

I certify that this copy of the Minutes is a true and correct record of the meeting held on 10 June 2008

Signed: .....  
Presiding Elected Member

Date:.....



**MINUTES FOR ORDINARY COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS ON  
TUESDAY, 10 JUNE 2008  
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](mailto:ceosecretary@irwin.wa.gov.au).**

<b>PRESENT:</b>	President	Cr R K Parsons (Chairperson)
	Councillors	Cr R J Gillam (Deputy President) Cr G C Bass Cr S C Chandler Cr G L Dean-Gundill Cr K J Hepworth Cr R T McClurg Cr R W Roberts Cr L W Wheeler
	Staff	Mr B E Jones – Chief Executive Officer Mr G M Peddie – Director, Corporate Services (Minute Taker) Mr F A Neuweiler – Manager, Community Development Mr G F Coaker – Town Planner
	Gallery	Mrs F Chandler Ms K Day
	Media	Mrs I Cochrane (Dongara Denison Local Rag)
<b>APOLOGIES:</b>		-
<b>LEAVE OF ABSENCE:</b>		-

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

The Shire President declared the meeting open at 4.00pm and welcomed all those in attendance to the proceedings.

Mrs Freda Chandler from the Dongara Denison Lions Inc and Ms Karri Day presented a photograph to Council on behalf of the Camp Quality children in order to thank Council for its

support to the program during the Blessing of the Fleet weekend in November. The Shire President thanked them for their presentation.

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

All Councillors were present.

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

Nil.

**4. PUBLIC QUESTION TIME**

Nil.

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**6. PETITIONS**

Nil.

**7. CONFIRMATION OF MINUTES**

**7.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 MAY 2008**

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A copy of the Minutes of the Ordinary Council Meeting held on 27 May 2008 has been provided to all Councillors under separate cover.

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**COUNCIL MOTION:**

**Moved Cr Hepworth, seconded Cr Roberts**

***That the Minutes of the Ordinary Council Meeting, held on 27 May 2008, be confirmed as a true and accurate recording of that meeting.***

**CARRIED  
9/0**

**VOTING DETAILS:**

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

- The Shire President advised Council that both the CEO and herself had met with Mr Garry Snook MLA, Member for Moore, at the Shire office on Friday, 6 June 2008.
- On 30 May 2008, a meeting was convened in the Shire office with the Shire President, the CEO and Mr Shane Matthews, Regional Director of the WA Country Health Service.
- The Shire President indicated that the construction of the concrete disabled fishing/viewing platform off the Port Denison Marina is now complete. This will provide access for all people, particularly seniors and the disabled, to enjoy their fishing pursuits.
- Dongara Police OIC, Sgt Martin Haime, will be joining Council at 5.30pm in order to provide a brief update.

## 9. REPORTS

### B.400

**Subject:** Cleaning Contract  
**Reporting Officer:** Manager - Community Development  
**Date of Report:** 22 May 2008  
**File Reference:** Lease Documents  
**Voting Requirements:** Simple Majority

#### Issue:

To consider a tender submission for the Shire's cleaning contract.

#### Body/Background:

The current three year cleaning contract with G-Force Contracting will finish on 30 June 2008. Advertisements have been placed in "The West Australian", the "Local Rag" and the "Geraldton Guardian" on Wednesday, 30 April 2008 seeking submissions of tenders for the cleaning of all of Council's facilities, with the exception of the Recreation Centre and the South Beach ablutions, for the next three years. Tenders closed on 19 May 2008 and one tender was received.

Details of the tender received are as follows:

### G-FORCE CONTRACTING

#### Rationale for costing of Shire of Irwin Cleaning Contract for 2008/09

#### Assumptions:

1. Hourly rate is \$39.50 per hour for 2008/09.
2. Hourly rate is \$41.50 per hour for 2009/10 (5% CPI increase).
3. Hourly rate is \$43.60 per hour for 2010/11 (5% CPI increase).
4. The hourly rates above are averaged over the three years to give a set amount for the duration of the contract.
5. Consumables are costed at the same annual cost as 2007/08 plus 15% increase over next 3 years of contract.
6. All facilities given same hours as previous.
7. Mileage cost (paid to employees) for all travelling between jobs in the Shire.

	Hours/ Fortnight	Hours / Year	2008/09 @\$39.5/ hr	2009/10 @\$41.50	2010/11 @\$43.60	Average 2008 -11	+cleaning materials +mileage	TOTAL
Shire Office & Council Chambers	22hrs	572 hrs	\$22,594	23,738	24,939	\$23,757	+\$995	\$24,752
Dongara Town Park Amenities	4hrs 45mins (20min/day)	124 hrs	4,898	5,146	5,406	\$5,150	+\$970	\$6,120
Dongara Shire Hall Supper Room Incl. floor buffing	6 hrs	156 hrs	\$5,372	6,474	6,802	\$6,216	+\$1,205	\$7,421
Dongara Pavilion & Public Conveniences	3.5 hrs	91 hrs	\$3,595	3,777	3,968	\$3,780	+\$670	\$4,450
Port Denison Foreshore	14 hrs	364 hrs	\$14,378	15,106	15,870	\$15,118	+\$2,700	\$17,818
Dongara Public Library/ Tourist Centre	7 hrs	182 hrs	\$7,189	7,553	7,935	\$7,559	+\$835	\$8,394

	Hours/ Fortnight	Hours / Year	2008/09 @\$39.5/ hr	2009/10 @\$41.50	2010/11 @\$43.60	Average 2008 -11	+cleaning materials +mileage	TOTAL
Shire Works Depot	4 hrs	104 hrs	\$4,108	4,316	4,534	\$4,320	+\$260	\$4,580
Telecentre/ Lotteries	6hrs 45mins	176 hrs	\$6,952	7,304	7,674	\$7,310	+\$550	\$7,860
Public Conveniences – Seaspray	4 hrs 45 mins	124 hrs	4,898	5,146	5,406	\$5,150	+\$1070	\$6,220
<b>Subtotal</b>	93 hrs	2,418 pa.	\$73,984				\$9,255	\$87,615

\*\*Above figures are exclusive of GST\*\*

The Contractor provided the following comment:

*“Over the course of the last three year contract, G-Force Contracting barely broke even, admittedly turning around the previous loss, but labour costs have risen significantly over the past 12 months. This has largely been due to the difficulty in attracting a reliable and quality conscious workforce to operate in the Dongara/Port Denison region. Other associated costs have also taken a substantial price hike. Because of this, you will notice an increase in our latest tender for the next three years. Given that we now have a lot greater knowledge of the actual costs involved, I believe this is still a very competitive price. As such, and for reasons of transparency, I have attached a breakdown against each facility and also a copy of our latest Annual Report.”*

**Officer’s Comment:**

G-Force Contracting is the current contractor and has provided a satisfactory service over the past three years, with very few complaints having being received at the Shire office.

An administrative problem occurred recently when, after the closure of the Recreation Centre, the Shire of Irwin was still charged for the cleaning of this facility. It is therefore recommended that matters such as this need to be clearly addressed in the next contract.

G-Force Contracting provided evidence of their insurance policies and satisfied criteria relating to Occupational Health and Safety and Staff Training.

It should be noted that the current average annual amount being paid is \$71,164. This amount was inclusive of the Recreation Centre. Therefore, the average increase in cleaning costs for the next three years will be 40%, which is quite substantial. The contractor’s representative explained that the increase is due to higher hourly rates being paid to staff in Dongara.

It is recommended to award G-Force Contracting the tender for a period of one year at the 2008/2009 rate, being \$83,239 for the year. It is further recommended to break the contract into smaller sections to encourage local contractors to submit a tender next time it is advertised.

**Financial Implications:**

The cost of cleaning Council’s facilities will increase substantially in 2008/09 and, therefore, additional provision will be required in this budget.

**Statutory Environment:**

Local Government (Functions and General) Regulations 1996.

**Officer’s Recommendation:**

That Council accepts the tender from G-Force Contracting for the cleaning of Council facilities for the year 2008/2009 only subject to the following conditions:

1. The tender cost is fixed for the year as per the specifications set out in the tender documents at an annual cost of \$83,239.
2. Should any facility be closed and therefore not requiring cleaning, the contractor is not to issue an invoice for work not carried out.
3. Any additional cleaning over Easter, Christmas and festivals is negotiated on a needs basis and an hourly rate applies as determined in the tender offer.

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**COUNCIL MOTION:**

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

***That Council accepts the tender from G-Force Contracting for the cleaning of Council facilities for the year 2008/2009 only subject to the following conditions:***

- 1. The tender cost is fixed for the year as per the specifications set out in the tender documents at an annual cost of \$83,239.***
- 2. Should any facility be closed and therefore not requiring cleaning, the contractor is not to issue an invoice for work not carried out.***
- 3. Any additional cleaning over Easter, Christmas and festivals is negotiated on a needs basis and an hourly rate applies as determined in the tender offer.***

**CARRIED  
5/4**

**VOTING DETAILS:**

Crs Rob Gillam, Rob McClurg, George Bass and Lance Wheeler voted against the motion.

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**CEO.359**

**Subject:** Financial Management Review  
**Reporting Officer:** Chief Executive Officer  
**File Reference:** AA.3.1  
**Date Prepared:** 3 June 2008  
**Voting Requirements:** Simple Majority

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**Issue:**

To receive a report on the Shire's financial management systems and procedures.

**Body/Background:**

The CEO is required to undertake a review of the appropriateness and effectiveness of the financial management systems and procedures of the Shire at least every 4 financial years and report to Council the results of those reviews (see "Statutory Environment").

The CEO engaged the services of our Auditors, UHY Haines Norton, to undertake the review and a copy of that report is attached.

**Officer's Comment:**

The Financial Management Review Report includes a number of items that are not of a financial nature (minutes, registers, delegations etc). These have been included because the Auditor combined the Financial Management Review with the Interim Audit.

The Officer's Recommendation includes the adoption of the percentage variance as recommended within the report.

**Financial Implications:**

Nil.

**Statutory Environment:**

Local Government (Financial Management) Regulation 5(2)(c) states:

The CEO is to —

(c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 4 financial years) and report to the local government the results of those reviews.

**Policy Implications:**

Nil.

**Officer's Recommendation:**

That Council:

- receives the Financial Management Review report, prepared by UHY Haines Norton on behalf of the CEO, as attached, and
- agree that the percentage variance used during the budget review process and reporting material variance in the Statement of Financial Activity be set at 10% or \$5,000, whichever is greater.



**COUNCIL MOTION:**

**Moved Cr Wheeler, seconded Cr Hepworth**

***That Council:***

- *receives the Financial Management Review report, prepared by UHY Haines Norton on behalf of the CEO, as attached, and*
- *agree that the percentage variance used during the budget review process and reporting material variance in the Statement of Financial Activity be set at 10% or \$5,000, whichever is greater.*

**CARRIED  
9/0**

**VOTING DETAILS:**

**DCS.296**

**Subject:** Review of Council's Depreciation Policy  
**Reporting Officer:** Director – Corporate Services  
**File Reference:** EI.2  
**Date Prepared:** 3 June 2008  
**Voting Requirements:** Simple Majority

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**Issue:**

In accordance with relevant provisions of the *Local Government Act 1995 (as amended)*, Shire staff has identified that a review of Council's depreciation policy is required to ensure that it adequately reflects the current needs of Council.

**Body/Background:**

All non-current assets having a limited useful life are separately and systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets. Depreciation is recognised on a straight line basis, using rates which are reviewed each reporting period.

Council's current depreciation rates are calculated on the estimated useful years outlined below:

Buildings .....	50 years
Furniture and Equipment .....	4 to 10 years
Plant and Equipment .....	5 to 15 years
Sealed roads and streets	
clearing and earthworks .....	not depreciated
construction / road base .....	50 years
original surfacing and major re-surfacing	
bituminous seals .....	15 years
asphalt surfaces .....	25 years
Gravel roads	
clearing and earthworks .....	not depreciated
construction / road base .....	50 years
gravel sheet .....	12 years
Formed roads (unsealed)	
clearing and earthworks .....	not depreciated
construction / road base .....	50 years
Footpaths – slab .....	40 years
Sewerage piping .....	100 years
Water supply piping & drainage systems .....	75 years

After careful review and comparison with other local authority's depreciation policies, an amended Depreciation Policy for the 2008/09 Municipal Budget is suggested in the Officer's Recommendation below.

Following a recent interim audit visit, Council's auditors noted that depreciation for the current year (2007/08) is suitable but is not matching Council's current depreciation policy. They have

suggested that this be recitified, so an amended Depreciation Policy for the 2007/08 Municipal Budget is also suggested in the Officer's Recommendation below, for Council's consideration.

**Officer's Comment:**

Following discussions with Council's auditors, shire staff believes that adjustments to Council's Depreciation Rates needs to be made and a Depreciation Policy adopted.

**Financial Implications:**

There would be no impact on the cash result of Council's 2008/09 Municipal Budget or budgets thereafter by implementation of the recommended policy as depreciation is a non-cash transaction, however there will be an impact on the net operating result.

**Statutory Environment:**

*Local Government Act 1995 (as amended)*

*2.7 The role of the Council*

*(2) Without limiting subsection (1), the council is to –  
(b) determine the local government's policies.*

**Policy Implications:**

The adoption of a Depreciation Policy.

**Officers Recommendation:**

It is recommended that Council adopts the following Depreciation Policy as part of the 2008/09 Municipal Budget with the amended depreciation rates showing for the 2007/08 Municipal Budget:

**Depreciation of Non-Current Assets**

All non-current assets having a limited useful life are separately and systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight line basis, using rates which are reviewed each reporting period. Major depreciation periods are:

	<b>2008/09</b>	<b>2007/08</b>
Buildings .....	50 years	50 – 100 years
Bus Shelters / Bird Hydes / Lookout Shelters .....	20 years	10 – 20 years
Playground Equipment .....	15 years	10 – 20 years
Seats & Benches .....	10 years	10 – 20 years
Jetties / Pontoons .....	30 years	30 years
	<b>2008/09</b>	<b>2007/08</b>
Furniture & Equipment .....	7 years	5 – 10 years
Computer Equipment .....	3 years	3 – 5 years
Electrical Equipment .....	5 years	3 – 5 years
Heavy Road Plant .....	10 years	10 – 20 years
Trucks .....	10 years	10 – 20 years
Light Vehicles .....	10 years	6 – 10 years
Sundry Plant & External Equipment .....	5 years	3 – 5 years
Tools .....	5 years	3 – 5 years

The assets above will have a minimum written down value of 5% or greater of their historical cost and this value will be assessed at each reporting date, being consistent with AASB 136 Impairment of Assets and the policy on Revaluation.

**Infrastructure Assets**

Roads – the current written down value will be determined based on data compiled using “RoMAN”. This is brought to account at replacement value, less a provision for depreciation. The replacement value is calculated using average construction costs current as at balance date. The provision for depreciation is calculated by proportioning the replacement value of each road section by the percentage of expired life to total life for each road section.

Road pavement depreciation expense is calculated by reference to the difference between the provision for depreciation as at the start and end of the reporting period.

All other infrastructure assets:

	<b>2008/09</b>	<b>2007/08</b>
Footpaths (slab) / Boardwalks .....	20 years	10 – 20 years
Footpaths (concrete) .....	50 years	
Water Supply Piping & Drainage Systems .....	75 years	
Water Reticulation / Irrigation .....	20 years	5 – 10 years
Culverts .....	50 years	
Kerbs & Channels .....	50 years	
Bridges .....	75 years	
Entry Statements .....	20 years	20 years
Carparks / Courts .....	20 years	10 – 40 years
Crash Barriers / Walls .....	10 years	10 – 20 years
Street Lights / Lighting Systems .....	25 years	10 – 50 years
Airport Runway .....	40 years	

All other infrastructure assets are depreciated at an annual per centum rate calculated by reference to the useful economic life appropriate to the asset and based on the historical cost of those assets.

**COUNCIL MOTION:**

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

***That Council adopts the following Depreciation Policy as part of the 2008/09 Municipal Budget with the amended depreciation rates showing for the 2007/08 Municipal Budget:***

***Depreciation of Non-Current Assets***

***All non-current assets having a limited useful life are separately and systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.***

***Depreciation is recognised on a straight line basis, using rates which are reviewed each reporting period. Major depreciation periods are:***

	<b>2008/09</b>	<b>2007/08</b>
<b><i>Buildings .....</i></b>	<b><i>50 years</i></b>	<b><i>50 – 100 years</i></b>
<b><i>Bus Shelters / Bird Hydes / Lookout Shelters .....</i></b>	<b><i>20 years</i></b>	<b><i>10 – 20 years</i></b>
<b><i>Playground Equipment .....</i></b>	<b><i>15 years</i></b>	<b><i>10 – 20 years</i></b>
<b><i>Seats &amp; Benches .....</i></b>	<b><i>10 years</i></b>	<b><i>10 – 20 years</i></b>
<b><i>Jetties / Pontoons .....</i></b>	<b><i>30 years</i></b>	<b><i>30 years</i></b>

	2008/09	2007/08
<b>Furniture &amp; Equipment .....</b>	<b>7 years</b>	<b>5 – 10 years</b>
<b>Computer Equipment .....</b>	<b>3 years</b>	<b>3 – 5 years</b>
<b>Electrical Equipment .....</b>	<b>5 years</b>	<b>3 – 5 years</b>
<b>Heavy Road Plant .....</b>	<b>10 years</b>	<b>10 – 20 years</b>
<b>Trucks .....</b>	<b>10 years</b>	<b>10 – 20 years</b>
<b>Light Vehicles .....</b>	<b>10 years</b>	<b>6 – 10 years</b>
<b>Sundry Plant &amp; External Equipment .....</b>	<b>5 years</b>	<b>3 – 5 years</b>
<b>Tools .....</b>	<b>5 years</b>	<b>3 – 5 years</b>

*The assets above will have a minimum written down value of 5% or greater of their historical cost and this value will be assessed at each reporting date, being consistent with AASB 136 Impairment of Assets and the policy on Revaluation.*

**Infrastructure Assets**

*Roads – the current written down value will be determined based on data compiled using “RoMAN”. This is brought to account at replacement value, less a provision for depreciation. The replacement value is calculated using average construction costs current as at balance date. The provision for depreciation is calculated by proportioning the replacement value of each road section by the percentage of expired life to total life for each road section.*

*Road pavement depreciation expense is calculated by reference to the difference between the provision for depreciation as at the start and end of the reporting period.*

**All other infrastructure assets:**

	2008/09	2007/08
<b>Footpaths (slab) / Boardwalks .....</b>	<b>20 years</b>	<b>10 – 20 years</b>
<b>Footpaths (concrete) .....</b>	<b>50 years</b>	
<b>Water Supply Piping &amp; Drainage Systems .....</b>	<b>75 years</b>	
<b>Water Reticulation / Irrigation .....</b>	<b>20 years</b>	<b>5 – 10 years</b>
<b>Culverts .....</b>	<b>50 years</b>	
<b>Kerbs &amp; Channels .....</b>	<b>50 years</b>	
<b>Bridges .....</b>	<b>75 years</b>	
<b>Entry Statements .....</b>	<b>20 years</b>	<b>20 years</b>
<b>Carparks / Courts .....</b>	<b>20 years</b>	<b>10 – 40 years</b>
<b>Crash Barriers / Walls .....</b>	<b>10 years</b>	<b>10 – 20 years</b>
<b>Street Lights / Lighting Systems .....</b>	<b>25 years</b>	<b>10 – 50 years</b>
<b>Airport Runway .....</b>	<b>40 years</b>	

*All other infrastructure assets are depreciated at an annual per centum rate calculated by reference to the useful economic life appropriate to the asset and based on the historical cost of those assets.*

CARRIED  
9/0

**VOTING DETAILS:**

**DCS.297**

**Subject:** AASB 1051 – Land Under Roads  
**Reporting Officer:** Director – Corporate Services  
**File Reference:** ER.0  
**Date Prepared:** 22 May 2008  
**Voting Requirements:** Simple Majority

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**Issue:**

*Australian Accounting Standard 27* has been reviewed with a new standard effective 1 July 2008. The new standard includes *AASB 1051 – Land Under Roads* which addresses land under roads acquired on or before 30 June 2008.

**Body/Background:**

Council have never recognised the value of land under roads. The new standard AASB 1051.8 states that:

“An entity may elect to:

- recognise (including continue to recognise or to recognise for the first time), subject to satisfaction of the asset recognition criteria; or
- not to recognise (including continue not to recognise or to derecognise).

land under roads acquired on or before the end of 30 June 2008.”

In Western Australia, this means that we can continue to ignore any land under roads acquired prior to 30 June 2008. To do so, AASB 1051.9 states that:

“An entity shall make a final election under paragraph 8 effective as at 1 July.”

**Officer’s Comment:**

Council’s auditors, UHY Haines Norton, recommend that Council makes a final election not to recognise land under roads acquired before 30 June 2008 and that the election should be a resolution of Council.

**Financial Implications:**

No financial implications.

**Statutory Environment:**

AASB 1051

**Policy Implications:**

No policy implications.

**Officer’s Recommendation:**

That Council elects to continue not to recognise land under roads acquired on or before 30 June 2008 in accordance with *AASB 1051 - Land Under Roads*.

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**COUNCIL MOTION:**

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

***That Council elects to continue not to recognise land under roads acquired on or before 30 June 2008 in accordance with AASB 1051 - Land Under Roads.***

**CARRIED  
9/0**

**VOTING DETAILS:**

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**DCS.298**

**Subject:** Differential Rating - 2008/09  
**Reporting Officer:** Director - Corporate Services  
**File Reference:** AR.1/8  
**Date Prepared:** 23 May 2008  
**Voting Requirements:** Simple Majority

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**Issue:**

To consider the adoption of rates in the dollar for differential rating to be advertised prior to the adoption of the 2008/09 Budget.

**Body/Background:**

The Local Government Act provides (S 6.36) that, before imposing differential general rates or a minimum payment applying to a differential rate category, a local government is to give 21 days local public notice of its intention to do so. Where a local government proposes to modify the proposed rate or minimum payment after considering any submissions received during the advertising period, it is not required to give local public notice of the modified rate or minimum payment.

**Officer's Comment:**

The Draft Budget for 2008/09 is currently being prepared and will be presented for Council discussion and consideration at the Council Meeting to be held on 24 June 2008. For Council to meet the requirements of the Act as noted above, it is required to advertise the proposed differential rates prior to the Draft Budget Meeting so that the 21 day period can be met before the budget is adopted in July 2008.

**Financial Implications:**

Due to the cost pressures associated with the provision of major infrastructure, the proposed differential rates in the dollar are based on raising an additional 6% of rate revenue over rates raised in July last year as well as taking into consideration any additional rate revenue from new and developed properties over the past year. In 2008/09, a revaluation has been received for Unimproved Valuations.

The Valuer-General has advised in his summary letter that the total unimproved valuation for the Shire of Irwin has increased by an overall average of 0.2% to \$129,636,300. The VG also suggests that there is a possibility of a slight change to this figure due to the effect of interim valuations and other ongoing corrections to the roll.

In his letter, the Valuer-General also makes the following comments:

**“OVERALL VARIATION TO UNIMPROVED VALUATION**

Analysis of sales evidence shows a continuation of the strong agricultural land market despite the less than average rainfall throughout 2007. Also, there has been the continued strong lifestyle and special rural land market, particularly in the vicinity of Dongara and Port Denison. The lifestyle vacant lot land values peaked late in 2006, and have dropped slightly since then, mainly due to issues of obtaining a builder and rising interest rates. The assessed values are sufficiently conservative to maintain these assessments, and most assessments, large or small, are unchanged. Where subdivision potential is a fair expectation in the foreseeable future (under TPS 5 yet to be ratified by the WA Planning Commission), the land market has begun to anticipate the potential. For such englobo holdings, a modest 10% increase in assessed value has been applied. For the broad area agricultural properties comprising a large number of lots, the assessed valuations have been increased moderately (up to approximately 10% increase). The assessed valuations have been increased slightly to further recognise the advantage of this factor in the rural land market. Some other changes may occur to individual assessments where records have been amended or corrected.”

It should be noted that individual property values will change by more or less than the average increases reported above and, therefore, when rate notices are issued in July/August, they will not necessarily reflect a 6% increase in rates on their property.

**Statutory Environment:**

*A local government may impose differential general rates according to any, or a combination, of the following characteristics -*

- *the purpose for which the land is zoned under a town planning scheme in force under the Town Planning and Development Act 1928;*
- *the predominant purpose for which the land is held or used as determined by the local government;*
- *whether or not the land is vacant land; or*
- *any other characteristic or combination of characteristics prescribed.*

*In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.*

In recent years, Council has adopted a UV differential rate to be applied to mining properties which is more than twice the lowest UV differential rate.

This situation has been created by increasing UV values being imposed on rural properties whilst mining tenements, which are valued using a different method, have remained steady. The differential rate on rural properties, therefore, has decreased whilst the rate on mining has increased in accordance with rate rise percentages each year. The lower UV rate has dropped to below 50% of the mining rate and needs the Minister's approval before being imposed.

*A minimum payment is not to be imposed on more than the prescribed percentage (50%) of the number of separately rated properties in the district or the number of properties in each category unless the general minimum does not exceed the prescribed amount (\$200).*

*The Minister may approve the imposition of a minimum payment contrary to the provisions outlined above, where a local government imposes a differential general rate on the basis that the land is vacant land.*

*A minimum payment is to be applied separately, in accordance with the principles set out above in respect of each of the following categories -*

- *to land rated on gross rental value*
- *to land rated on unimproved value; and*
- *to each differential rating category where a differential rate is imposed.*

Council has two differential rating categories, being GRV – Undeveloped Land and UV – Mining, which imposes a minimum rate on more than 50% of the properties within the category.

It is therefore necessary to apply to the Minister to seek approval for these categories. The Department has advised that Council may apply to the Minister during the statutory advertising period.

**Policy Implications:**

Nil



**Officer’s Recommendation:**

- That Council advertises its intention to adopt the following differential rates and minimum payments for each of the following rating categories in the 2008/09 financial year.

<u>Rate Category</u>	<u>Rate in Cents in the Dollar</u>	<u>Minimum rates</u>
<b>a) <u>Developed Land</u></b>		
<u>GRV</u>		
Residential R2.5, R12.5, R30 & Special Residential	9.2962	\$605
Commercial	9.0948	\$605
Light & General Industry	9.0948	\$605
Special & General Industry	9.0948	\$605
Residential R50 Developed	9.2962	\$605
<u>UV</u>		
Mining	4.4000	\$605

**b) Undeveloped Land**

<u>GRV</u>		
All Zones except Residential R.50	4.6746	\$605
Residential R50 Undeveloped	8.0800	\$605
<u>UV</u>		
Mining	4.4000	\$605
Policy Area A	0.7742	\$605
Policy Area B	0.7742	\$605
Policy Area C	0.7742	\$605
Policy Area D	0.7742	\$605
Policy Area E	0.7742	\$605
Policy Area F	0.7742	\$605
Policy Area G	0.7742	\$605

- That the Director Corporate Services makes application to the Minister for Local Government and Regional Development seeking approval under Section 633 (3) of the Local Government Act 1995 to impose a differential rate for UV Mining Tenement properties at more than twice the rate of UV properties in Policy Areas A to G.
- That the Director Corporate Services makes application to the Minister for Local Government and Regional Development seeking approval under Section 635 (5) of the Local Government Act 1995 to impose a minimum rate for the GRV – Undeveloped Land and UV – Mining Rate category which results in more than 50% of the properties in each category being imposed with the minimum rate.

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**COUNCIL MOTION:**

**Moved Cr Chandler, seconded Cr Bass**

- ***That Council advertises its intention to adopt the following differential rates and minimum payments for each of the following rating categories in the 2008/09 financial year.***

<u>Rate Category</u>	<u>Rate in Cents in the Dollar</u>	<u>Minimum rates</u>
<b>b) <u>Developed Land</u></b>		
<u>GRV</u>		
<i>Residential R2.5, R12.5, R30 &amp; Special Residential</i>	9.2962	\$605
<i>Commercial</i>	9.0948	\$605
<i>Light &amp; General Industry</i>	9.0948	\$605
<i>Special &amp; General Industry</i>	9.0948	\$605
<i>Residential R50 Developed</i>	9.2962	\$605
<u>UV</u>		
<i>Mining</i>	4.4000	\$605
<b>c) <u>Undeveloped Land</u></b>		
<u>GRV</u>		
<i>All Zones except Residential R.50</i>	4.6746	\$605
<i>Residential R50 Undeveloped</i>	8.0800	\$605
<u>UV</u>		
<i>Mining</i>	4.4000	\$605
<i>Policy Area A</i>	0.7742	\$605
<i>Policy Area B</i>	0.7742	\$605
<i>Policy Area C</i>	0.7742	\$605
<i>Policy Area D</i>	0.7742	\$605
<i>Policy Area E</i>	0.7742	\$605
<i>Policy Area F</i>	0.7742	\$605
<i>Policy Area G</i>	0.7742	\$605

- *That the Director Corporate Services makes application to the Minister for Local Government and Regional Development seeking approval under Section 633 (3) of the Local Government Act 1995 to impose a differential rate for UV Mining Tenement properties at more than twice the rate of UV properties in Policy Areas A to G.*
- *That the Director Corporate Services makes application to the Minister for Local Government and Regional Development seeking approval under Section 635 (5) of the Local Government Act 1995 to impose a minimum rate for the GRV – Undeveloped Land and UV – Mining Rate category which results in more than 50% of the properties in each category being imposed with the minimum rate.*

CARRIED  
 8/1

VOTING DETAILS:

**DCS.299**

**Subject:** Accounts for Payment  
**Reporting Officer:** Director – Corporate Services  
**File Reference:** Minute Book  
**Date Prepared:** 5 May 2008  
**Voting Requirements:** Simple Majority

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**Issue:**

To receive the list of accounts paid during May 2008.

**Body/Background:**

A list of accounts paid under delegated authority is attached showing all payments made during the month of May 2008.

**Policy Implications:**

Under Delegation C3 Council has delegated authority to the Chief Executive Officer to authorise all payments by Council.

**Statutory Environment:**

13. *Lists of accounts*

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
  - (a) the payee's name;
  - (b) the amount of the payment;
  - (c) the date of the payment; and
  - (d) sufficient information to identify the transaction.
  
- (3) A list prepared under subregulation (1) or (2) is to be —
  - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
  - (b) recorded in the minutes of that meeting.

**Officer's Recommendation:**

That the accounts paid during May 2008, represented by Municipal Cheque Numbers 26997-227026, EFT Payment Numbers 7363-7520 totalling \$1,215,157.51, Trust Payment Cheque Numbers 2063-2070 totalling \$4,700.00 and Police Licensing Payment Numbers PL 290408-PL280508 totalling \$91,782.35, be received.

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**COUNCIL MOTION:**

**Moved Cr McClurg, seconded Cr Bass**

***That the accounts paid during May 2008, represented by Municipal Cheque Numbers 26997-227026, EFT Payment Numbers 7363-7520 totalling \$1,215,157.51, Trust Payment Cheque Numbers 2063-2070 totalling \$4,700.00 and Police Licensing Payment Numbers PL 290408-PL280508 totalling \$91,782.35, be received.***

**CARRIED  
9/0**

**VOTING DETAILS:**

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**TP.429**

**Subject:** Storage Sheds – Lot 107, 31 Moore Road, Dongara  
**Proponent:** Gregg Ryan of SMBF Warrant Pty Ltd  
**Reporting Officer:** EHO/Building Surveyor  
**Date of Report:** 27 May 2008  
**File Reference:** BA.2  
**Voting Requirements:** Normal Majority

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**Issue:**

To consider an application to construct individual storage sheds of various sizes on light industrial Lot 107 Moore Road, with a view to future strata title the individual sheds.

**Body/Background:**

An application has been received to build 15 storage sheds of various sizes on Lot 107 Moore Road (please refer to the attachment). The property is zoned 'Light Industrial', is 6002m<sup>2</sup> in size and currently vacant land.

**Officer's Comment:**

The current Local Planning Scheme No 5's Light Industrial Zone requirements call for a minimum rear boundary setback of 7.5m, side boundary setback of 1m and front setback of 15m. The applicant requests that a 4m setback on rear boundaries be approved to make optimum use of the site and provide easy access to the units.

The lot size is 6002m<sup>2</sup> and the proposed total building site coverage is 1935m<sup>2</sup> which complies with the Light Industry Zone, maximum building site coverage of 50%.

The proposed development will have a total of 38 parking bays approximately 2 bays per storage shed.

The Light Industrial Zone requires landscaping to be 8% of site area where a car parking area abuts a street. A landscaped area no less than 2 metres wide within the lot along all street alignments is required. The proposed landscaping is approximately 1m front and rear along Moore and Carter Roads.

It is recommended that the 5m rear setback to Carter Road be maintained in accordance with Clause 5.28.1 of the Local Town Planning Scheme No 5. This 5m setback will help to maintain the visual amenity of Carter Road, as future development on neighbouring lots facing this street would have to maintain a 15m front setback in accordance with the Scheme.

**Statutory Environment:**

Local Planning Scheme No 5, Zoning Table; and Clause 5.28.1, Light Industrial Zone Site Requirements.

**Policy Implications:**

*Policy TP6, Performance Bonds:* To ensure planning conditions imposed by Council are complied with.

**Officer's Recommendation:**

That Council grants planning approval for the storage sheds to be developed on Lot 107, Moore Road, Dongara, subject to:

1. All landscaping associated with the project is to be undertaken as part of the project construction programme and, unless agreed to in writing by the Shire, the landscaping works

- have to be completed prior to the occupancy of the Commercial, Industrial or other nominated premises concerned.
2. Shade trees shall be planted and maintained in car parking areas designed at the rate of one tree for every four (4) car parking bays, to the local government's satisfaction.
  3. All accessways, carparking and hardstand areas to be constructed, paved, marked, drained and maintained in accordance with approved plans, to Council's satisfaction.
  4. If advertising is to be used in connection with any use of a building, provision shall be made within the design of the building for the integration of advertising signs.
  5. A performance bond or bank guarantee to the value of \$2,500.00 shall be lodged by the owner/developer of the land with Council, prior to the issue of a building licence. Such performance bond or bank guarantee will be refunded to the owner/developer upon their compliance with all conditions of development imposed on the Planning Consent by Council.
  6. If the development is not finalised within 24 months of the date of issuing of a building licence, a new planning application will need to be resubmitted to Council.
  7. All stormwater from roofed and paved areas shall be collected and disposed of onsite in accordance with an approved Engineering design and in a manner approved by the Shire.
  8. A grassed, kerbed, non-trafficable area for effluent disposal shall be provided.
  9. Toilet facilities to be designed to the satisfaction of Council.
  10. All fill onsite to be clay-free sand or otherwise approved by Council in writing.
  11. All emissions arising out of the use of the property shall conform to the relevant requirements of the Environmental Protection Act.
  12. Unless the contrary is expressly stipulated, the land and/or any buildings on the land, shall not be used or occupied unless all conditions of planning consent have been and continue to be complied with.
  13. The use of land within the front setback area to comply with uses as laid down in Schedule 12 of the Shire of Irwin Local Planning Scheme No. 5.
  14. Written advice is to be provided to the Shire by the developer prior to the issue of any Building Licence for the project that the conditions of Council's Planning Consent will be complied with.
  15. Rear setback of 5m to Carter Road, be maintained in accordance with Clause 5.28.1 of the Local Planning Scheme 5.
  16. A minimum of 2m landscaping of front and rear setbacks abutting Moore and Carter Roads, be maintained.

#### **Footnotes**

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

- b) Prior to a building licence being issued, detailed plans, specifications and certified structural details shall be submitted with a copy of the planning approval and such other approvals as listed below:
- i) Fire & Emergency Services Authority approval.
- c) The stamped and dated plan/plans, together with any requirements detailed thereon, shall form part of the planning approval issued in respect of this application.
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**COUNCIL MOTION:**

**Moved Cr Bass, seconded Cr Chandler**

***That Council grants planning approval for the storage sheds to be developed on Lot 107, Moore Road, Dongara, subject to:***

- 1. All landscaping associated with the project is to be undertaken as part of the project construction programme and, unless agreed to in writing by the Shire, the landscaping works have to be completed prior to the occupancy of the Commercial, Industrial or other nominated premises concerned.***
- 2. Shade trees shall be planted and maintained in car parking areas designed at the rate of one tree for every four (4) car parking bays, to the local government's satisfaction.***
- 3. All accessways, carparking and hardstand areas to be constructed, paved, marked, drained and maintained in accordance with approved plans, to Council's satisfaction.***
- 4. If advertising is to be used in connection with any use of a building, provision shall be made within the design of the building for the integration of advertising signs.***
- 5. A performance bond or bank guarantee to the value of \$2,500.00 shall be lodged by the owner/developer of the land with Council, prior to the issue of a building licence. Such performance bond or bank guarantee will be refunded to the owner/developer upon their compliance with all conditions of development imposed on the Planning Consent by Council.***
- 6. If the development is not finalised within 24 months of the date of issuing of a building licence, a new planning application will need to be resubmitted to Council.***
- 7. All stormwater from roofed and paved areas shall be collected and disposed of onsite in accordance with an approved Engineering design and in a manner approved by the Shire.***
- 8. A grassed, kerbed, non-trafficable area for effluent disposal shall be provided.***
- 9. Toilet facilities to be designed to the satisfaction of Council.***
- 10. All fill onsite to be clay-free sand or otherwise approved by Council in writing.***
- 11. All emissions arising out of the use of the property shall conform to the relevant requirements of the Environmental Protection Act.***
- 12. Unless the contrary is expressly stipulated, the land and/or any buildings on the land, shall not be used or occupied unless all conditions of planning consent have been and continue to be complied with.***

- 13. The use of land within the front setback area to comply with uses as laid down in Schedule 12 of the Shire of Irwin Local Planning Scheme No. 5.**
- 14. Written advice is to be provided to the Shire by the developer prior to the issue of any Building Licence for the project that the conditions of Council's Planning Consent will be complied with.**
- 15. Rear setback of 5m to Carter Road, be maintained in accordance with Clause 5.28.1 of the Local Planning Scheme 5.**
- 16. A minimum of 2m landscaping of front and rear setbacks abutting Moore and Carter Roads, be maintained.**

**Footnotes**

- a) A planning consent is not an approval to commence any works, or construction; the applicant must apply for and be issued with a Building Licence for the project, comply with provisions of the Shire of Irwin Town Planning Scheme No 4, and the Building Code of Australia, prior to any demolition, site works or building being carried out on the project site.**
- b) Prior to a building licence being issued, detailed plans, specifications and certified structural details shall be submitted with a copy of the planning approval and such other approvals as listed below:**
  - i) Fire & Emergency Services Authority approval.**
- c) The stamped and dated plan/plans, together with any requirements detailed thereon, shall form part of the planning approval issued in respect of this application.**

**CARRIED  
9/0**

**VOTING DETAILS:**

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**TP.430**

**Subject:** Owner Builder's Temporary Accommodation - Lot 226, 5 Bayliss Street, Moreton Bay Estate, Dongara

**Proponent:** Mrs Loretta Thomas

**Reporting Officer:** Manager - Community Development

**File Reference:** BA.2

**Date Prepared:** 30 May 2008

**Voting Requirements:** Simple Majority

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**Issue:**

To consider an application to live in a caravan on-site whilst building a dwelling as owner builder.

**Body/Background:**

The property in question is located in the new subdivision on the eastern side of Brand Highway, across the road from the Old Mill and is zoned "Special Residential".

The applicant submitted an application seeking Council's permission to live in a caravan on Lot 226, Bayliss Street whilst building a home with her husband as owner builders (please refer to the attachment).

Both Council's Policy B23 and the Caravan Parks Act 1995 make provisions for owner builders to reside in a caravan whilst building their homes; however, Policy B23 allows temporary accommodation in a caravan on properties zoned "General Farming"; all other lots require specific Council approval.

Mrs Thomas proposes to place the caravan inside an outbuilding, which will be fitted out with ablution facilities.

**Officer's Comment:**

No one currently lives at the recently developed estate; therefore, security could be an issue in that area. It is recommended that Council approves the application, subject to compliance with the relevant policy and legislation.

**Statutory Environment:**

Caravan Parks and Camping Grounds Act 1995 and Regulations:

11. Camping other than at a caravan park or camping ground
- (2) Written approval may be given for a person to camp on land referred to in sub-regulation (1)(a) for a period specified in the approval which is longer than 3 nights by the local government of the district where the land is situated —
- (i) if such approval will not result in the land being camped on for longer than 12 consecutive months; and
- (ii) if the person owns or has a legal right to occupy the land and is to camp in a caravan on the land while a building licence issued to that person in respect of the land is in force.

**Policy Implications:**

*Temporary Accommodation Policy B23 -*

Temporary accommodation may be approved by Council under Policy B5 "Isolated Outbuildings" subject to:

Only on lots zoned "General Farming" and lots one hectare and over (all other lots require specific Council approval);

The only form of temporary accommodation to be approved will be within a caravan parked inside a shed, built in accordance with Policy B5;

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Toilet, shower and laundry will need to be provided connected to an approved effluent disposal system and use of the temporary accommodation will not commence until facilities are inspected and approved by the Environmental Health Officer;

Temporary accommodation will be approved for an initial period of six months. An extension of up to a further six months may be granted subject to progress in building the permanent residence. If you require a further extension of time, application must be made to the Minister for Local Government.

The application must be accompanied with a bond as per Policy B5.

*Application Fees:*

Initial Application  
0 to 6 months           \$85.00

Extension of Application  
7 to 12 months         \$85.00

Extension to the Minister for Local Government  
12+ months             \$85.00

**Officer's Recommendation:**

That Council approves the application to reside in a caravan for a maximum period of 12 months whilst building a dwelling on Lot 226, 5 Bayliss Street, Moreton Bay Estate, Dongara, subject to:

- compliance with relevant legislation and Council's Policy B23.

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**COUNCIL MOTION:**

**Moved Cr Chandler, seconded Cr Hepworth**

***That Council approves the application to reside in a caravan for a maximum period of 12 months whilst building a dwelling on Lot 226, 5 Bayliss Street, Moreton Bay Estate, Dongara, subject to:***

- ***compliance with relevant legislation and Council's Policy B23.***

**CARRIED  
9/0**

**VOTING DETAILS:**

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**TP.431**

**Subject:** Farm Shed – Lot 21 Padbury Road, Dongara  
**Proponent:** Stuart Jeffery and Sarah Knight  
**Reporting Officer:** EHO/Building Surveyor  
**File Reference:** BA.2  
**Date Prepared:** 29 May 2008  
**Voting Requirements:** Normal Majority

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**Issue:**

To consider an application to construct an oversize farm shed and adjoining lean-tos on Rural Smallholding Lot 21, Padbury Road.

**Body/Background:**

Mr Jeffery and Miss Knight submitted an application to build a farm shed on Lot 21, Padbury Road (please refer to the attachment). The property is zoned "Rural Smallholding", is 15ha in size and currently vacant land.

**Officer's Comment:**

The current Local Planning Scheme No 5's Rural Smallholding zone requirements call for a maximum outbuilding of non-masonry construction of 150m<sup>2</sup>. Where the walls of the outbuilding are constructed of masonry or the same material as the adjacent house on the same lot a maximum of 200m<sup>2</sup> is permitted. The proposed shed area will be 121m<sup>2</sup> with a total outbuilding area, including the 2 lean-tos, of 244m<sup>2</sup>.

The applicants have advised that the proposed shed is required for rural and sporting pursuits and will house items such as fire fighting equipment, farming equipment, trailers, a workshop, canoes, motor bikes and a gym. The shed will be screened with trees and shrubs at a distance that will allow access for trailers into shed.

The objectives of the Rural Smallholding zone as outlined in Clause 4.2.9 of Local Planning Scheme No 5 is to provide for the use of land for minor rural pursuits, hobby farms, conservation lots and alternative residential lifestyle purposes where part-time income from cottage industries, home occupation and the use of land for agriculture may be derived.

It is recommended that the shed be approved, subject to standard conditions.

**Statutory Environment:**

Local Planning Scheme No 5, Zoning Table; and Clause 5.17.3 (b) (c), Outbuilding setbacks, sizes and construction type.

**Officer's Recommendation:**

That Council grants planning approval for the 244m<sup>2</sup> outbuilding to be developed on Lot 21 Padbury Road, Dongara, subject to:

1. The outbuilding is to be used for general storage purposes associated with the use of the predominant use of the land and not to be used for habitation, commercial or industrial purposes. A statutory declaration is to be signed and submitted to the Shire prior to the issue of a building licence.
2. No ablution facilities to be installed within the outbuilding without issue of a separate Building Licence.
3. All stormwater to be disposed of on-site to the satisfaction of the Shire of Irwin.

4. If the development is not finalised within 24 months of the date of issuing of a building licence, a new planning application will need to be resubmitted to Council.

**Footnotes**

- A) A planning consent is not an approval to commence any works, or construction; the applicant must apply for and be issued with a building licence for the project, comply with provisions of the Shire of Irwin Town Planning Scheme No 5, and the Building Code of Australia, prior to any demolition, site works or building being carried out on the site.
  - B) The stamped and dated plan/plans, together with any requirements detailed thereon, shall form part of the planning approval issued in respect of this application.
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**COUNCIL MOTION:**

**Moved Cr Gillam, seconded Cr Chandler**

1. ***That Council grants planning approval for the 244m<sup>2</sup> outbuilding to be developed on Lot 21 Padbury Road, Dongara, subject to:***
  - (a) ***The outbuilding is to be used for general storage purposes associated with the use of the predominant use of the land and not to be used for habitation, commercial or industrial purposes. A statutory declaration is to be signed and submitted to the Shire prior to the issue of a building licence.***
  - (b) ***No ablution facilities to be installed within the outbuilding without issue of a separate Building Licence.***
  - (c) ***All stormwater to be disposed of on-site to the satisfaction of the Shire of Irwin.***
  - (d) ***If the development is not finalised within 24 months of the date of issuing of a building licence, a new planning application will need to be resubmitted to Council.***

**Footnotes**

- A) ***A planning consent is not an approval to commence any works, or construction; the applicant must apply for and be issued with a building licence for the project, comply with provisions of the Shire of Irwin Town Planning Scheme No 5, and the Building Code of Australia, prior to any demolition, site works or building being carried out on the site.***
  - B) ***The stamped and dated plan/plans, together with any requirements detailed thereon, shall form part of the planning approval issued in respect of this application.***
2. ***That Council delegates authority to the Chief Executive Officer to approve outbuildings within the “Rural Smallholdings” zone up to 300m<sup>2</sup>.***

**CARRIED  
8/1**

**VOTING DETAILS:**

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**TP.432**

**Subject:** Proposed Landscaping to Moreton Bay Estate (Lot 502 Brand Highway)  
**Proponent:** B Clarke  
**Reporting Officer:** Town Planner  
**File Reference:** TP.3 (WAPC Ref: 129561)  
**Date Prepared:** 4 June 2008  
**Voting Requirements:** Simple Majority

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**Issue:**

To consider the proposed landscaping design of the public open space areas of the Moreton Bay Estate subdivision.

**Body/Background:**

On 10 March 2006, subdivision approval was granted by the Western Australian Planning Commission for the subdivision of Lot 502 Brand Highway, Dongara into 143 residential lots.

Conditions 6 and 12 of the WAPC approval require the reserve areas to be landscaped in consultation with the Local Government. The conditions are as follows:

“Condition 6: Detailed design, construction and landscaping of the drainage reserve to the satisfaction of the Western Australian Planning Commission. (Local Government)”.

“Condition 12: Arrangements being made with the Local Government for the detailed design, construction and landscaping of the landscape protection areas shown on the approved subdivision plan. (Local Government)”.

It is noted that the clearance of conditions for Stage 1 was issued in January 2008 although the landscaping had not been implemented. This was on the basis that construction of the subdivision extended into the summer months which is generally regarded as an inappropriate time to commence landscaping.

In order for the landscaping conditions to be cleared, the developer provided the Shire with a Bank Guarantee of \$150,000 which will be held until such time as the landscaping is completed to the Shire’s satisfaction.

The developer now wishes to commence the landscaping program and has submitted a design for the approval of Council prior to implementation.

The design is as per the attached drawing and consists of the following elements:

**Lawn** – The only reticulated lawn proposed is adjacent to the subdivision entrance and around the proposed playground. It is intended this lawn will be watered by a bore located in the POS area. The exact area of lawn to be planted is dependent on a bore license and water allocation from the Dept of Water.

**Ground Cover** – The majority of the recreation reserve or park (Lot 301 on the attached plan) is intended to be developed as natural, open style parkland. In order to create this the already existing couch grass is proposed to be grown further to cover all areas apart from the reticulated lawn. Once established the couch would not be reticulated and would require minimal mowing and spaying for weeds. The developer is trying to avoid the manicured look for such a large area.

**Moreton Bay Figs** – The existing dual path in the park will be lined with 11, three metre high Moreton Bay Fig trees to be watered off the scheme water for a period of 2 years.

**River Gums** – The internal area of the detention basin in the park is proposed to be lined with 55 River Gums in 45 litre containers, also to be watered by scheme water for the first two years.

There is a large number of existing mature River Gums throughout the development that were planted a number of years ago that are to be incorporated into the landscaping design.

The swale drain will also be planted with 75 River Gums seedlings around the perimeter. These trees will not be watered and will rely on a dish around each tree to collect water and also as the trees mature, from runoff into the swale.

All River Gums to be planted will be position down hill from any footpath or road in order to ensure that root growth does not interfere with the existing infrastructure.

**Playground Equipment** – A children’s playground is proposed in the corner of the main POS, adjacent to the detention basin. This will be developed as part of the last stage once the development is established.

**Officer’s Comment:**

The proposed landscaping is generally sufficient.

The area covered as Public Open Space is quite substantial (Lot 301 is 4.7ha in area) and it would require considerable time and expense to maintain high quality landscaping over this entire area. As such limiting the reticulated lawn area to around the playground equipment is perhaps suitable.

The main detention basin may also be a focal point for recreation considering the dual use path looping around the outside of the basin. Council may wish to consider whether or not part of this should be grassed and reticulated also.

As per the cross sections on the attached drawings, establishing trees down hill of any path or road infrastructure to avoid root damage is considered appropriate.

The main costs in upkeeping the landscaping will be related to maintaining the reticulation to the lawn areas, mowing the lawn and natural couch and spraying of weeds.

It is suggested that the developer be responsible for establishing the landscaping in the first two years after implementation. At the conclusion of such time, a joint inspection take place and provided the works are established to the satisfaction of the Shire, responsibility for maintaining the landscaping would pass to the Shire.

**Financial Implications:**

Costs to maintain the landscaping of the public open space areas once handed over to the Shire.

**Statutory Environment:**

Landscaping to reserve areas to be implemented to the satisfaction of the WAPC and Local Government in accordance with Conditions 6 and 12 of the WAPC subdivision approval, Ref Number: 129561.

**Policy Implications:**

Nil.

**Officer’s Recommendation:**

That Council approve the proposed landscaping design for the reserve areas associated with the subdivision of Lot 502 Brand Highway, Dongara subject to the following conditions:

1. The developer shall be responsible for the establishment and maintenance of the landscaping for the first two years from implementation, after which time a joint inspection shall be undertaken to assess progress and negotiate hand over to the Shire of Irwin.
  2. Provide as constructed drawings of all reticulation prior to hand over to the Shire of Irwin.
  3. All works likely to cause wind blown nuisance to be completed by 30 September 2008.
  4. Any stockpiling of vegetation or any other material is not permitted to be burnt.
  5. Any proposed works within an existing road reserve, requires separate approval from the Shire of Irwin, including the submission and approval of a Traffic Management Plan.
- 

**COUNCIL MOTION:**

**Moved Cr Chandler, seconded Cr Gillam**

***That Council approve the proposed landscaping design for the reserve areas associated with the subdivision of Lot 502 Brand Highway, Dongara subject to the following conditions:***

1. ***The developer shall be responsible for the establishment and maintenance of the landscaping for the first two years from implementation, after which time a joint inspection shall be undertaken to assess progress and negotiate hand over to the Shire of Irwin.***
2. ***Provide as constructed drawings of all reticulation prior to hand over to the Shire of Irwin.***
3. ***All works likely to cause wind blown nuisance to be completed by 30 September 2008.***
4. ***Any stockpiling of vegetation or any other material is not permitted to be burnt.***
5. ***Any proposed works within an existing road reserve, requires separate approval from the Shire of Irwin, including the submission and approval of a Traffic Management Plan.***

**CARRIED  
9/0**

**VOTING DETAILS:**

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

Nil.

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

Nil.

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

Nil.

**13. MATTERS BEHIND CLOSED DOORS**

Nil.

**14. CLOSURE**

There being no further business, the Chairperson declared the meeting closed at 4.56pm.

I certify that this copy of the Minutes is a true and correct record of the meeting held on 10 June 2008 <i>Signed:</i> ..... Presiding Elected Member Date:.....
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