

I certify that this copy of the Minutes is a true and correct record of the meeting held on 8 November 2005

Signed:
Presiding Elected Member

Date:.....



**MINUTES FOR ORDINARY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS ON
TUESDAY, 8 NOVEMBER 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

PRESENT:

President	Cr R K Parsons (Chairperson)
Councillors	G C Bass (4.05pm), S C Chandler, G L Dean-Gundill, R J Gillam (Deputy President), K J Hepworth, R T McClurg, N S B Trevenen, L W Wheeler
Staff	Mr J L Merrick - Chief Executive Officer Mr G M Peddie - Director of Corporate Services (Minute Taker) Mr F A Neuweiler - Manager, Community Development Mr Glenn Coaker – Town Planner

GUESTS:

APOLOGIES:

-

LEAVE OF ABSENCE:

-

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairperson, Cr Robyn Parsons, declared the meeting open at 4.00pm and welcomed all those in attendance to the meeting, including Mr Glenn Coaker, Council's recently appointed Town Planner. Cr Parsons wished Mr Coaker well and expressed her hope that he enjoyed his time with Council.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Cr Rob Gillam had previously been granted Leave of Absence for today's Council Meeting, however, was in attendance.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

Nil.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. PETITIONS

Nil.

7. CONFIRMATION OF MINUTES

7.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 OCTOBER 2005

A copy of the Minutes of the Ordinary Council Meeting held on 25 October 2005 has been provided to all Councillors.

COUNCIL MOTION:

Moved Cr Gillam, seconded Cr Trevenen

That the Minutes of the Ordinary Council Meeting, held on 25 October 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
20 OCTOBER 2005**

ATTENDANCES: J Rossiter, J Norrish, T Bolland, W Small, J Terhoeve, C Bussenchutt,
L Cronin, R Schulze

APOLOGIES: F Chandler, D Kennedy

MEETING OPENED: 7.39pm

PREVIOUS MINUTES: Tracey moved Minutes from previous meeting.

BUSINESS ARISING: Wasamba`s new performance time will be 2.15pm.

Brief discussion on Lisa`s costing. John will check with Garry on original agreement.

PROGRESS REPORT:

Wendy: Went through the Olive Association`s program for the day (full program finishing with presentation at 3.50pm.

Crayfish and dip around presentation and they need more crayfish (only have 6).

Carmel will ring FAL and ask them to donate a carton otherwise Committee will purchase a box.

Dongara Supermarket supplying ingredients for chef. Nufab tent is confirmed. Swan Brewery supplying sample beers and information about them. Peter Barrett will supply beer for sale or return in 6 packs of “fancy beer” under Occasional License Act.

Wendy asked if anyone can help put up main marquee. This will be happening at 7.00am on the day and they will be getting electricity from John Merrick`s house. Wendy has distributed guidelines from Health Inspectors to all food outlets. Another Fairy Floss will be running in Town Park. Wendy showed her stall map for Town Park.

John: Looking into hot water for chefs to clean up i.e. Shire Hall or Bakery. John will check with Kailis to see if they have a banner for main marquee and is going to ask Shire about getting 70 chairs and 5 tables (to go up on hill in shade close to toilets, etc).

Olive Spit: 50 cents a go - 3 olives (all one type) - turning into a great event with great prizes being given. Final spit 3.45pm.

Anglican Ladies tool on Morrish Nuts offer.

Carmel will be asking the clowns to come (Committee has put budget for them at approximately \$300.00).

Road closure for Festival will be published next week. Signs are up on each end of town advertising Festival.

General discussion about website (problems finding it).

CORRESPONDENCE: John spoke about letter from Tax Department. They wanted to send a refund of some sort but said the old account was closed (no amount was mentioned). John will ring them. Wendy asked if we were an “Association” and John replied yes - and that we did have an ABN Number. John advised the committee that Graham paid \$80.00 for new website.

Tracey: Showed list from Lisa of sponsors and advertisement for “Guardian”. Few changes were made to advertisement. Confirmed sponsorship approximately \$21,000. Showed an account for previous Festival bill from Geraldton Electrical Co-Committee - decided to wait until after this

Festival to pay it. Tracey asked are we printing a program and will it go into the Local Rag. Tracey advised that Lisa has suggested we put away any “Larry” dolls for future use and heritage keepsake (show’s progression/development of Larry, etc)

Lyn: Asked if money had been transferred across from Performing Arts account to Festival but John did not have bank statement available at the time, so he will check. Lyn confirmed Pat and Mac to play on Clarke’s Real Estate Co’s corner.

Rebecca: Will take PA to foreshore for music to play while fireworks are underway. Committee will pay \$150.00 to DDHS for this service. She will take a microphone as well for any announcements i.e. lost children, etc. Rebecca has keys to let Wasamba into school for accommodation and has given all the rules to John to let Wasamba know (no driving on oval, smoking drinking etc not permitted etc). Rebecca has asked that Wasamba not be paid until she has had a check of facilities after they leave.

John: Will ask Wasamba to perform from 7:45pm-8.15pm at the foreshore to coincide with fireworks commencing at 8:15pm. John asked that Dongara Denison Electrical Services be acknowledged because they paid for “Larry” to be fixed.

John Terhoeve: Asked what was happening with toilets and has suggested an official photographer of some sort. **John Rossiter** said Shire is happy for Festival to use Shire Hall toilets and he will speak to Ivan de Baugy about taking photos.

General discussion about public liability. **John Rossiter** to speak to the Shire about this.

Meeting closed 9:27pm. Next meeting Thursday, 27 October 2005 at 7.30pm.

COUNCIL MOTION:

Moved Cr Trevenen, seconded Cr Hepworth

That the Minutes of the Dongara-Denison Festival Committee Meeting held on 20 October 2005 be received.

CARRIED
8/0

VOTING DETAILS:

Cr George Bass entered the Chambers at 4.05pm.

7.3 MINUTES OF THE ANNUAL GENERAL MEETING OF THE BUSHFIRE BRIGADES COMMITTEE HELD ON 20 OCTOBER 2005

The meeting commenced at 7.16pm.

PRESENT:

Chairperson: Cr R K Parsons
Chief Bushfire Control Officer: Mr P Summers
Council Staff: Mr G Peddie – Director, Corporate Services
Mr A Clarkson – Ranger
FESA: Mr R Hayes
Brigade Members/Public: M Butcher, J Koric, F McAllen, J Reed

APOLOGIES: T Ellery, P Blake, N Summers, R Cosgrove, P Schulze

1. OPENING/ANNOUNCEMENTS

Cr Parsons declared the meeting open at 7.16pm and welcomed all those in attendance.

2. MINUTES OF PREVIOUS MEETING HELD ON 22 SEPTEMBER 2004

That the minutes of the Shire of Irwin Annual General Meeting of Bushfire Brigades held on 22 September 2004 be confirmed as a true and correct record of that meeting.

Moved A Clarkson, seconded F McAllen

CARRIED

3. ELECTION OF BRIGADE OFFICE BEARERS / APPOINTMENT OF AUTHORISED OFFICERS

Cr Parsons advised that the following positions for each Brigade were to be recommended to Council for adoption. Each Brigade was requested to advise the meeting of their recommended officers for the forthcoming season.

Moved J Koric, seconded M Butcher

That the following officers be recommended to Council for appointment to each Brigade:

<u>NORTH BRIGADE</u>	Brigade Captain	J Koric
	Brigade Lieutenants	1 P Blake
		2 B Leishman
		3 L Edwards
		4 S Brindal
	Fire Control Officer	J Koric
<u>SOUTH BRIGADE</u>	Brigade Captain	C Gillam
	Brigade Lieutenants	1 N Summers
		2 R Gillam
		3 C Forsyth
	Fire Control Officer	C Gillam

<u>TOWN BRIGADE</u>	Brigade Captain	M Butcher	
	Brigade Lieutenants	1 T Ellery	
		2 P Schulze	
		3 A Clarkson	
	Fire Control Officer	M Butcher	CARRIED

Moved A Clarkson, seconded F McAllen

That Mr P Summers be recommended to Council for appointment as Chief Fire Control Officer.
CARRIED

Moved J Reed, seconded F McAllen

That Mr J Koric and Mr M Butcher be recommended to Council for appointment as Deputy Chief Fire Control Officers.
CARRIED

Moved J Reed, seconded F McAllen

That Mr P Summers and Mr P Blake be recommended to Council for appointment as Fire Weather Officers.
CARRIED

Moved J Reed, seconded M Butcher

That Mr J Merrick, Mr G Peddie and Mr A Clarkson be recommended to Council for appointment as Shire Appointed Fire Control Officers.
CARRIED

3. CHIEF BUSHFIRE CONTROL OFFICER'S REPORT

Mr Peter Summers read aloud his report to the meeting.

*“Irwin Chief Bushfire Control Officer's Report
October 2004 to September 2005*

Arc Energy successfully completed their 3D Seismic survey with no major fire-related incidents. Fire-related matters were managed with a strict inspection system for fire hazards on every single item of machinery coming into the Shire for the seismic survey. Initial inspections were followed up with random inspections during the survey. A number of vehicles and machines were not passed for fire safety initially. Most incoming seismic staff were given an induction on local fire hazards and conditions.

Oil company flare pits are an ongoing issue with inspections of every pit necessary before use in the restricted burning period.

There have been a number of road verge fires including up to four at the same time on the Brand Highway.

Finally, thanks for the help and support given by my fellow volunteers, the Shire staff and FESA staff.

*Peter Summers
CBFCO”*

Moved J Koric, seconded M Butcher

That the Chief Bushfire Control Officer's report be received.

CARRIED

Cr Parsons thanked Mr Summers for his efforts in this role on behalf of Council and the community.

5. BUSHFIRE SERVICE OF WA REPORT

Cr Parsons invited Mr Russell Hayes, Operations Manager for the Midwest area to address the meeting on issues affecting the Bushfire Service of WA and relevant to the Shire Brigades.

Mr Hayes congratulated all members on their respective appointments and updated the meeting on the following matters;

- Emergency Services Levy - Mr Hayes noted that Council was successful in its application for recurrent funding of \$28,920 in 2005/06 to cover the operating costs of each of the Brigades. He informed the meeting that the new Dongara light tanker would be delivered within the next two weeks.

He also advised that Council's decision not to appeal to FESA regarding the unsuccessful application for a fire shed at Irwin may have some consequences in the future in regards to maintaining the existing amount of vehicles and equipment provided by FESA to the Shire of Irwin.

- Mr Hayes advised that he had maintained inspections of the Arc Energy operations to ensure the safety of their flare pits and that exemptions had been issued to Arc by FESA to allow flaring during the Restricted and Prohibited Burning Season.

A Memorandum of Understanding was being prepared and negotiated for a response plan to be signed by the parties.

- Mr Hayes advised that FESA were undergoing a review of its operation in the country and that it was anticipated that each Council would be supported by one officer for both Bushfire and Fire & Rescue operations.
- Mr Hayes advised that FESA are going to appoint a number of Community Fire Managers to assist local authorities to prepare Fire Response Plans and Fire Protection Plans and that the Shire of Irwin would be the first priority for the Midwest Manager.
- The Shire of Irwin, along with a number of other Councils, have been including applications in their ESL submissions for replacement radios and upgrade to their repeaters. FESA have announced a \$20 million funding package over three years to upgrade the communications network. This will include a dual mode radio network that allows cross band communication and the possible placement of a repeater in the southern section of the Shire.
- Mr Hayes reported that the management of unallocated Crown land was now being undertaken by CALM who had received increased funding and manpower to provide the programme.
- The Bushfires Act was being rewritten and would incorporate the current Bushfires Act, Fire Brigades Act and Fire & Rescue Act. Mr Hayes suggested that the provisions of the new Act may include compulsory requirement for firebreaks.

Moved A Clarkson, seconded J Reed

That Mr Hayes' report be received.

CARRIED

6. GENERAL BUSINESS

6.1 FIREBREAKS

Mr Koric asked whether a landowner was liable for any damage caused from fire escaping from their property into the property of their neighbour whose land was situated in an adjoining Shire and was required to provide firebreaks. He was advised that if the owner had complied with the requirements of the Shire Fire notice, they would be covered by insurance.

Mr Hayes suggested that it was possible that a common law court case may result, in which case, the Shire and FESA may be on opposing sides.

6.2 HARVEST BANS

Mr Koric asked whether it was possible for the Shire to have two zones when imposing harvest bans to reflect the different conditions that often occur in the east and west sections of the Shire.

Following considerable discussion, it was agreed that when imposing a harvest ban, the CFCO may wish to use a boundary set by the Water Supply Road.

There being no further business to discuss, the Chairperson declared the meeting closed at 8.17pm and invited all those in attendance to stay for some light refreshments.

COUNCIL MOTION:

Moved Cr Chandler, seconded Cr Gillam

That the Minutes of the Annual General Meeting of the Bushfire Brigades Committee held on 20 October 2005 be received and recommendations adopted.

CARRIED
9/0

VOTING DETAILS:

7.4 MINUTES OF THE DONGARA-DENISON FESTIVAL COMMITTEE MEETING HELD ON 27 OCTOBER 2005

ATTENDANCES: J Rossiter, T Bollard, J Norrish, D Kennedy, L Cronin

APOLOGIES: R Schultz, C Bussenschutt, J Terhoeve, W Small

MEETING OPENED: 7.35pm.

PREVIOUS MINUTES: L Cronin moved, T Bollard seconded.

BUSINESS ARISING:

John: Advised Gary had telephoned him about Lisa's remuneration and she will charge a minimum of \$2000 with a charge of \$45.00/\$50.00 per hour after the \$2000. Gary was happy with this.

Kailis: John advised that they are available for a charge.

Carmel to check with FAL for a donation of crayfish.

Hot Water: Will be from the Shire Hall. **John** to see the Shire about this.

Tax Department: Has posted forms and **John** to fill out then the refund cheque to be posted to John. The amount was unknown.

Account for Graham - \$80.00 for the website given to the Shire.

It was noted that all invoices for GST be refunded. Ivan de Baugy to do the photography.

Lyn: Discussed the monies from Community IDES and John Rowland advised only \$2000 was for the local entertainment as that was the cost.

CORRESPONDENCE IN:

Invitation Lottery Grant: John will attend on 24 November at Fisherman's Hall. T Bollard will also attend.

GST: Shire to take out the GST factor and, at the end of the financial year, the Shire Auditors to reimburse the Committee.

Sponsors: Amendments to the list: Shire of Irwin \$5000 from \$7000 (\$2000 goes to Community Focus Group), fireworks \$4000 (Southerlys \$2000, Lazy Lobster \$200, Port Denison Holiday Units \$100, Dongara Tourist Park \$200, Youth Group \$1500, Youth Group wishes to be exempt from paying stall fee o the day. **All in favour.**

Lisa: Telephoned for Dongara Concrete Services - donated \$200.

John: Has banner for Marquee for food stall.

Advertising was placed in the "Midwest"/"Guardian".

Invoice: For change of website - \$55 was given to Shire.

Art: Free tickets issued to Committee for Friday exhibition.

GENERAL BUSINESS:

Wasamba: John to telephone and advise them only 25 people.

Road Closure: Permit \$55 - Shire to pay when bill comes.

Dave: Placed posters around town. **Tracey:** To place around Geraldton, **Lyn:** To place a few around.

John: Place program in "The Local Rag".

Meeting closed 8.10pm. Next Meeting: 3 November at 7.30pm.

COUNCIL MOTION:

Moved Cr Hepworth, seconded Cr McClurg

That the Minutes of the Dongara-Denison Festival Committee Meeting held on 27 October 2005 be received.

CARRIED
9/0

VOTING DETAILS:

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil.

9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil.

10. REPORTS

B.366: PROPOSED OVERSIZED SHED
LOCATION: LOT 808, 7 CORAL COURT, PORT DENISON
PROPONENT: MR NEIL JAMES
REPORTING OFFICER: FELIX NEUWEILER - MANAGER, COMMUNITY DEVELOPMENT
DATE OF REPORT: 31 OCTOBER 2005
FILE REFERENCE: BA.1
VOTING REQUIREMENTS: NORMAL MAJORITY

BACKGROUND:

An application was received from Mr James to build a shed on the above lot prior to building the main dwelling. He also made application to build the outbuilding 300mm taller than required by the current Town Planning Scheme (**please refer to the attachment**).

COMMENT:

- **General**
Clause 5.1.9 of the Shire of Irwin Town Planning Scheme provides that the wall height of any outbuilding is not to exceed 3m, and the maximum building height is not to exceed 4m.

The applicant proposes to exceed both height limitations by 300mm. However, at 75m², the shed will comply with the Scheme's area restriction.

Mr James approached three of his immediate neighbours for their comments to the proposal. All three provided a letter stating that they have no objection to the proposed shed exceeding the height limitation by 300mm (**please refer to the attachments**).

It is recommended that Council use its discretionary power and approve the shed as applied for, to enable the applicant to accommodate his boat.

- **Financial Implications** - Nil
- **Policy Implications** - Policy B5 – Isolated Outbuildings
- **Strategic Implications** - Nil

STAFF RECOMMENDATION:

That Council approve the application relating to the proposed shed on Lot 808, 7 Coral Court, Port Denison:

1. The shed being built before the main dwelling, subject to complying with Council's policies; and
2. The shed wall being built to a maximum height of 3.3 metres and overall building height of 4.3 metres.

COUNCIL MOTION:

Moved Cr Chandler, seconded Cr Trevenen

That Council approve the application relating to the proposed shed on Lot 808, 7 Coral Court, Port Denison:

- 1. The shed being built before the main dwelling, subject to complying with Council's policies; and***
- 2. The shed wall being built to a maximum height of 3.3 metres and overall building height of 4.3 metres.***

CARRIED
9/0

VOTING DETAILS:

CEO.259: STRUCTURAL REFORM
LOCATION: -
PROPONENT: -
REPORTING OFFICER: JOHN MERRICK – CHIEF EXECUTIVE OFFICER
DATE OF REPORT: 2 NOVEMBER 2005
FILE REFERENCES: AE.1, AB.2.1
VOTING REQUIREMENTS: NORMAL MAJORITY

BACKGROUND:

The issue of structural and electoral reform has been recently accelerated following many years of rhetoric and little else.

COMMENT

• **General**

In the past few weeks, two events have resulted in the issue of structural reform being raised in profile by the State Government:

1. The appointment of a Parliamentary Select Committee headed up by the Hon John Quigley to examine the “appropriateness” of the governance functions of Local Government in Western Australia.
2. The Minister’s appointment of the Local Government Advisory Board to conduct a study of structural and electoral reform of Local Government in Western Australia.

The Department for Local Government & Regional Development has released an “Issues Paper” in relation to Item 2 above and WALGA has circulated an Electoral Reform Survey (**both attached**) presumably with a Structural Reform Survey to follow.

I met with Mr Quigley at the *LGMA Conference* last week and he has allayed most of our initial concerns in regard to the broad parameters of the terms of reference for the Committee.

The “Issues Paper” being circulated by the Advisory Board, however, contains wide-ranging implications for the structural reform agenda and will certainly initiate significant debate throughout the State, particularly by those local authorities which may be “at risk”.

This Council has always adopted a pro-reform stance and has made several submissions to various authorities in past years, including a full submission to the Advisory Board in 1998.

The “language” used in the “Issues Paper” is perhaps an indication that the time for action has arrived and that some positive, albeit controversial change, may be on the horizon.

The WALGA Electoral Reform Survey needs to be completed by Councillors, as this issue is very much an elected representative role.

Council should also discuss its involvement in the “Issues Paper” and whether or not it wishes to prepare a submission to the Advisory Board and/or meet with the Board in person.

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

STAFF RECOMMENDATION:

1. That Council resolves its responses to the WALGA Electoral Reform Survey.
 2. That Council resolves its degree of involvement in presentations to the Local Government Advisory Board in relation to structural and electoral reform.
-

COUNCIL MOTION:

Moved Cr Chandler, seconded Cr Bass

That this item be deferred until the end of the agenda where it will be discussed.

CARRIED
9/0

VOTING DETAILS:

TP.676: PROPOSED HOME OCCUPATION - BEAUTY AND MASSAGE THERAPY

LOCATION: VICTORIA LOCATION 1288, LOT 11 IRONBARK WAY, SPRINGFIELD

PROPONENT: MRS LAURA THOMSON

REPORTING OFFICER: FELIX NEUWEILER - MANAGER, COMMUNITY DEVELOPMENT

DATE OF REPORT: 31 OCTOBER 2005

FILE REFERENCE: HO.3

VOTING REQUIREMENTS: NORMAL MAJORITY

BACKGROUND:

Mrs Thomson submitted an application to Council to work as Beauty and Massage Therapist from her home at the above residential address (**please refer to the attachment**).

The property is zoned 'Special Rural'. The Town Planning Scheme's 'Zoning and Development' Table assigns Home Occupation an 'AA'-use in areas with that zoning. 'AA' means that Council may, at its discretion, permit the use.

COMMENT:

- **General**

The applicant obtained comments from three of her immediate neighbours. They have no objections to the proposed home occupation.

Lot 11 consists of 4ha of land and the dwelling is well set back from the road. There is enough room for client carparking spaces available on-site.

It is recommended that Council approve the application as it would have little impact on neighbouring properties.

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

STAFF RECOMMENDATION:

That Council grant approval to Mrs Laura Thomson to conduct a Beauty and Massage Therapy service as Home Occupation from 11 Ironbark Way, Springfield subject to the following conditions:

1. i) The planning consent being valid for a period of twelve (12) months only, however, such will need to be renewed every 30th June to coincide with other home occupation renewals, in the first instance.
- ii) No other person other than the applicant or a member of the occupier's family being employed in the home occupation.
- iii) Compliance with all state legislation and Town Planning Scheme provisions applicable to the home occupation activity and being maintained and managed in a manner approved by Council's Environmental Health Officer.
- iv) All carparking to be located within the applicant's property.
- v) Any advertisement sign relating to the Home Occupation activity is not to exceed 0.2 square metres in area.

- vi) The applicant providing Council with written approval from adjoining residents to the proposal, with these approvals being forwarded to the Chief Executive Officer prior to the Home Occupation commencing.
2. The applicant being advised that any renewal of the Home Occupation approval on a twelve (12) monthly basis will be subject to:
 - i) Consideration of the application by Council.
 - ii) Conditions of Council's approval having been complied with in the preceding twelve (12) months.
 - iii) No complaints having been received regarding the operation of the activity.
 - iv) Any current planning law or policy which may relate to the Home Occupation approval.
3. The applicant being advised that the Home Occupation is not transferable to any other person and only applies to the place of residence detailed above.

COUNCIL MOTION:

Moved Cr Chandler, seconded Cr Bass

That Council grant approval to Mrs Laura Thomson to conduct a Beauty and Massage Therapy service as Home Occupation from 11 Ironbark Way, Springfield subject to the following conditions:

1. ***i) The planning consent being valid for a period of twelve (12) months only, however, such will need to be renewed every 30th June to coincide with other home occupation renewals, in the first instance.***
 - ii) No other person other than the applicant or a member of the occupier's family being employed in the home occupation.***
 - iii) Compliance with all state legislation and Town Planning Scheme provisions applicable to the home occupation activity and being maintained and managed in a manner approved by Council's Environmental Health Officer.***
 - iv) All carparking to be located within the applicant's property.***
 - v) Any advertisement sign relating to the Home Occupation activity is not to exceed 0.2 square metres in area.***
 - vi) The applicant providing Council with written approval from adjoining residents to the proposal, with these approvals being forwarded to the Chief Executive Officer prior to the Home Occupation commencing.***
2. ***The applicant being advised that any renewal of the Home Occupation approval on a twelve (12) monthly basis will be subject to:***
 - i) Consideration of the application by Council.***
 - ii) Conditions of Council's approval having been complied with in the preceding twelve (12) months.***
 - iii) No complaints having been received regarding the operation of the activity.***
 - iv) Any current planning law or policy which may relate to the Home Occupation approval.***
3. ***The applicant being advised that the Home Occupation is not transferable to any other person and only applies to the place of residence detailed above.***

CARRIED
9/0

VOTING DETAILS:

Cr Robyn Parsons declared an interest in the following item on the basis that she resides next door to the proponent, and departed the Chambers at 4.40pm. Cr Rob Gillam assumed the Chair at this time.

Cr Lance Wheeler declared an interest in the following item on the basis that he is the proprietor of holiday accommodation.

TP.677: PROPOSED 'BED & BREAKFAST' ACCOMMODATION
LOCATION: VICTORIA LOCATION 933, LOT 2 BRAND HIGHWAY, DONGARA
PROPONENT: ANDREW & NECIA WATSON
REPORTING OFFICER: FELIX NEUWEILER - MANAGER, COMMUNITY DEVELOPMENT
DATE OF REPORT: 31 OCTOBER 2005
FILE REFERENCE: HO.3
VOTING REQUIREMENTS: NORMAL MAJORITY

BACKGROUND:

Mr & Mrs Watson submitted an application in September 2005 to establish 'Bed & Breakfast' accommodation at Victoria Location 933, Lot 2 Brand Highway, Dongara.

The Town Planning Scheme's 'Zoning and Development' Table assigns holiday accommodation an 'SA' use in areas zoned 'General Farming'. 'SA' means that Council may, at its discretion, permit the use after notice of application has been given to neighbours and in a newspaper circulating in the area inviting public comments within 21 days from the date of the publication.

Council dealt with this item during the meeting held on 27 September 2005. At that meeting, Council resolved to endorse the advertisement, in accordance with clause 6.2 of the Shire of Irwin Town Planning Scheme, of the proposal to establish 'Bed & Breakfast' accommodation at Lot 2, Brand Highway.

COMMENT:

- **General**
The applicants obtained comments from both neighbours and placed an advertisement in the 12 October edition of the 'Local Rag' in accordance with Scheme requirements.

No public comments were received and both neighbours had no objection to the proposal, although one neighbour made the comment: *"...as long as the applicants realise that we train racehorses from our property as well as conducting a business which does necessitate early mornings with some late evenings."*

This is a valid comment, as the area along Brand Highway is used for commercial purposes and elevated noise levels may occurred at times.

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

STAFF RECOMMENDATION:

That Council approve the establishment of 'Bed & Breakfast' accommodations at Lot 2, Brand Highway, subject to the following conditions:

1. The applicants comply with the Health Act 1911 and any other relevant legislation;
2. Approval is granted provided that no more than four (4) guests are accommodated at any one time;
3. On-site parking for visitors is made available; and
4. The applicants understand that noise levels may be elevated at times due to the commercial nature of neighbouring properties.

COUNCIL MOTION:

Moved Cr Chandler, seconded Cr Bass

That Council approve the establishment of 'Bed & Breakfast' accommodations at Lot 2, Brand Highway, subject to the following conditions:

- 1. The applicants comply with the Health Act 1911 and any other relevant legislation;***
- 2. Approval is granted provided that no more than four (4) guests are accommodated at any one time;***
- 3. On-site parking for visitors is made available; and***
- 4. The applicants understand that noise levels may be elevated at times due to the commercial nature of neighbouring properties.***

CARRIED
7/0

VOTING DETAILS:

Crs Robyn Parsons and Lance Wheeler returned to the Chambers at 4.42pm.

Cr Parsons resumed the Chair at this time.

TP.678:	PROPOSED SUBDIVISION
LOCATION:	VICTORIA LOCATION 6125, LOT 1 BRAND HIGHWAY, ARROWSMITH
PROPONENT:	F R RODDA & CO - FOR MR T NALEY
REPORTING OFFICER:	FELIX NEUWEILER – MANAGER, COMMUNITY DEVELOPMENT
DATE OF REPORT:	3 NOVEMBER 2005
FILE REFERENCE:	TP.3/1 (WAPC REF: 129410)
VOTING REQUIREMENTS:	NORMAL MAJORITY

BACKGROUND:

Mr Frank Rodda made an application on behalf of Mr Naley to the Western Australian Planning Commission to subdivide the above 'General Farming' zoned land into two parcels, one 412ha and one 895ha lot (**please refer to the attachment**). The Commission forwarded the application to the Shire of Irwin for Council's consideration.

Council dealt with this item at the last meeting on 25 October. It was resolved that consideration of the item be deferred until further inspection takes place.

Mr Rodda was approached for additional information, which was not received at the time the report was written; however, the property appears to be land with little agricultural value.

Council's recently-appointed Planning Officer, Glenn Coaker, assessed the application and was satisfied with the original staff recommendation.

COMMENT:

- **General**

The applicant states in his submission:

"The purpose of the subdivision is to survey off the western side of the property which is uncleared natural bush. This lot is to be retained by the present owners, or sold off later. The eastern lot is mainly cleared and pastured and its present use for grazing is to continue. This lot has been contracted to a sale, conditional upon approval of this proposed subdivision."

Lot 1 is currently vacant land, and located in the Local Rural Strategy Policy Area C. The objective for that policy area is that the subdivision/development of land within this area, the boundaries of which generally coincide with land areas of moderate or high agricultural quality, will be supported by Council for purposes of property consolidation, boundary alignment, and in special circumstances for intensive farming purposes only, in order that continuing broad acre agricultural and/or intensive farming land use is promoted, in recognition of the quality of the land.

The subdivision will separate the uncleared land from the grazing area; hence the proposal would be consistent with the intent of the Policy Area C.

- **Financial Implications** - Nil.
- **Policy Implications** - Nil.
- **Strategic Implications** - Town Planning Scheme's Local Rural Strategy Policy Area C.

STAFF RECOMMENDATION:

That Council advise the Western Australian Planning Commission that it supports the subdivision of Victoria Location 6125, Lot 1 Brand Highway, Arrowsmith as submitted.

COUNCIL MOTION:

Moved Cr Bass, seconded Cr Chandler

That Council advise the Western Australian Planning Commission that it supports the subdivision of Victoria Location 6125, Lot 1 Brand Highway, Arrowsmith as submitted.

CARRIED
5/4

VOTING DETAILS:

Crs Brad Trevenen, Rob McClurg, Rob Gillam and Kevin Hepworth voted against the Council Motion.

TP.679: PROPOSED SUBDIVISION

LOCATION: VICTORIA LOCATION 1342 & 1780 SPRINGFIELD DRIVE, SPRINGFIELD

PROPONENT: A SAPELLI, A H & P J STOKES

REPORTING OFFICER: GLENN COAKER – TOWN PLANNER

DATE OF REPORT: 3 NOVEMBER 2005

FILE REFERENCE: TP.3/1 (WAPC REF: 129635)

VOTING REQUIREMENTS: NORMAL MAJORITY

BACKGROUND:

An application to subdivide the above 'Special Rural' zoned land has been forwarded to the Shire of Irwin from the Western Australian Planning Commission (Ref: 129635) for consideration and comment.

COMMENT:

- **General**

The application proposes to excise a 10m strip of land from each lot for the purpose of road widening. This will create a suitable road reserve between the two lots and is in accordance with the Springfield Subdivision Guide Plan (**refer to attachments**).

The proposed road reserve will provide frontage for any new lots which may be subdivided from these properties in the future.

It also provides suitable road access for adjoining Lot 101 to the west. An application was made to the WAPC by Lundy Nominees and P M Schulze to subdivide Lot 101 in November 2004. However, the application was not supported as road access was not in accordance with the Springfield Subdivision Guide Plan. This proposal will allow the subdivision of Lot 101 to progress further.

- **Financial Implications**

Nil

- **Policy Implications**

Nil

- **Strategic Implications** -

Shire of Irwin Town Planning Scheme No. 4 – Local Rural Strategy Policy Area F.

STAFF RECOMMENDATION:

That Council advise the Western Australian Planning Commission that it supports the subdivision of Victoria Location 1342 & 1780 Springfield Drive, Springfield as submitted subject to the following conditions:

1. Compliance with the provisions of the Shire of Irwin Town Planning Scheme No. 4.

2. Satisfactory arrangements being made with the Local Authority to ensure that all road reservations proposed on the Springfield Subdivision Guide Plan and, as illustrated on the subdivision plan, are provided and dedicated as part of the subdivision.

ADVICE TO APPLICANT:

Any future application to subdivide lots with frontage to the proposed road reserve, or to subdivide lots requiring access from the proposed road reserve, will require the road to be constructed and drained at the subdivider's cost to the satisfaction of the Local Authority, as a condition of approval.

COUNCIL MOTION:

Moved Cr Chandler, seconded Cr Trevenen

That Council advise the Western Australian Planning Commission that it supports the subdivision of Victoria Location 1342 & 1780 Springfield Drive, Springfield as submitted subject to the following conditions:

1. ***Compliance with the provisions of the Shire of Irwin Town Planning Scheme No. 4.***
2. ***Satisfactory arrangements being made with the Local Authority to ensure that all road reservations proposed on the Springfield Subdivision Guide Plan and, as illustrated on the subdivision plan, are provided and dedicated as part of the subdivision.***

ADVICE TO APPLICANT:

Any future application to subdivide lots with frontage to the proposed road reserve, or to subdivide lots requiring access from the proposed road reserve, will require the road to be constructed and drained at the subdivider's cost to the satisfaction of the Local Authority, as a condition of approval.

CARRIED
9/0

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

Nil.

14. MATTERS BEHIND CLOSED DOORS

Nil.

15. REPORTS (CONTINUED)

Discussion on the following item resumed.

CEO.259: STRUCTURAL REFORM

LOCATION: -

PROPONENT: -

REPORTING OFFICER: JOHN MERRICK – CHIEF EXECUTIVE OFFICER

DATE OF REPORT: 2 NOVEMBER 2005

FILE REFERENCES: AE.1, AB.2.1

VOTING REQUIREMENTS: NORMAL MAJORITY

COMMENT:

▪ **General:**

Council's Chief Executive Officer reported to Council on the history of the Shire of Irwin's involvement in boundary and structural reform in the region. He cited occasions when Council had made submissions to the Local Government Advisory Board and other enquiries looking at structural reform. The Shire of Irwin has always presented a positive view about the advantages of structural reform for the State as well as the region.

Council discussed the need for structural reform and provided feedback to Council's CEO that Council should make a submission to the Board and how it may proceed.

Council's CEO suggested that he would prepare a draft response on behalf of Council which would be available by the next meeting of Council.

STAFF RECOMMENDATION:

1. That Council resolves its responses to the WALGA Electoral Reform Survey.
2. That Council resolves its degree of involvement in presentations to the Local Government Advisory Board in relation to structural and electoral reform.

COUNCIL MOTION:

Moved Cr Dean-Gundill, seconded Cr Bass

1. ***That all Councillors complete the survey and present them to the CEO who will co-ordinate a response to WALGA.***
2. ***That the CEO prepares a draft submission to the Local Government Advisory Board for presentation to the next Council Meeting.***

CARRIED
9/0

VOTING DETAILS:

16. CLOSURE

There being no further business, the Chairperson declared the meeting closed at 5.53pm.

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

Signed:
Presiding Elected Member

Date:.....