

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

Signed:
Presiding Elected Member

Date:.....



**MINUTES FOR ORDINARY COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS ON
TUESDAY, 13 SEPTEMBER 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 at ceosecretary@irwin.wa.gov.au

<u>PRESENT:</u>	President	Cr R K Parsons (Chairperson)
	Councillors	G C Bass, S C Chandler, R J Gillam (Deputy President) (4.03pm), 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 M R Luzi, Director of Community Development Mr F A Neuweiler, Environmental Health Officer/ Building Surveyor
<u>GUESTS:</u>		-
<u>APOLOGIES:</u>		-
<u>LEAVE OF ABSENCE:</u>		Cr G L Dean-Gundill, Cr K J Hepworth

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 & Mrs Ron and Sue Saulsman and Tim Saulsman, who were all in attendance to discuss Council Item B.353. This item is concerning a proposal for five park homes to be located at the Dongara Tourist Park in George Street, Port Denison.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Crs Rob Gillam and Lance Wheeler had previously requested Leave of Absence for today's meeting, however, were in attendance – Cr Gillam entering the meeting at 4.03pm. Crs Gail Dean-Gundill and Kevin Hepworth had Leave of Absence for today's meeting in order to attend the "Active 2005" Conference in Fremantle over the course of 2 days. All other remaining Councillors were present.

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

4. **PUBLIC QUESTION TIME**

Mr Ron Saulsman from the Dongara Tourist Park and his family were in attendance to discuss Council Item B.353 concerning his application for an additional five park homes, bringing this to a total of 10. He advised that there is now an 80% occupancy rate on the first five park homes and can foresee expanding the park for an additional 3-5 park homes each year. There is a greater financial return for park homes than caravan sites, however, there is a commitment to retain the number of caravan sites currently at the park and he is only looking to develop the hillier area with park homes.

5. **APPLICATIONS FOR LEAVE OF ABSENCE**

Cr Rob Gillam requested Leave of Absence for the Council Meeting to be convened on Tuesday, 27 September 2005.

COUNCIL MOTION:

Moved Cr Chandler, seconded Cr Bass

That Leave of Absence be granted to Cr Rob Gillam for the Council Meeting to be convened on Tuesday, 27 September 2005.

CARRIED
7/0

VOTING DETAILS:

6. **PETITIONS**

Nil.

7. CONFIRMATION OF MINUTES

7.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 23 AUGUST 2005

A copy of the Minutes of the Ordinary Council Meeting held on 23 August 2005 has been provided to all Councillors.

COUNCIL MOTION:

Moved Cr Chandler, seconded Cr Wheeler

That the Minutes of the Ordinary Council Meeting, held on 23 August 2005, be confirmed as a true and accurate recording of that meeting.

CARRIED
7/0

VOTING DETAILS:

7.2 MINUTES OF THE DONGARA DENISON TOURISM ADVISORY COMMITTEE MEETING HELD ON 20 JUNE 2005

1. **ATTENDANCE:** Wendy Small, Debbie Thompson, Adrian Toomey, Thelma Adamson, Irene Powell
2. **APOLOGIES:** Kirrily Toomey, Jeff Caimanos, Karen Kirkland
3. **MINUTES OF PREVIOUS MEETING:** No minutes recorded at previous informal meeting held Monday, 23 May 2005.
4. **BUSINESS ARISING:** N/A.
5. **CORRESPONDENCE:** Tabled and discussed.
Outwards: Letter of Support to Blue Ocean Gallery endorsed by Committee.
Inwards: Memberships for local operators – WA Tourism Network and Publications.
Irene to contact Mike Flood for list of agencies to send Committee contact details – to receive tourism industry information.
6. **REPORTS**
 - Festival Committee Update: Thelma and Wendy attended the previous meeting and relayed the following points: Festival to have a local focus. Festival date is 5 November 2005. Food Fest to be held at the Town Park. Stalls to be in the main street.
 - Launch of Cray Entry Statement: Adrian will liaise with John Merrick and the Shire of Irwin staff regarding the organisation of the event. Recommendation by the Committee to include the general public.
 - Blue Ocean Gallery & Visitor Centre Proposal: Irene has submitted an application for funding to AusIndustry.
 - Chamber of Commerce Directory: Dave Jackson still working on the booklet.
7. **GENERAL BUSINESS**
 - Tourist Information Board on Brand Highway near the BP: Irene to approach the Chamber of Commerce to find out current management procedures/upkeep of board.
 - Police Report tabled.
 - Sunrise Weather Program: Wendy approached the presenters to include Dongara. No response as yet.
 - New Committee letterhead tabled and endorsed by Committee.
 - Strategic Plan for Tourism in Dongara: Revisited by Committee.
 - Second Entry Statement for Dongara: Irene to look at funding options.
 - Town T-Shirt: Irene to contact Anne at Pixie's and organize advertising to re-ignite enthusiasm for the project.
 - Joint marketing by local operators: Promotion of Dongara will be a priority of the Committee. Radio 6NR and WA Caravan Club Publication noted as key avenues for advertising. Marketing campaign in local newspapers was agreed to be an effective tool, though funds need to be raised.
 - Improve residents' attitude to tourism: Deb to approach the Editor of "The Local Rag" to print a monthly article prepared by the Committee, promoting the value of tourism. Irene to approach Mike Flood for key themes/focus for the articles. Ideas for the articles to be brought forward at the next meeting.
 - Feature articles on Dongara: Irene to approach local newspapers to coincide with a celebrational feature liftout with the launch of the Cray
 - Entry Statement.

- Silverdale Olives: Wendy has organized an open house for local tourism operators for this Friday. Committee agreed it is an excellent opportunity for networking with other tourist operators.
8. **NEXT MEETING:** Monday, 25 July 2005. Venue: Blue Ocean Gallery. Time: 6.30pm.
9. **CLOSE:** 7.45pm.
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COUNCIL MOTION:

Moved Cr Bass, seconded Cr Gillam

That the Minutes of the Dongara Denison Tourism Advisory Committee Meeting, held on 20 June 2005, be confirmed as a true and accurate recording of that meeting.

CARRIED
7/0

VOTING DETAILS:

7.3 **MINUTES OF THE DONGARA DENISON FESTIVAL COMMITTEE MEETING HELD ON 25 JULY 2005**

WORK IN PROGRESS:

PLEASE NOTE: The comments in *“italics”* were submitted by Lisa Reid on 8 August 2005.

The meeting was opened at 7.30pm at the Dongara Telecentre, Moreton Terrace, Dongara

COMMITTEE: Wendy Small, Lyn Cronin, Thelma Adamson, Jose Norrish, John Rossiter, Tracy Bolland, Garry Simmons, Carmel Bussenschutt, John Terhoeve, Rebecca Schulze, Laurie Smith, Lance and Christine Wheeler, Irene Powell, Adrian Toomey, David Kennedy

CHAIRPERSON: John Rossiter

V CHAIRPERSON: Tracey Bolland

MINUTES SECRETARY. Rebecca Schulze

- **OLIVE ASSOCIATION – WENDY SMALL.**

Working on developing the previous food concept. Plan to use a marquee as a venue for cooking demonstrations (2). Suggestion - Marquee could be used by other groups; feature area for different demonstrations, etc when not scheduled for use by Olive Association

Please provide preferred location of marquees on site plan. I will forward an old site plan for adjustment in the coming days. I believe I have a copy in my archive material but it will take a little digging on my behalf.

Indigenous cooking demo: Geraldton StreetWorkers are willing to participate.
Is this a definite goer? And when can a confirmation be firmed up?

Boutique Beers – tastings: This year, the licence obtained by the Olive Association allows for sales of packaged drinks. ***Can you please provide outline, i.e. whether there would be one supplier or a number thereof. Place on site plan your preferred location***

Pit spitting competition: This event can be self-funded. ***Place on site plan.***

- **FOOD VENDORS**

Food vendors are needed and a flyer has been prepared that will be placed in the Rag calling for expressions of interest. ***Are you going to approach local restaurants/community groups? Would you like the list of vendors to approach from previous Festivals? Have you developed a schedule for site fees?***

Suggestions: The grounds of the Rag Office and Playgroup carpark could be used as a venue for food vendors. Churches could be approached regarding teas/coffees.

Request: Establish an agreed fee for tent/stall space. ***Has this fee been established as yet?***

- **BUDGET REQUEST**

- Signage update: (Change of date required) ***The northern sign has been removed. Please advise if the Shire has it or is it known where it is situated now? I have checked with Dave Jackson and it is not in his possession.***
- Chef's expenses \$300 (Provides own accommodation)

- Liquor licence \$30
 - If tent from Nufab is not available, then tent hire fee required. **Please confirm availability otherwise I may be able to secure a couple of others locally.**
 - Postage and petties.
 - The Denison Supermarket previously supplied produce used in cooking demonstrations. **Can you confirm whether they will support to the level required for this event.**
-
- **ART EXHIBITION – IRENE:** Unable to proceed with funding application to Country Arts. Sponsorship from ROC Oil \$500 and Cockburn \$250 arranged. *Sponsorship has already been negotiated.* **Can you please hold on further communication with John for the moment? John has kindly advised that ROC would look to support the event for a sizeable amount and I wouldn't like their contribution to be compromised with individual approaches.**
 - **YOUTH GROUPS – DAVID:** No update provided although John reported that an approach for sponsorship of Skyshow had been unsuccessful. **Please outline what your intention would be if I could secure \$\$\$ for a Skyshow. i.e. location, time etc. Are there any other activities planned at this stage? Provide me with a concept/overview that I can use to engage further sponsorship**
 - **MARKETS/STALL HOLDERS:** Carmel has advertised to local stallholders regarding the Festival Weekend. **Do you want to extend the invite to include those who have participated in previous years? If so, I can provide a listing for you. Have you an application for prospective vendors and site plan? Again, I can assist here.**

David and Heidi Stinson (Professional Clowns) have indicated they are available to run a children's entertainment program for the day for \$500. **I am happy to provide a few alternative acts should you wish to entertain that idea.**

Suggestion: SupaValu could be approached to sponsor this component of the Festival. **Please confirm outcome.**

Recommendation that \$25 be the fee for family market stalls.

- **MUSIC/ENTERTAINMENT – REBECCA AND LYN:** Two stages to operate – one in Moreton Tce and the other at the Town Park (Rotunda)

Program to run 10-4pm in 40 minute brackets with 20-minute rest. **Have you all the technical equipment required to fit out the two stages?**

Younger musos, entertainment and sausage sizzle, Mrs Whippy, Fairy Floss catering for the young kids to be in the same location area within Moreton Tce east. **Have these vendors been approached and confirmed?**

Bouncy Castle to be located in Telecentre carpark but would require Shire assistance in sand supplied and spread for the appropriate base. **Again, has the vendor been approached and confirmed?**

Idea is to have the younger children away from the Town Park.

Budget request for music 10-4 is \$1500-\$1800. **Are the prices and performers listed on your summary confirmed?**

Suggestion: Lyn Cronin is one of two signatories to the now defunct Irwin Districts Entertainment Society (IDES), which has an account balance of \$3000 that could be directed to the Festival Committee.

Action: Lyn to seek advice from the Bank regarding closing the account. (The other signatory is now resident in NZ somewhere!)

Garry to seek advice from the Shire re process to follow regarding disposal of assets where committees no longer exist.

- **Finance** – Current balance of Festival account is \$1425.87

GENERAL BUSINESS

- Festival signage required on Midlands Road/road from Dongara to Pell Bridge to capture the Mingenew traffic.
Action: Garry to approach Dave Jackson re support for Festival signage in general. **Lisa currently in discussion with Dave on this one.**
- Name of Festival to be “Dongara Festival” (with) special appearances by Larry; featuring the Fine Food Fest; local musical talent; art exhibition; Kids’ Rock etc. **Dave has made up a logo for the event. Please confirm if you are happy to run with it at this point in time. It would be initially used as part of letterhead to various bodies.**
- Wendy to place ad in Rag re. Expressions of Interest by food vendors
- “Larry” Website – John Rossiter to approach Graeme Grundy re updating and ongoing maintenance work. **Advise update.**
- Garry to discuss co-ordinator contract work with Lisa Reid with a specific focus on attracting sponsorship and marketing the event. Sponsors to support a component of the Festival to maximise effect.
- John Rossiter to continue discussions with hoteliers re sponsoring WASAMBA as a headline act. (\$600 for half hour performances; plus transport costs; accommodation – school facilities?).
Suggestion: Approach venues with the view that they could support the weekend by engaging bands/ acts etc for the night to encourage greater patronage over the course of the weekend

Please advise the following:

Which committee member has been nominated to cover the infrastructural components? i.e. toilets, signage, power requirements and liaison with Shire?

Were you looking at marketing this event to the wider region and, if so, to what extent? i.e. radio, TV press coverage. Keeping in mind that funding cannot be secured from Healthways or Lotteries for this project due to the timeline in play.

Can you make available last year’s site plan and the 2005 proposed plan for perusal. A hard copy can be left with either Dave Jackson or Rob Smith for my collection.

Can you please provide me with the following details.

Your Name	Contact Telephone Nos	Areas that you are prepared to assist with
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- **NEXT MEETING:** The next meeting will be convened on Thursday, 25 August 2005.

COUNCIL MOTION:

Moved Cr Trevenen, seconded Cr Gillam

That the Minutes of the Dongara Denison Festival Committee Meeting, held on 25 July 2005, be confirmed as a true and accurate recording of that meeting.

CARRIED
7/0

VOTING DETAILS:

7.4 MINUTES OF THE DONGARA DENISON TOURISM ADVISORY COMMITTEE MEETING HELD ON 26 JULY 2005

The meeting opened at 6.40pm.

1. **ATTENDANCE:** Wendy Small, Debbie Thompson, Adrian Toomey, Thelma Adamson, Karen Kirkland, Irene Powell
2. **APOLOGIES:** Rachel Martin, Lance and Christine Wheeler
3. **MINUTES OF PREVIOUS MEETING:**
Amendment noted: **7. Thelma – Sunrise Weather Program.** Minutes accepted.
4. **BUSINESS ARISING:** Caravan & Camping Publication tabled by Wendy.
5. **CORRESPONDENCE:** Tabled.
Inwards: Mike Flood – Tourism WA. Articles relating to “The Value of Tourism”.
6. **REPORTS**
 - Cray Entry Statement: Adrian estimated the completion and launch of the project to be in about 6 weeks time. Crayfish sculpture is galvanized and ready for painting! The boat base is in progress by Errol Tilbrook.
 - Festival Committee Update: Wendy attended the AGM and relayed the following points – Name of Festival for 2005 is “The Dongara Festival”. A co-ordinator will be employed and will source sponsorship for the various events.
 - Chamber of Commerce Directory: Dave Jackson still working on the booklet.
 - Tourist Information Board on Brand Highway: Managed by the Chamber of Commerce. Discussion amongst the group identified the need to update and revamp the information to avoid misleading visitors. Irene to draft a letter to the Chamber of Commerce, offering the help of the Dongara Community Tourism Committee in managing the board.
 - Value of Tourism Articles: Deb has liaised with the Editor of “The Local Rag” regarding printing monthly articles promoting the value of tourism. Irene to draft first article and email to members for endorsement before publication. Suggestion was made to include the promotion of the Dongara Town Shirt in the first article. Anne at Pixie’s Prints will provide “Lobster Capital” logo to promote the article.
 - Second Entry Statement: At the Kailis Drive entry. Adrian advised that the Shire will need to gauge public comment on the first sculpture before any formal planning takes place.
7. **GENERAL BUSINESS**
 - Local business support for the Dongara Art Exhibition: Last year, letters of invitation were sent to local businesses to attend a “Business Preview”. Irene advised of the poor attendance to the preview. The group supported the idea and the suggestion was made to advertise an “endorsement” by one of last year’s buyers to help promote the event.
 - Cervantes Pinnacles Motel has donated an accommodation package for the “People’s Choice Award”. Irene to write letter of support to the Cervantes Festival Committee.
 - Silverdale Olives: Wendy’s Open House for Local Tourism Operators was a successful event, with 18 people attending. Group discussed the need to include other tourism operators in the Tourism Meetings. An invitation will be included in the article on which Irene is working.

- “Take a Break” Advertising Campaign: Wendy tabled a collective advertising opportunity, targeting State-wide regional newspapers. Thelma to follow-up with the Shire regarding possible support.
8. **NEXT MEETING:** To be advised – Monday, August/September 2005. Venue: Blue Ocean Gallery. Time: 6.30pm.
 9. **CLOSE:** 7.20pm.
 10. **PLEASE FORWARD AGENDA ITEMS FOR NEXT MEETING** to Irene at blueoceangallery@bigpond.com or by phone/fax 9927 1642.
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COUNCIL MOTION:

Moved Cr Bass, seconded Cr Trevenen

That the Minutes of the Dongara Denison Tourism Advisory Committee Meeting, held on 26 July 2005, be confirmed as a true and accurate recording of that meeting.

CARRIED
7/0

VOTING DETAILS:

7.5 MINUTES OF THE IRWIN ROADWISE COMMITTEE MEETING HELD ON 24 AUGUST 2005

1.0 PRESENT

Cr Brad Trevenen	Shire of Irwin
Kath Michel	Community Member
Gary Michel	Community Member
Cr Stuart Chandler	Shire of Irwin
Mark Luzi	Shire of Irwin
Peta Stokes	Regional Roadwise Officer
Ian Hamilton	Main Roads Department

2.0 APOLOGIES

John Smith	Dongara Police
Janine Calver	Principal, Dongara District High School

3.0 CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETING

Moved: Peta Stokes

Seconded: Gary Michel

That the Minutes of the meeting held 28 June 2005 be confirmed as a correct recording of that meeting.

- Advice white line has been marked on edge line on crest of hill on Blenheim Road.

4.0 CORRESPONDENCE INWARD

- WALGA Small motorized scooters – proposed amendments to Road Traffic Code 2000
- Dongara Denison Lions Club Problem with table Arrowsmith Rest Stop
Action – Main Roads to paint red strip on the area of concern.

5.0 CORRESPONDENCE OUTWARDS

Letter of support for LATE signs – for Brand Highway, grant application from CEO and Roadwise Committee.

6.0 PROJECT REPORTS

6.1 MIDWEST OFFICER'S REPORT

Road Toll

- 101 as of 18 August 2005
- 111 same time last year

LATE signs

- Application has been submitted.
- Main Roads has agreed to install signs as an in kind donation. So signs will be on maintenance database. Thank you to Main Roads.
- Thanks to those who arranged letters of support.
- We need to look at information we need to provide if the grant is accepted.

SAM

- A Roster has been developed between the shire and city with a monthly rotation so SAM is being used actively as a tool to reduce incidences of speeding.

- However when outlying shires wish to utilise SAM this can be booked - \$50 flat rate – Look at time to best suit Shire of Irwin – Action Plan.
- Nominations for “carer” of SAM – to pack away each night.
- Transportation to Dongara/ Within Dongara – perhaps police.

Speed Alert Mobile – Grants Available

- Speed Alert Mobiles are now eligible for Community Grants Funding.
- As there is a Speed Trailer in the Mid West region currently- there is the possibility of not getting grant.
- Need to exhibit that SAM is being used to its full potential and prove necessity for another trailer.
- When applying best to look at it as a shared resource between Local Governments.
- That is Meekatharra, Cue, Mount Magnet vs. Irwin, Carnamah, Three Springs, Mingenew.

New Campaign – Speed

- Looks at crash forces and the injuries that occur to the human body due to these forces on impact.
- Campaign runs from 21 August to 12 of November.
- Materials available to promote the campaign as usual.
- Action Plan – Police Enforcement / Materials available – platform to promote.

Reduced Travel Speeds

- Ties in with Speed Campaign Presentation Available.
- See handout on reduced travel speeds.
- Potential for “I Slow Down in ...” stickers to be used.
- Action Plan.

Speed in Advertising Postcards

- Thought to be better to have complaints from the community than Road Safety based agencies as the possibility of more notice being taken by the Advertising Standards Bureau.
- Also gives ownership and empowerment to the community of Road Safety Issues.
- Encompasses all road issues/behaviours.

Child Restraint Fitting Program

- Training has occurred within the MidWest and a Checkpoint at Northgate.
- 7 volunteers have been trained as Type 1 fitters.
- Variety of agencies underwent training: RAC, Health, Driver Trainers and Police.
- Will have a direct hotline manned full time.
- A website has been developed.
- Claire Parker - Child Restraints Coordinator.
- Is there the potential to provide this service within Dongara. Action Plan.

ACTION PLAN

- Develop a plan with appropriate activities for dates of festivals and campaign times.

7.0 GENERAL BUSINESS

- Further discussion took place regarding the placing of the SAM within the 80km zone. Also the Shire’s classifiers could be placed on the road to obtain data regarding numbers of vehicles and speeds being traveled.

With further subdivision on the east side of the highway, any change to the existing limits should take into account possible further reductions.

- When bicycle plan is reviewed in the near future, gopher usage should be considered, such things as exit ramps every so often to allow gophers to move off paths and into properties.
- Suggestion when drink drive campaign starts, organize a road block with police, and Committee would give hand outs and information. This would also help raise profile of Roadwise and Committee in Dongara.
- May need to look for alternative funding for stubby holders for Easter race day drink driving campaign.

Action – Stuart to contact Charities Group.

8.0 NEXT MEETING

9.30am - Tuesday, 25 October 2005.

There being no further business the meeting closed at 10.50am.

COUNCIL MOTION:

Moved Cr Wheeler, seconded Cr Chandler

That the Minutes of the Roadwise Committee Meeting, held on 24 August 2005, be confirmed as a true and accurate recording of that meeting.

CARRIED
7/0

VOTING DETAILS:

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil.

9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil.

10. REPORTS

B.352: ILLEGAL BUILDING - PATIO
LOCATION: LOT 35 ROWLAND AVENUE, IRWIN
PROPONENT: MR BRADLEY CARBUTT
REPORTING OFFICER: FELIX NEUWEILER - EHO/BUILDING SURVEYOR
DATE OF REPORT: 7 SEPTEMBER 2005
FILE REFERENCE: BA.1
VOTING REQUIREMENTS: NORMAL MAJORITY

BACKGROUND:

The applicant built a patio without obtaining the necessary building approvals. Once Mr Carbutt realised the error, he submitted an application to Council for a retrospective building approval.

COMMENT:

- **General**
The applicant came forward on his own incentive and seems keen to comply with the legislative requirements. In this case, it is reasonable to process this application as per Council Policy B13. An engineer's report is required to ensure the works were carried out in accordance with the Building Code of Australia and Council can safely issue a retrospective approval.
- **Financial Implications** - Nil.
- **Strategic Implications** - Nil.
- **Policy Implications** - **Illegal Building Works (Policy B13)**

Purpose:

To provide direction in cases where Building Works are commenced without Council's approval and the issue of a Building Licence.

Policy:

The Local Government Act confirms what types of work are required to have a Building Licence. The Act also creates an offence for commencing building works without first obtaining a Building Licence. A person who does commence building works without a Building Licence is guilty of an offence.

If, on request from the Building Surveyor to a person who has commenced Building Works prior to Council's approval, that person provides a professional certification that the works which have been illegally undertaken conform to the provisions of the Building Code of Australia, relevant Australian Standards and any other relevant Regulations and Acts and thus fulfilling Council's Duty of Care. This information will be submitted to Council for approval and Building Licence will be issued with no further action by Council.

If the Building Surveyor's request is not forthcoming, Council will then issue the relevant notices and take any necessary legal action.

STAFF RECOMMENDATION:

That Council issue a retrospective building approval to Mr Carbutt for the unlawfully erected patio at Lot 35 Rowlands Avenue, Irwin, subject to:

1. The approval is to be issued as per Council's Policy B13.
 2. All required information, including Engineer's Certification, to be submitted within 28 days of this Council resolution.
-

COUNCIL MOTION:

Moved Cr Bass, seconded Cr Chandler

That Council issue a retrospective building approval to Mr Carbutt for the unlawfully erected patio at Lot 35 Rowlands Avenue, Irwin, subject to:

- 1. The approval is to be issued as per Council's Policy B13.***
- 2. All required information, including Engineer's Certification, to be submitted within 28 days of this Council resolution.***

CARRIED
7/0

VOTING DETAILS:

Cr Lance Wheeler declared an interest in the following item and departed the Chambers at 4.25pm,

B.353: FIVE PARK HOMES
LOCATION: DONGARA TOURIST PARK - 8 GEORGE STREET, PORT DENISON
PROPONENT: MR RON SAULSMAN
REPORTING OFFICER: FELIX NEUWEILER - EHO/BUILDING SURVEYOR
DATE OF REPORT: 7 SEPTEMBER 2005
FILE REFERENCE: BA.1
VOTING REQUIREMENTS: NORMAL MAJORITY

BACKGROUND:

Council resolved on 8 June 2004 to enter into negotiations to extend the lease of the Dongara Tourist Park for a further 21 years, subject to Mr. Saulsman undertaking significant capital investment at the caravan park. Council has now received an application from Mr. Saulsman to install five single-storey cabins at the Dongara Tourist Park (please refer to the attachment - Stage 2).

COMMENT:

• **General**

The proposed single storey, one-bedroom cabins are to be located in the south-western area of the park and will replace existing caravan and camping sites (please refer to the attachments).

The Stage 2 cabins will be similar in appearance to the 5 Stage 1 cabins installed last year.

The caravan park is listed in Schedule 3 (Special Use Zones) of the Town Planning Scheme. Permitted uses for this site are: 'Caravan Park, Camping Ground, Uses Ancillary to Permitted Uses'. The cabins are ancillary to the predominant use of a caravan park, hence the application conforms to the requirements of the Scheme.

Legislative Implications

Caravan Parks and Camping Grounds Regulations 1997

11. Buildings on a Facility

- (1) Buildings on a facility may be only of the following types —
 - (a) manager's house;
 - (b) office;
 - (e) restaurant;
 - (f) shop;
 - (g) recreational facilities;
 - (h) a building classified as a Class 10a building under the Building Code;
 - (j) any other building approved.
- (2) A building referred to in subclause (1) may not be located on a site, unless it is —
 - (a) a building classified as a Class 10a building under the Building Code;

- (b) approved by the licence holder of the facility and the local government; and
- (c) for the use of the occupier of the site.

- (3) A residential building at a facility, other than a manager's house, may not be occupied by the one person, or group of persons, for an aggregate period of more than 6 months in any consecutive period of 12 months.

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

STAFF RECOMMENDATION:

That Council consent to the installation of 5 one-bedroom, single storey cabins at Dongara Tourist Park, Lot 451, 8 George Street, Port Denison subject to the following condition:

1. Installation to comply with all legislative requirements.

COUNCIL MOTION:

Moved Cr Chandler, seconded Cr Gillam

That Council consent to the installation of 5 one-bedroom, single storey cabins at Dongara Tourist Park, Lot 451, 8 George Street, Port Denison subject to the following condition:

- 1. Installation to comply with all legislative requirements.***

CARRIED
6/0

VOTING DETAILS:

Cr Lance Wheeler returned to the Chambers at 4.29pm.

Cr Stuart Chandler declared an interest in the following item as he leases land to the applicant. Cr Chandler departed the Chambers at 4.30pm.

B.354: BUILDING WITHOUT LICENCE
LOCATION: PYE ROAD CAMP, DONGARA
PROPONENT: GARY OLSEN, BONNIE ROCK TRANSPORT
REPORTING OFFICER: FELIX NEUWEILER – EHO/BUILDING SURVEYOR
DATE OF REPORT: 8 SEPTEMBER 2005
FILE REFERENCE: BA.1
VOTING REQUIREMENTS: NORMAL MAJORITY

BACKGROUND:

Council dealt with this issue at the meeting held on 23 August 2005. Council resolved to issue a retrospective building approval to Bonnie Rock Transport for the unlawful building works carried out near the Hovea Production Facility, Pye Road, subject to:

1. The approval is to be issued as per Council's Policy B13.
2. All required information, including Engineer's Certification, to be submitted within 14 days of this Council resolution or face prosecution and closure of the facility until building permits have been granted.

COMMENT:

- **General**

The engineer's certificate covering buildings was subsequently submitted to Council on 1 September 2005 (please refer to the attachment). Council can now issue a retrospective building approval.

- **Financial Implications** - Nil.

- **Policy Implications** - **Illegal Building Works (Policy B13)**

Purpose:

To provide direction in cases where Building Works are commenced without Council's approval and the issue of a Building Licence.

Policy:

The Local Government Act confirms what types of work are required to have a Building Licence. The Act also creates an offence for commencing building works without first obtaining a Building Licence. A person who does commence building works without a Building Licence is guilty of an offence.

If, on request from the Building Surveyor to a person who has commenced Building Works prior to Council's approval, that person provides a professional certification that the works which have been illegally undertaken conform to the provisions of the Building Code of Australia, relevant Australian Standards and any other relevant Regulations and Acts and thus fulfilling Council's Duty of Care. This information will be submitted to Council for approval and Building Licence will be issued with no further action by Council.

If the Building Surveyor's request is not forthcoming, Council will then issue the relevant notices and take any necessary legal action.

- **Strategic Implications** - Nil.

STAFF RECOMMENDATION:

That Council issue a retrospective building approval to Bonnie Rock Transport for the unlawful building works carried out at the accommodation facility located on Pye Road, subject to the following conditions:

1. It is the occupier's responsibility to ensure that the facilities, including swimming pool and kitchen, comply with all legislative requirements and standards at all times.
2. The approval is issued under the understanding that the Shire of Irwin is indemnified by the occupier against any claims that relate to, or result from the installation of these facilities.

COUNCIL MOTION:

Moved Cr Gillam, seconded Cr Trevenen

That Council issue a retrospective building approval to Bonnie Rock Transport for the unlawful building works carried out at the accommodation facility located on Pye Road, subject to the following conditions:

- 1. It is the occupier's responsibility to ensure that the facilities, including swimming pool and kitchen, comply with all legislative requirements and standards at all times.***
- 2. The approval is issued under the understanding that the Shire of Irwin is indemnified by the occupier against any claims that relate to, or result from the installation of these facilities.***

CARRIED
6/0

VOTING DETAILS:

Cr Stuart Chandler returned to the Chambers at 4.31pm.

The following item was brought forward for discussion.

**DCS.213: DRAFT DESIGN AND COSTINGS – RECREATION CENTRE
UPGRADE AND ADDITIONS**

LOCATION: RECREATION RESERVE

PROPONENT: -

REPORTING OFFICER: GEOFF PEDDIE – DIRECTOR, CORPORATE SERVICES

DATE OF REPORT: 7 SEPTEMBER 2005

FILE REFERENCE: RS.2

VOTING REQUIREMENTS: NORMAL MAJORITY

BACKGROUND:

Mr Jim Alexander from Alexander Planning Consultants presented a draft set of designs and estimated costing to Councillors recently and to a meeting of the Centre's stakeholders the following day. Following the meetings, at which substantial feedback, was provided Mr Alexander has made a number of small modifications as requested and will forward the updates prior to meeting day.

COMMENT:

- **General**

To enable Council staff to proceed with the establishment of funding sources and preparation of grant applications, it is pertinent for Council to adopt the revised drawings and costing, to be presented by Mr Alexander, as the preferred design.

There will still be opportunity for minor adjustments to be made as a more detailed analysis of the overall design is undertaken, however, the feedback from Councillors, staff and the sporting bodies has been very positive to date.

- **Financial Implications**

Provision has been made in the 2005/06 budget for the costs of the architect to prepare a schematic design.

- **Policy Implications:** Nil.

- **Statutory Implications:** Nil.

STAFF RECOMMENDATION:

That Council adopt the schematic design to be presented to Council, with modification if required, as its preferred plan for the upgrade and additions to the Recreation Centre and that staff proceed with establishing funding sources and prepare grant applications for submission.

COUNCIL MOTION:

Moved Cr Bass, seconded Cr Gillam

1. ***That Council adopt the schematic design as presented to Council as its preferred plan for the upgrade and additions to the Recreation Centre and that staff proceed with establishing funding sources and prepare grant applications for submission.***
2. ***That Council note that a “footprint” for a possible freshwater swimming pool is included on the schematic drawing accepted by Council in the event that a future Council considers such a facility is feasible and affordable by the community.***

CARRIED
7/0

VOTING DETAILS:

CEO.256: PETITION – SWIMMING POOL
LOCATION: -
PROPONENT: -
REPORTING OFFICER: JOHN MERRICK – CHIEF EXECUTIVE OFFICER
DATE OF REPORT: 6 SEPTEMBER 2005
FILE REFERENCES: RO.2, RS.2
VOTING REQUIREMENTS: NORMAL MAJORITY

BACKGROUND:

Council considered a petition in regard to swimming pools and resolved that “no further investigation of the provision of an ocean pool for Dongara take place at this time”. Attached is a copy of that item from the 28 June 2005 meeting, together with a copy of a letter from Mr Kevan Dennis requesting Council’s response to point (b) of that petition, i.e. “the possibility of including a freshwater pool as part of the proposed recreation centre redevelopment”.

COMMENT:

- **General**

Council has requested its appointed architect, Mr Jim Alexander, to consider the future design of a freshwater pool as part of the overall design of the recreation centre and this has been accommodated.

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

STAFF RECOMMENDATION:

That Council consider its response to the request from Mr Dennis.

COUNCIL MOTION:

Moved Cr Trevenen, seconded Cr Gillam

That, following consideration of Part 2 of the petition, being: “The possibility of including a freshwater pool as part of the proposed Recreation Centre redevelopment”, Council has resolved that it will not proceed with developing a pool at the Recreation Centre. It was noted, however, that a “footprint” for the possible future provision of a pool is included on the schematic drawing accepted by Council for the upgrade of the Recreation Centre.

CARRIED
7/0

VOTING DETAILS:

Council’s CEO, Mr John Merrick, departed the Chambers at 5.05pm and returned at 5.07pm.

TP.660: PROPOSED COMMERCIAL DEVELOPMENT
LOCATION: LOT 60, NO. 58 POINT LEANDER DRIVE, PORT DENISON
PROPOSERS: MR S DELLEVERGIN
REPORTING OFFICER: MARK LUZI – DIRECTOR, COMMUNITY DEVELOPMENT
DATE OF REPORT: 31 AUGUST 2005
FILE REFERENCE: BA.2
VOTING REQUIREMENTS: NORMAL MAJORITY

BACKGROUND:

An application was presented to Council at its meeting of 28 September 2004, for a three storey building comprising a ground level shop, second level arcade with four shops and a third level to include two penthouse residential apartments.

COMMENT:

• **General**

Council resolved at its meeting of 28 September 2004 “that Council requires notice of the proposed commercial development at Lot 60, No. 58 Point Leander Drive, Port Denison to be given in accordance with Clause 6.2 of the Shire of Irwin Town Planning Scheme No. 4 prior to further consideration for development approval”.

The land is currently undeveloped and is zoned ‘Commercial’ under Council’s current Town Planning Scheme and the proposal, as originally submitted, was for a mixed use development.

The ground level shop is approximately 265m² in floor area with the main shop front setback 2.1m from the front boundary with an entry setback to 3.1m. The proposal includes stairway access to the arcade level from two locations on the north and south face of the building with nil front setbacks.

A pillared front façade entry with a nil setback also forms a balcony for the second level.

The arcade level includes two shops with approximately 63m² and two shops of 76m² floor area. Entry to this level is via the two front stairways or through the rear of the building which has carparking provided at the same floor level. A large outdoor and balcony area is provided with ocean and marina views.

Two double private garages are also provided on this level for exclusive use of the penthouse residents. A further twelve carparking bays have been provided for customers with rear access off a right-of-way forming the rear boundary of the property.

Stair entry is provided to each individual caretakers dwelling from the rear of the building.

The penthouse apartments include three bedrooms, a study, two bathrooms and a large balcony area.

The floor area of each unit is approximately 152m².

The proponent provides the following further information:

“It is not possible at this stage to know what trades might occupy the shops, and I expect that carparking requirements will be determined when we know more. In the meantime, you will note that twelve carparking spots have been located on the development, as well as in the two garages.

I have included two residences on the complex. I will use one for my Dongara business dealings, and the other will be on offer to a tenant in the shops.

The brickwork on Point Leander Drive will be matching the Tavern and also the corner shops if possible.”

The policy statement in a commercial zone under Council’s current Town Planning Scheme advises this zone is primarily for retail shops.

Under the ‘Commercial’ Zoning and Development Table, a ‘shop’ and a ‘shop with a single dwelling attached’ are permitted uses. There is a requirement for 80m² of private open space continuous with each dwelling, the balcony area as proposed appears to be approximately 30m² in floor area for each unit.

Height restrictions for construction under Council’s Town Planning Scheme are as follows:

“5.14 Maximum Building Height

No site shall be developed or building constructed to contain more than two storeys or exceed 10 metres in height, measured to the highest portion of the building from mean natural ground level, or such other ground level, as may be determine by Council.

Council may vary this requirement, if it can be satisfied the development can comply with the development standards and:

- a) Will not restrict light, sunshine and natural ventilation enjoyed by surrounding properties;
- b) Will not intrude upon the privacy enjoyed by surrounding properties with overview;
- c) Will not diminish views or outlook available from surrounding properties;
- d) Is sympathetic with the scale and character of the surrounding built environment.”

The building meets the 10.0m height restriction, however, is of three storey construction. The height restriction as outlined in the Scheme is open to interpretation, i.e. must a building meet both height requirements, or either/or?

Proposed carparking within the complex is an issue for consideration. The Scheme requires one carparking space per 10m² of gross leasable area. Based on the proposed shop floor areas the development would require 54 carparking bays in addition to the two garages.

Council will need to consider an appropriate and practical reduction of this requirement and may offer cash-in-lieu of carparking for development of foreshore parking in the vicinity that could serve a number of purposes.

The front setbacks for commercial development under the Scheme is 11.0m. A reduced nil setback could be supported in line with adjacent development.

An inspection of the current standard of the right-of-way finds that significant upgrading will be required to provide access to this development. The right-of-way runs from William Street through to Leitch Street and is 5.0m in width. Further investigation will be required to determine the suitability of two way access opposed to a one-way lane.

These matters are raised for Council to consider.

The applicant now wishes to alter the design to retain the ground level shops, remove the second storey shopping arcade and replace with residential uses and retain the upper storey penthouse residential.

Council's Town Planning Scheme does allow Council to consider multiple dwelling development within a commercial area, but only if the site was a minimum lot size of 2,000m².

In this case, the lot in question only has an area of 1,012m².

The definition of a multiple dwelling under the Residential Design Codes is as follows:

'A dwelling in a group of more than one dwelling on a lot where any part of a dwelling is vertically above part of any other but does not include a group dwelling.'

As previously outlined, Council's Town Planning Scheme does allow for shop with a single dwelling attached.

The advertising period as requested by Council was completed, and three submissions were received.

Three letters of comment were received from owners with property within the vicinity.

Submission 1

Raised concerns relating to the proposal, including the following issue:
The laneway being upgraded to service the proposed carpark, giving rise to conflict with children. The development will block their view as they reside behind the development.

Submission 2

Concerns regarding upgrade of laneway, possible conflict with tourists and children using laneway for access.

Onsite carparking is limited to less than required by Council's Town Planning Scheme – no provision for staff carparking. No provision for rubbish bay. Cash-in-lieu for carparking will reduce parking facilities for tourists on the foreshore. Views will be lost from properties at rear of development.

Submission 3

New building not in character with existing buildings. Rear laneway is only five metres wide, will cause traffic flow problems with commercial service vehicle. Parking area will be insufficient, and cash-in-lieu will interfere with tourist activity on foreshore. Concern regarding building height. Does Council want to start a precedence with regard residential development?

- **Financial Implications:** Possible Rate Increase for Lot 60
- **Policy Implications:** Nil
- **Strategic Implications:** As per Town Planning Scheme zoning.

STAFF RECOMMENDATION:

That Council advise the applicant that consideration can be given by Council to the original proposal as submitted to Council at its meeting of 28 September 2004, however, the amended proposal for multiple dwelling use to be included cannot be supported by Council.

COUNCIL MOTION:

Moved Cr Trevenen, seconded Cr McClurg

That Council advise the applicant that consideration can be given by Council to the original proposal as submitted to Council at its meeting of 28 September 2004, however, the amended proposal for multiple dwelling use to be included cannot be supported by Council.

CARRIED
7/0

VOTING DETAILS:

TP.661: **SHIRE OF IRWIN PROPOSED TOWN PLANNING SCHEME NO. 5 -
CONSIDERATION OF SUBMISSIONS AND FINAL ADOPTION**

LOCATION: -

PROponents: -

REPORTING OFFICER: **MARK LUZI – DIRECTOR, COMMUNITY DEVELOPMENT
AND RUSSELL REID**

DATE OF REPORT: **7 SEPTEMBER 2005**

FILE REFERENCE: **TP.3/4**

VOTING REQUIREMENTS: NORMAL MAJORITY

BACKGROUND:

The public advertising period for proposed Town Planning Scheme No. 5 closed on 4 August 2005. Fifty (50) submission were received for Council's consideration.

COMMENT:

- **General**

A Schedule of Submissions has been prepared which details each submission and provides a "Staff Recommendation" for the consideration of Council with regard to each submission.

It has been pleasing to note the wide and varied interest shown during the advertising period, and having the Scheme available on Council's website allowed further easy access to the documents.

A full copy of all submissions received will be tabled for the information and consideration of Council.

- **Financial Implications:** Nil
- **Policy Implications:** Nil
- **Strategic Implications:** Local Planning Strategy and Town Planning Scheme No. 5

STAFF RECOMMENDATION:

That Council resolve to:

1. Adopt the documentation relating to the Shire of Irwin Town Planning Scheme No. 5 subject to the modifications recommended in the Schedule of Submissions.
 2. Forward the appropriate copies of the Scheme documentation, submissions lodged during the Scheme advertising period and the Schedule of Submissions relating to the same, for the consideration and final approval of the Minister for Planning.
-

COUNCIL MOTION:

Moved Cr Gillam, seconded Cr McClurg

That Council resolve to:

- 1. Adopt the documentation relating to the Shire of Irwin Town Planning Scheme No. 5 subject to the modifications recommended in the Schedule of Submissions.***
- 2. Forward the appropriate copies of the Scheme documentation, submissions lodged during the Scheme advertising period and the Schedule of Submissions relating to the same, for the consideration and final approval of the Minister for Planning.***

CARRIED
7/0

VOTING DETAILS:

ATTACHMENT: TP.661

**Shire of Irwin
Proposed Town Planning Scheme No. 5
Schedule of Submissions**

No.	Name / Address	Submission	Council's Recommendation
1.	Western Power Network Customers Services Lot 10, Prinsep Road JANDAKOT WA 6164 General Comment	Advice from the authority there is no objection to the works proposed to carry out the new Town Planning Scheme.	That the submission be noted: Since the submission from Western power contains advice only.
2.	Mr RE Carr PO Box 16 WALKAWAY WA 6528 General Comment	Advice from Mr Carr that he rejects the new plan of Irwin Shire Plan No. 5 and has made offer to help and have input to any planning for Irwin Shire	That the submission be noted: Since the submission has no specific detail as to what is being objected to.
3.	Mr and Mrs J & N Riemer 2 Coral Court PORT DENISON WA 6525 General Comment	Advice of support to the extension of the Town Centre commercial area.	That the submission be noted.
4.	Mr P Symons 7 Pickering Drive DONGARA WA 6525 General Comment	Advice he does not want town turned in to cheap tourist trash. Further appears to object to commercial areas on foreshore.	That the submission be noted: Since the submission has no specific details as to what is really objected to.
5.	Ms Anne-Marie Baker PO Box 110 DONGARA WA 6525 Property – Lot 101 Church	Request the zoning of Lot 101 be modified from Residential R12.5 to R30. The submission has merit due to Lot 101 and three other adjoining lots and being 3,830m ² and having frontage to Church Street with ocean views, with the lower land	The due to the reasons as stated the submission be upheld and accordingly the zoning of Lots 101, 102, 103 and 104 be modified from Residential 12.5 to Residential R30.

	Street and Northshore Drive, Dongara	<p>section of the lots fronting Northshore Drive. The lots have a 29m frontage and are 130 metres in depth, the size does dictate a degree of difficulty in subdividing in to R12.5 lots. The lots are unique due to their size and location.</p> <p>The lots have reserve land opposite to the south, a cemetery to the east, a road with adjoining Residential 12.5 to the north, and a parcel of undeveloped R12.5 zoned Crown Land to the west.</p>	
6.	<p>Mr & Mrs G & B Robinson PO Box 177 DONGARA WA 6525</p> <p>Property – Lot 103 Church Street and Northshore Drive, Dongara</p>	<p>Request the rezoning of Lot 103 be modified from Residential R12.5 to R30. The submission advises the increased density will not impact on the residential character of the locality, and mixed zoning is common practice and a rezoning would be accord with primary principals of Western Australian Planning Commission's livable communities design codes.</p> <p>Landholding is within walking distance to school, town centre, Irwin river and coastal reserves. The rezoning would represent a sensible residential infill, making efficient use of existing community infrastructure, and could reduce dependence on vehicle transport, and provide a range of dwelling types in the locality.</p> <p>Refer also to submission No. 5.</p>	That due to the reasons stated in submission numbers 5 and 6, the submission be upheld and accordingly the zoning of Lots 101, 102, 103 and 104 be modified from Residential 12.5 to Residential R30.
7.	<p>Mr John Hatton 4 / 29 Hubert Road MAYLANDS WA 6051</p> <p>Property – Lot 85 Acacia Road, Dongara</p>	<p>The submission suggests that the Town Planning Scheme provides limited income earning land use potential in the Policy Area concerned and also that a minimum lot size of 8ha would be more appropriate for the following reasons:</p>	<p>That the submission be dismissed since:-</p> <ul style="list-style-type: none"> Perusal of the scheme Zoning Table reveals that subject to compliance with Scheme provisions and Council's use of its discretionary powers, a wide variety of income earning land use is possible within the Rural Smallholdings Zone.

	Policy Area G – Rural Small Holdings Zone (minimum lot area 20ha)	<ol style="list-style-type: none"> 1. Be a natural increment from the adjoining Area F who can go up to 6 hectares. 2. Create a niche market that will not interfere with any other land releases in the Area. It will also reduce the speculative aspect of land in this area. 3. Give financial flexibility to the existing landowners of this area and open up the option of remaining in the area. This in itself opens up the intangible benefits of security of population numbers. 4. The local Shire eventually gets the flow on effects of the proceeds from the sales of these blocks because the original owners are still resident in the area. 5. Efficient planning of roads will be possible without having minimum land sizes cause unnecessary expenses initially with costly alterations later. 6. Open up this area effectively giving a well planned southern expansion area. 7. Give an increased rateable base without undue loading on the existing infrastructure. 8. The blocks will be of sizes which are manageable and reduce the fire risk currently in this area with dying trees. 	<ul style="list-style-type: none"> • The location of the Rural Smallholdings Zone and the lot sizes permitted therein was planned with the overall planning of the Dongara / Port Denison urban area in mind and the need to retain small rural holdings abutting the same to cater for land use necessary to service the urban population and also provide a buffer between urban and general farming land use. • In the overall environmental assessment of the Shire undertaken for the initial Rural Strategy it was indicated that small holdings with a minimum area of 20 ha could be supported in the Policy Area concerned.
8.	Lee Gaunt PO Box 232 DONGARA WA 6525	Fully supports Submission 7.	That the submission be dismissed for the reasons detailed in Council's recommendation for Submission 7.

	Property – Victoria Location 1327 Springfield Drive, Dongara		
9.	Errol & Kristin Tilbrook Lot 8 Pye Road DONGARA WA 6525 Property – Lot 8 Stock Road, South Dongara	Whole heartedly supports Submission 7.	That the submission be dismissed for the reasons detailed in Council's recommendation for Submission 7.
10.	Mark & Caroline Weinman PO Box 456 DONGARA WA 6525 Property – Location 6162 Acacia Road, Dongara	Fully endorses Submission 7.	That the submission be dismissed for the reasons detailed in Council's recommendation for Submission 7.
11.	Harold & Barbara Mark PO Box 458 DONGARA WA 6525 Property – Lot 84 of Location 1191 Acacia Road, Dongara	Suggests that provision should be made for owners to be able to subdivide their properties into 4, 6, 8 or 10ha lots in order to provide for a possible future market.	That this submission be dismissed for the reasons detailed in Council's recommendation for Submission 7.
12.	Mr J Hutchinson On Behalf of Board of Management of the Dongara Strata Caravan Park. 123 Point Leander Drive PORT DENISON WA 6525	Request Special Use Site No. 13 be amended to include the provision for chalets to be a permitted use, the change of permitted use would give more flexibility relating to the accommodation units being located within the park.	That due to the reasons as stated, the submission be upheld and accordingly modify Special Use zone No. 13 in Schedule 4 of the Scheme to include + Chalet. as a permitted use.
13.	Mr Ron Saulsman Proprietor Dongara Denison Tourist	Request Special Use Site No. 17 be modified to include the provision of chalet. The recent trends for the holidaying public shows a strong demand	That due to the reasons stated, the submission be upheld and accordingly Special Use Site No. 17 in Schedule 4 of the Scheme be amended to include

	Park 8 George Street PORT DENISON	for self contained accommodation. The modification will give greater diversity for onsite accommodation within the zone.	+ Holiday Accommodation as a permitted use.
14.	Mr J Hawkesford On behalf of Dongara Northshore 1 Weelara Road CITY BEACH WA Property – Lot 579 Northshore Drive, Dongara	Request for convenient store zoning on Lot 579 Northshore Drive with attached managers accommodation. The area is approximately 2 kilometres from any commercial areas, and there is a likelihood of approximately 600 – 700 residential properties within the Northshore area. Tourists and local residents will benefit from the facility, as such is also on route to recreation and swimming facilities.	That the submission be dismissed. The lot in question is located near the major intersection of the Northshore estate and adjoining properties who enjoy a coastal outlook. Those property owners may feel the amenity of the residential area is compromised via a coastal development albeit, minor in nature with regard issues such as parking, traffic movement, aesthetic values, and / or noise. Should the need arise for a 'corner shop' then such could be incorporated into the design of the adjoining subdivision being Lot 130, No. of Victoria Location 1952 refer Submission No. 50.
15.	MGA Town Planners PO Box 104 WEST PERTH WA 6872 Property - Dongara Northshore Estate.	The submission seeks to reduce the area of Foreshore Reservation which abuts the north western boundary of the Northshore Estate. The rationale for this is that:- <ul style="list-style-type: none"> • The coast in this locality has a broad beach, little evidence of erosion and north coastal limestone shelving is evident. • The proposed realignment of the coastal reservation boundary is consistent with that which exists immediately to the south. • The area proposed for residential development occupies land which is stable and the proposed new development line is generally consistent with the preservation of primary due vegetation. 	That the submission be upheld subject to:- <ul style="list-style-type: none"> • An appropriate 'Cash in Lieu' of Public Open Space contribution being made for the new subdivisible area. It is to be noted that in making this recommendation Council was mindful of the fact that due to the substantial coastal reservation given previously by the owners, no normal Public Open Space contribution was imposed on the initial overall submission.

16.	<p>Heritage Council of WA PO Box 6201 PERTH WA 6892</p> <p>General Comment</p>	<p>A. The heritage protection chapter in Scheme differs from Model Scheme Text. Clause 7.11 inserts the Heritage List as a Schedule. Modification would require scheme amendment, Heritage Council would prefer model text provisions.</p> <p>B. Request a description of Irwin's Heritage Assets and how such contributes to the amenity and economy of the district to be included within Local Planning Strategy.</p>	<p>That Part A of the submission be dismissed. The Shire via its Heritage Advisory Committee has recently completed the second review of its Municipal Inventory. The Shire of Irwin is very confident no amendments will be required to its Heritage List during the life of the Scheme, as no amendments were required under Town Planning Scheme No. 4. All heritage places have been thoroughly investigated and no further additions are envisaged.</p> <p>That due to a valid case being presented for Part B, the Local Planning Strategy Section 4.1.4, Economic Charter be amended by adding a further dot point as follows:</p> <ul style="list-style-type: none"> • The enhancement and protection of the Shire's identified heritage assets as detailed in the Shire of Irwin's Municipal Inventory.
17.	<p>Gray and Lewis Suite 5, 2 Hardy Street SOUTH PERTH WA 6151</p> <p>On behalf of the owners of the following property:-</p> <p>Lots 30, 31 and Sub Lot 148 Golf Course Road Sub Lot 55 Point Leander Drive Sub Lot 149 Money Street</p>	<p>Submission suggests that various lots contained in the present and proposed Special Residential Zone, be included in the Residential Zone R20.</p> <p>The submission states that the opportunities for the rezoning and development of the subject land for residential purposes are as follows:</p> <ul style="list-style-type: none"> • Directly adjoins the existing development front to the south, west and north. • Close proximity to Port Denison and existing community facilities. • Can be readily serviced from Point Leander Drive and Golf Course Road. • Relatively unconstrained in terms of landform and the physical environment. 	<p>That the submission be dismissed for the following reasons:</p> <ul style="list-style-type: none"> • Council in retaining the Special Residential Zone has continued to recognize the need for a variety of lot size opportunities in the Port Denison locality. • The larger lots within the Special Residential Zone provide an opportunity for a variety of land uses associated with a coastal service and fishing industry environment. • The land area is well serviced from the road access point of view and the larger lots which can be created will buffer adjoining Marine Based Industry land use as well as the Pistol Club and Refuse Receiving Centre land uses. • The locality concerned has been zoned for Special Residential purposes for some years and several lots within the same have already been developed with land uses appropriate on larger lot areas.

		<ul style="list-style-type: none"> • Close to the beach and existing coastal recreational facilities. • Currently underutilized and • Strong demand for well located land for residential development. 	
18.	<p>D Fitzpatrick PO Box 362 DONGARA WA 6525</p> <p>Property – Lots 9 and 13 Brand Highway, Dongara</p>	<p>The submission relates to the lots of land comprising the Ampol Roadhouse being shown as Special Use Site No. 20.</p> <p>A. The owner requests Lot 9 which comprises a single residence which is used as Managers Accommodation be excluded from the Special Use Zone. There is no requirement for Managers Accommodation and the dwelling may be sold at a future time.</p> <p>B. Lot 13 which is opposite the Roadhouse on the northside of the Brand Highway is not currently shown as attached to the Roadhouse. The lot currently contains provision for truck parking and ablution facilities. The owner may wish to further consolidate truck facilities in the future as such is an integral part of the roadhouse operations.</p>	<p>That due to a valid case being presented for consolidation of Roadhouse, Special Use Site No. 20, the submission be upheld:-</p> <p>A. Accordingly the zoning of Lot 9 be modified from Special Use Site No. 20 to that of the adjoining land being General Farming.</p> <p>B. Lot 13 being modified from General Farming zone to be included within Special Use Site No. 20.</p> <p>It should be noted Lot 13 is subject to the future realignment of the Brand Highway, and any further development onsite will need to take into account such major highway zoning.</p>
19.	<p>PG & MDC Giltrap Lot 14 Brand Highway DONGARA WA 6525</p> <p>Property – Lot 14 of Victoria Location 1520 Brand Highway, Dongara</p>	<p>The owner of Lot 14, Victoria Location 1520 Brand Highway requests the consideration of that property to be rezoned from General Farming Policy Area D (min 15ha) to Rural Residential.</p> <p>The lot has highway frontage and close access to services.</p>	<p>That the submission be dismissed since the existing Springfield Rural Residential area has potential for the development of in excess of a further 200 lots.</p> <p>The existing Rural Residential area has well defined physical features being the railway line, and the Irwin river, and any rezoning of Lot 14 would create a pocket of Rural Residential which is not a natural progression of an existing zone.</p>

		The lot is 17.7ha in size which under the current zoning limits the subdivision potential of the site.	
20.	Mr Darren Evans 24 – 26 Wickham Street EAST PERTH WA Property – Lot 15 Point Leander Drive, Port Denison	<p>The owner advises he has been working with the Shire of Irwin and Department of Planning and Infrastructure to obtain subdivision approval for Lot 15 Point Leander Drive and the formulation of a Structure Plan for Lot 15 and the adjoining lots to the south.</p> <p>A Structure Plan for Lot 15 and the adjoining lots has now been endorsed by Shire of Irwin and the Department of Planning and Infrastructure.</p> <p>The owner requests the existing R12.5 zone be modified to R30, the lot to the north which is a special use site, can be developed for R30. The Structure Plan indicates the Public Open Space for the area would be adjacent to the proposed R30 zone, large areas of R12.5 already exist within the area.</p> <p>There being a need due to topographic features of the lots for increased site costs associated with the 12.5 zone.</p>	<p>That the submission be dismissed, the Shire of Irwin has planned the area in question for residential use, and careful consideration has resulted in a mixture of zones within the subject area from R12.5 to R30. Lot 15 now forms part of a Structure Plan with adjoining R12.5 lots. Council is comfortable with the R12.5 zoning in this area as any further density increases may result in further lots fronting the major road being Point Leander Drive, giving rise to increased car movements on to that road.</p> <p>Council has a variety of mixed zones within the urban area, which do and will continue to present the unique townscape character of Dongara / Port Denison.</p>
21.	Mr Darren Evans Greg Rowe and Associates 24 – 26 Wickham Street EAST PERTH WA Property – Lots 4 and 5 Brand Highway, Bookara	<p>The submission advises that:-</p> <ul style="list-style-type: none"> • the land owner supports the Town Planning Scheme provision as they relate to General arming Policy Area E. • Studies are being undertaken at the present time and these may be provided as a supplementary component to the submission. • The land owners seek support for the land to 	<p>That the submission be noted since it contains advice only regarding support for relevant Scheme provisions.</p> <p>Council is of the opinion that any rezoning for Tourist Land Use should be the subject of a separate Town Planning Amendment application when all appropriate studies have been completed to support the same.</p>

		be rezoned for development of Tourist Significance.	
22.	Mrs Ann Carr 74 Point Leander Drive PORT DENISON WA 6525 Property – Coastal Reserve Ocean Drive, Dongara	To preserve an area of native vegetation for future generations, on the southern side of Ocean Drive, at the Irwin River estuary. The Town Plan should contain provisions to not clear the native vegetation the area will be Dongara's Kings Park.	That the submission be noted. The Town Planning Scheme has the area zoned for Local Reserve. A Management Plan is currently being prepared for the estuary area, which includes the area as detailed in the submission. Any clearing of land would also be subject to environmental consideration by the appropriate government departments.
23.	Mrs Ann Carr 74 Point Leander Drive PORT DENISON WA 6525 Property – Vacant Crown Land, Waste Reveal Facility Access Road	The submission proposes the preservation of the Dongara Mallee (Eucalyptus Obtusiflora) which exists on the land, for the local community and tourists alike.	That the submission be noted. In making this recommendation Council is aware of the need to protect the integrity of significant stands of native vegetation should any development proposal be considered in the locality concerned.
24.	Mr John Rowland & Mr Graham Grundy PO Box 34 DONGARA WA 6525 Proposed General Scheme Text Modification	The submission requests that the Town Planning Scheme Text be modified in a manner which is consistent with the following:- Council resolved at its meeting of 28 October 1999: (Motion 3.7.1, Town Planning Item No. 117) 1. That Council resolve to support an Amendment to its Town Planning Scheme which prohibits: i. The extraction of Uranium, Radium, or Thorium; or ii. The establishment of any industry or activity involving the treatment or processing of any such mineral or nuclear fuel, or iii. The production, storage or disposal of nuclear waste or by product.	That the submission be noted, since Council at its meeting on the 12 August 2005 resolved by an Absolute Majority to rescind Motion 3.7.1 relating to Town Planning Item No. 117 dated 26 October 1999.

		<p>By an industry or activity within the scheme area.</p> <p>2. That Council resolve to support the Amendment to its Town Planning Scheme, and amend the Scheme during the Town Planning Scheme review process.</p>	
25.	<p>Mr Hayden Bygrave PO Box 190 DONGARA WA 6525</p> <p>Property – Location 442 Brand Highway, Dongara</p>	<p>The submission states that:-</p> <ul style="list-style-type: none"> • Two parts of Location 442 are already located in the proposed Rural Small Holdings Zone. • The location of all the land holdings within the zone would allow for a more orderly and better subdivision. • Easy access to roads, power, water. • A growing demand exists for a Small Holdings lifestyle within 5 kilometres of Dongara. • Land in all cleared and suitable for Hobby Farmers 	<p>That the submission be upheld due to the fact that although a significant bank of undeveloped Small Holdings Zoned land has been provided within Town Planning Scheme No. 5, a substantial part of this continues to be used for 'Broad Acre' framing purposes, with little chance of Small Holding subdivision in the foreseeable future.</p> <p>Council's support for the rezoning of the land eastwards from Location 442 to the eastern boundary of Lot 30 between the Railway Line and Brand Highway will provide a land recharge of some 800ha which is available to meet a continuing and immediate growth demand for Small Holding Lots.</p> <p><i>It is noted that a Structure Plan be required to be approved prior to the support of subdivision proposals.</i></p>
26.	<p>Trevor Moran Landvision Suite 5, 16 Nicholson Road SUBIACO WA 6008</p> <p>Property – Lot 30 Brand Highway, Dongara</p>	<ul style="list-style-type: none"> • The project site has moderate agricultural value and it is not a viable agricultural entity. • The site has good access to all services, good coastal views and is located in close proximity to Dongara. • The subdivision would provide an immediate and attractive lifestyle alternative. 	<p>That the submission be upheld for the reasons detailed in Council's recommendation for Submission 25.</p>
27.	Trevor Moran Landvision	The submission states that:-	That the submission be upheld in part since Council is of the

<p>Suite 5, 16 Nicholson Road SUBIACO WA 6008</p> <p>For:- Freshwater Point (WA) Pty Ltd and Food Wholesale</p> <p>Property – Locations 7372, 9938, 7773 and 10002 Indian Ocean Drive, Dongara (Adjacent to the southern Shire boundary)</p>	<ul style="list-style-type: none"> • The project site has unique characteristics and it is surrounded by CALM managed estate. • The land has limited agricultural potential. • Groundwater resources are available at depths of between 300 and 750m. • The land is located within the Shire's Policy Area A, within which viable horticulture is required as a precursor to subdivision, the likelihood of this in the Project Area is negligible. • Clearing of the land to permit an agricultural pursuit would not be desirable for environmental and visual reasons. • The land is strategically located in coastal location terms and has a capacity to assist coastal tourist node development in accordance with the Shire's Coastal Development Strategy. • The land should be designated within a new Policy Area 'H' with the following aims and management measures applicable:- <p><u>AIMS</u></p> <ul style="list-style-type: none"> • To promote and encourage the establishment of tourist accommodation nodes at Freshwater Point and Knobby Head. • To provide for a low density rural 	<p>opinion that a new Policy Area 'H' could be put in place which subject to the following modified Aims and Management measures would best service the overall interest of the local area concerned and the future land management obligations of the Shire of Irwin over the same.</p> <p><u>AIMS</u></p> <ul style="list-style-type: none"> • To promote and encourage the establishment of tourist accommodation nodes at Freshwater Point and Knobby Head. • To provide for low density Special Residential Strata Title nodes where the integrity of the natural landscape is protected and enhanced and where the relationship between the coastal views and environment and any Special Residential Nodes created is paramount. • Ensure that land which is not developed for tourist or residential node purposes is transferred to CALM free of cost. <p><u>MANAGEMENT MEASURES</u></p> <ul style="list-style-type: none"> • The creation of environmentally acceptable Special Residential Strata Title Nodes in approved coastal orientated locations. • Designation of building envelopes for strata title lots. • Clearing restrictions outside building envelopes. • Excision of special use areas at Freshwater Point and Knobby Head to allow for tourist accommodation.
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		<p>residential estate where the integrity of the natural landscape is protected and enhanced.</p> <ul style="list-style-type: none"> • Ensure that land is developed in a compatible manner with the abutting CALM managed Estate. • Where consistent with these aims, encourage the exploration for and development of mineral resources. <p><u>MANAGEMENT MEASURES</u></p> <ul style="list-style-type: none"> • A 40 hectare minimum lot size (consistent with traditional general farming lots in the area); • Designation of building envelopes for subdivided lots; • Clearing restrictions outside building envelopes (possible conservation covenant with CALM); • Excision of special use areas at Freshwater Point and Knobby Head to allow for tourist accommodation; • Provision for a fire management plan; • No lot access from Indian Ocean Drive. 	<ul style="list-style-type: none"> • Provision for a fire management plan. • No direct access from Indian Ocean Drive. • The creation of the necessary Strata Title management to oversee all the servicing requirements associated with all development approved in the project area. • The incorporation within the Local Planning Strategy and Town Planning Scheme of all appropriate provisions relating to the creation of new Policy Area H and the management of development within the same.
28.	Mr J Creese PO Box 571 DONGARA WA 6525	Owner requests the zoning of Lot 3 Pye Road be modified from General Farming Policy Area C to General Farming Policy Area G. The property has panoramic views of the town and ocean.	That the submission be dismissed, as the land in question is not in the Local Planning Strategy as being identified for inclusion in a Small Rural Holdings Zone.

	Property – Lot 3 Pye Road, Dongara	<p>Would like the lot to have potential for 20ha subdivision. Subdivision would allow better road alignments and access for oil company to their production facility.</p> <p>The land is located 11 kilometres from Dongara and interest has been shown in the land should subdivision occur.</p>	<p>Policy Area G has adequate undeveloped land to cater for the expected life of proposed Town Planning Scheme No. 5 and currently has well defined physical boundaries.</p> <p>The land holding is also located in close proximity to oil and gas production and exploration areas, which would most likely be a major issue for the Department of Industry and Resources.</p>
29.	Mr J and Mrs A Clarke	<p>Lots 501, 502 and 503 are currently bounded by the Brand Highway, Railway Reserve and future highway bypass.</p> <p>Under proposed Town Planning Scheme No. 5, Lot 503 will be zoned Light Industry, Lot 502 Special Residential and Lot 501 remains General Farming, along with adjoining Part Lot 3 which is also within the above mentioned boundaries.</p> <p>The public open space for the owners land holding has been ceded, and is shown as Lot 301. The owner requests the zoning of Lot 501 be modified from General Farming to Special Residential and the following comments support such.</p> <ul style="list-style-type: none"> • The area of Lot 501 is 14ha and no significant loss of General Farming zoned land will occur. • The land is located within the Town Centre precinct as shown in the Local Planning Strategy. • No remnant vegetation exists on the site. • The land has a highway buffer of some 90 metres of road reserve. 	<p>That the submission be upheld. The area in question has well defined boundaries, and a subdivision approval has been supported for the existing special residential zoned land. The extension is a natural progression for the area and will allow early structure planning to take place to ensure the proper and orderly development of the area.</p>

		<ul style="list-style-type: none"> Lot 501 in real terms is associated with Lot 502 already zoned Rural Residential. 	
30.	Mr J Rowland PO Box 34 DONGARA WA 6525	<p>Request Part Lot 3 bounded by the Brand Highway to the west and the railway reserve, future highway bypass to the east, be modified from General Farming to Special Residential as per adjoining land due to proximity to Dongara town, objectives of a Special Residential nature appear to be most appropriate for the land holding.</p> <p>Refer also to Submission No. 29.</p>	<p>That the submission be upheld for the reasons as detailed in Council's recommendation for submission No. 29.</p> <p>And the Part Lot 3 bounded by the physical barriers of Brand Highway and Railway Reserve be modified from General Farming to Special Residential.</p>
31.	Mr John Rowland PO Box 34 DONGARA WA 6525	<p>The land is a continuation of land to the north as indicated in Submission No. 30.</p> <p>Owner requests this portion of land be modified from General Farming to Small Rural Holding zone, Policy Area D.</p>	<p>That the submission be dismissed in part.</p> <p>The land forms a natural progression of Lots 501 and Part Lot 3 as detailed in Submission Numbers 29 and 30 and it is recommended the land area be modified from general Farming to Special Residential for reasons as outlined in Council's recommendation for Submission Number 29.</p>
32.	Mr John Rowland and Mr Graham Grundy PO Box 34 DONGARA WA 6525 Property – Road Reserve adjacent to Location 266 Brand Highway, Dongara	<p>The submission suggests that in the printing of Scheme Map 5, the road reserve concerned has been incorrectly shown in colour.</p>	<p>That the submission be upheld and that in the final printing of Map 5 the colour be removed from the road reserve concerned.</p>
33.	Mr J Fitzhardinge 95 Point Leander Drive PORT DENISON WA 6525 On behalf of numerous signatories on submission. Property – Lot 947 Point Leander Drive, Port Denison	<p>Objects to proposal to rezone Lot 947 from Foreshore Reserve to Special Use Zone No. 16 for various historic reasons.</p> <p>Submission advises no need for further commercial activity near foreshore, and Lot 947 should be used for parking and beach amenities.</p>	<p>That the submission be dismissed.</p> <p>Lot 948 formally known as Lot 112 is currently zoned Special Use Zone No. 18 being</p> <ul style="list-style-type: none"> + Eating House + Managers Accommodation + Uses ancillary to the permitted uses.

			<p>The Shire of Irwin proposed to modify this zone to Local Reserve Recreation within Town Planning Scheme No. 5 thus giving access, parking and an area for amenities associated with the adjacent beach front.</p> <p>Lot 947 is currently zoned within Special Use Zone No. 15 being</p> <ul style="list-style-type: none"> + Caravan Park + Camping Ground + Uses ancillary to the permitted uses. <p>Council has excised this lot from Caravan Park Zone.</p> <p>Council proposes to modify the zoning to Special Use Site No. 16 within Town Planning Scheme No. 5 being:</p> <ul style="list-style-type: none"> + Eating House + Managers Residence + Incidental uses to the permitted use as permitted uses. <p>The submission provides incorrect information Lot 947 is not zoned Foreshore Reserve presently, and in fact Council is providing additional Foreshore Reserve via the modified zoning to Lot 948.</p> <p>However, due to the size and location of Lot 947 it is recommended Special Use Zone No. 16 be modified by deleting</p> <ul style="list-style-type: none"> + Managers Accommodation <p>as a permitted use.</p>
34.	<p>Mr J H Carr 74 Point Leander Drive PORT DENISON WA 6525</p> <p>Property – Lot 947 Point Leander Drive, Port Denison</p>	<p>Object to Special Use Site No. 16 and objects to development on the foreshore.</p>	<p>The submission be dismissed for the reasons detailed in Council's recommendation for Submission No. 33.</p>

35.	Mrs C Dennis PO Box 606 DONGARA WA 6525 Property – Lot 947 Point Leander Drive, Port Denison	Object to Lot 947 being rezoned from Foreshore Reserve to Special Use Zone No. 16. Area required for toilets and facilities adjacent to beach. The parking adjacent to Fisheries Office is not easily accessible.	It is noted the submission contains incorrect information. The submission be dismissed for the reasons detailed in the Council's recommendation for Submission No. 33
36.	Mr K Dennis PO Box 606 DONGARA WA 6525 Property – Lot 947 Point Leander Drive, Port Denison	Object to Lot 947 being rezoned from Foreshore Reserve to Special Use Zone No. 16. Area required for toilets and facilities adjacent to beach. The parking adjacent to Fisheries Office is not easily accessible.	It is noted the submission contains incorrect information. The submission be dismissed for the reasons detailed in the Council's recommendation for Submission No. 33
37.	Mr J Rowland PO Box 34 DONGARA WA 6525 Property – Lot 947 Point Leander Drive, Port Denison	Lot 947 is adjacent to popular swimming beach, parking and access is limited, no public toilets available. Request Lot 947 be changed to reserve zoning.	That the submission be dismissed for the reasons detailed in the Council's recommendation for Submission No. 33.
38.	Mr P Nunn PO Box 171 DONGARA WA 6525 Property – Lot 947 Point Leander Drive, Port Denison	Lot 947 along with Lot 948 should be rezoned Foreshore Reserve. Additional café's are not required in this area. The adjacent beach is sheltered and an excellent starting point for walkways.	That the submission be dismissed for the reasons detailed in the Council's recommendation for Submission No. 33.
39.	Mr & Mrs P & A Pendlebury 2 Hunts Road DONGARA WA 6525 Property – Lot 947 Point Leander Drive, Port Denison	Lot 947 should remain carpark and access for users of adjacent beach. Also comment regarding lack of aesthetical value of adjoining caravan park.	This submission indicates that Lot 947 should remain carpark and access, it is noted the lot is not currently used for this purpose. That the submission be dismissed for the reasons detailed in the Council recommendation for Submission No. 33.
40.	Mr J Staniforth – Smith PO Box 9	Concern regarding the lack of future public open space and Lot 947 should be kept as foreshore	That the submission be dismissed for the reasons detailed in the Council recommendation for Submission No. 33.

	DONGARA WA 6525 Property – Lot 947 Point Leander Drive, Port Denison	reserve. Also comments on possible removal of caravan park and converting that area to public open space.	
41.	Mrs Staniforth – Smith PO Box 9 DONGARA WA 6525 Property – Lot 947 Point Leander Drive, Port Denison	Objects to Lot 947 being zoned Special Use Site No. 16, and such should remain foreshore reserve.	That the submission be dismissed for the reasons detailed in the Council recommendation for Submission No. 33.
42.	Mrs A Carr 74 Point Leander Drive PORT DENISON WA 6525	Does not agree with changing Lot 947 to Special Use Zone No. 16. Does not want development on foreshore.	That the submission be dismissed for the reasons detailed in the Council recommendation for Submission No. 33.
43.	Mr W Arkell 38 Point Leander Drive PORT DENISON WA 6525	Hopefully Special Use Zone No. 15 will become foreshore reserve in the future, appears does not support Special Use Zone No. 16 and supports Policy for no further development on the foreshore.	That the submission be dismissed for the reasons detailed in the Council recommendation for Submission No. 33.
44.	Mr J Rossiter 181 Point Leander Drive PORT DENISON WA 6525	Objection raised to Special Use Zone No. 15 extensions, and various historical statements relating to the same.	No extension to Special Use No. 15 was granted by Council at its November 2004 meeting. That the submission be noted since the submission does not appear to relate to a specific Town Planning Scheme or Local Planning Strategy issue.
45.	Allerding Burges 310A Newcastle Street PERTH WA 6000 For:- Global Enterprises Property – Part Location	The submission which is in two parts proposes: - A. <u>Local Planning Strategy</u> 1. That the Local Planning Strategy be amended to include specific reference to	That the submission in relation Part A be dismissed. 1. Council has identified the area contained within Policy Area E for tourist activity, and the area is very similar in coastal features there is not the need to make specific reference within the Local Planning Strategy for any site within that

<p>2476 Brand Highway, Dongara</p>	<p>Nine Mile Beach and suggests that the requirement within Precinct E that Council support of subdivision Rural Small Holdings only after the construction of a Tourist project of significance is of concern.</p> <p>2. That the words ‘after construction’ could be replaced by an alternative such as ‘Development Approval’ or ‘Legal Agreements’.</p> <p>3. That the consideration of rural small holdings between Brand Highway and the secondary due system as defined in the Precinct E provisions should be amended to refer to adequate coastal setback in accordance with ‘Statement of Planning Policy 2.6’ in place of reference to the secondary dune system.</p> <p>B. <u>Town Planning Scheme No. 5</u></p> <p>1. That the General Farming zoning of Location 2476 be replaced with an 89.16ha Special Use Zone with associated provisions and that the remainder of the location be included with the Rural Small Holdings Zones.</p> <p>2. The locations of the proposed zones and an approximately 100m wide coastal reservation are illustrated within the detailed submission and they are supported by an Environmental Assessment of the site.</p>	<p>zone.</p> <p>2. Council has promoted Policy Area E predominantly for tourist activity within Town Planning Scheme No. 4. Council’s Local Planning Strategy continues to support tourist activities within the site as the major land use. The Local Planning Strategy provisions ensures that the Small Rural Holdings component of the zone, is incidental to the predominant use.</p> <p>3. Council’s Local Rural Strategy promotes the main dunal systems within Policy Area E as needing to have the highest conservation value. As such the inclusion of these areas into only a tourist zone ensure the highest level of protection which may not be afforded within a hobby farm zoning.</p> <p>That the submission in relation Part B be upheld in part.</p> <p>That Council support the modification of the General Farming zone over the area of 58.25ha, to Special Use Zone No. 25 within Schedule 4 – Special Use Zones.</p> <table border="1" data-bbox="1178 971 1980 1409"> <thead> <tr> <th>No.</th> <th>Location</th> <th>Land Particulars</th> <th>Permitted Uses</th> <th>Specific Conditions</th> </tr> </thead> <tbody> <tr> <td>25</td> <td>Brand Highway, Bookara</td> <td>Part Victoria Location 2476</td> <td>+ Caravan Park + Camping Ground + Holiday Accommodation + Incidental uses to the permitted use</td> <td> <ul style="list-style-type: none"> The lot to contain the Caravan Park / Camping Ground is to be created in conjunction with the main access road to give access to that lot and the coastal reserve as Stage 1 of the site development. All proposed foreshore reserves are to be ceded as part of Stage 1 of the site </td> </tr> </tbody> </table>	No.	Location	Land Particulars	Permitted Uses	Specific Conditions	25	Brand Highway, Bookara	Part Victoria Location 2476	+ Caravan Park + Camping Ground + Holiday Accommodation + Incidental uses to the permitted use	<ul style="list-style-type: none"> The lot to contain the Caravan Park / Camping Ground is to be created in conjunction with the main access road to give access to that lot and the coastal reserve as Stage 1 of the site development. All proposed foreshore reserves are to be ceded as part of Stage 1 of the site
No.	Location	Land Particulars	Permitted Uses	Specific Conditions								
25	Brand Highway, Bookara	Part Victoria Location 2476	+ Caravan Park + Camping Ground + Holiday Accommodation + Incidental uses to the permitted use	<ul style="list-style-type: none"> The lot to contain the Caravan Park / Camping Ground is to be created in conjunction with the main access road to give access to that lot and the coastal reserve as Stage 1 of the site development. All proposed foreshore reserves are to be ceded as part of Stage 1 of the site 								

							<p>development.</p> <ul style="list-style-type: none"> • No support for subdivision of any of the lot zoned for Rural Small Holdings Zone will be given until the requirements as detailed in Section 6.5 of the Shire of Irwin Local Planning Strategy have been <i>complied</i> with, in particular but not limited to the completion of the construction of the project of tourism significance on Special Use Site No. 25. • Further Council support the modification of the General Farming Zone in accord with the provisions of Section 6.5 of the Shire of Irwin Local Planning Strategy, as detailed on the attached plan. The balance of Location 2476 to remain General Farming under the provisions of Policy Area E.
46.	<p>Gray and Lewis Suite 5, 2 Hardy Street SOUTH PERTH WA 6151 For Ben Clarke</p> <p>Properties – Lots 10, 15, 16 and 17 Francisco Road, Dongara</p>	<p>The submission proposes the Rezoning and Development of Lot 10 for Rural Residential Development and Lots 15, 16 and 17 for Residential Development.</p> <p>The opportunities and constrains associated with the proposed rezonings and development are listed as follows:-</p>	<p>That the submission be upheld in part, namely Lot 10 and adjoining Lots 4 and 5 to be included within the Rural Residential zone and Lot 15 to be included within the Residential Zone R12.5.</p> <p>The balance of the proposed project area representing Lots 16 and 17 are to be designated Urban Expansion Investigation Areas within the Local Planning Strategy.</p>				

		<p>- Lot 10 Francisco Road – Rural Residential Development Potential</p> <p><u>Opportunities</u></p> <ul style="list-style-type: none"> • Lot 10 directly adjoins land currently being subdivided into rural residential lots and is therefore at the development front. • The land will form part of a larger rural residential corridor associated with the Racecourse Rural Residential precinct. • The site is less than 3.0 kilometres from the Dongara Town Centre and associated community facilities. • There is a strong demand for rural residential lots in the area. • Service infrastructure is readily available including provision of reticulated water and underground power. • The land is attractive and rises gently to provide elevated building sites with a scenic outlook. • The site has been cleared and is relatively unconstrained in respect to topographic and other environmental characteristics. <p><u>Constraints</u></p> <ul style="list-style-type: none"> • Removal of land from agricultural production. 	<p>Council's recommendation is based upon the following:-</p> <ul style="list-style-type: none"> • The land concerned is located within the Northshore and Racecourse precincts which promote development continuing within the Northern Urban Area coastal corridor. • A possible land bank of 8 to 10 lots is all that remains at present within the adjoining Rural Residential Zone. • The provision of services can be put in place at an early date to enable the development of Lot 15 as a first stage of the project areas proposed Residential Development. • The Land Capability and Geotechnical Assessment illustrate that the project is sustainable and any constraints can be addressed at the subdivision stage. • The rezoning proposed by Council will ensure the orderly progressive advancement of the Dongara Northern Urban Area Coastal Corridor, while at the same time ensuring that a sufficient bank of lots exists to meet the rapid growth that is taking place within the Urban Area. • The proposal ensures that the Residential Development is buffered from the major Brand Highway by the larger lots in the Rural Residential zone. • The likely time delays in putting the proposed rezoning in place enhances Council's September 2005 recommendation with regard to this matter since the current land bank will be substantially reduced by the time this development comes on stream. • The Concept Development Plan which forms part of the submission illustrates that the land development proposal is
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		<ul style="list-style-type: none"> • Access to Brand Highway. • Visual aspect from Brand Highway. • Loss of vegetation. <p>In respect to the potential constraints, the amount of land lost from agricultural production is relatively insignificant when considered in the total area context. The loss is offset by the creation of rural residential lots which are in strong demand.</p> <p>Access to Brand Highway and can be restricted by limiting the number of connecting roads and prohibiting any direct lot frontage.</p> <p>The dense planning of a buffer area 20m wide adjacent to Brand Highway will reduce any potential detrimental visual impact of the development from Brand Highway.</p> <p>The loss of vegetation will be minimal and in fact revegetation of the proposed lots by the subdivider as a condition of development has the potential to increase the vegetation cover over the subject land.</p> <p>- Lots 15, 16 and 17 Francisco Road – Residential Development Potential</p> <p><u>Opportunities</u></p> <ul style="list-style-type: none"> • Whilst the site is not directly frontal, it is only 3.0 kilometres from the Dongara Town Centre and about 2.0 kilometres north of the Northshore residential front. 	<p>based on contemporary design philosophy.</p> <ul style="list-style-type: none"> • There will be the need to investigate a direct road link via the existing reserve which currently separates Lot 130 (being considered for residential zoning) and Lot 15, this will ensure the two residential areas have good connectivity and road network links. • <i>The support for Lot 10 is subject to subdivision design being such that no rear yards are to front on to the Brand Highway road reserve.</i>
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- There is a strong and growing demand for conventional residential lots in Dongara particularly in the northern coastal corridor (limitations on urban expansion south of the town will consolidate demand for lots in the northern corridor)
- The site is located only 450m from the coast and is protected by a wide coastal reserve.
- The site provides panoramic views in all directions.
- The site is relatively unconstrained in terms of topography, vegetation, and other environmental characteristics.
- Development will provide an opportunity to control access through foreshore reserve.

Constraints

- Extension of services including reticulated sewer will be required to facilitate subdivision.
- Broader level structure planning will be required to identify road linkages both between the subject land and existing development to the south and also to integrate with future subdivision to the north and west.
- The steeper ridgeline in the south may require specific management provisions in relation to clearing and land reshaping.

		<ul style="list-style-type: none"> • Better quality vegetation near the northern boundary may need to be protected within a public open space reserve. • Control development interface along western boundary adjacent to coastal reserve. • Integration with rural residential area to the east. <p>None of the constraints are significant and they can be adequately addressed at the structure planning and subdivision stage.</p>	
47.	Shire of Irwin PMB 21 DONGARA WA 6525 General Comment	The submission requests that various modifications be put in place in the:- Scheme Text Scheme Maps and Local Planning Strategy in order to correct various typing and drafting inconsistencies.	That the submission be upheld in order to correct various typing and drafting inconsistencies and minor land use amendments on the Town Planning Scheme and Local Planning Strategy documentation.
48.	Shire of Irwin PMB 21 DONGARA WA 6525 Property – Lot 282 George Street, Port Denison	<ul style="list-style-type: none"> • The submission requests that Lot 282 be included in Special Use Zone 17 in order that the Local Authority can promote and extend the adjoining Caravan / Camping Ground development. • The Land Asset Management Services Section of the Department of Planning and Infrastructure have indicated approval for the proposal. 	That the submission be upheld in order that Special Use Zone 17 can be extended to incorporate the part of Lot 282 to the north of White Tops Road within the same.
49.	Shire of Irwin PMB 21 DONGARA WA 6525	<ul style="list-style-type: none"> • The submission proposes that as illustrated on Submission Map B portion of both Lots concerned be rezoned from Town Centre to Local Reserve. 	That the submission be upheld in order that a reserved land link is created between the Town Centre proper and the Irwin River Reserve.

	Property – Lots 12 and 172 corner of Hunts Road and Point Leander Drive, Dongara	<ul style="list-style-type: none"> The owner of the land has no objection to the proposal. 	
50.	<p>Gray and Lewis Suite 5, 2 Hardy Street SOUTH PERTH WA 6151</p> <p>On behalf of:- McWhite Pty Ltd – T McBratney</p> <p>Property – Lot 130 Brennand Road, Dongara</p>	<p>The submission proposes that Lot 130 which is proposed within the Town Planning Scheme No. 5 General Farming Zone, be included within the Residential Zone.</p> <ul style="list-style-type: none"> A Land Capability and Geotechnical Assessment and a Preliminary Concept Plan have been presented in support of the proposed Residential zoning. The submission details the following opportunities for the development of Lot 130 for Residential Development and also potential development constraints. <p><u>The Opportunities:</u></p> <ul style="list-style-type: none"> The site directly adjoins existing residential development Northshore. There is a strong demand for developed lots in the northern coastal corridor. The site is situated only 1 kilometre from the centre of Dongara. The site is located within 400m of the coast and is protected by wide coastal reserves. The site is adjacent to the Racecourse Local Recreation Reserve. 	<p>That the submission be upheld for the following reasons:</p> <ul style="list-style-type: none"> Growth demand within the Urban Area supports a need for the provision of further residential land on the northern urban development front. A delay in the provision of further residential land to the north of the Urban Area could result in a residential lot shortage in the short term. The project area is well located and with good access provision from the adjoining Northshore Estate and Racecourse developments. The development front is now at the southern boundary of Lot 130. The potential constraints to the development of Lot 130 for residential purposes can be adequately addressed as part of the future subdivision process. The Local Planning Strategy promotes the continuing development of the Dongara / Port Denison Urban Area as illustrated in Policy Area B within which Lot 130 is included.

		<ul style="list-style-type: none"> • The site is relatively unconstrained in terms of topography vegetation and other environmental criteria. • Development will provide an opportunity to control access through foreshore reserve. <p><u>The Potential Constraints are:</u></p> <ul style="list-style-type: none"> • Slightly steeper ridgeline with better quality vegetation in the south – may require specific management provisions in relation to clearing and land reshaping. • Relocation of Department of Land Information trig station reserves. • Control interface along western boundary adjacent to coastal reserve. • Integration with rural residential area to the east. 	
LATE SUBMISSIONS			
51.	<p>Main Roads WA PO Box 165 GERALDTON WA 6531</p> <p>General Comment</p>	<p>Thanking Shire for consultation regarding ensuring future highway bypass reservation being accurate and included within Town Planning Scheme No. 5.</p>	<p>That the submission be noted since the submission contains advice only.</p>
52.	<p>Mr R Popham 37 Casida Road DUNCRAIG WA 6023</p> <p>For the Dominican Sisters of WA</p> <p>Property – Lots 145 and 147 Blenheim Road, Port Denison</p>	<p>Request the realignment of proposed route for important local road be reviewed as such is not equitable for the owners of Lots 145 and 147, and the reservation should be spread amongst all lot owners in the immediate area.</p>	<p><i>That the submission be dismissed. The alignment as shown presently is the most appropriate position due to contours, and practical engineering design.</i></p> <p><i>Further advice received subsequent to Council's meeting from the current land owners advise the submission was not authorised.</i></p>

TP.662: RESIGNATION OF DIRECTOR, COMMUNITY DEVELOPMENT
LOCATION: -
PROPOSERS: -
REPORTING OFFICER: MARK LUZI – DIRECTOR, COMMUNITY DEVELOPMENT
DATE OF REPORT: 8 SEPTEMBER 2005
FILE REFERENCE: AS.3.1.3
VOTING REQUIREMENTS: NORMAL MAJORITY

BACKGROUND:

I write this item with more than a hint of sadness, as I tender my resignation from the Shire of Irwin after 17½ years service. It has been fantastic, especially the past 8 years under the leadership of John Merrick, which has resulted in some wonderful community development and strategic planning and generally lifting the profile of the Shire as a great place to live, holiday or just visit.

I take this opportunity to thank John for his leadership and support and friendship over the past 8 years and the Councillors with whom I have had a long and enjoyable association being, but not limited to, Cr Robyn Parsons, Cr Stuart Chandler, Cr George Bass and ex-Councillor Lynton Watson, Norm Summers, Henry Dempster and John Edwards (dec).

COMMENT:

- **General**

I make the following observations from 1988-2005, from the first-hand position leading Development and Community Services for the Shire of Irwin.

In 1988, most people in the district were known to everybody. Most people had a beat-up 4WD to drive to the beach or launch their boat. The population was 1,600.

In 2005, everybody does not know everybody and any substandard 4WD's would be yellow-stickered and put off the road. The Shire population is 3,500 and increasing at 5–8% annually.

In the mid-80's, the town was starting to awake from its sleeping fishing village lifestyle. The outside community realised that Dongara would be a nice place to live, and why - because it was small, quiet, had a sense of community and recreational fishing was good due to lack of competition. A regional centre was 45 minutes (65kms) away which gave access to those regional centre services without the associated social problems of living in such a centre. Another main reason is the sea change to the coast - 90% of Australia's population now live within one hour of the coast.

What about the urban residential townscape? In 1988, you could build any basic dwelling and put a shed in the front yard.

The Shire was at the crossroads. Continue the same path and have a town character the same as other small coastal communities between Yanchep and Geraldton with the holiday cottage feel, or take hold and move upward?

The Shire was to take the hard line. Council policies were put in place, sheds went to the rear of yards, basic (holiday type) houses were discouraged due to increased design feature requirements.

A brick area was promoted (South Denison). Developers have since put covenants on new titles to encourage brick areas (Northshore, Mitchell Heights and Ocean Rise).

The urban areas of the community have now moved from a sleepy fishing village feel to a more formalised urban environment.

With more permanent living, the residents of the area have put more effort into landscaping their properties and in general the streetscape has improved from an unkempt feel to a more visually pleasing outlook. The Shire has responded with the gardening staff increasing from 1 to 3 at present and a high number and standard of public facilities has developed. Council's current Chief Executive Officer encouraging government grants to be applied for has had enormous public benefits. I personally have attracted over \$3.5 million dollars in the past 7 years.

One thing Dongara did enjoy in its developing urban environment was a uniqueness of building type. Every street was different with an array of building construction types. In hindsight, developer covenants such as in Mitchell Heights and Ocean Rise have resulted in areas that could be any street in the metropolitan centre, i.e. Perth with an abundance of project housing design. Without restrictions, these streets may have continued to contribute to the unique mixed dwelling type Dongara enjoyed, which is a tourist attraction in its own right.

All change has not been to the liking of all residents. As the rapid growth occurs, the 'character' of the local environment is being changed. Character of place can often be seen as the existing built environment along with other physical features of a place, although the feel of a place is generally a combination of existing environmental features as well, which make the sense of place.

The other aspect which can be overlooked is the social character of a place.

As population increases, I believe the social character has no choice but to change, (comments such as "a few years ago, we never locked our house - we can't do that around here anymore").

The Moreton Bay Fig Trees planted in 1905 were to become a major focus for Dongara and in Port Denison (what wonderful forethought by the pioneers of the Roads Board); the marina which was constructed in 1979, was to be the major event to change the character of Port Denison. The original bay was lost forever however, in time, I believe the marina will host a variety of recreation and social activities.

The Local Rural Strategy released by the Shire in 1995 opened the floodgates for the rural small holding lots 15–20 hectares. This changed the rural landscape from traditional broadacre farming to lots being used for hobby uses and horticulture pursuits, such as olives and carobs, new local industries.

The statement I have put to me most by long time residents and newcomers is, "Don't allow the town to change from the place that attracted us here."

I believe Council's new Town Planning Scheme and Local Planning Strategy does protect Dongara's local character and sense of place, large areas of the natural environment being protected by zoning, a good blend of housing zones, i.e. a good mix of density from normal urban to special residential areas which stops the complete urbanisation of the town areas.

With the recent oil, gas and mineral sands operations being developed, Dongara's economy to sustain growth appears good, especially with the continuing 'retirement' growth sector also looking to further impact on the town's characteristics.

The recent land developments and sales continue to demonstrate the Australian sea change mentality and the attraction Dongara now has in attracting people to take up a position for immediate development, or longer-term or straight-out investment.

I mention several projects I have been involved in which I take pride in the outcomes:

1. The Irwin River Nature Park and Walk Trails - over \$150,000 of grant funding has made possible, I believe, one of the best attractions of the Shire which protect the environment and allow access to a wonderful place.
2. Being involved with the footpath program has been very satisfying. Due to the planning now in place via the 1999 Bicycle Plan and negotiations with developers, Dongara is on the way to be right at the top of pedestrian accessible communities.
3. With the assistance of Cr Chandler, the redevelopment of the boat ramp and recreation jetty was a fantastic project outcome with over \$500,000 of funding being received.
4. The looking for opportunities, and negotiating land purchases for the Shire which will not only set the planning in place for commercial growth, light industrial lots, ambulance centre, RSL and potentially future residential, but also will realize funds to provide further community facilities.
5. The closing of the rubbish tip and the providing of a user friendly, environmentally acceptable Transfer Station and Recycling Centre.
6. Preserving and protecting the Shire's heritage as a major attraction, the restoration of those buildings and obtaining a lease for the Irwin Museum and the purchase of the Monastery for a future public use has been very rewarding. I hope the Shire does retain its heritage assets. They will be of enormous value to the Shire and community in the future. I am sure with grants they will not be cost prohibitive to keep.
7. The main street upgrade was also a very interesting and positively received project which is the start of making the area into a people friendly precinct.

I am confident with the nearing to completion of the Town Planning Scheme No. 5 and Local Planning Strategy, jointly prepared by Russell Reid and myself, the statutory and strategic planning for the Shire is well poised to cater for future growth.

I wish Councillors and the Shire all the very best as Dongara continues to go from strength to strength as the community develops further.

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

STAFF RECOMMENDATION:

That Council accept the resignation of the Director, Community Development.

COUNCIL MOTION:

Moved Cr Bass, seconded Cr Chandler

That Council accept the resignation of the Director, Community Development.

CARRIED
7/0

VOTING DETAILS:

The Shire President, Cr Robyn Parsons, thanked Mr Mark Luzzi for his professional performance over the past 17½ years. Cr Parsons added that, whilst it is difficult to accept his resignation, his reasons for leaving for family reasons were understandable and he would be sorely missed.

The following was submitted for discussion as a Late Item.

TP.663: DUAL USE PATHS TENDER
LOCATION: DONGARA / PORT DENISON
PROPOSERS: -
REPORTING OFFICER: MARK LUZI – DIRECTOR, COMMUNITY DEVELOPMENT
DATE OF REPORT: 12 SEPTEMBER 2005
FILE REFERENCE: ED.1
VOTING REQUIREMENTS: NORMAL MAJORITY

BACKGROUND:

Council has budgeted for dual use path works to occur within this financial year which includes a successful grant application from Department of Planning and Infrastructure Country Pathways Funding for dual use pathways to be constructed in Flanagan Way and Richardson Road linking Ocean Drive to the Recreation Centre.

COMMENT:

- **General**
The dual use paths as budgeted in line with Council's Bike Plan are:
 1. Dongara – Flanagan Way
 2. Dongara – Gillam Drive – Developer contribution
 3. Dongara – Northshore Drive – Developer contribution
 4. Port Denison – Richardson Road

Tenders were called and the closing date was the 9th September 2005.

Items two and three above are developer funded, being \$17,400 and \$20,000 with items one and four being with pathways funding of \$19,804 with Shire of Irwin budget contributions.

Two tenders were received:

1. Central West Concrete \$71,515 plus GST
2. Dongara Concrete \$90,000 plus GST

- **Financial Implications**
Budgeted Item.
- **Policy Implications**
Nil.
- **Strategic Implications**
Further works in line with Council's Bike Plan

STAFF RECOMMENDATION:

After consideration of tenders, Council accept a tender from Central West Concrete for an amount of \$71,515 plus GST.

COUNCIL MOTION:

Moved Cr Trevenen, seconded Cr Bass

After consideration of tenders, Council accept a tender from Central West Concrete for an amount of \$71,515 plus GST.

CARRIED
7/0

VOTING DETAILS:

The following was submitted for discussion as a Late Item.

TP.664: POSSIBLE LAND PURCHASES
LOCATION:
PROponents: SHIRE OF IRWIN
REPORTING OFFICER: MARK LUZI – DIRECTOR, COMMUNITY DEVELOPMENT
DATE OF REPORT: 7 SEPTEMBER 2005
FILE REFERENCE: AM.7
VOTING REQUIREMENTS: NORMAL MAJORITY

BACKGROUND:

Over the past couple of years, staff have identified several parcels of land in which Council has taken an interest with a view to facilitate development, or make available land parcels of certain zones which are currently limited.

COMMENT:

- **General**
I will discuss with Council the results of the completion of a recent review of all of the urban areas, which has identified one site of interest.
- **Financial Implications**
Initial outlay to purchase from the Crown.
- **Policy Implications**
Nil
- **Strategic Implications**
As per Town Planning Scheme.

STAFF RECOMMENDATION:

To be discussed with Council.

COUNCIL MOTION:

Moved Cr Gillam, seconded Cr Trevenen

That Council make contact in writing with the Department of Land Administration expressing interest in the purchase of parcels of land as identified during the meeting.

CARRIED
7/0

VOTING DETAILS:

The following item was submitted for discussion as a Late Item.

TP.665: PROPOSED SUBDIVISION
LOCATION: LOT 23 FRANCIS ROAD, PORT DENISON
PROPONENTS: K & S FORSYTH
REPORTING OFFICER: MARK LUZI – DIRECTOR, COMMUNITY DEVELOPMENT
DATE OF REPORT: 13 SEPTEMBER 2005
FILE REFERENCE: TP.3/1 (WAPC REF: 129297)
VOTING REQUIREMENTS: NORMAL MAJORITY

BACKGROUND:

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

COMMENT:

- **General**

The application received proposes the existing lot, with a land area of 1.0169ha, be subdivided into ten (10) new lots.

The existing lot is zoned Residential 12.5 and the new lots will range from 821m² to 845m² which complies with the requirements of the Residential Design Codes.

The plan as submitted is based on the conventional grid pattern, with access from Francis Road and allowing through access to Henry Road, when such is constructed at a future date.

The subdivision is the natural progression of the recent subdivision which created Linthorne Road and Bond Street, adjoining to the north.

The existing site does have existing buildings on site which the applicants advise will be demolished and removed.

- **Financial Implications**

Ten (10) new rateable properties.

- **Policy Implications**

Nil

- **Strategic Implications**

Development of residential zoned land as per Town Planning Scheme.

STAFF RECOMMENDATION:

That Council advise the Western Australian Planning Commission that it supports the subdivision as shown on the attached plan subject to the following conditions:-

1. Those lots not fronting an existing road being provided with frontage to a constructed subdivisional road connected by a constructed subdivisional road(s) to the local road system and such subdivisional road(s) being constructed and drained at the subdivider's cost. As an alternative, the Western Australian Planning Commission is prepared to accept the subdivider paying to the Local Government the cost of such works as estimated by the Local Government

- subject to the Local Government giving an assurance to the Commission that the works will be completed within a reasonable period acceptable to the Commission. (LG)
2. Street corners within the subdivision being truncated to the standard truncation of 8.5 metres. (LG)
 3. Temporary cul-de-sac heads being designed to the satisfaction of the Western Australian Planning Commission. (LG)
 4. The land being graded and stabilised at the subdivider's cost to the satisfaction of the Western Australian Planning Commission. (LG)
 5. The land being filled and/or drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission. Including stormwater drainage plans being submitted to and approved by the Local Government prior to the commencement of works. (LG)
 6. The applicant contributing to the upgrade of Francis Road which fronts the proposed subdivisional area.
 7. Construction of dual use paths along one side of roads, as required, to the satisfaction of the Western Australian Planning Commission.
 8. Land being set aside in a location acceptable to the Local Authority for Public Open Space, the Local Authority is prepared to accept cash in lieu of payment.
 9. The subdivider complying with the provisions of the Shire of Irwin Town Planning Scheme No. 4.
 10. All existing buildings on site to be demolished and removed to the satisfaction of the Local Government.

COUNCIL MOTION:

Moved Cr Gillam, seconded Cr Wheeler

That Council advise the Western Australian Planning Commission that it supports the subdivision as shown on the attached plan subject to the following conditions:-

- 1. Those lots not fronting an existing road being provided with frontage to a constructed subdivisional road connected by a constructed subdivisional road(s) to the local road system and such subdivisional road(s) being constructed and drained at the subdivider's cost. As an alternative, the Western Australian Planning Commission is prepared to accept the subdivider paying to the Local Government the cost of such works as estimated by the Local Government subject to the Local Government giving an assurance to the Commission that the works will be completed within a reasonable period acceptable to the Commission. (LG)***
- 2. Street corners within the subdivision being truncated to the standard truncation of 8.5 metres. (LG)***
- 3. Temporary cul-de-sac heads being designed to the satisfaction of the Western Australian Planning Commission. (LG)***

4. *The land being graded and stabilised at the subdivider's cost to the satisfaction of the Western Australian Planning Commission. (LG)*
5. *The land being filled and/or drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission. Including stormwater drainage plans being submitted to and approved by the Local Government prior to the commencement of works. (LG)*
6. *The applicant contributing to the upgrade of Francis Road which fronts the proposed subdivisional area.*
7. *Construction of dual use paths along one side of roads, as required, to the satisfaction of the Western Australian Planning Commission.*
8. *Land being set aside in a location acceptable to the Local Authority for Public Open Space, the Local Authority is prepared to accept cash in lieu of payment.*
9. *The subdivider complying with the provisions of the Shire of Irwin Town Planning Scheme No. 4.*
10. *All existing buildings on site to be demolished and removed to the satisfaction of the Local Government.*

CARRIED
7/0

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 Draw for Rates Prizes:** The issue of whether Councillors and Council staff are eligible for inclusion into the draw for rates prizes as a result of full payment of rates within the 35 day period was considered.

COUNCIL MOTION:

Moved Cr Chandler, seconded Cr Trevenen

That all Councillors and staff be eligible for inclusion in the draw for rates prizes as a result of full payment of rates within the 35 day period.

CARRIED
7/0

VOTING DETAILS:

14. MATTERS BEHIND CLOSED DOORS

Nil.

15. CLOSURE

There being no further business, the Chairperson declared the meeting closed at 6.51pm.

I certify that this copy of the Minutes is a true and correct record of the meeting held on 13 September 2005 Signed: Presiding Elected Member Date:.....
