

I certify that this copy of the Minutes is a true and correct record of the meeting held on 20 December 2005

Signed: .....  
Presiding Elected Member

Date:.....



**MINUTES FOR ORDINARY COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS ON  
TUESDAY, 20 DECEMBER 2005  
COMMENCING AT 4.00PM**

There are no attachments to this copy of the Council Minutes. To view attachments, please contact the Shire office or email Judy Hurst on [ceosecretary@irwin.wa.gov.au](mailto:ceosecretary@irwin.wa.gov.au).

**PRESENT:**

|             |  |
|-------------|--|
| President   | Cr R K Parsons (Chairperson)   |
| Councillors | G C Bass, S C Chandler, G L Dean-Gundill,<br>R J Gillam (Deputy President), K J Hepworth,<br>R T McClurg, N S B Trevenen                                 |
| Staff       | Mr G M Peddie - Director of Corporate Services<br>(Minute Taker)<br>Mr F A Neuweiler - Manager, Community<br>Development<br>Mr G F Coaker – Town Planner |

**GUESTS (FOR EVENING MEAL):**

Hon Bruce Donaldson MLC (Opposition Whip in the Legislative Council/Member for the Agricultural Region)  
Mr Grant Woodhams MLA (Member for Greenough)  
  
Respective partners of Councillors and Staff

**APOLOGIES:**

Cr L W Wheeler  
Mr J L Merrick – Chief Executive Officer

**LEAVE OF ABSENCE:**

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

The Chairperson, Cr Robyn Parsons declared the meeting open at 4.00pm and welcomed all those present to the meeting.

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

Cr Robyn Parsons advised that an apology had been received from Cr Lance Wheeler for today's meeting and apologies for the evening meal had been received from the Hon

Anthony Fels MLC (Member for the Agricultural Region) and the Hon Margaret Rowe MLC (Member for the Agricultural Region). An apology had also been received from Mr John Merrick.

3. **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

4. **PUBLIC QUESTION TIME**

Nil.

5. **APPLICATIONS FOR LEAVE OF ABSENCE**

Cr Gail Dean-Gundill requested Leave of Absence for the Council Meeting to be convened on 24 January 2006.

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**COUNCIL MOTION:**

**Moved Cr Chandler, seconded Cr Bass**

***That Leave of Absence be granted to Cr Gail Dean-Gundill for the Council Meeting to be convened on 24 January 2006.***

**CARRIED**  
**8/0**

**VOTING DETAILS:**

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6. **PETITIONS**

Nil.

**7. CONFIRMATION OF MINUTES**

**7.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 22 NOVEMBER 2005**

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A copy of the Minutes of the Ordinary Council Meeting held on 22 November 2005 has been provided to all Councillors under separate cover.

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**COUNCIL MOTION:**

**Moved Cr Trevenen, seconded Cr Hepworth**

***That the Minutes of the Ordinary Council Meeting, held on 22 November 2005, be confirmed as a true and accurate recording of that meeting.***

**CARRIED**  
**8/0**

**VOTING DETAILS:**

**7.2 MINUTES OF THE DONGARA DENISON FESTIVAL COMMITTEE MEETING HELD ON 17 NOVEMBER 2005**

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The meeting commenced at 7.40pm.

**PRESENT:** J Rossiter, J Norrish, W Small, R Schulze, L Smith

**APOLOGIES:** T Adamson, C Scotson

**PREVIOUS MINUTES:** Moved L Smith, **seconded** J Norrish

**BUSINESS ARISING:**

Rebecca: Query about school payment not on record. She will check with the Shire.

**CORRESPONDENCE IN:**

Accounts for Media Advertising: \$500 total for advertising.

Blue Ocean: \$400 costs for food for opening. Lisa allowed for this cost. Sent an invoice for payment to the Shire. Another cost for invitations \$200. John moved a motion for the accounts to be paid. **All in favour.**

Bird Cameron: \$93.50 account. Guardian Account, Shire of Irwin letter.

**CORRESPONDENCE OUT:**

Tax Department: John telephoned for an explanation of the forms sent, then he sent the forms.

**GENERAL BUSINESS:**

Olive Association: All accounts from Association sent to Shire.

Wasamba: Want to come back for next year.

Guardian/Midwest Papers: Telephoned John/Wendy regarding Blessing of Fleet information for the day - Dongara Festival.

John **moved:** To have 2006 Festival same as 2005. Wendy **seconded;** however, Wendy suggested the name change to "Dongara/Denison Community Festival". **All in favour.**

John: Discussed Market Creations have the Festival's laptop computer/printer.

John **moved:** To send a letter to Market Creations to see if they still have these items. Wendy **seconded.**

Laurie: Would like the Committee to apply for a grant for entertainment which has to be different from the last Festival. Discussion regarding Wendy making enquiries for the Italian ladies and for John to enquire about the opera singer. These two people will contact Laurie when they have all the information, then Laurie will do the bookwork for the grant due in on 15 February 2006. **All in favour.**

John: To advertise full page for a Committee/Minute Taker in "Local Rag".

**Meeting closed 9.20am. Next meeting: 1 February 2006 at 6.00pm at the Telecentre.**

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**COUNCIL MOTION:**

**Moved Cr Bass, seconded Cr Dean-Gundill**

1. ***Mr Laurie Smith to investigate intentions with regard to the future naming of the Festival and to attend the next meeting in order to advise.***
2. ***That the Minutes of the Dongara Denison Festival Committee Meeting held on 17 November 2005 be accepted.***

**CARRIED**  
**8/0**

**VOTING DETAILS:**

**7.3 MINUTES OF THE OCCUPATIONAL SAFETY & HEALTH COMMITTEE MEETING HELD ON 8 DECEMBER 2005**

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The meeting was held at the Shire's Operation Depot commencing at 9.08am.

**1. PRESENT**

J Merrick, A Wootton, A Clarkson, A Dove (proxy), W Millett, Cr R Parsons, F Neuweiler

**APOLOGIES**

Cr R Gillam and G Bradley

**2. CONFIRMATION OF MINUTES**

Confirmed A Clarkson and seconded R Parsons.

**3. MATTERS ARISING**

Robyn made mention of the trucks not being completed before delivery and what had been done about it. In the current tender we have made the truck and trailer one tender and have put the emphasis on whoever the winning tenderer is to make sure things are all complete before delivery will be accepted.

Andy reported that the water tank was still being loaded with the Volvo loader and what was going to be done about it. There has been money put aside in this year's budget for a new tank but nothing can be organized until the new truck is purchased. Bill made mention of the lights failing on the dozer, this can be rectified by adding more relays to take away some of the load.

**5. CORRESPONDENCE**

**Inwards Correspondence:**

- a) Significant incident summary - operator loses control of ride on mower.
- b) Significant incident summaries - concrete retaining wall failure, 4x4 slides out of control.
- c) Significant incident summaries - manual handling of beer kegs, vegetable oil and animal fats, fat build-up inside meat smoking machine causes fire, failure of scaffold hoist guardrail. Isolation of plant and machinery.
- d) Local Govt. Insurance Risk Matters booklet.
- e) Managing common workplace hazards
- f) Health on the move - Sunsafe Report

**Outwards Correspondence:**

Nil

*Peter Williams entered the meeting at 9.15 am.*

**6. HAZARDS IN THE WORKPLACE**

Only the bulldozer and the water tank which we have already covered.

**7. ACCIDENT REPORTS**

Gary Bradley hurt his back while mixing concrete in a wheelbarrow – 125 accident free days. The total number of days without lost time incident before this was 1072

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## 8. **POLICY ADOPTIONS AND REVIEWS**

Nil – policies for adoption.

Peter Williams is to go through today and do an audit of all of Council's Policies, he also informed the committee that there is a statewide policy relating to contractors which also includes training for managers, he is hoping to have information back to us by end of January or early February.

### **CONSULTATION PROCESS**

Safety Reps Report - nil at this stage because of the delay of safety meetings, the two new reps not being accustomed to the meetings were not aware of reporting details.

Peter Williams brought up the following issues for future policies:

New asbestos requirements – audits are required for workplaces also new duty of care for owners and managers of public buildings, it was suggested that Roy inspect and catalogue buildings under councils control.

Fatigue management for truck drivers mainly long haulage.

All construction workers are now required to hold a "Green card" training will be required for the card are held thru E.C.U and it will involve all the outside workforce Peter to have more information back by February. There was also discussion about the incident at Toodyay, Aaron informed that he had made forms up and when doing a road inspection will fill them out and set up programmes to fix any areas requiring it.

## 9. **GENERAL BUSINESS**

- a) Andy asked the question on whether or not the spreader boxes were legal, Peter is to have a look after the meeting and then will follow up with Worksafe.
- b) Peter is to look into conducting training associated with risk assessments, this training would possibly take a couple of hours to complete.
- c) Meetings are to be held more regularly at three month intervals.
- d) The question was raised on whether Ashley was qualified to train people in the use of sprays and spraying. The committee thought not and has decided to gather information from an accredited source for this type of training.
- e) Aaron asked the question about a bonus of some form for the very good safety record that we had achieved before the last accident, in the past there has been some form of award made in the form of jackets and shirts.

Next meeting to be held in March 2006. There being no further business, the meeting was closed at 9.49am.

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### **COUNCIL MOTION:**

**Moved Cr Trevenen, seconded Cr McClurg**

***That the Minutes of the Occupational Safety & Health Committee Meeting held on 8 December 2005 be accepted.***

**CARRIED**  
**8/0**

### **VOTING DETAILS:**

**7.4 MINUTES OF THE TIDY TOWNS COMMITTEE MEETING HELD ON 14 DECEMBER 2005**

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**1.0 PRESENT**

Ann Carr, Felix Neuweiler, Carol Niquet, Karen Kirkland, Mike Campbell.

**APOLOGIES**

Nil

**2.0 OPENING**

The meeting opened at 3.20pm. Welcome to Mike.

**3.0 WATERWISE GARDENS**

The Waterwise notes are going well and the series is almost finished. Ambulance Centre Waterwise Garden – it was decided to select plants at the January meeting; members are encouraged to suggest plants. The Waterwise Garden Competition will be promoted next year.

**4.0 GENERAL BUSINESS**

Ann – currently liaising with Aaron regarding a reticulation system for the Obelisk site. The seaweed has been delivered, but Ann will wait with spreading it until the reticulation is installed.

Ann asked if the Shire would agree to plant low scrub, similar to the carpark area along ocean drive, for the National Tree Day. This type of planting would leave the view over the ocean open and would replace what grew there before the footpath was installed. Ann asked if Felix could let her know before Christmas to enable her to order the plants. Karen Kirkland offered to provide a \$50 sponsorship from Kirkland's Electrical towards National Tree Day.

Ann thanked the Shire for the enjoyable volunteer breakfast. The food was absolutely fantastic!

Felix suggested changing the meeting time to enable people who work during the day to attend. It was agreed to hold the next meeting at 5.15pm

**5.0 NEXT MEETING**

18 January 2006 at 5.15pm, Council Chambers. Meeting closed at 4.30pm.

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**COUNCIL MOTION:**

**Moved Cr Trevenen, seconded Cr Hepworth**

***That the Minutes of the Tidy Towns Committee Meeting held on 14 December 2005 be accepted.***

**CARRIED**

**8/0**

**VOTING DETAILS:**

*Council noted that the Committee should wait another 12 months to allow the natural vegetation to grow along Ocean Drive footpath and that O'Brien Park would be suitable for the Committee to revegetate.*

**8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

Nil.

**9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil.



## 10. REPORTS

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**CEO.261: CORAL COAST BOARD VACANCIES**  
**LOCATION: -**  
**PROPONENT: -**  
**REPORTING OFFICER: JOHN MERRICK – CHIEF EXECUTIVE OFFICER**  
**DATE OF REPORT: 6 DECEMBER 2005**  
**FILE REFERENCE: TA.2**  
**VOTING REQUIREMENTS: NORMAL MAJORITY**

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### **BACKGROUND:**

Advice has been received that two vacancies for Local Government representation are available for the Board of the Coral Coast Tourism Group.

Nominations close on 16 January 2006 from which the 6 elected members will select and co-opt the two successful candidates.

### **COMMENT**

- **General**

The Coral Coast group consists of 14 Local Government Authorities from Dandaragan in the south to Exmouth in the north, and which is known as the “Blue” region for the Western Australian Tourism Commission.

The letter outlining the nomination process is attached and the Constitution of the “Blue” Region is placed in “Letters Tabled” for additional information.

- **Financial Implications:** Nil.
- **Policy Implications:** Nil.
- **Strategic Implications:** Nil.

### **STAFF RECOMMENDATION:**

That Council considers a nomination from the Shire of Irwin for a Board position on the Coral Coast Tourism Group.

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### **COUNCIL MOTION:**

**Moved Cr Hepworth, seconded Cr Dean-Gundill**

***That Cr Lance Wheeler be nominated for a Board position on the Coral Coast Tourism Group.***

**CARRIED**  
**8/0**

### **VOTING DETAILS:**

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**CEO.262: SEA RESCUE VESSEL STORAGE**  
**LOCATION: PORT DENISON**  
**PROPONENT: PORT DENISON VOLUNTEER SEA RESCUE GROUP (INC)**  
**REPORTING OFFICER: JOHN MERRICK – CHIEF EXECUTIVE OFFICER**  
**DATE OF REPORT: 15 DECEMBER 2005**  
**FILE REFERENCE: IS.2**  
**VOTING REQUIREMENTS: NORMAL MAJORITY**

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**BACKGROUND:**

The Port Denison Volunteer Sea Rescue Group (Inc) has been successful in receiving funding for the purchase of a vessel with which to effect sea rescues off the coast of Dongara/Port Denison.

**COMMENT**

• **General**

The Group is seeking Council's approval to "anchor" a floating AirBerth® boatlifting system to the recreational jetty for the summer months and is also seeking approval for the erection of a shed to store the boat during winter.

The airlifter allows for the vessel to be moored out of the water and therefore eases the maintenance requirements associated with algae growth, quite apart from the fact that access to the vessel is timely in the case of emergencies as it does not have to be transported and launched.

Because of the size of the vessel, the shed required to store it will need to have an overall height of almost 5 metres, which is a metre above the current building height, and the proposal is for the shed to be erected on the eastern side of the building.

- **Financial Implications:** Nil.
- **Policy Implications:** Nil.
- **Strategic Implications:** Nil.

**STAFF RECOMMENDATION:**

1. That Council approves the airlifter being anchored to the recreational jetty for the summer season.
  2. That surrounding residents be canvassed for their opinion in regard to the erection of a shed at the eastern near side of the Sea Rescue Building.
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**COUNCIL MOTION:**

**Moved Cr Chandler, seconded Cr Trevenen**

1. ***That Council requests more information on the boatlifting system and invite a representative from Sea Search & Rescue to attend the next Council Meeting.***
2. ***That Council declines any application for a storage facility at the Sea Search & Rescue location and that the Group be advised to seek alternative arrangements.***

**CARRIED**  
**8/0**

**VOTING DETAILS:**

**CEO.263: NATIONAL SEA CHANGE CONFERENCE**  
**LOCATION: PORT DOUGLAS, QUEENSLAND**  
**PROPONENT: -**  
**REPORTING OFFICER: JOHN MERRICK – CHIEF EXECUTIVE OFFICER**  
**DATE OF REPORT: 15 DECEMBER 2005**  
**FILE REFERENCE: DP.1/1**  
**VOTING REQUIREMENTS: NORMAL MAJORITY**

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**BACKGROUND:**

Advice has been received that the first conference of the National Sea Change Taskforce is to be held in Port Douglass in April 2006 and advance bookings by members attract a discounted rate for the conference and accommodation.

**COMMENT**

• **General**

Council is a member of the National Taskforce and Cr Brad Trevenen, as Council's delegate, has attended several meetings in relation to the activities of the Taskforce and its push to have sea change Councils recognised through access to Federal Government funding opportunities to cope with growth.

The main focus of the conference in April will be analysis of the research recently completed by Professor Ed Blakely and Dr Nicole Gurrin into the sea change phenomenon and which has recently received two awards at the Planning Institute of Australia 2005 Excellence Awards.

- **Financial Implications:** Nil.
- **Policy Implications:** Nil.
- **Strategic Implications:** Nil.

**STAFF RECOMMENDATION:**

That Cr Brad Trevenen be registered for the National Sea Change Conference in Port Douglas in April 2006.

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**COUNCIL MOTION:**

**Moved Cr Chandler, seconded Cr Hepworth**

***That Cr Brad Trevenen be registered for the National Sea Change Conference in Port Douglas in April 2006.***

**CARRIED**  
**8/0**

**VOTING DETAILS:**

*Cr George Bass declared an interest in the following item, being the proponent, and departed the Chambers at 4.42pm.*

**CEO.264: HOUSEBOAT ACCOMMODATION IN PORT DENISON MARINA**  
**LOCATION: PORT DENISON**  
**PROPONENT: -**  
**REPORTING OFFICER: JOHN MERRICK – CHIEF EXECUTIVE OFFICER**  
**DATE OF REPORT: 15 DECEMBER 2005**  
**FILE REFERENCES: RD.1, EB.1**  
**VOTING REQUIREMENTS: NORMAL MAJORITY**

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**BACKGROUND:**

I have been approached by a local ratepayer with a view to seeking Council's opinion for the provision of approximately three houseboats in the marina for holiday accommodation.

**COMMENT**

• **General**

There would appear to be an acute shortage of all types of tourist accommodation in Dongara at the present time and there is little doubt that these houseboats would be a popular alternative.

There is currently no appropriate infrastructure in the harbour to provide land access to these houseboats, other than by the recreational jetty, which has six mediterranean moorings existing on the northern inside part of the jetty.

It is rare that there is more than one or two vessels tied up in these moorings and Council may see the houseboat idea as an opportunity for raising revenue for future maintenance of the jetty as well as providing much-needed accommodation for tourists.

There would need to be a guarantee provided by the proponent that all environmental issues were covered to Council's satisfaction, however, all that is required at this stage is whether or not Council would entertain such a proposal.

- **Financial Implications:** Nil.
- **Policy Implications:** Nil.
- **Strategic Implications:** Nil.

**STAFF RECOMMENDATION:**

That Council determine its position on houseboats located on the recreational jetty in Port Denison Marina.

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**COUNCIL MOTION:**

**Moved Cr Hepworth, seconded Cr McClurg**

***That Council is not in favour of a houseboat proposal based on the recreational jetty.***

**CARRIED**  
**7/0**

**VOTING DETAILS:**

*Cr George Bass returned to the Chambers at 4.49pm.*

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**CEO.265: AGED ACCOMMODATION – AMAROO VILLAGE**  
**LOCATION: PORT DENISON**  
**PROPONENT: -**  
**REPORTING OFFICER: JOHN MERRICK – CHIEF EXECUTIVE OFFICER**  
**DATE OF REPORT: 15 DECEMBER 2005**  
**FILE REFERENCES: IA.3**  
**VOTING REQUIREMENTS: NORMAL MAJORITY**

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**BACKGROUND:**

Council has met with the Board of the Amaroo Village organisation and subsequently a submission was lodged with the Federal Government for an allocation of bed licenses which has been unsuccessful.

**COMMENT**

• **General**

One component of the negotiations with Amaroo was a bid for the purchase of the failed Chaucer/Popham venture in George Street, however, this land has now been sold to a third party and future plans for development are unclear at this stage.

Amaroo have since undertaken negotiations with the Dominican Sisters for the purchase of the land bounded by Blenheim Road and Golf Course Road, however, a Ms Gerda Van Lenton has paid a \$25,000 deposit for first option on the purchase of this land from the Sisters.

Councillors will remember Ms Van Lenton as an associate of Mr Popham when discussions ensued in relation to the development of plans for retirement villages in Geraldton and Port Denison.

Mr Popham now acts for Ms Van Lenton who wishes to sell the property prior to the expiry of the option period in April 2006 and has kindly offered to sell this land to Amaroo for approximately \$1 million.

The land in George Street was sold by Popham for \$1.2 million after his purchase of it from the Department of Land Administration for approximately \$350,000.

The Board of Amaroo has reluctantly gone cold on the idea of financing a retirement village in Dongara in competition with another competitor as the short-term impact would most likely be slow sales of individual units which would have a detrimental effect on both developments.

Amaroo are therefore unlikely to be willing to proceed with the management of a “hostel” facility without the benefit of owning a retirement village in addition to the hostel.

It would appear that the failed developments by Chaucer/Popham and the list of outstanding creditors has now been reduced due to the sale of the George Street property for the \$1.2 million mentioned above, and we believe that deposits paid to Chaucer by well-intentioned self-funded retirees for retirement homes has also been repaid. The sale advice prepared by Popham and provided to Amaroo is attached.

- **Financial Implications:** Nil.
- **Policy Implications:** Nil.
- **Strategic Implications:** Nil.

**STAFF RECOMMENDATION:**

That the information be received.

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**COUNCIL MOTION:**

Moved Cr Trevenen, seconded Cr Dean-Gundill

*That the information be received.*

**CARRIED**  
**8/0**

**VOTING DETAILS:**

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**DCS.218: SELF-SUPPORTING LOAN – DONGARA-IRWIN RACE CLUB**  
**LOCATION: RACECOURSE – RESERVE 11765**  
**PROPONENT: DONGARA IRWIN RACE CLUB INC**  
**REPORTING OFFICER: GEOFF PEDDIE – DIRECTOR, CORPORATE SERVICES**  
**DATE OF REPORT: 6 DECEMBER 2005**  
**FILE REFERENCES: RR.1/4, AL.2**  
**VOTING REQUIREMENTS: ABSOLUTE MAJORITY**

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**BACKGROUND:**

The Dongara-Irwin Race Club has made application to Council for a self-supporting loan of \$40,000 to be repaid over a period of ten years. The purpose of the loan is to upgrade toilet facilities and other amenities. In support of their application, the Club has provided a recent financial statement indicating the ability to meet the loan repayments.

**COMMENT:**

- **General**

The Club has indicated that it needs to upgrade its toilet and other facilities to improve the amenities at the racecourse and enable the Club to promote its annual Easter Saturday race meeting as one of the premier days on the racing calendar.

If the proposal is supported by Council, it will be advertised for a period of one month seeking public comment. At the end of the advertising period, Council considers all comments and resolves whether to proceed or otherwise.

- **Financial Implications**

The loan raised will be by debenture with two repayments per year. A principal of \$40,000 repaid over ten years, will require twenty equal payments of \$2667.54, using the current indicative interest rate of 5.83% from the WA Treasury Corporation. This will result in a total interest repayment over ten years of \$13,350.92 and annual repayment cost for principal and interest of \$5,335.08.

- **Policy Implications:** Nil.

- **Statutory Implications**

The Local Government Act provides at section 6.20(1) and (2) the following:

“(1) Subject to this Act, a local government may –

- (a) borrow or re-borrow money;
- (b) obtain credit; or
- (c) arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit,

to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.

(2) Where, in any financial year, a local government proposes to exercise a power under subsection (1) (“**power to borrow**”) and details of that proposal have not been included in the annual budget for that financial year –

- (a) unless the proposal is of a prescribed kind, the local government must give one month's local public notice of the proposal; and
- (b) the resolution to exercise that power is to be by Absolute Majority.

**STAFF RECOMMENDATION:**

That Council supports raising a self-supporting loan in favour of the Dongara-Irwin Race Club for an amount of \$40,000 to be repaid over a period of ten years, and advertises the proposal by local public notice for a one month period.

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**COUNCIL MOTION:**

**Moved Cr Chandler, seconded Cr Gillam**

***That Council supports raising a self-supporting loan in favour of the Dongara-Irwin Race Club for an amount of \$40,000 to be repaid over a period of ten years, and advertises the proposal by local public notice for a one month period.***

**CARRIED BY ABSOLUTE MAJORITY**  
**8/0**

**VOTING DETAILS:**



**DCS.219: TENDER 4/2005 SUPPLY OF PRIME MOVER & SEMI-TRAILER**  
**LOCATION: -**  
**PROPONENT: -**  
**REPORTING OFFICER: GEOFF PEDDIE - DIRECTOR, CORPORATE SERVICES**  
**DATE OF REPORT: 8 DECEMBER 2005**  
**FILE REFERENCE: TENDERS**  
**VOTING REQUIREMENTS: NORMAL MAJORITY**

**BACKGROUND:**

Tenders closed on Wednesday, 7 December 2005 for the supply of a Prime Mover and Semi-Trailer and sale or outright purchase of Council's existing Iveco truck, IR.1200.

**COMMENT:**

The tenders were opened by Council's Director, Corporate Services and Works Supervisor on Wednesday, 7 December 2005 and a summary of tenders is as follows:

| <b>Tenderer</b>                    | <b>Vehicle Details</b>  | <b>Cost<br/>(ex GST)</b> | <b>Trade<br/>(ex GST)</b> | <b>Net cost<br/>(ex GST)</b> |
|------------------------------------|---|--------------------------|---------------------------|------------------------------|
| Purcher International<br>Geraldton | Mitsubishi FUSO FV51 with trailer<br>from Dongara Body Builders<br><br>257 kw (345 hp) and GCM of<br>50,000 kg        | \$186,830                | \$72,000                  | \$114,830                    |
| Purcher International<br>Geraldton | Mitsubishi FUSO FV54JL with trailer<br>from Dongara Body Builders<br><br>302 kw (405 hp) and GCM of<br>58,000 kg      | \$205,230                | \$72,000                  | \$133,230                    |
| Purcher International<br>Geraldton | Iveco Powerstar ADN10 6 x 4 with<br>trailer from Dongara Body Builders<br><br>298 kw (405 hp) and GCM of<br>59,000 kg | \$217,830                | \$72,000                  | \$145,830                    |
| Purcher International<br>Geraldton | Iveco Stralis AD10 6 x 4 with trailer<br>from Dongara Body Builders<br><br>298 kw (405 hp) and GCM of<br>50,000 kg    | \$216,230                | \$72,000                  | \$144,230                    |
|                                    |   |                          |                           |                              |
| Truckworld Pty Ltd<br>Guildford    | Mack Valueliner – <b>Does not include<br/>trailer</b><br><br>301 kw (410 hp) and GCM of<br>55,000 kg                  | \$175,245                | \$68,000                  | \$107,245                    |
|                                    |   |                          |                           |                              |

|                                |  |           |          |           |
|--------------------------------|--|-----------|----------|-----------|
| AV Truck Services<br>Redcliffe | MAN TGA series 26.350 6 x 4 with<br>trailer from Howard Porter<br><br>350 hp and GCM of 50,000 kg                | \$193,980 | \$70,000 | \$123,980 |
| AV Truck Services<br>Redcliffe | MAN TGA series 26.436 x 4 with<br>trailer from Howard Porter<br><br>430 hp and GCM of 68,000 kg                  | \$221,980 | \$70,000 | \$151,980 |
| AV Truck Services<br>Redcliffe | UD NISSAN CW385 6 x 4 with trailer<br>from Howard Porter<br><br>285 kw and GCM of 50,000 kg                      | \$193,980 | \$70,000 | \$123,980 |
|                                |  |           |          |           |
| Max Winkless<br>Kewdale        | Volvo FM9 380HP 6 x 4 with trailer<br>from SFM Engineering<br><br>280 kw and GCM of 70,000 kg                    | \$213,685 | \$40,000 | \$173,685 |
|                                |  |           |          |           |
| Major Motors<br>Malaga         | ISUZU GIGA 385 CXZ with trailer<br>from Howard Porter<br><br>287 kw and GCM of 50,000 kg                         | \$196,200 | \$65,454 | \$130,746 |
|                                |  |           |          |           |
| WA Hino<br>Welshpool           | HINO 4568 700 Series with trailer by<br>Park Motor Body Builders<br><br>331 kw and GCM of 68,000 kg              | \$204,036 | \$79,545 | \$124,491 |
|                                |  |           |          |           |
| Waltons<br>Geraldton           | Mercedes Benz 2641K S/33 with<br>trailer by Dongara Body Builders<br><br>300 kw (408 HP) and GCM of 50,000<br>kg | \$210,710 | \$82,500 | \$128,210 |
| Waltons<br>Geraldton           | Mercedes Benz 2636K S/33 with<br>trailer by Dongara Body Builders<br><br>265 kw (360 HP) and GCM of<br>50,000 kg | \$206,760 | \$82,500 | \$124,260 |
| Waltons<br>Geraldton           | Freightliner CL112 with trailer from<br>Dongara Body Builders<br><br>321 kw (430 HP) and GCM of<br>50,000 kg     | \$227,260 | \$82,500 | \$144,760 |

Tenders have also been received from the following firms for the supply and fit-up of the semi-trailer:

|                              |   |                 |
|------------------------------|---|-----------------|
| <b>Dongara Body Builders</b> | Tandem Axle Semi Trailer –<br>7.3m long x 1.25m high x 2.49m wide | GST ex \$46,930 |
|                              | Prime Mover fit-up  | GST ex \$11,963 |
| <b>Howard Porter</b>         | Tandem Axle Semi Trailer –<br>8.5m long x 1.2m high x 2.5m wide   | GST ex \$54,980 |
|                              | Prime Mover fit-up  | GST ex \$11,540 |

Attached to this report is information relating to the specifications requested of tenderers and a summary of the specifications provided with the tender for each machine tendered. Each tenderer has generally met the criteria required, unless noted.

The Works Supervisor and Council's Truck Operator have expressed their satisfaction with the existing Mercedes Benz and are supportive of Council purchasing a similar machine. It is considered that the existing Mercedes Benz prime mover has been very satisfactory and backup service has been good, being provided locally from Geraldton. There is an advantage of having the two trucks of the same make in terms of parts and service and dealing with one service provider. Whilst the vehicle cost is slightly higher than some other tenders, Waltons have offered the best trade price, bringing the nett changeover cost into a competitive situation.

- **Financial Implications**

Provision has been made in this year's budget to replace the existing vehicle for \$215,000 less allowance for trade of \$70,000, with the total changeover provision of \$145,000 being funded from Plant Reserve.

If Council accepts the recommendation to award the tender to Waltons for a nett \$128,210, additional capacity will be provided in the Plant Reserve to fund purchases of plant in future years, thereby reducing the reliance on loan funding or contributions from Municipal Funds.

- **Policy Implications:** Nil.
- **Statutory Implications:** Nil.

**STAFF RECOMMENDATION:**

That Council accept the tender submitted by Waltons in Geraldton for a new Mercedes Benz 2641K S/33 prime mover with fit-up and semi tipper to be provided by Dongara Body Builders and trade-in of Council's existing Iveco MP4500 six wheel tipper IR.1200 for a nett changeover cost of \$128,210 exclusive of GST.

**COUNCIL MOTION:**

Moved Cr Trevenen, seconded Cr Bass

1. ***That Council accept the tender submitted by Waltons in Geraldton for a new Mercedes Benz 2641K S/33 prime mover with fit-up and semi tipper to be provided by Dongara Body Builders and trade-in of Council's existing Iveco MP4500 six wheel tipper IR.1200 for a nett changeover cost of \$128,210 exclusive of GST.***

2. *That Council apply to have the GCM upgraded to 60,000 kg and upgrade the trailer to meet this capacity.*

**CARRIED**  
7/1

**VOTING DETAILS:**

**ATTACHMENT: DCS.219**

**SHIRE OF IRWIN**

**Supply of Prime Mover, required specifications:**

48,000 GCM Minimum  
Horsepower range from 360-440  
3" Turntable  
6 Rod Suspension (Optional Air Bag)  
Michelin XZEZ 295/80R 22.5" Tyres (Steerers)  
Michelin XT4 11R 22.5" Drive Tyres  
Bull Bar  
Air Conditioning  
Tinted windows  
Stereo/CD Player  
Seat Covers  
Cab Mounted Tool Box with a basic set of tools (set spanners 10mm – 25mm, 8" – 10" – 12" crescents and wheel brace and 10t jack set of reflectorized hazards warning triangles or similar)  
2 rotating beacon lights (mounted either side of cab at the rear)  
1 x spare tyre and rim  
Operators basic training  
Operator handbook and parts books to be supplied  
Extra Options;  
Extra space cab  
Stone guard

**Supply of Semi Trailer, required specifications:**

Tandem Axle, Rock Body  
Michelin XZE 11R 22.5" Tyres  
Cab operated air tailgate  
Spare Wheel Hanger (for two tyres)  
Tool Box  
1 x spare tyre and rim  
"SHIRE OF IRWIN" painted on side of body  
All signage required by law to be fitted before delivery  
Design and material building specifications for the trailer are to be submitted with the tender.  
Extra Options;  
Roll tarp or similar (heavy duty)

The Shire of Irwin will retain the trade-in vehicle until all requirements of the tender have been satisfied and the new vehicle has been delivered to the Shire of Irwin Depot at 30 Bailey Street Dongara 6525.



**F.285: FINANCIAL STATEMENTS**  
**LOCATION:** -  
**PROPONENT:** -  
**REPORTING OFFICER:** DANIKA LOOMES – ACCOUNTANT/SENIOR ADMIN OFFICER  
**DATE OF REPORT:** 7 DECEMBER 2005  
**FILE REFERENCE:** MINUTE BOOK  
**VOTING REQUIREMENTS:** NORMAL MAJORITY

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**BACKGROUND:**

Attached are the Financial Statements for the period ending 30 November 2005.

**COMMENT:**

- **General**  
The reports included to 30 November 2005 are:  
Note 1: Significant Accounting Policies  
Note 2: Statement of Objective  
Note 3: Acquisition of Assets  
Note 4: Disposals of Assets  
Note 5: Information on Borrowings  
Note 6: Reserves  
Note 7: Net Current Assets  
Note 8: Rating Information  
Note 9: Trust Funds  
Supplementary Information  
Operating Statement by Function / Activity  
Statement of Financial Position  
Statement of Changes in Equity  
Statement of Cash Flows  
Statement of Bank Reconciliations  
Capital Works Program  
Restricted Assets Financial Statement  
Budget vs Actuals Comparison Report  
APU Operating Statement
- **Financial Implications** - Nil.
- **Policy Implications** - Nil.
- **Strategic Implications** - Nil.

**STAFF RECOMMENDATION:**

That the Financial Statements for the period ending 30 November 2005 be received.

---

**COUNCIL MOTION:**

**Moved Cr Gillam, seconded Cr Hepworth**

*That the Financial Statements for the period ending 30 November 2005 be received.*

**CARRIED**  
**8/0**

**VOTING DETAILS:**

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**P.40: SHIRE PRESIDENT'S REPORT**  
**LOCATION:** -  
**PROPONENT:** -  
**REPORTING OFFICER:** CR ROBYN PARSONS  
**DATE OF REPORT:** 14 DECEMBER 2005  
**FILE REFERENCE:** -  
**VOTING REQUIREMENTS:** NORMAL MAJORITY

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**BACKGROUND:**

The Shire President's report for the period 8 October to 14 December 2005 is provided below.

**COMMENT:**

- **General**

**10 October 2005**

Midwest Chamber of Commerce Business After Hours - Council Chambers.

**11 October 2005**

Full Council Meeting.

**17 October 2005**

Luncheon with Council's CEO, John Merrick and Deputy President, Cr Rob Gillam.

**18 October 2005**

Inspection of new Aged Persons Units 31-39 at Port Denison Retirement Village with Craig Poletti from Eastman & Poletti (Architects).

Met with Mr Rod O'Dea, Representative from Grange Securities, together with Cr George Bass and staff, regarding the investment being offered at Grange for use by Council in investing its surplus funds.

**20 October 2005**

Annual General Meeting - Bush Fire Brigade.

**21 October 2005**

Northern Agricultural Catchment Council with Senator the Hon Ian Campbell, Australian Government Minister for the Environment and Heritage and the Hon Kim Chance MLC, State Government Minister for Agriculture and Forestry, the Midwest and Wheatbelt.

**22 October 2005**

The Hon Wilson Tuckey's 25<sup>th</sup> Anniversary of Election to Parliament – convened at Function Centre in Bassendean, in attendance with Crs George Bass and Brad Trevenen and Council's CEO, Mr John Merrick, together with respective partners. Also in attendance were 200 politicians and industry representatives.

**25 October 2005**

Full Council Meeting.



**26 October 2005**

Luncheon at “Southerlys” with the Editor of the “Geraldton Guardian”, Mr Charles Jenkins, Journalist, Conor MacGill and Fiona Cockman.

**4 November 2005**

Dongara District High School Year 12 Leavers Ceremony. The Highest Achiever Award presented to Ella Arnold - sponsored by the Irwin Shire.

**5 November 2005**

Larry Lobster Festival.

**6 November 2005**

Blessing of the Fleet and Luncheon with Dongara Professional Fishermen’s Association.

**8 November 2005**

Full Council Meeting.  
Annual General Meeting of Electors.

**22 November 2005**

Full Council Meeting.

**28 November 2005**

Teleconference - Northern Country Zone of the WA Local Government Association.

Citizenship Ceremony for Mr & Mrs Mark and Rebecca Royle.

**29 November 2005**

Health Forum - Dongara Medical Centre.

**4 December 2005**

Barbecue at Port Denison Foreshore in order to celebrate National Volunteers’ Day.

**5 December 2005**

Launch - 2005 Roadwise White Ribbons and presentation of the Human Spirit Awards to Cr Stuart Chandler and Dr Kent Morison.

Midwest Chamber of Commerce Business After Hours - Council Chambers.

**6 December 2005**

Arc Energy - Christmas Celebrations held at the “Priory Lodge”.

**8 December 2005**

Irwin Shire Occupational Safety & Health Committee Meeting.

Local Government Advisory Board Hearing at Mingenew with Council’s CEO, Mr John Merrick, Deputy President, Cr Rob Gillam and Cr Stuart Chandler.

**9 December 2005**

Christmas Celebration Dinner at the Autumn Centre.

**14 December 2005**

Inspection of gardens at the Aged Persons Units with Council’s Director of Corporate Services, Mr Geoff Peddie and Council’s Senior Gardener, Mr Brian Bond.

Irwin Historical Society Book Launch “The Caroline Collection” – Author: Elizabeth Nelson-Broad.

Meeting with concerned landowners from Springfield with regard to proposed recommended buffer for Cockburn Cement.

Briefings with Council's CEO, Mr John Merrick and Senior Staff with regard to Council's activities. Organising repairs and maintenance for Aged Persons Units as required.

- **Financial Implications:** Nil.
- **Policy Implications:** Nil.
- **Strategic Implications:** Nil.

**STAFF RECOMMENDATION:**

That the Shire President's report for the period 8 October to 14 December 2005 be received.

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**COUNCIL MOTION:**

**Moved Cr Dean-Gundill, seconded Cr Trevenen**

***That the Shire President's report for the period 8 October to 14 December 2005 be received.***

**CARRIED**  
**8/0**

**VOTING DETAILS:**

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**RC.3: IRWIN RECREATION CENTRE REPORT 2005**  
**LOCATION:** -  
**PROPONENT:** -  
**REPORTING OFFICER:** LAURIE SMITH – RECREATION CENTRE MANAGER  
**DATE OF REPORT:** 15 DECEMBER 2005  
**FILE REFERENCE:** BC.1/7  
**VOTING REQUIREMENTS:** NORMAL MAJORITY

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**BACKGROUND:**

The Recreation Centre Manager's Report for 2005 is provided as follows:

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**COMMENT**

• **General**

2005 was my first year full-time at the Recreation Centre and an interesting year it has been. The Recreation Centre saw the usual programs through the year, with a few additions and the usual one-off events, engagement party, pre-primary dance, quiz nights, Interschool carnival, conference, dance and music concert, 50<sup>th</sup> birthday, school presentation evenings, school fete, dance concert, Camp Quality and the Bone Density van

The winter program was up on a very quiet 2004, however, netball continues to struggle, with half of the fixtures played outdoors during the cold months. Our new Recreation Centre extensions will help boost this sport with indoor courts and sprung floors.

Several new programs were tried during the winter in off-peak times aimed at juniors. These were indoor cricket, which was very popular - and volleyball.

Both State and Federal Governments have, over recent years, put a lot of resources into child and adolescent obesity, one program being "Be Active After School". I thought we would do our bit at Dongara and have an after-school drop-in once a week so kids could be active at no cost. This program failed. A subsequent survey I ran at the school showed the majority of kids prefer structured programs, hence the introduction of indoor cricket and volleyball.

The summer program is as it has been for several years - basketball, basketball and basketball! Currently, basketball runs on Monday 3.30pm until 9.00pm, Tuesday 3.30pm until 9.00pm, Wednesday 3.30pm until 10.00pm, Thursday 3.30pm until 10.00pm, Friday 3.30pm until 10.00pm, Saturday 8.00am until 5.00pm and Sunday 3.00pm until 6.00pm. It is not unusual for the Sunday program to be extended to most of the day - and junior basketball still utilise the outside courts for training and competition.

As the Shire of Irwin staff representative on the Festival Committee, the outcome of the Festival and its success was pleasing. A similar format will be used in 2006, plus I will be applying for some grant funding for next year's event.

Grants - especially in the areas of sport and recreation - have become part of my portfolio this year, an area I really enjoy. One success was funding to produce new walk maps, walk signage, and an information booklet as a guide to assist people with exercise benefits and opportunities. This

project will be complete in the early months of 2006 - it will only enhance the magnificent walk paths and trails we have in town.

Several conferences were attended throughout the year, the main one being ACTIVE 2005. This is the Annual Sport and Recreation Conference which I attended with Councillors Dean-Gundill and Hepworth. Having been to this conference three times in the past, this year's was the best because of the topics covered and the relevance to what we are trying to achieve in Dongara.

As mentioned, Federal and State Governments are pushing a lot of resources into recreation programs as the recreation industry has now been recognised as a major vehicle in combating our ever-increasing health budget. Several programs are of interest to us - the "Be Active After School" program, which is having success, however, this would have to be initiated by the school. Another is "Living Longer, Living Stronger", a program aimed at persons over the age of 50, a program of great interest to us once we have a fully-operational gym.

2005 was a significant year for the future of Sport and Recreation in our area, with the major steps that were taken with the long-awaited Recreation Centre extensions. Much credit must go to the Shire Executive and to Council for what has been achieved so far - and *how* it has been achieved.

2006 will be a very exciting year. Word of our funding applications should be out around February/March. Fingers crossed everyone!

I have, in recent times, been working with David Kennedy, our Health Prevention and Promotions Officer, on some health and fitness material. Next year, we will have a major push in improving the fitness and health of all Dongara residents.

A very Merry Christmas and a happy and safe new year to everyone. Looking forward to a great year in 2006.

- 
- **Financial Implications** - Nil.
  - **Policy Implications** - Nil.
  - **Strategic Implications** - Nil.

**STAFF RECOMMENDATION:**

That the Recreation Centre Manager's Report for 2005 be received.

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**COUNCIL MOTION:**

**Moved Cr Trevenen, seconded Cr Gillam**

***That the Recreation Centre Manager's Report for 2005 be received.***

**CARRIED**  
**8/0**

**VOTING DETAILS:**

**TP.686: INCREASED CROSSOVER WIDTH**  
**LOCATION: LOT 753, NO. 3 SEAVIEW COURT, PORT DENISON**  
**PROPONENT: MRS DANIELLE WILTON**  
**REPORTING OFFICER: FELIX NEUWEILER – MANAGER, COMMUNITY DEVELOPMENT**  
**DATE OF REPORT: 3 DECEMBER 2005**  
**FILE REFERENCE: ES.3**  
**VOTING REQUIREMENTS: NORMAL MAJORITY**

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**BACKGROUND:**

The current policy relating to driveway crossovers allows for a maximum crossover width of 6 metres. Mrs Wilton is applying to Council to install a 10.5 metre wide crossover at the above property to provide access to the rear yard.

**COMMENT:**

- **General**  
The proposed addition to the existing 6 metre wide crossover will have no negative impact on the streetscape or neighbours. Approving this application will not set a precedent for others, as the policy allows Council to consider each case at its own merit and future applications can be considered accordingly.
- **Financial Implications** - Nil.
- **Policy Implications** - Nil
- **Strategic Implications** - Nil.

**STAFF RECOMMENDATION:**

That Council approve an additional 4.5 metre wide concrete crossover at Lot 753, No. 3 Seaview Court, Port Denison subject to:

1. Crossover to be installed in accordance with the relevant Council Policy and to the satisfaction of the Works Supervisor;
2. Stormwater runoff to be disposed off on the applicant's property; and
3. No additional reimbursement can be claimed.

---

**COUNCIL MOTION:**

**Moved Cr Chandler, seconded Cr Trevenen**

***That Council approve an additional 4.5 metre wide concrete crossover at Lot 753, No. 3 Seaview Court, Port Denison subject to:***

1. ***Crossover to be installed in accordance with the relevant Council Policy and to the satisfaction of the Works Supervisor;***
2. ***Stormwater runoff to be disposed off on the applicant's property; and***
3. ***No additional reimbursement can be claimed.***

**CARRIED**  
**8/0**

**VOTING DETAILS:**

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**TP.687:                                   DISABILITY ACCESS AND INCLUSION PLAN**  
**LOCATION:                               SHIRE OF IRWIN**  
**PROPOSERS:                           -**  
**REPORTING OFFICER:               FELIX NEUWEILER – MANAGER, COMMUNITY DEVELOPMENT**  
**DATE OF REPORT:                   8 DECEMBER 2005**  
**FILE REFERENCE:                   HD.2**  
**VOTING REQUIREMENTS:          NORMAL MAJORITY**

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**BACKGROUND:**

Council's Manager, Community Development attended a recent workshop provided by the Disability Services Commission. The aim of the workshop was to provide local government with the necessary information to comply with the latest amendments to the Disability Services Act.

An estimated total of 405,500 Western Australians have disabilities (20.6 per cent of the population), and an estimated 246,800 Western Australians are carers for people with disabilities (12.6 per cent of the population).

Most people with disabilities experience some form of limitation or restriction due to their disability. This is defined in terms of the impact of the disability on selected activities of daily living.

Ten years of Disability Services Plans (DSPs) made public services authority information, facilities and services more accessible for people with disabilities. The recent amendments made to the Disability Services Act build on this success and Disability Access and Inclusion Plans (DAIPs) are now required as the mechanism to identify access barriers and develop strategies to overcome those barriers.

The long-term aim of the DAIP is to improve disabled people's quality of life, and a reduced reliance on carers.

As a consequence of the recent amendment to the above Act, the Shire of Irwin will have to change its DSP to a DAIP; review its DAIP every 5 years; and submit an annual report to the Commission outlining progress made in relation to desired outcomes and strategies implemented.

**COMMENT:**

- **General**  
It is anticipated that an increasing number of retirees will be moving to the local government area of the Shire of Irwin. Many of these people may have, or will develop a disability and require special care.

In addition to fulfilling legislative requirements, Council could be under increased pressure from residents to provide facilities that cater for disabled people. This also includes, in addition to physical access, the provision of services for the hearing and visually-impaired. The DAIP is a tool to identifying areas that need improving and allows Council to be proactive in the provision of services for disabled residents and visitors.

To make the implementation of the DAIP easier, the Disability Services Commission provided a model DAIP. This document will go through a public consultation period prior to its implementation. During this period, the model can then be tailored to each local government's specific needs.

- **Financial Implications**  
Future budgetary allowances.
- **Statutory Implications**  
Western Australian Disability Services Act 1993 (Amended 1999 and 2004) – requires State government agencies and local government authorities to develop and implement a Disability Access and Inclusion Plan (previously known as a Disability Service Plan). This essentially means planning to ensure that people with disabilities can access services provided by public authorities in Western Australia.  
  
Western Australian Equal Opportunities Act – recognises that people with disabilities require and are entitled to the same level of service as is available to other members of the community.  
  
Commonwealth Disability Discrimination Act – makes discrimination in the areas of employment, access to premises, accommodation, activities of clubs, sport and the provision of goods and services unlawful.
- **Policy Implications**  
Change from the current Disability Services Plan (DSP) to a Disability Access and Inclusion Plan.
- **Strategic Implications** - Nil.

**STAFF RECOMMENDATION:**

That Council support the necessary changes from the current Disability Services Plan to a Disability Access and Inclusion Plan.

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**COUNCIL MOTION:**

**Moved Cr Chandler, seconded Cr Dean-Gundill**

***That Council support the necessary changes from the current Disability Services Plan to a Disability Access and Inclusion Plan.***

**CARRIED**  
**8/0**

**VOTING DETAILS:**

*Cr George Bass declared a financial interest in the following item as he has a supply contract with James Bowes Pty Ltd for the supply of lobster. Cr Bass departed the Chambers at 5.32pm.*

**TP.688: PROPOSED OFFICE**  
**LOCATION: LIVE LOBSTER FACILITY – LOT 547, NO. 3 MCINTYRE COVE, PORT DENISON MARINA**  
**PROPONENT: JAMES BOWES PTY LTD**  
**REPORTING OFFICER: FELIX NEUWEILER – MANAGER, COMMUNITY DEVELOPMENT**  
**DATE OF REPORT: 28 NOVEMBER 2005**  
**FILE REFERENCE: BA.2**  
**VOTING REQUIREMENTS: NORMAL MAJORITY**

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**BACKGROUND:**

On receiving the original development application for the Live Lobster Facility, Council resolved on 27 June 2000 not to support an industrial development of this size within the Port Denison Small Boat Harbour and actively request the Minister for Transport not to approve the proposal.

On 27 July 2000, Council resolved at a Special Meeting to rescind the Motion of Ordinary Council Meeting of 27 June 2000, Town Planning Item TP.218, page 1597 and open up a new negotiation period with all parties.

On 22 August 2000, Council resolved that the Minutes of the Special Council Meeting held on 27 July 2000, and the recommendations contained therein, be adopted by Council.

The new occupants of the seafood processing facility, James Bowes Pty Ltd, recently submitted an application to Council to convert a section of the existing Live Lobster Facility, originally designated as 'Merchandise Shop', into a reception/office/boardroom (please refer to the attachment).

**COMMENT:**

- **General**  
The marina precinct is zoned 'Commercial'. Under the current Town Planning Scheme, an 'Office' is a permitted use in areas designated with that zoning.

Since the proposal complies with Scheme requirements, it is recommended that the application is approved subject to meeting all legislative requirements.

- **Financial Implications** - Nil.
- **Policy Implications** - Nil
- **Strategic Implications** - Nil.

**STAFF RECOMMENDATION:**

That Council approve the proposed conversion of the area, previously designated as 'Merchandise Shop', to an 'Office' at the Live Lobster Facility, 3 McIntyre Cove, Port Denison, subject to:

1. Submitting a building application prior to the conversion to allow for a reclassification of the area; and



2. General compliance with legislative requirements.
- 

**COUNCIL MOTION:**

**Moved Cr Gillam, seconded Cr Dean-Gundill**

***That Council approve the proposed conversion of the area, previously designated as 'Merchandise Shop', to an 'Office' at the Live Lobster Facility, 3 McIntyre Cove, Port Denison, subject to:***

1. ***Submitting a building application prior to the conversion to allow for a reclassification of the area; and***
2. ***General compliance with legislative requirements.***

**CARRIED**  
**7/0**

**VOTING DETAILS:**

*Cr George Bass returned to the Chambers at 5.40pm.*

*Council noted that the lessees should be advised that the replica of the "Endeavour", which is located at the live lobster facility, is owned by Council, and that discussions be initiated with James Bowes Pty Ltd regarding the provision of a tourist component at the facility.*

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**TP.689: PROPOSED ARENA CROSS EVENT**  
**LOCATION: VICTORIA LOCATION 1412 ELLERY ROAD, DONGARA**  
**PROPONENT: GERALDTON JUNIOR AND SENIOR MOTOCROSS CLUB INC.**  
**REPORTING OFFICER: FELIX NEUWEILER - MANAGER COMMUNITY DEVELOPMENT**  
**DATE OF REPORT: 13 DECEMBER 2005**  
**FILE REFERENCE: BA.2**  
**VOTING REQUIREMENTS: NORMAL MAJORITY**

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**BACKGROUND:**

Previously, Council has issued temporary planning approval for event applications submitted by the Geraldton Junior and Senior Motocross Club Inc to allow for the monitoring of the impact of the events on neighbours.

At the meeting held in May 2005 (Item TP.629), Council approved an application for a number of events. One of the conditions of the approval was that "Council will in future limit events to a maximum of 6 meetings in any twelve months, subject to yearly reviews, taking into consideration written comments from neighbours and members of the public".

The club recently made an application for an Arena Cross Event to be held on 11 February 2006, with practice sessions scheduled for Saturday 4 February 2006 (please refer to the attachment).

The motocross trials are popular with the local community. Local businesses also benefit from the events as they draw spectators and participants from a wide area.

**COMMENT:**

- **General**

The track is operated under the guidelines of 'Motorcycling Australia'. Last season's trials were held without any complaints or issues being brought to Council's attention.

It is recommended that Council delegate the approval of future events to the CEO, if these events are consistent with the conditions set by Council in the resolution of Item TP.629, to allow for speedier processing of the applications.

- **Financial Implications**

Nil.

- **Planning Implications**

'Club Premises' and 'Private Recreation' are both 'AA' uses for areas zoned 'General Farming' under the Scheme's Zoning and Development Table. 'AA' means that the Council may, at its discretion, permit the use.

- **Policy Implications**

Nil.

- **Legislative Implications**

Environmental Protection Act 1986 and Environmental Protection (Noise) Regulations 1997.

- **Strategic Implications**

Nil.

**STAFF RECOMMENDATION:**

That Council delegate the approval of future applications made by the Geraldton Junior and Senior Motocross Club to the CEO, if they are consistent with the Council resolution of Item TP.629; and

Council grant approval for the next proposed events at Victoria Location 1412 Ellery Road, Dongara:

4 February 2006 – Practice Session;  
11 February 2006 - Arena Cross Event;

subject to the following conditions:

1. Events are limited to a maximum of 6 meetings in any twelve months.
2. All buildings/infrastructure to be of a temporary nature and to be compliant with the requirements of Health Act 1911, the Environmental Protection Act 1986, the guidelines of 'Motorcycling Australia' and the Building Code of Australia.
3. Council is in no way liable for costs incurred by the Geraldton Junior and Senior Motocross Club should renewal not be granted or should enforcement of the Environmental Protection (Noise) Regulations 1997 become necessary.
4. The Geraldton Junior and Senior Motocross Club to maintain Public Liability Insurance cover of up to \$50 million.
5. The Geraldton Junior and Senior Motocross Club is solely and fully responsible for all safety implications during the events
6. The applicants to provide a sufficient number of carparking spaces to cater for the events.
7. All emissions arising from the use of the property shall conform to the relevant requirements of the Environmental Protection Act 1986.
8. Food premises to comply with the requirements of Health (Food Hygiene) Regulations.
9. Adequate fire fighting equipment to be available onsite during any event held on the property.

**Footnotes**

- A) A planning consent is not an approval to commence any works or construction. The applicants must apply for and be issued with a Building Licence for any project, comply with provisions of the Shire of Irwin Town Planning Scheme No 4, and the Building Code of Australia prior to any demolition, site or building works being carried out on the site.

Prior to the erection of additional infrastructure, the applicants are encouraged to liaise with the Shire Planner and Principal Environmental Health Officer before the final plans are submitted for Building Licence approval.

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**COUNCIL MOTION:**

**Moved Cr Chandler, seconded Cr McClurg**

***That Council delegate the approval of future applications made by the Geraldton Junior and Senior Motocross Club to the CEO, if they are consistent with the Council resolution of Item TP.629; and***

**Council grant approval for the next proposed events at Victoria Location 1412 Ellery Road, Dongara:**

**4 February 2006 – Practice Session;  
11 February 2006 - Arena Cross Event;**

**subject to the following conditions:**

- 1. Events are limited to a maximum of 6 meetings in any twelve months.**
- 2. All buildings/infrastructure to be of a temporary nature and to be compliant with the requirements of Health Act 1911, the Environmental Protection Act 1986, the guidelines of 'Motorcycling Australia' and the Building Code of Australia.**
- 3. Council is in no way liable for costs incurred by the Geraldton Junior and Senior Motocross Club should renewal not be granted or should enforcement of the Environmental Protection (Noise) Regulations 1997 become necessary.**
- 4. The Geraldton Junior and Senior Motocross Club to maintain Public Liability Insurance cover of up to \$50 million.**
- 5. The Geraldton Junior and Senior Motocross Club is solely and fully responsible for all safety implications during the events**
- 6. The applicants to provide a sufficient number of carparking spaces to cater for the events.**
- 7. All emissions arising from the use of the property shall conform to the relevant requirements of the Environmental Protection Act 1986.**
- 8. Food premises to comply with the requirements of Health (Food Hygiene) Regulations.**
- 9. Adequate fire fighting equipment to be available onsite during any event held on the property.**

**Footnotes**

- A) A planning consent is not an approval to commence any works or construction. The applicants must apply for and be issued with a Building Licence for any project, comply with provisions of the Shire of Irwin Town Planning Scheme No 4, and the Building Code of Australia prior to any demolition, site or building works being carried out on the site.**

**Prior to the erection of additional infrastructure, the applicants are encouraged to liaise with the Shire Planner and Principal Environmental Health Officer before the final plans are submitted for Building Licence approval.**

**CARRIED  
8/0**

**VOTING DETAILS:**

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**TP.690: CARETAKER AT DONGARA RACE CLUB**  
**LOCATION: RESERVE 11765 BRENNAND ROAD, DONGARA**  
**PROPOSERS: DONGARA IRWIN RACE CLUB INC.**  
**REPORTING OFFICER: FELIX NEUWEILER – MANAGER, COMMUNITY DEVELOPMENT**  
**DATE OF REPORT: 8 DECEMBER 2005**  
**FILE REFERENCES: BA.2, RR.1/4**  
**VOTING REQUIREMENTS: NORMAL MAJORITY**

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**BACKGROUND:**

Reserve 11765 is vested with the Shire of Irwin. Any proposals involving this Reserve need Council approval.

The Dongara Irwin Race Club submitted an application seeking Council's permission to allow a caretaker to live in a caravan at the Race Club.

**COMMENT:**

- **General**  
Caretakers have been placed successfully at other similar facilities in WA. They generally maintain the premises and provide security to the club's assets. However, Council will have to ensure that only one caravan is located on the Reserve at any one time, that no more than two persons inhabit the caravan, that the ablution area is of a reasonable standard and include a laundry, and that the person living at the facility is carrying out the duties of a caretaker.
- **Financial Implications** - N/A.
- **Statutory Implications**  
Caravan Parks and Camping Grounds Regulations 1997: -  
11. Camping other than at a caravan park or camping ground  
(2) Written approval may be given for a person to camp on land referred to in subregulation  
(1) (a) for a period specified in the approval which is longer than 3 nights  
(a) by the local government of the district where the land is situated, if such approval will not result in the land being camped on for longer than 3 months in any period of 12 months;  
(b) by the Minister, if such approval will result in the land being camped on for longer than 3 months in any period of 12 months.
- **Policy Implications** - Nil.
- **Strategic Implications** - Nil.

**STAFF RECOMMENDATION:**

That Council approve the application submitted by the Dongara Irwin Race Club Inc for a caretaker to live at Reserve 11765, Dongara Irwin Race Club, subject to:

1. Prior to the occupation, Ministerial approval being obtained in accordance with the Caravan Parks and Camping Grounds Regulations 1997;
2. Only one caravan being located on the Reserve at any one time;
3. That no more than 2 persons inhabit the caravan;

4. That the ablution facilities are of the same standard as a caravan park's and include a laundry;  
and
  5. That the person living at the facility is carrying out the duties of a caretaker.
- 

**COUNCIL MOTION:**

**Moved Cr McClurg, seconded Cr Dean-Gundill**

***That Council approve the application submitted by the Dongara Irwin Race Club Inc for a caretaker to live at Reserve 11765, Dongara Irwin Race Club, subject to:***

- 1. Prior to the occupation, Ministerial approval being obtained in accordance with the Caravan Parks and Camping Grounds Regulations 1997;***
- 2. Only one caravan being located on the Reserve at any one time;***
- 3. That no more than 2 persons inhabit the caravan;***
- 4. That the ablution facilities are of the same standard as a caravan park's and include a laundry; and***
- 5. That the person living at the facility is carrying out the duties of a caretaker.***

**CARRIED**  
**8/0**

**VOTING DETAILS:**

**TP.691: ENVIRONMENTAL HEALTH / BUILDING REPORT**  
**LOCATION: SHIRE OF IRWIN**  
**REPORTING OFFICER: FELIX NEUWEILER – MANAGER, COMMUNITY DEVELOPMENT**  
**DATE OF REPORT: 15 DECEMBER 2005**  
**FILE REFERENCE: BG.1**  
**VOTING REQUIREMENTS: NORMAL MAJORITY**

**BACKGROUND:**

The following report covers health and building inspections undertaken between July and December 2005.

**COMMENT:**

**Public Buildings** were inspected between July and September, and occupiers were advised of items that required rectifying.

**Bed & Breakfast Accommodation and Lodging Houses** were inspected during this period. All premises were in compliance with requirements.

**Building Statistics for the Period ending 30 November:** Please refer to the attachment.

**Food Premises:**

| Premises                  | Jul | Aug | Set | Oct | Nov | Dec |
|---------------------------|-----|-----|-----|-----|-----|-----|
| Ampol Roadhouse           |     | 4   |     |     |     | 14  |
| Bowling Club              |     |     |     | 17  |     |     |
| BP Roadhouse              | 8   |     | 29  |     |     |     |
| Caltex (Supa Value)       |     | 4   |     |     |     |     |
| Celebrations              |     |     |     |     |     | 14  |
| Coffee Tree               |     | 4   |     |     |     |     |
| Dongara Supermarket       |     | 12  |     | 17  |     |     |
| Dongara Bakery            | 4   |     |     |     |     | 13  |
| Hospital Kitchen          |     |     |     |     |     |     |
| Hotel                     |     |     | 21  |     |     |     |
| Ice Cream Van             |     | 12  |     |     |     |     |
| Leander Children's Centre |     | 4   |     |     |     | 2   |
| Motocross                 |     | 12  |     |     |     |     |
| Nutrigold Organics        |     |     |     |     | 14  |     |
| Newsagency                |     | 4   |     |     |     |     |
| Pisces                    |     |     |     |     | 16  |     |
| Pizza Bar                 |     |     |     |     | 16  |     |
| Port Store Bakery         |     | 11  |     |     |     | 14  |
| Port Store Deli           |     | 11  |     |     |     |     |
| Port Store Supermarket    |     |     |     | 17  |     |     |
| Priory Lodge              |     |     |     | 18  |     |     |
| Pye Road Camp             |     |     |     | 18  |     |     |
| Quality Meats             |     | 12  |     | 17  |     |     |
| Sandy's at South Beach    |     |     |     |     | 9   |     |
| School Canteen            |     |     | 21  |     |     |     |

|                           |    |    |  |  |    |    |
|---------------------------|----|----|--|--|----|----|
| Seaspray Ocean Front Café | 13 |    |  |  | 16 |    |
| Seaspray Caravan Park     |    | 5  |  |  |    | 13 |
| Shell Roadhouse           | 8  |    |  |  |    |    |
| Silverdale Olive Farm     |    |    |  |  | 14 |    |
| Southerlys                |    |    |  |  |    |    |
| Sugar Shack               |    | 30 |  |  |    |    |
| Supa Valu                 |    |    |  |  |    |    |
| The Ducks Nuts            |    |    |  |  | 16 |    |
| The Old Mill              | 8  |    |  |  | 22 |    |
| Toko's                    |    |    |  |  | 22 |    |
| West Coast Seafoods       |    | 9  |  |  |    |    |
| Lalor's Winery            |    |    |  |  |    |    |

**Food Sampling:**

One food item was sent to the laboratories for analysis in response to a complaint. The results haven't been received yet.

The Shire of Irwin participated in two WA Food Monitoring Program Surveys:

**1. Fish Speciation Survey**

Results not yet received.

**2. Chemical and Microbiological Quality of Fruit and Vegetables.**

Four samples were collected for this survey. The microbiological results since were received, they show that all fruit and vegetables purchased in Dongara showed microbial levels below what one would generally expect to find on this low risk food category.

**Monthly Public Swimming Pool Water Sampling:** Starting in November, sampling was undertaken at the following public pools: Old Mill Motel; Priory Lodge; Seaspray Caravan Park; Seaspray Villas.

**Sentinel Chicken Bleeding:** The flock was replaced in September. No positive results were reported during this period.

- **Financial Implications**  
Purchase of food samples and transport of samples to the laboratory.
- **Policy Implications** - Nil.
- **Strategic Implications** - Nil.

**STAFF RECOMMENDATION:**

That the Environmental Health / Building Report for the period July to December 2005 be received.

**COUNCIL MOTION:**

**Moved Cr Trevenen, seconded Cr Hepworth**

***That the Environmental Health / Building Report for the period July to December 2005 be received.***

**CARRIED**  
**8/0**

**VOTING DETAILS:**



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**TP.692: PROPOSED SUBDIVISION**  
**LOCATION: LOT 502 BRAND HIGHWAY, DONGARA**  
**PROPONENT: BERUCA PTY LTD & CPL INVESTMENTS**  
**REPORTING OFFICER: GLENN COAKER – TOWN PLANNER**  
**DATE OF REPORT: 14 DECEMBER 2005**  
**FILE REFERENCE: TP.3/1 (WAPC 129561)**  
**VOTING REQUIREMENTS: NORMAL MAJORITY**

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**BACKGROUND:**

This application was considered previously by Council at its meeting on 22 November 2005, whereby it was resolved: *‘That the Shire of Irwin advise the Western Australian Planning Commission that a recommendation will be deferred to the next Council meeting on 20 December 2005 to allow time to accurately consider all aspects of the proposal.’*

**COMMENT:**

- **General**

Lot 502 is zoned Special Residential under Shire of Irwin Town Planning Scheme No. 4. This application proposes to subdivide the property into 143 new lots with a minimum lot area of 2000m<sup>2</sup>. Under Special Residential zoning, the minimum lot size is 2000m<sup>2</sup>.

Drainage is a significant issue for the subdivision; the topography of the site is made up of alluvial flats and heavy loam/clay soils. To provide effective drainage, the proposal consists of both piped drainage and open drains/swales to transfer water to a central retention basin located in the public open space area.

Concerns were raised with the original application in regard to the proposed drainage swales being located at the rear of the new lots. This would have potentially created both security and maintenance problems.

Concerns were also raised that if lots were to back onto Brand Highway, a similar situation to Tulloch Drive could be repeated where backyards are visible from the highway.

Since the proposal was reported to Council on 22 November 2005, the proponent has submitted a revised plan showing an amended road and drainage layout (refer to attachment).

Specifically, the swale drains (drainage reserves) have been limited to the two main east/west drains and will be incorporated into the street network. Under this proposal, the drains will be bounded by roads with houses overlooking them rather than being located at the rear of properties and out of site. The drains will be landscaped to provide additional visual amenity. This is consistent with current practice as per Liveable Neighbourhoods.

In regard to lots backing onto the highway and adjoining property, the landholding includes a large number of existing eucalyptus trees around the perimeter of the subdivision; these provide a natural buffer between the new lots and adjoining land uses including the Brand Highway.

It would be beneficial to retain these trees not only as a suitable buffer between adjoining land uses but to provide increased visual amenity to the subdivision.

The revised plan indicates a restrictive covenant would be applied around the perimeter of the subdivision. The covenant would be a minimum of 10m wide and would prohibit access from individual lots onto the highway or adjoining land. It would also serve to protect the existing trees. If the application included a perimeter road with lots facing out, the trees would need to be removed.

Additionally, a solid screen fence consisting of masonry piers and Colorbond infill panels is proposed to be provided along the Brand Highway and future bypass frontage to further screen the new lots.

As per the original application, the central public open space area is proposed to be landscaped with a lake/pond which will act as a retention basin for runoff from the site.

All roads will be kerbed with piped drainage as per Shire of Irwin Policy E1. Runoff from the roads will be transferred either into the drainage swales or directly into the retention basin in the open space area. All lots are proposed to be sewerred.

Other considerations:

The landholding is in close proximity to the town centre and is separated by the Brand Highway. It will be necessary to provide a dual use path network which brings people to a central crossing point at the Brand Highway.

Any buildings remaining on Lot 502 will need to be removed.

Public open space for the area has already been ceded as part of a previous application.

The restrictive covenant over the lots adjoining the Brand Highway should be increased to a minimum of 20m wide to ensure all trees are preserved.

- **Financial Implications** - Nil
- **Policy Implications** - Nil
- **Strategic Implications** - Nil

**STAFF RECOMMENDATION:**

That Council advise the Western Australian Planning Commission that approval is granted for the subdivision subject to the following conditions:

1. Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected to the existing road system and such roads being constructed and drained at the subdivider's cost. As an alternative, the Western Australian planning Commission ("WAPC") is prepared to accept the subdivider paying to the local government the costs of such roads as estimated by the local government subject to the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (LG)
2. Street corners within the subdivision being truncated to the standard truncation of 8.5 metres. (LG)
3. Approval from Main Roads WA for any required upgrading works related to the intersection of Brand Highway and Tyford Road and the construction of those works.
4. Intersections on subdivisional roads (including the proposed roundabout) being designed and constructed to the satisfaction of the WAPC. (LG)

5. The land being filled and/or drained at the subdivider's cost to the satisfaction of the WAPC, and any easements necessary for the implementation thereof, being provided free-of-cost. (LG)
6. Suitable arrangements being made with the local government so that provision of an adequate sewerage service will be available to the lot(s) shown on the approved plan of subdivision.
7. The transfer free-of-cost of transformer and high voltage switchgear sites to the Western Power Corporation, with the locations of the sites being to the satisfaction of the WAPC on the advice of the local government and Western Power Corporation. (Western Power) (LG)
8. The proposed reserves shown on the plan submitted by the applicant, being shown on the Diagram or Plan of Survey (deposited plan) as a "Reserve for Drainage" and a "Reserve for Recreation" respectively. The reserves are to be vested in the Crown under section 20A of the Town Planning and Development Act, such land to be ceded free-of-cost and without any payment of compensation by the Crown. (LG).
9. Arrangements being made to the satisfaction of the WAPC with the Local Government for the detailed design, construction and landscaping of the public open space/drainage reserve(s). (LG)
10. A dual use pedestrian path to be constructed along one side of all distributor roads to Council's satisfaction. (LG)
11. The subdivider making arrangements satisfactory to the WAPC to ensure that prospective purchasers of the lots created will be advised of those provisions of the Local Government's Town Planning Scheme which relate to the use and management of the land. (LG)
12. Measures being taken to the satisfaction of the WAPC to ensure the identification and protection of any vegetation on the site worthy of retention prior to commencement of site works. (LG)
13. Arrangements being made to the satisfaction of the WAPC to ensure that subdivisional drainage works are in accordance with an approved Drainage & Nutrient Management Plan that incorporates urban water sensitive design principles. (LG)
14. Uniform fencing being constructed along the boundaries of all lots being constructed to the satisfaction of the WAPC. (LG)
15. Arrangements being made to the satisfaction of the WAPC with the Local Government for the detailed design, construction and landscaping of the landscape protection area(s) (restrictive covenants) as described on the application plan. (LG)
16. A restrictive covenant pursuant to Section 129BA of the Transfer of Land Act 1893 (as amended) being registered on the certificate of title of the proposed lots containing the landscape protection area described on the application plan for the purposes of protecting the landscaping installed in satisfaction of Condition 15. (LG)
17. The restrictive covenant as described on the application plan abutting Brand Highway being widened to 20 metres.
18. The applicant making arrangements to the satisfaction of the WAPC to ensure provision of a water supply for fire fighting purposes or alternatively making a contribution for suitable fire fighting facilities for the area.
19. All buildings, outbuildings and/or structures being demolished and removed from the site.

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**COUNCIL MOTION:**

**Moved Cr Hepworth, seconded Cr Gillam**

***That Council advise the Western Australian Planning Commission that approval is granted for the subdivision subject to the following conditions:***

- 1. Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected to the existing road system and such roads being constructed and drained at the subdivider's cost. As an alternative, the Western Australian planning Commission ("WAPC") is prepared to accept the subdivider paying to the local government the costs of such roads as estimated by the local government subject to the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (LG)***
- 2. Street corners within the subdivision being truncated to the standard truncation of 8.5 metres. (LG)***
- 3. Approval from Main Roads WA for any required upgrading works related to the intersection of Brand Highway and Tyford Road and the construction of those works.***
- 4. Intersections on subdivisional roads (including the proposed roundabout) being designed and constructed to the satisfaction of the WAPC. (LG)***
- 5. The land being filled and/or drained at the subdivider's cost to the satisfaction of the WAPC, and any easements necessary for the implementation thereof, being provided free-of-cost. (LG)***
- 6. Suitable arrangements being made with the local government so that provision of an adequate sewerage service will be available to the lot(s) shown on the approved plan of subdivision.***
- 7. The transfer free-of-cost of transformer and high voltage switchgear sites to the Western Power Corporation, with the locations of the sites being to the satisfaction of the WAPC on the advice of the local government and Western Power Corporation. (Western Power) (LG)***
- 8. The proposed reserves shown on the plan submitted by the applicant, being shown on the Diagram or Plan of Survey (deposited plan) as a "Reserve for Drainage" and a "Reserve for Recreation" respectively. The reserves are to be vested in the Crown under section 20A of the Town Planning and Development Act, such land to be ceded free-of-cost and without any payment of compensation by the Crown. (LG).***
- 9. Arrangements being made to the satisfaction of the WAPC with the Local Government for the detailed design, construction and landscaping of the public open space/drainage reserve(s). (LG)***
- 10. A dual use pedestrian path to be constructed along one side of all distributor roads to Council's satisfaction. (LG)***
- 11. The subdivider making arrangements satisfactory to the WAPC to ensure that prospective purchasers of the lots created will be advised of those provisions of the***

*Local Government's Town Planning Scheme which relate to the use and management of the land. (LG)*

- 12. Measures being taken to the satisfaction of the WAPC to ensure the identification and protection of any vegetation on the site worthy of retention prior to commencement of site works. (LG)*
- 13. Arrangements being made to the satisfaction of the WAPC to ensure that subdivisional drainage works are in accordance with an approved Drainage & Nutrient Management Plan that incorporates urban water sensitive design principles. (LG)*
- 14. Uniform fencing being constructed along the boundaries of all lots being constructed to the satisfaction of the WAPC. (LG)*
- 15. Arrangements being made to the satisfaction of the WAPC with the Local Government for the detailed design, construction and landscaping of the landscape protection area(s) (restrictive covenants) as described on the application plan. (LG)*
- 16. A restrictive covenant pursuant to Section 129BA of the Transfer of Land Act 1893 (as amended) being registered on the certificate of title of the proposed lots containing the landscape protection area described on the application plan for the purposes of protecting the landscaping installed in satisfaction of Condition 15. (LG)*
- 17. The restrictive covenant as described on the application plan abutting Brand Highway being widened to 20 metres.*
- 18. The applicant making arrangements to the satisfaction of the WAPC to ensure provision of a water supply for fire fighting purposes or alternatively making a contribution for suitable fire fighting facilities for the area.*
- 19. All buildings, outbuildings and/or structures being demolished and removed from the site.*

**CARRIED**  
8/0

**VOTING DETAILS:**

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|                             |   |
|-----------------------------|---|
| <b>TP.693:</b>              | <b>PROPOSED SUBDIVISION</b>                         |
| <b>LOCATION:</b>            | <b>LOT 502, BRAND HIGHWAY, TYFORD ROAD, DONGARA</b> |
| <b>PROPONENT:</b>           | <b>BERUCA PTY LTD &amp; CPL INVESTMENTS PTY LTD</b> |
| <b>REPORTING OFFICER:</b>   | <b>GLENN COAKER – TOWN PLANNER</b>                  |
| <b>DATE OF REPORT:</b>      | <b>16 NOVEMBER 2005</b>                             |
| <b>FILE REFERENCE:</b>      | <b>TP.3/1 (WAPC 129562)</b>                         |
| <b>VOTING REQUIREMENTS:</b> | <b>NORMAL MAJORITY</b>                              |

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**BACKGROUND:**

This application was considered previously by Council at its meeting on 22 November 2005, whereby it was resolved: *‘That the Shire of Irwin advise the Western Australian Planning Commission that a recommendation will be deferred to the next Council meeting on 20 December 2005 to allow time to accurately consider all aspects of the proposal.’*

**COMMENT:**

- **General**

Lot 502 is zoned Special Residential under the Shire of Irwin Town Planning Scheme No. 4. This application proposes to subdivide the property into 77 new lots with a minimum lot area of 4000m<sup>2</sup> (refer to attachment).

Drainage is a significant issue for the subdivision. The topography of the site is made up of alluvial flats with heavy loam/clay soils.

Roads are proposed to be unkerbed with table drains on the shoulder. Shire of Irwin Policy E1 requires low residential zones, including the Special Residential zone, to be provided with kerbed roads and piped drainage.

An open drainage system will transfer runoff from the table drains to a retention basin developed as a lake/pond in the central public open space area.

Under Town Planning Scheme No. 4, lots below 6000m<sup>2</sup> in the Special Residential zone must be provided with sewer. The applicant has not yet advised whether or not the lots are proposed to be sewered. It should be noted under proposed Town Planning Scheme No. 5, the minimum size for unsewered lots in this zone is reduced to 4000m<sup>2</sup>.

The landholding includes a large number of existing eucalyptus trees around the perimeter; these provide a natural buffer between the new lots and adjoining land uses including the Brand Highway.

If the application included a perimeter road with lots facing out, the trees would need to be removed.

It would be beneficial to retain these trees, not only as a suitable buffer between adjoining land uses but to provide increased visual amenity to the subdivision. This could be done by way of a restrictive covenant over the rear of all affected lots. The covenant would also prohibit people from accessing the highway or adjoining land from these lots.

With a proposed lot size of 4000m<sup>2</sup>, there is potential for further subdivision of each lot in the future. Under the Special Residential zoning the minimum lot size is 2000m<sup>2</sup>, therefore, each lot could potentially be divided into two.

With this in mind, the subdivision should be conditioned to provide kerbed roads and piped drainage at this initial stage; this is in accordance with Council Policy E1 and allows for a future increase in the number of lots and dwellings.

Other considerations include:

The landholding is in close proximity to the town centre and is separated by the Brand Highway. It will be necessary to provide a dual use path network which brings people to a central crossing point at the Brand Highway.

Any buildings remaining on Lot 502 will need to be removed.

The public open space for the area has already been ceded as part of a previous application.

- **Financial Implications** - Nil
- **Policy Implications** - Nil
- **Strategic Implications** - Nil

**STAFF RECOMMENDATION:**

That Council advise the Western Australian Planning Commission that it supports the subdivision subject to the following conditions:

1. Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected to the existing road system and such roads being constructed and drained at the subdivider's cost. As an alternative, the Western Australian planning Commission ("WAPC") is prepared to accept the subdivider paying to the local government the costs of such roads as estimated by the local government subject to the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (LG)
2. Street corners within the subdivision being truncated to the standard truncation of 8.5 metres. (LG)
3. Approval from Main Roads WA for any required upgrading works related to the intersection of Brand Highway and Tyford Road and the construction of those works. (LG)
4. Intersections on subdivisional roads being designed and constructed to the satisfaction of the WAPC. (LG)
5. The land being filled and/or drained at the subdivider's cost to the satisfaction of the WAPC, and any easements necessary for the implementation thereof, being provided free-of-cost. (LG)
6. The transfer free-of-cost of transformer and high voltage switchgear sites to the Western Power Corporation, with the locations of the sites being to the satisfaction of the WAPC on the advice of the local government and Western Power Corporation. (Western Power) (LG)
7. Arrangements being made to the satisfaction of the WAPC with the Local Government for the detailed design, construction and landscaping of the public open space. (LG)
9. A dual use pedestrian path to be constructed along one side of all distributor roads to Council's satisfaction. (LG)
10. The subdivider making arrangements satisfactory to the WAPC to ensure that prospective purchasers of the lots created will be advised of those provisions of the Local Government's Town Planning Scheme which relate to the use and management of the land. (LG)

11. Measures being taken to the satisfaction of the WAPC to ensure the identification and protection of any vegetation on the site worthy of retention prior to commencement of site works. (LG)
12. Arrangements being made to the satisfaction of the WAPC to ensure that subdivisional drainage works are in accordance with an approved Drainage & Nutrient Management Plan that incorporates urban water sensitive design principles. (LG)
13. Suitable arrangements being made with the local government so that provision of an adequate sewerage service will be available to the lot(s) shown on the approved plan of subdivision.
14. Uniform fencing being constructed along the boundaries of all lots being constructed to the satisfaction of the WAPC. (LG)
15. A restrictive covenant pursuant to Section 129BA of the Transfer of Land Act 1893 (as amended) being registered on the Certificate of Title of the proposed lots containing the landscape protection area as described on a plan provided by the applicant for the purposes of protecting the landscape to the satisfaction of the WAPC. (LG)
16. The applicant making arrangements to the satisfaction of the WAPC to ensure provision of a water supply for fire fighting purposes or alternatively making a contribution for suitable fire fighting facilities for the area. (LG)
17. All buildings, outbuildings and/or structures being demolished and removed from the site. (LG)
18. All roads to be kerbed and provided with piped drainage. (LG)

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**COUNCIL MOTION:**

**Moved Cr Bass, seconded Cr Chandler**

***That Council not support the proposal due to drainage concerns and the inclusion of large lot sizes.***

**CARRIED**  
**8/0**

**VOTING DETAILS:**



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**TP.694: PROPOSED SUBDIVISION**  
**LOCATION: LOT 503 MOORE ROAD, DONGARA**  
**PROPONENT: JW & A CLARKE**  
**REPORTING OFFICER: GLENN COAKER – TOWN PLANNER**  
**DATE OF REPORT: 15 DECEMBER 2005**  
**FILE REFERENCE: TP.3/1 (WAPC 129877)**  
**VOTING REQUIREMENTS: NORMAL MAJORITY**

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**BACKGROUND:**

The above proposed subdivision application has been forwarded by the Western Australian Planning Commission for comment and consideration by Council.

**COMMENT:**

- **General**  
Lot 503 is currently zoned General Industry under Town Planning Scheme No. 4. The minimum lot size in this zone is 2000m<sup>2</sup>.

The proposal is to subdivide four new lots from Lot 503, all with frontage to Moore Road. The lots range in size from 6038m<sup>2</sup> to 2001m<sup>2</sup>. Lot 503 will remain as a balance lot (refer to attachment).

It is noted that Lot 106, shown hashed on the plan, is subject to a separate subdivision application.

Proposed Lot 110 includes a truncation on one corner for a proposed future road into the subdivision area.

- **Financial Implications** - Four extra ratable lots.
- **Policy Implications** - Nil
- **Strategic Implications** - Nil

**STAFF RECOMMENDATION:**

That Council resolve to advise the Western Australian Planning Commission it supports the subdivision, subject to the following conditions:

1. Moore Road being widened by five metres along the frontage of the land subject of this application by the subdivider transferring the land required to the crown free-of-cost for reversioning in Her Majesty as of Her former Estate for the purpose of widening Moore Road.
2. Satisfactory arrangements being made with the Local Authority for the upgrading of Moore Road.
3. The applicant complying with the terms and conditions of the Shire of Irwin's Town Planning Scheme No. 4.

**Footnote:**

Existing bank guarantees held by the Shire will be allocated to cover the upgrading of Moore Road as required for the subdivision area.

**COUNCIL MOTION:**

**Moved Cr Trevenen, seconded Cr Hepworth**

***That Council resolve to advise the Western Australian Planning Commission it supports the subdivision, subject to the following conditions:***

- 1. Moore Road being widened by five metres along the frontage of the land subject of this application by the subdivider transferring the land required to the crown free-of-cost for reversion in Her Majesty as of Her former Estate for the purpose of widening Moore Road.***
- 2. Satisfactory arrangements being made with the Local Authority for the upgrading of Moore Road.***
- 3. The applicant complying with the terms and conditions of the Shire of Irwin's Town Planning Scheme No. 4.***

***Footnote:***

***Existing bank guarantees held by the Shire will be allocated to cover the upgrading of Moore Road as required for the subdivision area.***

**CARRIED**  
**8/0**

**VOTING DETAILS:**

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**TP.695: COCKBURN CEMENT BUFFER ZONE MEETING**  
**LOCATION:** -  
**PROPONENT:** SHIRE OF IRWIN  
**REPORTING OFFICER:** GLENN COAKER – TOWN PLANNER  
**DATE OF REPORT:** 15 DECEMBER 2005  
**FILE REFERENCES:** AM.1/1, TP.3/1  
**VOTING REQUIREMENTS:** NORMAL MAJORITY

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**BACKGROUND:**

Expansion of the southern end of the Springfield special rural locality is currently experiencing difficulty due to the nearby mining and plant operations carried out by Cockburn Cement on their lease adjacent to Kailis Drive.

Recently, the Department of Industry & Resources has sought to implement a number of buffer zones around Cockburn Cement's mine site and plant in order to protect the lime sand resource.

If implemented, the buffer zones have the ability to impact on the development potential of the private landholdings surrounding Cockburn Cement's mining lease.

**COMMENT:**

• **General**

At 5.00pm on 14 December 2005, the Shire of Irwin convened a meeting at the Shire offices between the following stakeholders:

- Shire of Irwin
- Department of Industry & Resources
- Department for Planning & Infrastructure
- Private landowners in Springfield potentially affected by the buffers.

A representative from Cockburn Cement was an apology.

The meeting provided an opportunity for the landowners to be informed of the current buffer proposal and of its implications, and for the relevant authorities to obtain an understanding of the landowners concerns.

It was established at the meeting that the landowners felt the extent of the proposed buffers was excessive and unduly impacted on the development potential of their properties. A compromise on the extent of the buffers could not be reached.

It was resolved that a further meeting take place early next year in Dongara, including decision- makers from the each of the interested stakeholders and possibly Members of Parliament, in a further attempt to reach an agreement.

- **Financial Implications** - Nil
- **Policy Implications** - Nil
- **Strategic Implications** - Nil

**STAFF RECOMMENDATION:**

That the above item be received.

**COUNCIL MOTION:**

**Moved Cr Dean-Gundill, seconded Cr Trevenen**

*That the information be received and that Council's Chief Executive Officer be authorised to seek legal advice on the matter if it is considered necessary.*

**CARRIED**  
**8/0**

**VOTING DETAILS:**

**11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**12. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil.

**13. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION**

**13.1 SPEED ZONING – BRAND HIGHWAY, DONGARA**

**FILE REFERENCE: ER.1**

Council's Director of Corporate Services tabled a letter from Main Roads WA, in which Council's comments are sought in relation to two proposals being presented for the reduction of speed zones and the extension of reduction zones along Brand Highway where it passes through the townsite.

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**COUNCIL MOTION:**

**Moved Cr Chandler, seconded Cr Gillam**

***That Council support Proposal "A" on the attached plan.***

**CARRIED**  
**7/1**

**VOTING DETAILS:**

*Cr Rob McClurg voted against the motion on the basis that the speed limit should be 50 kph through the townsites.*

**14. MATTERS BEHIND CLOSED DOORS**

Nil.

**15. CLOSURE**

There being no further business, the Chairperson declared the meeting closed at 6.23pm.

Cr Robyn Parsons then took the opportunity to wish all those present a Merry Christmas and a safe holiday period.

The Hon Bruce Donaldson MLC (Opposition Whip in the Legislative Council/Member for the Agricultural Region) and Mr Grant Woodhams MLA (Member for Greenough) attended for the evening meal as did respective partners of both Councillors and senior staff.

I certify that this copy of the Minutes is a true and  
correct record of the meeting held on  
20 December 2005

Signed: .....  
Presiding Elected Member

Date:.....