



MINUTES

of

Ordinary Council Meeting

held on

Wednesday 26 April 2023

in the

Shire of Irwin Council Chambers

I certify that this copy of the Minutes is a true and correct record of the meeting held on
Wednesday 26 April 2023

Signed:
Presiding Elected Member

Date:

AGENDA & BUSINESS PAPERS

Welcome to the Ordinary Council Meeting of the Shire of Irwin.

Please be advised that Ordinary Council Meetings during 2023 will be held on the following dates in the Council Chambers at 11-13 Waldeck Street, Dongara, (unless otherwise advised) commencing at **6.00pm**.

DATES	
28 February 2023	25 July 2023
28 March 2023	22 August 2023
26 April 2023	26 September 2023
23 May 2023	24 October 2023
27 June 2023	28 November 2023
	11 December 2023

Members of the public are most welcome to attend the Agenda Briefing, the Councillor Information Session and the Ordinary Council Meeting.

Disclaimer

The Shire of Irwin advises that the purpose of an Ordinary Council Meeting is to discuss and, where possible, make resolutions about items appearing in the agenda. No person should rely or act on the basis of any decision, advice or information provided by a Member or Officer, or on the content of any discussion occurring during the course of the meeting. No person should rely on the decisions made by Council until formal written advice of the Council is received by that person.

The Shire of Irwin expressly disclaims any liability for any loss or damage whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.



Shane Ivers
CHIEF EXECUTIVE OFFICER

Council Meeting Information

1. Your Council generally handles all business at Ordinary or Special Council Meetings.
2. From time-to-time Council may form a Committee, Working Party or Steering group to examine specific subjects and then report to Council.
3. Generally, all meetings are open to the public; however, from time-to-time Council will be required to deal with personal, legal and other sensitive matters. On those occasions Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.
4. **Public Question Time:** It is a requirement of the Local Government Act 1995 to allow at least fifteen (15) minutes for public question time following the opening and announcements at the beginning of the meeting. Should there be a series of questions the period can be extended at the discretion of the Presiding Member. If presenting questions to Council please note the following, as guided by the *Shire of Irwin Meeting Procedures Local Law 2016*:
 - Public Question Time occurs early in the meeting so please arrive at least 5 minutes before the advertised meeting start time (Ordinary Meetings are scheduled for a **6.00pm** start, unless otherwise advised).
 - Record your full name and suburb of residence on the Attendance Form available in the public seating area.
 - When invited by the Presiding Member to ask your question/s, please state your full name for the benefit of the minute taker and those present.
 - Only questions can be addressed to Council, not statements.
 - A minimum of 15 minutes is allocated to Public Question Time. A member has 2 minutes to submit a question.
 - You may ask up to 2 questions before other members of the public will be invited to ask their questions to ensure all have an equal and fair opportunity to ask questions.
 - The Presiding Member may elect for written questions to be responded to as normal business correspondence.
 - The Presiding member may decide that a question shall not be responded to where:
 - the same or similar question has been asked at a previous meeting and a response has already been provided;
 - a statement has been made and is not reformed into a question; or
 - a question is offensive or defamatory in nature and is not reformed into a question.
 - A question may be taken on notice by Council for a later response. Responses will be provided in writing to the member and a summary will be included in the agenda of the next meeting of Council.
 - Members of the public are encouraged to raise matters relating to operations and administration through the Shire's Customer Request system.
 - At a Special Meeting of Council, only questions relating to the purpose of that meeting may be raised.
 - Should you wish to provide written questions prior to the meeting so that an appropriate response can be prepared, please submit them at least 72 hours prior to the Council meeting at which you wish them to be presented.
5. **Councillors** may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the Agenda. However, the Councillor can request the meeting to declare the matter **trivial, insignificant** or **in common with a significant number of electors** or **ratepayers**. The Councillor must leave the meeting whilst the matter is discussed and cannot vote unless those present agree as above.
6. **Members of staff**, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the Agenda. The Officer must declare that interest and generally the Presiding Member will advise the Officer if he/she is to leave the meeting.
7. Agendas are delivered to Councillors within the requirements of the Local Government Act 1995, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting.
8. Agendas for Ordinary Meetings are available to the public from the Shire of Irwin Administration Centre and on the website www.irwin.wa.gov.au seventy-two (72) hours prior to the meeting.
9. Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council and ideally received written confirmation of the outcome. Please note the Disclaimer in the Agenda (page 3).
10. Public Inspection of Unconfirmed Minutes (Reg 13): A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection at the Shire of Irwin Administration Centre and on the website www.irwin.wa.gov.au within ten (10) working days after the Meeting.

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ORDINARY COUNCIL MEETING

held on

26 April 2023

at 6.00pm

MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Members

Councillor M T Smith	Shire President
Councillor A J Gillam	
Councillor M Leonard	
Councillor H M Palmer	
Councillor E Tunbridge	
Councillor B Wyse	
Councillor G S Eva	

Staff

Mr S D Ivers	Chief Executive Officer
Mr P Bracegirdle	Manager Community Services
Ms P Machaka	Manager Finance
Ms K Jackson	Consultant Planner
Ms J Morgan	Executive Assistant

Guests

Approved Leave of Absence

Apologies

Councillor I M Scott	Deputy Shire President
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Gallery

Jon Arden – Premier Circle, Dongara.
Eric Anderson – Morrissey Place, Port Denison.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. PUBLIC QUESTION TIME

Question 1: Eric Anderson, Morrissey Place, Port Denison:

When can I expect an update to my query regarding the walkway next to my residence, to purchase the vacant land, as I have contacted the office several times and yet to receive a reply?

Response: The question was taken on notice.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. PETITIONS AND DEPUTATIONS

Nil.

7. CONFIRMATION OF MINUTES

7.1 Minutes of the Ordinary Council Meeting held 28 March 2023

A copy of the Minutes of the Ordinary Council Meeting held 28 March 2023 have been provided to all Councillors under separate cover.

COUNCIL DECISION 010423:

MOVED: Cr Leonard

SECONDED: Cr Wyse

That the Minutes of the Ordinary Council Meeting, held 26 April 2023, as previously circulated, be adopted as a true and accurate recording of that meeting.

VOTING DETAILS:

Carried by Absolute Majority 7/0

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Functions, Meetings & Events

- | | |
|---------------|---|
| 4 April 2023 | Council Workshop for Communication Consultation.
CEO, Shire President, and Councillors. |
| 6 April 2023 | School ANZAC Day Commemoration – Cr Wyse. |
| 22 April 2023 | Surf Lifesaving Club Dinner – Shire President and CEO. |
| 25 April 2023 | ANZAC Day Commemoration – CEO on behalf of the Shire President. |

9. REPORTS

9.1 Officers Reports

CORPORATE AND COMMUNITY		CC01-04/23
Subject:	CC01-04/23 Accounts for Payment	
Author:	S Clarkson, A/Senior Finance Officer	
Responsible Officer:	P Machaka, Manager Finance	
File Reference:	2.00057	
Voting Requirements:	Simple Majority	

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g. performance of the Local Government's function under law, administration of Local Laws, adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws and local planning schemes.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g. local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

To receive the list of accounts paid under delegated authority during March 2023.

Background:

A list of accounts paid under delegated authority is attached showing all payments made during the month of March 2023.

Officer's Comment:

Nil.

Consultation:

Nil.

Statutory Environment:

The Local Government (Financial Management) Regulations 1996 provides as follows:

13. *Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.*
- (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 sub-regulation (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.

Policy Implications:

Under Delegation CEO101 Council has delegated authority to the Chief Executive Officer to authorise payments from the municipal or trust fund.

Financial/Resource Implications:

Nil.

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 – 2031
 Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles.
 Strategy 4.3.2 Adopt and follow better practice processes.

Attachments:

Attachment Booklet – April 2023
 CC01-04/23 Attachment 1: Accounts for Payment – March 2023

Officer Recommendation:

COUNCIL DECISION 020423:

MOVED: Cr Palmer **SECONDED: Cr Gillam**

That Council receives the Accounts paid during March 2023 as presented in Attachment Booklet – April 2023, represented by:

Payment Type/Numbers	Total Amount
EFT 30065 – 30233	\$537,696.23
Muni Cheques – 32142 – 32145	\$5,691.35
Direct Debit – Telstra	\$6,878.01
Direct Debit – WA Treasury Corporation	\$20,727.35
Direct Debit – Solar Panel Repayments	\$1,947.66
Direct Debit – Credit Card	\$8,890.36
Direct Debit – Insurance Premium Repayments	\$36,814.83
Direct Debit – N-Able Pty Ltd	\$729.00
Direct Debit – Australian Phone Company	\$1,457.23
Direct Debit – Superannuation	\$45,775.78
Grand Total	\$666,607.80

VOTING DETAILS: **Carried 7/0**

CORPORATE AND COMMUNITY		CC02-04/23
Subject:	CC02-04/23 Monthly Financial Statements for the Period Ended 31 March 2023	
Author:	P Machaka, Manager Finance	
Responsible Officer:	S Ivers, Chief Executive Officer	
File Reference:	2.00057	
Voting Requirements:	Simple Majority	

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive** The substantial direction setting and oversight role of the Council e.g., performance of the Local Government’s function under law, administration of Local Laws, adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative** Includes adopting local laws and local planning schemes.
- Review** When Council reviews decisions made by Officers.
- Quasi-judicial** When Council determines an application/matter that directly affects a person’s rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice e.g., local planning applications, building permits, other permits/licences (e.g. under Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

Report Purpose:

To consider and receive the Monthly Financial Statements for the period 1 July 2022 to 31 March 2023.

Background:

The Monthly Financial Statements to 30 June 2023 are prepared in accordance with the requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* and includes the following statutory reports:

- Statement of Financial Activity by Nature & Type
- Explanation of Material Variances
- Net Current Funding Position

The Statements also include various other financial information not required by legislation, but for Council information.

Officer’s Comment:

The financial position to the end of March 2023 is detailed in the attached report and summarised as follows relative to year-to-date budget expectations:

31/03/2023	YTD Budget	YTD Actual	Variance YTD to Budget
Operating Revenue	8,811,029	8,900,242	1%
Operating Expenditure	(9,430,954)	(6,632,145)	-30%
Net Operating	(619,925)	2,268,097	
Non-Operating Revenue	407,875	310,562	-24%
Non-Operating Expenditure	(2,555,503)	(1,908,298)	-25%
Net Non-Operating	(2,147,628)	(1,597,736)	
Cash at Bank		2,662,610	
Cash at Bank Restricted		373,935	
Reserve Bank		1,423,659	
Total Cash Funds		4,460,204	

The attached statements provide explanatory notes for items greater than 10% or \$10,000. This commentary provides Council with an overall understanding of how the financial position is situated in relation to the adopted budget.

Consultation:

Nil.

Statutory Environment:

Local Government Act 1995

- *Section 6.4 Financial report*

Local Government (Financial Management) Regulations

- *Section 34 Financial activity statement report provides as follows:*

(1) *A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail -*

- (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
- (b) *budget estimates to the end of the month to which the statement relates;*
- (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
- (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) *the net current assets at the end of the month to which the statement relates.*

(2) *Each statement of financial activity is to be accompanied by documents containing -*

- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
- (b) *an explanation of each of the material variances referred to in sub-regulation (1)(d); and*
- (c) *such other supporting information as is considered relevant by the local government.*

(3) *The information in a statement of financial activity may be shown -*

- (a) *according to nature and type classification;*
- (b) *by program; or*
- (c) *by business unit.*

- (4) A statement of financial activity, and the accompanying documents referred to in sub-regulation (2), are to be -
- (a) presented to the council -
 - (i) at the next ordinary meeting of the council following the end of the month to which the statement relates; or
 - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; and
 - (b) recorded in the minutes of the meeting at which it is presented.

Policy Implications:

Nil.

Financial/Resource Implications:

Any issues in relation to expenditure and revenue allocations or variance trends are identified and addressed each month.

Strategic Implications:

Our Brilliant Future - Strategic Community Plan 2021 – 2031

Strategy 4.2.1 Ensure compliance whilst embracing innovation and better practice principles.

Strategy 4.3.2 Adopt and follow better practice processes.

Attachments:

Attachment Booklet – April 2023

CC02-04/23 Attachment 1: Financial Statements for the Period Ended 31 March 2023.

Officer Recommendation:

COUNCIL DECISION 030423:

MOVED: Cr Tunbridge

SECONDED: Cr Wyse

That Council by Simple Majority, receives the Monthly Financial Statements for the period 1 July 2022 to 31 March 2023 as provided in Attachment Booklet – April 2023.

VOTING DETAILS:

Carried 7/0

INFRASTRUCTURE & DEVELOPMENT		ID01-04/23
Subject:	ID01-04/23 Proposed Expansion of Temporary Workforce Accommodation at Lot 4 (#353) Pye Road, Mount Adams	
Author:	K Jackson, Acting Manager Development	
Responsible Officer:	S Ivers, Chief Executive Office	
File Reference:	P1124, A4646	
Voting Requirements:	Simple Majority	

Council Role:

- Advocacy** When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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Report Purpose:

For Council to consider the expansion of the proposed temporary workforce accommodation development at Lot 4 (#353) Pye Road, Mount Adams. This report recommends conditional approval of the application.

Background:

The original development was to construct a Temporary Construction Village to accommodate up to 248 construction workers involved in the construction phase of the Waitsia Gas Project Stage 2 planned to occur over a 2-year period.

Equipment and development associated with the petroleum production (gas processing plant) is regulated by the Petroleum and Geothermal Energy Resources Act 1997. Shire approval for this is not required.

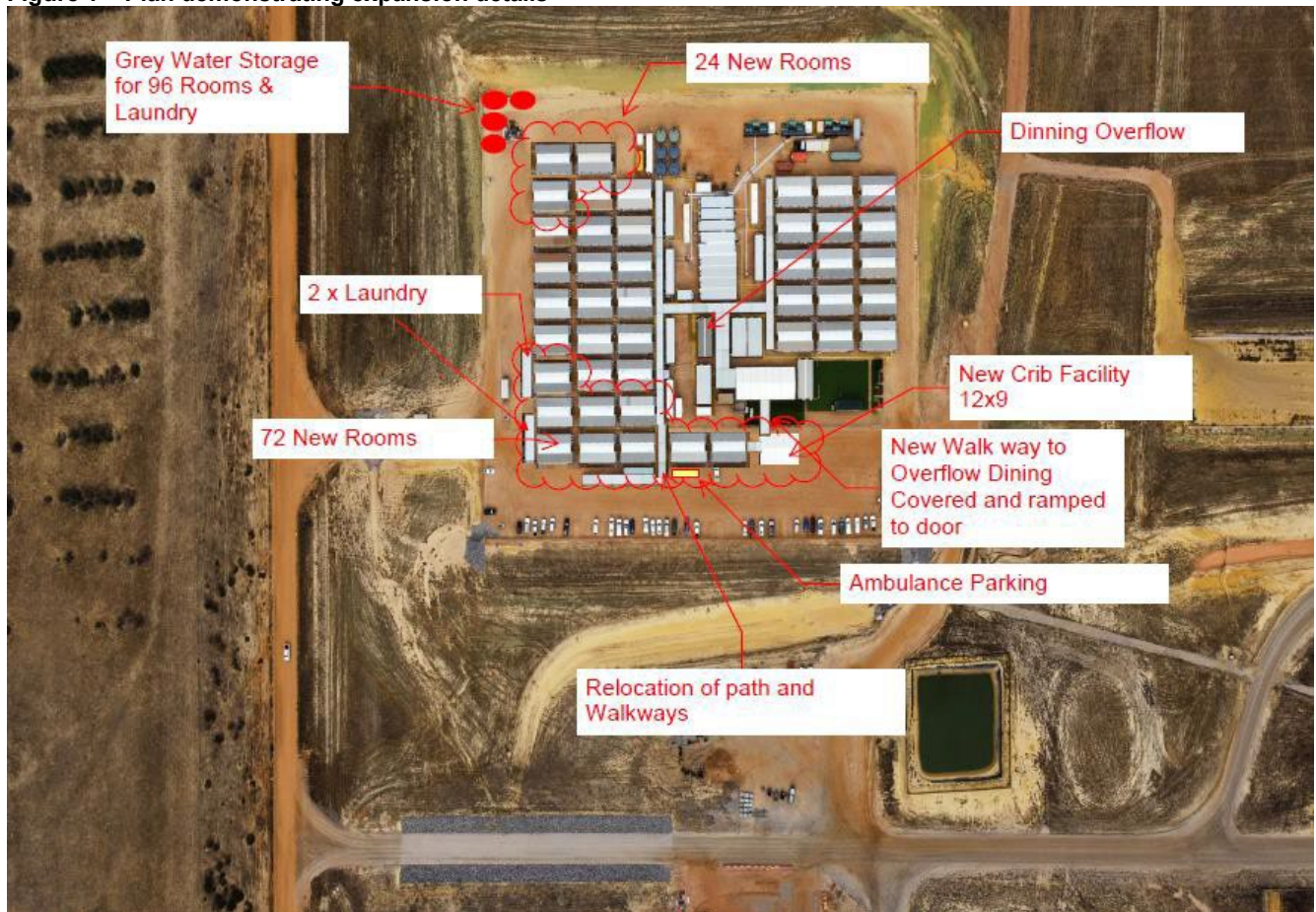
An application has now been received for the extension of the workers accommodation of this application to expand the number of persons to be accommodated from 248 to 344. This will include an additional:

- 24 transportable accommodation 4 bed units – 96 beds/rooms
- 1 additional crib room facility
- 2 additional laundry units

The application received was to amend the original planning application issued on 24 August 2021 however this was not considered the appropriate application form given the scale and additional construction cost of the expansion of the temporary workers accommodation. Staff have liaised with the applicant to accept this application as an additional approval for the land that will then be operated in conjunction with the original approval.

An extract of the expansion application has been included as **Attachment 1** of this report.

Figure 1 – Plan demonstrating expansion details



Officer’s Comment:

Scheme – land use

The development involves the process of a ‘use not listed’ in which the Shire has determined that the development falls within the criteria of Clause 4.4.2(a) in which the development may be consistent with the objectives of the zone and is therefore permitted. This assessment is on the basis that the original application was advertised and that this consultation process offered reasonable opportunity for any likely affected persons to make comment and for agencies to provide their assessment and requirements.

The objectives of the General Farming zone don’t provide much clarity or direction on the use of rural land for the intended purpose of the proposal. The objectives do note support for ‘other rural activities’ that are not detrimental to the agricultural use of the land. It could be viewed that mining and exploration activities are a form of rural/industrial activity; an activity that is certainly a common form in the Shire. It is common for these activities to include on site temporary workforce accommodation and offices to support operations.

The proposed workforce accommodation is intended only for the workforce for a 2-3 year construction phase of the gas plant project and not the ongoing operations. The applicant’s intention is to decommission the temporary camp following completion of construction. The expansion application that has been received is to accommodate additional persons onsite for the construction program.

Scheme – relevant matters

Clause 10.2 of the Local Planning Scheme is replaced by Clause 67 of the Deemed Provisions of the Local Planning Scheme Regulations 2015 and sets out all the relevant planning matters that can be considered by local government with development applications. In summary it is considered all of the aspects have either been addressed in the application or will be addressed with the recommended conditions of approval. Further to this, the considerations of the State’s Position Statement for Workforce Accommodation has been reviewed. In respect to amenity aspects, due to its location and temporary

occupation, requirements of landscaping and enhanced building design are not considered to be a relevant requirement.

Traffic and road use

Pye Road is managed by the Shire. The constructed road reserve of Pye Road from the Brand Highway intersection is approximately 2.8kms in length before the Pye Road reserve deviates southeast. A private road continues west from this deviation point and is the road that provides access to the site (via an easement arrangement). The Applicant has submitted information to support the use and security of this section of private road.

The applicant submitted an amended Traffic Impact Statement which has been assessed. In terms of the proposed use and traffic anticipated, the Shire considers it necessary to implement conditions that reflect the temporary increased use of Pye Road under management of the Shire.

Main Roads WA made a submission to the original application in support of the development subject to the requirement of the highway intersection being upgraded to allow for turning movements. Any approval requirement from a third party are to be included as an advice note for the applicant to address separate to the local government's approval process.

Environmental related requirements

In response to agency responses and experiences from previous workforce accommodation developments, several conditions are proposed to be imposed to address environmental and health matters. The requirements relate to:

- Provision of a Water Quality Management Plan to ensure potable water on site meets Australian Drinking Standards and a Stormwater Management Plan to address runoff in the context of the groundwater recharge. This is particularly relevant with the proposed use of bore water and is to include monitoring of groundwater quality due to the use of onsite bore water with an onsite effluent disposal system.
- Shire and Department of Health approval for the onsite effluent disposal system.
- Waste management of the camp to be detailed and satisfied to ensure waste is sufficiently contained and disposed appropriately.
- Approvals for the food preparation areas which is to include inspections

Due to the site's location, concerns of light spill and noise from the site were not considered to present any offsite impacts. Regardless the applicant has indicated an operational camp management plan has been prepared to address these matters.

Concluding statement

In summary the development is considered to be a compatible temporary use to support the construction of the gas processing facility. The site is in a locality that is the subject of extensive gas exploration activities over a long period of time. The additional 96 beds is supported given the co-location of the facility with the gas exploration facility, the supporting information provided by the applicant and the previous approval by Council of the original application. It is recommended that Council approve the expanded development application subject to conditions.

Consultation:

Consultation was undertaken as part of the original application approved on 24 August 2021. Further consultation as part of this proposed expansion of the facility was not considered necessary given the previous comments received from agencies as these can all be addressed through the conditions applied to any given approval of the application. However, should Council seek that the application be advertised this can be undertaken and the matter returned to a future meeting of Council.

Statutory Environment:

Shire of Irwin Local Planning Scheme No 5.

The subject property is within the General Farming zone, with the following objectives:

- a) To provide for rights of vehicular access, unfettered as to time, location and circumstance, to any land subject of a planning approval.
- b) To ensure the preservation of the rural character and rural appearance of land within the zone.
- c) To protect the economic viability of agricultural production via support only for subdivision or boundary relocation which retains or results in lot or location sizes which facilitate ongoing agricultural activity.
- d) To preserve and protect the natural undeveloped land areas throughout the zone and to provide for the planting of trees and other suitable vegetation via the imposition of conditions on any planning approval issued, in order to assist in balancing the greenhouse effect, provide shade, prevent erosion,
- e) reduce salinity and provide habitats for native fauna.
- f) To ensure that natural drainage patterns/catchments throughout the Shire are paid regard to, via the appropriate location of man-made drainage networks.
- g) To limit the number of dwellings to one per lot, unless for specific farm operation purposes, to discourage fragmentation or rural living use of agricultural land.

The proposed development fits the definition of ‘workforce accommodation’:

“means premises, which may include modular or relocatable buildings, used –
(a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and
(b) for any associated catering, sporting or recreation facilities for the occupants and authorised visitors.”

The workforce accommodation is defined in the Scheme but not listed in the Zoning Table of the Scheme. Where a development/land use is not listed, Clause 4.4.2 applies:

“4.4.2 If a person proposed to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may –

- a) *determine that the use is consistent with the objectives of the particular zone and is therefore permitted;*
- b) *determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of Clause 9.4 in considering an application for planning approval; or*
- c) *determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.”*

Policy Implications:

The Department of Planning Lands and Heritage Position Statement – Workforce Accommodation 2018 provides a good summary as to what local governments can consider and control in relation to workforce accommodation. Under the Planning and Development Act 2005 planning decision-makers can:

Control	Not Control
1. Where a planning application is required, the terms of an approval related to: (a) timeframe (b) setbacks (c) landscaping (d) parking and access (e) location and appearance of buildings (f) integration with surrounding areas (g) any other land use planning matters relevant to the site.	1. Any matters specified by a State Agreement Act. 2. The issuing of a mining tenement made under the Mining Act 1978 – which can include a general purpose lease for ‘any other purpose directly connected with mining operations’ (may be located in a townsite).

<p>2. Where a planning application is required, the ability to approve/refuse a proposal considering local planning scheme requirements.</p>	<p>3. That workforce accommodation needs to be met by permanent accommodation rather than ‘camps’.</p> <p>4. That workforce accommodation be located in a town rather than a mine site.</p> <p>5. Whether the land for workforce accommodation is owned by the Crown or held in fee simple.</p> <p>6. Requirements for ‘community contributions’ by workforce accommodation proponents.</p> <p>7. Requirements for workforce accommodation to achieve ‘legacy benefits’.</p>
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Financial/Resource Implications:

Should Council support the recommendation, there are no perceived financial implications as a result of the development on Council.

Strategic Implications:

Strategic Community Plan 2017 – 2027
Strategy 1.1.1 Continuously improve approval processes.

Shire of Irwin Local Planning Strategy 2017

The Shire’s Strategy is relatively absent in respect to the proposed development use and associated industry. The site is located within Policy Area C in a location of moderate to high agricultural versatility. The objectives for the policy area stipulate protecting agricultural productivity. The temporary nature of the development and its association with the nearby gas processing facilities and infrastructure is noted in the assessment.

Attachments:

Attachment 1 ID01-04/23 – Extract of the Expansion Application Details

Due to the size of the application an extract containing the most relevant information has been provided to Council to inform the decision making process. Please note a full copy of the application details can be provided to Council upon request.

Please also note that the details of the original application were included as an attachment to the 24 August 2021 Council Agenda.

Officer Recommendation:

COUNCIL DECISION 040423:

MOVED: Cr Leonard

SECONDED: Cr Gillam

That Council, by Simple Majority, approve the application for the expansion of Temporary Workforce Accommodation at Lot 4 (#353) Pye Road, Mount Adams subject to the following conditions and advice notes:

Conditions:

- 1. This approval is valid for a period of three (3) years from the date of approval. If the subject development is not substantially commenced within the three year period, the approval shall lapse and be of no further effect.**
- 2. Prior to commencement of onsite works, the applicant shall submit a Dust Management Plan to address dust emissions from traffic on unsealed roads/tracks and construction works to the satisfaction of the Shire of Irwin, and thereafter implemented at all times.**
- 3. Prior to occupation of the accommodation units, the applicant shall submit a Bushfire Emergency Plan to the approval of the Shire of Irwin.**
- 4. Prior to occupation, the approved development shall be connected to a wastewater treatment system to the satisfaction of the Shire of Irwin.**
- 5. The approved development shall be connected to an adequate potable water supply. Potable water is required to comply with the National Health and Medical Research Council's *Australian Drinking Water Guidelines*.**
- 6. Prior to occupation of the development, a Water Quality Management Plan in accordance with the Department of Health's guidance on a 'Model Drinking Water Quality Management Plan' is to be prepared to the requirements of the Shire's Environmental Health Officer, and thereafter implemented at all times. The Water Quality Management Plan is to include drinking water volumes required to meet the operational needs of the development at different stages.**
- 7. Solid waste for the development shall be stored appropriately and removed on a regular basis to an approved off-site waste management facility.**
- 8. Usage of the kitchen / mess is not permitted until the facility has been registered as a food premises to the satisfaction of the Shire's Environmental Health section.**

Advice Notes:

- a. If the development the subject of this approval is not substantially commenced within a period of 3 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect**
- b. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.**
- c. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.**
- d. It is the responsibility of the applicant to obtain any other necessary approvals, consents and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.**

- e. It is the responsibility of the applicant to liaise with Main Roads WA on their requirements in respect to the highway intersection and access.**
- f. The wastewater treatment system must be approved by the Relevant Authority.**
- g. A licence under the *Rights in Water and Irrigation Act 1914* may be required to abstract groundwater and the Applicant is encouraged to contact the Department of Water and Environmental Regulation for further advice in this regard.**
- h. The Department of Health requires periodic monitoring of the water supply to be undertaken for chemical and microbiological analysis with results reported to the Department of Health in accordance with its publication, 'System Compliance and Routine Reporting Requirements for Small Community Water Providers'. Details of the monitoring and reporting regimes should be included in the Drinking Water Quality Management Plan.**
- i. The kitchen is to be registered as a food premises under the *Food Act 2008*. Should an off-site caterer be selected for high activity periods, the Applicant is to submit the caterer's details for inclusion on the *Food Act 2008* registration permit.**

VOTING DETAILS:

Carried 7/0

9.2 Committee Reports

Committee Decision:

All committee members have voted in favour of supporting the CASE Funding request via email.

Attachments/Reference Material

CASE Application DDSLC and relevant attachments (in Attachment Booklet).

Officer Recommendation:

COUNCIL DECISION 050423:

MOVED: Cr Palmer

SECONDED: Cr Gillam

That Council, by Absolute Majority, approves the following funding allocation from the Community Assistance Scheme from the 2022/2023 financial year budget.

ORGANISATION	PROJECT DESCRIPTION	GRANT
Dongara Denison Surf Lifesaving Club (DDSLC)	Towards costs relating to the 2023 DDSLC 20th Anniversary Dinner	\$3,000

VOTING DETAILS:

Carried 7/0

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 FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC

Nil.

14. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 6.10pm.