



SHIRE OF  
**DOWERIN**  
TIN DOG TERRITORY

# MINUTES

## Ordinary Council Meeting

Held in Council Chambers  
13 Cottrell Street, Dowerin WA 6461  
Tuesday 19 December 2023

ABN: 35 939 977 194

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Shire of Dowerin  
Ordinary Council Meeting  
Tuesday 19 December 2023



**1. Official Opening / Obituaries**

The President welcomes those in attendance and declares the Meeting open at 2.00pm.

In opening the meeting, the Council, CEO and Management acknowledges the passing of Ian Rackham, James Ward, Geoff Webb and Arthur Borgward with a minutes silence.

**2. Record of Attendance / Apologies / Leave of Absence**

**Councillors:**

Cr RI Trepp	President
Cr NP McMorran	Deputy President
Cr WG Allsopp	
Cr DP Hudson	
Cr AJ Metcalf	
Cr JC Sewell	
Cr BA Ward	

**Staff:**

Mr D Singe	Chief Executive Officer
Mr A Wooldridge	Deputy Chief Executive Officer
Ms K Rose	Executive and Governance Officer

**Members of the Public:**

**Apologies:**

**Approved Leave of Absence:** Nil

**3. Public Question Time**

**4. Disclosure of Interest**

- Cr Metcalf
- Proximity Interest - item 12.1

**5. Applications for Leave of Absence**

Nil

## 6. Petitions and Presentations

## 7. Confirmation of Minutes of the Previous Meeting(s)

7.1 Ordinary Council Meeting held on 21 November 2023.

### Attachment 7.1A

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation/ Resolution - 7

**Moved:** Cr Metcalf

**Seconded:** Cr Allsopp

**0895** That, by Simple Majority pursuant to Sections 5.22(2) and 3.18 of the Local Government Act 1995, the Minutes of the Ordinary Council Meeting held 21 November 2023, as presented in Attachment 7.1A, be confirmed as a true and correct record of proceedings.

**CARRIED 7/0**

**For:** Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

## 8. Minutes of Committee Meeting(s) to be Received

8.1 Australia Day Honours Committee Meeting held on 7 December 2023

### Attachment 8.1A

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation/ Resolution - 8

**Moved:** Cr McMorran

**Seconded:** Cr Ward

**0896** That, by Simple Majority pursuant to Sections 5.22(2) and 3.18 of the *Local Government Act 1995*, the Minutes of the Australia Day Honours Committee Meeting held on 7 December 2023, as presented in Attachment 8.1A, be received by Council, with the amendment to be made to Shelley Matthews to be noted as an apology.

**CARRIED 7/0**

**For:** Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

**9. Recommendations from Committee Meetings for Council Consideration**

9.1 Australia Day Honours Committee Recommendation(s)

**9.1.1 Award Nominations – Community Citizen of the Year**

Refer to Australia Day Honours Committee Meeting Minutes dated 7 December 2023

**Voting Requirements**



Simple Majority



Absolute Majority

**Committee Recommendation 9.1.1**

**Moved** Cr Ward

**Seconded:** Cr Hudson

**0897 That the Australia Day Honours Committee recommends to Council that \* be awarded the 2024 Citizen of the Year Award, to be announced and presented on Friday 26 January 2024 at the Australia Day Breakfast.**

**CARRIED 7/0**

**For:** Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

**9.1.2 Award Nominations – Senior Community Citizen of the Year (65 years and over)**

Refer to Australia Day Honours Committee Meeting Minutes dated 7 December 2023

**Voting Requirements**



Simple Majority



Absolute Majority

**Committee Recommendation 9.1.2**

**Moved** Cr Ward

**Seconded:** Cr Hudson

**0898 That the Australia Day Honours Committee recommends to Council that \* be awarded the 2024 Senior Community Citizen of the Year Award, to be announced and presented on Friday 26 January 2024 at the Australia Day Breakfast.**

**CARRIED 7/0**

**For:** Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

**9.1.3** Award Nominations – Active Citizen of the Year (community group or event)

Refer to Australia Day Honours Committee Meeting Minutes dated 7 December 2023

**Voting Requirements**



Simple Majority



Absolute Majority

**Committee Recommendation 9.1.3**

**Moved:** Cr Ward

**Seconded:** Cr Hudson

**0899** That the Australia Day Honours Committee recommends to Council that \* be awarded the 2024 Active Citizen of the Year Award, to be announced and presented on Friday 26 January 2024 at the Australia Day Breakfast.

**CARRIED 7/0**

**For:** Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

**10. Announcements by the President Without Discussion**

Attended WALGA Presidents/Mayors training session 6 December 2023

- Discussion regarding the avenues of contact to staff/councillors.

## 11. OFFICER'S REPORTS - CORPORATE AND COMMUNITY SERVICES

### 11.1 Financial Activity Statements

# Corporate and Community Services



<b>Date:</b>	14 December 2023
<b>Location:</b>	Not Applicable
<b>Responsible Officer:</b>	Aaron Wooldridge, Deputy Chief Executive Officer
<b>Author:</b>	As above
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
<b>SharePoint Reference:</b>	Organisation / Financial Management / Reporting / Financial Statements / 2023-2024 Monthly Financial Statements
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#">Attachment 11.1A</a>

#### Purpose of Report

Executive Decision

Legislative Requirement

#### Summary

This item presents the Statement of Financial Activity to Council for the period ending November 2023.

#### Background

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare financial reports.

Regulations 34 and 35 of the *Local Government (Financial Management) Regulations 1996* set out the form and content of the financial reports which have been prepared and are presented to Council.

#### Comment

In order to fulfil statutory reporting requirements and provide Council with a synopsis of the Shire of Dowerin's overall financial performance on a year-to-date basis, the following financial information is included in the Attachment.

#### Statements of Financial Activity - Statutory Reports by Program and Nature or Type

The Statements of Financial Activity provide details of the Shire's operating revenues and expenditures on a year-to-date basis. The reports further include details of non-cash adjustments and capital revenues and expenditures, to identify the Shire's net current position.

#### Note 1 - Statement of Financial Activity

Notes supporting the Statement of Financial Activity by Program and by Nature and Type.

#### Note 2 - Cash and Financial Assets

This note provides Council with the details of the actual amounts in the Shire's bank accounts and/or investment accounts as at the reporting date.

#### Note 3 - Receivables

This note provides Council with both Rates Receivables and General Receivables outstanding as at the reporting date. This report has been expanded to further break down the detail of General Receivables.

#### Note 4 - Other Current Assets

This note provides details of other current assets that the Shire may hold.

#### Note 5 - Payables

This note provides details of Shire payables unpaid as at the reporting date. This Note is new to the financial statements.

#### Note 6- Rate Revenue

This note provides details of rates levied during the year.

#### Note 7 - Disposal of Assets

This note gives details of the capital asset disposals during the year.

#### Note 8- Capital Acquisitions

This note details the capital expenditure program for the year.

#### Note 9 -Borrowings

This note shows the Shire's current debt position and lists all borrowings.

#### Note 10 - Cash Backed Reserves

This note provides summary details of transfers to and from reserve funds, and associated interest earnings on reserve funds, on a year-to-date basis.

#### Note 11 - Other Current Liabilities

This note outlines any provisions the Shire has on hand relative to other current liabilities.

#### Note 12 - Operating Grants and Contributions Received

This note provides information on operating grants received.

#### Note 13 - Non-Operating Grants and Contributions Received

This note provides information on non-operating grants received.

#### Note 14 - Explanation of Material Variances

Council adopted (in conjunction with the Annual Budget) a material reporting variance threshold of 10% or \$10,000, whichever is the greater. This note explains the reasons for any material variances identified in the Statements of Financial Activity at the end of the reporting period.

### **Consultation**

David Singe, Chief Executive Officer

Aaron Wooldridge, Deputy Chief Executive Officer

Megan Shirt, Consultant

### **Policy Implications**

The Shire of Dowerin has a comprehensive suite of financial management policies. Finances have been managed in accordance with these policies.



## Strategic Implications

### Strategic Community Plan

Community Priority: Our Organisation

Objective: *We are recognised as a transparent, well governed, and effectively managed Local Government*

Outcome: 5.3

Reference: 5.3.2

### Asset Management Plan

Nil

### Long Term Financial Plan

Nil

## Statutory Implications

Council is required to adopt monthly statements of financial activity to comply with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

## Risk Implications

<b>Risk Profiling Theme</b>	Failure to fulfil statutory regulations or compliance requirements
<b>Risk Category</b>	Compliance
<b>Risk Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Insignificant (1)
<b>Likelihood Rating</b>	Rare (1)
<b>Risk Matrix Rating</b>	Low (1)
<b>Key Controls (in place)</b>	Governance Calendar, Financial Management Framework and Legislation
<b>Action (Treatment)</b>	Nil
<b>Risk Rating (after treatment)</b>	Adequate

Timely preparation of the monthly financial statements within statutory guidelines is vital to good financial management. Failure to submit compliant reports within statutory time limits will lead to non-compliance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

### Financial Implications

Nil

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation/Resolution – 11.1

**Moved:** Cr Hudson

**Seconded:** Cr Ward

**0900** That Council, by Simple Majority pursuant to Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, receives the statutory Financial Activity Statement report for the period November 2023, as presented in Attachment 11.1A

**CARRIED 7/0**

**For:** Cr Trepp, Cr McMorrان, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

## 11.2 List of Accounts Paid

# Corporate & Community Services



<b>Date:</b>	14 December 2023
<b>Location:</b>	Not Applicable
<b>Responsible Officer:</b>	Aaron Wooldridge, Deputy Chief Executive Officer
<b>Author:</b>	Aaron Wooldridge, Deputy Chief Executive Officer
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
<b>SharePoint Reference:</b>	Organisation/Financial Management/Reporting/Financial Statements and Credit Cards
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#">Attachment 11.2A</a>

### Purpose of Report

Executive Decision

Legislative Requirement

### Summary

This Item presents the List of Accounts Paid, paid under delegated authority, for November 2023.

### Background

Nil

### Comment

The List of Accounts Paid as presented has been reviewed by the Deputy Chief Executive Officer.

### Consultation

David Singe, Chief Executive Officer  
Aaron Wooldridge, Deputy Chief Executive Officer  
Susan Dew, Finance Officer  
Rhonda Ratcliffe, Finance Officer

### Policy Implications

The Shire of Dowerin has a comprehensive suite of financial management policies. Finances have been managed in accordance with these policies. Payments have been made under delegated authority.

## Strategic Implications

### Strategic Community Plan

Community Priority: Our Organisation

Objective: *We are recognised as a transparent, well governed, and effectively managed Local Government*

Outcome: 5.3

Reference: 5.3.2

### Asset Management Plan

Nil

### Long Term Financial Plan

Nil

## Statutory Implications

Regulation 12 and 13 of the *Local Government (Financial Management) Regulations 1996* requires that a separate list be prepared each month for adoption by Council showing creditors paid under delegated authority.

## Risk Implications

<b>Risk Profiling Theme</b>	Failure to fulfil statutory regulations or compliance requirements
<b>Risk Category</b>	Compliance
<b>Risk Description</b>	No noticeable regulatory or statutory impact
<b>Consequence Rating</b>	Insignificant (1)
<b>Likelihood Rating</b>	Rare (1)
<b>Risk Matrix Rating</b>	Low (1)
<b>Key Controls (in place)</b>	Governance Calendar
<b>Action (Treatment)</b>	Nil
<b>Risk Rating (after treatment)</b>	Adequate

## Financial Implications

Funds expended are in accordance with the Council's adopted 2023/2024 Budget.

**Voting Requirements**



Simple Majority



Absolute Majority

**Officer's Recommendation/Resolution - 11.2**

**Moved:** Cr Hudson

**Seconded:** Cr Allsopp

**0901**

**That Council, by Simple Majority pursuant to Section 6.8(1)(a) of the *Local Government Act 1995* and Regulation 12 & 13 of the *Local Government (Financial Management) Regulations 1996*, receives the report from the Chief Executive Officer on the exercise of delegated authority in relation to creditor payments from the Shire of Dowerin Municipal Fund, as presented in Attachment 11.2A, and as detailed below:**

List of Accounts Paid - November 2023	
EFT 11553 to EFT 11681	\$527,408.34
Direct Debit: Synergy	\$6,495.44
Direct Debit: National Australia Bank Fees	\$514.68
Direct Debit: Water Corporation	\$14,756.30
Direct Debit: Telstra	\$1,472.53
Direct Debit: Wesfarmers Kleenheat Gas	\$127.03
Direct Debit: Western Australian Treasury Corporation	\$20,716.27
Direct Debit: Gull Motorcharge Limited	\$242.47
Direct Debit: Xenex Systems Pty Ltd	\$455.02
Direct Debit: Exetel Pty Ltd	\$560.00
Direct Debit: Visa Payments	\$5,926.70
Direct Debit: Superannuation	\$13,408.58
PPE November 2023 - Wages	\$52,222.69
PPE November 2023 - Wages	\$46,989.58
<b>TOTAL</b>	<b>\$691,295.63</b>

**CARRIED 7/0**

**For:** Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

## 12. OFFICER'S REPORTS - GOVERNANCE AND COMPLIANCE

Cr Metcalf exited the chambers at 2:40pm

### 12.1 Development Application - 46 Stacy Street, DOWERIN

## Governance & Compliance



<b>Date:</b>	10 December 2023
<b>Location:</b>	46 Stacy Street, DOWERIN 6461
<b>Responsible Officer:</b>	David Singe, Chief Executive Officer
<b>Author:</b>	Laura Pikoss, HBP Services WA
<b>Legislation:</b>	<i>Planning &amp; Development Act 2005</i>
<b>SharePoint Reference:</b>	N/A
<b>Disclosure of Interest:</b>	Cr Metcalf - Proximity Interest
<b>Attachments:</b>	N/A

#### Purpose of Report

Executive Decision

Legislative Requirement

#### Summary

The Council is in receipt of a planning application, seeking council approval to temporary store a Sea Container at 46 Stacy Street Dowerin, for 12-month period to store personal belongings whilst the applicant demolishes the existing shed and applies and constructs a new shed.

An application for the new shed has not been received and is not assessed as part of this application.

These temporary works to store a shipping container to be used as storage facility are permissible under Schedule 2, Part 7, Clause 61 (1(17)) and (2(f)) of the Planning and Development (Local Planning Schemes) Regulations 2015. Under the regulations the use must cease after 12 months.

#### Description of Proposal

The applicant is proposing to place a temporary Sea Container to be used for personal storage until a new shed has been placed the proposed concept for the temporary storage works, under Schedule 2, Part 7, Clause 61 (1(17)) and (2(f)) of the *Planning and Development (Local Planning Schemes) Regulations 2015* allows a local government to consider any proposed works and use as temporary. Under the Regulations this clause can only be applied for a period not exceeding 12 months and is subject to endorsement from the local government.

The development is located at 46 Stacy Street, DOWERIN 6461, and is currently zoned 'Residential' under the Local Planning Scheme 'Shire of Dowerin Scheme No 2'. The Rural Zone objectives are as follows:

The objectives are:

- To provide for predominantly residential development with a variety of housing to meet the needs of different household types through the application of the Residential Design Codes of Western Australia.
- Non-residential uses shall be compatible in character, scale, and operation with the predominant residential use.

- A non-residential use shall only be permitted if the use does not detract from the amenity of the area.



FIGURE 1 & 2 - SITE LOCATION

## Consultation

Laura Pikoss, HBP Services WA  
Kahli Rose, Executive & Governance Officer

## Policy Implications

Sea containers and Similar Storage Containers, Shire of Dowerin [Local Planning Policies.pdf](#)  
([dowerin.wa.gov.au](http://dowerin.wa.gov.au))

### Policy

1. All sea containers and other similar structures proposed to be located within the Shire require a Development Application to be submitted for assessment and approval by Council prior to locating a sea container on-site with the exception of sea containers located on General Industry and Rural zones.
2. This policy is based on sea containers up to 6 metres (20 feet) in length for Residential, Townsite, Commercial, Light Industry and Rural Residential zones and up to 12 metres (40 feet) in length for General Industry and Rural zones. Container(s) larger than this may need to satisfy additional requirements.
3. Sea containers and other similar structures used for temporary storage during the conduct of building works will be exempt from these requirements, provided that the following criteria are achieved:
  - a. The structure is only being used for the secure storage of materials, plant, machinery or building equipment on a building site;
  - b. The building site has a current Development Approval and/or Building Permit;
  - c. Construction works are actively being undertaken on the site and do not lapse for any period greater than 60 days;
  - d. The structure does not impact on pedestrian or vehicle movements in any way or obstruct vehicle sight lines;
  - e. The structure may not be permitted on the building site for a period longer than 6 months, unless the special approval of Council is obtained; and
  - f. The structure is removed from the building site immediately following the completion of the building works.

## Strategic Implications

### Asset Management Plan

Nil

### Long Term Financial Plan

Nil

## Statutory Implications

Schedule 2, Part 7, Clause 61 (1(17)) and (2(f)) of the *Planning and Development (Local Planning Schemes) Regulations 2015* allows a local government to consider any proposed works and use as temporary. Under the Regulations this clause can only be applied for a period not exceeding 12 months and is subject to endorsement from the local government.



### Risk Implications

The risk assessment in relation to this development is low it poses no significant environmental implications to the site or neighbouring properties. The development is minor.

### Financial Implications

There are no budgetary considerations and implications applicable to this proposal

### Voting Requirements



Simple Majority



Absolute Majority

### Officers Recommendation/Resolution - 12.1

**Moved:** Cr Allsopp

**Seconded:** Cr Ward

**0902** That Council grant Planning Approval as the proposal is for a 12-month period. The sea container to be fully removed thereafter.

#### CONDITIONS

1. Sea Container to be placed inside the lot boundary, behind the dwelling.
2. An outbuilding development application to be submitted to council within 60 days of granting the temporary development application for the Sea container as per Sea Container Policy.
3. All infrastructure the subject of this temporary approval shall cease to be used at the end of the temporary approval term, shall be removed from the land in its entirety within 28 days of expiry of the approval term including reinstatement of the land to its pre-development condition as far as possible.

#### ADVICE NOTES

The following advice notes are offered in addition to the notes provided in Form 4 of Clause 86 of the Deemed Provisions on the approval granted in condition(s) above:

- a) This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and Health Act 2016. It is the responsibility of the Applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Dowerin.
- b) Nothing in the approval shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
- c) The applicant is advised a Building Permit is required prior to commencement of any building works. In this regard the applicant is advised that conditions relating to BAL assessment may result in conditions being imposed at the building permit stage to mitigate the risk for burning embers as part of a preventative approach to bushfire attack.
- d) d. The applicant is advised of a right of appeal to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act, 2005. Appeals must be lodged to SAT within 28 days. Further information can be obtained from the SAT website - [www.sat.justice.wa.gov.au](http://www.sat.justice.wa.gov.au)

**CARRIED 6/0**

**For:** Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Sewell, Cr Ward

Cr Metcalf re-entered the Chambers at 2:42pm

**12.2 Development Application – 325 Hesford Road, HINDMARSH**

## Governance & Compliance



<b>Date:</b>	10 December 2023
<b>Location:</b>	Lot 11204 (325) Hesford Road, HINDMARSH
<b>Responsible Officer:</b>	David Singe, Chief Executive Officer
<b>Author:</b>	Laura Pikoss, HBP Services WA
<b>Legislation:</b>	<i>Planning &amp; Development Act 2005</i>
<b>SharePoint Reference:</b>	N/A
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil

### Purpose of Report

Executive Decision

Legislative Requirement

### Summary

The Council has received a planning application for the demolition of the current cottage and the construction of a new 4-bedroom, 2-bathroom dwelling, in accordance with the Shire of Dowerin Town Planning Scheme 2.

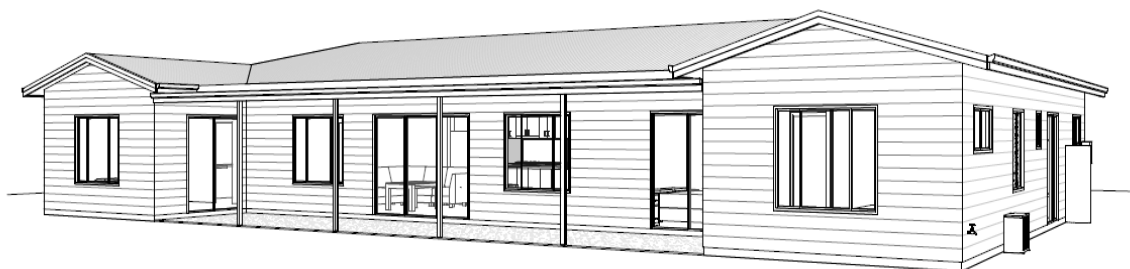
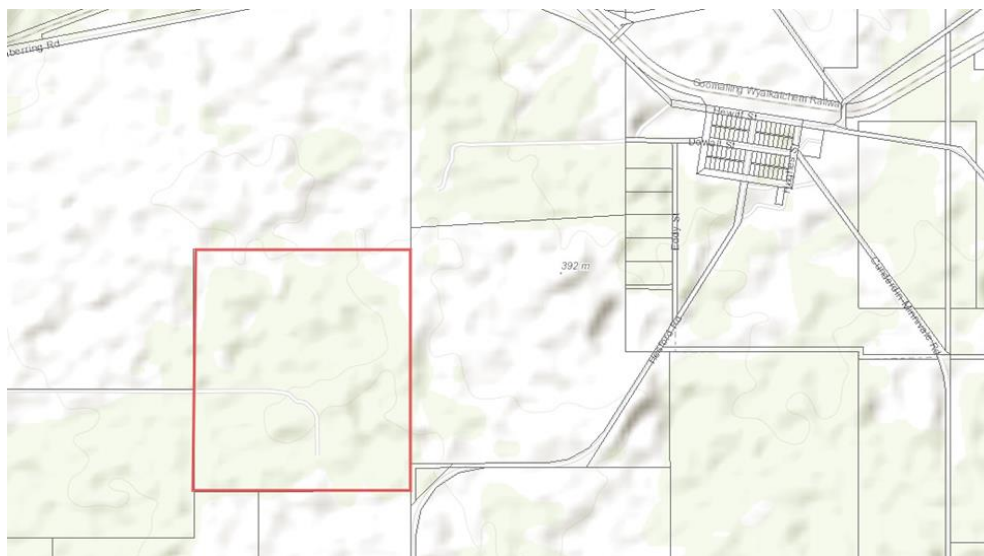
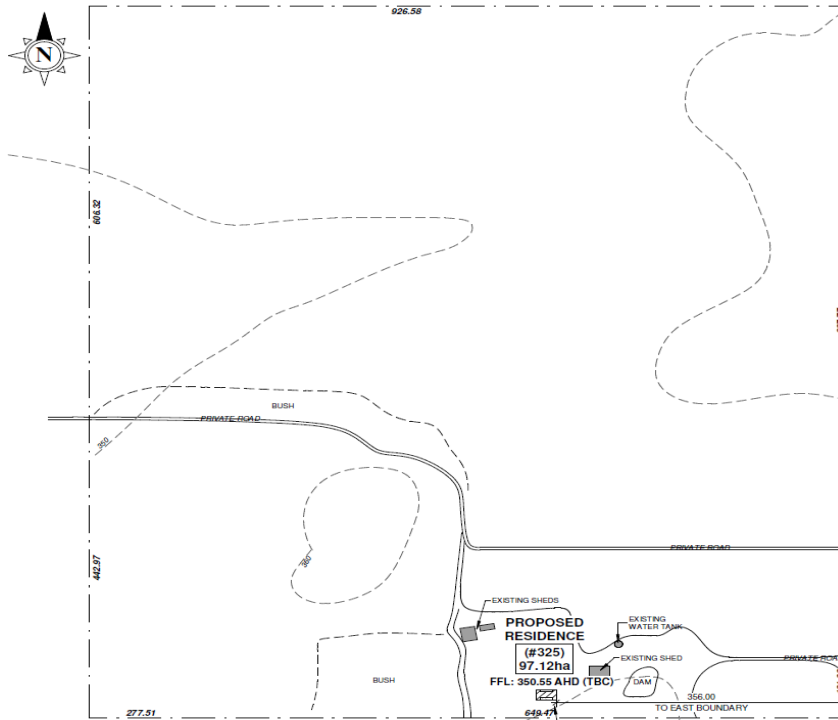
The council will thoroughly evaluate the proposal's environmental impact and its adherence to regulations. The decision made will be aligned with community interests and aimed at fostering sustainable agricultural growth in the region.

### Description of Proposal

The demolition of the current cottage and its replacement with a four-bedroom, two-bathroom dwelling are proposed for a lot that includes sheds and other outbuilding structures. A recent bushfire planning report has identified a Bush Fire Attack Level of 12.5, in accordance with State Planning Policy 3.7. This pertains to Lot 11204 (#325) Hesford Road, HINDMARSH, which is presently zoned as 'Rural' under the Local Planning Scheme, specifically 'Shire of Dowerin Scheme No 2.' The objectives of the Rural Zone are as follows:

- To provide for a range of rural pursuits that are compatible with the capability of the land and retain the rural character and amenity of the locality.
- To protect land from urban uses that may jeopardize the future use of that land for other planned purposes that are compatible with the zoning.
- To protect the land from closer development that would detract from the rural character and amenity of the area. • To prevent any development that may affect the viability of a holding.
- To encourage small scale, low impact tourist accommodation in rural locations.
- To encourage diversification of rural activities that will reduce the dependency of the rural sector on traditional crops.

### Site and Location



**Consultation**

Laura Pikoss, HBP Services WA  
 Kahli Rose, Executive & Governance Officer

**Policy Implications**

There are no policy implications associated with this application.

**Strategic Implications**

**Strategic Community Plan**

**Community Priority:** Our Infrastructure

**Objective:** *Diverse and appropriate housing  
 Reliable Community infrastructure Telecommunications*

**Outcome:** 3

**Reference:** 3.4

**Asset Management Plan**

Nil

**Long Term Financial Plan**

Nil

**Statutory Implications**

The subject land is in the Rural Zone and the Zoning Table in the Planning Scheme designates dwelling Single house as 'P' means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme.

**Shire of Dowerin Local Planning Scheme (LPS) No.2**

*(Statutory instrument)*

Current Zoning

*'Rural' - See extract of Zoning Map below - green colour.*



**FIGURE 5 EXTRACT OF ZONING MAP**

<p>Permissibility (Table 1 – Zoning Table )</p>	<p><i>Table 1 – Zoning Table of LPS 2 qualifies on the subject land is located in the Rural Zone and the Zoning Table in the Planning Scheme designates</i></p> <p><i>Single house as ‘P’ means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme;</i></p> <table border="1" data-bbox="603 416 1374 1077"> <thead> <tr> <th rowspan="2">USE CLASSES</th> <th colspan="7">ZONES</th> </tr> <tr> <th>RESIDENTIAL</th> <th>COMMERCIAL</th> <th>LIGHT INDUSTRY</th> <th>GENERAL INDUSTRY</th> <th>TOWNSITE</th> <th>RURAL RESIDENTIAL</th> <th>RURAL</th> </tr> </thead> <tbody> <tr> <td colspan="8"><b>RESIDENTIAL USES</b></td> </tr> <tr> <td>Aged or Dependent Persons Dwelling</td> <td>D</td> <td>X</td> <td>X</td> <td>X</td> <td>A</td> <td>X</td> <td>X</td> </tr> <tr> <td>Caretaker’s Dwelling</td> <td>X</td> <td>D</td> <td>D</td> <td>D</td> <td>X</td> <td>X</td> <td>X</td> </tr> <tr> <td>Grouped Dwelling</td> <td>P</td> <td>D</td> <td>X</td> <td>X</td> <td>D</td> <td>X</td> <td>X</td> </tr> <tr> <td>Home Business</td> <td>D</td> <td>D</td> <td>X</td> <td>X</td> <td>D</td> <td>D</td> <td>D</td> </tr> <tr> <td>Home Occupation</td> <td>D</td> <td>D</td> <td>X</td> <td>X</td> <td>D</td> <td>D</td> <td>D</td> </tr> <tr> <td>Home Office</td> <td>D</td> <td>D</td> <td>X</td> <td>X</td> <td>D</td> <td>D</td> <td>D</td> </tr> <tr> <td>Home Store</td> <td>A</td> <td>D</td> <td>X</td> <td>X</td> <td>A</td> <td>D</td> <td>A</td> </tr> <tr> <td>Lodging House</td> <td>A</td> <td>D</td> <td>X</td> <td>X</td> <td>A</td> <td>X</td> <td>X</td> </tr> <tr> <td>Park Home Park</td> <td>X</td> <td>A</td> <td>X</td> <td>X</td> <td>A</td> <td>X</td> <td>X</td> </tr> <tr> <td>Residential Building</td> <td>A</td> <td>X</td> <td>X</td> <td>X</td> <td>A</td> <td>X</td> <td>X</td> </tr> <tr> <td>Rural Home Business</td> <td colspan="7" style="text-align: center;"><i>Deleted by AMD 1 GG 01/08/17</i></td> </tr> <tr> <td>Single House</td> <td>P</td> <td>A</td> <td>X</td> <td>X</td> <td>P</td> <td>P</td> <td>P</td> </tr> </tbody> </table>	USE CLASSES	ZONES							RESIDENTIAL	COMMERCIAL	LIGHT INDUSTRY	GENERAL INDUSTRY	TOWNSITE	RURAL RESIDENTIAL	RURAL	<b>RESIDENTIAL USES</b>								Aged or Dependent Persons Dwelling	D	X	X	X	A	X	X	Caretaker’s Dwelling	X	D	D	D	X	X	X	Grouped Dwelling	P	D	X	X	D	X	X	Home Business	D	D	X	X	D	D	D	Home Occupation	D	D	X	X	D	D	D	Home Office	D	D	X	X	D	D	D	Home Store	A	D	X	X	A	D	A	Lodging House	A	D	X	X	A	X	X	Park Home Park	X	A	X	X	A	X	X	Residential Building	A	X	X	X	A	X	X	Rural Home Business	<i>Deleted by AMD 1 GG 01/08/17</i>							Single House	P	A	X	X	P	P	P
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<p>Definitions</p>	<p><i>Planning and Development (Local Planning Schemes) Regulations 2015:</i></p> <p><b><i>Single house as per R code: A dwelling standing wholly on its own on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excluded dwellings on title with areas held in common property.</i></b></p>																																																																																																																							
<p>Objectives</p>	<p><i>The Council’s LPS 2 nominates the objectives of the Rural I Zone to:</i></p> <ul style="list-style-type: none"> <li><i>• To provide for a range of rural pursuits that are compatible with the capability of the land and retain the rural character and amenity of the locality.</i></li> <li><i>• To protect land from urban uses that may jeopardise the future use of that land for other planned purposes that are compatible with the zoning.</i></li> <li><i>• To protect the land from closer development that would detract from the rural character and amenity of the area.</i></li> <li><i>• To prevent any development that may affect the viability of a holding.</i></li> <li><i>• To encourage small scale, low impact tourist accommodation in rural locations.</i></li> <li><i>• To encourage a diversification of rural activities that will reduce the dependency of the rural sector on traditional crops.</i></li> </ul>																																																																																																																							
<p>Development Standards</p>	<p><i>LPS 2 stipulates the following standards for development in the Rural Zone:</i></p>																																																																																																																							

	<p>Notwithstanding the right to develop a single house on an existing lot, residential development in the 'Rural' Zone shall comply with the specific requirements of the Local government, however these shall not be lesser than those specified for the Residential Design Code 'R2'</p> <p><b>Setbacks as follows:</b></p> <ul style="list-style-type: none"> <li>• Primary Street: 20m- Complies</li> <li>• Secondary Steet: 10m- Complies</li> <li>• Other/ rear: 10m- compiles</li> <li>• Minimum open space: 80%- Complies</li> </ul>
<p><b>Planning and Development (Local Planning Scheme) Regulations 2015</b> (Statutory instrument)</p>	
Schedule 2; Part 9; Clause 68(2)	<i>This clause empowers Council to determine Development Applications under the planning legislation having regard to the zoning and other Scheme provisions pertinent to the application under consideration.</i>
Schedule 2; Part 9; Clause 76 (1) and (2)	<i>This part of the Planning Regulations affords the applicant the right to apply to the State Administration Tribunal (SAT) for a review of the Council's decision in relation to the decision on the proposed use and or development of the land.</i>
<p><b>State Planning Policy 3.7 - Planning in Bushfire Prone Areas</b> (Statutory instrument - tied to Planning Regulations)</p>	
Generally	<i>State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) directs how land use should address bushfire risk management across WA. It applies to all land which has been designated as bushfire prone by the Fire and Emergency Services (FES) Commissioner as highlighted on the Map of Bush Fire Prone Areas. SPP 3.7 is a guide to implementing effective risk-based land use planning to preserve life and reduce the impact of bushfire on property and infrastructure.</i>
6.2 Strategic planning proposals, subdivision and development applications	<p><i>Section 6.2 of SPP 3.7 a) states:</i></p> <ul style="list-style-type: none"> <li><i>a) Strategic planning proposals, subdivision and <u>development applications</u> within designated bushfire prone areas relating to land that has or will have a Bushfire Hazard Level (BHL) above low and/or where a Bushfire Attack Level (BAL) rating above BAL-LOW apply, are to comply with policy measures.</i></li> <li><i>b) Any strategic planning proposal, subdivision, or <u>development application</u> in an area to which policy measure 6.2 a) applies, that has or will, on completion, have a moderate BHL and/or where BAL-12.5 to BAL-29 applies, may be considered for approval where it can be undertaken in accordance with policy measures 6.3, 6.4 or 6.5.</i></li> <li><i>c) This policy also applies where an area is not yet designated as a bushfire prone area but is proposed to be developed in a way that introduces a bushfire hazard, as outlined in the Guidelines.</i></li> </ul>
Bushfire Attack Level	<i>Report has been provided by Bushfire Smart (Nathan Peat) on the 27 September 2023. <b>BAL 12.5</b></i>

**Planning Bulletin 111/2016 - Planning in Bushfire Prone Areas**

*(Guidance document – tied to SPP 3.7)*

5. Exemptions

*Planning Bulletin 111/2016 states exemptions from the requirements of SPP 3.7 includes renovations, alterations, extensions, improvements, or repair of a building, and incidental uses (including outbuildings, verandas, unenclosed swimming pools, carports, patios, and storage sheds for example). SPP 3.7 does not specify these exemptions, however where the proposal is exempt under the deemed provisions or local planning scheme and does not:*

- result in the intensification of development (or land use);*
- result in an increase of residents or employees;*
- involve the occupation of employees on site for any considerable amount of time; or*
- result in an increase to the bushfire threat; the proposal may also be exempt from the provisions of SPP 3.7.*

### Risk Implications

The risk assessment in relation to this development is low it poses no significant environmental implications to the site or neighbouring properties. The development is minor.

### Financial Implications

There are no budgetary considerations or implications applicable to this proposal.

### Voting Requirements



Simple Majority



Absolute Majority

### Officers Recommendation/Resolution - 12.2

**Moved:** Cr Trepp

**Seconded:** Cr Hudson

**0903 That Council grant Planning Approval for the placement of a single house  
CONDITIONS**

- All Stormwater to be contained on-site.
- BAL 12.5 construction

#### ADVICE NOTES

The following advice notes are offered in addition to the notes provided in Form 4 of Clause 86 of the Deemed Provisions on the approval granted in condition(s) above:

- a) This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and Health Act 2016. It is the responsibility of the Applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Dowerin.
- b) Nothing in the approval shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
- c) The applicant is advised a Building Permit is required prior to commencement of any building works. In this regard the applicant is advised that conditions relating to BAL assessment may result in conditions being imposed at the building permit stage to mitigate the risk for burning embers as part of a preventative approach to bushfire attack.

The applicant is advised of a right of appeal to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act, 2005. Appeals must be lodged to SAT within 28 days. Further information can be obtained from the SAT website - [www.sat.justice.wa.gov.au](http://www.sat.justice.wa.gov.au).

**CARRIED 7/0**

**For:** Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward



**13. OFFICER’S REPORTS – WORKS AND ASSETS**

D Singe left the meeting at 2:45pm

D Singe and B Forbes entered the meeting at 2:46pm

**13.1 RoadWise Council**

<h2 style="color: #C00000;">Asset &amp; Works</h2>		 SHIRE OF <b>DOWERIN</b> TIN DOG TERRITORY
<b>Date:</b>	13 December 2023	
<b>Location:</b>	N/A	
<b>Responsible Officer:</b>	Ben Forbes, Asset & Works Coordinator	
<b>Author:</b>	Kahli Rose, Executive & Governance Officer	
<b>Legislation:</b>	Nil	
<b>SharePoint Reference:</b>	N/A	
<b>Disclosure of Interest:</b>	N/A	
<b>Attachments:</b>	Nil	

**Purpose of Report**

Executive Decision
  Legislative Requirement

**Summary**

This item is brought forward for Council to resolve for the Shire of Dowerin to be a RoadWise Council.

**Background**

The CEO and Asset & Works Coordinator met with Cliff Simpson, Regional RoadWise Coordinator on 5 December 2023, who advised that there is to be a change to the RoadWise Service arrangements and that he was seeking expressions of interest from ten local governments that he will have responsibility for.

In particular, WALGA is allocating only ten local governments to each Road Safety Advisor (there are eight Road Safety Advisors across the State, Mr Simpson has allocated 24 of 138 LGAs) and will allocate a minimum of one full week of his time supporting our Council per quarter, or the equivalent of 20 days across the year.

A RoadWise Council going forward will receive significantly increased support regarding road safety goals. This could be anything from writing proposals, nominations and submissions, road safety management systems, providing advice on best practice road safety, media, policy development and accessing services etc.

As a result of this advice, the Asset & Works Coordinator responded with an expression of interest on the same day advising that the Shire of Dowerin would like to access the revised RoadWise program.

### Comment

By becoming a RoadWise Council, the Shire will:

- Demonstrate a commitment to improve road safety outcomes within the community using the resources available;
- Have access to the RoadWise Council logo for use on Shire of Dowerin promotional communications or infrastructure.
- Gain priority access to WALGA's road safety services and products;
- Be eligible for formal recognition for road safety management and actions, including support in benchmarking and monitoring progress of road safety outcomes through the RoadWise Recognised initiative.

The point of contact for the Shire will be the Asset & Works Coordinator.

### Consultation

Cliff Simpson, Regional RoadWise Coordinator

David Singe, Chief Executive Officer

Ben Forbes, Asset & Works Coordinator

### Policy Implications

Policy 4.3 - Restricted Access Vehicle Policy.

- In essence this policy and its schedules address on what basis RAV can access Shire roads and the requirements to operate in a safe manner.

### Statutory Implications

Nil

### Strategic Implications

#### Asset Management Plan

N/A

#### Long Term Financial Plan

N/A

**Risk Implications**

<b>Risk Profiling Theme</b>	Safety & Security Practices
<b>Risk Category</b>	Property (Plant, Equipment, Buildings)
<b>Risk Description</b>	Substantiated, public embarrassment, moderate impact on community trust or moderate media profile
<b>Consequence Rating</b>	Minor (2)
<b>Likelihood Rating</b>	Unlikely (2)
<b>Risk Matrix Rating</b>	Moderate (6)
<b>Key Controls (in place)</b>	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring.
<b>Action (Treatment)</b>	Through the Shire's primary point of contact working closely with the RoadWise Regional Coordinator on appropriate initiatives, this risk is reduced to low/rare.
<b>Risk Rating (after treatment)</b>	Effective

**Financial Implications**

Nil

**Voting Requirements**

Simple Majority  Absolute Majority

**Officers Recommendation/Resolution - 13.1**

**Officers Recommendation**

*That, by Absolute Majority, Council accepts the invitation from WALGA to register as a RoadWise Council.*

**Moved** Cr Metcalf **Seconded** Cr Ward

**0904 AMENDED MOTION**

*That, by Absolute Majority, Council accepts the invitation from WALGA to register as a RoadWise Council, subject to the removal of policy implications as stated in the agenda.*

**CARRIED 7/0**

**For:** Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

**14. Urgent Business Approved by the Person Presiding or by Decision**

Nil

**15. Elected Members' Motions**

Nil

**16. Matters Behind Closed Doors**

**16.1 Confidential Item 16.1- Staff - Chief Executive Officer KPI Determination**

In accordance with Section 5.23(2)(c) of the *Local Government Act 1995*, Council will go Behind Closed Doors.

**Voting Requirements**

Simple Majority

Absolute Majority

**Officer's Recommendation - 16**

**Moved:** Cr Metcalf

**Seconded:** Cr McMorran

**0905 That, in accordance with Sections 5.23(2)(b) of the *Local Government Act 1995*, Council go Behind Closed Doors.**

**CARRIED 7/0**

**For:** Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

*2 55pm - Council went Behind Closed Doors.*

**A Wooldridge, B Forbes, K Rose left the Chambers to not return at 2:55pm**

**Voting Requirements**

Simple Majority

Absolute Majority

**Officer's Recommendation/Resolution 16**

**Moved:** Cr Metcalf

**Seconded:** Cr McMorran

**0906 That, in accordance with Section 5.23(1) of the *Local Government Act 1995*, Council come out from Behind Closed Doors.**

**CARRIED 7/0**

**For:** Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

*3.34pm - Council came out from Behind Closed Doors*

**16.1 The matter of the Confidential Item - Confidential Item - Staff - Chief Executive Officer KPI Determination.**

**Voting Requirements**



Simple Majority



Absolute Majority

**Officer's Recommendation - 16.1**

**Moved:** Cr Metcalf

**Seconded:** Cr McMorran

**0907 That, in accordance with Sections 5.10, 5.38, 5.39(3)(b) of the Local Government Act 1995 and Regulation 18D of the Local Government (Administration Regulations) 1996, Council endorses Performance Indicators for 2023/24, as presented in Attachment 16.1A, with a minor amendment to KPI #8, to reword to: "unqualified financial audit"**

**CARRIED 7/0**

**For:** Cr Trepp, Cr McMorran, Cr Allsopp, Cr Hudson, Cr Metcalf, Cr Sewell, Cr Ward

**17. Closure**

The President thanked those in attendance and declared the meeting closed at 3:35pm.