



SPECIAL MEETING OF ELECTORS

ON TUESDAY, 1 AUGUST 2023

The meeting was held at the Denmark Recreation Centre
(main court area), McLean Park, Brazier Street, Denmark.

Contents

1. MEETING PROCEDURES DETERMINED BY THE PRESIDING PERSON	2
2. DECLARATION OF OPENING.....	3
3. RECORD OF ATTENDANCE/APOLOGIES.....	3
4. PURPOSE OF THE MEETING	6
5. MOTIONS	7
6. CLOSURE	8

1. MEETING PROCEDURES DETERMINED BY THE PRESIDING PERSON

These procedures are consistent with requirements under the Local Government Act 1995 and the Local Government (Administration) Regulations 1996.

- The Shire President will preside over the meeting [s 5.30].
- The only matter to be discussed at this meeting is the matter detailed in the Special Meeting Request.
- All electors present are required to sign the Attendance Register with their name and address.
- Only electors are permitted to vote.
- Each elector who is present is entitled to one vote on each matter to be decided at the meeting but does not have to vote [r 17].
- Voting is to be conducted so that no voter's vote is secret [r 17].
- All decisions are to be made by a simple majority of electors present [r 17].
- The presiding person will call for a mover and a seconder for any motions.
- If a motion is moved and seconded, it becomes live, and the presiding person will facilitate debate.
- Debate will be limited to 3 speakers for the motion, and 3 speakers against the motion.
- Speakers for, or against, the motion will be limited to 3 minutes each.
- All decisions made at the meeting are to be considered at the next Ordinary Council meeting or, if that is not practicable, at the first Ordinary Council meeting after that meeting; or at a Special Meeting called for that purpose, whichever happens first [s 5.33].
- There will be no public question time [r 5].
- The meeting procedure to be followed, other than those listed above, is to be determined by the person presiding [r 18].

2. DECLARATION OF OPENING

6.19pm - The Presiding Person, Shire President, Cr Ceinwen Gearon, declared the meeting open and acknowledged the traditional owners of the land being the Menang and Bibbulmun people.

3. RECORD OF ATTENDANCE/APOLOGIES

ATTENDANCE

- 435 Electors.
- 4 entries on the Attendance Register were illegible.

Ceinwen Gearon	Jessie Gloede	Hannah Halls
Ana Orozco	Andrea Prince	Sandra Moore
Kristi McMullan	Warrick Gates	Doug Davies
Dorothy Davies	Carol Allmond	Roy Allmond
Andrew Hoadley	Maureen Cowdell	Martin Barker
Sue Allan	Ehtel Choules	Margaret Binka
Dennis Marshall	W Sheed	Des Arrow
Jenny Barker	Christophe Luigi	Karen Grose
Carol Blackett	Anthony Blackett	Donna Stretton
Trish Edmonds	Jane Hollard	Martin Hollard
David Gornall	B Trew	Ceinwen Gearon
Christine Cooper	David Ballantyne	Jaden Guidi
Clare Campbell	Jackie Ormsby	Sylvia Mestric
Vicci Lodge	Jak Weiland	Joel Prince
Martin Becker	Julie Arnold	Vicki Lumia
Peter Lumia	Leanne Laurie	Dennis Proctor
Rene Proctor	Geoff Bacon	Kingsley Gibson
Hugh Winer	Gary Jones	Brendan Wilkes
Russell Carter	Janine Phillips	Fiona Maron
Bobbie Batten	Adrian Rufus	Dace Verbaker
Stanley Hynes	Valerie Mather	Fiona Ross
Jan Axe	Lynda Jenner	Pam Rumbell
Kevin Nayda	R McNab	Damian French
Shari Bolitho	Anthony Farrell	Candy Koning
Kees Koning	Rosemary Lane	Peter Dean
Barry Stewart	Fran Pederick	Wally Pederick
Janice McDonald	John Kenyon	Fred Knight
Doug Sheed	Brian Wilson	Lorraine Bellas
Don Atkinson	Regina Higginson	Michelle Wright
Timothy Dunn	Olivia Carter	Lee Alexander
Trevor Helen	Helen King	Carole Wright
Kristine Plozza	Kevin Hard	Bryn Azzari
Karla Putland	Jason Putland	Tessa Moncrief
Carol Metropolis	Margaret Jones	Deborah Tyan
Peta Hill	Laura Staublg	Aaron Olszewski
Lara Van Der Muelen	Kieana Copeland	Yvonne Quinn
Katja Lamb	Hollie Gilmore	Casey Lindroth

Kate Rieben	Robbie Degenaar	Robyn Millar
Julie Pepper	Karen Winer	Cathryn Overington
Hazel Moon	Jeremy Bate	Jasna Curic
Pat Ricketts	Tarryn Russell	Ian Sinclair
Graham Batten	Justine Gamblin	Chloe Church
Kaye Husking	Sarah Pozzi	Deborah Parker
Andrew Huntley	Alison Walmsley	John Jenner
Ben Boston	Lisa Nicholson	Sharm Jackson
Amanda Gaunt	Phillip Drage	Sandra Kerr
Peter Kerr	Merylin Briggs	Wesley Briggs
Grant Ball	Carmel Stott	Pat Stewart
Mary Copping	Tom Jones	Wayne Kranendonk
John Watson	Mike Bentley	April Atkinson
Gaie Bradford	Ruth Price	Heidi Compton
Shirley Watkiss	James Watkiss	Elisha Rose
James Sturnioli	Kristina Varrone	Bill Byrne
Roderick Mitchell	Robyn Marley	John Overton
Julie Glynn	Adam Green	Catherine Burges
Royce Kelly	Maria Wakelin	Colleen Williams
Sandra van Lill	Donald Clarke	Irene Hogben
Sarah Carver	Gavin Lacey	Judy Gretton
Paul Mahoney	Holly Ferrara	Fay Malcolm
Bruce Anthony	Linda Whitlock	Ric Carter
Sandy Carter	Beth Franz	Emily Marney
John Davis	Frances Davis	Martin James
Glyn James	Liz Archer	Nina Bradshaw
Ash Murch	Cyril Edwards	Amber Launay
Luba Ricketts	John Ricketts	Margaret Cocks
Deborah Ebbett	William Farquharson	Bev Seeney
Roger Seeney	Joy Hawes	Rob Woods
Bev McGuinness	Ross McGuinness	Margaret Walker
Gail Barker	Val Ball	Kaye White
Gabrielle Elliot	Tim Bussemaker	Colin Payne
Erica Mercer	Roy Mercer	Nicholas Dwyer
Janet Pattinson	Keith Swann	Hank Alberts
Lyn Cottee	Peter Cottee	Jim Sharpe
Adrian Kranendonk	Michael Kerr	Ian Alexander
Margaret Bridgart	Julie Sapstead	Deon Sapstead
Kev Gibbs	Jean Laing	Sue Young
Philip Giles	Janice Bremner	Andrew Ellis
Jeff Atkinson	Hanna Reichel	Joanna Griffith
David Faulkner	Chris Weiland	Patrick McConigley
Ruth McConigley	Elizabeth von Perger	Tom Rossignuolo
Fiona James	Christine Archer	Ashley (silent elector)
Judith Wilson	Graham Wilson	Margaret Norcross
Robin Norcross	Erica Bracknell	Holly Pepper
John Schindler	Louise Berry	Linda-Jane Eaton
Felicity Henderson	Mark Henderson	John Davies
Kerrie Davies	Tamala Ridge	Elina Mackay
Erika Tharratt	Gareth Anderson	Brendan Parker

Amanda Porter	Megan Prater	David Turnbull
Todd Anderson	Avril Steyl	Melissa Howe
Jamie Moir	Rodney Prater	Peta Turnbull
Ross Thornton	Steph Tchan	Michael Woodfield
Rosemary Ingham	James Woenne	Hayley Stinson
Christopher Hoare	Roslyn gates	Shirley Boni
Leo Boni	Murray Bolitho	Lyell Edmonds
Edward Wierobeis	Ryan Phillips	Beryl Nicholls
Rosemary Thorn	Julie Nayder	Peter Gornall
Theresa Hughes	Linda Simonis	Avril Marriott
Peter Marriott	Gilbert Wrightson	Stuart Young
Bert Pattinson	Glasson Gardner	Robert Otway
Reed Duggan	Rob Kolgariff	Gerald Koza
Marinus Van Vliet	Steven Gersbach	Margaret Redman
Julie Byrne	Ray Ashton	Robert Gretton
Ruby Tchan	Andria Taylor	Michael Hosking
Lauren Kreuger	Alex Metropolis	Sara Hammond
Andrea Gaynor	Kanae Jones	Joshua Griffith
Jess Dyer	Jane Visser	Gavin Beebie
Trendy Duncan	Michael Bow	Scott Maschette
Nicha Maschette	Bruce Sharp	Jolly Edwards
Damon Laurie	Xavier Launay	Alasdair Millar
Jan Lewis	Michael Wyson	Gaynor Mitchell
David Lonie	Michael Berry	Allister Dickson
Denisia Menglet	Richard Ricketts	Trevor Wakelin
Philip Williams	Sally Prickett	Julie Grist
Kathleen Prater	Lorraine Cotton	Kristin Haefner
Judith Parkinson	Doug Head	Graeme Kontoolas
Pete Dingey	Stuart Irwin	Rebecca Kirkwood
Chris Kirkwood	Albert Nicholls	Kelli Gillies
Jemma Smithers	Bev Farrell	Noel Phillips
Rosie Phillips	Peter Kelly	Ian Osborne
Neville Thorn	Glenice Smith	Rob Allen
Chris Alberts	Ken Hick	Graham Dixon
Dana Boston	Lockyer Eastland	Louise Mckenna
Colin Carlisle	Daniel Porter	Dean Chappell
Marlee Swallow	Donna Carman	Kendel Lynam
Glynis Woodfield	Helen Vanmelle	Izaak Vanmelle
Jane James	David Morrell	Tegan Smith
Duncan Smith	Maren Heckel	Logan Chappelle
Fred Rieben	Paul Llewellyn	Justin Chester
Ian Robbins	Perez Ruben	John Burfitt
Brian Redfern	Norman Blunn	Kerith Bradford
Jillian Gow	David Price	Jan Kilgariff
Marg Holmes	Jen Cooper	James Back
Oliver Watkins	Claire Azzari	Christan Murtha
Pat Sacino	Emilia Guidi	Zoe Car
May Carter	Ian Whitlock	Tash Rubie
Jasmin Gretton	Matt Sivyver	Bob Mulligan
Leaha Holecek	Chelsea James	Donna James

Andrew Quinn	Melanie Trenow	Scott Bailey
Jenny Whishaw	Nick Whishaw	Jeff Head
Janine Tinley	Lez Baines	Graham Greenhalgh
Joane Carter	Glen James	Ann Ross
Mark Gretton	Christine Randall	Matthew Parkes
Williow Davies	Natalie Burford	Geoff Osborne
Jasmin Stone	Karen Anderson	Ann Templeton
Krita Stratton	D Baker	Eric Fabre

APOLOGIES

Ronda Thomas

STAFF:

David King (Chief Executive Officer)

Claire Thompson (Governance Coordinator)

4. PURPOSE OF THE MEETING

A request signed by 373 different Electors was submitted to the Shire President on 11 July 2023 requesting a Special Meeting of Electors for the following purpose.

The purpose of the Special Meeting was as follows:

The decision of the Shire of Denmark Council on item 9.3.1 at the 18 April 2023 Ordinary Council Meeting which endorsed (among other things) the termination of the Lions Club lease of Pt Crown Reserve 30277 and the granting of an expanded lease over this reserve to the Kwoorabup Nature School.

5. MOTIONS

MOTION 1.

MOVED: IAN OSBORNE
SECONDED: ROGER SEENEY

1. That the Shire of Denmark Council publish on the Shire's website a copy of all planning approvals that have been issued in respect of the Kwoorabup Nature School's current and proposed future operations as required by the Shire of Denmark Local Planning Scheme No.3 and the *Planning and Development Act 2005*.
2. If there is planning approval(s) in place in respect of the Kwoorabup Nature School's current operation, that the Shire of the Denmark Council:
 - a) Instruct the CEO to investigate and publish on the Shire's website why and how an approval was issued to the Kwoorabup Nature School given:
 - (i) The School is located within a designated bushfire prone area;
 - (ii) The School is located within a BAL-40 and BAL-Flame Zone category of risk;
 - (iii) State Planning Policy 3.7 provides that vulnerable or high-risk land uses must not be approved in such areas unless the development is "unavoidable"; and
 - (iv) The Kwoorabup Nature School's current operation is avoidable in this location.
 - b) Instruct the CEO to defer implementation of the Council of the Shire of Denmark's resolution in respect of Item 9.3.1 of the 18 April 2023 Ordinary Council Meeting until such time as a planning application has been submitted and approved for any expanded operation.
 - c) Instruct the CEO to seek advice from Department of Fire & Emergency Services as to the suitability of the Kwoorabup Nature School remaining in its current location and employ a Level 3 Bushfire Practitioner to undertake the Risk Assessment. Until such time these reports have been obtained and should they determine the site is unsuitable, the Shire of Denmark refuse any proposed works and the Kwoorabup Nature School be advised to find an alternative location which meets planning requirements.

MOTION SUPPORTED BY A MAJORITY OF ELECTORS

MOTION 2:

MOVED: JAMES BACK
SECONDED: JOANNE GRIFFITH

That the Shire prioritise facilitating a dialogue among all stakeholders, and the broader community, to revise the concept plan for Reserve 30277 in order to move forward with collaboratively creating an exciting multipurpose precinct that interprets and promotes its diverse heritage for the benefit of residents and visitors.

MOTION NOT SUPPORTED BY A MAJORITY OF ELECTORS

MOTION 3:

MOVED: ROGER SEENEY

SECONDED: ROSS MCGUINNESS

1. As the site was a previous railway terminal and siding and given that all railway sites are considered to be contaminated sites, we request that the Shire of Denmark publish the environmental clearance of the site showing no contamination including an audit of the Old Post Office for asbestos sheeting.
2. Given that schools are considered as 'a sensitive use', has the school been made aware that environmental clearances will be necessary.

MOTION SUPPORTED BY A MAJORITY OF ELECTORS

MOTION 4:

MOVED: BEV MCGUINNESS

SECONDED: LEZ BAINES

1. For the Shire of Denmark Council to rescind its resolution in respect of Item 9.3.1 of the 18 April 2023 Ordinary Council Meeting which endorsed (among other things) the termination of the Lions Club lease of Pt Crown Reserve 30277 and the granting of an expanded lease over this reserve to the Kwoorabup Nature School; and
2. Instruct the CEO to negotiate an extension/new lease to the Lions Club over its headquarters on Pt Crown Reserve 30277.

MOTION SUPPORTED BY A MAJORITY OF ELECTORS

MOTION 5:

MOVED: PETER KERR

SECONDED: SANDY KERR

Should the expanded lease be finally agreed that the Shire of Denmark apply a six metre set back of all buildings proposed from the Inlet Drive boundary and the boundary facing the Denmark Machinery Restoration Group and the Denmark Mens Shed.

MOTION SUPPORTED BY A MAJORITY OF ELECTORS

6. CLOSURE

8.11pm – There being no further motions, the Presiding Person declared the meeting closed.

AMENDED MOTION

That Council PROVIDES in principle support towards the proposed 2023/2024 Shire of Denmark Events Program and associated budget allocations for:

1. Seniors Week Luncheon (\$5,000);
2. International Day of People with Disability (IDPwD) (\$1,000);
3. Christmas Pageant (\$10,000).

CARRIED: 7/1 Res: 130423

Pursuant to Council Policy P040134 all Councillors' votes on the above resolution are recorded as follows;

FOR: Cr Gearon, Cr Gibson, Cr Campbell, Cr Clarke, Cr Ormsby and Cr Lewis.

AGAINST: Cr Devenport.

REASONS FOR CHANGE

The Council’s preference was to discuss the Australia Day Festival, Youth Festival and Volunteer Appreciation Function during the budget process, believing that it was premature to discuss these events at this time.

9.3 CHIEF EXECUTIVE OFFICER

9.3.1 KWOORABUP NATURE SCHOOL PROPOSAL

File Ref:	LEA.41
Applicant / Proponent:	Kwoorabup Nature School
Subject Land / Locality:	No.2 (Lot 952) Inlet Drive. Reserve 30277
Disclosure of Officer Interest:	Nil
Date:	3 April 2023
Author:	David King, Deputy Chief Executive Officer Claire Thompson, Governance Co-ordinator
Authorising Officer:	David Schober, Chief Executive Officer
Attachments:	9.3.1a – Kwoorabup Nature School Proposal (2023) 9.3.1b – 2014 Concept Plan 9.3.1c – 2019 Concept Plan 9.3.1d – Stakeholder Submissions 9.3.1e – Rural and Residential property within 5km of the Denmark Townsite 9.3.1f – Schedule of Shire Leases

IN BRIEF

- The Kwoorabup Nature School (KNS) (formerly the Spirit of Play) is requesting an extension of their lease area and a new 21-year lease. The proposal is provided in Attachment 9.3.1a.
- The proposed expansion area would incorporate the existing area leased to the Denmark Lions Club Inc. (Lions).

- Council needs to consider and determine the long-term use of the reserve and whether the school's proposal is aligned with that use.

RECOMMENDATION

That Council:

1. PROVIDE in principle support for the expansion of the Kwoorabup Nature School on Reserve 30277.
2. ADVISE the Kwoorabup Nature School that the proposed concept plan as attached in 9.3.1a is not accepted.
3. REQUEST the Chief Executive Officer to engage key stakeholders in developing a revised concept plan and considers the following:
 - a) Enhancement of the key railway reserve aspects including, but not limited to, the relocation of the Station Masters House to its original position and the restoration of the Ash Pit (including carriage) and the Turntable.
 - b) Minimal fencing, especially around heritage features such as the Old Post Office building.
 - c) Removal of the 'Public Shared Use Area' from any new lease and improving public access to that area.
 - d) Installation of appropriate interpretative signage of heritage assets.
 - e) Relocation of the Station Masters House to its original location in adjacent Reserve 46242.
 - f) Relocation of the shed within the current Lions lease area to the adjacent Reserve 46242.
4. ADVERTISE a revised concept plan for public consultation and present back to Council, with any submissions received.

LOCATION

1. The KNS occupy a portion of Lot 952 on Deposited Plan 39348, located at 2 Inlet Drive, Denmark.
2. The Denmark Machinery Restoration Group (DMRG), Mens Shed, and the Lions currently occupy leased areas on the reserve, as delineated in Figure 1.
3. The Bibbulmun Track and the Heritage Rail Trail also pass through the reserve and are popular with local bushwalkers and the like.

Figure 1 – Site Context



BACKGROUND

4. The KNS has leased a portion of Reserve 30277 since 2003. The initial lease was for five (5) years.
5. At its meeting held on 24 June 2008, Council approved a new lease for a period of five (5) years (Resolution No. 130608), which resulted in a new expiration date of 2013.
6. At its meeting held on 25 September 2012, Council approved an extension to the lease area to incorporate an approved additional storage building, existing septic tanks and adequate area for sufficient soft fall sand under the swing set (Resolution No. 160912).
7. In 2013, under clause 4.6 (Further Term) of the Lease, the Lessee exercised their option for a further five (5) year term by written request to the Chief Executive Officer. A new valuation was undertaken in October 2013, which formed the basis of their annual lease fee from 1 December 2013 to 30 November 2018.
8. At its meeting held on 27 May 2014, Council adopted the Denmark Historic Railway Precinct Concept Plan with respect to Reserve No. 30277 (Resolution No. 240514). Part 6 of the resolution stated,

"Advise the Spirit of Play that it has amended the plan such that the label of the building that they currently lease is titled "Old Post Office Building" so as to provide clarity that it is Council's view that an expanded community school at the site is not a long term complementary use at the Heritage Precinct."

See Attachment 9.3.1b for the adopted Concept Plan (2014).
9. At its meeting held on 22 March 2016, Council approved the addition of a temporary classroom which involved an extension of the lease area (Resolution No. 160316). This resulted in a relative increase in the annual lease fee, based on the 2013 valuation.

10. In 2017, the KNS approached Council advising that whilst they had identified an appropriate alternative site for the school, they would require a 12-month extension to give them sufficient time to relocate to the new site. At its meeting on 18 July 2017, Council granted permission for the KNS to continue occupying the Leased Premises as a monthly tenant until 21 December 2019 (Resolution No. 120717).
11. In February 2019, the Council agreed to allow the KNS to extend their lease area, grant the school a new 15 year lease and amend the Denmark Historical Railway Station Precinct Concept Plan ('Concept Plan') to include reference to the school's lease area on the reserve. Due to concerns raised by the other lessees of the portions of the reserve and the Denmark Historical Society, the KNS provided a compromise to the other lessees by agreeing to do some 'Common Area Works'. The Amended Concept Plan is provided as Attachment 9.3.1c.
12. 'Common Area Works' is defined in the lease as:
 - a) Relocation of access road from Inlet Drive;
 - b) Construction of car parking surrounding Lions Lair;
 - c) Construction of car parking adjacent to Crellin Street and a culvert to allow vehicle access;
 - d) Any servicing requirements as a result of school activities; and
 - e) Including any ancillary works required to undertake or complete such works.
13. It was also agreed at the time to include a 'Public Shared Use Area' that incorporated the historical turntable and ash pit. Item 9 of the Schedule states that 'any works undertaken on Reserve 30277 must be consistent with the adopted [Concept Plan] and be sympathetic to the heritage of the precinct. Any works or modifications to the historical relics at the site must be undertaken in liaison with the Denmark Historical Society'.
14. Item 10.2 of the Lease Schedule requires the lessee to 'fund the agreed costs of construction / installation of nature play areas and refurbishment of the Historical Turntable and the Ash Pit in the Public Shared Use Area'. The common area works were completed relatively quickly after the new lease commenced; however, the historical relics are yet to be refurbished or interpretative signage installed.

DISCUSSION / OFFICER COMMENTS

The Proposal

15. The KNS has requested an extension to their lease area to allow them to expand to 160 students by 2027. The expansion would enable space for an additional four classrooms and a number of other infrastructure supports, such as ablutions and play spaces. In addition, the school has also requested a new 21-year lease. This would also enable them to apply for a grant to partially fund the building cost of any new classrooms. The full proposal is included in Attachment 9.3.1a.
16. The proposed expansion area would encapsulate the current area leased to the Denmark Lions Club ('Lions'). As with the other reserve leaseholders, specific feedback was sought from the Lions and has been included in the consultation section of this report and attached (see Attachment 9.3.1d).

Denmark Lions Club Lease

17. While the Lions have advised that they have been an occupant at the site for 20 years, the Shire only formally entered into a lease with the Lions in 2007. A new 10-year lease was executed in 2012. The lease is consistent with other leases to community groups, the annual rent being \$1.00, and the rates, to date, have been waived by Council. The lease expired on 31 August 2022, around the same time the Shire was made aware of the KNS's proposal. The Lions have been occupying the site as a monthly tenant.
18. The KNS have indicated that they would be prepared to enter into a shared-use agreement with the Lions and cover any outgoings such as gas, water, electricity and waste disposal. The KNS would also permit other community groups to use the building outside of school hours.
19. The KNS has advised that they are happy to explore other working arrangements with the Lions as some of their facilities may be more practical to their needs. For example, the KNS would support Lions use of the Post Office building to provide a more open and flexible space for meetings, gatherings and memorabilia displays.
20. The shed adjacent to the Station Masters House is used by the Lions to store equipment that they use for charity work and to comply with their obligations under a Service Agreement with the Shire to maintain a portion of the Denmark Cemetery.
21. The Lions have indicated that proposed shared-use agreements would not suit their operations. This is primarily due to the Lions use of the building and its facilities (showers and kitchen) at many different times during the week as they undertake their various community volunteer works. The Lions' have expressed their views that this is incompatible with school use due to children occupying the building for most of the week.
22. Officers have explored a number of alternative solutions to replicate the existing situation but there does not appear to be any that would meet the Club's current service level in terms of functionality.
23. Should the Council agree to accommodate the KNS's proposal, the Lions have requested that:
 - The Station Masters house and workshop/shed be relocated to a suitable location on the reserve; and
 - All associated costs be covered by the Shire and the KNS, including, but not limited to, all utility services, sewage, stormwater etc.

Alternative School Sites

24. Under Town Planning Scheme No. 3 (TPS3), a school is considered under the land use definition for 'Education Establishment', which is a discretionary land use in the 'Residential' and 'Rural' zones.
25. Provided issues of land area, access and bushfire safety are accounted for, there would appear to be many options for the existing school to relocate to without necessitating a rezoning. Attachment 9.3.1e shows the land parcels that could be considered without a rezoning.
26. As no rezoning is required for land indicated in attachment 9.3.1e, the development application would be considered under Council's discretion and not subject to the West Australian Planning Commission approval processes.

27. The development would be assessed against State Guidelines for new schools. These guidelines are primarily for greenfield structure planning, and relaxations can be considered at the local government's discretion where appropriate.
28. KNS cite numerous financial constraints for development on an alternate site. These are:
 - The school has invested close to \$2M into the current site.
 - A new site development is likely to cost between \$4-5M at today's construction costs.
 - Development on a new site is unachievable within 5-10 years, even with assistance from capital works grants and loans.

Leasing of Crown Land across the Denmark Municipality

29. A schedule of Shire leases is provided as Attachment 9.3.1f.
30. Not including the Peaceful Bay leasehold area, the Shire has 43 leases, of which 28 are non-commercial (peppercorn) and leased at \$1 per year or \$5 per year in one instance.
31. The 28 non-commercial leases are for community groups that either manage and maintain a Council building, provide a service to the community, or are member-based clubs.
32. The Shire has 14 commercial leases; 3 of these leases are on freehold land, with the remaining 11 on Crown reserves.
33. Several of these leases, particularly the caravan parks and fishing leases, are located on reserves that would be considered as having high public value if they were not privatised.
34. As with the community leases, it is argued that there are instances where Council have determined that the public benefit of leasing Crown Land outweighs the public benefit of open access.

European Heritage Implications

35. Council's long-stated intention for this reservation is as a heritage precinct.
36. The Council's adopted Municipal Heritage Inventory (MHI) includes the following Place Records which relate to the reserve;
 - Railway Precinct (including the Bridge, Ashpit and Turntable);
 - Denmark River Railway Bridge;
 - Old Post Office (currently in the Spirit of Play lease area);
 - Station Master House (current Lions Lair); and
 - Old Railway Station (former Bowling Club on Reserve 20403).
37. Heritage management principles would encourage the adaptive reuse of heritage buildings to ensure that the built fabric is actively managed over time.
38. Adaptive reuse of the main heritage buildings on the reserve is already occurring with the Lions tenure within the Station Masters House, and the Old Post Office, located within the school's lease area. The proposal does not improve or detract from adaptive reuse principles.
39. Adaptive reuse principles preserve historical assets. However, they do not necessarily provide interpretation or enhance areas external to the asset being 'reused'. If the ultimate intention of the site is to retain heritage assets and retain public access, then the allocation

of large portions of the site for privatisation and/or fencing of the heritage assets does not meet this intention.

40. Figure 2 shows the reserve and provides a comparison between 1962 and 2022. Aside from the addition of numerous new buildings, none of which add any historical value to the reserve, the original position of the Old Station Masters House can be seen in the NW corner of the adjoining reserve (No. 46242).

Figure 2 – Ariel photography 1962 and 2022



41. It is the view of officers that the site is already limited in delivering precinct-wide heritage values due to the existence of several new buildings on the site, including the Mens Shed, the Denmark Machinery Restoration Group Shed, ancillary outbuildings, school classrooms and associated play areas.
42. It could also be argued that the location of the Old Post Office building and the Station Masters House, not being in their original locations, detract from the 'railway' heritage precinct values.
43. It is noted that some of the heritage elements of the 2019 Concept Plan have been installed by the other stakeholders/leaseholders, including a section of a railway line that has been rebuilt in accordance with the 2019 Concept Plan and as far as possible in alignment with the location of the original railway line.
44. It is noted that the KNS proposal does not adversely impact the 2019 Concept Plan with regard to the specific improvements to heritage relics on the site.

Future Use of the Reserve

45. A key consideration is the suitability and appropriateness of an independent (private) school using public Crown Land, particularly given this specific reserve's heritage value.

46. The Reserve purpose registered on the title is for Heritage, Recreational and Community purposes.
47. In the broad sense, Denmark has a competitive advantage over other country towns in the range of schooling options available; this helps to attract and retain families in the district. Therefore, encouraging and facilitating the retention of an existing primary school in the district could be seen as a community purpose. This is in alignment with the Ministerial approval for the current KNS lease.
48. The adopted planning framework for the reserve, including Strategy, Scheme and Denmark Historical Railway Station Precinct Concept Plan, all recognise the site as a parks and recreation reserve and a heritage precinct. The existing primary school is small-scale (and approved as a temporary land use) and uses existing heritage-listed buildings and transportable classroom buildings. If the school is to be expanded and made a permanent land use, the planning framework should be adjusted to suit.
49. Council has considered and approved a small-scale primary school on the eastern portion of Reserve 30277 for many years. At the current scale, parking, access, bushfire management requirements and the necessary standards for effluent disposal and potable water have all been met. There appears to be no technical reason to prevent the school from expanding, and officers see no fatal flaws in meeting the required standards.
50. The precedent of a school site on the reserve already exists to some extent, as the KNS currently holds a 15-year lease for a portion of the reserve and has been permitted to operate from the site, albeit in a smaller scale, since 2003.
51. The current proposal differs from the above in that if Council grants KNS a new 21-year lease and permits the lease area requested, the inference will be that the KNS will have long-term tenure and the ability to develop a full build-out to accommodate a single-stream private primary school.
52. The current proposal, including exclusive lease and shared space, equates to approximately 20% of the total reserve by area. Noting that large portions of the reserve are heavily vegetated, officers estimate that the proposal equates to around 40% of the cleared areas of the reserve.

CONSULTATION AND EXTERNAL ADVICE

53. Initial comments have been sought from the other lessees of portions of the reserve; being the Denmark Men's Shed, the Denmark Machinery Restoration Group and the Denmark Lions Club. In addition, the Denmark Historical Society was asked for comment. Their comments are attached (see Attachment 9.3.1d).
54. In addition, the Shire has received 22 independent submissions from community members who have heard about the KNS's proposal. Officers recommend that if the Council wish to entertain the school's expansion, the Concept Plan should be reviewed and be the subject of broader consultation. Should this occur, these additional submissions will be incorporated within that process.

STATUTORY / LEGAL IMPLICATIONSLocal Government Act 1995 & Regulations

55. Section 3.58 – requires local governments to comply with disposal provisions, including advertising and calling for submissions.
56. Regulation 30(2)(b)(i) excludes disposals of land to a body, 'the objects of which are ... educational ...'.

Land Administration Act 1997

57. The Shire of Denmark has a Management Order for Reserve 30277 and the power to lease for up to 21 years. The designated purpose of the reserve is 'Historical Precinct, Recreation and Community Purposes'.
58. Section 18 – any use of Crown Land requires approval from the Minister.
59. An extension of the lease area and/or a variation to the term of a lease, would require a new lease, in accordance with Landgate Guidelines.

Town Planning Scheme No. 3

60. Town Planning Scheme No.3 designates the entire reserve as 'Parks and Recreation'.
61. Council is required to have 'due regard' to this designation, but this designation does not prevent Council from considering a school in this local scheme reservation.

STRATEGIC / POLICY IMPLICATIONSExisting Concept Plan

62. The original (2014) and amended Concept Plan (2019) are provided in Attachment 9.3.1b and Attachment 9.3.1c and were both the subject of extensive stakeholder and public / community consultation.
63. The proposal departs physically from the existing concept plan in the following ways:
 - The Lions exclusive lease of the Station Masters House and surrounds are removed.
 - An increase in the school lease area of 3,120sqm, encompassing the existing Lions lease area.
 - A new, expanded car park to the east of the existing Lions lease is proposed.
 - The shed currently within the Lions Club lease is to be relocated to the new car park.
 - The installation of new classrooms along the south of the proposed new lease area boundary (adjacent to DMRG lease).
 - The installation of a nature play feature within the new lease area.
 - The installation of a hard court within the new lease area.
64. Officers believe it pertinent that if the Council consider amending the Concept Plan, then broad community consultation needs to be undertaken regarding the proposed amendments to find a mutually agreeable solution where possible.

FINANCIAL IMPLICATIONS

- 65. The KNS pay commercial rent for the leased premises. As of 2022/23 the amount payable is \$17,930 (ex GST). CPI is applied yearly, and the next market valuation is due in 2024. The school is exempt from paying rates [s 6.26(2)(f) of the Local Government Act 1995].
- 66. An expansion to the lease area would, in theory, generate more income for the Shire. Officers would recommend that any change to the leased area and term be subject to a new independent valuation.
- 67. Officers expect a revised lease value to be approximately double the existing lease as the additional area and built structures are comparable to the status quo.
- 68. The requested new lease term and area would require a new lease document.

OTHER IMPLICATIONS

Environmental

- 69. There are no known significant environmental implications relating to the report or officer recommendation. Any environmental considerations as a result of a future Concept Plan, lease or Development Application will be considered at that time.

Economic

- 70. There are no known significant economic implications relating to the report or officer recommendation.

Social

- 71. There are no known significant social considerations relating to the report or officer recommendation.

RISK MANAGEMENT

- 72. Risk Table

Risk	Risk based on history and with existing controls			Proposed Treatment/Control
	Likelihood	Consequence	Risk Rating	
Reputational: There is a risk that whatever decision the Council make, it will likely attract media attention, giving that the proposal has already been reported on in the media, including the views of the school and the Lions, and independent submissions received to date are divided on the issue.	4	3	12 (High)	Ensure appropriate consultation for any changes to the adopted concept plan.

CONCLUSION

73. Fundamentally, it is officer's view that unless the status quo is to remain, further consultation with the wider community is required. This is primarily due to the fact that the current proposal deviates from a concept plan that underwent significant community consultation and is only four (4) years old. In addition, it has long been implied that the school was to be a temporary land use, and this proposal is a significant deviation from that.
74. The proposal will significantly impact the Lions and the way in which they currently operate. Whilst the Lions would have to adjust their current practises, it is not inconceivable that they could utilise other Shire assets.
75. While there are considerations concerning the impact on the Lions, officers consider that the overriding consideration is the suitability of using Crown Land, of historical significance, for an independent school.
76. As discussed, this precedent has already been made to some extent, although the current proposal differs from the status quo in that the KNS will have long-term tenure with the development of a full build-out to accommodate a single stream Primary School.
77. Whilst there are a number of potential alternative sites close to, or within, the Denmark Townsite, it is argued by KNS, and taken at face value by officers, that the KNS would not be in a financial position to relocate due to the costs of land acquisition and capital infrastructure requirements.
78. KNS has also been clear that with the current proposal, that they wish to progress with capital improvements to facilitate a single-stream school as soon as possible, realising the community benefit sooner (by 2027) than otherwise would (if at all) if they had to relocate.
79. The question of the 'privatisation' of a reserve has also been discussed. It is noted that in Denmark, and typically more widely across regional Western Australia, Crown land is routinely leased for community and commercial use. In this case, officers view that the potential impacts on the heritage value of the reserve, and public access to the proposed lease site, do not clearly outweigh the community's value in providing alternative education options.
80. However, it is also officers view that the school's proposal does not provide a balanced approach to managing the reserve's heritage aspects.
81. For these reasons, it is recommended that the proposal be supported in principle and be the subject of broad consultation that can provide community input into any proposed amendments to the Concept Plan, and find a mutually agreeable solution where possible.
82. The following should be considered in the discussion:
 - Enhancement of the key Railway Reserve aspects including, but not limited to, the relocation of the Station Masters House to its original position and the restoration of the Ash Pit (including carriage) and the Turntable.
 - Minimal fencing, especially around heritage features such as the Old Post Office building.

- Removing the 'Public Shared Use Area' from any new lease and improving public access to that area.
- Installation of appropriate interpretative signage of heritage assets.
- Relocation of the Station Masters House to its original location in adjacent Reserve 46242.
- Relocation of the shed within the current Lions lease area to the adjacent Reserve 46242.

83. The school have indicated that for them to apply for the current round of external Commonwealth funding, a 20-year lease would need to be in place and signed by 30 June 2023. Given the high public interest in the reserve, the school and the proposal, the recommendation would not support this timeframe.

VOTING REQUIREMENTS

84. Simple majority.

OFFICER RECOMMENDATION

ITEM 9.3.1

That Council:

1. PROVIDE in principle support for the expansion of the Kwoorabup Nature School on Reserve 30277.
2. ADVISE the Kwoorabup Nature School that the proposed concept plan as attached in 9.3.1a is not accepted.
3. REQUEST the Chief Executive Officer to engage key stakeholders in developing a revised concept plan and considers the following:
 - a) Enhancement of the key railway reserve aspects including, but not limited to, the relocation of the Station Masters House to its original position and the restoration of the Ash Pit (including carriage) and the Turntable.
 - b) Minimal fencing, especially around heritage features such as the Old Post Office building.
 - c) Removal of the 'Public Shared Use Area' from any new lease and improving public access to that area.
 - d) Installation of appropriate interpretative signage of heritage assets.
 - e) Relocation of the Station Masters House to its original location in adjacent Reserve 46242.
 - f) Relocation of the shed within the current Lions lease area to the adjacent Reserve 46242.
4. ADVERTISE a revised concept plan for public consultation and present back to Council, with any submissions received.

COUNCIL RESOLUTION

ITEM 9.3.1

MOVED: CR LEWIS

SECONDED: CR CLARKE

That Council:

1. ENDORSE the expanded lease areas for the Kwoorabup Nature School such that:
 - a) The lease areas and shared areas are in accordance with Attachment 9.3.1a, subject to the existing shed being relocated at the School’s cost.
 - b) Development of the lease area shall be in accordance with a revised concept plan to be adopted by Council, following actions in part 3 and 4 of this resolution.
2. REQUEST the Chief Executive Officer to:
 - a) Obtain, at the Kwoorabup Natures School’s cost, a commercial valuation for the proposed lease.
 - b) Draft a lease in accordance with (1) above and advertise for public comment for no less than 14 days.
 - c) Provide a report back to council to consider submissions and a draft lease.
 - d) Advise the Lions club of the implications to their existing lease.
3. REQUEST the Chief Executive Officer to engage key stakeholders in developing a revised concept plan that considers the following:
 - a) Enhancement of the key railway reserve aspects including, but not limited to, the restoration of the Ash Pit (including carriage) and the Turntable.
 - b) Minimisation of any fencing, especially around heritage features such as the Old Post Office building and the Stationmasters House.
 - c) Appropriate locations of the new infrastructure and buildings.
 - d) Installation of appropriate interpretative signage of heritage assets.
4. ADVERTISE a revised concept plan for public consultation and present back to Council, with any submissions received.
5. REQUEST the Chief Executive Officer to work with the Lions Club to facilitate solutions to replace their current lease.

CARRIED: 8/1

Res: 060423

Pursuant to Council Policy P040134 all Councillors’ votes on the above resolution are recorded as follows;

FOR: Cr Campbell, Cr Clarke, Cr Gibson, Cr Gearon, Cr Ormsby, Cr Devenport, Cr Carman and Cr Lewis.

AGAINST: Cr Phillips.

CORRECTION TO MINUTES.
Pursuant to Council Resolution No. 080523

REASON FOR CHANGE

To facilitate the lease for the School in a timely manner to meet funding deadlines.



17 August 2022

David Schober
Chief Executive Officer
Shire of Denmark

Dear David,

LETTER OF INTENT - FUTURE SCHOOL EXPANSION PLANS AND REQUEST TO EXTEND LEASE AREA

1. Summary of school's current position and request of Shire:

At Kwoorabup Nature School (formerly Spirit of Play Community School), our intent is to create a vibrant educational ecosystem and to make a positive contribution to the broader Denmark community.

Kwoorabup has experienced unprecedented growth in the past 18 months. With 37.7% growth from 2021 to date, coupled with the strong interest in our school locally and beyond, we anticipate that this growth will continue. Our healthy waiting list for the coming years demonstrates that this growth is likely to continue, and be sustained, for the mid-to long term.

Over the past few years, and in line with this growth, we have been enhancing our governance and continuous improvement standards. This is now represented by a diverse and skilled School Council and an excellent School Principal. Through our governance process and strategic planning, we have clearly identified the need to expand the school with some determined boundaries that sit within our school philosophy, purpose and values.

The School is currently seeking solutions which will allow our campus to expand in size to meet this increased demand whilst continuing to provide an intimate, connected campus which fosters a strong sense of community and peer learning that is in keeping with our mission. Our internal analysis and best practice research indicates that 160 students is the upper limit that our school can support while still achieving our mission and delivering optimal outcomes for our students. Therefore, to meet this increasing capacity, we have projected that we will require an additional 4 classrooms by 2027 and a number of other infrastructure supports to enable this student population lift, such as ablutions and play space. This is not feasible within the area under our current lease. We are looking for solutions which will allow us to increase the area under our lease to accommodate our growing numbers.

Given that the School and the Shire have not been able to identify any unallocated land to which we could move our School to at the end of our current lease, the fit for purpose status of our existing site, and lastly, recognising the significant capital infrastructure that Kwoorabup have invested in this site, we state that we would like to retain this site for perpetuity and prepare for the requisite growth required to serve a student population of 160 students, in partnership with the Shire, our neighbours and the broader Denmark Community.

To resolve our growing pains in the short term, and as flagged to the Shire in our meeting on 28th July 2022, we are interested in using the area currently leased to the Lions Club including the Station Master's House adjacent to our lease, as this is currently underutilised. If given opportunity we would use this building as a Kindergarten, noting that it has been used for this purpose historically, and with some minor improvements would meet our needs perfectly.

In November 2021 and July 2022 the school wrote to the Lions Club with a request to utilise the Old Station Master's House 2-4 days per week, including an offer to pay the Lions Club for the use of the building. We are meeting with the Lions in early September to see if there is a possibility to come to a mutually agreeable shared use arrangement, and would like to also present our proposal to the Shire as the leaseholder of the reserve area.

If the Lions Club and the Shire are amenable, we would like to propose an arrangement where our activities could be incorporated into a shared use agreement or lease of the Station Master's House, or alternatively, exclusive use of the Station Master's House and shared use of the Old Post Office building - please see section on '**Benefits to the Lions Club**' below on page 5 for detail.

2. Staged development proposal:

2023: The School would like to utilise the Station Masters House for our Kindergarten and Playgroup on three to four days a week. To ensure the safety of the children, and to meet registration requirements, the school would look to fence and gate the grassed area of the Station Masters house and upgrade the kitchen facilities within the building in order to make it a safe space for small children. Garden beds and a sandpit would also complement the existing landscaping. This would enable the building to also be utilised by the broader community for parent/family groups, playgroups, visiting child health specialists etc.

2024: In order to have an additional two classrooms built for 2025, building would need to commence in 2024. The preferred option to place our school in an ideal position would be to complete our first build in an extended lease area to the south of our current site, where we understand there is a limited amount of unallocated land which may be available to build on in the future.

The exact location would need to be negotiated and our preference will be outlined in a masterplan which will be submitted to the Shire in the next quarter. Additional considerations such as access, fencing and car parking will also be addressed in this document.

2026: In order to have an additional classroom built for 2027, building works would need to commence in 2026. We intend to demolish our temporary classroom that was built in 2016 and replace it with two permanent classrooms on a similar footprint.

A full masterplan for the school's expansion 2023-2027, developed with all due consultation, will be presented to the Shire in the second (financial) quarter of 2022 and will provide exact proposal details.

3. History of the School's lease area on Reserve 3027

- 1991-2002:** Department of Education leases the Old Post Office for their Kindergarten class.
- 2003:** Spirit of Play commences lease (5 year) at the Old Post Office.
- 2006:** Approval granted for extension of lease by further 5 years.
- 2008:** Extension of lease by further 5 years (2013 end date).
- 2012:** Extension of School's lease area to include small outbuilding and septic tanks granted.
- 2012:** Shire commences consultation with community groups to create heritage precinct on reserve 3027 and name the precinct "Denmark Railway Station No.3 Reserve".
- 2013:** Extension of School's lease by 5 years to December 2018 by written request to the CEO.
- 2013:** In November, Spirit requested a further extension of our lease area to cater for School expansion.
- 2014:** At the May 27th Meeting, the Shire Council adopted the Heritage Precinct concept plan, but specifically removed Spirit of Play from the Plan as an amendment to the report.
- 2014:** The School was advised that their lease would be terminated in 2018 and began a comprehensive search to find a new site, not wanting to move but effectively forced out.
- 2016:** In March, the Shire Council approved an extension of the School's lease area as well as the construction of a classroom. A second classroom was approved in October of this year.
- 2016:** The School began extensive negotiations with Heath Development to purchase a site within their proposed development.
- 2017:** In July, a year's extension of the lease was granted to December 2019, on the basis that the School was actively engaged in seeking an alternative site.
- 2017:** In November the Heath Development housing proposal collapsed and the School was without an alternative site.
- 2018:** The School requested a 21 year lease and extension of their lease area by 2000sqm to accommodate a split class Kindergarten to Year 6 Primary School at the current site.
- 2019:** Denmark Shire approved the lease extension and a 15 year lease to the School.
- 2020:** The School completes significant works at the site including a power upgrade for all users of the reserve, a new cross over onto Inlet Drive, upgraded car parking areas off Crellin St (for School parents and staff) and off Inlet Drive (for the Lions Club) as well as classrooms, an office and multipurpose building.
- 2022:** The School experiences significant demand and growth (37.5%) and decides to follow a single stream class model with a maximum of 160 students.

The Reserve (known as *Railway Station No. 3 Reserve Heritage Precinct*) is also important to other leaseholders and community groups including the Denmark Lions Club, Denmark Machinery Restoration Group, Denmark Men's Shed, Denmark Historical Society and South Coast Bushcare.

As raised with the Shire in 2018 the school plans to remain at our current site due to a range of factors including the significant advantages of this location for our place-based education style, being located on the confluence of trails, close to town and on the river. We have also invested a considerable amount of financial resources into the site on the understanding that this was a permanent location for our school, as communicated to the Shire and the other stakeholders when re-negotiating our lease in August 2018:

Spirit of Play is seeking a permanent solution for the school and the Railway Station No. 3 Reserve Heritage Precinct. The School Council has explicitly told stakeholders, the Shire CEO and Council members; that the school is seeking to stay at the site and would prefer a 21 year lease. As discussed during our briefing with the Shire CEO (23 May 2018) this has been updated in our Strategic Plan and

forms the sole focus of our school in ensuring its future. Moving to another school site is not being considered by the School Council. Letter to Shire CEO dated 8.8.18; tabled at Shire Council Meeting dated 18.9.18

We are also very aware from our past discussions with the Shire that there are no other feasible locations which could be options for the school's expansion.

4. Benefits to the Community of Denmark

It is the School's belief that our continued and expanded presence within the Shire and at Reserve 3027 brings a range of benefits to the broader Denmark community and the adjacent stakeholders of the reserve.

We have identified five key areas where we see our strategic growth aligning with the following objectives from the Shire of Denmark's *Strategic Community Plan : Denmark 2027*

E 1.1 To have a stable and locally supported business community that embraces innovation, creativity, resourcefulness and originality

E 1.2 To be a vibrant and unique tourist destination, that celebrates our natural and historical assets

E 1.3 To have diverse education and employment opportunities

B 3.2 To have community assets that are flexible, adaptable and of high quality to meet the purpose and needs of multiple users

N 2.1 To preserve and protect the natural environment

C 4.3 To create a community that nurtures and integrates natural, cultural and historical values

C 4.4 To recognise and respect our local heritage and Aboriginal history

Area One: Providing a unique educational experience

SCP Objectives met: E 1.3; C 4.3; C 4.4

As the first Nature School in Western Australia, our school is working to deliver world class holistic education grounded in cutting-edge educational research. The Shire of Denmark tends to attract a demographic of 'treechangers' who are environmentally conscious and seeking a lifestyle in a beautiful environment. Our school is extremely attractive to these families who are looking for something different for their children.

As time goes on and our reputation builds both nationally and now even internationally we have many families contacting us and asking how they can find a place to live in this town in order to come to our school. One of the major draw cards is our Inquiry approach to learning which is recognised around the world as a fantastic way to develop children's critical and creative thinking skills.

Another important aspect of our school is our focus on explicitly teaching Noongar culture and language, and developing a place-based education offering that draws explicitly on Denmark's natural, cultural and historical values.

As we expand our community, it is important to note our financial contribution in the broader Denmark community is also growing through ongoing and expanding employment and purchases of business services.

Area Two: Contribution to financial sustainability of the Shire

SCP Objectives met: E1.1; E1.3

Our School is a significant employer of local residents, with an expenditure of approximately \$1 million for wages in 2022 which is projected to double by 2027. Almost all of our staff members reside within the Shire of Denmark and the majority of these funds will be circulated within the local community and at local businesses.

Furthermore, the school has strong financial connections with other Denmark businesses through our 'buy local' policy such as both supermarkets, both hardware stores, and many of the cafes and catering businesses.

As a leaseholder with the Shire, we currently contribute approx \$18,000 p.a. in rent and rates and have an expectation that this will proportionally increase with an additional lease area.

Area three: Benefits to the Lions Club and other community groups:

SCP Objectives met: B 3.2; C 4.3

The School believes that our vibrant parent community and enthusiastic staff can help bring to life the many projects and priorities held dear by the Lions Club. As a larger organisation we can provide access to volunteer labour, potential new members within our community, a shared approach to fundraising and assistance with grant application amongst other possibilities. We are motivated to support the Lions to work with our students on community projects, allowing multiple generations to work and learn together.

We are really excited about the possibilities that such a partnership could open up and we hope that the Lions can see some of the benefits for their club also.

We understand that a shared lease arrangement may at first not appear to be a benefit to the Lions Club members, and that specifically having the Station Master's House permanently set up as a classroom may make it less amenable to their usage.

We are happy to explore other working arrangements with the Lions Club as some of our current facilities may be more practical to their needs. For example, we would support their use of the Post Office building to provide a more open and flexible space for meetings and gatherings.

The Post Office also has the advantage of a second entrance to the building in proximity to the heritage assets, and disabled parking bays nearby. Given the size of this building the Lions' pennants and other memorabilia could be permanently displayed, which would have the additional benefit of inspiring our students and families to learn more about the endeavours of the Lions Club. We are also fortunate to have storage areas in the building that could be made available to the Lions on request.

To support the Lions Club and potentially other community groups the School would allow gas, water and electricity to be utilised free of charge, and we would cover the commercial rent and rubbish rates to the Shire. This would apply to the use of either the Station Master's House or the Old Post Office Building, if we are able to retain the head lease on the respective properties.

We would also welcome other community groups such as the Embroiders' club who currently use the Station Masters house once a fortnight, and the Denmark Historical Society. Legislation does not require Working With Children Checks for any of these visitors unless they are directly undertaking child-related work with our students.

Area Four: Compatibility with Heritage Precinct Priorities:

SCP Objectives met: E 1.2; B 3.2; C 4.3; C 4.4

"People usually think of the word 'heritage' as relating only to old things. One difference between History and the Heritage Inventory is that the Inventory can also reflect buildings and sites associated with present day activities in the area. The everyday events of today become the history of tomorrow." Shire of Denmark Municipal Heritage Inventory pp 1

We note that the Railway Heritage Precinct reserve has been used for educational purposes since 1987 when Denmark Primary School's Kindergarten operated from the Post Office Building, and our school has continued this historical legacy with our lease commencing in 2003.

Furthermore the Station Master's House is listed in the Municipal Heritage Inventory (MHI) as having exceptional historical value partially because of its former use as a Kindergarten, and our school's proposed use of the building would 'reinforce the significance of this place' as outlined in the MHI.

The [Station Masters House] retained its historical significance when it became the Denmark Kindergarten in 1963 and played a key role in the early childhood education of many Denmark residents. Shire of Denmark Municipal Heritage Inventory pp 290

We are also actively engaging with the Denmark Historical Society to work out a collective vision for our shared lease area at the northern end of the Precinct where heritage assets are located. As specified in our lease agreement we would like to place interpretive signage detailing the history (both of the area and the specific assets) into the space, and also to look at rejuvenating some of the assets such as the turntable and ash pit areas. We envision a joint Lotterywest grant application with the Shire and the Historical Society as means to fund such a project.

It is probably also important to note that the School has an open door policy for visitors to the site and we welcome the use of the grounds by visitors and other groups outside of school hours. Indeed, our playgrounds are well used by visiting children on the weekends and during school holidays. We envisage that the addition of extra nature play elements into the precinct will add to the amenities for tourists and other visitors to the site. One suggestion would be the creation of an informational gazebo and bike shelter in the shared use area adjacent to the heritage assets that could be utilised by school children and also other visitors.

Area Five: Environmental benefits

SCP Objectives met: N 2.1; C 4.3

As a Nature School one of our primary areas of focus is educating our learners to connect with and take care of our local environment, and our belief is that by opening our doors for more learners we will be able to

increase the numbers of environmental leaders of the future, something that our town, culture and world will benefit from.

We are also very excited to continue the revegetation and environmental care of the precinct and adjoining reserves that we have been undertaking with South Coast Bushcare and the Shire. It has been heartening to see the return of rare species such as the Striated Pardalote which recently nested in the restored creek area.

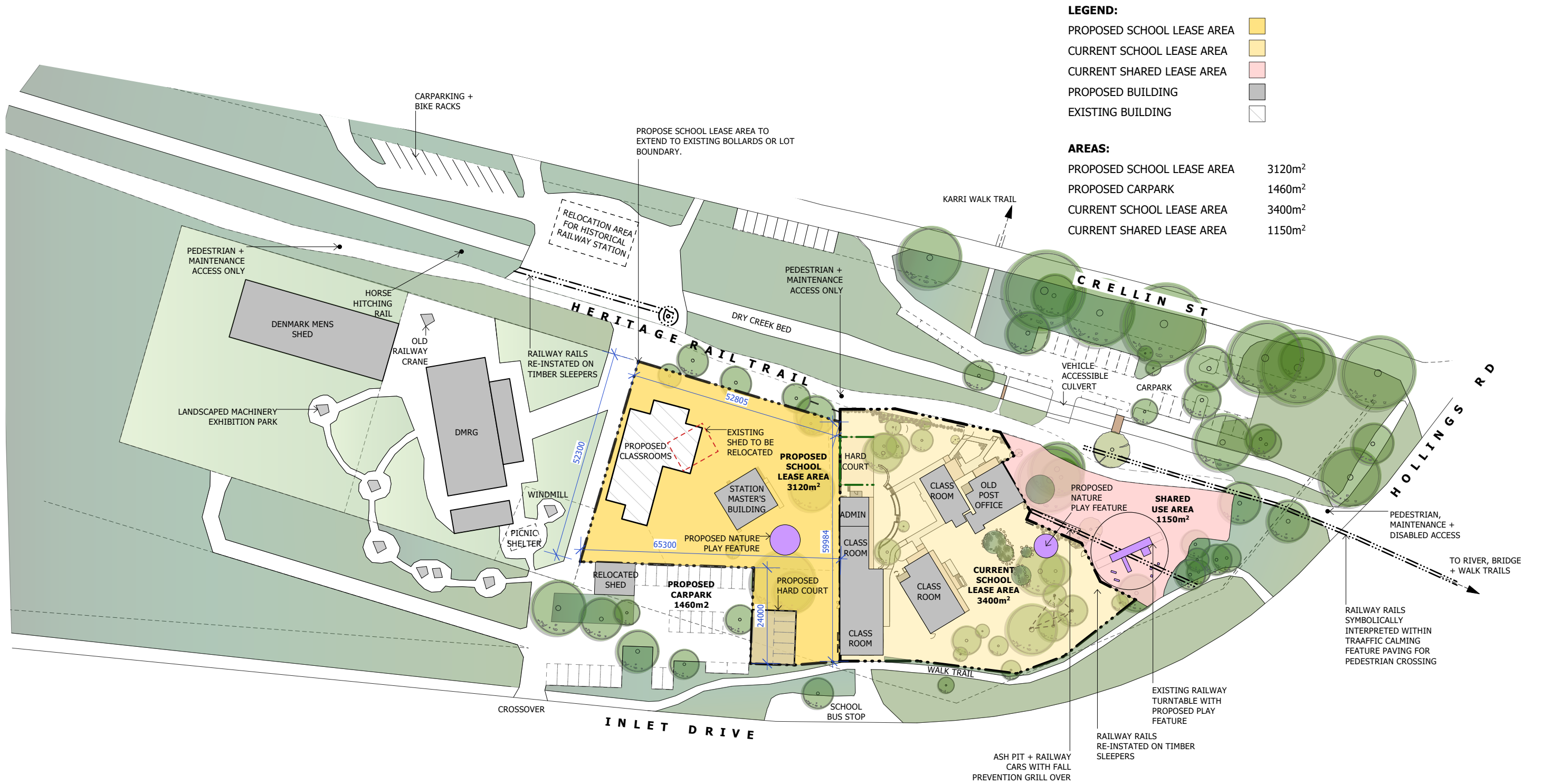
Our children take much pride in seeing the growth of the seedlings they have planted and monitoring the return of ecosystem health to the area. We would love to take on custodianship for a larger portion of the precinct and continue to enhance the environmental and aesthetic values of the area, in partnership with other precinct residents and interested parties.

Yours sincerely,



Andrea Gaynor

Chairperson
Kwoorabup Nature School

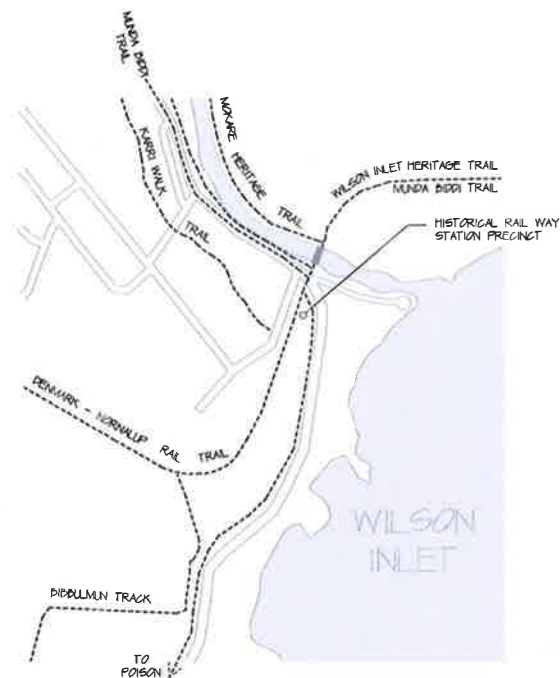


PRECINCT PLAN

Scale: 1:1000

NOTES:

- PROPOSED SCHOOL LEASE AREA + CARPARK AT CONCEPT STAGE. SITE HAS NOT BEEN SURVEYED BY A LICENCED SURVEYOR. ALL DIMENSIONS, PROPOSED STRUCTURES + LANDSCAPING TO BE CONFIRMED.
- KWOORABUP NATURE SCHOOL'S VISION, DEVELOPMENT + USE OF THE SITE IS IN KEEPING WITH THE SHIRE APPROVED PRECINCT CONCEPT.



LOCATION PLAN & TRAIL MAP
NTS



TIMBER EXPORT



TIMBER LOGGING



WORKMAN & HORSES



DENMARK 1900



DENMARK RAILWAY STATION



DENMARK RAILWAY STATION 1980



REMNANT RAILWAY RAMPS & BRIDGE PIERS

DENMARK RAILWAY STATION PRECINCT

THE FORMER DENMARK RAILWAY STATION WITH ITS RAILWAY LINES LEADING TO ALBANY AND NORNALUP FORMS AN IMPORTANT PART OF DENMARK'S HISTORICAL HERITAGE. IT PLAYED A LEADING REGIONAL ROLE IN THE DEVELOPMENT OF THE TIMBER INDUSTRY AND IT WAS A VITAL PART IN PEOPLE'S LIVES UNTIL ITS FINAL CLOSURE IN 1987. THIS CONCEPT PLAN PORTRAYS THIS RICH AND INTERESTING HISTORY THROUGH THE DEVELOPMENT OF THE FOLLOWING ELEMENTS.

- A LANDSCAPED PARK ADJACENT TO THE EXISTING MACHINERY SHED WITH EXHIBITION SPACES FOR HISTORICAL MACHINERY AND ARTIFACTS
- THE RELOCATION OF THE OLD RAILWAY STATION BUILDING TO THE SOUTH WEST OF THE PRECINCT WITH AN OPTION FOR COMMUNITY USE
- THE DEVELOPMENT OF A NATURE PLAY SPACE WITH PICNIC FACILITIES ALONG HOLLINGS ROAD.
- THE DEVELOPMENT OF AN HISTORICAL INTERPRETATION SYSTEM THROUGHOUT THE RAILWAY STATION PRECINCT AND EXTENDING ALONG THE HERITAGE RAILWAY TRAIL.

TRAIL HUB
THIS AREA HAS A NATURAL CONVERGENCE OF WALKING, CYCLING AND BRIDLE TRAILS, WHICH ADDS SIGNIFICANTLY TO THE LIFESTYLE AND RECREATIONAL VALUE OF THE AREA. THIS CONNECTIVITY IS A GREAT ASSET FOR THE FACILITY.

LANDSCAPE
PLANTINGS WITHIN THE PRECINCT ARE TO BE INDIGENOUS SPECIES WITH AN EMPHASIS ON COLOURFUL WILDFLOWERS WHICH WOULD BE AT THEIR BEST IN SPRING. INDIGENOUS COLOURFUL WILDFLOWERS AND SMALL SHRUBS INCLUDE: *Acacia saligna*, *Boerhaavia aquilina*, *Boerhaavia gracilis*, *Chenopodium species*, *Dampiera species*, *Hovea stipitata*, *Hibbertia species*, *Kanoodia coccinea*, *Lechenaultia biloba*, *Oxylobium capillatum* and *Tymalium floribundum*. FEATURE TREES WITHIN THE PRECINCT COULD BE *Corymbia foliata* KNOWN FOR ITS SPECTACULAR RED BLOSSOMS OVER THE SUMMER MONTHS.

THE VIEWING PLAY TOWERS LOCATED WITHIN THE PRECINCT COULD FEATURE INDIGENOUS CLIMBING PLANTS SUCH AS *Clematis pubescens* (OLD MAN'S BEARD) AND *Harstenbergia comptoniana* (NATIVE WISTERIA) WHICH FLOWER IN SPRING. CONSIDER FORMATION OF A FRIENDS OF DENMARK HISTORICAL RAILWAY STATION PRECINCT TO TACKLE THE REMOVAL OF WEEDY SPECIES IN PARTICULAR *Rubia pseudococcinea* WHICH ARE CURRENTLY DOMINATING THE VEGETATION ALONG THE HERITAGE RAILWAY TRAIL. SUCH A GROUP COULD ALSO BE INVOLVED IN REVEGETATING THE EXISTING CREEK BED WITH RUBUS AND SEDGES AND THE ESTABLISHMENT OF BUFFER AND GREEN PLANTINGS WITHIN THE PRECINCT.

HISTORICAL INTERPRETATION FOR CHILDREN
CHILDREN ARE NATURALLY HIGHLY INTERESTED IN THEIR SURROUNDING WORLD AND LOVE DISCOVERING AND LEARNING ABOUT ITS HISTORY. THEREFORE THE HISTORICAL INTERPRETATION IN PLAY AREAS WILL BE CHILD SENSITIVE, INTERACTIVE AND FOLLOW THE TOUCH AND FEEL BASED 'LEARNING THROUGH PLAY' PHILOSOPHY. THE DELIVERY OF HISTORICAL FACTS TO CHILDREN IN PLAY AREAS COULD BE ACHIEVED THROUGH SCULPTURES, HISTORICAL MACHINERY & STRUCTURES AS WELL AS THE USE OF MATERIALS & TEXTURES REFLECTING UPON THE LIFE DURING THE 19TH & 20TH CENTURY IN DENMARK, AT THE 'MILLAR' TIMBER MILLS, THE TRAIN STATION AND THE TIMBER LOGGING AREAS. MACHINERY AND TOOLS LOCATED IN PLAYSPACES SHOULD BE MADE ACCESSIBLE FOR EXPLORATION, ADVENTURES, LEARNING & PLAY.

'NATURE PLAY'
'NATURE PLAY' IS A WORLD WIDE MOVEMENT TO IMPROVE CHILDREN'S PLAY OPPORTUNITIES AND TO DEVELOP STIMULATING PLAY ENVIRONMENTS FOR CHILDREN.

'NATURE PLAY' IS BASED ON RESEARCH INTO CHILD HEALTH AND WELLBEING, WHICH HAS REVEALED THAT A VARIETY OF FACTORS SUCH AS THE STANDARDIZATION OF PARKS AND PLAYGROUNDS, DIMINISHING CONTACT WITH NATURE AS WELL AS THE INCREASE OF COMPUTER BASED ACTIVITIES MAY HAVE CAUSED PROBLEMS AND DEFIENCIES (SUCH AS OBESITY, SEDENTARY BEHAVIOUR AND DEPRESSION) FOR SOME CHILDREN WHILE GROWING UP DUE TO A LACK OF STIMULATION, LACK OF UNSTRUCTURED PLAY AND LACK OF PHYSICAL ACTIVITIES.

THE VALUE OF NATURAL PLAYSPACES
RESEARCH HAS ALSO SHOWN THAT UNSTRUCTURED PLAY IN NATURAL OR SEMI-NATURAL ENVIRONMENTS ENHANCES CHILDREN'S DEVELOPMENT, INTEREST, IMAGINATION AND CONNECTION WITH NATURE. NATURAL SPACES ALSO SPONTANEOUSLY STIMULATE HIGH LEVELS OF PHYSICALLY ACTIVE PLAY IN CHILDREN AND IT ALSO INCREASED THE LEVEL OF SOCIAL INTERACTION, COOPERATION AND ACCEPTANCE IN BETWEEN CHILDREN.

NATURAL PLAY ENVIRONMENTS
NATURAL ENVIRONMENTS ARE DYNAMIC, CONSTANTLY CHANGING IN SPACE AND TIME AND CONSIST OF A VARIETY OF HIGHLY COMPLEX HABITATS. THESE SPACES OFFER CHILDREN A MULTIPLICITY OF ENCOUNTERS AND SENSATIONS, A DIVERSITY OF TOPOGRAPHY, TEXTURES AND A VARIETY OF CHILD-SIZED SPACES, HIDEAWAYS AND HOLES TO EXPLORE AND INHABIT.



PRECINCT PLAN
SCALE 1:1000





LEGEND

OPEN LANDSCAPE	PARK LANDSCAPE	FOREST LANDSCAPE	EXIST. BLDG	EXIST. LEASE & RESERVE BOUNDARIES	PROPOSED LEASE & RESERVE BOUNDARIES	PEDESTRIAN TIMBER BRIDGE	NEW BUILDING & RELOCATION OF HISTORICAL BUILDINGS	INDICATIVE MACHINERY EXHIBITION AREA	VIEWING PLAY TOWER	RAILWAY CAR ON RAILS PLAY FEATURE	HISTORICAL INTERPRETATION POINTS



DENMARK RAILWAY STATION PRECINCT

THE FORMER DENMARK RAILWAY STATION WITH IT'S RAILWAY LINES LEADING TO ALBANY AND NORNALUP FORMS AN IMPORTANT PART OF DENMARK'S HISTORICAL HERITAGE. IT PLAYED A LEADING REGIONAL ROLE IN THE DEVELOPMENT OF THE TIMBER INDUSTRY AND IT WAS A VITAL PART IN PEOPLE'S LIVES UNTIL IT'S FINAL CLOSURE IN 1957. THIS CONCEPT PLAN PORTRAYS THIS RICH AND INTERESTING HISTORY THROUGH THE DEVELOPMENT OF THE FOLLOWING ELEMENTS.

- * A LANDSCAPED PARK ADJACENT TO THE EXISTING MACHINERY SHED WITH EXHIBITION SPACES FOR HISTORICAL MACHINERY AND ARTIFACTS.
- * THE RELOCATION OF THE OLD RAILWAY STATION BUILDING TO THE SOUTH WEST OF THE PRECINCT WITH AN OPTION FOR COMMUNITY USE.
- * THE DEVELOPMENT OF A NATURE PLAY SPACES WITH PICNIC FACILITIES.
- * THE DEVELOPMENT OF AN HISTORICAL INTERPRETATION SYSTEM THROUGHOUT THE RAILWAY STATION PRECINCT AND EXTENDING ALONG THE HERITAGE RAILWAY TRAIL.



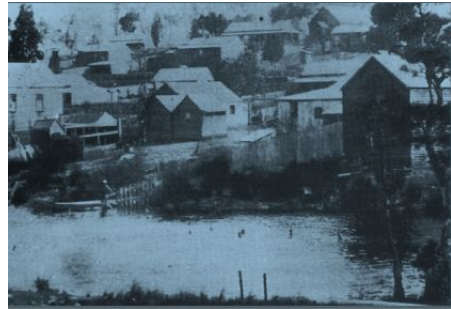
TIMBER EXPORT



TIMBER LOGGING



WORKMAN & HORSES



DENMARK 1900



DENMARK RAILWAY STATION



DENMARK STATION 1929



DENMARK RAILWAY STATION 1950



REMNANT RAILWAY RAMPS & BRIDGES



TRAIL HUB

THIS AREA HAS A NATURAL CONVERGENCE OF WALKING, CYCLING AND BRIDLE TRAILS WHICH ADDS SIGNIFICANTLY TO THE LIFESTYLE AND RECREATIONAL VALUE OF THE AREA. THIS CONNECTIVITY IS A GREAT ASSET FOR THE FACILITY.

LANDSCAPE

PLANTINGS WITHIN THE PRECINCT ARE TO BE INDIGENOUS SPECIES WITH AN EMPHASIS ON COLOURFUL WILDFLOWERS WHICH WOULD BE AT THEIR BEST IN SPRING. INDIGENOUS COLOURFUL WILDFLOWERS AND SMALL SHRUBS INCLUDE: - *Acacia pulchella*, *Bossiaea aquifolium*, *Boronia gracilipes*, *Chorizema species*, *Dampiera species*, *Hovea trisperma*, *Hibbertia species*, *Kennedia coccinea*, *Leschenaultia biloba*, *Oxylobium capitatum* and *Trymalium floribundum*. FEATURE TREES WITHIN THE PRECINCT COULD BE *Corymbia ficifolia* KNOWN FOR ITS SPECTACULAR RED BLOSSOMS OVER THE SUMMER MONTHS.

CONSIDER FORMATION OF A 'FRIENDS OF DENMARK HISTORICAL RAILWAY STATION PRECINCT' TO TACKLE THE REMOVAL OF WEEDY SPECIES IN PARTICULAR *Robina pseudoacacia* WHICH ARE CURRENTLY DOMINATING THE VEGETATION ALONG THE HERITAGE RAILWAY TRAIL. SUCH A GROUP COULD ALSO BE INVOLVED IN REVEGETATING THE EXISTING CREEK BED WITH RUSHES AND SEDGES AND THE ESTABLISHMENT OF BUFFER AND SCREEN PLANTINGS WITHIN THE PRECINCT.

HISTORICAL INTERPRETATION FOR CHILDREN.

CHILDREN ARE NATURALLY HIGHLY INTERESTED IN THEIR SURROUNDING WORLD AND LOVE DISCOVERING AND LEARNING ABOUT ITS HISTORY. THEREFORE THE HISTORICAL INTERPRETATION IN PLAY AREAS WILL BE CHILD SENSITIVE, INTERACTIVE AND FOLLOW THE TOUCH AND FEEL BASED 'LEARNING THROUGH PLAY' PHILOSOPHY. THE DELIVERY OF HISTORICAL FACTS TO CHILDREN IN PLAY AREAS COULD BE ACHIEVED THROUGH SCULPTURES, HISTORICAL MACHINERY AND STRUCTURES AS WELL AS THE USE OF MATERIAL AND TEXTURES REFLECTING UPON LIFE DURING THE 19TH AND 20TH CENTURY IN DENMARK AT THE 'MILLARS' TIMBER MILLS; THE TRAIN STATION; AND THE TIMBER LOGGING AREAS. MACHINERY AND TOOLS LOCATED IN PLAYSPACES SHOULD BE MADE ACCESSIBLE FOR EXPLORATION, ADVENTURES, LEARNING AND PLAY.

'NATURE PLAY'

'NATURE PLAY' IS A WORLD WIDE MOVEMENT TO IMPROVE CHILDREN'S PLAY OPPORTUNITIES AND TO DEVELOP A STIMULATING PLAY ENVIRONMENTS FOR CHILDREN.

'NATURE PLAY' IS BASED ON RESEARCH INTO CHILD HEALTH AND WELLBEING WHICH HAS REVEALED THAT A VARIETY OF FACTORS SUCH AS URBAN SPRAWL; STANDARDIZATION OF PARKS AND PLAYGROUNDS; DIMINISHING CONTACT WITH NATURE; AND THE INCREASE OF COMPUTER BASED ACTIVITIES MAY HAVE CAUSED PROBLEMS AND DEFICIENCIES (SUCH AS OBESITY, SEDENTARY BEHAVIOUR AND DEPRESSION) FOR SOME CHILDREN WHILE GROWING UP. THIS IS DUE TO A LACK OF STIMULATION, LACK OF UNSTRUCTURED PLAY AND LACK OF PHYSICAL ACTIVITIES.

THE VALUE OF NATURAL PLAYSPACES

RESEARCH HAS ALSO SHOWN THAT UNSTRUCTURED PLAY IN NATURAL OR SEMI-NATURAL ENVIRONMENTS ENHANCE CHILDREN'S DEVELOPMENT, INTEREST, IMAGINATION AND CONNECTION WITH NATURE. NATURAL SPACES ALSO SPONTANEOUSLY STIMULATE HIGH LEVELS OF PHYSICALLY ACTIVE PLAY IN CHILDREN AND INCREASE THE LEVEL OF SOCIAL INTERACTION, COOPERATION AND ACCEPTANCE BETWEEN CHILDREN.

NATURAL PLAY ENVIRONMENTS

NATURAL ENVIRONMENTS ARE DYNAMIC AND CONSTANTLY CHANGING IN SPACE AND TIME. THEY CONSIST OF A VARIETY OF HIGHLY COMPLEX HABITATS. THESE SPACES OFFER CHILDREN A MULTIPLICITY OF ENCOUNTERS AND SENSATIONS; A DIVERSITY OF TOPOGRAPHY AND TEXTURES; AND A VARIETY OF CHILD-SIZED SPACES, HIDEAWAYS AND HOLES TO EXPLORE AND INHABIT.

ADOPTED BY COUNCIL 19 FEBRUARY 2019 / RESOLUTION NO. 230219

b e i m i r
building design

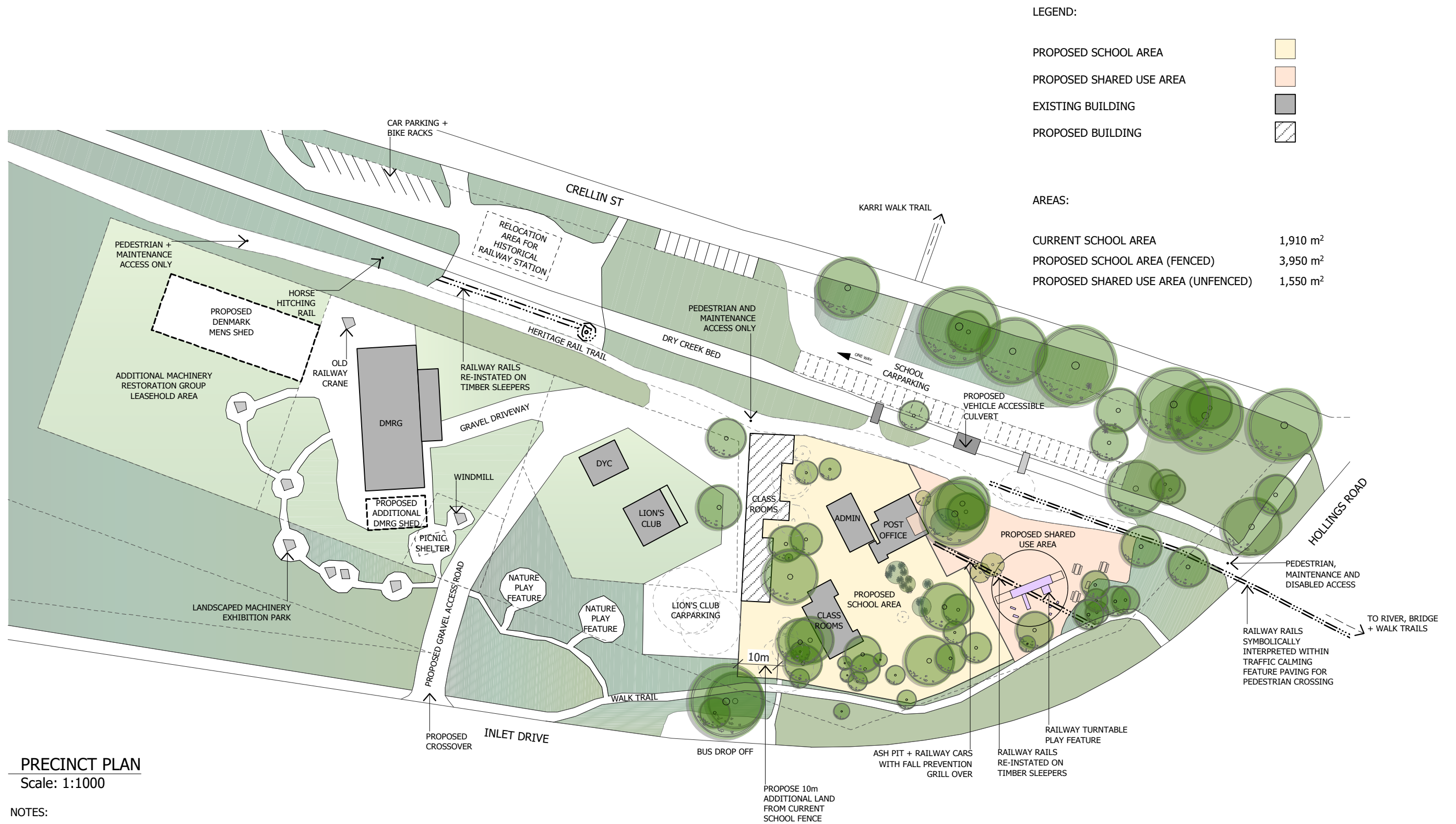
9 Bell Road, William Bay, WA, 6333
dm.beimir@gmail.com +61 424506929

CLIENT:
SPIRIT OF PLAY
COMMUNITY SCHOOL

PROJECT STAGE:
DENMARK HISTORICAL RAILWAY STATION PRECINCT
SPIRIT OF PLAY LEASE EXPANSION CONCEPT

DATE:
9/4/19

SHEET 01 / 02:
PRECINCT CONCEPT

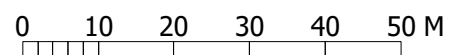


PRECINCT PLAN
Scale: 1:1000

NOTES:

- * SCHOOL SITE MASTERPLAN STILL AT CONCEPT STAGE. ALL PROPOSED STRUCTURES, TREE REMOVALS, LANDSCAPING ETC TO BE CONFIRMED.
- * SPIRIT OF PLAY COMMUNITY SCHOOL'S VISION, DEVELOPMENT + USE OF THE SITE IS IN KEEPING WITH THE SHIRE APPROVED PRECINCT CONCEPT. THE PROPOSED LEASE EXPANSION WILL STILL ALLOW FOR THE VAST MAJORITY OF THE PRECINCT TO BE DEVELOPED AS PER THE APPROVED MASTERPLAN.

ADOPTED BY COUNCIL 19 FEBRUARY 2019 / RESOLUTION NO. 230219



Attention CEO David Schober
Shire of Denmark
WA 6333

1st December 2022

Dear David

At a recent meeting at McLean Park between yourself and three Lions members you requested information from the Lions membership regarding their stance on the proposed changes at the #3 Railway Heritage Precinct.

At our most recent meeting a resolution was passed to inform you and the councillors of the following.

Denmark Lions Club is a vibrant part of the Denmark community whose primary objective is to serve our community. We are coming up to our 50th year anniversary which is an impressive track record for continuous community service. Our club is fortunate to have a growing membership which is unusual in these times.

If changes to this precinct go ahead they will significantly impact our operations, buildings and leased area that we have maintained and kept in excellent condition for the past 20 years. We would also like to bring to the council's attention that the building we currently occupy is a Heritage building. It was originally the Station Masters House. Due to our diligence and dedication the building is one of best maintained heritage buildings in the shire.

Our buildings have been continuously utilised by Lions members and other community groups on a continued basis for the past 20 years. Our members strongly believe that there should be no further school expansion on the number 3 Railway Heritage Precinct.

Please see attached addendum for additions and improvements on the existing building and lease area.

DENMARK LIONS CLUB REQUEST THE FOLLOWING

1. Lions Club members request a renewed 21 year lease of our existing premises.
2. The number 3 Railway Heritage concept plan and the lease area of the Kwoorabup Nature School remains unchanged.

However, if the council decides to change the present leased area the Lions Club now occupy. We request the following

1. The Station Masters house and workshop/shed be relocated to a suitable location on the number 3 Railway Heritage Reserve.
2. All costs for relocation to be covered by the Shire and the Kwoorabup Nature School including but not limited to, all utility services, sewage, stormwater etc.

We look forward to an early favourable outcome to the options raised.

Yours sincerely,



President of Denmark Lions.

18 April 2023 - Attachment 9.3.1d

Subject: Addendum re shire

Addendum to Denmark Lions letter to Shire of Denmark

IMPROVEMENTS AND MAINTENANCE TO STATION MASTERS HOUSE # 3 Railway Way Heritage Precinct Dated 1/12/2022, fully funded by Denmark Lions and approved by the Shire Denmark.

Purchased and constructed by Denmark Lions 2 Bay lockup general purpose shed and workshop with concrete floor.

Installed power and lighting to workshop shed.

Installed new mens bathroom with wash basin toilet and shower and cupboards for cleaning equipment.

Modified ladies toilet with new basin, taps, mirror and storage cupboard.

Installed electric hot water system.

Replaced all galvanised piping with copper piping through out the building.

Installed new kitchen with stainless steel sink, electric hot plates and oven.

Installed space gas heater in central area with gas bottles, regulator and security cage.

Installed ramp for disability access at the building entrance.

Purchased and installed defibrillator for public use.

Installed security lighting around the building for defibrillator access.

Replaced damaged roof and flashings. (After storm damage)

Installed concrete pavers in high use areas around the building.

Painted building interior.

Removed all old light fittings and replaced with energy efficient lighting fixtures.

Sanded and varnished internal timber flooring.

Annually pressure washed outside of the building and cleaned all gutters prior to the fire season.

20 years maintenance of the grounds , mowing, edging, weeding and removal of debris from building surrounds.

Maintained a high standard of cleaning to both interior and external areas of the building.

THE LAIR

Home of the Denmark Lions Club
Officially Opened on 12 April 2003

By

Cr Colleen Donnelly
Shire President

Denmark Lions Club Members

M Pope (President) B Bayley C Parr J Whitlock A Fraser N Burney B Wallace
B Cooper J Watson W Farquharson T Farrall H McFadyen D Matthews

LIONSVILLE DENMARK INC.

Administration Centre
officially opened on 30th January 2009 by
The Honourable Terry Redman MLA
Member for Blackwood-Stirling



ACCESS
KEEP CLEAR
AT ALL TIMES

ACCESS
KEEP CLEAR
AT ALL TIMES



DENMARK MACHINERY RESTORATION GROUP INC

PO Box 1133
DENMARK WA 6333
ABN: 16 485 179 577

20 March 2023

Your ref: A3140 / OCR23283426

David King
Acting Chief Executive Officer
Shire of Denmark
953 South Coast Highway
DENMARK WA 6333

Email via: claire.thompson@denmark.wa.gov.au

Dear David

Denmark Heritage Railway Station No. 3 Reserve

In response to your letter of the 24 February, 2023.

When we met on Tuesday 7 February 2023 to discuss the Denmark Machinery Restoration Group's ("DMRG") future Lease, we saw that the major issue arising was the possible loss of the Lion's Lair Lease (the old Denmark Station Master's building) to the Kwoorabup Nature School ("KNS") - the rights and wrongs of this action we shall leave to others. As the second most-impacted group within the Heritage Precinct after the Lions, we would be seriously affected by the proposed changes. DMRG works with and is supportive of the Lions Club, which considering its history is, we feel, an important part of the Denmark Heritage Railway Station Precinct currently zoned for Heritage, Recreational and Community use.

Below is a quote from the Concept Plan of 2018/2019, adopted by Denmark Council on the 19 February 2019 / Resolution No. 230219:

"Denmark Railway Station Precinct

The former Denmark Railway Station with its railway lines leading to Albany and Nornalup is an important part of Denmark's historical heritage. It played a leading regional role in the development of the timber industry and it was a vital part in people's lives until its final closure in 1957. This Concept Plan portrays this rich and interesting history through the development of the following elements:



- *A landscaped park adjacent to the existing machinery shed with exhibition spaces for historical machinery and artefacts;*
- *The relocation of the old railway station building to the south-west of the precinct with an option for community use;*
- *The development of a (sic) nature play spaces with picnic facilities;*
- *The development of an historical interpretation system throughout the Railway Station Precinct and extending along the Heritage Railway Trail.”*

Viewing the proposed Concept Plan to be put forward to Council by the KNS has upset, angered and confused many of our members. DMRG is also fortunate to sit within the grounds of the Denmark Heritage Railway Station Precinct. We have been and continue endeavouring to restore and respect the history of Denmark within our Trackside Museum together with the Blacksmith’s Forge and Shearing Stand. We have realigned and extended the railway line to embrace the Men’s Shed perimeter and are collaborating on the construction of a representative Station Platform. A 15 metre wooden Railway Signal is to be erected and DMRG members have feelers out to acquire further related artefacts.

Looking to the future, the DMRG see an opportunity to develop the grassed area of the Precinct into a “Village Green” concept to include the old Denmark Station Master’s building. This plan could include the 360 degrees spinning of the building or adding a rear veranda so that it faces the Green. Also for consideration, the Old Denmark Post Office currently used by the school could also be relocated to the Green, thus freeing up a site for further KNS development within their current Lease and allowing the public to have easy access to this historical building. Perhaps even relocate other buildings of historical significance to Denmark such as the Old Police Station (Denmark Historical Museum) which could expand its operations into say the Old Denmark Post Office.

Denmark Machinery Restoration Group members have no issues with the Kwoorabup Nature School as it currently exists. However, we consider that the almost doubling of its Lease area would be detrimental to growth of the Heritage Precinct. The large classrooms as indicated on the southern boundary on the Concept Plan swallow up most of any potential Village Green space and the access road proposed for members to access the Museum removes the rest, to say nothing of our commemorative trees which have been planted.

It must be noted that the Concept Plan as presented is not to scale. The DMRG Museum extends closer to the Lions’ existing southern boundary.

Appendix 1: *Background is a composite of two drone photos taken from 120 metres on Sunday 26 February 2023. Blue line overlay is copied from proposal.*

We feel that the irony of this proposed expansion is that the only two historic buildings on the precinct would be swallowed up within the KNS grounds.

There are many other issues and questions we have with the proposed Concept Plan. Our current access road has been removed, the unwanted former Denmark Yacht Club shed



(now utilised by the Lions) has apparently been “dumped” on the DMRG’s current Visitor Parking location. Sewerage and other services we will leave for another time.

We ask that you please register DMRG’s strong objection to this radical expansion of the KNS Lease. Our members feel it would kill the spirit and future of a precious Heritage Precinct. “Heritage, Recreation and Community” are seemingly considered to be the right of the Kwoorabup Nature School only, rather than the neighbouring Lessees and overall Denmark Community.

Finally, we have had the pleasure of meeting yourself and Claire at the Trackside Museum for discussions and to show you around. We would like to extend an invitation to the Council Members also, to a tour of the Trackside Museum and facilities at their convenience, and would appreciate discussing further.

Kind regards



Roy Mercer
President
Denmark Machinery Restoration Group



Appendix 1: Background is a composite of two drone photos taken from 120 metres on Sunday 26 February 2023. Blue line overlay is copied from proposal.



Background is a composite of two photos taken from 120 metres on Sunday 26 Feb 2023. Blue line overlay is copied from proposal





DENMARK

Men's Shed

Denmark Men's Shed Inc
PO Box 780, Denmark WA 6333
2D Inlet Drive Denmark
president@denmarkmenshed.com.au
0407 995 081

07 March 2023

David King
Acting Chief Executive Officer
Shire of Denmark
enquiries@denmark.wa.gov.au
David.King@denmark.wa.gov.au

Dear David

RE: 3140/OCR23283427 HERITAGE RILWAY STATION No.3 RESERVE 2 INLET DRIVE, DENMARK

Thankyou for your letter of 24th February and apologise for mix up with our contact details.

We have several concerns with the proposal submitted by the Kwoorabup Nature School. We have not been approached by the school and the proposal map is incorrect and out of scale.

Firstly the note that the Heritage Trail be restricted to pedestrian traffic is incongruous with the whole purpose of the trail. If horses and bikes were prevented from passing the school they would have to exit and re-enter through our lease which will present traffic problems and undermine our security.

It is also essential that the trail is maintained as trafficable as according to our lease and building permit we have to use that as our emergency egress.

It is also noted that New proposed lease is about twice the size of the existing Lions Lease.

The Denmark Men's Shed, in conjunction with the Machinery Restoration Group (DMRG) and the Historical Society have embarked upon a programme to emphasize the historical heritage of the site.

The railway line has been moved back to its original position and will be enhanced with Buffers and crossing Hardware and a railway siding may be incorporated.

A post and rail fence and gates, made with material salvaged from the Sleeman River Bridge, is in the process of being constructed. Information signs showing the historical aspects of the site have been made and will be installed behind the fence.

A Brief has been issued calling for Expressions of Interest to prepare 5 large murals to be attached the shed wall, behind the fence, depicting cultural and historical aspects of the site and the region.

It is anticipated that apart from enhancing the façade of shed it will become a place for locals to visit and a tourist stop, tying in with the DMRG Museum, a Village Green concept and future Railway Station as per Council Resolution 230219.

Care, Respect, Dignity & Fellowship

On behalf of the Members of the Denmark Men's Shed and Denmark Women's Shed (110)

Mal Dickie
President
Denmark Men's Shed Inc.
0407 995 081
PO Box 780
2D Inlet Drive Denmark WA



Care, Respect, Dignity &
Fellowship



Denmark Historical Society Inc

PO Box 54 Denmark WA 6333

Email: info@denmarkhistoricalsocietywa.org.au

Web: www.denmarkhistoricalsocietywa.org

Attn

Mr David King

Acting Chief Executive Officer

Shire of Denmark

PO Box 183 Denmark 6333

27/03/2023

Dear Mr King,

Re: your letter of the 24th February 2023:

This is The Denmark Historical Society's (DHS) response to the proposal for Kwoorabup Nature School to extend their lease area at Denmark Heritage Railway Station No 3 Reserve to include the Old Station Master's House.

The Kwoorabup Nature School (KNS) has requested the Council to allow it to:

1. Take over the use of Station Master's House currently used by Denmark Lions Club as their headquarters and
2. Increase the area of land leased by the school by almost 100%.

The Denmark Historical Society opposes both requests by the KNS.

In 2018/19 the DHS argued against the Denmark Shire Council extending the lease for the school to 15 years and a 75% increase in land area it leased. At that time the school was known as The Spirit of Play (SoP).

At that time we argued that:

1. The Shire Council's intention was clearly to develop the site as a historical precinct and the plan adopted in 2014 by the Council does not include the SoP.
2. The precinct is the site of the 3rd Denmark railway station and yards and is of considerable historical significance, as the railways played a vital part in the development and survival of the town.
3. The Precinct contains the most significant remaining railway relics (the Ash Pit, the Turntable and the Station Master's house.). It is also the current site of the old Denmark Post Office. The School now occupies the Post Office, with its collection of historical photos and encroaches on the turntable and ashpit as they are part of the so called "shared space" shared by the School and the community. This effectively makes these relics unavailable during school hours and hence devalues their potential attraction as a tourist attraction.

With respect to the current proposal for a further extension of the KNS grounds to include the Station Master's House the DHS makes the following points:

1. The reasons we objected to the 2019 lease extension apply to the to KNS's 2023 application to further expand its footprint in the area. The current proposal to take over the Station Master's House and its surrounds just adds to the destruction of the area's heritage value.
2. It also deprives one of Denmark's most valuable charitable organisations, The Lions Club of Denmark, of its home of many years. The DHS has been supported by Lions as have many other Denmark organisations and residents.
3. The management of the area is vested in the Denmark Shire for purposes of Historical Precinct, Recreational and Community use. Schools rightly have a different separate vestment. The School Council has argued that a School on the site is not incompatible with the site's historical value, however the KNS has no intrinsic heritage value and simply disrupts an area of historical significance.
4. The DHS argues that the KHS, while purporting to support the site's history has not done anything practical to support their words. When the Denmark Shire Council voted to extend the Spirit of Play Lease in 2019 the motion passed included the following conditions:
(c) the Lessee will fund the agreed costs of construction / installation of nature play areas and refurbishment of the Historical Turntable and the Ash Pit in the Public Shared Use Area; (extract from Denmark Shire Council Meeting 19th February 2019)
Four years on and none of this has happened. There was supposed to be collaboration between the School and the DHS, but the DHS has never been approached by the School. It was not until the Chair of the DHS realised that the current Chair of the KNS council was a professional historian, and approached her on the subject of the ashpit and turntable, that any dialog was set up.
5. The DHS has never seen a copy of the 2019 Spirit of Play lease and would be interested to know if the above conditions (c) were included in the lease, as they should have been
6. The DHS is concerned that this current expansion on the current site will not be the last request from the KNS for more space on the current site.
At the time of the new lease in 2019, the Shire's intention was for the School to move to a more appropriate site.
"Advise the Spirit of Play that it has amended the plan such that the label of the building that they currently lease is titled "Old Post Office Building" so as to provide clarity that it is Council's view that an expanded community school at the site is not a long term complementary use at the Heritage Precinct." (extract from Shire Minutes 18 September 2018).
It was also the School's purported intention to move. The School also assured the Shire that they believed that the School would need no further expansion on their current site.
The Spirit of Play have advised that even if they find another site now, it could take up to two years for them to go through the processes required in order to relocate. At this stage, the School is seeking to achieve a long-term stable outcome which means requesting Council to allow them to remain at their current site.
The School is seeking a 21 year lease (preferably) and additional lease area, including an area of shared use, so that they can build two new classrooms and continue to offer an alternative education model for Denmark. Spirit of Play has advised that a lease term of less than 10 years would leave the school in a non-viable position and they would most likely cease operation. The maximum number of students they are aiming for is 92 (extract from Shire Minutes 18 September 2018)
However, in an email receive by the DHS Chair from the KHS Council Chair it was stated that

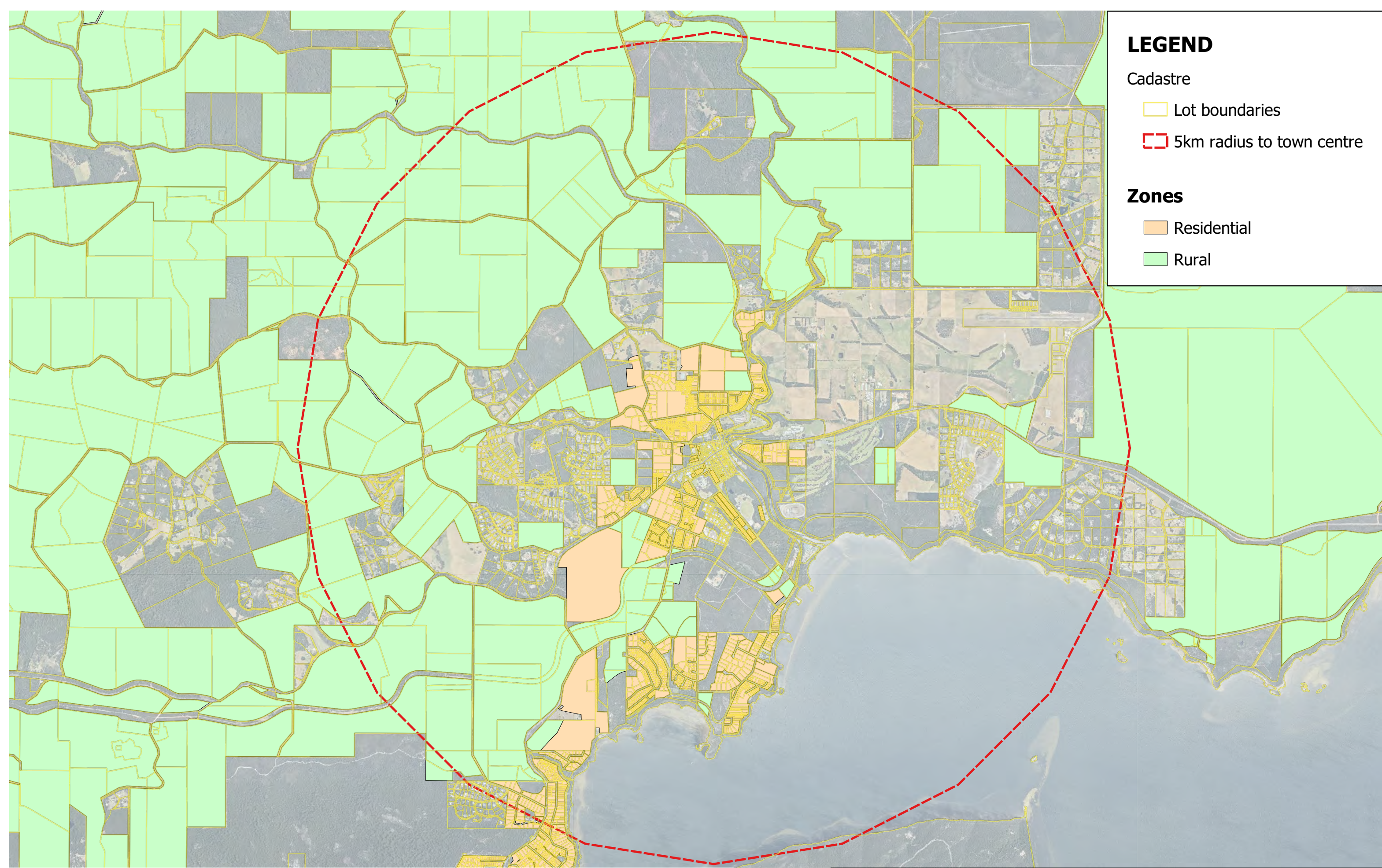
“we have found that our school needs to grow to support the town's growth, and for its own social sustainability.”

7. Planning for School Development is important and we support the KHS's right to change its plans, but it needs to be persuaded to take a less ad hoc approach and a much longer term view than it currently does. If, like the Denmark Steiner School already has, it decides that it needs to include a high school then incremental increases on the current site will be a disaster both for the School and the Shire. The current expansion plan has already induced considerable resentment in town because of the issues it has produced for the Lion's Club, and further expansion would create more.

The DHS believes the KHS should work with the Shire to find an appropriate site to develop a new School with adequate room for expansion. The Shire also needs to decide the long-term fate of the reserve. The DHS believes that the remaining relics, particularly the turntable, which is the last of its kind in Western Australia, are worth preserving. Clearly the Shire currently does not have sufficient funds to properly develop the site as a historical precinct. However, it should look back to its original 2014 plan and work towards getting State Government funding to make it happen as has happened with the rebuilding of the Railway Round House in Collie.



Ashleigh Murch
Chairperson
Denmark Historical Society

CC: Hon John Carey, Minister for Housing, Lands, Homelessness and Local Government
Hon David Templeman, Minister for Culture, Arts, Sport, Recreation, International Education and Heritage





LEGEND

Cadastral

-  Lot boundaries
-  5km radius to town centre

Zones

-  Residential
-  Rural



Produced by Shire of Denmark.
 Whilst all care has been taken, no responsibility shall be taken for any omissions or errors in this documentation.
 Please advise the Shire of Denmark of any errors or omissions in this document.
 Digital Cadastral Data Supplied by the Western Australian Land Information Authority.



SCALE
1:40,000

SHEET 1 of 1	SIZE A3
DATE 27/02/23	

Rural and Residential zoned land within 5km of Denmark Town Centre

CLIENT
Shire of Denmark

Name	Property Description	Reserve No.	Term	Commerical Rent
Peaceful Bay Sea Rescue Group	Sites 401 & 402 on Reserve 24510 Old Peaceful Bay Road Peaceful Bay A3104	24510	21 years	×
Denmark Machinery Restoration Group	Portion of Reserve 30277 (Portion of 952 Crellin Street Denmark A3140	30277	5 years + 5	×
Denmark Occasional Daycare Centre Inc. & Denmark Playgroup	Whole of Reserve 37516, Lot 500 South Coast Highway Denmark	37516	3 years	×
Denmark Pistol Club	Whole of Reserve 36044, Hay Location 7441 No. 223 Churchill Road Denmark	36044	21 years	×
Denmark Country Club	Reserve 22886 No. 925 South Coast Highway Denmark	22886	21 years + 14	×
Denmark Boating and Angling Club & Denmark Sea Rescue Group Inc	Reserve 24913 No. 891B (Part Lot 556) Ocean Beach Road	24913	21 years	×
Denmark Arts Council	Portion of Reserve 45623, No. 2 (Lot 1093) Scotsdale Road Denmark	45623	5 years	×
	& Portion of No. 2 (Lot 228 Portion of Reserve 18587) Strickland Street, Denmark	Freehold		×
Denmark Boating and Angling Club	Portion of Reserve 20928, Parry Road, Parryville	20928		×
	Portion of Reserve 36578 Parry Road, Parryville	36578	10 years	×
The Returned & Services League of Australia WA Branch Inc.	Whole of Reserve 23631, No. 54 (Lot 40) Strickland Street Denmark	23631	21 years	×
Peaceful Bay Progress Association Inc.	Portions of Reserve 24510, Lease of Sites 300 & 302, Peaceful Bay	24510	5 years	×
Nornalup Residents and Ratepayers Association	Portion of Reserve 17937, No. 3 (Lot 2368) Riverside Drive, Nornalup	17937	21 years	×
Returned & Services League Peaceful Bay Sub-Branch	Reserve 24510, No. 28 (Lease of whole Site 400) First Avenue, Peaceful Bay	24510	5 years	×
Kentdale Community Hall Committee Inc.	Reserve 27490 No. 518 (Lease of Part Lot 300) Parker Road, Kentdale	27490	21 years	×
Green Skills Inc.	No. 46 (Part Lot 326) McIntosh Road, Denmark	23067	10 years	×
Tingledale Hall Committee Inc.	Reserve 19264, No. 976 (Part Lot 2381) Valley of the Giants Road, Tingledale (A5594)	19264	21 years	×
Parry's Beach Volunteer Management Committee	Reserve 19925, No. 2830 (Part Lot 5393) South Coast Highway, William Bay (A5592) Parry's Community Hall	19925	21 years	×
Denmark Riverside Club Inc.	Portion of Reserve 20403, Lot 1110 on Deposited Plan 28861, No. 3 Morgan Road 39066) Denmark	20403	21 years	×
	Portion of Reserve 39066, Lot 1002 on Deposited Plan 215923,	39066		×
Denmark Community Resource Centre Inc.	Portion of No. 2 (Lot 228) Strickland Street, Denmark	18587	5 years	×
Denmark Historical Society	Reserve No. 42278, No. 16 (Lot 1021) Mitchell Street, Denmark	42278	21 years	×
Lions Club of Denmark Inc.	Part Reserve 30277 No. 2 (Lease of Part Lot 952) Inlet Drive, Denmark	30277	10 years	×
Scout Association of Australia	No. 53 (Lease of Part Lot 1087) Brazier Street, Denmark	15513	21 years	×
Denmark Equestrian Management Group Inc.	Reserve 39067, No. 73 (Lease of Whole Lot 1004) Beveridge Road, Denmark	39067	21 years	×
Denmark Surf Lifesaving Club Inc.	No. 891A (Lease of Part Lot 556) Ocean Beach Road, Ocean Beach	24913	21 years	×
Denmark Cottage Crafts Inc.	No. 5 (Lease of Part Lot 41) Mitchell Street, Denmark	26026	10 years	×
Denmark Men's Shed Inc.	Portion of Reserve 30277 (Portion of 952 Crellin Street Denmark A3140	30277	21 years	×
Denmark Surf Lifesaving Club Inc.	Portion of Lot 556 on Deposited Plan 71707	24913	5 years	×
Denmark Woodturners Inc.	Portion of Lot 501 on Deposited Plan 61023	48198	4 months, 15 days	×
Denmark Chamber of Commerce	Portion of Lot 501 on Deposited Plan 61023	48198	3 years	×
Denmark Rivermouth Caravan Park	No. 1 (Lot 1084) Inlet Drive, Denmark	46241	21 years	✓
Les Pinniger (Parrys Fishing Camp)	Portion of Reserve 20928 being Part Lot 304 Parry Beach Fishing Camp	20928	10 years	✓
Denmark Haulage	Portion of Lot 300, No. 13 Denmark-Mount Barker Road	Freehold	3 years	✓
Telstra Corporation (Golden Hill Exchange Site)	No. 4 (Lot 1) Nekele Road, Denmark	Telstra Corporation	21 years	✓
Vancouver Waste Services t/as Soil Solutions	Portion of Lot 300 on Deposited Plan 46811 No. 13 Denmark-Mount Barker Road	Freehold	3 years	✓

J R Higgs	Denmark Airport Hangar Lease No. 2 HLS2 East River Road, Hay	41390	10 years	✓
J M & M E King	Denmark Airport Hangar Lease No. 3 HLS3 East River Road, Hay	41390	10 years	✓
R Phillis	Denmark Airport Hangar Lease No. 5 HLS5 East River Road, Hay	41390	10 years	✓
ML, JF & RL Phillips (Peaceful Bay Caravan Park)	Sites 305 & 306 on Deposited Plan 220017	24510	21 years	✓
Mining Tenement M70/1038 - Lime Quarry	Reserve 46273 - Lime Quarry Loc 7836 Ocean Beach Road Denmark	46273	21 years	✓
KNS	No. 2 (Lease of Part Lot 952) Inlet Drive, Denmark (A5598)	30277	15 years	✓
Telstra Corporation Ltd	No. 466 (Loc 8171) Ocean Beach Road, Denmark	46764	10 years	✓
Bevans WA Pty Ltd	Reserve 24510, No. 37 (Lot 303) Old Peaceful Bay Road Peaceful Bay	24510	5 years	✓
Denmark Concrete Pty Ltd	Portion of Lot 300 on Deposited Plan 46811 (cnr South Coast Highway and Denmark-Mount Barker Road)	Freehold	3 years	✓