

SHIRE OF DENMARK

# Ordinary Council Meeting

# MINUTES

**27 Tuesday 2026**

HELD IN COUNCIL CHAMBERS, 953 SOUTH COAST HIGHWAY,  
DENMARK, ON TUESDAY, 27 JANUARY 2026.



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## DISCLAIMER

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**1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

4.00pm - The Shire President, Cr Wiggins, declared the meeting open and acknowledged the Bibbulmun and Minang people as the traditional custodians of the land on which the meeting was being held. Cr Wiggins paid his respects to Elders past, present and emerging.

**2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**

MEMBERS:

- Cr Aaron Wiggins (Shire President)
- Cr Nathan Devenport (Deputy Shire President)
- Cr Clare Campbell
- Cr Kingsley Gibson
- Cr Jay Hockey
- Cr Jan Lewis
- Cr Janine Phillips
- Cr Alex Sleeman
- Cr Dominic Youel

STAFF:

- Kellie Jenkins (Acting Chief Executive Officer)
- Rob Westerberg (Director Infrastructure & Assets)
- Craig Pursey (Manager Development Services)
- Claire Thompson (Governance Coordinator)
- Kristie Buss (Executive Support Officer)

ON APPROVED LEAVE(S) OF ABSENCE

Nil

ABSENT WITHOUT LEAVE

Nil

VISITORS

Nil

**3. DECLARATIONS OF INTEREST**

| Name           | Item No | Interest              | Nature  |
|----------------|---------|-----------------------|---|
| Cr Devenport   | 9.1.1   | Financial & Proximity | I have a sponsorship agreement with one of the tenants on the lane way and have the shop over the road. |
| Kellie Jenkins | 9.1.2   | Proximity             | I own property that adjoins the land the matter refers to.  |
| Cr Sleeman     | 9.1.3   | Impartiality          | The proponent is known to me.   |
| Cr Lewis       | 9.1.2   | Impartiality          | My son-in-law is an employee of the applicant Harley Dykstra.   |
| Cr Lewis       | 9.3.1   | Impartiality          | I own an electric vehicle.  |
| Cr Wiggins     | 9.4.1   | Impartiality          | Wife is author of report and reviewer.  |
| Cr Devenport   | 9.5.2   | Financial             | I own a business in town.   |

|             |       |              |   |
|-------------|-------|--------------|---|
| Cr Youel    | 9.5.2 | Financial    | Due to owning a business property on Strickland Street. |
| Cr Sleeman  | 9.5.2 | Financial    | I own a business on Strickland Street.                  |
| Cr Campbell | 9.3.1 | Impartiality | I own an electric vehicle.                              |

**4. ANNOUNCEMENTS BY THE PERSON PRESIDING**

Nil

**5. PUBLIC QUESTION TIME**

**5.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**5.2 PUBLIC QUESTIONS**

In accordance with Section 5.24 of the Local Government Act 1995, Council conducts a public question time to enable members of the public to address Council or ask questions of Council. The procedure for public question time can be found on the wall near the entrance to the Council Chambers or can be downloaded from our website at <http://www.denmark.wa.gov.au/council-meetings>.

Questions from the public are invited and welcomed at this point of the Agenda.

In accordance with clauses 3.2 (2) & (3) of the Shire of Denmark Standing Orders Local Law, a second Public Question Time will be held, if required, and the meeting is not concluded prior, at approximately 6.00pm.

Questions from the Public

**5.2.1 Diane Harwood – Item 9.1.2 and 9.1.3 Road Reserves and Verge Precincts  
Items 9.5.1 and 9.5.2 – Town Centre Assets and RPPP funding**

Dianne spoke about the proposed works in road reserves and verge precincts, particularly in relation to the Karri and Tingle trees along Kearsley Road and McLean Road.

Diane referred to Items 9.5.1 and 9.5.2 stating that she understood that a lot of work would still need to be done but wondered when the community might be able to have their say in the projects.

*The Manager Developmental Services, advised that every effort had been made to retain the existing trees through careful design.*

*Craig further advised that along McLean Road the road pavement had been adjusted to provide emergency access while retaining as many trees as possible.*

*The Shire President, referred to Item 9.5.1 and 9.5.2 and advised that if funding for the project was successful, there would be further public consultation as part of the process.*

**5.2.2 Ross Thornton – Item 9.1.3 Road Reserves and Verge Precincts**

Ross advised that he was available to answer any questions from Council. Ross commended the officers for the work undertaken on the project and acknowledged the significant effort made to retain the existing trees wherever possible.

**5.2.3 Sylvie King – Denmark Gymnastics Club**

Sylvie advised that the Denmark Gymnastics Club's current leased premises would no longer be available from mid February 2026 and that the Club had been offered a premises at the East River Road Industrial Area.

Sylvie said that Shire Officers had advised that the use was not able to be approved in that area and asked whether the Council would consider allowing them to use the premises temporarily until they found a permanent home.

*The Shire President advised that officers would consider the request and provide a response.*

*Councillors asked some questions of Sylvie regarding the club and their preferred type of premises.*

**5.2.4 Lena Grayson - Denmark Gymnastics Club**

Lena stated that the premises leased by the Denmark Gymnastics Club was in an industrial area and wondered what the difference was. Lena asked whether the Shire could consider approving the location temporarily for gymnastics activities.

*The Shire President advised that the zoning of the two areas was different which permitted the use in one area but not the other. Cr Wiggins advised that Shire Officers would contact Sylvie and discuss options.*

**5.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

**5.4 PRESENTATIONS, DEPUTATIONS & PETITIONS**

In accordance with Section 5.24 of the Local Government Act 1995, Sections 5, 6 and 7 of the Local Government (Administration) Regulations and section 3.3 and 3.13 of the Shire of Denmark Standing Orders Local Law, the procedure for persons seeking a deputation and for the Presiding Officer of a Council Meeting dealing with Presentations, Deputations and Petitions shall be as per Council Policy P040118 which can be downloaded from the Shire's website at <http://www.denmark.wa.gov.au/council-meetings>.

Prior approval of the Presiding Person is required, and deputations should be for no longer than 15 minutes and by a maximum of two persons addressing the Council.

Nil.

**6. APPLICATIONS FOR FUTURE LEAVE OF ABSENCE**

**6.1 CR GIBSON**

|  |                        |
|--|------------------------|
| <b>COUNCIL RESOLUTION</b>  | <b>ITEM 6.1</b>        |
| MOVED: CR GIBSON   | SECONDED: CR DEVENPORT |
| That Cr Gibson be GRANTED leave of absence from 1 February 2026 to 15 February 2026 inclusive.                                     |                        |
| CARRIED: 9/0   | Res: 010126            |
| TOTAL VOTES FOR: 9<br>Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips. |                        |
| TOTAL VOTES AGAINST: 0   |                        |

**6.2 CR LEWIS**

|  |                     |
|--|---------------------|
| <b>COUNCIL RESOLUTION</b>  | <b>ITEM 6.2</b>     |
| MOVED: CR YOUEL  | SECONDED: CR GIBSON |
| That Cr Lewis be GRANTED leave of absence from 12 February 2026 to 16 March 2026 inclusive.  |                     |
| CARRIED: 9/0   | Res: 020126         |
| TOTAL VOTES FOR: 9<br>Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips. |                     |
| TOTAL VOTES AGAINST: 0   |                     |

**6.3 CR HOCKEY**

|  |                    |
|--|--------------------|
| <b>COUNCIL RESOLUTION</b>  | <b>ITEM 6.2</b>    |
| MOVED: CR SLEEMAN  | SECONDED: CR LEWIS |
| That Cr Hockey be GRANTED leave of absence from 1 January 2027 to 31 January 2027 inclusive.                                       |                    |
| CARRIED: 9/0   | Res: 030126        |
| TOTAL VOTES FOR: 9<br>Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips. |                    |
| TOTAL VOTES AGAINST: 0   |                    |

**7. CONFIRMATION OF MINUTES**

**7.1 ORDINARY COUNCIL MEETING – 25 NOVEMBER 2025**

|  |                     |
|--|---------------------|
| <b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>   | <b>ITEM 7.1</b>     |
| MOVED: CR GIBSON   | SECONDED: CR HOCKEY |
| That the minutes of the Ordinary Meeting of Council held on the 25 November 2025 be CONFIRMED as a true and correct record of the proceedings. |                     |
| CARRIED: 9/0   | Res: 040126         |
| TOTAL VOTES FOR: 9<br>Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips.             |                     |
| TOTAL VOTES AGAINST: 0   |                     |

**7.2 SPECIAL COUNCIL MEETING – 9 DECEMBER 2025**

|   |                       |
|---|-----------------------|
| <b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>  | <b>ITEM 7.2</b>       |
| MOVED: CR GIBSON  | SECONDED: CR PHILLIPS |
| That the minutes of the Special Council Meeting held on the 9 December 2025 be CONFIRMED as a true and correct record of the proceedings. |                       |
| CARRIED: 9/0  | Res: 050126           |
| TOTAL VOTES FOR: 9<br>Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips.        |                       |
| TOTAL VOTES AGAINST: 0  |                       |

**8. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**  
Nil

**9. REPORTS OF OFFICERS**

**9.1 DEVELOPMENT SERVICES**

*Cr Devenport declared a financial and proximity interest in the following recommendation on the basis that he is a business owner on South Coast Highway.*

*4.27pm - Councillor Devenport left the room and did not participate in discussion or vote on the matter.*

**9.1.1 PROPOSED PARTIAL ROAD CLOSURE – MURPHY LANE, ONE WAY**

|  |   |
|--|---|
| <b>File Ref:</b>                       | PLN.107   |
| <b>Applicant / Proponent:</b>          | Not Applicable  |
| <b>Subject Land / Locality:</b>        | Murphy Lane, Denmark  |
| <b>Disclosure of Officer Interest:</b> | Nil   |
| <b>Date:</b>                           | 9 January 2026  |
| <b>Author:</b>                         | Craig Pursey, Manager Development Services  |
| <b>Authorising Officer:</b>            | David King, Chief Executive Officer   |
| <b>Attachments:</b>                    | 9.1.1a – Approved supermarket and car park site plan<br>9.1.1b – Murphy Lane Partial Closure Plan |

**EXECUTIVE SUMMARY**

1. Development approval has been issued for the relocation of the Little IGA to Lot 104 South Coast Highway, Denmark. A condition of approval requires the sealing of a portion of Murphy Lane that runs at the rear of Lot 104 through to Short Street.
2. Murphy Lane is ~5.0m wide and is quite narrow if it is to accept two-way traffic. Approval for the permanent partial closure of Murphy Lane, to direct traffic flow one-way is sought from Council.

**VOTING REQUIREMENTS**

3. Simple majority.

|  |                     |
|--|---------------------|
| <b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>   | ITEM 9.1.1          |
| MOVED: CR YOUEL  | SECONDED: CR HOCKEY |
| That Council, pursuant to clause 58 of the Land Administration Act 1997 and Reg. 9 of the Land Administration Regulations 1998, REQUEST the Chief Executive Officer to provide public notice, seeking submissions for a period of no less than 35 days, of Council’s intention to partially close Murphy Lane, restricting traffic direction to one-way west to east from South Coast Highway. |                     |
| CARRIED: 8/0   | Res: 060126         |
| TOTAL VOTES FOR: 8<br>Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips.   |                     |
| TOTAL VOTES AGAINST: 0   |                     |

**LOCATION**

4. Murphy Lane is a 5m wide laneway that runs between South Coast Highway and Short Street, Denmark. The western end, where it meets South Coast Highway, is bitumen sealed; the remainder is gravel.
5. Murphy Lane has the potential to service Commercial zoned properties fronting South Coast Highway and residential properties fronting Mitchell Street. There are a range of

land uses around Murphy Lane, including the catholic church, heritage listed houses, grouped dwellings and a building company.

6. No adjoining property uses Murphy Lane for exclusive access. All residential properties have solid fencing to the lane with no access to backyards at this stage.



ABOVE: Murphy Lane and surrounding land uses

**BACKGROUND**

7. Development approval has been issued for:
  - The conversion of the former Tyrepower building at Lot 104 South Coast Highway, Denmark to a supermarket (Little IGA relocation); and
  - Development of a car park on Lot 103 South Coast Highway, Denmark (owned by the Catholic Church) to service the supermarket and the church.

A copy of the approved site plan is found at Attachment 9.1.1a.

8. The approved car park has been designed to exit using Murphy Lane. A condition of approval to seal the laneway was applied accordingly.
9. Assessment of Murphy Lane’s capacity, including for long or towing vehicles, showed that while it is just wide enough for two-way movement, a one-way system would improve safety and reduce potential for conflict.
10. The carpark has not been designed to accept traffic coming in from Murphy Lane, providing an exit only for traffic management purposes.

**DISCUSSION / OFFICER COMMENTS**

11. Murphy Lane is proposed to be made one-way, entering at South Coast Highway and exiting at Short Street.
12. A portion of Murphy Lane is to be sealed as part of the redevelopment of Lots 103 and 104 South Coast Highway. The ideal arrangement is to one-way traffic, but whether this

is supported needs to be determined to allow for the design, and then upgrade, of Murphy Lane as part of the redevelopment.

13. The one-way format would allow for a 4m pavement, kerbing and landscaping making the laneway a more appealing environment into the future. If retained as two-way, it would need to be sealed boundary to boundary.
14. The properties on either side of Murphy Lane are capable of being redeveloped for commercial uses and higher residential density and the laneways in the town centre are ideally used to support a better standard of development over time.

#### **CONSULTATION AND EXTERNAL ADVICE**

15. If supported in principle by Council, a road closure requires a minimum of 35 days of consultation with all relevant government agencies and service authorities.

#### **STATUTORY / LEGAL IMPLICATIONS**

16. Section 58 of the Land Administration Act 1997 provides the process for closing a road which begins with advertising the proposal for 35 days. Public submissions received during the 35-day period must be considered before Council makes a final decision.

#### **STRATEGIC / POLICY IMPLICATIONS**

##### **Council Plan – Our Future 2035**

17. Streetscapes and Traffic Management - Deliver designs and construction standards for future upgrades for eight laneways through a Laneways Plan.

#### **FINANCIAL IMPLICATIONS**

18. There are minor costs associated with the advertising, installation of signage, line marking and survey which has been estimated will cost \$5,000.

#### **OTHER IMPLICATIONS**

##### **Environmental**

19. There are no known significant environmental implications relating to the report or officer recommendation.

##### **Economic**

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

##### **Social**

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

#### **RISK MANAGEMENT**

22. A risk assessment has been undertaken per the Council's Risk Management Policy, and no significant risks have been identified in relation to the officer recommendation or the report.

4.30pm - Cr Devenport returned to the room.

The Acting Chief Executive Officer declared that she has a property that adjoins the land this matter refers to and as a consequence there is a proximity interest.

Cr Lewis declared that her relative is employed by Harley Dykstra, and as a consequence there may be a perception that her impartiality on this matter may be affected.

**9.1.2 LOCAL DEVELOPMENT PLAN – LOT 9000 KEARSLEY ROAD, DENMARK**

|  |  |
|--|--|
| <b>File Ref:</b>                       | WAPC162020   |
| <b>Applicant / Proponent:</b>          | Harley Dykstra on behalf of Kearsley Road Pty Ltd  |
| <b>Subject Land / Locality:</b>        | Lot 9000 Kearsley Road, Denmark  |
| <b>Disclosure of Officer Interest:</b> | Nil  |
| <b>Date:</b>                           | 12 January 2026  |
| <b>Author:</b>                         | Craig Pursey, Manager Development Services   |
| <b>Authorising Officer:</b>            | David King, Chief Executive Officer  |
| <b>Attachments:</b>                    | 9.1.2a – Draft Local Development Plan<br>9.1.2b - WAPC “Framework for Local Development Plans” |

**EXECUTIVE SUMMARY**

1. The Western Australian Planning Commission (WAPC) approved a 15-lot subdivision of Lot 9000 Kearsley Road, Denmark on the 18<sup>th</sup> August 2022. Condition 2 of this approval required the preparation of a Local Development Plan (LDP) to protect remnant vegetation and to establish new setback requirements.
2. This report recommends that Council adopt the LDP found at Attachment 9.1.2a.

**VOTING REQUIREMENTS**

3. Simple majority.

|   |                    |
|---|--------------------|
| <b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>  | <b>ITEM 9.1.2</b>  |
| MOVED: CR GIBSON  | SECONDED: CR YOUEL |
| That Council, pursuant to Schedule 2, Part 6, Clause 52(1) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , resolves to:  |                    |
| <ol style="list-style-type: none"> <li>1. ADOPT the Lot 9000 Kearsley Road, Denmark Local Development Plan as presented in Attachment 9.1.2a.</li> <li>2. REQUEST the Chief Executive Officer to publish notice of the adoption of the Local Development Plan on the Shire’s website and in the Shire’s offices.</li> </ol> |                    |
| CARRIED: 9/0  | Res: 070126        |
| TOTAL VOTES FOR: 9  |                    |
| Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips.  |                    |
| TOTAL VOTES AGAINST: 0  |                    |

**LOCATION**

4. Lot 9000 Kearsley Road, Denmark is an undeveloped 5.68ha property on the eastern side of Kearsley Road, approximately 1.3km to the northwest of the Denmark town centre.
5. The lot contains high-quality remnant vegetation along its road frontage, a water tank in the north-western corner, and mostly open paddock across the remainder of the site.
6. The land is zoned Special Residential Zone No.9, with development guided by site specific zoning controls and a Subdivision Guide Plan (SGP) adopted in 2006.



## BACKGROUND

7. The Western Australian Planning Commission (WAPC) approved a 15-lot subdivision for the site on 18 August 2022.
8. The subdivision varied from the adopted SGP by:
  - Straightening internal roads
  - Creating more uniform, rectangular lots
  - The pocket park in the NW corner (which was to have protected the vegetation) has been placed into Lot 71. The new lot owner must maintain responsibility for conserving the vegetation in this area.
9. Major road connections and key vegetation areas were retained in line with the original zoning intent.
10. The WAPC approved the subdivision but added **Condition 2**, requiring an LDP to address several issues arising from the SGP variation.

11. Condition 2 requires the LDP to address:

| Requirement  | Reason  |
|--|---|
| a) reduction of minimum side setbacks to 5m                                    | <p>The Scheme side setback requirement in the Special Residential Zone No.9 is 8m.</p> <p>The approved lots are generally 30m wide rendering the developable area too narrow for a standard house.</p> <p>The 5m side setback creates a 20m wide building envelope and sets a new standard for people buying into the development.</p>  |
| b) establishment of a development-exclusion area to protect remnant vegetation | <p>The Scheme provisions require no clearing of vegetation; however, bushfire requirements have significantly changed since the creation of Special Residential Zone No.9.</p> <p>The pocket park in the NW corner (which was to have protected the vegetation) has been placed into Lot 71.</p> <p>Clearly identifying the vegetation to be retained sets landowner expectation and clarifies local government requirements.</p> |
| c) setbacks from Kearsley Road   | <p>A larger setback to Kearsley Road protects good quality vegetation and screens the development from passing traffic on what will be a reasonable busy road.</p>  |

**DISCUSSION / OFFICER COMMENTS**

12. A Local Development Plan is used to guide built-form outcomes and link lot design to future development. An LDP can modify or supplement development standards where allowed under the Planning and Development (Local Planning Schemes) Regulations 2015.

13. The draft LDP at Attachment 9.1.2a:

- satisfies Condition 2 of the subdivision approval by showing 5m side setbacks, clearly identifying vegetation to be retained (particularly the area formerly identified as a pocket park now in private property), and a 30m setback has been established to Kearsley Road.
- conforms with mandatory LDP format as described by the WAPC “Framework for Local Development Plans” found at attachment 9.1.2b.
- complements the Shire’s existing local planning framework by clearly stating that the existing Scheme requirements continue to apply but are varied by the matters shown in the LDP.

- is consistent with bushfire management requirements by referencing the bushfire management plan that applies to the subdivision. It recognises that some of the existing remnant vegetation may need to be modified but that the habitat trees are to be retained.
14. As an additional measure not required by the subdivision approval, it was necessary to restrict access to Kearsley Road wherever practical, for road safety and retention of vegetation reasons.
  15. Essentially, the LDP retains the existing planning framework, augments it to respond to site constraints and sets new, clearly articulated standards for landowners and the local government.

#### **CONSULTATION AND EXTERNAL ADVICE**

16. Under the planning regulations, an LDP does not require advertising if it is unlikely to adversely affect owners or occupiers within or near the plan area.
17. The LDP was not advertised for public comment because it applies only to newly created lots on previously undeveloped land and does not alter the requirements for neighbouring properties.

#### **STATUTORY / LEGAL IMPLICATIONS**

18. Preparation and adoption of the LDP must comply with the Planning and Development (Local Planning Schemes) Regulations 2015.

#### **STRATEGIC / POLICY IMPLICATIONS**

19. The LDP supports objectives in the Local Planning Strategy, supporting residential development that responds to site opportunities and constraints, including bushfire management and vegetation retention.

#### **FINANCIAL IMPLICATIONS**

20. Adoption of the LDP can be undertaken within existing staff resources and will not impact the adopted budget or the Long-Term Financial Plan.

#### **OTHER IMPLICATIONS**

##### **Environmental**

21. The LDP assists in protecting habitat trees and remnant vegetation. No significant environmental implications have been identified.

##### **Economic**

22. No significant economic implications have been identified.

##### **Social**

23. No significant social implications have been identified.

#### **RISK MANAGEMENT**

24. A risk assessment has been undertaken per the Council’s Risk Management Policy, and no significant risks have been identified in relation to the officer recommendation or the report.

*Cr Sleeman declared that the proponent is known to him, and as a consequence there may be a perception that his impartiality on this matter may be affected.*

**9.1.3 LOCAL DEVELOPMENT PLAN – LOT 999 MCLEAN ROAD, DENMARK**

|  |  |
|--|--|
| <b>File Ref:</b>                       | WAPC201927   |
| <b>Applicant / Proponent:</b>          | Planwest (WA) Pty Ltd on behalf of Triple Nine Investments Pty Ltd |
| <b>Subject Land / Locality:</b>        | Lot 999 McLean Road, Denmark                                       |
| <b>Disclosure of Officer Interest:</b> | ‘Nil’  |
| <b>Date:</b>                           | 13 January 2026  |
| <b>Author:</b>                         | Craig Pursey, Manager Development Services                         |
| <b>Authorising Officer:</b>            | David King, Chief Executive Officer                                |
| <b>Attachments:</b>                    | 9.1.3 – Draft Local Development Plan                               |

**EXECUTIVE SUMMARY**

1. The Western Australian Planning Commission (WAPC) approved a 38-lot subdivision of Lot 999 McLean Road, Denmark on the 17<sup>th</sup> November 2025. Condition 3 of this approval required the preparation of a Local Development Plan (LDP) to address zoning, access, building height and vegetation protection issues.
2. This report recommends that Council adopt the LDP found at Attachment 9.1.3.

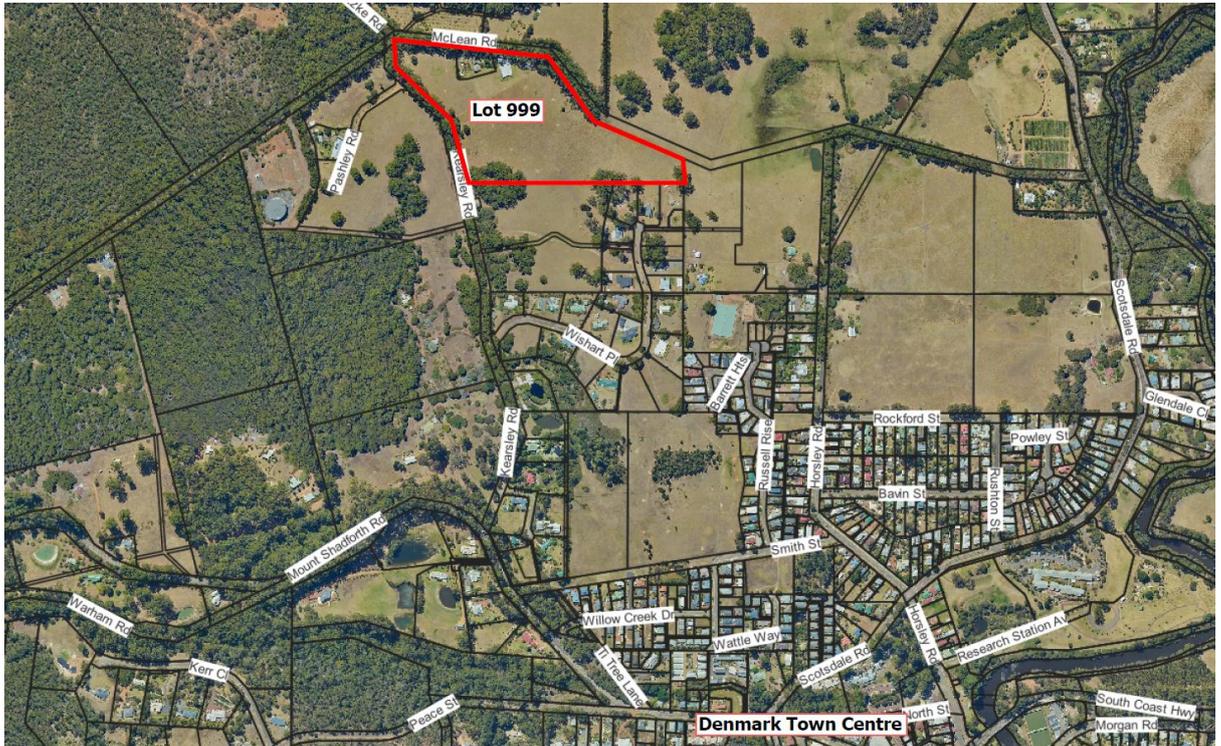
**VOTING REQUIREMENTS**

3. Simple majority.

|   |                    |
|---|--------------------|
| <b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>  | <b>ITEM 9.1.3</b>  |
| MOVED: CR GIBSON  | SECONDED: CR LEWIS |
| That Council, pursuant to Schedule 2, Part 6, Clause 52(1) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , resolves to:  |                    |
| <ol style="list-style-type: none"> <li>1. ADOPT the Lot 999 McLean Road, Denmark Local Development Plan as presented in Attachment 9.1.3.</li> <li>2. REQUEST the Chief Executive Officer to publish notice of the adoption of the Local Development Plan on the Shire’s website and in the Shire’s offices.</li> </ol> |                    |
| CARRIED: 9/0  | Res: 080126        |
| TOTAL VOTES FOR: 9  |                    |
| Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips.  |                    |
| TOTAL VOTES AGAINST: 0  |                    |

**LOCATION**

4. Lot 999 McLean Road, Denmark is a 9ha lot located on the corner of Kearsley and McLean Roads, approximately 1.6km north of the Denmark town centre.
5. The site is developed with a single house and shed accessed from McLean Road. The lot is largely cleared paddock with a stand of good-quality remnant vegetation in the south-west corner.
6. The land is zoned Special Residential Zone No.12, with development guided by site specific zoning controls and a Subdivision Guide Plan (SGP) adopted in 2011.



ABOVE: Subject site edged in red.

**BACKGROUND**

7. The Western Australian Planning Commission (WAPC) approved a 38-lot subdivision for the site on 17<sup>th</sup> November 2025.
8. The subdivision approved by the Western Australian Planning Commission (WAPC) was consistent with the original subdivision guide plan with the exception that it removed a proposed pocket park intended to retain high-quality vegetation and placed this vegetation in private lots.
9. The WAPC approved the subdivision but added Condition 3, requiring an LDP to accommodate the anticipated conversion of the current Special Residential zone to a Residential R5 in Local Planning Scheme No.4.
10. The LDP provides interim controls so development aligns with the future Residential R5 zoning that will replace the Special Residential zone in the new Local Planning Scheme No.4.

11. The lot size equates to the R5 density, but measures are required to address additional planning controls currently enforced through the Special Residential zoning. These include vegetation protection, fencing, access and building height.
12. Condition 3 requires the LDP to address:

| Requirement   | Reason   |
|---|--|
| 13. a) Residential R5 development standards for those lots currently zoned Special Residential.   | <p>The Special Residential zone will not be carried forward into the new Local Planning Scheme.</p> <p>The lots sizes in the approved subdivision equate to the R5 density and other standard development requirements such as setbacks, open space and parking are adequately addressed by the R-Codes.</p>   |
| 14. b) Development exclusion areas to protect areas of remnant vegetation.  | <p>The only significant vegetation within Lot 999 is in the southwestern corner of the property. This was originally to be protected by being placed in public open space.</p> <p>As it is now within Lots 16, 17 &amp; 18, suitable planning controls need to be put in place to protect this vegetation.</p> |
| 15. c) Reinforce vegetation management standards established in the Bushfire Management Plan to achieve ongoing compliance with the BAL Contour Plan. | <p>The bushfire management plan for the subdivision recognises that the trees within Lots 16, 17 &amp; 18 can be retained whilst slashing undergrowth to achieve the necessary BAL rating for development.</p>   |
| 16. d) No access onto Kearsley Road from proposed Lots 1 and 11.  | <p>It is necessary to restrict access to Kearsley Road wherever practical for road safety and retention of vegetation.</p>   |
| 17. e) Establish height restrictions as necessary.  | <p>Applying the R5 density code also allows for two storey development.</p> <p>Additional height restrictions were seen as desirable to manage visual impacts and maintain a consistent character across the descending slopes.</p>  |

**DISCUSSION / OFFICER COMMENTS**

18. A Local Development Plan is used to guide built-form outcomes and link lot design to future development. An LDP can modify or supplement development standards where

allowed under the Planning and Development (Local Planning Schemes) Regulations 2015.

19. The draft LDP at Attachment 9.1.3:

- satisfies Condition 3 of the subdivision approval by applying the Residential R5 design standards, limiting access, cross referencing the bushfire management plan and providing building envelopes.
- the LDP uses building envelopes and notations identifying vegetation to be retained within Lots 16, 17 and 18 to protect remnant vegetation formerly intended for public open space.
- conforms with mandatory LDP format as described by the WAPC “Framework for Local Development Plans”.
- is consistent with bushfire management requirements by referencing the bushfire management plan that applies to the subdivision and recognising that some of the existing remnant vegetation may need to be modified but that the trees are not required to be removed as part of fire management.

20. Essentially, the LDP converts the existing Special Residential Zone to a low-density Residential zone whilst accommodating the site’s “special features”. It responds to site constraints and sets new, clearly articulated standards for landowners and the local government.

#### **CONSULTATION AND EXTERNAL ADVICE**

21. Under the planning regulations, an LDP does not require advertising if it is unlikely to adversely affect owners or occupiers within or near the plan area.

22. The LDP was not advertised for public comment because it applies only to newly created lots on previously undeveloped land and does not alter the requirements for neighbouring properties.

#### **STATUTORY / LEGAL IMPLICATIONS**

23. Preparation and adoption of the LDP must comply with the Planning and Development (Local Planning Schemes) Regulations 2015.

#### **STRATEGIC / POLICY IMPLICATIONS**

24. The LDP supports objectives in the Local Planning Strategy, supporting residential development that responds to site opportunities and constraints, including bushfire management and vegetation retention.

#### **FINANCIAL IMPLICATIONS**

25. Adoption of the LDP can be undertaken within existing staff resources and will not impact the adopted budget or the Long-Term Financial Plan.

#### **OTHER IMPLICATIONS**

##### **Environmental**

26. The LDP assists in protecting habitat trees and remnant vegetation. No significant environmental implications have been identified.

**Economic**

- 27. No significant economic implications have been identified.

**Social**

- 28. No significant social implications have been identified.

**RISK MANAGEMENT**

- 29. A risk assessment has been undertaken per the Council’s Risk Management Policy, and no significant risks have been identified in relation to the officer recommendation or the report.

4.38pm – The Manager Development Services left the room and did not return.

**9.2 CORPORATE SERVICES**

**9.2.1 PAYMENT OF ACCOUNTS FOR PERIOD ENDING 30 NOVEMBER 2025**

|  |  |
|--|--|
| <b>File Ref:</b>                       | FIN.66.2025/26                                       |
| <b>Applicant / Proponent:</b>          | Not Applicable                                       |
| <b>Subject Land / Locality:</b>        | Not Applicable                                       |
| <b>Disclosure of Officer Interest:</b> | Nil  |
| <b>Date:</b>                           | 8 December 2025                                      |
| <b>Author:</b>                         | Kelly Schroeter, Senior Finance Officer              |
| <b>Authorising Officer:</b>            | Kellie Jenkins, Executive Manager Corporate Services |
| <b>Attachments:</b>                    | 9.2.1 – Payment of Accounts – November 2025          |

**EXECUTIVE SUMMARY**

- 1. To advise Council of payments made for the period 1 November to 30 November 2025.

**VOTING REQUIREMENTS**

- 2. Simple majority.

|  |                    |
|--|--------------------|
| <b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>   | <b>ITEM 9.2.1</b>  |
| MOVED: CR PHILLIPS   | SECONDED: CR YOUEL |
| That Council RECEIVE the payment of accounts totalling \$1,886,840.94 for the month of November 2025, as per Attachment 9.2.1.     |                    |
| CARRIED: 9/0   | Res: 090126        |
| TOTAL VOTES FOR: 9<br>Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips. |                    |
| TOTAL VOTES AGAINST: 0   |                    |

**LOCATION**

- 3. Not applicable.

**BACKGROUND**

4. Nil.

**DISCUSSION / OFFICER COMMENTS**

5. Nil.

**CONSULTATION AND EXTERNAL ADVICE**

6. The Officer has considered the requirement for consultation and/or engagement with persons or organisations that may be unduly affected by the proposal and considered Council's Community Engagement Policy and believes that no additional external/internal engagement or consultation is required.

**STATUTORY / LEGAL IMPLICATIONS****Local Government (Financial Management) Regulations 1996**

7. Regulation 13 – list of accounts to be prepared each month and presented to Council.

**STRATEGIC / POLICY IMPLICATIONS**

8. Nil.

**FINANCIAL IMPLICATIONS**

9. Nil.

**OTHER IMPLICATIONS****Environmental**

10. There are no known significant environmental implications relating to the report or officer recommendation.

**Economic**

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

**Social**

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

**RISK MANAGEMENT**

13. A risk assessment has been undertaken per the Council's Risk Management Policy, and no risks have been identified in relation to the officer recommendation or the report.

**9.2.2 FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30 NOVEMBER 2025**

|  |  |
|--|--|
| <b>File Ref:</b>                       | FIN.66.2025/26                                       |
| <b>Applicant / Proponent:</b>          | Not Applicable                                       |
| <b>Subject Land / Locality:</b>        | Not applicable                                       |
| <b>Disclosure of Officer Interest:</b> | Nil  |
| <b>Date:</b>                           | 12 January 2026                                      |
| <b>Author:</b>                         | Scott Sewell, Financial Accountant                   |
| <b>Authorising Officer:</b>            | Kellie Jenkins, Executive Manager Corporate Services |
| <b>Attachments:</b>                    | 9.2.2 – November 2025 Monthly Financial Report       |

**EXECUTIVE SUMMARY**

1. In accordance with the Local Government (Financial Management) Regulations 1996, local governments must prepare a monthly Statement of Financial Activity reporting financial performance against the adopted budget.
2. The Shire of Denmark has prepared its Statement of Financial Activity for the period ending 30 November 2025.
3. A monthly Investment Register is also provided to Council to ensure compliance with the Shire’s Investment Policy.

**VOTING REQUIREMENTS**

4. Simple majority.

|   |                     |
|---|---------------------|
| <b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>  | ITEM 9.2.2          |
| MOVED: CR YOUEL   | SECONDED: CR GIBSON |
| That Council RECEIVE the Financial Activity Statements for the period ending 30 November 2025, incorporating the Statement of Financial Activity and other supporting documentation, as per Attachment 9.2.2. |                     |
| CARRIED: 9/0  | Res: 100126         |
| TOTAL VOTES FOR: 9  |                     |
| Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips.  |                     |
| TOTAL VOTES AGAINST: 0  |                     |

**LOCATION**

5. Nil.

**BACKGROUND**

6. To meet statutory reporting obligations, the Monthly Financial Report provides a snapshot of the Shire’s year-to-date financial performance. The report includes the following:
  - Statement of Financial Activity by Nature or Type;
  - Explanation of Material Variances;

- Net Current Funding Position;
  - Receivables;
  - Capital Acquisitions;
  - Cash Backed Reserve Balances;
  - Loan Schedule;
  - Investment Register; and
  - Cash and Investments Summary.
7. Council has endorsed a materiality threshold of 10% or \$50,000 for reporting variances (Resolution 080725). Variances meeting or exceeding this threshold must be explained.

**DISCUSSION / OFFICER COMMENTS**

8. The Statement of Financial Activity for November 2025 shows a closing funding surplus of \$8,812,952. The adopted budget anticipates a zero year end closing position. Key variances include:
- Operating income exceeding budget by \$175,405.
  - Operating expenses being under expended by \$58,568

Details are provided in Note 1 – Major Variances.

9. Summary of financial position for November 2025 is provided in the table below:

|   | Adopted Annual Budget (as amended) | YTD Budget (a)      | YTD Actual (b)     | Var. \$ (b)-(a)  | Var. % (b)-(a)/(a) |
|---|------------------------------------|---------------------|--------------------|------------------|--------------------|
|   | \$                                 | \$                  | \$                 | \$               | %                  |
| <b>Opening Funding Surplus</b>            | <b>663,707</b>                     | <b>663,707</b>      | <b>659,358</b>     | <b>-4,349</b>    | <b>-1%</b>         |
| <b>Revenue</b>                            |                                    |                     |                    |                  |                    |
| Operating revenue                         | 15,548,597                         | 13,376,033          | 13,551,438         | 175,405          | 1%                 |
| Capital revenue, grants and contributions | 11,357,320                         | 2,673,972           | 2,773,409          | 99,437           | 4%                 |
|   | <b>26,905,917</b>                  | <b>16,050,005</b>   | <b>16,324,847</b>  | <b>274,842</b>   |                    |
| <b>Expenditure</b>                        |                                    |                     |                    |                  |                    |
| Operating Expenditure                     | -20,261,015                        | -8,404,420          | -8,345,852         | 58,568           | 1%                 |
| Capital Expenditure                       | -12,958,505                        | -3,335,195          | -2,339,467         | 995,728          | 30%                |
|   | <b>-33,219,520</b>                 | <b>- 11,739,615</b> | <b>-10,685,319</b> | <b>1,054,296</b> |                    |
| Funding balance adjustments               | 5,649,894                          | 2,397,440           | 2,514,066          | 116,626          | 5%                 |
| <b>Closing Funding Surplus</b>            | <b>0</b>                           | <b>7,371,537</b>    | <b>8,812,952</b>   | <b>1,441,416</b> | <b>19.55%</b>      |

**Investment Report**

10. Pursuant to the Shire’s Investment Policy, the monthly Investment Register outlines portfolio performance and counterparty exposure. The investment register provides details of interest income earned against budget, whilst confirming compliance of the portfolio with legislative and policy limits.

11. As at 30 November 2025, total cash holdings (including trust funds) were \$13,119,982, comprising:
  - Municipal Funds total \$6,936,961
  - Shire Trust Funds total \$55,850
  - Reserve Funds (restricted) invested, total \$6,127,170
  - Municipal Funds (unrestricted) invested, total \$5,508,042
12. The Reserve Bank of Australia's (RBA) official cash rate is 3.60%, reduced from 3.85% on 12 August 2025. No further changes have occurred at the time of reporting.

#### **CONSULTATION AND EXTERNAL ADVICE**

13. The Officer has considered the requirement for consultation and/or engagement with persons or organisations that may be unduly affected by the proposal and considered Council's Community Engagement Policy and believes that no additional external/internal engagement or consultation is required.

#### **STATUTORY / LEGAL IMPLICATIONS**

##### **Local Government (Financial Management) Regulations 1996**

14. Regulation 34 (1-5) outlines the requirements for financial activity statements.
15. Regulation 19,28 and 49; and the Australian Accounting Standards, sets out the statutory conditions under which Council funds may be invested.

##### **Local Government Act 1995**

16. Section 6.8 relates to a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by Council resolution.
17. Section 6.14 outlines the power to invest for local governments.

##### **Trustees Act 1962**

18. Part III Investments covers the investment powers and responsibilities of trustees.

#### **STRATEGIC / POLICY IMPLICATIONS**

##### **Budget Variation Policy**

19. Provides direction for budget amendments outside the formal budget review process.
20. Council endorsement is required for amendments involving additional purposes.

#### **FINANCIAL IMPLICATIONS**

21. The 2025/2026 Annual Budget guides financial practices.
22. Any financial impacts are detailed within this report.

**OTHER IMPLICATIONS**

**Environmental**

- 23. There are no known significant environmental implications relating to the report or officer recommendation.

**Economic**

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

**Social**

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

**RISK MANAGEMENT**

- 26. A risk assessment has been undertaken per the Council's Risk Management Policy, and no risks have been identified in relation to the officer recommendation or the report.

**9.3 GOVERNANCE**

*Cr Lewis declared that she owns an electric vehicle and as a consequence there may be a perception that her impartiality on this matter may be affected.*

*Cr Campbell declared that she owns an electric vehicle and as a consequence there may be a perception that her impartiality on this matter may be affected.*

**9.3.1 ELUMINA ELECTRIC VEHICLE CHARGING AGREEMENT**

|  |  |
|--|--|
| <b>File Ref:</b>                       | AGR.101  |
| <b>Applicant / Proponent:</b>          | eLU Pty Ltd (eLumina Global)                             |
| <b>Subject Land / Locality:</b>        | Shire Administration Building and Berridge Park          |
| <b>Disclosure of Officer Interest:</b> | Impartiality – Owner of an Electric Vehicle              |
| <b>Date:</b>                           | 23 December 2025   |
| <b>Author:</b>                         | David King, Chief Executive Officer                      |
| <b>Authorising Officer:</b>            | David King, Chief Executive Officer                      |
| <b>Attachments:</b>                    | 9.3.1a– Draft Agreement – Berridge Park                  |
|  | 9.3.1b – Draft Agreement – Shire Administration Building |
|  | 9.3.1c – Estimate of Use                                 |

**EXECUTIVE SUMMARY**

- 1. The eLumina agreement presents an opportunity for the Shire of Denmark to partner with a specialist provider for the installation of electric vehicle fast charging stations. By entering into this agreement, the Shire aims to enhance local EV infrastructure, which encourages sustainable transport options. The arrangement supports the broader Western Australian Electric Vehicle Network initiative and demonstrates the Shire’s commitment to environmental responsibility and community amenity.

2. Under the proposed terms, eLumina will be responsible for supplying and installing the fast chargers, replacing the existing slow-charge infrastructure at both locations. This upgrade is expected to deliver greater convenience for EV users, support tourism, and provide long-term benefits to residents by future-proofing local transport options all with zero capital costs for the Shire of Denmark.
3. It is recommended that Council authorise the Chief Executive Officer to finalise and execute the agreements with eLumina.

**VOTING REQUIREMENTS**

4. Simple majority.

**OFFICER RECOMMENDATION**

ITEM 9.3.1

That Council AUTHORISE the Chief Executive Officer to finalise and execute the agreements for eLumina to provide electric vehicle fast charging infrastructure in Denmark at Berridge Park and the Shire’s Administration Building.

*Following the publishing of the Agenda, Officers have clarified the exclusivity provisions and the definition of “Premises” with eLumina Global. eLumina have advised that, in order to achieve a commercial return on their investment, they consider a level of site exclusivity necessary.*

*At the Shire Administration Building, eLumina have indicated that their proposed use is limited to the two designated car parking bays and the adjacent verge for installation of the charger. They have also advised that they would not support another provider installing a DC fast charger within the same public car park area during the initial five-year term. To reflect this position, the definition of “Premises” could be refined to include only the public car parking areas at the Shire Administration Building*

*eLumina have further advised that Berridge Park requires a different approach. For that site, they are comfortable defining the Premises as the two parking bays and associated kerbside area required for installation of the charger. They have clarified that they do not seek exclusivity over the entirety of Hollings Road and are agreeable to amending the definition of Premises accordingly*

*Accordingly, the Acting CEO provides the following amended Officer Recommendation.*

|  |                        |
|--|------------------------|
| <b>COUNCIL RESOLUTION &amp; AMENDED OFFICER RECOMMENDATION</b>   | ITEM 9.3.1             |
| MOVED: CR GIBSON   | SECONDED: CR DEVENPORT |
| <p>That Council AUTHORISE the Chief Executive Officer to finalise and execute the agreements for eLumina to provide electric vehicle fast charging infrastructure in Denmark at Berridge Park and the Shire’s Administration Building, subject to Section 1 – key details in the Agreement for the Berridge Park premises location, in Attachment 9.3.1a, being amended to read, “The two car bays and associated kerbside area as shown in Section 3 – Specified EVC Station Areas along Hollings Road, Denmark WA 6333”.</p> |                        |
| <b>AMENDMENT</b>   |                        |
| MOVED: CR HOCKEY   | SECONDED: CR PHILLIPS  |

That Item 5 in Section 1 of Attachment 9.3.1b be amended to read, “Public carpark, 953 South Coast Highway, Denmark WA 6333”.

CARRIED: 9/0

Res: 110126

TOTAL VOTES FOR: 9

Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips.

TOTAL VOTES AGAINST: 0

**AMENDED MOTION**

That Council:

1. AUTHORISE the Chief Executive Officer to finalise and execute the agreements for eLumina to provide electric vehicle fast charging infrastructure in Denmark at Berridge Park and the Shire’s Administration Building, subject to Section 1 – key details in the Agreement for the Berridge Park premises location, in Attachment 9.3.1a, being amended to read, “The two car bays and associated kerbside area as shown in Section 3 – Specified EVC Station Areas along Hollings Road, Denmark WA 6333”.
2. AMEND Item 5 in Section 1 of Attachment 9.3.1b to read. “Public carpark, 953 South Coast Highway, Denmark WA 6333.

CARRIED: 9/0

Res: 120126

TOTAL VOTES FOR: 9

Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips.

TOTAL VOTES AGAINST: 0

REASONS FOR CHANGE

*Council wished to clarify that the permitted area is the entire public carpark, and didn’t include the staff carpark area.*

**LOCATION**

5. The Agreement proposes installation at two locations. One at Berridge Park to replace the current slow charge infrastructure, and the other at the Shire’s Administration Building to replace the slow charge infrastructure to the West.
6. Proposed Layout – Berridge Park



Proposed Layout – Shire Admin Building



Legend:

- eLumina D1 with new concrete pad
- New Bollard
- EV charging bay

## BACKGROUND

7. The Western Australian Electric Vehicle Network, established by the State Government, is a major initiative to support the uptake of electric vehicles (EVs) across the State highways by providing a network of fast charging stations connecting key regional centres.
8. Notably, the Network currently includes charging points in towns such as Walpole and Albany but does not include Denmark. To further expand the EV charging network, the State Government introduced the Charge Up Grants Program, designed to support the installation of 'infill' charging infrastructure and address gaps in the Network.
9. Through the Charge Up Grants initiative, the Shire has successfully secured funding for the installation of slow chargers at Berridge Park, as well as a 150kW fast charger at the Community Resource Centre (CRC) carpark, with the latter scheduled for installation early next year.
10. In addition to these efforts, eLumina approached the Shire to supply and install further battery-enabled fast chargers, leveraging partial funding through the Charge Up Grant scheme. eLumina has been awarded grant funding for 11 fast (up to 200kW each) chargers at various locations across Western Australia, two of which are identified for Denmark, further supporting the expansion of the EV network and ensuring regional communities are better connected to the growing electric transport ecosystem.
11. This continued investment by the State Government and private partners such as eLumina is critical to facilitating the transition to sustainable transport and enhancing accessibility for EV users throughout Western Australia.

## **DISCUSSION / OFFICER COMMENTS**

### **Need for additional chargers**

12. While the installation of slow chargers at Berridge Park represented a positive step toward improving local EV infrastructure, slow chargers typically require several hours to recharge a vehicle fully. This extended charging time is impractical for many visitors and residents, particularly in a busy regional tourist town like Denmark, where short stays and high vehicle turnover are common. Relying solely on slow chargers could deter tourists who expect convenient and rapid charging options, potentially impacting local business and tourism activity.
13. Furthermore, the planned single 150kW fast charger at the CRC carpark, while a significant upgrade, is unlikely to meet peak demand during busy holiday periods or major events. Denmark attracts a large influx of visitors, especially during school holidays and long weekends, resulting in multiple EVs requiring fast charging simultaneously. If only one fast charger is available, queues and wait times are likely, leading to frustration for EV users and discouraging repeat visits. eLumina's battery-enabled fast chargers proposed for Denmark will add four additional fast chargers (Two CCS2 charging ports per charger at a maximum 160kW each). A network of multiple fast chargers would ensure reliable access, reduce congestion, and better support Denmark's role on the Western Australian Electric Vehicle Network.
14. Replacing slow chargers with additional fast chargers is essential to address the needs of both locals and tourists, maintain Denmark's competitiveness as a destination, and support the broader transition to sustainable transport across regional Western Australia.

### **Battery Backed Fast Chargers**

15. Battery backed fast chargers offer several distinct advantages for regional communities like Denmark, particularly where the existing electricity network may have limited capacity. One major benefit is their ability to be installed on marginal grid connections without the need for costly and time-consuming upgrades typically required by Western Power. By integrating battery storage systems, these chargers can draw and store energy during periods of low demand or when renewable sources are plentiful, then rapidly deliver high-power charging to EVs when needed. This approach significantly reduces the strain on local grid infrastructure and avoids major capital works that could delay deployment.
16. Moreover, battery backed systems enhance the reliability and resilience of the charging network. In areas prone to power fluctuations or outages, the battery can act as a buffer, ensuring that EV users continue to have access to fast charging even during grid interruptions. This is especially valuable in regional and remote locations, where grid reliability may be less consistent, or during emergencies/grid outages.
17. Another key advantage is the potential for improved operational efficiency and cost savings. By charging the batteries during off-peak periods when electricity prices are lower, operators can reduce overall energy costs and pass these savings on to consumers. Additionally, these systems can be paired with on-site renewable energy generation, such as solar panels to reduce overall energy costs and also make use of

excess solar output, further reducing reliance on the grid and supporting the transition to cleaner transport options.

18. For busy tourist destinations like Denmark, battery backed fast chargers can help manage peak demand during holidays and special events, ensuring multiple vehicles can be charged quickly without causing driver delays or congestion, with less impact on the electricity supply.

### **eLumina Fast Chargers**

19. At present, there are limited Australian-based providers offering battery backed fast EV charging solutions specifically designed for regional deployment. While a number of international manufacturers supply battery integrated fast chargers, there are no widely established Australian companies with a significant market presence in this space. This highlights a gap in the domestic market for locally produced battery backed fast charging infrastructure tailored to Australian conditions.
20. In the absence of alternative Australian providers, the eLumina D1 battery-backed fast charger stands out for its advanced features and suitability for regional applications. The D1 model is equipped with a high-capacity lithium-ion-phosphate battery system, allowing it to deliver rapid DC charging at rates up to 160kW, even on constrained grid connections. It supports simultaneous charging of multiple vehicles, features intelligent energy management for off-peak battery charging, and can be integrated with on-site solar generation. The system also includes remote monitoring, dynamic load balancing, and modular scalability to accommodate future growth in demand, and is skid-mounted for portability/installation. These specifications make the D1 an ideal solution for communities like Denmark seeking reliable and future-proof EV charging infrastructure.
21. This makes eLumina the only suitable provider for Fast Chargers in Denmark.

### **Agreement**

22. The draft agreements are provided as Attachment 9.3.1a and 9.3.1b. Key points are provided below.

#### No Upfront Cost to the Shire of Denmark

23. The D1 Model EV Charging Station, along with all associated equipment, will be supplied and installed at no expense to the Shire of Denmark. This represents a \$500k+ infrastructure investment into the Shire of Denmark. The Shire is responsible for ensuring that an adequate power supply is available at the site for the charger.

#### Agreement Duration and Renewal

24. The agreement commences with an initial five-year term. Unless either party provides written notice of non-renewal 60–90 days prior to expiry, the agreement will automatically renew for additional five-year periods. eLumina will notify the Shire of Denmark regarding upcoming renewal deadlines.

#### Revenue and Payment Arrangements

25. Charging fees are set at \$0.75 per kWh during peak hours (5pm–9pm), and \$0.65 per kWh during off-peak times.

26. Net revenue, calculated after the Shire is reimbursed for electricity costs at its prevailing rates, is divided as follows: 80% to eLumina, with the remaining 20% retained by eLumina for operations and maintenance.
27. eLumina will reimburse the Shire quarterly for all electricity consumed by the charging station, based on actual usage and the Shire's electricity rates.

#### Installation and Operation

28. eLumina is responsible for delivering, installing, commissioning, and operating the charging station. The Shire will provide reasonable site access and ensure a suitable three-phase power connection is available. The agreement includes a comprehensive site plan and installation details.

#### Responsibilities of Each Party

29. eLumina will maintain and inspect all equipment, ensure appropriate signage, comply with applicable laws, and maintain insurance cover.
30. The Shire will maintain the site, protect the installed equipment, reserve EV bays exclusively for EVs, and ensure the site remains accessible and secure.
31. Both parties agree to collaborate in addressing any defects, risks, or additional installation requirements.

#### Liability and Risk Management

32. Liability for claims is generally capped at \$249,000, except in cases of fraud, gross negligence, property damage, or personal injury.
33. eLumina's responsibility for equipment defects is limited to repair or replacement.
34. The Shire is liable for repairing any damage it or its personnel cause.

#### Confidentiality and Data Handling

35. Both parties may share confidential information with third-party service providers as necessary, provided confidentiality obligations are upheld.

#### Termination

36. Either party may terminate the agreement in the event of a material breach or insolvency. Upon termination, eLumina will remove its equipment and may restore the site, unless the Shire opts to retain certain fixtures. All outstanding payments will be settled at termination.

#### Other Terms

37. eLumina retains ownership of all installed equipment.
38. Any intellectual property developed by eLumina remains its property.

#### **CONSULTATION AND EXTERNAL ADVICE**

39. The Officer has considered the requirement for consultation and/or engagement with persons or organisations that may be unduly affected by the proposal and considered

Council's Community Engagement Policy and believes that no additional external/internal engagement or consultation is required.

### **STATUTORY / LEGAL IMPLICATIONS**

40. By entering into an agreement, both parties acknowledge and accept that they are legally bound by the terms and conditions set forth herein. Failure to comply with any of these terms may result in liability for damages or other remedies as permitted under the agreement or applicable law.

### **STRATEGIC / POLICY IMPLICATIONS**

#### **Carbon Reduction Policy**

41. The proposed installation of electric vehicle (EV) charging infrastructure directly supports Council's commitment to climate action and carbon reduction, as outlined in its policy. By enabling greater adoption of EVs, the initiative demonstrates principled leadership on climate change, aligning local action with global standards and encouraging other levels of government to follow suit.
42. Importantly, accessible EV charging empowers the community to adapt to climate change impacts and take meaningful steps to reduce their own carbon footprint, in line with Council's aspiration to encourage and empower local action.

### **FINANCIAL IMPLICATIONS**

#### **Berridge Park Charger**

43. The profit generated from the Berridge chargers, estimated at less than \$1,000 per year.
44. However, it is anticipated that as Denmark becomes a more attractive destination for EV owners, the frequency of destination charging sessions will increase. This heightened utilisation of charging infrastructure could lead to higher revenues from charging fees. Although difficult to quantify, a broad estimation of between \$3,000 to \$15,000+ could be expected in time. The assumptions made behind this are provided in Attachment 9.3.1c.

#### **Shire-owned Fast Charger (to be installed at the CRC in 2026)**

45. There remains the question of impacts on the Shire's own fast EV charger due to be installed early 2026. While the Shire's commitment to installing its own EV charger is a significant step towards supporting sustainable transport and attracting EV travellers, relying on a single charging point is unlikely sufficient to instil confidence in EV owners planning journeys to the region. Many EV drivers consider charger reliability and redundancy crucial when travelling, as a single charger poses risks of downtime or waiting times, which can deter potential visitors.
46. Expanding the number of chargers available within the Shire, especially by introducing a fast-charge option or additional charging stations in town, would likely enhance the region's appeal to EV tourists. With multiple charging points, the Shire can offer greater assurance of access and convenience, encouraging a higher percentage of EV travellers to stop, stay, and spend locally.

47. Taking that same approach as for the Berridge Park charger. It could be estimated that Tourist use at 1% would equate to around \$13,000 annual profit. For every 1% increase in tourist as a result of additional charges and increased confidence, it could be estimated to result in \$6,500 (half).

## **OTHER IMPLICATIONS**

### **Environmental**

48. Installing EV charging infrastructure offers several key environmental benefits. Firstly, it encourages the uptake of EVs, which produce lower greenhouse gas emissions compared to traditional petrol or diesel cars in WA. This shift helps reduce air pollution and supports improved local air quality. Additionally, as more renewable energy sources are integrated into the electricity grid, charging EVs becomes even cleaner, further decreasing the overall carbon footprint associated with transportation.

### **Economic**

49. Installing rapid EV charging infrastructure in a regional tourist location can deliver a range of positive economic impacts. Firstly, it can lower the cost of travelling relative to driving diesel and petrol cars and light truck freight delivery. It can also attract more visitors who drive EVs, thereby increasing patronage for local businesses such as cafes, accommodation providers, and retail shops. The presence of charging stations can also encourage longer stays as travellers may spend time exploring the area while their vehicles charge, boosting local spending. Additionally, investing in this infrastructure may enhance the region's reputation as a forward-thinking and sustainable destination, potentially attracting new markets and supporting future economic growth.

### **Social**

50. Social benefits of a diversity of public EV charging services in Denmark include:: convenience and a positive experience for tourists; enough EV charging services for local residents who may not have access at home (renters, apartments etc.), and; fostering a transition to transport mediums with lower noise and air quality impacts.

## **RISK MANAGEMENT**

51. A risk assessment has been undertaken per the Council's Risk Management Policy, and no risks have been identified in relation to the officer recommendation or the report.

## **9.4 COMMUNITY SERVICES**

*Cr Wiggins declared that his wife authored the report and as a consequence there may be a perception that his impartiality on this matter may be affected.*

**9.4.1 LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS**

**File Ref:** PLN.92  
**Applicant / Proponent:** Not applicable  
**Subject Land / Locality:** Not applicable  
**Disclosure of Officer Interest:** Nil  
**Date:** 4 November 2025  
**Author:** Renee Wiggins, Manager Community Services  
**Authorising Officer:** David King, Chief Executive Officer  
**Attachments:** 9.4.1a – Local Emergency Management Arrangements - General  
 9.4.1b – Local Emergency Management Arrangements – Appendices (redacted)  
 9.4.1c - Animal Welfare Plan (redacted)  
 9.4.1d – Local Recovery Plan (redacted)  
 9.4.1e – 2017 Local Emergency Management Arrangements

**EXECUTIVE SUMMARY**

1. The Local Emergency Management Arrangements (LEMA) provide a framework for emergency preparedness, response, and recovery within the Shire of Denmark.
2. The document outlines critical infrastructure, emergency contacts, and available resources to support coordinated emergency management.
3. Council endorsement is sought to formalise the arrangements and ensure alignment with legislative requirements and community expectations.

**VOTING REQUIREMENTS**

4. Simple majority.

|   |                      |
|---|----------------------|
| <b>COUNCIL’S RESOLUTION &amp; OFFICER RECOMMENDATION</b>  | ITEM 9.4.1           |
| MOVED: CR HOCKEY  | SECONDED: CR SLEEMAN |
| That Council ENDORSE the Local Emergency Management Arrangements as per Attachments 9.4.1a-d.   |                      |
| <b>AMENDMENT</b>  |                      |
| MOVED: CR CAMPBELL  | SECONDED: CR YOUEL   |
| Add a Part 2 that states, “REQUEST that the next scheduled review of the LEMA explicitly strengthen planning for animal welfare and evacuation in alignment with the forthcoming SEMC/WALGA/ LEMA model and templates”. |                      |
| CARRIED: 9/0  | Res: 130126          |
| TOTAL VOTES FOR: 9<br>Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips.  |                      |
| TOTAL VOTES AGAINST: 0  |                      |

**AMENDED MOTION**

That Council:

1. ENDORSE the Local Emergency Management Arrangements as per Attachments 9.4.1a-d; and
2. REQUEST that the next scheduled review of the LEMA explicitly strengthen planning for animal welfare and evacuation in alignment with the forthcoming SEMC/WALGA/ LEMA model and templates.

CARRIED: 9/0

Res: 140126

TOTAL VOTES FOR: 9

Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips.

TOTAL VOTES AGAINST: 0

**REASONS FOR CHANGE**

Council added part 2 to require that the detail of animal evacuation plan be reviewed to more clearly set out animal evacuation arrangements.

**LOCATION**

5. Shire of Denmark

**BACKGROUND**

6. The Shire of Denmark is required under the Emergency Management Act 2005 to maintain Local Emergency Management Arrangements.
7. These arrangements are developed in consultation with the Local Emergency Management Committee (LEMC) and relevant stakeholders.
8. The LEMA document includes detailed appendices covering critical infrastructure, emergency services contacts, health and welfare facilities, communications, and plant and equipment.

**DISCUSSION / OFFICER COMMENTS**

9. In 2020 the State Emergency Management Committee (SEMC) approved a sector-led review, to support local governments to ensure LEMA's were easier to review with a more suitable LEMA model.
10. WALGA established a Local Government Working Group. *Local Government Emergency Management Advisory Group (LGEMAG)* with representatives from 10 diverse Local Governments to design a more suitable LEMA model, template and resources. The Shire of Denmark has been part of this working group.
11. In March 2026, the outcomes of the Pilot will be presented to SEMC to inform the rollout of a more suitable LEMA model.
12. In the interim, the Shire of Denmark has reviewed its LEMA with the understanding that the next review will incorporate new templates and process improvements in line with the new LEMA model.

13. The Local Emergency Management Arrangements and Appendices (LEMA) are key documents that outline how the Shire of Denmark prepares for, responds to, and recovers from emergencies. It brings together all relevant agencies — including Police, Fire and Rescue, St John Ambulance, DFES, and Shire Administration — to ensure a coordinated and effective approach when emergencies occur.
14. The LEMA helps everyone involved understand their roles, responsibilities, and available resources. It also ensures that communication between agencies is clear and timely, which is essential during high-pressure situations.
15. Included within the LEMA are two supporting internal working plans that are also presented for Council endorsement:
16. Animal Welfare Plan: This plan ensures that the welfare of animals — including pets, livestock, and wildlife — is considered during emergencies. It recognises that people may delay evacuation or take risks to protect their animals and provides a framework to support safe and coordinated animal care during incidents.
17. Local Recovery Plan: Recovery is a vital part of emergency management. This plan outlines how the Shire will support the community after an emergency, including rebuilding infrastructure, restoring services, and supporting social and economic well-being. It promotes a community-led and inclusive approach to recovery.
18. All documents have been developed in line with the Emergency Management Act 2005 and reflect current best practice. Endorsing these plans demonstrates Council's commitment to community safety, preparedness, and resilience.

#### **CONSULTATION AND EXTERNAL ADVICE**

19. The LEMA was developed in collaboration with the Local Emergency Management Committee (LEMC), including representatives from DFES, WA Police, St John Ambulance, and other key agencies.
20. LEMC Members reviewed the final draft at the March 11 2024 LEMC and were able to submit any further suggestions via email. We did not receive any further comments, so consultation on the LEMA was finalised.
21. The SEMC Compliance Checklist was returned to the Shire on 14 August 2024. If all compulsory items are included, the LEMA is compliant with sections *41(2)*, *41(4)*, *43(1)* and *43(2)* of the *Emergency Management Act 2005*. This checklist included additional recommendations from SEMC that were not compulsory but were taken into consideration and incorporated.
22. Once approved by Council, the LEMA will be uploaded to the website (redacted version), with a full version distributed to:
  - the LEMC for noting.
  - the LEMC to forward to the DEMC for noting.
  - the SEMC for noting at the next SEMC meeting.
  - the Local Emergency Coordinator for noting and reference.

- other agencies, industries and persons as considered appropriate by the local government including neighbouring local governments, local libraries and related committees.

## **STATUTORY / LEGAL IMPLICATIONS**

### **Emergency Management Act 2005**

23. Section 41 requires local governments to prepare and maintain Local Emergency Management Arrangements in accordance with State Emergency Management Committee (SEMC) procedures.
24. In accordance with SEMC procedures, a LEMA must be reviewed on the following basis:
  - after an event or incident requiring the activation of an ISG [Incident Support Group] or after an incident requiring significant recovery co-ordination
  - every five years
  - whenever the local government considers it appropriate.
25. Noting that the Shire's LEMA was last reviewed in 2017, the Shire has worked very closely with DFES since Bayview Rise (our last incident that required activation of the ISG). To date, the Shire has not received any formal breaches of legislative requirements or received any warning letters. Whilst not ideal, the delay in review is typical for smaller local governments who lack the resources and internal skills to review LEMAs, as it falls to already stretched CESMs across the region.

### **Local Government Act 1995 (WA)**

26. Section 3.1 - outlines the general function of local governments to provide for the good governance of their district, which includes emergency preparedness and community safety.

## **STRATEGIC / POLICY IMPLICATIONS**

27. Aligns with the Shire's Strategic Community Plan objective to build a safe and resilient community.
28. Supports the Shire's Risk Management Framework.

## **FINANCIAL IMPLICATIONS**

29. Nil

## **OTHER IMPLICATIONS**

### **Environmental**

30. There are no known significant environmental implications relating to the report or officer recommendation.

### **Economic**

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

## Social

32. The LEMA promotes community safety and preparedness, contributing to social resilience and wellbeing.

## RISK MANAGEMENT

Nil

## 9.5 INFRASTRUCTURE SERVICES

### 9.5.1 TOWN CENTRE ASSETS

|  |   |
|--|---|
| <b>File Ref:</b>                       | A5731   |
| <b>Applicant / Proponent:</b>          | Not applicable  |
| <b>Subject Land / Locality:</b>        | Not applicable  |
| <b>Disclosure of Officer Interest:</b> | Nil   |
| <b>Date:</b>                           | 7 January 2026  |
| <b>Author:</b>                         | David King, Chief Executive Officer   |
| <b>Authorising Officer:</b>            | David King, Chief Executive Officer   |
| <b>Attachments:</b>                    | 9.5.1a – Strategic Asset Management Report<br>9.5.1b – Facilities Benchmarking and Service Level Recommendations<br>9.5.1c – Reserve Maps and Leased Areas<br>9.5.1d – Denmark Arts Building Report |

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## EXECUTIVE SUMMARY

1. This report outlines constraints and opportunities for key Shire of Denmark assets in the town centre. The urgent issue is the Old Frail and Aged Lodge building (Denmark Arts) on Reserve 25623, where a failed guttering design has caused severe water ingress, leading to WHS concerns and the occupants' decision to vacate the premises during winter.
2. Alongside this issue is the availability of surplus floor space resulting from the planned cessation of face-to-face visitor servicing at the Visitors Centre building on Reserve 48198. These factors have prompted consideration of the future use and location of essential community services, with the scope of the review limited to Former Old Frail and Aged Lodge building on Reserve 25623, the Visitors Centre building on Reserve 48198, and the Civic Centre site on Reserve 25985.
3. It is recommended that the Denmark Library service be relocated to the Visitors Centre site, in accordance with an existing Council resolution. This move represents the highest and best use for the facility, reflecting both the strategic value of the location and the evolving needs of the community.
4. Officers further recommend that Denmark Arts operations be transitioned to the Civic Centre site. This proposal aligns with the broader vision articulated in this report to establish a dedicated arts and cultural precinct within the town centre, supporting creative development while making optimal use of available assets.

5. In addition, it is recommended that the former Old Frail and Aged Lodge building be disposed of, due to its deteriorating condition and significant ongoing maintenance requirements. This action will rationalise the asset base and enable resources to be directed towards facilities that better serve community needs.
6. Endorsement in principle of these recommendations is sought, enabling officers and stakeholders to progress with the detailed planning and logistical work required to facilitate these transitions. This approach aims to optimise asset utilisation, improve service delivery, and enhance the vibrancy of the town centre for all residents and visitors.

**VOTING REQUIREMENTS**

7. Simple majority.

|   |                     |
|---|---------------------|
| <b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>  | ITEM 9.5.1          |
| MOVED: CR CAMPBELL  | SECONDED: CR HOCKEY |
| That Council:   |                     |
| 1. ENDORSE the following principles/actions:  |                     |
| a) The Denmark Library service is relocated to the Visitors Centre Site on Reserve 48198.                       |                     |
| b) The Denmark Arts operation is relocated to the Civic Centre site on Reserve 25985.                           |                     |
| c) The Old Frail and Aged Lodge on Reserve 25263 is deemed surplus to requirements.                             |                     |
| 2. REQUEST the Chief Executive Office to present back to Council:   |                     |
| a) Any plans or documentation required to be approved by Council to implement the principles/actions in Part 1. |                     |
| b) A revised Denmark Arts Council service agreement;  |                     |
| c) Options for the disposal of the Old Frail and Aged Lodge on Reserve 25263; and                               |                     |
| d) Options for the future use of the DVT space on the Civic Centre site on Reserve 25985.                       |                     |
| CARRIED: 9/0  | Res: 151026         |
| TOTAL VOTES FOR: 9  |                     |
| Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips.    |                     |
| TOTAL VOTES AGAINST: 0  |                     |

**LOCATION**

8. This report refers to:
  - The Visitors Centre building on Reserve 48198.
  - The Civic Centre site on 25985 – comprising the Civic Centre, the Library and Denmark Village Theatre storage.
  - The Old Frail and Aged Lodge building on Reserve 25623 – comprising of a single building currently leased to Denmark Arts.

9. Attachment 9.5.1c provides an aerial image of the three sites and locations of existing leased areas.

**BACKGROUND**

10. At the Ordinary Council meeting in July 2025, Council resolved to discontinue face-to-face visitor servicing, with the Chamber of Commerce lease over the Visitors Centre and the associated service agreement to deliver in-person visitor services both concluding in June 2026. This decision has resulted in surplus floor space at the Visitors Centre on Reserve 48198, prompting consideration of alternative uses for the site.
11. Meanwhile, the Old Frail and Aged Lodge building on Reserve 25623 has experienced persistent issues stemming from a poorly designed gutter system, leading to ongoing leaks and water damage. These problems have raised safety concerns, particularly during winter. Denmark Arts has advised officers that they will no longer occupy the building through the winter in its current condition. Given the extent of the issues and other elements of the Old Frail and Aged Lodge that may require renewal or replacement, a thorough review of the building’s condition has been undertaken prior to making any decisions regarding future expenditure.
12. In light of these developments, it is both appropriate and timely to review the three key Shire assets—the Visitors Centre building, the Civic Centre site (Reserve 25985), and the Old Frail and Aged Lodge—to determine the most suitable locations for the delivery of community services. This report considers the current condition, utilisation, and future potential of each asset, aiming to ensure that services are delivered from the most appropriate and effective site for the community’s needs.

To inform the decision-making, a review of building asset management requirements over the next 10 years is provided as Attachment 9.5.1a and a review of benchmarking and service levels recommendations for the three services under consideration is provided as Attachment 9.5.1b.

**DISCUSSION**

**Summary of Assets**

13. The following table provides information on the three assets under consideration, the Visitors Centre, the Civic Centre and the existing Denmark Arts building.

| Site Details                                  | Descriptions and Existing Use<br>(See Attachment 9.5.1c for Maps)   | Comments   |
|---|---|--|
| The Visitors Centre building on Reserve 48198 | <p>The Reserve contains two current leases.</p> <p>The Visitors Centre is currently used for visitor servicing and is leased to the Chamber of Commerce. The Chamber of Commerce currently licence a part of the space to Fortuna South West Pty Ltd.</p> | <p>Built Description - Rammed earth and metal clad visitors centre with Barometer Tower on concrete slab</p> <p>Current Condition - Good</p> <p>Access - Meeting disability codes and requirements. Good car parking and</p> |

|   |   |  |
|---|---|--|
|   | <p>The Council's current resolution to cease face-to-face visitor servicing, with both the Chamber of Commerce lease and the Service Agreement for delivering these services set to expire in June 2026.</p> <p>A second lease to the Woodturners over the Northern part of the building expires in 2035.</p> <p>Between the Chamber of Commerce lease and the Woodturners lease is a set of public toilets.</p>  | <p>connected to the town centre footpath network.</p> <p>Prominence and Visibility - High prominence within the Town Centre, located on the corner of the highway and a key neighbourhood distributor. With expected future developments of the supermarket on the adjacent land, prominence and visibility will increase.</p> <p>Community Sentiment and Heritage - Community sentiment relates to the current use of face-to-face visitor servicing. There will likely be a minority of residents who would not like to see this change. The site has no heritage value.</p> <p>Future Expansion capability – Modest future expansion of floor space possible with existing layouts.</p> |
| <p>The Civic Centre site on Reserve 25985</p> | <p>The Reserve comprises several physically disconnected spaces and facilities.</p> <p>The Civic Centre serves as the primary stage area and includes dressing rooms and a small commercial kitchen located at the rear. Adjacent to this, the public toilets facing Price Street also function as amenities for Civic Centre events.</p> <p>The Public Library operates within the reserve facing Strickland Street and alongside a public parenting room.</p> <p>Additionally, a section of the old Council Chambers, situated between the Civic Centre and Library, is currently utilised by</p> | <p>Build Description - Rendered brick and metal clad civic hall on timber and concrete floors</p> <p>Current Condition - Average</p> <p>Access – No formal assessment has been completed. However, it is unlikely that the site meets current disability codes for access. Being in the centre of town, there is good general pedestrian access, although the main parking area for the Library doubles as parking for retail and is disconnected from the Library access somewhat.</p>  |

|   |   |   |
|---|---|---|
|   | <p>Denmark Village Theatre (DVT) for storage, although there is no formal lease or agreement in place for this arrangement.</p> | <p>Prominence and Visibility – The site is located on the main retail street and not visible from South Coast Highway. The current design and layout diminish this aspect as the façade to Strickland Street is inactive, with access to the Library obscured. Further diminishing its visibility is that access to the Civic Centre is not off the main street and instead access is through the public toilets opposite the carpark at the rear.</p> <p>Community Sentiment and Heritage – As the site is the former Shire Administration Building and Council Chambers and the main civic centre, it will hold historical and sentimental value to a number of residents.</p> <p>Future Expansion capability – Modest expansion of floor space possible with existing layouts and improved use of the DVT space.</p> |
| <p>The Old Frail and Aged Lodge building on Reserve 25623</p> | <p>Denmark Arts leases and operates out of the building on a portion of Reserve 45623.</p>                                      | <p>Build Description – Brick, metal and timber clad on concrete and timber floors.</p> <p>Current Condition - Poor</p> <p>Access - Poor car parking and limited accessibility.</p> <p>Prominence and Visibility - Poor. Hidden away out the back of the CRC.</p> <p>Community Sentiment and Heritage<br/>There will be some community sentiment regarding its current use.</p>  |

|  |  |  |
|--|--|--|
|  |  | <p>Limited heritage value (built form).</p> <p>Future Expansion Capability – Infill only to existing courtyard spaces, as the heritage value of the vegetation will prevent any expansion.</p> |
|--|--|--|

**Build Asset Management**

- 14. Following the cessation of face-to-face visitor services, the Shire will hold an additional built facility that is not required to maintain existing service levels. This surplus space presents an opportunity for rationalisation of the Shire’s asset portfolio.
- 15. Attachment 9.5.1a provides information on the Shire’s building assets with regard to condition rating and required expenditure into the future. The Shire currently holds an estimated \$75 million in building assets, and with current expenditure allocated in long-term planning, it is estimated that \$9.0M worth of assets will be in a very poor or failed state by 2032.
- 16. As the condition of an asset deteriorates over time, the annual maintenance costs associated with keeping it operational invariably increase. This is because more frequent and extensive repairs are needed to address issues such as wear and tear, safety compliance, and the ongoing reliability of essential services. In many cases, these mounting costs are necessary to prevent the closure of facilities and to ensure the continued delivery of services to the community.
- 17. However, despite increased maintenance efforts and expenditure, assets will ultimately reach a point where these interventions are no longer sufficient or cost-effective. At this stage, the facility may become unreliable, pose safety risks, or fail to meet contemporary standards. This situation necessitates a critical decision: whether to invest in substantial renewal works to extend the asset’s useful life or to proceed with the disposal of the facility altogether. Such decisions must balance financial prudence, community needs, and long-term strategic objectives, ensuring that resources are allocated where they will deliver the greatest value.

**Strategic Alignments**

Library Service Delivery

- 18. The library service is recognised as a core function of local government, playing an important role in learning, community engagement, and equitable access to information. As such, the library should be afforded the highest and best possible location and facility to ensure it continues to meet the evolving needs of the community. Among the available options, the former Visitor Centre site stands out as the most strategically suitable location for the library. Therefore, consistent with Council’s current resolution, the Library service should be relocated to the existing visitors centre building on Reserve 48198.

19. This site offers excellent and improved accessibility, and its position ensures high visibility and prominence, making it a focal point for both residents and visitors. The site's layout also allows for relatively straightforward future expansions, accommodating anticipated growth in library services without extensive rebuilds in the future.
20. In addition, the existing building is in good condition, requiring only modest expenditure to upgrade and modernise the library facilities to contemporary standards. This minimises disruption and ensures value for money, allowing resources to be allocated efficiently. Upgrades could focus on technology integration, flexible learning spaces, and enhanced accessibility features, further supporting the library's role as a vibrant community hub.

#### Civic Centre / Arts and Cultural Centre

21. The Shire currently operates a district-level civic hall that serves as a multi-purpose venue for the broader local government area, supporting large-scale community events, workshops, and formal bookings. However, the facility is due for renovation in the next 10 years and faces several technical limitations and the absence of a dedicated foyer for ticketing and administrative functions.
22. In terms of performing arts and cultural infrastructure, Denmark Arts operates a district-level facility that offers regular programs and services, attracting users from across the Shire.
23. Given the benchmarks outlined in Attachment 9.5.1b, the Shire of Denmark does not currently meet the population threshold to support a large, dedicated Performing Arts Centre similar to that of Margaret River Heart.
24. However, while a major rebuild is not recommended for some time, there is strategic value in co-locating the Civic Centre with arts services at the same site, given the current opportunity. As well as setting the scene for the future, co-location will also help draw additional activity and vibrancy to the main street, bringing greater foot traffic, local engagement, and opportunities for nearby businesses. Planning for a modest upgrade within the next decade allows the Shire to respond to evolving needs and standards, ensuring facilities remain fit for purpose without incurring high short-term costs.
25. As such, it is recommended that Denmark Arts relocate to the Civic Centre site on Reserve 25985 and into the existing library building.

#### Subsequent Surplus Space – Old Frail and Aged Lodge

26. With the Library service and Denmark Arts operation movements as above, the surplus space defaults to the Old Frail and Aged Lodge.
27. Concerns have been expressed regarding the potential unknown extent of damage to the building caused by water ingress over several years, which may include structural damage, mould and mildew growth and damage to interior finishes. Officers have retained an independent building assessor to conduct an inspection of condition, this is provided as Attachment 9.5.1d. This factor should be taken into account when making decisions regarding capital investment.

28. The table below provides an overview of estimated costs to repair the building based on the current available information and industry estimation norms.

| Element                       | Condition | Estimate         | Accuracy  | Low              | High             |
|-------------------------------|-----------|------------------|-----------|------------------|------------------|
| External Windows              | Poor      | \$250,000        | -10%/+20% | \$225,000        | \$300,000        |
| External Doors                | Poor      | \$20,000         | -10%/+20% | \$18,000         | \$24,000         |
| Roof (infill extension)       | Failed    | \$350,000        | -10%/+50% | \$315,000        | \$525,000        |
| Roof Eaves/<br>Awnings/Gables | Poor      | Inc in Roof      |           |                  |                  |
| Roof Facia                    | Poor      | Inc in Roof      |           |                  |                  |
| Gutters/Downpipes             | Failed    | \$30,000         | -10%/+50% | \$27,000         | \$45,000         |
| External Columns              | Poor      | \$30,000         | -10%/+30% | \$27,000         | \$39,000         |
| Carpet Replacement            | Failed    | \$40,000         | -10%/+20% | \$36,000         | \$48,000         |
| <b>TOTAL</b>                  |           | <b>\$720,000</b> |           | <b>\$648,000</b> | <b>\$981,000</b> |

29. An initial review has also been undertaken concerning the building's historical significance. Preliminary 3<sup>rd</sup> party advice indicates that while the site is listed for its natural features (specifically Karri Trees), the structure itself is not heritage-listed. The building, formerly known as the Frail and Aged Lodge and constructed in 1989, does not present significant historical impediments to demolition. However, it is acknowledged that some sentimental value may exist within the community, particularly among former residents and the founders of Denmark Arts who currently lease the site.
30. Allocating an upward estimate of \$981,000 to an asset not necessary for service maintenance would pose an undue financial risk and compromise the Shire's ability to continue maintaining its other assets.
31. In consideration of these factors, the rationale for the disposal of the surplus space is strengthened. This action would support more efficient asset management and better allocation of resources, consistent with council objectives.
32. It is worth noting that, in the event disposal is preferred, there are two primary options for consideration. First, the existing asset could be offered to a community group under a peppercorn land-only lease, consistent with the arrangements made for the Men's Shed and Lions Club. In this scenario, the land-only lease would absolve the Shire of Denmark from any ongoing building maintenance responsibilities, as ownership would transfer, and all future repairs would be the responsibility of the lessee.
33. Alternatively, the building could be demolished and the land subsequently offered as a peppercorn rent land-only lease to a community group, enabling them to construct their own facility. This approach also aligns directly with recent leasing arrangements for the Men's Shed and Lions Club. Both options are consistent with the recommendations in the Facilities Guide, which advocates providing land-only tenure for specialist single-use facilities.

34. Officers are not seeking a direction on demolition at this time, as the need to dispose of the asset is subject to the final decision made by Council on this report.

#### **Regional Precincts and Partnership Program.**

35. The proposal to relocate the IGA supermarket outside the core town centre with a \$10-15M+ investment provides a partnership opportunity that aligns with RPPP's Stream Two focus to enhance the resilience of the Shire's Town Centre.
36. Whilst the opportunity should not factor into Council's decision on the matters dealt with in this report (due to the uncertainty of success), a funding application could contain elements of an upgrade to Town Centre public facilities and infrastructure.

#### **Next Steps**

37. The proposed relocations of the library service and Denmark Arts operation present several logistical challenges that require careful consideration. Notably, Denmark Arts has expressed that remaining in the current facility for the coming winter is not a viable option due to work health and safety (WHS) risks that they consider significant, specifically citing a leaking roof and the presence of mould. These concerns heighten the urgency for an alternative arrangement and the importance of a well-managed transition process.
38. Subject to Council's endorsement of the principle of these relocations, officers will work collaboratively with stakeholders to develop a transition plan. This plan will address the practical aspects of relocating both the Library and Denmark Arts, ensuring that operational needs are met and disruptions are minimised. Furthermore, given the impact of the move and associated disruption to Denmark Arts, there will be a need to review the existing service agreement. This review may result in adjusted deliverables and revised costs associated with the relocation process to reflect the changed circumstances and any temporary arrangements that may be required.
39. Given these significant logistical considerations, it is not recommended to make any decisions at this stage regarding the timeframe for disposal of the existing Denmark Arts building or the potential repurposing of the DVT site. These matters should be deferred until the details of the relocations have been thoroughly worked through and negotiations with affected parties have been completed. Subject to Council's acceptance of the officer's recommendation, it is anticipated that a further report will be presented to Council in due course to address these issues and provide clear recommendations on the way forward.

### **CONSULTATION AND EXTERNAL ADVICE**

#### **Concept Forums**

40. Concept forums were held with councillors in November and December 2025 to review future development of key town centre assets, specifically, the Civic Centre, Library, and Denmark Arts facility.
41. During the discussion, a range of options and ideas were explored, including considering a wider scope and investigating the potential of other available spaces. While these broader possibilities were thoughtfully examined, it became clear that relying on multiple circumstances aligning—particularly when involving land or facilities not

currently under the Shire's control—would introduce significant logistical and financial challenges. Such an approach would require several dependencies to be resolved, many of which are outside the Shire's immediate ability to influence, thereby making these alternatives largely infeasible.

42. As a result, the scope of consideration has been appropriately focused on the three buildings currently under discussion: the Civic Centre, Library, and Denmark Arts facility. This ensures that any proposed solutions remain practical, manageable, and within the Shire's capacity to deliver effectively.

#### **Denmark Arts**

43. Denmark Arts has been consulted in the development of options regarding the current issues with the building and potential relocation. Further discussion and negotiation will be required once Council have resolved a direction.

#### **Denmark FM**

44. Denmark FM have expressed an interest in relocating to the Civic Centre site, in particular the area that is currently used for DVT storage.

### **STATUTORY / LEGAL IMPLICATIONS**

#### **Local Government Act 1995**

45. Section 3.58 – relates to disposal of property, including to lease.
46. Section 3.58(3) and (4) – details the requirements to dispose other than by public auction or public tender.

### **STRATEGIC / POLICY IMPLICATIONS**

#### **Council Plan 2035**

47. Both the Library upgrade or relocation and the Old Frail and Aged Lodge roof upgrades are included within the forward planning detailed in the Council Plan. In light of this report and its recommendations, a revision to the Council Plan would be necessary during its review period to ensure alignment with any decisions made regarding these projects.

### **FINANCIAL IMPLICATIONS**

#### **Long Term Financial Plan 2024-2033**

48. The decision to cease face-to-face visitor servicing was made after the most recent Long Term Financial Plan (LTFP) was prepared. Therefore, any financial implications arising from this change will need to be incorporated into the revised LTFP, which is scheduled for development later this calendar year.

#### **Asset Management Plan 2024-2033**

49. Any decision regarding upgrades, expansions, or removal of assets will necessitate a review and possible update of the Asset Management Plan. For instance, upgrading or expanding a building generally introduces additional ongoing costs for maintenance and sustainability. Conversely, the removal or decommissioning of an asset can reduce the financial obligations associated with its upkeep.

**OTHER IMPLICATIONS**

**Environmental**

- 50. There are no known significant environmental implications relating to the report or officer recommendation.

**Economic**

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

**Social**

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

**RISK MANAGEMENT**

- 53. Risk Table

| Risks   | Risk based on history and with existing controls |             |             | Proposed Treatment/Control                                |
|---|--|-------------|-------------|---|
|   | Likelihood                                       | Consequence | Risk Rating |   |
| <b>Financial Impact:</b> That the decisions to relocate, renew and/or upgrade facilities will have a financial impact on the Long Term Financial Plan.                                  | 3  | 4           | High (12)   | Review Long Term Financial Plan within a 1 year timeframe |
| <b>Reputational Impacts:</b> There is community discontent if the Shire reduces its asset base, as there are community groups who are seeking the Shire to support them with a building | 4  | 3           | High (12)   | Ensure effective communication of Shire decision making   |

*Cr Devenport declared that he owns a business in town and as a consequence there may be a perception that his impartiality on this matter may be affected.*

*Cr Youel declared that he owns a business in town and as a consequence there may be a perception that his impartiality on this matter may be affected.*

*Cr Sleeman declared that he owns a business in town and as a consequence there may be a perception that his impartiality on this matter may be affected.*

*5.20pm - Councillors Devenport, Youel and Sleeman left the room and did not participate in discussion or vote on the matter.*

**9.5.2 REGIONAL PRECINCTS AND PARTNERSHIPS PROGRAM**

|  |   |
|--|---|
| <b>File Ref:</b>                       | GRT.222   |
| <b>Applicant / Proponent:</b>          | Not Applicable  |
| <b>Subject Land / Locality:</b>        | Not applicable  |
| <b>Disclosure of Officer Interest:</b> | Nil   |
| <b>Date:</b>                           | 06 January 2026   |
| <b>Author:</b>                         | David King, Chief Executive Officer<br>Kellie Jenkins, Executive Manager Corporate Services |
| <b>Authorising Officer:</b>            | David King, Chief Executive Officer   |
| <b>Attachments:</b>                    | Nil   |

**EXECUTIVE SUMMARY**

1. This report provides a proposal to apply to the Regional Precincts and Partnerships Program (RPPP) to activate the Town Centre and address the challenges arising from recent development decisions. The RPPP provides funding and support for projects that enhance local precincts, with a particular focus on strengthening connectivity and fostering vibrant commercial activity.
2. There are a number of potential projects that would fit for the RPPP, including the construction of a roundabout at the Ocean Beach Road intersection to manage increased traffic flows, and initiatives to improve pedestrian links between the new shopping centre on South Coast Highway and Strickland Street, the heart of the Town Centre. These projects are designed to prevent fragmentation of commercial zones and ensure the continued viability of the main street precinct, which is an essential component of viability, given the preference to leverage IGA building expenditure.
3. It is recommended that up to \$300,000 (note there is already \$20,000 of consultant money that can be allocated to this project) be allocated from Council funds to support these RPPP initiatives, with the investment directed towards enhancing pedestrian connectivity and traffic infrastructure around the new shopping centre and the existing Town Centre precinct as well as Civic Centre site improvements.

**VOTING REQUIREMENTS**

4. Simple Majority

|   |                       |
|---|-----------------------|
| <b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>  | ITEM 9.5.2a)          |
| MOVED: CR GIBSON  | SECONDED: CR CAMPBELL |
| That Council:   |                       |
| <ol style="list-style-type: none"> <li>1. ENDORSE the development of a Regional Precincts and Partnerships Program application for enhancement to South Coast Highway between Hollings Road and Ocean Beach Road, Civic Centre Upgrades, Strickland Street upgrades, and car parking.</li> <li>2. REQUEST the Chief Executive Officer to keep councillors updated on the progress of the application through concept forums.</li> </ol> |                       |
| <b>AMENDMENT</b>  |                       |
| MOVED: CR LEWIS   | SECONDED: CR PHILLIPS |

In Part 1, add the words “and Walker Street” after the words “Strickland Street”.

CARRIED: 6/0

Res: 160126

TOTAL VOTES FOR: 6

Cr Campbell, Cr Wiggins, Cr Gibson, Cr Hockey, Cr Lewis and Cr Phillips.

TOTAL VOTES AGAINST: 0

**AMENDED MOTION**

That Council:

1. ENDORSE the development of a Regional Precincts and Partnerships Program application for enhancement to South Coast Highway between Hollings Road and Ocean Beach Road, Civic Centre Upgrades, Strickland Street and Walker Street upgrades, and car parking.
2. REQUEST the Chief Executive Officer to keep councillors updated on the progress of the application through concept forums.

CARRIED: 6/0

Res: 170126

TOTAL VOTES FOR: 6

Cr Campbell, Cr Wiggins, Cr Gibson, Cr Hockey, Cr Lewis and Cr Phillips.

TOTAL VOTES AGAINST: 0

**REASONS FOR CHANGE**

*Council added Walker Street to the proposal for redevelopment, as it is deemed an unattractive and underutilised strategic connector road linking the main shopping street to the river. Council noted that the Local Planning Scheme identifies improvements to public reserves, streetscapes, laneways, and car parking, as part of the preparation of a Town Centre Enhancement and Activation Plan, promoting the connection of the Town Centre to the Denmark River parklands*

5. Absolute majority.

**COUNCIL RESOLUTION & OFFICER RECOMMENDATION**

ITEM 9.5.2 b)

MOVED: CR LEWIS

SECONDED: CR PHILLIPS

That Council APPROVE a 2025/2026 budget amendment as follows:

1. Increase materials and contracts expenditure by \$280,000; and
2. Increase transfer from Infrastructure Reserve by \$280,000.

CARRIED BY AN ABSOLUTE MAJORITY: 6/0

Res: 180126

TOTAL VOTES FOR: 6

Cr Campbell, Cr Wiggins, Cr Gibson, Cr Hockey, Cr Lewis and Cr Phillips.

TOTAL VOTES AGAINST: 0

**LOCATION**

6. Any application to the Regional Precincts and Partnerships Program (RPPP) needs to be linked to the concept of activation of the Town Centre.

## **BACKGROUND**

7. In September 2025, Council approved the development of a new shopping centre at the intersection of South Coast Highway and Hardy Street. This decision was made with recognition of several key concerns, including the risk of fragmentation—given Lot 50 is situated approximately 400 metres uphill from Strickland Street, the heart of the Town Centre. Such separation could split commercial activity into two distinct nodes, potentially impacting the vibrancy and viability of the main street precinct. Additionally, Council noted the importance of strong pedestrian connectivity to Strickland Street to mitigate this risk and encourage foot traffic between the nodes, as well as the need to address increased traffic flows, particularly through the construction of a roundabout at the Ocean Beach Road intersection.
8. The Regional Precincts and Partnerships Program (RPPP) presents a significant opportunity to address these concerns, and this is the primary focus of this report.

## **DISCUSSION / OFFICER COMMENTS**

### **Overview of the RPPP Program**

9. The RPPP is an Australian Government initiative aimed at delivering transformative investment in regional, rural, and remote Australia. It focuses on creating multi-purpose precincts that are place-based, tailored to local needs, and developed through partnerships between governments, businesses, and communities.
10. The program operates in two streams:
  - Stream One: Precinct development and planning.
  - Stream Two: Precinct delivery, which includes enabling infrastructure, open spaces, or catalytic buildings.
11. Funding: \$400 million over four years (2023–2027), with Stream Two projects eligible for \$5–\$50 million per project.
12. Eligibility: Open to local/state government agencies, regional universities, and not-for-profits in regional, rural, or remote locations.
13. Partnerships: Mandatory involvement of local government, state/territory government, community organisations, First Nations groups, and/or private enterprise.
14. Objectives: Improve productivity, equity, resilience, and liveability; support community priorities; and demonstrate value for money.
15. The program is currently closed for submissions, with \$230 million of the \$400 million available already allocated. It is expected to reopen for new submissions following the Federal Budget in May 2026.

### **Alignment with Denmark IGA Relocation and Town Centre Activation**

16. The proposal to relocate the IGA supermarket outside the core Town Centre with a \$15M investment provides a partnership opportunity that aligns with RPPP's Stream Two focus to enhance the resilience of the Shire's Town Centre.

17. Relocating a major anchor like IGA outside the Town Centre may reduce foot traffic and economic activity. RPPP encourages projects that activate and connect Town Centres through:
- Streetscape enhancements and active transport links.
  - Multi-purpose community spaces and business hubs.
  - Partnerships with local stakeholders to ensure shared benefits.
18. It is important to note that due to the partnership requirements and required alignments with prospective partnerships that are available to the Shire of Denmark, the only projects that would be eligible are those that will enhance the resilience of the Town Centre.

### **Potential Projects Components**

19. The following project components would be eligible for RPPP Funding.

#### Enhanced Streetscape and Connectivity along South Coast Highway (SCH) – Est \$7M

20. Proposed enhancements to the streetscape along South Coast Highway (SCH) aim to improve both the visual appeal and functional connectivity of the Town Centre. Key features would likely include the installation of two new roundabouts at the intersections with Hollings Road and Ocean Beach Road. These roundabouts will facilitate smoother traffic flow and improve safety for both vehicles and pedestrians. In addition, a suite of traffic calming measures—such as formalised crossing points, curb extensions, and narrowed road widths—will be implemented to prioritise pedestrian safety and encourage slower vehicle speeds throughout the precinct.
21. New street lighting will be considered to increase visibility and safety during evening hours, complemented by the addition of banner poles for seasonal and event-related displays, enhancing the vibrancy of the corridor. Road narrowing initiatives will be balanced with the provision of on-street parking bays to support local businesses and promote short-term visits. Comprehensive landscaping works, including the planting of native trees and low-maintenance greenery, will further contribute to a welcoming environment while supporting environmental sustainability.

#### Upgrades to Strickland Street – Est \$2M

22. Targeted upgrades to Strickland Street will focus on addressing pressing accessibility and drainage concerns. The project will involve the installation of accessible ramps and tactile paving at key crossing points to ensure compliance with accessibility standards and improve mobility for all users. Drainage improvements, such as new stormwater inlets will mitigate flooding risks and extend the lifespan of street surfaces. Minor landscaping interventions and improvements will provide visual relief and enhance the pedestrian experience without obstructing movement or sightlines.

#### Satellite Parking – Est \$2M

23. To address parking demand and support a walkable Town Centre, the creation of additional formalised satellite “park and walk” locations is proposed. These off-street parking areas will be strategically located within easy walking distance of the main commercial and civic precincts. Each site would feature clear signage, safe pedestrian

pathways, and appropriate lighting to ensure user comfort and security. By dispersing parking across multiple sites, this approach reduces congestion in the core area while encouraging greater pedestrian circulation throughout the Town Centre.

#### Civic Centre Site Improvements – Est \$3M

24. The Civic Centre scope is to undertake a series of upgrades in alignment with the future use of the site and consistent with service level benchmarking.
25. Potential improvements at this point in time should be modest and retain the current structural components and layout of the existing structures.
26. Potential includes enhancements to the building's functional layout and information and communications technology (ICT) infrastructure, supporting a broader range of community activities and events. The introduction of electronic retractable seating will provide flexible space configurations, allowing for efficient transitions between different uses. A modern lobby and breakout area would serve as a welcoming entry point and informal gathering space. The building's frontage to Strickland Street will be improved to create a more inviting streetscape presence.

#### **Relevant Precedents**

27. Examples of RPPP-funded projects include Bathurst Connected Regional Neighbourhoods, Mareeba CBD Revitalisation, and Activate Carnarvon. These projects combine infrastructure upgrades, public space improvements, and strategies to enhance economic and social activity.

#### **Other considerations**

28. Historically, it would be prudent to ensure that any works to be included as part of a potential future application are consistent with the approximate value of the IGA development
29. Historically, federal funding applications have often required a co-contribution from local government or other stakeholders to secure grant support. Notably, the most recent rounds of the Regional Precincts and Partnerships Program (RPPP) have not included a co-contribution requirement, making them more accessible for applicants. However, there remains a risk that future rounds of RPPP funding may reintroduce a co-contribution condition. In light of this potential change, it would be prudent to ensure that any works proposed for inclusion in a future application are consistent with, and approximately equal in value to, the IGA development. This approach would allow the IGA development to serve as leverage should a co-contribution become necessary, maximising the likelihood of a successful funding outcome.

#### **CONSULTATION AND EXTERNAL ADVICE**

30. The Officer has considered the requirement for consultation and/or engagement with persons or organisations that may be unduly affected by the proposal and considered Council's Community Engagement Policy and believes that no additional external/internal engagement or consultation is required.

#### **STATUTORY / LEGAL IMPLICATIONS**

31. Nil

## **STRATEGIC / POLICY IMPLICATIONS**

### **Council Plan 2025**

#### Strategic Alignment

32. The plan explicitly identifies the enhancement and activation of the Denmark Town Centre as a key goal under its second pillar: “Create public spaces and services.” The goal is to “safeguard the village identity for settlements in the Shire and enhance the Denmark Town Centre to create a more vibrant, activated and pedestrian-friendly environment.”
33. The plan highlights the community’s deep value for Denmark’s arts and cultural heritage, calling for renewed investment in festivals, markets, and creative events. Arts and culture are described as vital to Denmark’s identity, cohesion, and appeal.

#### Aligned Actions

34. Town Centre Activation Plan: The plan commits to delivering an Enhancement and Activation Plan for the Denmark Town Centre (Planning Area A), with a timeline for detailed design and construction standards for upgrades to laneways and public spaces.
35. Town Teams Project – CBD: Funding is allocated for a Town Teams project specifically aimed at activating the Town Centre, supporting community-led initiatives and events that bring life to the CBD.
36. Strickland Street Revitalisation: There is a project to revitalise the central Strickland Street median area, balancing spatial needs and environmental care, including sustainable landscaping.
37. Transport & Accessibility: The plan includes a local transport infrastructure plan to improve footpaths, cycle lanes, and wayfinding signage, with a focus on accessibility for all abilities, starting in the Town Centre.
38. Denmark Arts Upgrades: The capital projects timeline includes upgrades to Denmark Arts facilities, supporting the infrastructure for arts and cultural activities.

### **Budget Variation Policy**

39. Provides direction for budget amendments outside the formal budget review process. Council endorsement is required for amendments involving additional purposes.

## **FINANCIAL IMPLICATIONS**

40. The development of an RPPP application requires support for:
  - a) Preparation and submission of the application;
  - b) Preparation and finalisation of partnership agreements;
  - c) Preparation of the design documentation to a minimum of Design; and Construct level (shovel-ready), including consultation.
41. Consulting costs for the application (a) and partnership agreements (b) are estimated at \$40,000. Design documentation costs (c) vary depending on project scope.

42. For a road and landscaping project, the consultant effort to reach a Design and Construct (D&C) tender stage is relatively minimal. The scope typically includes civil engineering design for road alignment, drainage, and pavement, along with a basic landscape concept and performance specifications for materials and standards. Stakeholder engagement is limited, often involving only local authority approvals. The consultant team usually consists of a civil engineer, a landscape architect, and possibly a surveyor or geotechnical consultant. Fees for this stage generally fall in the range of 1–3% of the total construction cost, with civil engineering accounting for the largest share, followed by landscape design and minor contributions from survey and geotechnical services. This low percentage reflects the straightforward nature of the design, limited complexity, and minimal coordination requirements.
  
43. In contrast, a civic and multi-use building precinct involves significantly higher complexity and consultant input. The scope includes architectural concept and design development, structural and Mechanical, Electrical, Plumbing (MEP) engineering, fire safety, acoustic design, sustainability considerations, and detailed performance specifications to guide the contractor. Extensive stakeholder engagement is required, including community consultation, and coordination among multiple tenants and disciplines. The consultant team is broad, comprising architects, structural and MEP engineers, fire and acoustic specialists, sustainability consultants, and civil/landscape designers for external works. Fees to reach D&C tender stage typically range from 4–6% of the total construction cost, reflecting the need for detailed design development, multiple workshops, and comprehensive documentation to ensure compliance and clarity for tendering. This higher percentage is driven by the complexity of the building systems, the number of stakeholders, and the level of coordination required.
  
44. The following costs are expected.

| Priority Order | Project Component   | Est Construction Cost | %  | Consultant Fee (to D&C) |
|----------------|---|-----------------------|----|-------------------------|
| 1              | Enhanced Streetscape and Connectivity along South Coast Highway (SCH) | \$7M                  | 2% | \$140k                  |
| 2              | Civic Centre  | \$3M                  | 4% | \$100k                  |
| 3              | Upgrades to Strickland Street   | \$2M                  | 2% | \$40k                   |
| 4              | Satellite Parking   | \$2M                  | 1% | \$20k                   |
| N/A            | Other Costs (application/agreements)                                  | -                     | -  | \$40k                   |

45. An upper limit of \$300,000 is recommended for developing the RPPP application. A formal quotation process will confirm deliverables and prioritise components within the approved budget.

- 46. Council approval is sought for a \$280,000 budget amendment to fund consultant work for the RPPP application, including concept planning, business case development, costings, and partnership documentation for upgrades to Strickland Street, South Coast Highway, and associated infrastructure. This will support timely preparation ahead of the program’s reopening in May 2026 and leverage potential private investment aligned with Town Centre revitalisation.
- 47. The amendment will be allocated to infrastructure concept planning and design, supplementing the existing \$20,000 to a total \$300,000. Funds will be drawn from the Infrastructure Reserve. If the RPPP application is successful, the project will progress to a major capital works initiative in future budgets.

**OTHER IMPLICATIONS**

**Environmental**

- 48. There are no known significant environmental implications relating to the report or officer recommendation.

**Economic**

- 49. If the funding is successful, the projects are expected to provide additional resilience to the economic performance of the Town Centre.

**Social**

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

**RISK MANAGEMENT**

- 51. Risk Table

| Risk  | Risk based on history and with existing controls |             |               | Proposed Treatment/Control |
|---|--|-------------|---------------|----------------------------|
|   | Likelihood                                       | Consequence | Risk Rating   |                            |
| <b>Financial Impact:</b> That funding is unsuccessful, and there are abortive costs associated. | 3  | 3           | Mode rate (9) | Accept Risk                |

**Additional Comments on Risk**

- 52. The consequence level for this risk has been determined as level 3, in line with the Shire’s Risk Management Policy, which defines this consequence range as \$10,000 to \$50,000. This assessment is based on the understanding that the only abortive costs that may arise are those directly related to the development of the application and the establishment of partnership agreements.

53. Any design work already completed will remain valuable for future use. These completed designs will ensure that the projects remain shovel-ready and can be utilised when new opportunities arise, thereby minimising the potential for wasted expenditure in the event that funding is not secured.

**10. MATTERS BEHIND CLOSED DOORS**  
Nil

**11 NEW BUSINESS OF AN URGENT NATURE**

5.54pm - Councillors Devenport, Youel and Sleeman returned to the room.

|   |                       |
|---|-----------------------|
| <b>COUNCIL RESOLUTION</b>   | <b>ITEM 11</b>        |
| MOVED: CR GIBSON  | SECONDER: CR PHILLIPS |
| That Council ACCEPT an item of new business to determine the fee to be paid to an independent Audit, Risk & Improvement Committee to enable officers to seek expressions of interest, in accordance with Council Resolution No. 101125. |                       |
| CARRIED: 9/0  | Res: 190126           |
| TOTAL VOTES FOR: 9<br>Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips.  |                       |
| TOTAL VOTES AGAINST: 0  |                       |

|   |                        |
|---|------------------------|
| <b>COUNCIL RESOLUTION</b>   | <b>ITEM 11</b>         |
| MOVED: CR WIGGINS   | SECONDER: CR DEVENPORT |
| That the Ordinary Council Meeting be adjourned to enable the Annual Electors Meeting to be held, the time being 5.57pm, and that the Ordinary Council Meeting be resumed immediately following the Annual Electors Meeting. |                        |
| CARRIED: 9/0  | Res: 200126            |
| TOTAL VOTES FOR: 9<br>Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips.  |                        |
| TOTAL VOTES AGAINST: 0  |                        |

6.15pm – The Shire President resumed the meeting.

**11.1 REVIEW OF ELECTED MEMBERS ALLOWANCES & EXPENSES POLICY**

|  |   |
|--|---|
| <b>File Ref:</b>                       | ADMIN.2   |
| <b>Applicant / Proponent:</b>          | Not applicable  |
| <b>Subject Land / Locality:</b>        | Not applicable  |
| <b>Disclosure of Officer Interest:</b> | Nil   |
| <b>Date:</b>                           | 23 January 2026   |
| <b>Author:</b>                         | Claire Thompson, Governance Coordinator                     |
| <b>Authorising Officer:</b>            | Kellie Jenkins, Acting Chief Executive Officer              |
| <b>Attachments:</b>                    | 11.1a – Draft Policy<br>11.1b – Note 11 of 2025/2026 Budget |

**EXECUTIVE SUMMARY**

1. The Elected Member Allowances and Expenses Policy has been reviewed to align with changes to the Local Government Act and Regulations.
2. The changes include reference to superannuation and meeting attendance fees for an independent member of the Audit Risk & Improvement Committee.

**VOTING REQUIREMENTS**

3. Absolute majority.

|   |                     |
|---|---------------------|
| <b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>  | ITEM 11.1a)         |
| MOVED: CR YOUEL   | SECONDED: CR GIBSON |
| That with respect to an Independent Audit, Risk and Improvement Committee Member, Council:  |                     |
| <ol style="list-style-type: none"> <li>1. DETERMINE the attendance fee for the 2025/2026 financial year be \$450 per meeting; and</li> <li>2. AGREE to reimburse child care and travel costs incurred because of their attendance at a meeting of the committee.</li> </ol> |                     |
| CARRIED AN ABSOLUTE MAJORITY: 9/0   | Res: 210126         |
| TOTAL VOTES FOR: 9  |                     |
| Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips.  |                     |
| TOTAL VOTES AGAINST: 0  |                     |

|   |                     |
|---|---------------------|
| <b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>  | ITEM 11.1b)         |
| MOVED: CR PHILLIPS  | SECONDED: CR GIBSON |
| That Council ADOPT the amended <i>Council Member and Committee Member Allowances, Fees and Expenses Policy</i> , as per Attachment 11.1a. |                     |
| CARRIED: 9/0  | Res: 220126         |
| TOTAL VOTES FOR: 9<br>Cr Campbell, Cr Wiggins, Cr Youel, Cr Gibson, Cr Devenport, Cr Sleeman, Cr Hockey, Cr Lewis and Cr Phillips.        |                     |
| TOTAL VOTES AGAINST: 0  |                     |

**LOCATION**

- 4. Not applicable.

**BACKGROUND**

- 5. In 2024 the State Government amended the Local Government Act and associated Regulations to include provisions relating to enabling superannuation payments to be made to council members. While compulsory for Tiers 1 and 2 local governments, it is not compulsory for Tiers 3 and 4 local governments. Denmark Tier 3.
- 6. Further legislative changes brought the introduction of the requirement to have an independent person as the Presiding Person and Deputy Presiding Person of the Audit, Risk and Improvement Committee.

**DISCUSSION / OFFICER COMMENTS**

- 7. The Western Australian Local Government Association (WALGA) have established a panel of independent persons who have the required experience and qualification to fulfil the independent person role for Western Australian local governments.
- 8. Following Council’s determination regarding attendance fees and reimbursement, Officers will seek expressions of interest. A report will be brought to the February Ordinary Council Meeting to appoint the presiding and deputy presiding person.
- 9. It should be noted that only one independent person would be in attendance, not both. If the presiding person is unable to attend, then the deputy would be attending in their place.

**CONSULTATION AND EXTERNAL ADVICE**

- 10. The Officer has considered the requirement for consultation and/or engagement with persons or organisations that may be unduly affected by the proposal and considered Council's Community Engagement Policy and believes that no additional external/internal engagement or consultation is required.

**STATUTORY / LEGAL IMPLICATIONS**

**Local Government Act 1995**

- 11. Section 5.99B – main provision relating to superannuation for council members.

12. Sections 5.99C to 5.99E – opt out, exceptions and supplementary provisions.
13. Section 5.100 – fees paid and expense reimbursement for committee members.
14. Section 7.1A and 5.10 – members of Audit, Risk and Improvement Committee. The presiding person shall be independent member, appointed by the Council.
15. Section 7.1B and 5.11A – the deputy presiding person must be an independent person, appointed by the Council.

#### **Local Government (Administration) Regulations 1996**

16. Regulation 34ACA – details kinds of expenses that are to be reimbursed, and kinds of expenses that may be approved by Council to be reimbursed.

#### **Salaries and Allowances Act 1975**

17. Salaries and Allowances Tribunal – Local Government CEO and Elected Council Members Determination Variation No. 1 or 2025.

#### **STRATEGIC / POLICY IMPLICATIONS**

18. A copy of the amended policy is attached. See Attachment 11.1a.
19. Changes include amending the title to reflect committee members, adding superannuation section for elected members, adding section relating to Independent Audit, Risk and Improvement Committee Members.

#### **FINANCIAL IMPLICATIONS**

##### **Superannuation**

20. Superannuation for council members was included for the first time in the 2025/2026 Budget. See Note 11 attached (Attachment 11.1b).
21. **Independent Audit, Risk and Improvement Committee Member - Meeting Fee**
22. The amount payable per meeting to an Independent Audit, Risk and Improvement Committee Independent Member is required to be within the limit set by the Salaries and Allowances Tribunal.
23. A variation was made to the April 2025 Determination, effective 1 January 2026, which has determined that the fee must be a minimum of \$105 and maximum of \$1,215.
24. Given the dollar scale applies to Bands 1 – 4 Local Governments (Denmark is a band 3), Officer's are recommending \$450 per meeting.
25. In accordance with regulation, Council are also required to reimburse the independent person for child care and travel.
26. Other expenses that can be reimbursed upon resolution of council are those relating to expenses incurred in performing a function under the express authority of the local government and/or in performing a function in their capacity as a committee member.
27. Officer are not recommending any additional expense reimbursement at this time.

**OTHER IMPLICATIONS**

**Environmental**

- 28. There are no known significant environmental implications relating to the report or officer recommendation.

**Economic**

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

**Social**

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

**RISK MANAGEMENT**

- 31. A risk assessment has been undertaken per the Council’s Risk Management Policy, and no risks have been identified in relation to the officer recommendation or the report.

**12. CLOSURE OF MEETING**

6.21pm – *The Shire President, Cr Wiggins, declared the meeting closed.*

The Chief Executive Officer recommends the endorsement of these minutes at the next meeting.

Signed: \_\_\_\_\_  
*Kellie Jenkins – Acting Chief Executive Officer*

Date: \_\_\_\_\_

These minutes were confirmed at a meeting on the \_\_\_\_\_.

Signed: \_\_\_\_\_  
*(Presiding Person at the meeting at which the minutes were confirmed)*