



MINUTES OF THE SPECIAL COUNCIL MEETING

17 JULY 2024

TABLE OF CONTENTS

1.0	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	3
2.0	RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE.....	3
3.0	DECLARATIONS OF INTEREST	3
4.0	PUBLIC QUESTION TIME / PUBLIC STATEMENT TIME	3
5.0	CHIEF EXECUTIVE OFFICER	5
5.1	ENERGY & RESOURCE INDUSTRY – COMMUNITY BENEFITS POLICY	5
5.2	PROPOSED WORKFORCE ACCOMMODATION	10
5.3	PROPOSED SECOND-HAND DWELLING	21
6.0	GOVERNANCE AND COMMUNITY	31
6.1	MARKETING & COMMUNICATIONS STRATEGY	31
7.0	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	34
8.0	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	34
9.0	CONFIDENTIAL ITEMS	34
10.0	TIME AND DATE OF NEXT MEETING	34
11.0	CLOSURE	34



**MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS
ON WEDNESDAY, 17 JULY 2024 COMMENCING AT 5:00PM.**

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member, Cr GA Cosgrove, opened the meeting at 5:00pm.

2.0 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

Councillors

Cr GJ Cosgrove	Shire President
Cr HR McTaggart	Deputy President
Cr JD Bagley	Councillor
Cr JR Holmes	Councillor
Cr AT Pearce	Councillor
Cr RA Starick	Councillor
Cr AR Smyth	Councillor

Apologies

Nil.

Staff

Mr Matt Fanning	Chief Executive Officer
Mrs Helen Sternick	Manager Corporate Services
Ms Erin Greaves	Manager Governance and Community
Mr Shane Noon	Manager Works

Members of the Public

Mr Peter Horwood, Elector
Mr Shane Kiely, Mineral Resources Ltd

3.0 DECLARATIONS OF INTEREST

Nil.

4.0 PUBLIC QUESTION TIME / PUBLIC STATEMENT TIME

Mr Horwood outlined that as a ratepayer and owner of property impacted by the increased road use by the resource sector, particularly on Mooriary Road and Yandanooka West Road (acknowledging that other roads and ratepayers are also being impacted), he notes that there is damage to the condition of these roads and these roads are being accessed during road closures.

He further outlined that an opportunity exists to work with proponents to ensure the roads are established and maintained to an agreed standard and if the resource sector requires a higher standard to operate under all weather conditions, then they should be paying (not ratepayers / the Shire). Noting that any contributions to road repairs and upgrades should not be considered a "community contribution" as it is not a benefit to the broader community and not necessary for existing road users.

Mr Horwood raised questions in relation to resource development in the Shire and concerns in regard to degraded road conditions and use of the roads:

1. *Does the Shire have a Road User Agreement, in which the road, and the community impact, is protected?*

The Shire President indicated that Road User Agreements are utilised. The Shire establishes the road condition prior to commencement of development and the proponent is required to maintain the road to an agreed condition level at their cost.

The industry party can either contract the road repair work to an external party or have the Shire conduct the repair work at their cost. The Shire has stepped in to grade Mooriary Road, approximately 3 months ago.

2. *Due to Mineral Resources' developments on Mooriary Road, there is going to be a significant increase to non-agricultural traffic, potentially for the next 30+ years. If this road remains as gravel, who is going to pay to have the road repairs done that is caused by this increased road use (as it should not be the ratepayer)?*

Through the President, the CEO advised that this would be determined when considering development applications, such as the one being considered today, and further established within Road User Agreements.

Mr Horwood thanked the Shire for the opportunity to raise his concerns.

5.0 CHIEF EXECUTIVE OFFICER

5.1 ENERGY & RESOURCE INDUSTRY – COMMUNITY BENEFITS POLICY

Location/Address: Shire of Mingenew
Name of Applicant: N/A
Disclosure of Interest: Nil
File Reference: CM.POL.1 / GV.CMT.4
Date: 23 July 2024
Author: Matt Fanning, Chief Executive Officer
Authorising Officer: Matt Fanning, Chief Executive Officer
Voting Requirements: Absolute Majority

Summary

This report is for the establishment of a process which enables the Council to enter into negotiations with the Energy and Resource Industry sector to deliver and respond to the need for the establishment of legacy commitments to benefit the Shire of Mingenew resulting from such projects establishing within the Shire.

The establishment of a mechanism for developer agreements is currently only through discretion and is voluntary as there is no planning legislation at this stage to facilitate community benefits sharing schemes for local communities impacted by industry within the State of Western Australia as there are in other states of Australia.

This report provides the necessary governance and model framework for these voluntary developer agreements.

Key Points

- The Energy and Resource Industry sector has many projects listed for the Shire of Mingenew none of which at this stage have a negotiated community benefits developer agreement
- Community Benefit Sharing schemes aim to sustainably integrate energy and resource industry projects into local communities by contributing to the community's future vitality and success.

OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 5.1- RESOLUTION#01170724S

MOVED: Cr HR McTaggart

SECONDED: Cr AR Smyth

Council:

- 1) Adopts the Energy and Resource Industry – Community Benefits Policy as presented.
- 2) Establishes a Community Benefits Advisory Committee, adopting the Community Benefits Fund Advisory Committee – Terms of Reference as presented, and by Absolute Majority, appoints the following Elected Members to the Committee,
Cr HR McTaggart, Cr AT Pearse, Cr GA Cosgrove and other members as per the Terms of Reference; and
- 3) Instructs the Chief Executive Officer to distribute this policy to its industry partners as a mechanism to reinforce discussions and provide a necessary governance framework surrounding any commitments to the Shire of Mingenew community.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearse, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)

Attachments

5.1.1 Energy and Resource Industry – Community Benefits Policy

5.1.2 Community Benefit Fund Advisory Committee – Terms of Reference

Background

What is Community Benefits Sharing?

Community Benefits Sharing involves sharing the rewards of Energy and Resource Industry development with local communities. It aims to sustainably integrate these projects into their local communities by contributing to the community's future vitality and success.

Generally, these projects are state significant and will allocate funds towards a nominated community benefit program. Funds can be distributed in many ways, including via grants, scholarships, long-term funding partnerships, or via opportunities for co-ownership or investment.

The Shire of Mingenew in recent years has started to feel the impact of the Energy and Resource Industry through growth in Energy transition, mineral sands and other natural product exploration and project proposals.

While each of these proponents may have their own unique methods of consultation and collaboration there has been no identifies or agreed mechanism available for these proponents to discuss Community Benefit Sharing outside of small club or community group grant programs.

Comment

Benefit-sharing initiatives can offer a clear and transparent way of demonstrating how developments contribute to and benefit host communities and can assist in building community support.

Some of the reasons that make benefit sharing particularly relevant to the consideration and assessment of large-scale Energy and Resource Industry proposals and warrant a unique approach are:

- society as a whole benefits from the growth of the energy and resources sector, however, the impacts of development are not evenly distributed. Regional communities experience the most pressure and changes, including impacts from individual projects, as well as broader changes to the local landscape and community that may be difficult to foresee and plan for in advance.
- Other forms of development are commonly accompanied by financial contributions to local communities, however standard methods of collecting revenue from new development have not always been applied to energy and resources projects or have had limited application

Benefit sharing initiatives from energy and resource projects provide a practical and transparent method of addressing these concerns. They can ensure that affected local communities receive direct social and economic benefits from projects in their area.

The proposed framework presented is essential for building positive relationships between a project proponent and the hosting communities.

Communities will benefit from a more strategic co-designed and coordination approach which will serve as intergenerational leaving lasting positive impacts.

By establishing a community benefit sharing fund, then multiple proponents can assist in contributing to multiple projects leaving a greater impact on important local issues and address key community aspirations. In addition, the establishment of such a fund can reduce consultation fatigue where there are multiple projects all seeking similar information regarding desired benefits and community input.

The overriding principles of Benefit Sharing are:

- Develop strong and meaningful partnerships between proponents and communities
- Making a positive contribution in host communities

- Delivering value and positive connections in the communities that surround a project
- Having planned strategies
- The project being valued by community
- Community willingness for change
- Recognising the shared value of energy and natural resources

Community Benefit Sharing Value/Benchmarks

Globally there is a move to establish benchmark rates for community benefits sharing through Government Policy. By way of example some European countries have established rates of between \$2,000 - \$8,000 /megawatt/annum for the life of the project generally 25 years which is significantly higher than the current Australian benchmarks.

The states of New South Wales, Victoria, Queensland and Tasmania have established or are in the process of establishing legislation which will facilitate strong Community Benefit Sharing for community investment resulting from Energy Transition projects. The policy presented intends to use the same methodology across all Energy and Resource Industry partners.

Some examples of the proposed benefit sharing benchmarks are:

Narrogin WA – 1.5% of CIV annualised over the life of the project – LPP WindFarm/Turbines
Warrumbungle, Dubbo, and Mid-Western councils LPP NSW – 1.5% of CIV
NSW Govt - \$850/MW/annum Solar
 - \$1,050/MW/annum Wind
Tas Govt - \$1,800/MW of installed capacity per year for Tasmania north west REZ

These benchmarks generally are derived from the long term 1.5% of CIV (Capital investment Value) which is considered equitable. This figure however, would need to be descaled for projects of significant CIV for example projects valued over \$5B. The development of a social impact assessment would then be used to determine what benefit sharing arrangement would be required.

The unit of benefit may be by product or output for example Tonne of product transported, Energy generating capacity, % of CIV or even set \$ amounts for specific projects or programs all of which would be identified in a Development Agreement or common law Agreement.

The establishment of a mechanism for developer agreements is currently only through discretion and is voluntary as there is not planning legislation at this stage to facilitate community benefits schemes for local communities impacted by industry as there are in other states of Australia.

The framework which has been presented includes an overarching Community Benefit Policy underpinned by a Terms of reference for the establishment of a "Community Benefit Fund Advisory Committee". The role of the Advisory Committee is to make recommendations to Council for the expenditure of monetary contributions made in connection with Energy and Resource Industry developments, including the allocation of funds from the Mingenew Community Benefit Fund.

A draft model developer agreement has also been drafted to assist in negotiations and documenting any resulting community benefit sharing outcomes.

Expenditure of funds from the Mingenew Community Benefit Fund must:

1. be for a public purpose
2. not be used for operational costs of Shire of Mingenew;
3. be done having considered the recommendations of the Mingenew Committee; and

4. be consistent with any policy adopted by the Shire of Mingenew in relation to an Energy & Resource Industry community benefit restricted fund (as in force from time to time) or, if no such policy has been adopted, the policy principles set out in any benefit sharing guideline prepared by the Department of Planning, or its successors (as in force from time to time).

Consultation

Other local and state government entities both intrastate and external to WA

Statutory Environment

State Planning Policy 3.6 Infrastructure Contributions - April 2021

The Policy provides a system for local governments to plan and charge for community infrastructure items that are not included in the standard provisions through development contribution plans and introduces a framework for the requesting of contributions for community infrastructure.

State Planning Policy 3.6 Infrastructure Contributions - April 2021

6.9 Developer Agreements

Contributions may also be implemented in limited circumstances through Developer Agreements or by a voluntary agreement between a landowner or developer and the relevant local government, pursuant to a request from the landowner or developer.

Circumstances include large-scale, single ownership projects with a long development timeframe, or in regional areas where a formal DCP is not considered by local government and contributing owners to be necessary to achieve desired infrastructure delivery outcomes.

Notwithstanding that Developer Agreements do not form part of a local planning scheme, infrastructure contributions prepared under this arrangement should be consistent with the principles outlined in this policy and any decision to deviate from these principles, including the provision of facilities of a higher quality or specification than standard, should be a voluntary decision by all parties to the agreement.

State Planning Policy 3.6 Infrastructure Contributions Guidelines - April 2021

2.3 Imposition of infrastructure contributions

(iii) Developer Agreements

Developer Agreements may be considered in limited circumstances – usually large-scale projects under single ownership – and pursuant to a request from the landowner or developer, or in regional areas where a formal DCP is not considered by local government and contributing landowners to be necessary to achieve the desired infrastructure delivery outcomes.

Developer Agreements are voluntary and fall outside the formal infrastructure contributions system, and do not require State Government assessment or approval. Any agreement for infrastructure contributions via a Developer Agreement should be consistent with the principles outlined in SPP 3.6 and any decision to deviate from these principles, including the provision of facilities of a higher-quality or specification than standard, should be a voluntary decision by all parties to the agreement.

National Legislative Framework/Policy Development

The 2024 National General Assembly of Local Government endorsed motion "to implement a nationwide compulsory community benefit sharing framework. This framework would eliminate the need for individual councils to negotiate separate voluntary planning agreements for each project proposal within their respective Local Government Area."

Policy Implications

Nil – This report is to establish such

Financial Implications

The establishment of a Community Benefit Sharing framework will assist in facilitating the generation of necessary funds to help communities adjust and grow as a result of the Energy and Resources Industry growth and establishment amongst local communities.

Funds will be held in the existing Community Infrastructure Fund Contribution Reserve which has the purpose: *to fund the acquisition, restoration, extension and improvement of community infrastructure.*

Strategic Implications

The following strategies and actions from the Shire's Strategic Community Plan are considered relevant in Council's assessment of this matter:

Grow Mingenew

2 Attract investment and grow resident population:

- 2.1 Work collaboratively to grow resource, agricultural and service industries in Mingenew
- 2.3 Advocate for and promote opportunities to external stakeholders, including the resource sector, to provide local diverse accommodation options

Love Mingenew

6 Strong sense of community and culture

- 6.1 Community facilities continue to be fit for purpose, multi-use and meet sustainable community needs

Protect Mingenew

10 Valued and protected natural environment

- 10.3 Mining and energy companies are locally regulated to encourage responsible practices

5.2 PROPOSED WORKFORCE ACCOMMODATION

Location/Address:	Lots M433 & M451 Mooriary Road, Mooriary
Name of Applicant:	Mineral Resources Limited
Disclosure of Interest:	Nil
File Reference:	A603
Date:	11 July 2024
Author:	Simon Lancaster, Planning Advisor
Senior Officer:	Matt Fanning, Chief Executive Officer
Voting Requirements:	Simple Majority

Summary

Council is in receipt of an application from Mineral Resources Ltd to establish the following in association with their Exploration Drilling Program within their Petroleum Licence issued separately under the *Petroleum and Geothermal Energy Resources Act 1967*:

- Proposed Main Camp (MREX) – Lot M433 (P2984) Mooriary Road, Mooriary;
- Proposed Temporary Drill Camp (Mooriary Deep 1) – Lot M451 (P2982) Mooriary Road, Mooriary;
- Proposed Temporary Drill Camp (Lockyer 6) – Lot M433 (P2984) Mooriary Road, Mooriary;
- Proposed Temporary Drill Camp (North Erregulla 3) – Lot M433 (P2984) Mooriary Road, Mooriary.

The advertising period for this application has concluded and no objections were received.

This report recommends that Council approve the application subject to conditions, the most significant of which is that the applicant must seal the initial section of Mooriary Road (south from Midlands Road) for a distance of 7km, to the Shire's satisfaction.

OFFICER RECOMMENDATION – ITEM 5.2

Council grants formal planning approval for temporary workforce accommodation (main camp site and 3 exploration drill camp sites) upon Lots M433 & M451 Mooriary Road, Mooriary subject to compliance with the following:

Conditions:

- 1 Development shall generally be in accordance with the approved plans dated 17 July 2024 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- 2 Any additions to or change of use of any part of the development or land (not the subject of this consent/approval) considered by the Chief Executive Officer to represent significant variation from the approved development plan requires further application and planning approval for that use/addition.
- 3 The applicant must seal the initial section of Mooriary Road (south from Midlands Road) for a distance of 7km to the approval of the local government to ensure that all weather access is available for the development.
- 4 The applicant is to prepare, submit and adhere to a Management Plan to the approval of the local government.
- 5 The applicant 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 approval of the local government. Such response(s) will be treated as conditions of approval/required modifications to the Management Plan.
- 6 The location, design and construction/upgrading of the access point(s) onto the road network shall be to the requirements of the local government.

- 7 The installation of any directional/traffic/warning/safety signage in the vicinity of the development's access point(s) onto the road network and relating to the development shall be to the requirements of the local government.
- 8 All parking of vehicles associated with the development shall be provided for within the property boundary.
- 9 The applicant shall make payment to the local government for the repair, reinstatement or replacement of any road infrastructure that is damaged, becomes unsafe or fails to meet appropriate engineering standards where the damage to the road network is caused by reason of use of the road in connection with the approved development (or where agreed to by the local government, the applicant may instead arrange for such repair, reinstatement or replacement works to be undertaken to the satisfaction of the local government).
- 10 The development shall be connected to on-site wastewater and effluent disposal systems that are located, designed, installed and operated to the requirements of the Department of Health and the approval of the local government.
- 11 The development shall comply with the requirements of the *Food Act 2008* and *Food Regulations 2009*.
- 12 The applicant must obtain any/all necessary consents of the landowner(s) relevant to the sites and the access to the sites.

Advice Notes:

- a) In relation to condition 3 the applicant can undertake the roadworks at its expense to the Shire's satisfaction or make financial contribution to the Shire (to an amount to the Shire's satisfaction) for the Shire to undertake the roadworks.
- b) In relation to condition 4 the Management Plan is to include sections relating to Fire Management, Emergency Response Plan, Waste Management, Noise/Light/Dust Management and Post Camp Rehabilitation (that details post-closure obligations and clean-up and rehabilitation of the site) to the approval of the local government. In the event that the camp is sited within an area identified upon the Department of Fire & Emergency Services State Map of Bushfire Prone Areas the Fire Management Plan must be submitted as a separate document and prepared and implemented to the requirements of the Department of Fire & Emergency Services.
- c) The development is located within the Irwin River surface water area and Arrowsmith groundwater area, and if groundwater is required for the development the landowner will need to contact the Department of Water & Environment Regulation's licensing section.
- d) The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation including but not limited to the obtaining of any required approvals from the Department of Health, the Department of Mines, Industry Regulation & Safety, the Department of Water & Environment Regulation, and Main Roads WA. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences.
- e) The applicant will need to consult with the Main Roads WA Heavy Vehicle Services branch to ascertain any approval requirements that may be required for their proposed heavy vehicle combinations, transport routes and operations.
- f) If an applicant is aggrieved by this determination there is a right pursuant to the Planning and Development Act 2005 to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

An amended motion was foreshadowed by Cr HR McTaggart to:

- Clarify that the sealing of Mooriary Road must be actioned prior to commencing operation (amendment to Condition 3)
- Ensure Council are made aware of any complaints concerning the operation of development (amendment to Condition 5)
- Minimise the impact of traffic on Mooriary Road by stipulating the development use is for the applicant only (additional Condition 13)
- Place a timeframe on the development approval (additional Condition 14).

The meeting was adjourned at 5:26pm in order for the CEO to seek planning advice on the proposed amendments.

The meeting was reconvened at 5:30pm.

AMENDED MOTION AND COUNCIL DECISION – ITEM 5.2- RESOLUTION#02170724S

MOVED: Cr HR McTaggart

SECONDED: Cr AT Pearse

Council grants formal planning approval for temporary workforce accommodation (main camp site and 3 exploration drill camp sites) upon Lots M433 & M451 Moorriary Road, Moorriary subject to compliance with the following:

Conditions:

- 1 Development shall generally be in accordance with the approved plans dated 17 July 2024 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- 2 Any additions to or change of use of any part of the development or land (not the subject of this consent/approval) considered by the Chief Executive Officer to represent significant variation from the approved development plan requires further application and planning approval for that use/addition.
- 3 The applicant must seal the initial section of Moorriary Road (south from Midlands Road) for a distance of 7km to the approval of the local government to ensure that all weather access is available from commencement of occupation.
- 4 The applicant is to prepare, submit and adhere to a Management Plan to the approval of the local government.
- 5 The applicant 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 approval of the local government. Such response(s) will be treated as conditions of approval/required modifications to the Management Plan. Complaints are to be reported to Council on at least an annual basis.
- 6 The location, design and construction/upgrading of the access point(s) onto the road network shall be to the requirements of the local government.
- 7 The installation of any directional/traffic/warning/safety signage in the vicinity of the development's access point(s) onto the road network and relating to the development shall be to the requirements of the local government.
- 8 All parking of vehicles associated with the development shall be provided for within the property boundary.
- 9 The applicant shall make payment to the local government for the repair, reinstatement or replacement of any road infrastructure that is damaged, becomes unsafe or fails to meet appropriate engineering standards where the damage to the road network is caused by reason of use of the road in connection with the approved development (or where agreed to by the local government, the applicant may instead arrange for such repair, reinstatement or replacement works to be undertaken to the satisfaction of the local government).
- 10 The development shall be connected to on-site wastewater and effluent disposal systems that are located, designed, installed and operated to the requirements of the Department of Health and the approval of the local government.
- 11 The development shall comply with the requirements of the *Food Act 2008* and *Food Regulations 2009*.
- 12 The applicant must obtain any/all necessary consents of the landowner(s) relevant to the sites and the access to the sites.
- 13 The main camp is for applicant's use only. Any other usage of this facility will need to make application to Council.

- 14 Planning Approval is granted for 3 years, and any extension is to be referred to Council for a decision.

Advice Notes:

- 1) In relation to condition 3 the applicant can undertake the roadworks at its expense to the Shire's satisfaction or make financial contribution to the Shire (to an amount to the Shire's satisfaction) for the Shire to undertake the roadworks.
- 2) In relation to condition 4 the Management Plan is to include sections relating to Fire Management, Emergency Response Plan, Waste Management, Noise/Light/Dust Management and Post Camp Rehabilitation (that details post-closure obligations and clean-up and rehabilitation of the site) to the approval of the local government. In the event that the camp is sited within an area identified upon the Department of Fire & Emergency Services State Map of Bushfire Prone Areas the Fire Management Plan must be submitted as a separate document and prepared and implemented to the requirements of the Department of Fire & Emergency Services.
- 3) The development is located within the Irwin River surface water area and Arrowsmith groundwater area, and if groundwater is required for the development the landowner will need to contact the Department of Water & Environment Regulation's licensing section.
- 4) The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation including but not limited to the obtaining of any required approvals from the Department of Health, the Department of Mines, Industry Regulation & Safety, the Department of Water & Environment Regulation, and Main Roads WA. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences.
- 5) The applicant will need to consult with the Main Roads WA Heavy Vehicle Services branch to ascertain any approval requirements that may be required for their proposed heavy vehicle combinations, transport routes and operations.
- 6) If an applicant is aggrieved by this determination there is a right pursuant to the Planning and Development Act 2005 to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

(FOR: Cr GJ Cosgrove, Cr HR McTaggart, Cr JD Bagley, Cr JR Holmes, Cr AT Pearce, Cr AR Smyth and Cr RA Starick. AGAINST: Nil)

Attachments

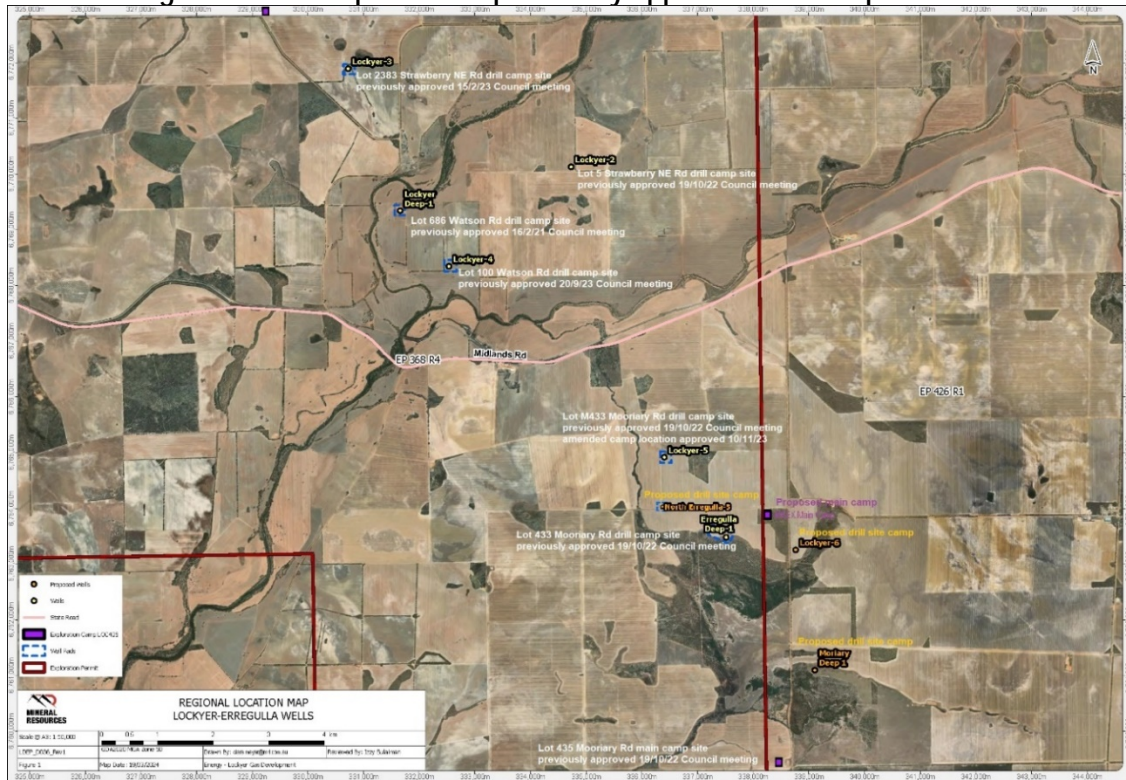
- 5.2.1 Proposed Main Camp (MREX) – Lot M433 (P2984) Mooriary Road, Mooriary
- 5.2.2 Proposed Temporary Drill Camp (Mooriary Deep 1) application – Lot M451 (P2982) Mooriary Road, Mooriary
- 5.2.3 Proposed Temporary Drill Camp (Lockyer 6) – Lot M433 (P2984) Mooriary Road, Mooriary
- 5.2.4 Proposed Temporary Drill Camp (North Erregulla 3) – Lot M433 (P2984) Mooriary Road, Mooriary
- 5.2.5 Schedule of Submissions

Background

The applicant has been issued with a petroleum exploration permit (EP368 & EP426) by the Department of Mines, Industry Regulation & Safety under the *Petroleum and Geothermal Energy Resources Act 1967* over the western portion of the Shire of Mingenew and eastern portion of the Shire of Irwin.

Lot M433 is a 2,359.6917ha property on the western side of Mooriary Road and Lot M451 is a 849.296ha property on the eastern side. Lots M433 and M451 are owned by Perpetual Corporate Trust Ltd and located approximately 11km south-west of the Mingenew townsite. Both lots are largely cleared excepting for pockets of remnant vegetation on outcrops and along tributary lines and used for agricultural purposes

Figure 5.2.1 – Proposed and previously approved drill camp locations



Comment

Council has previously approved applications for temporary workforce accommodation camps from this applicant at the following locations:

- drill site camp – Lot 686 Watson Road, Lockier (16 June 2021 Council meeting);
- main camp – Lot 435 Mooriary Road, Mooriary (19 October 2022 Council meeting);
- drill site camp – Lot 433 Mooriary Road, Mooriary (19 October 2022 Council meeting);
- drill site camp – Lot 5 Strawberry North East Road, Lockier (19 October 2022 Council meeting);
- drill site camp – Lot 2385 Strawberry North East Road, Lockier (15 February 2023 Council meeting);
- drill site camp – Lot 100 Watson Road, Lockier (20 September 2023 Council meeting).

The main camp is proposed to be located west of Mooriary Road (and 4.5km south of Midlands Road) and would accommodate personnel to support the well drilling operations in the area. The main camp would consist of 24 transportable accommodation units that would each contain 2 x 1 bedroom/1bathroom workers accommodation. The main camp would also have transportable buildings providing amenities such as kitchen, dining area, gyms, storerooms and laundry, along with generators, refuelling areas, water tanks and on-site aerobic waste treatment systems. It is anticipated that the main camp would be required for a 2 year period. The main camp application is provided as **separate Attachment 5.2.1**.

Figure 5.2.2 - Proposed Main Camp Layout



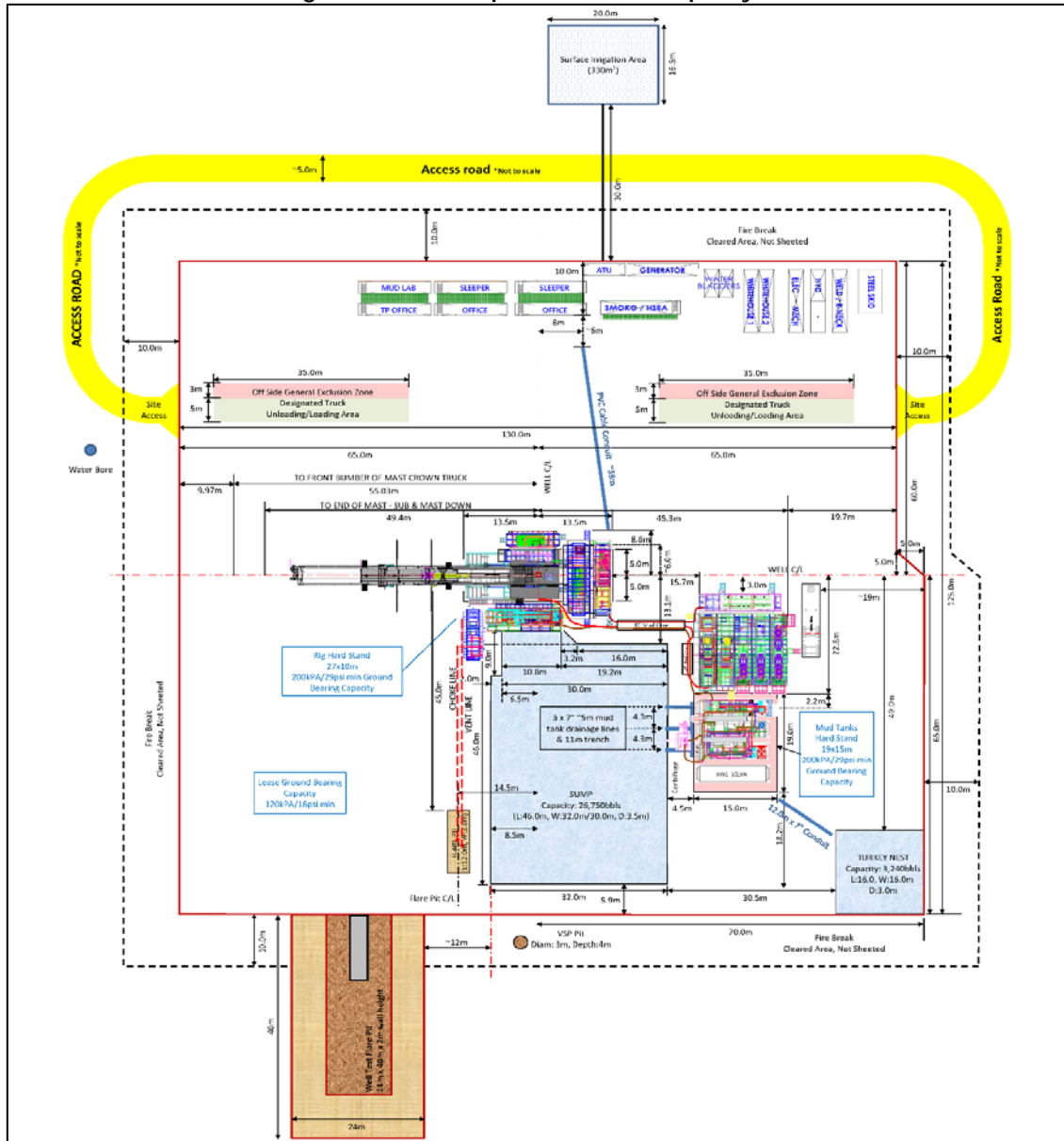
The drill site camps would consist of 2 x 3 person transportable accommodation buildings and other modular buildings (typically 12m x 2.72, 32.64m²) associated with the drill operations delivered to the site by truck. The drill sites would have drilling activities conducted continuously on a 24-hour basis with 2 crews (6 personnel operating the drill and up to 22 additional personnel) working on 12-hour shifts necessitating a workforce accommodation camp at the drill sites. The drill camps would be serviced by a mobile wastewater system and food preparation will be done off-site at the main camp.

The exploration drilling activities (and associated need for the accompanying drill camp) are anticipated to take place over approximately 60 days at each site, with some potential returning to the site for further exploration, maintenance and testing work over a subsequent 2 year period.

The rig sites would be accessed via Mooriary Road and installed over 5 days along with the drilling rig. The entire camp and drill rig facility would be transported to the site by semi-trailers and/or or winch trucks over 80 trailer loads (2 of these being for the modular sleeper units) with comparable movements in the decommissioning of each facility.

The drill camp applications are provided as **separate Attachments 5.2.2 – 5.2.4.**

Figure 5.2.3 - Proposed Drill Camp Layout



The most consistent issue arising from the prior operation of gas drilling operations in the Shire has been the impact upon its road network. This report therefore recommends that the applicant must seal the initial section of Mooriary Road (south from Midlands Road) for a distance of 7km to the Shire's satisfaction.

Given that the temporary workforce accommodation development will be in place for a 2 year period this is a reasonable condition to impose (and past developments indicate that the operation period may be longer than 2 years).

The need for upgrading is further underlined by the impact the applicant's use of Mooriary Road (and other roads) over several years prior to this application has had.

The condition to seal the 7km length of Mooriary Road is reasonable when considered in the wider context that the applicant would use Mooriary Road on a permanent basis, in addition to during the temporary workforce accommodation camp period, when they install and service their permanent gas wells as proposed under their State Development Assessment Unit application SDAU-067-23.

Consultation

This application was advertised for comment from 30 May 2024 until 28 June 2024 with the Shire undertaking the following actions:

- notice being placed on the Shire website;
- correspondence inviting comment being sent to the landowners within 4km of the proposed temporary workforce accommodation sites;
- correspondence inviting comment being sent to the following government agencies and service authorities:
 - Australian Gas Infrastructure Group;
 - ATCO Gas
 - Department of Biodiversity, Conservation & Attractions
 - Department of Health
 - Department of Jobs, Tourism, Science & Innovation
 - Department of Mines, Industry Regulation & Safety
 - Department of Planning, Lands & Heritage
 - Department of Primary Industries & Regional Development
 - Department of Water & Environment Regulation
 - Main Roads WA
 - Telstra
 - Water Corporation
 - Western Power
- display of the application at the Shire office.

At the conclusion of the advertising period the Shire had received 6 submissions, all from government agencies either offering no objection or technical comment. A Schedule of Submissions that summarises the nature of the received submissions, and provides individual comment upon the raised issues, has been provided as **separate Attachment 5.2.5** and a copy of the received submissions can be provided to Councillors upon request.

It is noted that the Department of Primary Industries & Regional Development submission contained the following, which echoes Council's own position regarding the applicant's separate gas processing facility State Development Assessment Unit application SDAU-067-23:

"While DPIRD does not object to the placement of temporary 'Workforce Accommodation' on land zoned 'Rural', DPIRD does not support the establishment of permanent "Workforce Accommodation" facilities in the Rural landscape. DPIRD would expect a permanent 'Workforce Accommodation' to be located within a town boundary area, as outlined in the DPLH Planning Position Statement - Workforce accommodation."

Statutory Environment

Section 38 of the *Petroleum and Geothermal Energy Resources Act 1967* allows the registered holder of a petroleum exploration permit to explore and to carry on such operations and execute such works as are necessary for that purpose in the permit area. Under Section 5 of the Act petroleum is defined to include any naturally occurring hydrocarbon whether in gaseous, liquid or solid state.

The applicant has been issued with a petroleum exploration permit by the Department of Mines, Industry Regulation & Safety and the scope of this application to Council is limited to the matter of the temporary workforce accommodation camp and the access points onto, and use of the local road network, and not the ultimate purpose for which the camp is required to serve, as this is addressed by the overriding State approval.

Lots M433 & M451 Mooriary, Mooriary are zoned 'Rural' under the Shire of Mingenew Local Planning Scheme No 4 ('the Scheme').

The application would meet the definition of 'Workforce Accommodation' which is classified as an 'A' use within the 'Rural' Zone which is a use that must be advertised for comment prior to consideration.

'Workforce Accommodation' is defined under the Scheme and Schedule 1 Part 6 Clause 38 of the *Planning and Development (Local Planning Schemes) Regulations 2015* as follows:

"workforce accommodation means 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."*

The objectives for development within the 'Rural' zone are identified under Scheme Clause 16 as:

- "• To provide for the maintenance or enhancement of specific local rural character.*
- To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use.*
- To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage."*

Section 9 – Aims of the Scheme notes the following:

"The aims of this Scheme are...

- ...(g) ensuring that mining-related land uses and developments such as workforce accommodation are developed within existing townsites where appropriate."*

In this instance, given that the drill is required to be manned at all times and will be operating 24 hours a day for 30-60 days at each site it is considered appropriate that the workforce should be housed at the drill site rather than a remote location.

Schedule 1 Clause 11 of the Scheme notes the following in relation to the issue of 'Workforce Accommodation':

"The local government may only grant development approval for Workforce Accommodation where –

- (a) it is satisfied that the Workforce Accommodation can be adequately serviced with water, power and effluent disposal;*
- (b) an operation is proposed and not yet operational, it can be adequately demonstrated that the operation will proceed prior to the approval for permanent Workforce Accommodation being issued;*
- (c) a management plan is prepared and submitted with the development application that outlines how the Workforce accommodation will be decommissioned should it no longer be required; and*
- (d) proposed within the Residential and Rural Townsite zones it is to be setback from boundaries in accordance with Part 5 of the R-Codes Volume 1 to the satisfaction of the local government."*

Schedule 2 Part 9 Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* lists the following relevant matters to be considered by local government in considering a development application:

- "(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;...*
- (fa) any local planning strategy for this Scheme endorsed by the Commission;...*
- ...(m) the compatibility of the development with its setting, including –*

- (i) the compatibility of the development with the desired future character of its setting; and
- (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (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;...
- ... (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;...
- ...(zb) any other planning consideration the local government considers appropriate."

Policy Implications

The Western Australian Planning Commission's 'Workforce Accommodation Position Statement provides guidance in relation to the assessment of this application.

The Position Statement notes that under the *Planning and Development Act 2005* planning decision-makers can:

Control	Not control
1) Where a planning application is required, the terms of an approval related to: <ul style="list-style-type: none"> (a) timeframe (b) setbacks (c) landscaping (d) parking and access (e) location & appearance of buildings (f) integration with surrounding areas (g) any other land use planning matters relevant to the site. 2) Where a planning application is required, the ability to approve/refuse a proposal considering local planning scheme requirements.	1) Any matters specified by a State Agreement Act. 2) The issuing of a mining tenement made under the <i>Mining Act 1978</i> – which can include a general purpose lease for 'any other purpose directly connected with mining operations' (may be located in a townsite). 3) That workforce accommodation needs to be met by permanent accommodation rather than 'camps'. 4) That workforce accommodation be located in a town rather than a mine-site. 5) Whether the land for workforce accommodation is owned by the Crown or held in fee simple. 6) Requirements for 'community contributions' by workforce accommodation proponents. 7) Requirements for workforce accommodation to achieve 'legacy benefits'.

A copy of the WAPC Position Statement can be viewed at the following link:

https://www.wa.gov.au/system/files/2021-07/POS-Position-Statement_Workforce_Accommodation.pdf

Financial Implications

In the event that the applicant's operations have an impact on the condition of the local road network, it is considered reasonable that upgrade or contribution to upgrade (and later maintenance) be required of the applicant to avoid financial burden on the Shire, and ensure the applicant provides compensation commensurate with additional wear imposed by traffic movements associated with their operations.

Strategic Implications

Section 8.8 of the Shire of Mingenew Local Planning Strategy (2006) notes the following:

"8.8 Mining Activity

General Industrial land will need to be identified for possible expansion of Mingenew.

Appropriate controls will also need to be put in place for mining activity in the Rural-Mining Zone. These include controls to ensure that the environmental and landscape qualities are not detrimentally affected, that adequate provision is made for any intensive use of rural roads, and that there is no conflict with existing rural activities undertaken in the area.

In determining an application for extractive industry Council shall have regard to and may impose conditions relating to the demand for additional services, facilities and infrastructure, the impact on surrounding land uses, and shall require a management plan to manage the impact of the extractive industry."

5.3 PROPOSED SECOND-HAND DWELLING

Location/Address: 3 (Lot 165) Broad Street, Mingenew
Name of Applicant: W. Davey
Disclosure of Interest: Nil
File Reference: A364
Date: 23 July 2024
Author: Simon Lancaster, Planning Advisor
Authorising Officer: Matt Fanning, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

Council is in receipt of an application seeking approval to permanently site a transportable building upon 3 (Lot 165) Broad Street, Mingenew. The application also seeks to undertake additional works including a patio/decking area to be attached to the building, constructing a freestanding carport and fencing the property.

The application has been advertised for comment and 3 submissions expressing support for the application and 2 objections were received.

This report recommends that the application be approved subject to conditions relating to the visual appearance of the building and property, and the timeframe for completion of the works.

Key Points

- 3 (Lot 165) Broad Street, Mingenew is zoned 'Residential'
- The application is for a second-hand building to be sited upon Lot 165 and additional works be undertaken and the building to be used as a residence.

OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 5.3- RESOLUTION#03170724S

MOVED: Cr RA Starick

SECONDED: Cr AR Smyth

Council grants planning approval for a second-hand dwelling and associated works upon 3 (Lot 165) Broad Street, Mingenew subject to the following:

Conditions:

- 1 Development shall be in accordance with the approved plan(s) dated 17 July 2024 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- 2 Any additions to or change of use of any part of the buildings or land (not the subject of this consent/approval) considered by the local government Chief Executive Officer to represent significant variation from the approved development plan(s) requires further application and planning approval for that use/addition.
- 3 Works must not commence until connection of Lot 165 to the reticulated power network has been completed, use of a generator for the works or for occupation of the site is not permitted.
- 3 The colour of the wall sheeting is required to be of a different (yet complementary) colour to the uniform colour used for the roof sheeting, posts, downpipes and guttering, to create the visual appearance of a permanent habitable building and not a donga. All external materials must be to a finish and colour to the approval of the local government.
- 4 Skirting is required to be installed between the floor level of the building and the ground level to the approval of the local government and using materials and colours that are to the approval of the local government.
- 5 Landscaping is required to be installed and maintained about the development for the purpose of softening the visual impact of the building to the approval of the local government.

- 6 Front fencing and side fencing (extending westwards for a distance of not less than 7.5m from the front boundary line) to a height not greater than 1.2m is required to be installed and maintained for the purpose of softening the visual impact of the building to the approval of the local government and must be of materials, finish and colours to the approval of the local government.
- 7 Side fencing (commencing at a distance of not less than 7.5m behind the front boundary line) and rear fencing to a height not greater than 1.8m is required to be installed and maintained for the purpose of softening the visual impact of the building to the approval of the local government and must be of materials, finish and colours to the approval of the local government.
- 8 The development is required to be connected to an on-site wastewater and effluent disposal system that is located, designed, installed and operated to the requirements of the Department of Health and the approval of the local government.
- 9 Any soils disturbed or deposited on site must be stabilised to the satisfaction of the local government.
- 10 All stormwater must be contained and disposed of onsite to the satisfaction of the local government.
- 11 The development is only to be used for habitable purposes, and general storage purposes associated with the predominant habitable use, and must not be used for commercial or industrial purposes.
- 12 The development must not be occupied until compliant with the requirements of the Building Code of Australia, the *Health Act 1911* and the *Health (Treatment Of Sewage And Disposal Of Effluent And Liquid Waste) Regulations 1974*.
- 13 All parking of vehicles (and trailers) associated with the development must be provided for within the property boundary.
- 14 The installation and maintenance of the vehicle access/crossing place onto Broad Street must be to the satisfaction of the local government.
- 15 The removal of materials from Lot 165 at completion of the development works deemed unsightly by the local government.
- 16 The conditions relating to this approval (inclusive of the completion of the patio/decking area, carport and fencing) must be complied with to the approval of the local government within 12 months of the date of approval (i.e. 17 July 2025).

Notes:

- (a) This planning consent does not constitute a building permit, which must be sought and obtained from the Shire's Building Department and will require the applicant's demonstration of compliance with the requirements of the *Building Act 2011* and Building Code of Australia. Also, other separate approvals to undertake certain activities may be required from other government agencies under separate legislation of which it is the applicant's responsibility to investigate and address.
- (b) If an applicant is aggrieved by this determination there is a right pursuant to the *Planning and Development Act 2005* to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

(FOR: Cr GJ Cosgrove, Cr HR McTaggart and Cr RA Starick. AGAINST: Cr JD Bagley, Cr JR Holmes, Cr AT Pearse and Cr AR Smyth)

Attachments

- 5.3.1 3 Broad Street, Mingenew - Application
- 5.3.2 3 Broad Street, Mingenew - Submissions

Background

3 (Lot 165) Broad Street is a 916m² rectangular property on the western side of Broad Street in the Mingenew townsite.

Figure 5.3.1 – Location Plan for 3 (Lot 165) Broad Street, Mingenew



Figure 5.3.2 – Aerial Photograph of 3 (Lot 165) Broad Street, Mingenew



The applicant is seeking approval for the permanent siting of a 12m x 3m (36m²) transportable building upon Lot 165 in the south-west, rear corner, 2m off the side and rear boundaries. The applicant is proposing to re clad the exterior walls in colorbond sheeting and add insulation, and reroof the building with trimdeck roof sheeting, in doing so raising the roof height 65mm to allow for insulation. The building would have a final height of 3.3m (comprising 0.5m raised floor height + 2.5m wall height + 0.3m roof gable height).

The applicant also proposes to construct a 6m x 3m (18m²) timber decking area and a 6m x 3m (18m²) metal patio along the 12m northern elevation of the building. The patio roof would be trimdeck to match the new roof of the building. Lattice would be installed around the skirt of the building and decking area between the floor level and ground level.

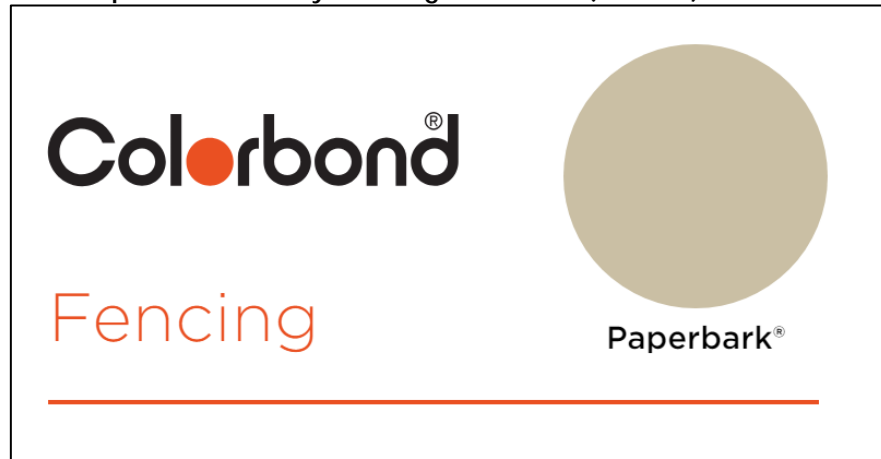
The applicant also seeks approval for a freestanding 9m x 6m (54m²) carport with paved floor that would be sited 1.41m north of the patio/deck extension to the building, and 2m from the western/rear boundary and 1.2m from the northern/side boundary. The carport would have a 4.2 column height and 4.5m total/gable height and would have trimdeck roof sheeting to match the residence.

The building is proposed to serve as the residence initially but is sited in a rear location so that it can in time become the ancillary dwelling ('granny flat') when a main residence is built forward/eastwards on Lot 165.

The applicant proposes to install 2 septic tanks and 2 x 9m leach drains to the east of the 'granny flat' building in a position that would then also service the future main residence.

0.9m high Colorbond fencing is proposed to be installed along the front boundary and along the side boundaries to a distance of 9m back from the front boundary (which would be in-line with the front wall of the future 'main residence'). 1.8m high colorbond fencing would then continue along the side boundaries westwards, and also along the rear boundary.

Figure 5.3.3 – Proposed Boundary Fencing Colour - 3 (Lot 165) Broad Street, Mingenew



The applicant has advised the following in regards to their proposed timeframe for the works:

"Expected time frame of 6 months from commencement to having the donga, patio, decking and fencing completed.

A further 3 months to have the carport, driveway and gates completed.

Whilst application for 2 bedroom house is awaiting approval. Hoping to achieve finalisation within 12-15 months. Making the total build time from start to finish of 2 years."

The submitted application is provided as **separate Attachment 5.3.1**.

Figure 5.3.4 – Site plan and elevation plans for residence

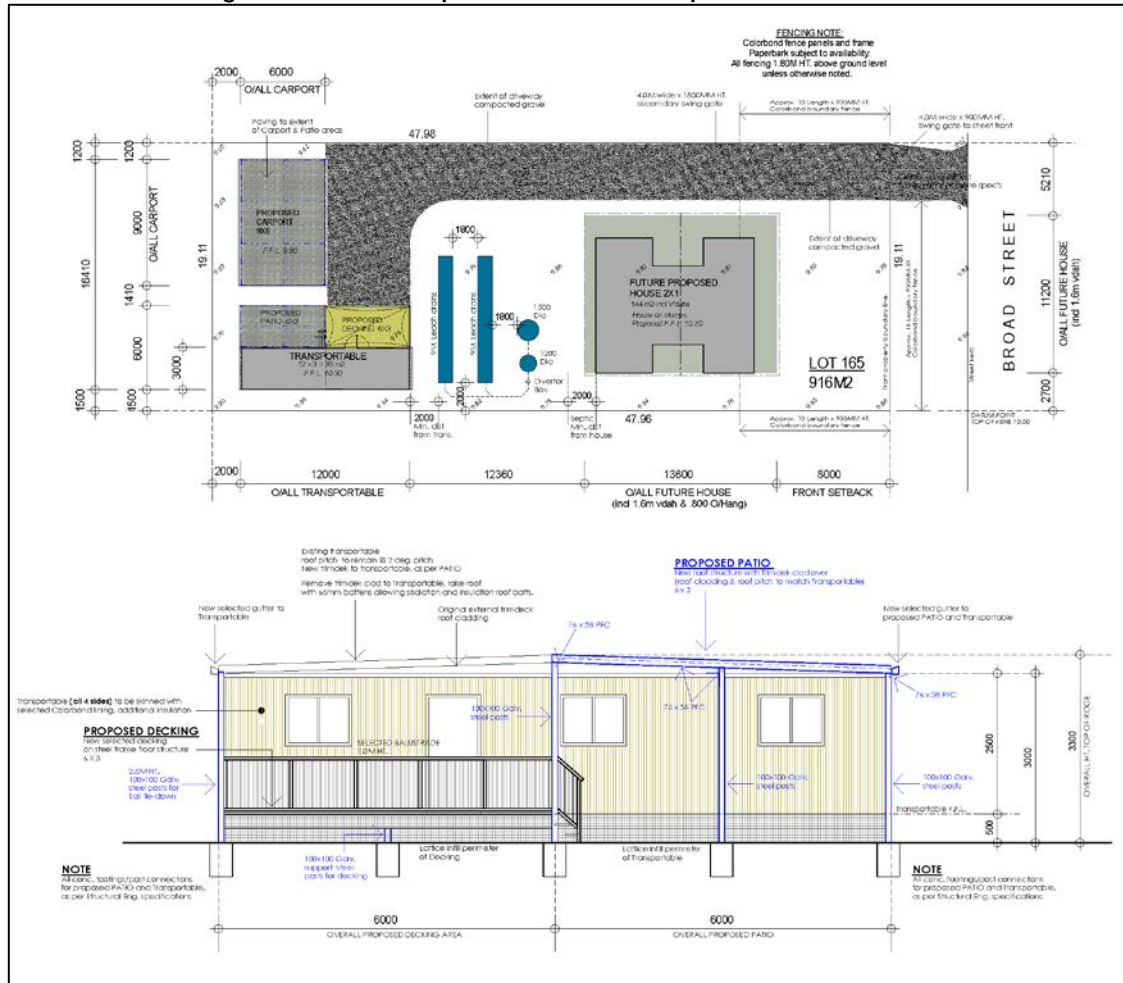


Figure 5.3.5 – View looking north-west at Lot 165 from Broad Street



Figure 5.3.6 – View looking south-west at Lot 165 from Broad Street



Comment

The appearance of the transportable building in isolation might be considered too small, or more akin to a workers accommodation camp, than would be appropriate within the context of a residential townsite. However, with the addition of a patio/verandah, decking, skirting between the ground level and floor level, along with other measures such as fencing and landscaping this application could be considered an acceptable form of development.

Council might also consider that a condition be imposed requiring the lodgement of a bond by the applicant, that would be held by the Shire until the additional external works had been completed, to encourage the applicant to complete the works in a timely fashion.

It is considered that with application of conditions of approval requiring the applicant to install fencing, landscaping and (singular) wall colour and complementary (yet differentiated) roof sheeting that the visual appearance of the development might become more in keeping with the amenity of the area.

There is also capacity through applied approval conditions to address aspects relating to off-street car parking, vehicular access and stormwater management.

However, in the event that Council deems that the application should not be supported it might consider the following alternative wording appropriate in its deliberations:

"Council refuses the application for a second-hand dwelling upon 3 (Lot 165 Broad Street, Mingenew for the following reasons:

- 1 The proposed development is not deemed to meet the objectives for the 'Residential' zone as established in Clause 3 of the Shire of Mingenew Local Planning Scheme No.4.*
- 2 The proposed development is not deemed to meet the requirements for a repurposed dwelling/second hand dwelling as established in Schedule 1 of the Shire of Mingenew Local Planning Scheme No.4.*
- 3 In its consideration of the application Council is not satisfied that the development satisfies the matters under Clause 67 of the deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.*
- 4 Approval of this application would set an undesirable precedent for future variation to the Shire's statutory and policy requirements, which in time could prove to be detrimental to the amenity of the 'Residential' zone.*

MINGENEW SHIRE COUNCIL SPECIAL MEETING MINUTES – 17 JULY 2024

Advice Note:

Should the applicant be aggrieved by this determination there is a right pursuant to the Planning and Development Act 2005 to request to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination."

Consultation

The application was advertised for comment from 30 May 2024 until 28 June 2024 with the Shire writing to the landowners of the 20 surrounding properties, placing an advisory sign on-site, placing a copy of the application on the Shire website, and making the application available for viewing at the Shire office.

At the conclusion of the advertising period 5 submissions had been received, 3 expressing support for the application and 2 in objection.

Copies of the received submission are provided as **separate Attachment 5.3.2**.

The applicant was provided with redacted copies of the submissions (as per standard Shire practice) and invited to make comment/respond to the issues raised in the submission period. No response was received from the applicant prior to date of this report.

2 of the submissions raised the issue of a generator causing nuisance and it is proposed that a condition of any approval be requirement that the applicant must install power network connection to Lot 165 prior to commencement of works, to address this concern.

Statutory Environment

3 (Lot 165) Broad Street, Mingenew is zoned 'Residential R12.5' under Shire of Mingenew Local Planning Scheme No.4 ('the Scheme').

Table 2 of the Scheme lists the objectives of the 'Residential' zone as being:

- *To provide for a range of housing and a choice of residential densities to meet the needs of the community.*
- *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- *To provide for a range of non-residential uses, which are compatible with and complementary to residential development."*

The development is considered to be a 'Second-hand Dwelling' which is defined by the Scheme as being:

"second-hand dwelling means a dwelling that has been in a different location, and has been dismantled and transported to another location."

The application might also be considered under the definition of a 'Repurposed Dwelling' which is defined by the Scheme as being:

"repurposed dwelling means a building or structure not previously used as a single house which has been repurposed for use as a dwelling."

Both 'Second-hand Dwelling' and 'Repurposed Dwelling' are listed as an 'A' use within the 'Residential' zone which is a use that must be advertised for comment prior to consideration.

Schedule 1 of the Scheme notes the following for 'Repurposed dwellings and second-hand dwellings':

- "1 The standards of finish of Repurposed Dwellings and/or Second-Hand Dwellings shall be agreed on between the applicant and the local government prior to the issue of development approval*

and must be consistent with those prevailing in the locality in which the building is to be located or any policy adopted by local government.

- 2 *Local government may permit the erection or placement of a Repurposed Dwelling and/or Second-Hand Dwelling on a lot providing that the design of the building is to the satisfaction of the local government and:*
- (a) is in a satisfactory condition;*
 - (b) will not detrimentally affect the amenity of the area;*
 - (c) is permanently affixed to the ground; and*
 - (d) is finished to a high standard."*

Clause 67 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* lists the following relevant matters to be considered by Council in considering a development 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;...*
 - ...(fa) any local planning strategy for this Scheme endorsed by the Commission;...*
- ...(fa) any local planning strategy for this Scheme endorsed by the Commission;*
- (g) any local planning policy for the Scheme area;...*
- ...(m) the compatibility of the development with its setting including -*
 - (i) the compatibility of the development with the desired future character of its setting; and*
 - (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (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;...*
- ...(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;...*
- ...(w) the history of the site where the development is to be located;*
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) any submissions received on the application;...*
- ...(zb) any other planning consideration the local government considers appropriate."*

The following Aims of the Scheme from Clause 9 of the Shire Scheme may be considered of relevant in this matter:

"to preserve, protect and enhance the amenity and character of Mingenew Townsite, and areas of cultural, heritage and natural and biodiversity significance across the Shire;
to ensure there is sufficient supply of serviced and suitable land within Mingenew for existing and future housing, employment, commercial activities, community facilities, recreation and open space;
to provide for a range of accommodation and lifestyle choices that meet the needs and aspirations of the community"

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

The following strategies and actions from the Shire's Strategic Community Plan are considered relevant in Council's assessment of this matter:

Strategy	Strategies/Actions	Council's Role	Partners
2.3 Cultural & Heritage	2.3.3 Enhance our natural and built environment and promote and protect the history and heritage within Mingenew	Support and manage	Community Groups
3.1 Housing	3.1.2 Develop local housing market (support new business model)	Investigate and support	Dept. Housing, Local entrepreneurs
4.1 Diversity of accommodation	4.1.1 Development of existing and future diverse accommodation options for business travellers and tourism	Facilitate	Local entrepreneurs and businesses

The Mingenew Townsite Local Planning Strategy notes the following:

"4.2.6 Architectural Style

Architectural style refers to a combination of factors that influence building construction, such as built form, construction materials and local character. Architectural styles evolve over time and reflect the historic context and growth of an area. The local architecture of Mingenew spans many eras from the 1890s to the present, and there are still common elements from different periods that can, when possible, be incorporated into new development. Older development in Mingenew is characterised by the usage of local stone, gabled roofs and fenestration detail (see Plates 6 and 7).

Early residences incorporate hipped roofs and large verandahs (see Plate 6).

Present day residential development is characterised by houses with little to no roof pitch, constructed of weatherboard, corrugated iron and/or Colorbond sheeting (see Plate 8). Some newer homes have returned to passive climate responses typical of earlier housing and incorporate eaves and verandahs into the design detail. In keeping with the rural nature of the community many homes have open style fencing, larger sheds and outbuildings, rain water tanks and other modern improvements.

To promote flexibility and encourage new residential development, it is not recommended that any design controls be implemented for residential dwellings, however developers will be encouraged to draw from the architectural palette of traditional homes in the townsite when planning new development."

MINGENOW SHIRE COUNCIL SPECIAL MEETING MINUTES – 17 JULY 2024



Plate 6 Historic Residence



Plate 7 Police Residence



Plate 8 Contemporary Residence

6.0 GOVERNANCE AND COMMUNITY

6.1 MARKETING & COMMUNICATIONS STRATEGY

Location/Address: Shire of Mingenew
Name of Applicant: Shire of Mingenew
Disclosure of Interest: Nil
File Reference: CR.MKT
Date: 23 July 2024
Author: Erin Greaves, Manager Governance and Community
Authorising Officer: Matt Fanning, Chief Executive Officer
Voting Requirements: Simple Majority

Summary

To consider adoption of the Shire of Mingenew Marketing and Communications Strategy (the Strategy) prepared by Market Creations Agency Pty Ltd (Market Creations).

Key Points

- In 2023, Council resolved to develop a Marketing and Communications Strategy to ensure our marketing activities align with the Shire's Strategic Community Plan
- Market Creations were engaged through a Request for Quote process via WALGA's eQuotes and were selected based on offering the best value for money and service
- Market Creations facilitated a workshop in April 2024 with Councillors and Executive staff and then provided Councillors with a final presentation at the June Concept Forum for the Marketing and Communications Strategy

OFFICER RECOMMENDATION AND COUNCIL DECISION – ITEM 6.1- RESOLUTION#04170724S

MOVED: Cr HR McTaggart

SECONDED: Cr AR Smyth

Council:

1. Adopts the Marketing and Communications Strategy prepared by Market Creations Agency Pty Ltd, as presented, including the Communications Policy at Appendix 2; and
2. Prioritises implementation of the following key recommendations from the Strategy in 2024/25 through internal resourcing and agency support, within capacity and as required:
 - Develop a Brand Style Guide that focuses on residents first and encompasses all touchpoints of the brand and includes communication guidelines for all channels.
 - Develop a Partnership Prospectus for the Resource Sector and Government Agencies that clearly outlines investment opportunities.
 - Develop Sponsorship and Donations Prospectus for a local target audience.
 - Develop an Investment Prospectus to promote investible opportunity.
 - Redesign the website with residents in mind.
 - Create a shorter Strategic Community Plan brochure focusing on the four pillars and develop a half yearly Shire achievements flyer.
 - Develop a digital advertising strategy focusing on Meta (Facebook) and LinkedIn to attract investment.

Promote the benefits of living in the Shire through Out of Home advertising.

VOTING REQUIREMENTS:

CARRIED BY SIMPLE MAJORITY 7/0

(FOR: Cr GJ Cosgrove, Cr HR McTaggart and Cr RA Starick. AGAINST: Cr JD Bagley, Cr JR Holmes, Cr AT Pearse and Cr AR Smyth)

Attachments

6.1.1 Marketing and Communications Strategy

Background

In July 2023, Council agreed to undertake the development of a Marketing and Communications Strategy to inform direction, drive communications and engagement, and focus on strategic priorities.

The development of a Marketing and Communications Strategy aimed to provide a framework for:

- how our Shire and community is promoted internally, locally and beyond
- what the most effective forms of engagement are for our target audiences
- ensure effective and consistent messaging across a variety of media channels
- consideration of accessibility and reaching disengaged members of the community
- increased awareness of Shire services, activities, opportunities and achievements
- set a policy position in terms of communications.

As demonstrated during the development of the Strategic Community Plan and from the feedback received in the Community Satisfaction Survey conducted in 2022, three major priorities exist for our community

- Liveability
- Local investment
- Supporting business development

The Shire prepared a Request for Quote through WALGA eQuotes (or VenderPanel) and received three quotations, with only one supplier quoting within Council's set Budget for the project and demonstrating an ability to meet the scope, Market Creations Agency Pty Ltd (Market Creations). Market Creations have a long relationship working with local governments and have an office based in Geraldton.

Market Creations were engaged in early 2024 to commence work on the Strategy and facilitated workshops with Council and the Executive team in April.

Based on the desktop review they conducted and the meetings and workshops, Market Creations held a final workshop with Councillors in June 2024 to present the final Marketing and Communications Strategy.

In addition to the Strategy, Market Creations have provided a Communications Policy, Draft Crisis Communications Plan, Content Calendar, Draft Implementation Plan and an Evaluation Tool for measuring marketing performance which will be reviewed and used operationally to improve our systems and activities.

Comment

The Shire of Mingenew has established a really strong brand and enjoyed successful tourism campaigns, with the 'We'll See You in Mingenew' campaign, wildflower and stargazing seasons and event promotion, which has been due to a great working partnership with marketing agency, Lateral Aspect.

Tourism remains a key economic driver for our community, and it is important that this work continues through maintaining the brand and tourism opportunities however, there is an opportunity to leverage our past success to promote the transition of focus to liveability, local investment and growth, with the ultimate goal of increasing our resident population.

With the development of the recently updated Strategic Community Plan 2023-2033 and the need to go out to market for marketing services, it has been timely for Council to reset and communicate its strategic path so that marketing efforts align with community needs and the vision.

The Strategy will be used to formulate an appropriate scope of works, that includes implementation of the Strategy, as well as operational needs that cannot be resourced internally, including:

- Website hosting, design and management
- Digital media content design and production
- Mainstream advertising
- Reporting and analysis

MINGENOW SHIRE COUNCIL SPECIAL MEETING MINUTES – 17 JULY 2024

The Shire has, or is the process of, implementing some of the recommendations, such as redesigning the website to be more user friendly and focused on residents, reestablishing the Shire's LinkedIn page, developing a social media calendar, developing templates and engaging with the community through another MARKYT survey (which will be commencing in the coming months).

Consultation

Councillors

Executive Team

Community Resource Centre

Statutory Environment

Local Government Act 1995

Policy Implications

New – Communications Policy, as presented.

Financial Implications

The Marketing and Communications Strategy has been developed within the budget provided for the project (\$30,000).

Before determining if implementation of the Strategy is achievable within our existing Marketing budget, it is necessary for a scope of works to be developed and quotes to be sought.

Strategic Implications

Strategic Community Plan 2023-2033

- 13.1 Demonstrated delivery of priority projects and SCP outcomes
- 13.2 Community expectations are measured and reported
- 13.3 Develop effective communication, engagement and marketing strategies
 - a. Implement the staged Marketing and Communications Strategy based on priority and available resources

MINGENSHIRE COUNCIL SPECIAL MEETING MINUTES – 17 JULY 2024

7.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

8.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil.

9.0 CONFIDENTIAL ITEMS

Nil.

10.0 TIME AND DATE OF NEXT MEETING

Next Ordinary Council Meeting to be held on Wednesday, 21 August 2024 commencing at 5.00pm.

11.0 CLOSURE

The meeting was closed at 5:39pm.

These minutes were confirmed at an Ordinary Council meeting on 21 August 2024

Signed _____
Presiding Officer

Date: _____