result, the majority of the work will be deferred to FY26 to ensure proper execution and resource allocation

Further to the above significant items, attached is the summary of the identified variances, the Statement of Budget Review and other notes showing the effect of these variances.

The budget review with a surplus of \$895,755 will also be presented to the Audit Committee on 27 March 2025 for detailed review and engagement with staff on any complex matters requiring additional explanation.

In addition to the budget review items, Council resolved at the September Council Meeting to consider project funds towards the upgrade of stormwater drainage infrastructure on Bluewater Drive Jurien Bay. The minute extract of this project is provided as an attachment. With surplus funds available, Council may elect to progress with this project immediately or alternatively, defer the consideration of the project until the annual budget process when all prioritised infrastructure projects are identified for comparative assessment.

A further consideration is the deferred consultancy for the Dandaragan Housing Project, which has been removed as a budget amendment. Given the forecasted surplus, it is recommended that Council allocate the funds originally designated for this project to the Land Development Reserve account. This approach would

effectively earmark the funds for use in the next financial year as initially budgeted, rather than incorporating them into the broader surplus result.

CONSULTATION

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

STATUTORY ENVIRONMENT

- 33A of Financial Management Regulations (1996) states;
 - Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.
 - (2A) The review of an annual budget for a financial year must
 - consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - consider the local government's financial position as at the date of the review; and
 - review the outcomes for the end of that financial year that are forecast in the budget.
 - The review of an annual budget for a financial year must be submitted to the council on or before 31 March in that financial year.
 - A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

*Absolute majority required.

- Within 14 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The adoption of this review will amend the budget with an overall recognition of a projected surplus of \$895,755. A reserve transfer is recommended to set aside funds associated with the Dandaragan Housing project. The remaining surplus may be rationalised through the 2025/26 budget cycle forming part of the opening balance or considered for additional reserve fund transfers towards the end of the financial year. The additional project on Bluewater Drive will reduce the surplus by \$200,000.

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 MARCH 2025

STRATEGIC IMPLICATIONS

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

ATTACHMENTS

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

- Budget Review for the period ending 31 December 2024 (Doc Id: SODR-1034602345-11189)
- Minute Extract – Bluewater Drive Project (Doc ID: SODR-1739978813-8176)

(Marked 9.1.4)

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION 1

That the 2024/2025 budget review, as presented with a surplus of \$895,755 be adopted, with the following variances being formally adopted as budget amendments:

GENERAL LEDGER ACCOUNT NAME	DESCRIPTION	AMOUNT DR/(CR)	AMENDED (SURPLUS) / DEFICIT
	Budgeted (Surplus) / Deficit to 30 June 24		(3,062,723)
	Audited closing (Surplus) / Deficit to 30 June 24		(3,153,130)
	Variance of opening		(90,407)
Rates	A concession was granted for a transposition error in the rate book, alongside a reduction in the anticipated interim rates.	7,241	(83,166)
Grants, subsidies and contributions	An increase in funding was received through the DFES vehicle grant, amounting to \$260,000, as well as an additional \$50,000 from the MRWA grant.	(308,778)	(391,944)
Fees and charges	A decrease in demand for bookings at Sandy Cape was observed, reflecting lower-than-anticipated revenue.	300,000	(91,944)
Fees and charges	An increase in revenue was noted from both Development Application fees and Waste charges.	(133,190)	(225,134)

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 MARCH 2025

Interest revenue	The interest earned on the municipal balance was lower than expected due to delays in the transition from BW to CBA	73,000	(152,134)
Profit on asset disposals	One purchase and sale of vehicles was delayed due to rising prices; however, overall vehicle trades proved to be more profitable than initially budgeted.	13,062	(139,072)
Employee costs	A reduction in outsourced OH&S consultancy and staff vacancies resulted in an overall decrease in projected staff costs	(93,500)	(232,572)
Materials and contracts	The consultancy for the Dandaragan Housing Project has been postponed until FY26.	(400,700)	(633,272)
Materials and contracts	Higher audit fees and increased IT operations expenditure	83,028	(550,244)
Utility charges	Electricity charges are tracking below budgeted levels	(50,000)	(600,244)
Insurance	Increase in property insurance premiums	14,707	(585,537)
Other expenditure	There was a slight variance between the budgeted Councillors' meeting fees and the agenda item meeting fees	1,427	(584,110)
Loss on asset disposals	Traded vehicles were sold at a profit rather than a loss, offsetting the increased cost of new vehicles	(10,531)	(594,641)
Capital grants, subsidies and contributions	LRCI grants were brought forward to FY24 based on auditor advice	1,150,003	555,362
Capital grants, subsidies and contributions	Reduction in RRUP funding due to Agaton Road coming in under budget and adjustments to Federal Assistance Grants for the year	(120,096)	435,266
Proceeds from disposal of assets	Reduction in revenue as the CEO vehicle acquisition has been deferred to next year due to the price escalation of new vehicles	45,454	480,720
Purchase of land & buildings	Postponing Cervantes changerooms & Recreation centre works	(980,525)	(499,805)
Purchase of plant & equipment	The purchase and sale of a vehicle has been delayed due to rising prices	(53,580)	(553,385)
Purchase and construction of infrastructure-roads	The Agaton Road project was completed under budget	(1,489,375)	(2,042,760)
Purchase and construction of infrastructure-other	The cost of completing the East-West runway project has increased	100,465	(1,942,295)
Purchase of right of use assets	A new lease for water filters was commenced in FY25	42,804	(1,899,491)
Proceeds from new borrowings	The Cervantes Changeroom & Recreation Centre project has been delayed, resulting in no loan drawdown	550,000	(1,349,491)
Transfers from reserve accounts	Postponing office renovation and increase in Tip Cell project cost	456,000	(893,491)
Transfers to reserve accounts	Increase in interest received in reserve accounts	268	(893,223)

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 MARCH 2025

Non-cash adjustments to operating activities

Less: Difference arisen from vehicle trades	<u>(2,532)</u>
Total (Surplus) / Deficit	<u><u>(895,755)</u></u>

OFFICER RECOMMENDATION 2

That Council endorse a budget amendment of \$180,000 to undertake stormwater drainage improvement works at Bluewater Drive, Jurien Bay.

OFFICER RECOMMENDATION 3

That Council endorse a reserve transfer to the Land Development Reserve account for \$400,700 for the Dandaragan housing project.

9.1.5 COMMUNITY SPORT AND RECREATION FACILITIES FUND APPLICATIONS

Location:	Cervantes Bowling Club / Jurien Bay Country Golf Club
Applicant:	Cervantes Bowling Club / Jurien Bay Country Golf Club
Folder Path:	SODR-437506902-13452
Disclosure of Interest:	N/A
Date:	10 March 2025
Author:	Kayla Jones, Community Development Officer
Senior Officer:	Brent Bailey, Chief Executive Officer.

PROPOSAL

That Council supports the Cervantes Bowling Club and Jurien Bay Country Golf Club in their applications for funding through the Community Sporting and Recreation Facilities Fund (CSRFF) Small Grants programme for the 2025-2026 financial year.

BACKGROUND

Cervantes Bowling Club

The Cervantes Bowling Club (CBC), established in 1974, operates on 14 Aragon Street, Cervantes, and maintains a dedicated membership base of approximately 43 individuals. The CBC plays a vital role in the community, providing a social and recreational space for residents. Over the years, members have worked diligently to maintain the Club's facilities, ensuring they remain accessible and functional for both members and visitors.

The existing shade structures at the North and South ends of the bowling green have been in place for over 20 years and consist of structural poles and shade cloth. While these structures have served their purpose, they no longer provide adequate shade during warmer days. Additionally, due to prevailing wind conditions, the shade cloth must be removed at the end of each season and reinstalled at the beginning of the next, placing an ongoing burden on CBC members who carry out this task. The need for a more permanent and effective shading solution has become increasingly apparent. The proposed new shade structure will cover the area used by bowlers during games and practice sessions, providing improved comfort and protection.

Lawn bowls is predominantly played during the warmer months, and temperatures on the green can be significantly high. The shade structure is essential for players, offering protection from UV exposure and excessive heat while they participate in games and practice. The new structure will feature a tensile fabric roof designed to provide UV screening and light rain protection while allowing natural light through. Additionally, it will be wider than the current structure, offering greater coverage to ensure bowlers have a shaded area to rest and prepare. By reducing UV exposure and heat stress, the improved shade structure will enhance player safety

and overall enjoyment of the sport. The CBC is seeking Council's support to assist with funding for the installation of this upgraded structure, which will provide long-term benefits to members and visitors alike.

The CBC project is estimated to cost \$101,400, which includes an allowance of \$3,500 for volunteer labour. The project aims to enhance the club's facilities by providing improved shade and protection for players and spectators. Upon approval of funds, the procurement and installation process are expected to take approximately three months to complete, ensuring minimal disruption to club activities while delivering long-term benefits to members and the wider community.

Jurien Bay Country Golf Club

The Jurien Bay Country Golf Club (JBCGC) established in 1969, operates on 3-7 Bashford Street, Jurien Bay which is vested in the Shire of Dandaragan. The JBCGC operates an 18-hole course that has been developed and maintained entirely by volunteer labour. In 2016, the Club formally adopted its current Strategic Plan, which focuses on the long-term goal of irrigating all course fairways to provide members and visitors with a high-quality playing experience year-round. This commitment to course improvement has driven significant upgrades in recent years, enhancing the accessibility and sustainability of the facility.

In August 2020, the Council approved a project to install irrigation across the fairways, which was supported by both the Council and the State Government under the Department of Sport and Recreation's Community Sport and Recreation Facilities Fund (CSRFF). The irrigation project was successfully completed in 2022, allowing the entire course, covering approximately 25 hectares, to be fully irrigated and playable throughout the year—except for the practice fairway and practice green. With this major upgrade in place, the Club has seen a significant increase in course usage, particularly from casual fee-paying golfers, alongside growing membership numbers and greater participation in club events and competitions.

During the initial scoping of the irrigation project, the practice fairway and practice green was excluded due to concerns about volunteer workload and financial sustainability. However, with the Club's financial position now stabilised, the Club Committee and ground volunteers are eager to extend the irrigation system to include the practice fairway. Additionally, due to land constraints preventing an extension of the practice driving fairway, the JBCGC proposes the installation of a double-bay driving net facility as part of the project. The current practice facility remains dry and sandy for much of the year, limiting its usability. By extending irrigation to

this area, the Club aims to create a year-round practice environment that mirrors the quality of the main course.

The proposed improvements will provide tangible benefits for both new and experienced players. Novice golfers often feel hesitant to participate in competitions on the main course, and a well-maintained practice area will create a more welcoming space for skill development and group lessons. Existing members will also benefit from enhanced pre-match practice facilities, while the addition of driving nets will accommodate longer hitters, younger players, and faster-paced practice sessions. The total project cost is estimated at \$40,932 including a \$6,822 allowance for volunteer labour and equipment. If funding is approved, the procurement and installation process is expected to take approximately five months to complete, delivering long-term benefits for the Club and the wider golfing community.

CBC and JBCGC are both seeking funding from the Shire in accordance with Policy C-6SRF01 – Sport and Recreation Funding.

COMMENT:

The applications submitted by the Jurien Bay Country Golf Club and the Cervantes Bowling Club for CSRFF Small Grants in the 2025-2026 financial year align with the Shire's commitment to supporting local sporting infrastructure. Both clubs have demonstrated their financial capacity to meet the grant requirements, ensuring the viability of their proposed projects. The improvements will enhance sporting facilities within the Shire, benefiting both club members and the broader community.

The Shire has sufficient funds within the Community Sport and Recreation Facilities Fund reserve to support these applications without compromising future funding opportunities for other community projects. In addition, the Cervantes Bowling Club has requested that, should their grant application be unsuccessful, Council consider funding 50% of the total project cost. The Cervantes Bowling Club has also demonstrated a proactive approach to asset management by committing surplus revenue into an asset replacement reserve account to ensure ongoing maintenance of the new infrastructure. The Jurien Bay Country Golf Club has confirmed that, should their grant application be unsuccessful, they will apply for the Tronox Management and Shire of Dandaragan Sporting and Recreation Facilities Fund.

The Cervantes Bowling Club has provided a letter of support from Bowls Australia as part of its submission, reinforcing the importance of the project. Similarly, the Jurien Bay Country Golf Club has

highlighted the potential economic benefits to the local community, including increased year-round access to the course, additional competition opportunities, and attracting visitors who may extend their stay in the region. The proposed enhancements, particularly the practice nets and improved practice fairway, are expected to boost membership and visitor engagement.

Council should note that \$23,037 in funding remains outstanding from the previous irrigation project due to ongoing negotiations between the Jurien Bay Country Golf Club and Western Power regarding a power upgrade for the course. The Club is actively working to secure a suitable solution to improve the power supply for its pumping station, with completion anticipated within the next 12 months. These negotiations do not impact the Club's eligibility for additional funding under Council's Sport and Recreation Funding Policy.

Council is required to consider each project on its merits and provide a ranking to the Department of Local Government, Sport and Cultural Industries based on its level of importance for funding consideration under the CSRFF. The CSRFF aims to enhance physical activity and increase participation in sport and active recreation across Western Australia, prioritising projects that directly lead to increased participation, promote facility sharing or rationalisation for sustainability, improve accessibility for female participants (e.g., changing rooms with lockable showers and no urinals), or are located in areas with a significant Aboriginal population.

Eligible projects include:

- New playing surfaces (ovals, courts, synthetic surfaces) floodlighting that meets Australian Standards
- Changing rooms
- Ablution facilities
- Sports storage,

Lower-priority projects include:

- Clubrooms with social spaces
- Shade shelters
- Viewing areas
- Resurfacing of existing sports surfaces

The lower priorities listed above may attract reduced funding as they are expected to be included in ongoing facility maintenance budgets.

Council is requested to assess and rank the two applications for submission to Department of Local Government Sport and Cultural Industries.

CONSULTATION

- Cervantes Bowling Club Committee members and Club members
- Samantha Cornthwaite, Wheatbelt A/Regional Manager, Department of Local Government Sport and Cultural Industries
- Bowls Australia
- Jurien Bay Country Golf Club Committee members and Club members
- Chief Executive Officer - Golf WA
- Jurien Bay District High School

STATUTORY ENVIRONMENT

There are no statutory implications relevant to this item.

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 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

It is recommended that Council make provision in the draft budget expenditure from the Sporting and Recreation Facilities Capital Works Reserve to fund up to the maximum of \$62,593 towards this project in the 2025-2026 annual budget. The funding breakdown is depicted below:

Cervantes Bowling Club

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

Source of funding	\$ ex GST
Applicant cash (Cervantes Bowling Club)	\$ 36,134 including in-kind labour
Other funding – (Local Government)	\$ 32,633
CSRFF request	\$ 32,663
Total Project Value	\$ 101,400

The Club has requested that, if their application is unsuccessful, Council consider funding 50% of the project. The following table summarises the project financials if the grant application is unsuccessful with Council contribution:

Source of funding	\$ ex GST
Applicant cash (Cervantes Bowling Club)	\$ 48,950
Other funding – (Local Government)	\$ 48,950
Total Project Value	\$ 97,900

Jurien Bay Country Golf Club

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

Source of funding	\$ ex GST
Applicant cash (Jurien Bay Country Golf Club)	\$13,646 including in-kind labour and donated materials
Other funding – (Local Government)	\$ 13,643
CSRFF request	\$ 13,643
Total Project Value	\$ 40,932

STRATEGIC IMPLICATIONS

Council Plan – Community

The Shire's resident population will be the fastest growing population in the region supported by increased community recreation and cultural opportunities and access to key liveability factors such as health and wellbeing services and education opportunities.

Outcomes	Initiatives
We have accessible community spaces and infrastructure which supports social connections.	Foster community empowerment by leveraging the Shire's grants program to assist community groups to achieve their objectives.

ATTACHMENTS

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

- 6.1 C-6SRF01 - Sport and Recreation Funding (Doc Id: SODR-1739978813-8461)
- CSRFF Small Grants Application Form – Jurien Bay Country Golf Club- SODR-437506902-13492
- CSRFF Small Grants Application Form – Cervantes Bowling Club (Doc Id: SODR-437506902-13472)
- Cervantes Bowling Club Shade Replacement Quotes (Doc Id: SODR-437506902-13455)
- Bowls Australia Letter of Support (Doc Id: SODR-437506902-13403)
- Photograph of current shade structures Doc Id: SODR-437506902-13487
- Jurien Bay Country Golf Club Project Quotes (Doc Id: SODR-437506902-13491)
- Jurien Bay Country Golf Club Quote (Doc Id: SODR-437506902-13493)
- Jurien Bay Country Golf Club Facility Brief –(Doc ID: SODR-437506902-13490)
(Marked 9.1.5)

VOTING REQUIREMENT

Simple Majority

That Council:

- 1. Support the Cervantes Bowling Club Incorporated CSRFF Small Grants application for funding to replace existing shade structure at the Cervantes Bowling Club; and**
- 2. Endorse a budget allocation of up to \$32,633 in the 2025-2026 draft budget, being a one third contribution towards the CSRFF Small Grants application if successful, to be sourced from the Sport and Recreation**

Capital Works Fund.

3. Endorse a budget allocation of up to \$48,950 in the 2025-2026 draft budget, being 50% of the project cost if the funding application is unsuccessful, with funds to be sourced from the Sport and Recreation Capital Works Fund.
4. Endorse the “Project Assessment Sheet” as follows:

	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	✓		

1. Support the Jurien Bay Country Golf Club Inc., Community Sporting and Recreation Facilities Fund (CSRFF) Small Grants application for funding to irrigate the practice fairway, practice green and install practice nets at the Jurien Bay Country Golf Club; and
2. Authorise a budget of up to \$13,643 in the 2025-2026 draft budget being a one third contribution of the CSRFF Small Grants application if successful, to be sourced from the Sport and Recreation Capital Works Fund.
3. Endorse the “Project Assessment Sheet” as follows:

	Satisfactory	Unsatisfactory	Not relevant
Project justification	✓		
Planned approach	✓		
Community input	✓		
Management planning	✓		
Access and opportunity	✓		
Design	✓		
Financial viability	✓		
Co-ordination	✓		

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 MARCH 2025

Potential to increase Physical activity	✓		
Sustainability	✓		

4. Priority rank of application received:

Cervantes Bowling Club	__ of 2 CSRFF applications received
Jurien Bay Country Golf Club	__ of 2 CSRFF applications received

9.2 INFRASTRUCTURE SERVICES

9.3 DEVELOPMENT SERVICES

9.3.1 DRAFT COASTAL RECREATIONAL TRACKS MASTERPLAN ADVERTISING

Location:	Coastal Reserves in the Shire of Dandaragan
Applicant:	N/A
Folder Path:	SODR-877026889-4865
Disclosure of Interest:	None
Date:	6 March 2025
Author:	Anthony Seymour, Coordinator Environmental Projects
Senior Officer:	Louis Fouché, Executive Manager Development Services

PROPOSAL

The purpose of the report is to seek Council consent to advertise the draft Shire of Dandaragan Coastal Recreational Tracks Masterplan.

BACKGROUND

In 2022 the Shires of Coorow, Dandaragan and Gingin were awarded a Community Stewardship grant from the Department of Primary Industries and Regional Development (State Natural Resources Management Program) to develop a Masterplan to manage coastal impacts of vehicles North of Perth.

The primary aims of the project is to develop a masterplan for the management of vehicles in coastal reserves as well as associated educational material. The educational material comprises of 30 educational signs and 50,000 educational brochures. The educational materials are to be shared equally by the three Shires.

COMMENT

The Coastal Recreational Tracks Masterplan provides recommendations to balance the use of vehicles in coastal reserves while protecting the landscape and conservation of the reserves.

The Department of Biodiversity Conservation and Attractions (DBCA) Nilgen Wanagarren Masterplan has been used as a guiding document for the Coastal Recreational Tracks Project Masterplan. This allows for a consistent land management message to be presented to coastal track users. The DBCA Wanagarren Track is a local example of best practice track management in a coastal environment.

The Objectives and Aims of the Masterplan are to:

- Improve the management and education of vehicle users in the off-road environment of the Central Coast.

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 MARCH 2025

- Develop signs and educational brochures that identify key issues vehicle users need to do to protect the recreational and environment values of the Central Coast.
- Present a shared vision for the Project Area incorporating the sensitivities of the land, the needs of diverse visitors and the constraints of management.
- Present track stage options for review, discussion and implementation, which are compatible with direction in the Coastal Strategy of each Shire.

Below is a summary of the key recommendations taken from the Recreation Master Plan.

Priority	Discipline	Action	Schedule
1	Management	Map and mark coastal tracks on Crown Land and Reserves. Install track marker system to keep users on defined track.	2026-2028
1	Management	Mark limits of Crown Land and Reserves on coastal tracks.	2026-2028
1	Management	Identify beaches that should be earmarked as vehicle free and implement track closures necessary to achieve this. Install Beach Closed to vehicles signs.	2025-2026
1	Management	Install orientation signage at strategic locations and key entry points to the project area. Provide brochures with maps for distribution at visitor centres.	2026-2028
2	Management	Ensure unsuitable sites/track are closed and rehabilitated. Restrict or prohibit visitor access to specific areas where use cannot be sustained.	2026-2028
2	Management	Trial new technologies at hot spots and difficult to reach locations to assist with management. Remote cameras and sensors along with ANPR and AI to assist with land management issues with limited resources.	2025-2028
2	Administration	Request development of Guidance Material for Local Authorities, Police and Community Safety Partners on the use of vehicles on Crown Land and Reserves from Department of Planning, Lands and Heritage and Department of Local Government, Sport and Cultural Industries.	2025-2027
2	Administration	Request development of Legislation to protect the environment from inappropriate use of vehicles on Crown Land and Reserves from Department of Planning, Lands and Heritage and Department of Local Government, Sport and Cultural Industries.	2025-ongoing
3	Administration	Request Land Administration Act and Regulations be updated to provide greater protection to Crown Land and Reserves from the inappropriate use of vehicles on Crown Land and Reserves from Department of Planning, Lands and Heritage	2025-ongoing
3	Administration	Local Governments advocate for funding to manage high public use Crown Lands and Reserves that have been vested with them	2025-ongoing
3	Administration	Local Governments advocate for increased funding for Ranger teams to manage high use Crown Land and Reserves.	2025-ongoing
3	Administration	Local Governments advocate for beach speed limits to be adopted in Western Australia.	2025-ongoing

CONSULTATION

In developing the Masterplan consultation was undertaken by three main methods:

1. Personal contact with users of the coast in the project area while traveling in the project area.
2. Contact with interested groups that use the coast in the project area. This included Coast Care groups, Four Wheel Drive clubs and community groups,
3. A survey completed using the Engage Dandaragan website. The online survey was shared via the Shire's social media channels, emailed to project contact list members, featured in local newsletters, and spread through word of mouth.

The survey received 346 responses comprising:

- Shire of Gingin respondents - 166
- Shire of Dandaragan respondents - 49
- Shire of Coorow respondents - 47
- Respondents from outside the project area - 84

The survey focused on qualitative responses to 14 questions.

The Draft Masterplan will be advertised for a period of 4 weeks and will replicate the advertising methodology in 2 and 3 above. Each of the three local governments will conduct their own public consultation in relation to their masterplans.

STATUTORY ENVIRONMENT

The applicable legislation covering the use of vehicles on Crown Land and Reserves (the subject of the Masterplan area) in Western Australia are listed below.

Road Traffic Act 1974

- *Drive Without Due Care and Attention, s62 Road Traffic Act 1974;*
- *Dangerous Driving, s.61 Road Traffic Act 1974; and*
- *Reckless Driving, s.60 Road Traffic Act 1974.*
- *Certain offences extend to driving or attempting to drive in public places, Section 73 Road Traffic Act 1974*

Land Administration (Land Management) Regulations 2006

Part 2

Regulations

r4. Authorised persons

r9. Signs

r10. Vehicles

r11. Protection of property

r12. Protection of environment

r13. Protection of plants and animals

r14. Fires

r15. Camping

r19. General behaviour

Shire of Dandaragan Local Government Property Local Law 2019

4.2(1) Behaviour detrimental to property

4.6(2) Failure to comply with sign on local government property

5.3 Failure to comply with sign or direction on beach

5.4 Unauthorized entry to fenced or closed local government property

9.1 Failure to comply with notice

Shire of Dandaragan, Parking and Parking Facilities Local Law 2010 amended

3.10

(1) or (2) Parking on land that is not a parking facility without consent

3.11 Driving or parking on reserve

POLICY IMPLICATIONS

There are no policy implications relevant for this item.

FINANCIAL IMPLICATIONS

Project funds are contributed from 3 main sources:

- State Natural Resources, Community Stewardship Grant of \$176,800 over 2 years
- The Shire of Dandaragan's contribution is \$24,000 over 2 years. The Shires of Coorow, Dandaragan and Gingin combined total cash contribution is \$72,000 over 2 years.
- In kind contributions from Land Managers, Community Groups, Regional NRM Groups combined over 2 years totals \$113,220.

STRATEGIC IMPLICATIONS

Council Plan

Environment

Key Aspiration:

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.

Whether promoting opportunities in regenerative agriculture, mitigating bushfire risks, or safeguarding our delicate coastal ecosystems, the Shire of Dandaragan is committed to implementing projects and backing community initiatives aimed at enhancing our natural surroundings. This strategic objective continues to evolve within our operations, and we acknowledge the vital leadership role the Shire plays in ensuring that future generations can take pride in our stewardship of nature.

Environment

ENVISION CONSULTATION OUTCOMES & FEEDBACK

- Improve our coastal ecosystems.

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 MARCH 2025

- Address coastal erosion and inundation risks.

Outcomes	Initiatives
We deliver, support and endorse projects that improve and enhance our natural environment.	Develop a Coastal Tracks Masterplan.
	Support the establishment of a local coast care community group and provide resources to partner on coastal rehabilitation projects.
	Partner with traditional owners on replanting and rehabilitation projects.
We are prepared for natural emergencies and a warming climate.	Carry out coastal vegetation and shoreline monitoring.

Community

Outcomes	Initiatives
We are a safe, active and healthy community.	Deliver and maintain projects and programs that increase community safety across the entire shire. 3. Removal or mitigation of known hazards in the natural environment.

ATTACHMENTS

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

- Coastal Recreational Tracks Master Plan (Doc ID:SODR-877026889-4861)
- CRMTMP Site assessment tables (Doc ID:SODR-877026889-4862)
- ORVP MP Map (Doc ID:SODR-877026889-4864)

(Marked 9.3.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council endorses the draft Shire of Dandaragan Coastal Recreational Tracks Masterplan as attached to the report (Doc ID SODR-877026889-4861, SODR-877026889-4862 and SODR-877026889-4864) for the purposes of public advertising.

9.3.2 PROPOSED TELECOMMUNICATION TOWER – LOT 767 BADGINGARRA ROAD, BADGINGARRA

Location:	LOT 767 Badgingarra Road, Badgingarra
Applicant:	Logic IT
Folder Path:	SODR-1262144384-27196
Disclosure of Interest:	Nil
Date:	17 March 2025
Author:	Alex MacKenzie, Principal Planning and Building Officer
Senior Officer:	Louis Fouché, Executive Manager Development Services

PROPOSAL

The purpose of this report is for Council to consider a development application for the installation of a telecommunications tower. Council needs to make a decision regarding the consistency of the proposed “use not listed” in relation to the Rural zone in the first instance.

The tower is proposed as part of the State Government’s ‘Digital Farms’ program which aims to advance telecommunications and improve connectivity in regional WA by:

- Expanding mobile coverage.
- Providing fast, reliable, affordable and scalable broadband necessary to support digital farming practices.
- Enabling farming businesses to access smart farming and productivity enhancing technologies to improve output, making businesses internationally competitive.

This application is one of three related applications presented to Council in this agenda.



Location Plan: Site North-West of Dandaragan

BACKGROUND

As per the provisions of *State Planning Policy 5.2 Telecommunications Infrastructure Policy (SPP 5.2)*, the tower as proposed is not exempt from the need for development approval.

SPP 5.2 provides additional guidance for the implementation and interpretation of the (Commonwealth) Telecommunications Act. While Schedule 3 of the Telecommunications Act allows for certain exemptions from approval, SPP 5.2 is clear in pointing to the need for development approval for 'above ground' (>30M height) and 'below ground' infrastructure (refer to Statutory Context for additional info).

COMMENT

The proposed telecommunications tower is not listed as a land-use type under the Shire's current Scheme. In assessing the application, consideration should be given to the provisions of SPP 5.2 and Matters to be Considered in the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

Aims and Provision of the Scheme (& Strategy)

'Telecommunications Infrastructure' is a Use not listed under the Shire's Local Planning Scheme No.7. However, the installation of the tower can be considered to be consistent with the objectives of the Shire's planning (and strategy community) framework in that it (through the Digital Farms Strategy) will contribute to delivering improved digital connectivity and enhanced economic and social resilience outcomes for the Shire of Dandaragan.

In determining whether the use is consistent with the objectives of the rural zone it can be considered that:

- the use and development will facilitate intensification of agricultural activity and diversification of the sector within the Shire.
- The use and development is of a type and form consistent with the land-use direction and economic growth objectives of the Shire's planning strategy (and Council Plan).

Compatibility of the Use, Suitability of the Site, and State Planning Policy 2.5 – Rural Planning

The use of the property location for the installation of the proposed telecommunications tower is not inconsistent with the objectives for the 'Rural' zone under the Shire's planning framework. The tower represents incidental development and will not detract from the primary (agricultural) use of the land, in-line with the provisions of SPP 2.5.

Amenity of the Location and State Policy SPP 5.2

With reference to the provisions of SPP 5.2 (refer *Statutory Environment* below), the tower as proposed:

- Whilst being visible, will not impact on a designated 'significant landscape' (significant meaning a landscape of cultural or heritage significance, or a designated visual landscape area).
- The tower location has been selected to maximise and facilitate network coverage and access to data services.

Access and Traffic Management

Access arrangements to the site for installation and future maintenance have been finalised further to agreements between the proponent and the respective landowner(s).

CONSULTATION

The development application was advertised for public comment over a 21-day period. During this time no submissions were received.

STATUTORY ENVIRONMENT

Local Planning Scheme No. 7

3.2 Objectives of the Zones

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.

Schedule 2: Deemed Provisions for local planning schemes of the Planning and Development (Local Planning Schemes) Regulations 2015: Clause 67.

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

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (c) any approved State planning policy;*
- (d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*
- (f) any policy of the State;*
 - (fa) any local planning strategy for this Scheme endorsed by the Commission;*

- (g) any local planning policy for the Scheme area;
- (n) the amenity of the locality including the following —
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;
- (s) the adequacy of —
 - (i) the proposed means of access to and egress from the site;
 and
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (u) the availability and adequacy for the development of the following —
 - (iii) storage, management and collection of waste;
- (y) any submissions received on the application; (za) the comments or submissions received from any authority consulted under clause 66;
- (zb) any other planning consideration the local government considers appropriate.

POLICY IMPLICATIONS

State Planning Policy 5.2 Telecommunications Infrastructure Policy

5.1.1 The benefit of improved telecommunications services should be balanced with the visual impact on the surrounding area.

- i) Assessment of the visual impact of development proposals for telecommunications infrastructure should be made on a case-by-case basis;*
- ii) Telecommunications infrastructure should be sited and designed to minimise visual impact and whenever possible:*
 - a) be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites;*
 - b) be located to avoid detracting from a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land;*

- c) *not be located on sites where environmental, cultural heritage, social and visual landscape values maybe compromised and*
- d) *display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape;*
 - iii) *In addition to the existing exemptions under the Telecommunication Act, local governments should consider exempting telecommunications infrastructure from the requirement for development approval where:*
 - a) *The infrastructure has a maximum height of 30 metres from finished ground level;*
 - b) *The proposal complies with the policy measures outlined in this policy; and*
 - c) *The proponent has undertaken notification of the proposal in a similar manner to 'low impact facilities' as defined and set out in the Mobile Phone Base Station Deployment Industry Code (C564:2011);*
 - iv) *Telecommunications infrastructure should be located where it will facilitate continuous network coverage and/or improved telecommunications services to the community; and*
 - v) *Telecommunications infrastructure should be co-located and whenever possible:*
 - a) *Cables and lines should be located within an existing underground conduit or duct; and*
 - b) *Overhead lines and towers should be co-located with existing infrastructure and/or within existing infrastructure corridors and/or mounted on existing or proposed buildings.*

State Planning Policy 2.5: Rural Planning:

5.12 Preventing and managing impacts in land use planning

One of the key elements in achieving the objectives of this policy is ensuring that zones and sites are suitable for their intended purpose. As a result, at each stage of the planning framework, planning decision-makers need to consider the broad suitability of land uses and the ability to manage offsite impacts prior to determining whether the use of a buffer is necessary.

FINANCIAL IMPLICATIONS

Payment of the applicable application fee has been made by the applicant.

STRATEGIC IMPLICATIONS

Local Planning Strategy

Rural Land: Facilitate more intensive and diverse use of rural land for higher value agricultural products which are compatible with land

capability attributes and surrounding farming practices, subject to availability of adequate water supply.

Shire of Dandaragan Council Plan

Prosperity: Outcomes

We will advocate for improvements to water, electricity and essential services to enhance business development.

Initiatives: Partner with State agencies in the delivery of essential service upgrades and extensions.

ATTACHMENTS

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

- Mast Plans (Doc ID:SODR-1262144384-26858)
- 40M Mast Plan Location (Doc ID:SODR-1262144384-27195)

(Marked 9.3.2)

VOTING REQUIREMENT

Simple Majority.

OFFICER RECOMMENDATION

That Council:

- 1. Determines in accordance with Clause 3.4.2 a) of Local Planning Scheme No. 7 that the Telecommunications Tower use as proposed is consistent with the land-use objectives and direction for the Rural zone as set out under the Shire's local planning framework and is therefore permitted.**
- 2. Grant development approval for the installation of a Telecommunications Tower at Lot 767 Badgingarra Road, Badgingarra subject to the following conditions and advice:**

Conditions:

- 1. All development shall be in accordance with the approved development plans and accompanying documentation submitted by Logic IT dated 11 February 2025. which forms part of this development approval, to the specifications and satisfaction of the Shire of Dandaragan, subject to any modifications required as a consequence of any condition(s) of this approval.**
- 2. The endorsed plans shall not be modified or altered without the prior written approval of the Shire of Dandaragan.**

Advice Notes:

- a. 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.

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

9.3.3 PROPOSED TELECOMMUNICATION TOWER – LOT 245 KAYANABA ROAD, DANDARAGAN

Location:	Lot 245 Kayanaba Road, Dandaragan
Applicant:	Logic IT
Folder Path:	SODR-1262144384-27194
Disclosure of Interest:	Nil.
Date:	17 March 2025
Author:	Alex MacKenzie, Principal Planning and Building Officer
Senior Officer:	Louis Fouché, Executive Manager Development Services

PROPOSAL

The purpose of this report is for Council to consider a development application for the installation of a telecommunications tower.

Council needs to make a decision regarding the consistency of the proposed “use not listed” in relation to the Rural zone in the first instance.

The tower is proposed as part of the State Government’s ‘Digital Farms’ program which aims to advance telecommunications and improve connectivity in regional WA by:

- Expanding mobile coverage.
- Providing fast, reliable, affordable and scalable broadband necessary to support digital farming practices.
- Enabling farming businesses to access smart farming and productivity enhancing technologies to improve output, making businesses internationally competitive.

This application is one of three related applications presented to Council in this Agenda.



Location Plan: Site North-East of Dandaragan

BACKGROUND

As per the provisions of *State Planning Policy 5.2 Telecommunications Infrastructure Policy (SPP 5.2)*, the tower as proposed is not exempt from the need for development approval.

SPP 5.2 provides additional guidance for the implementation and interpretation of the (Commonwealth) Telecommunications Act. While Schedule 3 of the Telecommunications Act allows for certain exemptions from approval, SPP 5.2 is clear in pointing to the need for development approval for 'above ground' (>30M height) and 'below ground' infrastructure (refer to Statutory Context for additional info).

COMMENT

The proposed telecommunications tower is not listed as a land-use type under the Shire's current Scheme. In assessing the application, consideration should be given to the provisions of SPP 5.2 and Matters to be Considered in the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

Aims and Provision of the Scheme (& Strategy)

'Telecommunications Infrastructure' is a Use not listed under the Shire's Local Planning Scheme No.7. However, the installation of the tower can be considered to be consistent with the objectives of the Shire's planning (and strategy community) framework in that it (through the Digital Farms Strategy) will contribute to delivering improved digital connectivity and enhanced economic and social resilience outcomes for the Shire of Dandaragan.

In determining whether the use is consistent with the objectives of the rural zone it can be considered that:

- the use and development will facilitate intensification of agricultural activity and diversification of the sector within the Shire.
- the use and development is of a type and form consistent with the land-use direction and economic growth objectives of the Shire's planning strategy (and Council Plan).

Compatibility of the Use, Suitability of the Site, and State Planning Policy 2.5 – Rural Planning

The use of the property location for the installation of the proposed telecommunications tower is not inconsistent with the objectives for the 'Rural' zone under the Shire's planning framework. The tower represents incidental development and will not detract from the primary (agricultural) use of the land, in-line with the provisions of SPP 2.5.

Amenity of the Location and State Policy SPP 5.2

With reference to the provisions of SPP 5.2 (refer *Statutory Environment* below), the tower as proposed:

- Whilst being visible, will not impact on a designated 'significant landscape' (significant meaning a landscape of cultural or heritage significance, or a designated visual landscape area).
- The tower location has been selected to maximise and facilitate network coverage and access to data services.

Access and Traffic Management

Access arrangements to the site for installation and future maintenance have been finalised further to agreements between the proponent and the respective landowner (s).

CONSULTATION

The development application was advertised for public comment over a 21-day period. During this time no submissions were received.

STATUTORY ENVIRONMENT

Local Planning Scheme No. 7

3.2 Objectives of the Zones

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.

Schedule 2: Deemed Provisions for local planning schemes of the Planning and Development (Local Planning Schemes) Regulations 2015: Clause 67.

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

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (c) any approved State planning policy;*
- (d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*
- (f) any policy of the State;*
 - (fa) any local planning strategy for this Scheme endorsed by the Commission;*
- (g) any local planning policy for the Scheme area;*

- (n) *the amenity of the locality including the following —*
 - (i) *environmental impacts of the development;*
 - (ii) *the character of the locality;*
 - (iii) *social impacts of the development;*
- (o) *the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*
- (q) *the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;*
- (r) *the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (s) *the adequacy of —*
 - (i) *the proposed means of access to and egress from the site;**and*
 - (ii) *arrangements for the loading, unloading, manoeuvring and parking of vehicles;*
- (t) *the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;* (u) *the availability and adequacy for the development of the following —*
 - (iii) *storage, management and collection of waste;*
- (y) *any submissions received on the application;* (za) *the comments or submissions received from any authority consulted under clause 66;*
- (zb) *any other planning consideration the local government considers appropriate.*

POLICY IMPLICATIONS

State Planning Policy 5.2 Telecommunications Infrastructure Policy

5.1.1 The benefit of improved telecommunications services should be balanced with the visual impact on the surrounding area.

- i) Assessment of the visual impact of development proposals for telecommunications infrastructure should be made on a case-by-case basis;*
- ii) Telecommunications infrastructure should be sited and designed to minimise visual impact and whenever possible:*
 - a) be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites;*
 - b) be located to avoid detracting from a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land;*
 - c) not be located on sites where environmental, cultural heritage, social and visual landscape values maybe compromised and*

- d) *display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape;*
- iii) *In addition to the existing exemptions under the Telecommunication Act, local governments should consider exempting telecommunications infrastructure from the requirement for development approval where:*
 - a) *The infrastructure has a maximum height of 30 metres from finished ground level;*
 - b) *The proposal complies with the policy measures outlined in this policy; and*
 - c) *The proponent has undertaken notification of the proposal in a similar manner to 'low impact facilities' as defined and set out in the Mobile Phone Base Station Deployment Industry Code (C564:2011);*
 - iv) *Telecommunications infrastructure should be located where it will facilitate continuous network coverage and/or improved telecommunications services to the community; and*
 - v) *Telecommunications infrastructure should be colocated and whenever possible:*
 - a) *Cables and lines should be located within an existing underground conduit or duct; and*
 - b) *Overhead lines and towers should be co-located with existing infrastructure and/or within existing infrastructure corridors and/or mounted on existing or proposed buildings.*

State Planning Policy 2.5: Rural Planning:

5.12 Preventing and managing impacts in land use planning

One of the key elements in achieving the objectives of this policy is ensuring that zones and sites are suitable for their intended purpose. As a result, at each stage of the planning framework, planning decision-makers need to consider the broad suitability of land uses and the ability to manage offsite impacts prior to determining whether the use of a buffer is necessary.

FINANCIAL IMPLICATIONS

Payment of the applicable application fee has been made by the applicant.

STRATEGIC IMPLICATIONS

Local Planning Strategy

Rural Land: Facilitate more intensive and diverse use of rural land for higher value agricultural products which are compatible with land capability attributes and surrounding farming practices, subject to availability of adequate water supply.

Shire of Dandaragan Council Plan

Prosperity: Outcomes

We will advocate for improvements to water, electricity and essential services to enhance business development.

Initiatives: Partner with State agencies in the delivery of essential service upgrades and extensions.

ATTACHMENTS

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

- Mast Plans (Doc ID:SODR-1262144384-26860)
- Mast Locations (Doc ID:SODR-1262144384-27193)

(Marked 9.3.3)

VOTING REQUIREMENT

Simple Majority.

OFFICER RECOMMENDATION

That Council:

- 1. Determines in accordance with Clause 3.4.2 a) of Local Planning Scheme No. 7 that the Telecommunications Tower use as proposed is consistent with the land-use objectives and direction for the Rural zone as set out under the Shire's local planning framework and is therefore permitted.**
- 2. Grant development approval for the installation of a Telecommunications Tower at Lot 245 Kayanaba Road, Dandaragan subject to the following conditions and advice:**

Conditions:

- 1. All development shall be in accordance with the approved development plans and accompanying documentation submitted by Logic IT dated 11 February 2025. which forms part of this development approval, to the specifications and satisfaction of the Shire of Dandaragan, subject to any modifications required as a consequence of any condition(s) of this approval.**
- 2. The endorsed plans shall not be modified or altered without the prior written approval of the Shire of Dandaragan.**

Advice Notes:

- a. 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.

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

9.3.4 PROPOSED TELECOMMUNICATION TOWER – 14314 BRAND HIGHWAY, BADGINGARRA

Location:	14314 Brand Highway, Badgingarra
Applicant:	Logic IT
Folder Path:	SODR-1262144384-27440
Disclosure of Interest:	Nil
Date:	17 March 2025
Author:	Alex MacKenzie, Principal Planning and Building Officer
Senior Officer:	Louis Fouché, Executive Manager Development Services

PROPOSAL

The purpose of this report is for Council to consider a development application for the installation of a telecommunications tower.

Council needs to make a decision regarding the consistency of the proposed “use not listed” in relation to the Rural zone in the first instance.

The tower is proposed as part of the State Government’s ‘Digital Farms’ program which aims to advance telecommunications and improve connectivity in regional WA by:

- Expanding mobile coverage.
- Providing fast, reliable, affordable and scalable broadband necessary to support digital farming practices.
- Enabling farming businesses to access smart farming and productivity enhancing technologies to improve output, making businesses internationally competitive.

This application is one of three related applications presented to Council in this Agenda.



Location Plan: Site South-East of Badgingarra

BACKGROUND

As per the provisions of *State Planning Policy 5.2 Telecommunications Infrastructure Policy (SPP 5.2)*, the tower as proposed is not exempt from the need for development approval.

SPP 5.2 provides additional guidance for the implementation and interpretation of the (Commonwealth) Telecommunications Act. While Schedule 3 of the Telecommunications Act allows for certain exemptions from approval, SPP 5.2 is clear in pointing to the need for development approval for 'above ground' (>30M height) and 'below ground' infrastructure (refer to Statutory Context for additional info).

COMMENT

The proposed telecommunications tower is not listed as a land-use type under the Shire's current Scheme. In assessing the application, consideration should be given to the provisions of SPP 5.2 and Matters to be Considered in the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

Aims and Provision of the Scheme (& Strategy)

'Telecommunications Infrastructure' is a Use not listed under the Shire's Local Planning Scheme No.7. However, the installation of the tower can be considered to be consistent with the objectives of the Shire's planning (and strategy community) framework in that it (through the Digital Farms Strategy) will contribute to delivering improved digital connectivity and enhanced economic and social resilience outcomes for the Shire of Dandaragan.

In determining whether the use is consistent with the objectives of the rural zone it can be considered that:

- the use and development will facilitate intensification of agricultural activity and diversification of the sector within the Shire.
- The use and development is of a type and form consistent with the land-use direction and economic growth objectives of the Shire's planning strategy (and Council Plan).

Compatibility of the Use, Suitability of the Site, and State Planning Policy 2.5 – Rural Planning

The use of the property location for the installation of the proposed telecommunications tower is not inconsistent with the objectives for the 'Rural' zone under the Shire's planning framework. The tower represents incidental development and will not detract from the primary (agricultural) use of the land, in-line with the provisions of SPP 2.5.

Amenity of the Location and State Policy SPP 5.2

With reference to the provisions of SPP 5.2 (refer *Statutory Environment* below), the tower as proposed:

- Whilst being visible, will not impact on a designated 'significant landscape' (significant meaning a landscape of cultural or heritage significance, or a designated visual landscape area).
- The tower location has been selected to maximise and facilitate network coverage and access to data services.

Access and Traffic Management

Access arrangements to the site for installation and future maintenance have been finalised further to agreements between the proponent and the respective landowner (s).

CONSULTATION

The development application was advertised for public comment over a 21-day period. During this time no submissions were received.

STATUTORY ENVIRONMENT

Local Planning Scheme No. 7

3.2 Objectives of the Zones

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.

Schedule 2: Deemed Provisions for local planning schemes of the Planning and Development (Local Planning Schemes) Regulations 2015: Clause 67.

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

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (c) any approved State planning policy;*
- (d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*
- (f) any policy of the State;*
 - (fa) any local planning strategy for this Scheme endorsed by the Commission;*
- (g) any local planning policy for the Scheme area;*
- (n) the amenity of the locality including the following —*
 - (i) environmental impacts of the development;*
 - (ii) the character of the locality;*
 - (iii) social impacts of the development;*
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;*
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (s) the adequacy of —*
 - (i) the proposed means of access to and egress from the site;**and*
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;*
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*
- (u) the availability and adequacy for the development of the following —*
 - (iii) storage, management and collection of waste;*
- (y) any submissions received on the application; (za) the comments or submissions received from any authority consulted under clause 66;*

(zb) any other planning consideration the local government considers appropriate.

POLICY IMPLICATIONS

State Planning Policy 5.2 Telecommunications Infrastructure Policy

5.1.1 The benefit of improved telecommunications services should be balanced with the visual impact on the surrounding area.

- i) Assessment of the visual impact of development proposals for telecommunications infrastructure should be made on a case-by-case basis;*
- ii) Telecommunications infrastructure should be sited and designed to minimise visual impact and whenever possible:*
 - a) be located where it will not be prominently visible from significant viewing locations such as scenic routes, lookouts and recreation sites;*
 - b) be located to avoid detracting from a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land;*
 - c) not be located on sites where environmental, cultural heritage, social and visual landscape values maybe compromised and*
 - d) display design features, including scale, materials, external colours and finishes that are sympathetic to the surrounding landscape;*
- iii) In addition to the existing exemptions under the Telecommunication Act, local governments should consider exempting telecommunications infrastructure from the requirement for development approval where:*
 - a) The infrastructure has a maximum height of 30 metres from finished ground level;*
 - b) The proposal complies with the policy measures outlined in this policy; and*
 - c) The proponent has undertaken notification of the proposal in a similar manner to 'low impact facilities' as defined and set out in the Mobile Phone Base Station Deployment Industry Code (C564:2011);*
 - iv) Telecommunications infrastructure should be located where it will facilitate continuous network coverage and/or improved telecommunications services to the community; and*
 - v) Telecommunications infrastructure should be colocated and whenever possible:*
 - a) Cables and lines should be located within an existing underground conduit or duct; and*
 - b) Overhead lines and towers should be co-located with existing infrastructure and/or within existing infrastructure corridors and/or mounted on existing or proposed buildings.*

State Planning Policy 2.5: Rural Planning:

5.12 Preventing and managing impacts in land use planning

One of the key elements in achieving the objectives of this policy is ensuring that zones and sites are suitable for their intended purpose. As a result, at each stage of the planning framework, planning decision-makers need to consider the broad suitability of land uses and the ability to manage offsite impacts prior to determining whether the use of a buffer is necessary.

FINANCIAL IMPLICATIONS

Payment of the applicable application fee has been made by the applicant.

STRATEGIC IMPLICATIONS

Local Planning Strategy

Rural Land: Facilitate more intensive and diverse use of rural land for higher value agricultural products which are compatible with land capability attributes and surrounding farming practices, subject to availability of adequate water supply.

Shire of Dandaragan Council Plan

Prosperity: Outcomes

We will advocate for improvements to water, electricity and essential services to enhance business development.

Initiatives: Partner with State agencies in the delivery of essential service upgrades and extensions.

ATTACHMENTS

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

- Mast Plans (Doc ID:SODR-1262144384-26859)
- Mast Locations (Doc ID:SODR-1262144384-27197)

(Marked 9.3.4)

VOTING REQUIREMENT

Simple Majority.

OFFICER RECOMMENDATION

That Council:

- 1. Determines in accordance with Clause 3.4.2 a) of Local Planning Scheme No. 7 that the Telecommunications Tower use as proposed is consistent with the land-use objectives and direction for the Rural zone as set out under the Shire's local planning framework and is therefore permitted.**
- 2. Grant development approval for the installation of a Telecommunications Tower at 14314 Brand Highway,**

Badgingarra subject to the following conditions and advice:

Conditions:

- 1. All development shall be in accordance with the approved development plans and accompanying documentation submitted by Logic IT dated 11 February 2025. which forms part of this development approval, to the specifications and satisfaction of the Shire of Dandaragan, subject to any modifications required as a consequence of any condition(s) of this approval.**
- 2. The endorsed plans shall not be modified or altered without the prior written approval of the Shire of Dandaragan.**

Advice Notes:

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

9.3.5 PROPOSED INTENSIVE AGRICULTURE LAND USE (HORTICULTURE) – LOT 23 (NO.2240) MIMEGARRA ROAD, MIMEGARRA

Location:	Lot 23 (No. 2240) Mimegarra Road, Mimegarra
Applicant:	Apex Planning on behalf of Mimegarra Property Investment Pty Ltd
Folder Path:	SODR-1262144384-25484
Disclosure of Interest:	Nil
Date:	11 March 2025
Author:	Alex MacKenzie, Principal Planning and Building Officer
Senior Officer:	Louis Fouche, Executive Manager Development Services

PROPOSAL

The purpose of this report is for Council to consider a development application for an “Intensive Agriculture” land use on Lot 23 (No. 2240) Mimegarra Road, Mimegarra. A development application for the exact same use and development was submitted to the Shire in November 2024. However, the application was withdrawn in December 2024 for commercial reasons.

The current proposal is essentially a duplicate of the previous application with the exception that this application has been submitted by the landowner and not by the Galati family on behalf of the landowner. A summary of the proposed development is set out below:

- The horticultural activity will comprise up to 408 hectares of the 1,079 hectare property.
- No offices or habitable buildings are proposed as part of the current application.
- The Agriculture-Intensive use will involve construction of ancillary infrastructure (machinery sheds and water irrigation lines) consistent with an agricultural, rural, land-use.
- A combination of pivots and straight-line irrigation are proposed across the five staged vegetable crops which will be routinely rotated and rested.
- A maximum of ten employees will be onsite at any one time for cropping, routine maintenance, and harvesting activities.
- No accommodation is proposed to be constructed on-site at this time.
- The property has an existing water licence (6,400,500kL per annum) which the current landowner is in the process of having transferred into their name through the Department of Water and Environmental Regulation (DWER).



Location Plan: South-West of Brand Highway & Cataby Road

BACKGROUND

The subject property was previously developed by former landowners for agroforestry tree farming (which has since been harvested and/or degraded) with an ongoing timber share farming agreement currently in place.

COMMENT

The following represents an assessment of the proposal with reference to Matters to be Considered in the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

Compatibility of the Use, Suitability of the Site, and Amenity of the Location

Land Use – The proposed horticultural activity is consistent with the objectives for the 'Rural' zone under the Shire's planning framework. To ensure the proposed vegetable growing development is undertaken to best practice management processes to prevent nuisance and amenity impacts; a Cropping, Harvesting and Farm Waste Management Plan is recommended as a condition of development approval.

Relevant State Policy - SPP 3.7 Bushfire

While no habitable structures are proposed and the provisions of SPP 3.7 (and Part 10A of the Deemed Provisions) do not technically require a bushfire assessment; given that there may be up to 10 workers on-site during harvest it is recommended that an advice note be included in the approval requesting that a Bushfire Management Plan be prepared.

Access and Traffic Management

Heavy vehicle movements At peak operation, the development could result in a single heavy vehicle accessing the site every day for the collection of harvested produce. The access route for such vehicles will be via Indian Ocean Drive, Meadows Road, then Mimegarra Road onto the site before returning to Metropolitan Perth via the same route (approximately 18kms of local road (13km sealed) (5km unsealed).

Infrastructure Services advise that Meadows Road as an 8m wide sealed road is capable of supporting these traffic volumes, however the unsealed section of Mimegarra Road to be used by the proponent may require routine maintenance and/or upgrade to be suitable for such heavy vehicle movements.

As such a condition of development approval is recommended to require the proponent to enter into a road user agreement with the Shire to enable the proponent to meet the road maintenance costs relative to the development's heavy haulage.

A further condition is also recommended for any non-compliance with the closure of Mimegarra Road in the wetter months to heavy haulage by the proponent would be at their cost so to not result in an additional cost to the Shire to reinstate the road formation where it becomes a hazard or impassable to light vehicle traffic.

Adequacy of Services

Waste Management – Approval is to be conditioned to required submission of a waste management plan.

Submissions Received

The submissions received with the previous application are addressed in the 'Consultation' section, below.

Referrals and Advice from Relevant Agencies

The development application was referred to the Department of Water and Environmental Regulation (DWER), Department of Primary Industries and Regional Development (DPIRD) and the Department of Biodiversity, Conservation and Attractions (DBCA) from the 6 November to 9 December.

Department of Water and Environment Regulation – Advice received confirmed that DWER has no objections to the proposal and advised that a groundwater license transfer was in process for Lot 23 Mimegarra Road.

Department of Primary Industries and Regional Development – Advice received detailed that portions of the site are at risk of wind erosion and appropriate management practices will be needed.

Remnant vegetation should be protected, and a nutrient and irrigation management plan should be developed.

Department of Biodiversity, Conservation and Attractions – Advice received detailed the existence of threatened ecological communities (flora) on-site. Wetlands of significance were also identified. The proponent will need to obtain relevant approvals for any proposed clearing prior to commencement of the use and/or development.

Other Considerations - Stable Fly

Both forms of irrigation growing present opportunities for the breeding of flies, most notably Stable Fly which is a declared pest under the Biosecurity and Agriculture Management Act 2007 (BAM Act) for the adjacent Shire of Gingin (amongst thirteen other WA local government areas). Stable Fly has the potential to be a serious pest to livestock, and cause health and welfare problems for cattle, horses, goats, dogs and humans because of its painful bite.

The Department of Primary Industries and Regional Development (DPIRD) outline the following general farming management procedures to prevent stable fly breeding:

- deep ripping the edges of vegetable plots (tyre tread lines) in market gardens where waste and water accumulate;
- high speed mulching and incorporation of vegetable crop residues into the ground after harvest;
- regular (weekly) removal of animal manure accumulating in and around pens and yards, water troughs, fences and gates;
- spreading animal manure and grass clippings into thin layers on the ground to dry out;
- placing reject vegetable produce and lawn clippings into pits and covering regularly with soil to a depth of 100cm; and regular removal of accumulations of spilled grain feed or other organic material in pens and yards.

The proposed 'Agriculture – Intensive' land-use represents a form of agricultural activity that will contribute to a more diverse land use profile in the Shire's Rural zone, and conversely, retains rural land for primary agriculture production, consistent with the Shire's strategic land use planning direction. Additionally, if the development is undertaken to horticulture best practice measures (as conditioned) the development will not have a detrimental impact on the established amenity of the rural locality of Mimegarra. Therefore, the development application is recommended for approval subject to appropriate conditions.

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 MARCH 2025

Consultation

The previous development application was referred to surrounding landowners. Two responses were received. The submissions and officer comments on the submissions are reflected below:

Submission	Officer Comment
I fully support the Galati Group with their development and look forward to them being a supportive neighbour for the region's development.	Noted. Although the proponent has changed, the land use is the same.
<p>Thank you, Council, for the opportunity, to comment on the proposal put forward by the Galati Group.</p> <p>I'm [a] landowner and resident of the area. Our main concerns are Stable Fly and Public Road Use. Stable Flies, were never a concern for us at Mimegarra, known to be in the area but hardly worth noting until the West Hills Carrot Farm started next door to us. Fattening livestock is near on impossible, with a large infestation of Stable flies next door! Livestock feeding habits change, stock mob up for protection from the flies, stock will run to the water source for a drink and run back to the mob. If we have the Carrot Farm on our Western side and Galati's produce on our Eastern side, what measures will be put in place to control these flies?? Mimegarra Road; so far this year (2024) we have had our gravel section of the Mimegarra Road graded once. with increased traffic from the Galati Group, what extra road maintenance would be needed? Is it possible to limit heavy vehicles from travelling north from the Gingin shire, which is all gravel, and ask them to access off the bitumen Mimegarra Road from the north? Reducing the kilometres of gravel travelled and potentially saving the gravel section south of their farm. Thanks for the opportunity to voice our concerns.</p>	<p>Stable Fly Management will be addressed in the conditions of approval. The proposed operation will be undertaken in accordance with a management plan which ensures the proper processes are in place to mitigate stable fly impact (as are their other farming operations).</p> <p>No access will be taken from the southern end of Mimegarra Road.</p>

STATUTORY ENVIRONMENT

Schedule 2: Deemed Provisions for local planning schemes of the Planning and Development (Local Planning Schemes) Regulations 2015: Clause 67.

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

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (c) any approved State planning policy;*
- (d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*
- (f) any policy of the State;*

- (fa) any local planning strategy for this Scheme endorsed by the Commission;*
- (g) any local planning policy for the Scheme area;*
- (n) the amenity of the locality including the following —*
 - (i) environmental impacts of the development;*
 - (ii) the character of the locality;*
 - (iii) social impacts of the development;*
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;*
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (s) the adequacy of — (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;*
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety; (u) the availability and adequacy for the development of the following —*
 - (iii) storage, management and collection of waste;*
- (y) any submissions received on the application; (za) the comments or submissions received from any authority consulted under clause 66;*
- (zb) any other planning consideration the local government considers appropriate.*

Health (Miscellaneous Provisions) Act 1911 Section 181

Removal of offensive matter provisions.

Biosecurity and Agriculture Management Act 2007 & Biosecurity and Agriculture Management (Stable Fly) Management Plan 2019 (as amended):

For the fourteen local government areas (not including the Shire of Dandaragan) which have had stable fly declared as pest, a 'C3 Management' process has been assigned, which is: have some form of management applied that will alleviate the harmful impact of the pest, reduce the numbers or distribution of the pest, or prevent or contain the spread of the pest.

Shire of Dandaragan Health Local Law 2005

Clause 6.1.4 of this Local Law allows the Shire to give a notice requiring measures to be taken in response to flies breeding in circumstances where, in the opinion of an environmental health officer, flies are prevalent or are breeding on a premises.

Local Planning Scheme No. 7 (Scheme)

The property is zoned 'Rural' under the Scheme. The Scheme objective for the Rural zone is: To provide for a range of rural activities such as broadacre and diversified farming so as to retain the rural character and amenity of the locality, in such a way as to prevent land degradation and further loss of biodiversity. A vegetable growing operation aligns with the Scheme land use definition of 'agriculture – intensive', which is defined as: *means premises used for commercial production purposes, including outbuildings and earthworks, associated with any of the following –*

- (a) *the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;*
- (b) *the establishment and operation of plant or fruit nurseries;*
- (c) *the development of land for irrigated fodder production or irrigated pasture (including turf farms); or*
- (d) *aquaculture;*

This land use is listed as a discretionary ('D') use under the Scheme for the Rural zone, meaning the development cannot commence without Council exercising discretion in their land use development decision making.

POLICY IMPLICATIONS

State Planning Policy 2.5: Rural Planning:

Intensive agriculture is generally supported and encouraged on rural land provided rural amenity and environmental impacts can be effectively managed.

State Planning Policy 3.7: Planning in Bushfire Prone Areas

As outlined in the Comment section of the report.

FINANCIAL IMPLICATIONS

Payment of the applicable application fee has been made by the applicant.

STRATEGIC IMPLICATIONS

Local Planning Strategy

Rural Land – Facilitate more intensive and diverse use of rural land for higher value agricultural products which are compatible with land capability attributes and surrounding farming practices, subject to availability of adequate water supply.

Shire of Dandaragan Council Plan

Prosperity – The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy. Envision Consultation Outcomes & Feedback Provide support to local businesses to support their growth.

ATTACHMENTS

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

- Development application covering report (SODR-1262144384-25487)
- Department of Primary Industries and Regional Development: Stable fly management in Western Australia April 2022 (SODR1262144384-25628)
(Marked 9.3.5)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council grant development approval for the land use of Agriculture – Intensive (Horticulture) on Lot 23 (No. 2240) Mimegarra Road, Mimegarra, subject to the following conditions and advice:

Conditions:

- 1. All development shall be in accordance with the approved development plans and accompanying documentation submitted by Apex Planning dated 25 October 2024, which forms part of this development approval, to the specifications and satisfaction of the Shire of Dandaragan, subject to any modifications required as a consequence of any condition(s) of this approval.**
- 2. The endorsed plans shall not be modified or altered without the prior written approval of the Shire of Dandaragan.**
- 3. The use when established shall at all times comply with the land use definition of ‘agriculture – intensive (vegetable growing)’ contained within the Shire of Dandaragan Local Planning Scheme No. 7.**
- 4. The development’s heavy haulage shall only use the Shire of Dandaragan local roads of Mimegarra Road (north of the development site) and Meadows Road to access and exit the development site to the satisfaction of the Shire of Dandaragan.**
- 5. Prior to the commencement of construction on the site, including access and egress, the proponent must submit and have approved by the Shire of Dandaragan, a Road Condition Report outlining any improvements to be undertaken to the unsealed section of Mimegarra Road, including all necessary drainage and signage. Any improvements are to be completed by the proponent at their cost prior to any transportation of materials or construction commencing on site.**
- 6. Prior to the 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 required improvements shall be borne by the proponent.
7. Prior to the commencement of construction on the site, the proponent must enter into a Road Maintenance Agreement with the Shire. This agreement will need to include the total tonnage/type of construction materials and vehicles used to transport these materials to site for the construction period.
 8. Prior to the commencement of construction on the site, the proponent must submit and have approved by the Shire of Dandaragan, a Traffic Management Plan for the construction phase of the project for the unsealed section of Mimegarra.
 9. Prior to the commencement of construction on the site, the proponent must submit and have approved by the Shire of Dandaragan, a Dust Management Plan for the construction phase of the project for the unsealed section of Mimegarra.
 10. Prior to the commencement of the approved use, the proponent is to enter into a Road User Agreement with the Shire of Dandaragan regarding the utilisation of Mimegarra Road by the development's heavy haulage to establish contributions by the proponent necessary to achieve the desired infrastructure standard for Mimegarra Road for the life of the development.
 11. A report detailing all activities and tonnages of harvested produce and materials transported to and from the development for the financial year ending 30 June is to be submitted to the Shire of Dandaragan by 31 July each year.
 12. Should the development's heavy haulage use Mimegarra Road when the road is closed due to the road formation being wet and damages the road to a hazardous state or impassable to light vehicle traffic as determined by the Shire of Dandaragan, the proponent shall cover the costs incurred by the Shire of Dandaragan to reinstate the road pavement to a suitable trafficable condition to the satisfaction of the Shire of Dandaragan.
 13. The transportation of materials, goods and commodities to and from the development shall be conducted so that dust emissions have minimal impact on the locality to the satisfaction of the Shire of Dandaragan.
 14. The proponent is to implement and maintain reporting mechanisms for complaints concerning the operation of the development. In the event of a substantiated complaint being received the applicant is required to demonstrate mitigation response(s) to the satisfaction of the Shire of Dandaragan.
 15. 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 'Cropping, Harvesting and Farm Waste Management Plan' addressing the operating strategy of vegetable growing land use for the life of the development.

16. 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 management plan that reduce the risk of wind erosion as large areas of the site have little to no groundcover and are at high risk of wind erosion.
17. 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 Nutrient and Irrigation Management Plan (NIMP) to ensure there is no export of excess nutrients from the property.

Advice Notes:

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. In relation to condition 11, it is advised that Clause 6.1.4 of the Shire of Dandaragan Health Local Law 2005 allows the

Shire to give a notice requiring measures to be taken in response to flies breeding in circumstances where, in the opinion of an environmental health officer, flies are prevalent or are breeding on a premises.

- f. Any clearing of native vegetation will require the appropriate permit from the Department of Water and Environmental Regulation (DWER).
- g. Bassendean sands are less ideal for intensive vegetable growing than other sands such as the Spearwood sands. Careful irrigation monitoring, as well as site mulching and water retention practices would be worthwhile incorporating.

9.3.6 PROPOSED WORKFORCE ACCOMMODATION – LOT 3556 BARBERTON WEST ROAD, YATHROO

Location:	Lot 3556 Barberton West Road, Yathroo
Applicant:	Element Advisory on behalf of Koojan Downs Pty Ltd
Folder Path:	SODR-1262144384-27377
Disclosure of Interest:	Nil
Date:	11 March 2025
Author:	Alex MacKenzie Principal Planning and Building Officer
Senior Officer:	Louis Fouché, Executive Manager Development Services

PROPOSAL

The purpose of this report is for Council to consider an application for workforce accommodation to house staff employed in association with an existing cattle feedlot onsite. Council needs to make a decision regarding the consistency and compatibility of the proposed “use not listed” in relation to the Rural zone.

It should be noted that a portion of the accommodation is existing development for which approval was not previously obtained. Development approval is therefore sought for both existing accommodation and ancillary facilities, and new additions. Specifically, the current application details:

- Expansion of six existing (one-bed) accommodation units
- Expansion of four existing (two-bed) accommodation units
- Installation of two ablution units
- Expansion of one residence on-site (cool room and bathroom)
- Two additional single accommodation units (each comprising 4 one-bed rooms)
- The current application will see a total of 35-beds on-site.



Figure 1 – Location Plan (Aerial Showing Site East of Capitea Rd)

BACKGROUND

The subject site occupies approximately forty (40) hectares of rural zoned land located approximately 400 metres east of the intersection of Koojan Pool Road and Capitea Road. The accommodation will be positioned approximately three kilometres west of the existing Koojan Downs intensive cattle feeding facility, owned and operated by Koojan Downs Pty Ltd.

The facilities onsite were used for temporary accommodation at the time it was acquired by the proponent in December 2022. As the 'new' owner, the applicant is looking to obtain approval for the use.

COMMENT

The following represents an assessment of the proposal with reference to Matters to be Considered in the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

Aims and Provision of the Scheme (& Strategy)

'Workforce Accommodation' is a Use not listed under the Shire's Local Planning Scheme No.7. In determining whether the use is consistent with the objectives of the rural zone it can be considered that:

- the use and development will facilitate intensification of agricultural activity and diversification of the sector within the Shire.

- The use and development is of a type and form consistent with the land-use direction and economic growth objectives of the Shire's planning strategy (and Council Plan).

Compatibility of the Use, Suitability of the Site, and Amenity of the Location

The workforce accommodation facility is proposed in association with an existing agricultural land-use. The development of facilities to allow for accommodation of workers on-site is essentially an extension of a land-use that is consistent with the 'Rural' zone.

The development has been designed to screen the appearance of what are separate structures as viewed from the road. The buildings themselves are consistent with built form design typically seen in a rural and agricultural context.

A condition of development approval is recommended to ensure that lighting is designed and installed so to fit with the *dark sky* principles of the Western Australian Planning Commission and Australian Standard AS4282 – *Control of Obtrusive Effects of Outdoor Lighting*.

Relevant State Policy - SPP 3.7 Bushfire

The subject site is not designated as bushfire prone. However, it is recommended that an advice note be included in the approval requesting that a Bushfire Management Plan be prepared.

However, given that the proposal involves intensification of the numbers of people being accommodated on-site it is considered best practice to have due regard for management of risk should a bushfire (or fire) occur. While noting that the accommodation facilities are not technically designated as bushfire prone under current State bushfire mapping; it is recommended that a management plan be prepared given that the site is on farm land where there is always a risk of bushfire.

Adequacy of Services

Waste Management – Approval is to be conditioned to required submission of a waste management plan to the satisfaction of Shire Health Services.

Submissions Received

The proposal was advertised for public comment with no submissions received.

Other Considerations - Western Australian Planning Commission Position Statement: Workforce Accommodation

Planning decision-makers can control the following in regard to workforce accommodation development applications:

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

Should Council resolve not to approve the application the applicant may elect to challenge such a determination at the State Administrative Tribunal. In the event that an appeal was unsuccessful, the Shire would be required to initiate legal action to enforce compliance with the Shire's planning scheme further to the provisions of the Planning and Development Act.

CONSULTATION

The development application was advertised for public comment over a 28-day period with no submissions received.

STATUTORY ENVIRONMENT

Planning and Development (Local Planning Schemes) Regulations 2015

'Workforce Accommodation' is defined as a: *premises, which may include modular or relocatable buildings, used:*

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

Local Planning Scheme No 7

'Workforce Accommodation' is a Use class that is not listed within the zoning table of the Scheme. On this basis, the use-not-listed provisions of the Scheme apply, as follows:

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

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The applicant was required to pay a penalty equivalent to triple the standard fee for the reason that the development and use had already commenced without approval.

STRATEGIC IMPLICATIONS

Shire of Dandaragan Local Planning Strategy

Rural Land – Facilitate more intensive and diverse use of rural land for higher value agricultural products which are compatible with land capability attributes and surrounding farming practices, subject to availability of adequate water supply.

Shire of Dandaragan Council Plan

Prosperity – The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy. Envision Consultation Outcomes & Feedback Provide support to local businesses to support their growth.

ATTACHMENTS

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

- Workforce Accommodation Plans (Doc ID:SODR-1262144384-26282)

(Marked 9.3.6)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

- 1. Determines in accordance with Clause 3.4.2 a) of Local Planning Scheme No. 7 that the “Workforce Accommodation” use as proposed is consistent with the land-use objectives and direction for the Rural zone as set out under the Shire’s local planning framework and is therefore permitted.**
- 2. Grant development approval for Workforce Accommodation at Lot 3556 Barberton West Road, Yathroo, subject to the following conditions and advice:**

Conditions:

- 1. All development shall be in accordance with the approved development plans dated 27 March 2025, to the specifications and satisfaction of the Shire of Dandaragan**

2. The endorsed plans shall not be modified or altered without the prior written approval of the Shire of Dandaragan.
3. This approval is for 'Workforce Accommodation' as shown on approved plans and defined in Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
4. All external lighting shall comply with the requirements of *AS4282 – Control of Obtrusive Effects of Outdoor Lighting* and the Western Australian Planning Commission's Dark Sky Principles to prevent light spill from the site to the satisfaction of the Shire of Dandaragan.
5. Prior to the operation of the development, the applicant must submit and have approved by the Shire of Dandaragan and thereafter implement to the satisfaction of the Shire of Dandaragan, an Operational Management Plan addressing the following matters:
 - i. details on the future ongoing management of the waste bins and the waste bin storage areas, including cleaning, rotation and moving waste bins to and from the waste bin collection areas.

Advice Notes:

- A. This is a development approval of the Shire of Dandaragan under its *Local Planning Scheme No.7*. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
- B. Prior to lodging an application for a building permit, it is recommended that the applicant prepare a Bushfire Management and Emergency Excavation Plan prepared in accordance with State Planning Policy 3.7 Planning in bushfire prone areas.

9.3.7 PROPOSED BICYCLE HIRE BUSINESS – JURIEBAY FORESHORE RESERVE 28541, PART LOT 303 (25) ROBERTS STREET, JURIEBAY

Location:	Jurien Bay Foreshore Reserve 28541, Part Lot 303 (25) Roberts Street, Jurien Bay
Applicant:	Garry Morgan
Folder Path:	SODR-1262144384-27361
Disclosure of Interest:	Nil
Date:	11 March 2025
Author:	Alex MacKenzie Principal Planning and Building Officer
Senior Officer:	Louis Fouché, Executive Manager Development Services

PROPOSAL

The purpose of the report is for Council to consider an application for the operation of a bicycle hire business on a portion of the Jurien Bay Foreshore Reserve (25) Roberts Street, Jurien Bay.

BACKGROUND

For context, typically, a proposal such as that now presented to Council would be determined under delegation via a trading permit process further to the Shire's Trading in Public Places Local Laws. However, on the basis that:

- The current Foreshore Masterplan does not specifically designate locations for such an activity;
- The Shire's Local Planning Policy 9.11 Mobile and Itinerant Vendors and Commercial Activities on Reserved Land (LPP 9.11) lacks clarity around the approval pathway for trading activities which could also be determined as a 'Use' under the Planning and Development Act; and
- Noting that Council has recently approved a commercial 'pop-up' activity to be located in close proximity to where the current proponent seeks to operate;

It was considered appropriate to present the application to Council for a determination.

It should be noted that in the coming months Shire planning will be undertaking a review of both LPP 9.11 and the Jurien Bay (and Cervantes) Foreshore Masterplans. It is intended that the review process will address the matters set out above and provide greater clarity and direction (both for proponents and also from a planning assessment perspective).

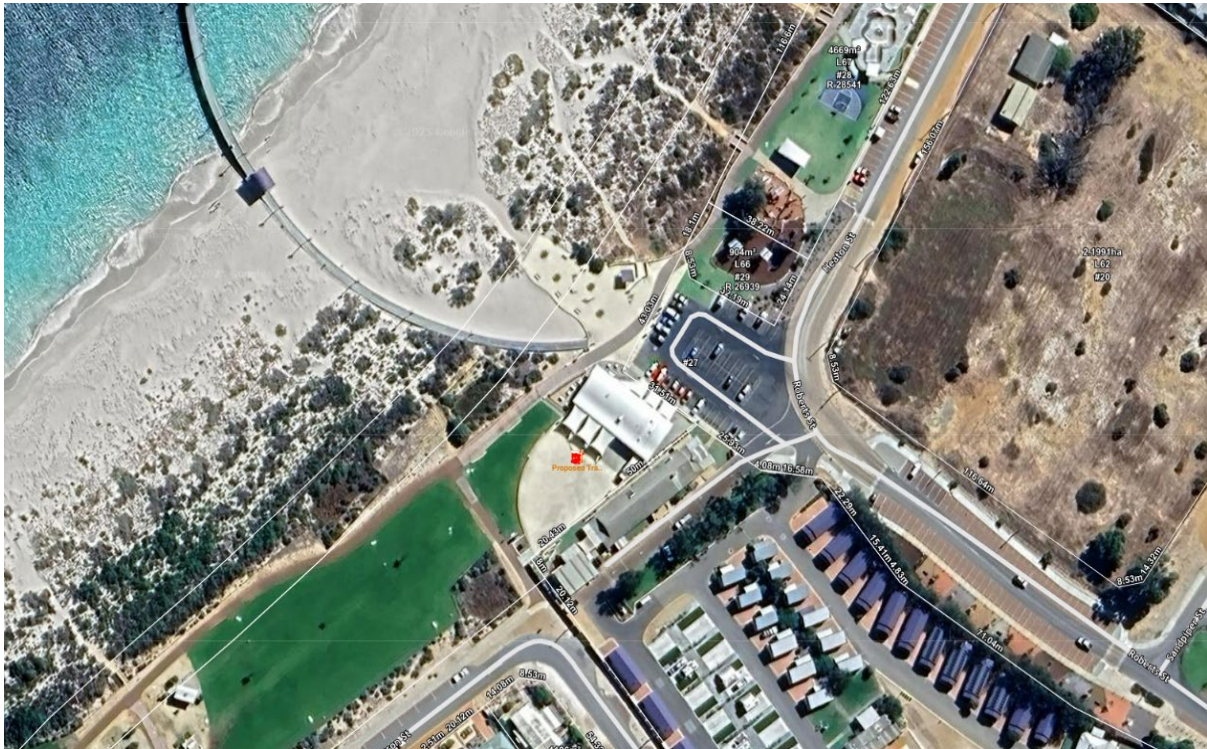
A summary of the proposed activity is set out below.

- "Pedal Jurien Bay Cycle Hire" seeks to operate adjacent to the Jurien Bay Beach Café.
- The proponent seeks to place a purpose-built enclosed trailer (2.2M wide, 5M length, 2.7M height) on the southern side of the café each day during hours of operation.
- Proposed opening hours are 9:00am-3:00pm Friday to Sunday.

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 MARCH 2025

- A maximum of 10 bicycles, including electric 'E-bikes', will be available for hire.
- Standard bicycles, child bicycles and a tandem bicycle will also be offered along with trailers and mandatory helmets.

The applicant has taken out \$20-million public liability insurance for the venture.



Location Plan showing proposed location of bicycle hire trading activity

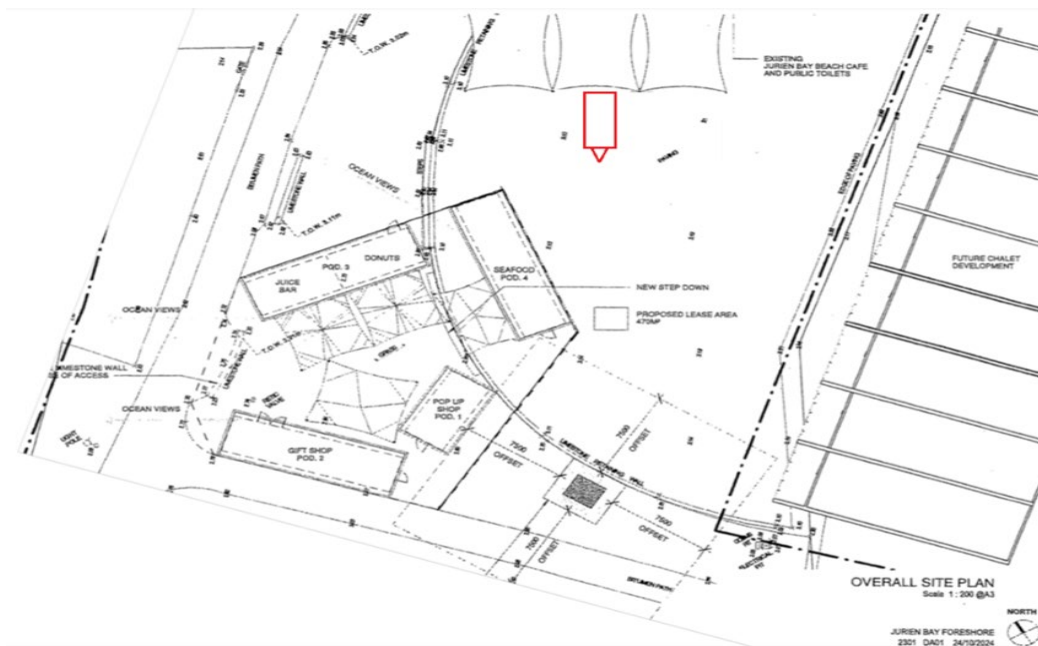


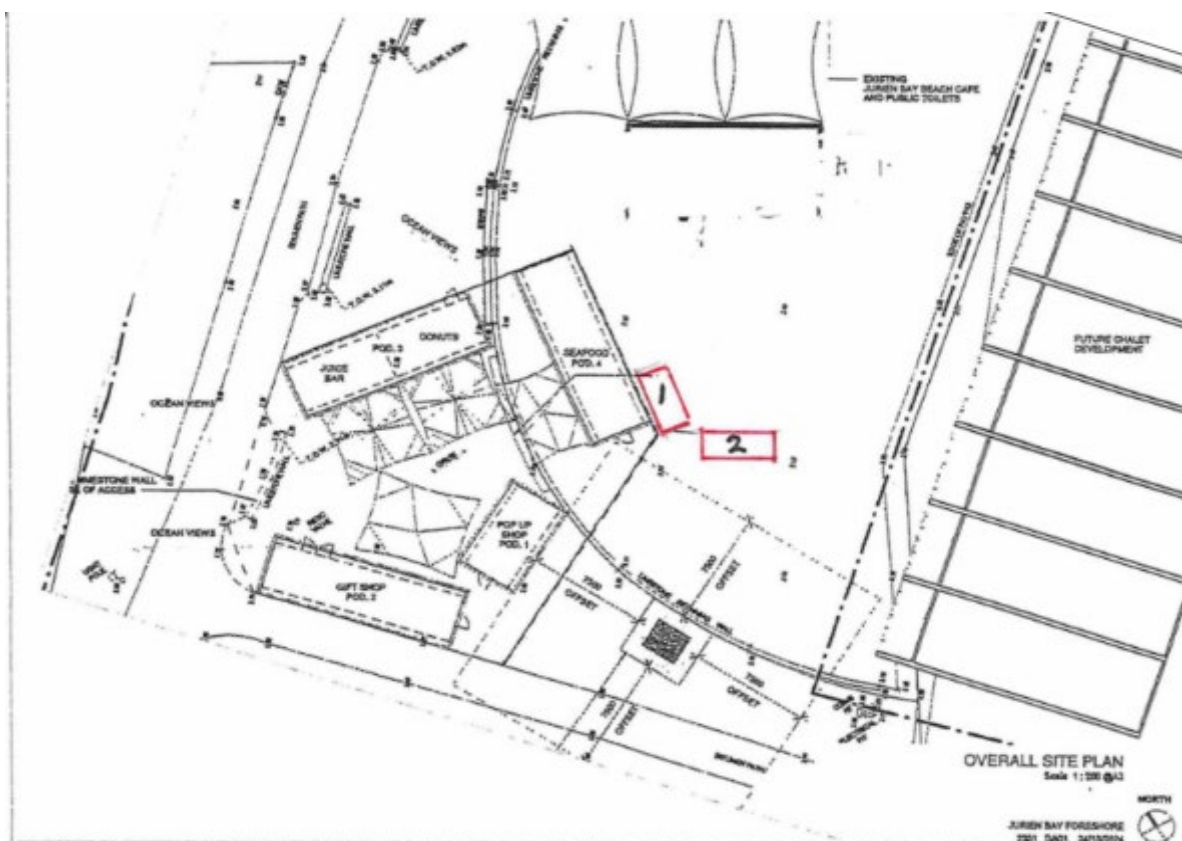
Figure 2 – Site Plan 1: Applicant's proposed trailer location in red

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 MARCH 2025

Previous approvals granted for commercial activities and trading within the foreshore reserve by Council include:

- Relocatable Modular Structures (Pop Up Shops) - OMC 19 December 2024
- Bicycle Hire Business (Jurien Bay Jetty) - OMC 28 October 2021

Shire Officer's provided the applicant with alternative locations with respect to how the trailer might be positioned on-site (shown below). While these options were not accepted by the proponent they have been included for consideration by Council given the officer recommendation proposing this location as per Site Plan 2 below.



Site Plan 2: Officer recommended locations for trailer in red

COMMENT

In accordance with Clause 2.4.2 of the Scheme, in determining a development application for reserve land, Council must have due regard to the matters set out in Clause 67 of the Deemed Provisions (Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015) and *the ultimate purpose intended for the Reserve. (In terms of the Management Order, the purpose of the Foreshore Reserve is 'foreshore protection' and 'recreation').*

The following represents an assessment of relevant considerations.

Aims and Provision of the Scheme

The proposed hire business activity is generally consistent with the 'recreation' purpose of the foreshore reserve.

Compatibility of the Use, Suitability of the Site, and Amenity of the Location

The use as proposed is compatible with the function of the foreshore reserve insofar as the business will complement tourism and recreation activity.

Applicant's Proposed Positioning of Trailer (Site Plan 1) - The positioning of the trailer immediately next to the Jurien Bay Beach Café (yet outside of the Cafe's lease area) initially raised concerns for potential impacts on the café in terms of restricted views, access, However, the café operator has provided a letter of support for the bike hire proposal.

It is considered that the positioning of the trailer in a north-south alignment will lessen the visual impact for patrons of the café (noting that 4 sea container type structures are also to be positioned within the same line of sight, further to previous approval dated 19 December 2024). It is not expected that the positioning of the trailer will present as 'unsightly' (noting the artwork to be installed on the trailer) for adjoining residents.

Officer Recommendation for Position of Trailer (Site Plan 2) - It is noted that the proponent has received a letter of support for the positioning of the trailer next to the café from the current café management.

The proposed location of the trailer as shown on Site Plan 1 is not recommended to be approved for the following reasons.

- The location of the trailer next to the cafe, while supported by the current cafe operator, may not be considered appropriate for subsequent operators who may wish to engage with the immediate surrounds (i.e. events, expanded lease footprint for dining or for an expanded licensed area etc);
- The location of the trailer can be foreseen to be problematic when events are scheduled such as live music which would ideally be positioned on the hardstand area adjoining the cafe;
- Although yet untested it is possible that issues with respect to access or the manoeuvrability of service vehicles / staff accessing the site may occur.
- The outdoor dining area is available as public seating and is not for the exclusive use of the café. There is a concern that the activities associated with the bicycle hire business (i.e. loading and offloading, servicing, hiring negotiation etc.) may interfere with the enjoyment of the public of the dining space overlooking the beach.

- The alternative positioning of the trailer as shown in Site Plan 2 is more consistent with the direction of Council (re. siting of commercial activity within the foreshore) in terms of abutting the approved locations for the proposed pop-up containers; and
- The positioning of the trailer as per Site Plan 2 is less likely to impact adversely on patrons of the cafe (access to views etc).

Although the Officer recommendation is to approve a trading permit for the application for the bicycle hire activity at the location consistent with Site Plan 2, it is Council's prerogative to:

- Approve the trading permit at the applicant's preferred location as per Site Plan 1; or
- Refuse the application for a trading permit.

Access and Traffic Management

The application has detailed arrangements for how the trailer will be brought on-site utilising the same access point as the café. The positioning of the trailer as shown (on both Site Plan 1 and 2) will not obstruct access for delivery vehicles servicing the café.

Adequacy of Services

Existing services (power) and facilities on-site will cater for the needs of both the proposed bike hire business and its customers.

Jurien Bay Foreshore Masterplan

The adopted Foreshore Masterplan does not set out specific locations for commercial trading geared at contributing to the activation of the foreshore precinct. The masterplan does, however, point to future commercial activity within the area immediately adjoining the beach cafe. As foreshadowed in the 'Background' section of this report, it is envisaged that the to-be-revised masterplan will provide greater clarity in this regard.

Local Planning Policy 9.11

The bike hire activity is a commercial activity that is consistent with the provisions of the Shire's LPP 9.11. Approval of the bike hire business to operate 3-days a week from the foreshore location is not anticipated to impact adversely on the commercial function of the Jurien Bay CBD or on the viability of similar businesses within the Jurien Bay townsite.

Shire of Dandaragan Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2019

In determining an application for development approval (for the use of a local reserve) 2.4.2 of the Scheme provides that 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.

Shire of Dandaragan Local Government Property Local Law 2019

It is considered appropriate that the proposed activity be approved via a Trading Permit under the Shire's Local Laws. The purpose of such a permit is to allow the Shire to control and to be able to manage any potential issues associated with a business activity. The applicant will be required to apply for renewal of the trading permit every 12-months.

CONSULTATION

The proposal was advertised for public comment over a 21-day period with no submissions received. A letter in support of the proposal was provided by Jurien Bay Beach Café.

STATUTORY ENVIRONMENT

Local Planning Scheme No.7

2.4.1 Use and Development of Local Reserves

"A person must not – Use a Local Reserve; or Commence or carry out development on a Local Reserve, without first having obtained development approval under Part 7 of the deemed provisions."

Foreshore Reserve 28541 is reserved for 'Parks and Recreation' under the Scheme.

POLICY IMPLICATIONS

Local Planning Policy 9.11 Mobile and Itinerant Vendors and Commercial Activities on Reserved Land

Objective

- *To allow for the operation of trading activities in such a manner that they do not conflict with or prejudice the Shire's permanent retail and service base, or other normal functions of the Shire;*
- *To protect existing levels of public amenity and safety from the impact of trading activities by adequately addressing potential risk management issues;*
- *Set appropriate minimum standards in the interest of public safety, environmental protection and social amenity;*
- *Identify specific locations for particular activities and cap the number of activities in weighted against the environment, conflict of use and broader public interest to accessibility;*
- *To ensure that commercial activities on reserves do not diminish the recreational amenity of residents or visitors who are attracted to the Shire for its natural wonders and environment.*

Policy Statement

This policy has been prepared to provide clarity and guidance on the preparation and assessment of stallholder / mobile and itinerant vendor applications including commercial activities on foreshore land within Jurien Bay and Cervantes.

Objectives:

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

FINANCIAL IMPLICATIONS

The applicant has paid the applicable fee under the Shire's schedule of fees and charges.

STRATEGIC IMPLICATIONS

Shire of Dandaragan Council Plan

Prosperity – The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy. Consultation Outcomes & Feedback Provide support to local businesses to support their growth.

ATTACHMENTS

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

- Site Plan – (Doc ID: SODR-1262144384-27449)
- Site Plan 2 – (Doc ID:SODR-1262144384-27507)
- Trailer Artwork – (Doc ID: SODR-1262144384-27505)
- Foreshore Masterplan Extract – (Doc ID:SODR-877026889-846)

(Marked 9.3.7)

VOTING REQUIREMENT

Simple majority.

OFFICER RECOMMENDATION

That Council pursuant to the *Local Government Property Local Law and Activities on Thoroughfares and Trading in Public Places Local Law*, authorise the CEO to issue a Trading Permit for the operation of 'Pedal Jurien Bay Cycle Hire' at Foreshore Reserve 28541, Part Lot 303 (25) Roberts Street, Jurien Bay.

Conditions:

1. This approval is granted for an initial one (1) year period from the Council decision date and is non-exclusive and allows for equal access and right of use of the Shire managed Jurien Bay foreshore reserve.
2. The trading activity the subject of this approval is approved to operate from locations 1 or 2 shown on approved Site Plan 2 dated 27 March 2025. The permitted location of the trailer will be subject to review at the discretion of the Chief Executive Officer.
3. The approval is non-transferable.
4. That the operational hours of the bicycle hire are between sunrise and sunset Fridays to Sundays.
5. That the proponent be in possession of an Australian approved public liability insurance policy to a minimum value of \$10 million for the period of the approval.
6. In the event of damage to infrastructure or the environment the Shire may seek costs for repair and restoration works.
7. That a responsible person nominated by the proponent is present while the business is operating.
8. In response to an issue of public safety (as determined by the Chief Executive Officer) operation shall cease until the matter has been resolved to the satisfaction of the Shire of Dandaragan.

Advice Notes:

- A. Additional conditions may be included in the reserve user agreement at the discretion of the Chief Executive Officer.
- B. Further approvals will be considered taking into account the Foreshore Master Plan and relevant Shire Policies.

9.4 GOVERNANCE & ADMINISTRATION

9.4.1 2025 REVIEW OF DELEGATIONS REGISTER

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	SODR-461937211-7
Disclosure of Interest:	None
Date:	10 March 2025
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To review the Shire of Dandaragan's Delegations Register in accordance with the Local Government Act 1995.

BACKGROUND

The Local Government Act 1995 provides for a local government to delegate some of its powers and duties to the Chief Executive Officer and in some circumstances a committee. The Act also provides for the Chief Executive Officer to delegate any of his / her powers or functions to any employee of the local government. All of the above-mentioned delegations are required to be recorded in a register of delegations and that register must be reviewed on an annual basis.

COMMENT

Under the Local Government Act 1995 Section 5.46, and as part of the annual Compliance Audit Return, delegations are to be reviewed at least once every financial year, in this case 2024.

A review of the Shire's Delegations Register has resulted in minor changes being made reflecting recent changes to officer responsibilities titles within the organisation.

CONSULTATION

- Executive Management Team
- Acting Executive Manager Corporate and Community Services

STATUTORY ENVIRONMENT

The Local Government Act 1995 Section 5.46 establishes the requirement to maintain a delegations register.

Other legislative requirements and references are incorporated within the Delegations Register itself.

POLICY IMPLICATIONS

There are no policy implications relevant to this item

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item

STRATEGIC IMPLICATIONS

Not applicable.

ATTACHMENTS

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

- Shire of Dandaragan Delegations (Doc ID: SODR-461937211-1578

(Marked 9.4.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council:

Endorse the annual review of the Delegations Register (Doc ID SODR-461937211-1528) in accordance with Section 5.46 of the Local Government Act 1995, noting that no substantive changes have been made to the roles and responsibilities within the current organisational structure, aside from updates to position titles.

9.4.2 COUNCIL MEETING SCHEDULE 2025 / 2026

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	SODR-1739978813-5000
Disclosure of Interest:	None
Date:	18 March 2024
Author:	Nikita Winsloe, Executive Secretary
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To determine a Council meeting schedule for the period 1 July 2025 to 30 June 2026 and to consider start times for Council Meetings.

BACKGROUND

On an annual basis, local governments in Western Australia are required to establish and advertise a schedule of Council meetings. The Shire of Dandaragan's current schedule sets meetings up to 30 June 2025 and as such it is timely to adopt a new schedule.

COMMENT

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

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

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

CONSULTATION

Nil

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 27 MARCH 2025

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council:

- 1) Adopt the following meeting schedule for the 2025 / 2026 financial year:

DAY	DATE	TIME	MEETING VENUE
Thurs	24 July 2025	4.00pm	Jurien Bay
Thurs	28 August 2025	11.00am	Jurien Bay
Thurs	25 September 2025	4.00pm	Jurien Bay
Thurs	23 October 2025	4.00pm	Jurien Bay
Thurs	27 November 2025	4.00pm	Jurien Bay
Thurs	18 December 2025	4.00pm	Jurien Bay
Thurs	26 February 2026	4.00pm	Jurien Bay
Thurs	26 March 2026	4.00pm	Jurien Bay
Thurs	23 April 2026	4.00pm	Jurien Bay
Thurs	28 May 2026	4.00pm	Jurien Bay
Thurs	25 June 2026	4.00pm	Jurien Bay

9.5 COUNCILLOR INFORMATION BULLETIN**9.5.1 SHIRE OF DANDARAGAN – BUILDING STATISTICS – JANUARY & FEBRUARY 2025**

Document ID: SODR-2045798944-439

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

9.5.2 SHIRE OF DANDARAGAN – PLANNING STATISTICS – JANUARY & FEBRUARY 2025

Document ID: SODR-2045798944-440

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

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

Document ID: SODR-1876983588-1503

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

10 NEW BUSINESS OF AN URGENT NATURE – INTRODUCED BY RESOLUTION OF THE MEETING**11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC****12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****13 CLOSURE OF MEETING**