

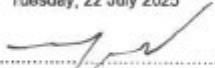


MINUTES

ORDINARY COUNCIL MEETING Tuesday 22 July 2025



I certify that this copy of the Minutes is a true and correct record of the meeting held on Tuesday, 22 July 2025

Signed: 
Presiding Elected Member
28 August 2025

Date:

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 an Elected 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.
- 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 Agenda Forums, Council or Committee Meetings.
- disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision in the audio recording. Council minutes provide the definitive record of Council's resolutions.

Nature of Council's Role in Decision Making

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 the Health Act, Dog Act or local laws) and other decisions that may be appealable to the State Administrative Tribunal (SAT).

By allocating these roles, the Shire ensures that the Council's decision-making is structured and aligned with its legal responsibilities, allowing it to effectively govern, serve its community, and maintain compliance with applicable laws.

Notes for Members of the Public

Meeting Formalities

Shire of Irwin Council Meetings are governed by legislation and regulations. During the meeting, no member of the public may interrupt the meetings proceedings or enter into conversation.

Members of the public shall ensure that their mobile phones are switched off and not used during any Shire meeting.

Members of the public are hereby advised that in line with Council Policy CP48 – Recording of Council Minutes, no person is to use any electronic, visual or audio recording device or instrument to record the proceedings of a Council Meeting without the written permission of the Council.

Audio Recordings

This Meeting will be audio recorded. The recording will be made publicly available on the Shire's website within ten (10) days of the meeting being held.

Table of Contents

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	3
2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE.....	3
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	3
4. PUBLIC QUESTION TIME.....	4
5. DECLARATIONS OF INTEREST.....	5
6. APPLICATIONS FOR LEAVE OF ABSENCE	5
7. PETITIONS AND DEPUTATIONS	6
8. CONFIRMATION OF MINUTES AND TABLING OF AGENDA FORUM NOTES	6
8.1 Minutes of the Ordinary Council Meeting held 24 June 2025.....	6
8.2 Agenda Forum Notes – 15 July 2025	6
9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION	6
10. REPORTS OF OFFICERS AND COMMITTEES.....	7
10.1 Finance Reports.....	7
FIN 01-07/25 Accounts for Payment - June 2025	7
FIN 02-07/25 Monthly Financial Statements – May 2025.....	9
10.2 Development Reports.....	11
DEV 01-07/25 June 2025 Development Delegated and Authorised Authority Report	11
DEV 02-07/25 Proposed Local Planning Scheme Amendment No. 22 – Rural Residential Rezoning Lot 9000 Hidden Valley Close, Dongara	13
10.3 Community Services Reports	19
10.4 Operations Reports	19
10.5 Office of the CEO Reports.....	19
10.6 Committee Reports	19
11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	19
12. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	19
13. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION	19
14. MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC.....	19
15. CLOSURE	19

MINUTES

of the

ORDINARY COUNCIL MEETING

held

22 July 2025

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 6.00pm and welcomed Councillors, Staff and the one Member of the Gallery.

2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Members

Councillor M Leonard
Councillor B Wyse
Councillor I Scott
Councillor E Tunbridge
Councillor P Summers
Councillor J Melsom
Councillor A J Gillam

President
Deputy President

Staff

Mr S D Ivers
Ms F Boksmati
Mr M Jones
Miss P Machaka
Ms S Mearns

Chief Executive Officer
Manager Community Services
Manager Operations
Manager Finance
Executive Assistant

Guests

Nil

Apologies

Mr M Connell

Manager Development

Approved Leave of Absence

Nil

Gallery

Mr Bruce Baskerville Chair-Irwin Districts Historical Society

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Question 1: Maria Rinaldi, Port Denison

When will the Shire rectify the uneven surfaces around the townsite, such as the corner of Hunt and Church Streets, on Point Leander Drive, and near the bridge, as these areas present safety hazards for mobility scooter (gopher) users, with a potential risk of tipping?

RESPONSE: The Shire is committed to enhancing accessibility across the townsite, in line with our Disability Access and Inclusion Plan (DAIP). Each financial year, funding is allocated for footpath maintenance and improvements, with projects prioritised based on safety concerns, accessibility needs, and community feedback. We recognise that uneven surfaces can create hazards, especially for mobility scooter users, and will continue to address these issues through our ongoing infrastructure improvement program. The specific locations mentioned have been noted for assessment and prioritisation within upcoming works.

Question 2: John Rossiter, Port Denison

Can the Shire install an automatic door at the main entrance of the Dongara Medical Centre?

RESPONSE: Thank you for the suggestion. Installing an automatic door at the main entrance of the Dongara Medical Centre is a valuable idea that would improve accessibility for all visitors. We will refer this proposal to Council for consideration as part of the upcoming budget planning process.

Question 3: John Rossiter, Port Denison

Why have Sea Folk and Seaspray been given an exemption on signage, but the Dongara Bakery has not?

RESPONSE: Seaspray Beach Café and Sea Folk Café are located on the outskirts of town, in areas where passing travellers are unlikely to be aware of their presence without adequate signage. Due to their distance from the town centre and limited alternative options for visibility, these businesses rely heavily on directional signage to attract visitors. Both have experienced a noticeable decline in trade following the removal of signage, prompting Council to grant temporary exemptions in these specific cases.

In contrast, Dongara Bakery is centrally located with high visibility and accessibility, and therefore does not face the same challenges in attracting passing traffic or maintaining customer awareness.

Question 4: John Rossiter, Port Denison

Why was Point Leander Drive from Leitch Street to George Road realigned?

RESPONSE: The original realignment of Point Leander Drive between Leitch Street and George Road appears to have been carried out some time ago to accommodate the growth of the fig trees in the area. However, this resulted in a narrower footpath corridor, which raised safety concerns, particularly for families with young children.

The decision to return the road to its original alignment was made to address these concerns by widening the footpath corridor. This improvement enhances pedestrian safety and accessibility and also provides the opportunity for the removal of vehicle access dips, creating a smoother and safer path for all users.

4. PUBLIC QUESTION TIME

Question 1: Bruce Baskerville, Chair, Irwin Districts Historical Society

With regards to the Dongara Public Town Hall restoration works - What is the project, works or purpose of the funding?

RESPONSE: Question to be taken on notice

Question 2: Bruce Baskerville, Chair, Irwin Districts Historical Society

With regards to the Dongara Public Town Hall restoration works – Have any of the works commenced?

RESPONSE: Question to be taken on notice

Question 3: Bruce Baskerville, Chair, Irwin Districts Historical Society
With regards to the Dongara Public Town Hall restoration works – Has any of the funding been spent and if so, on what?

RESPONSE: Question to be taken on notice

Question 4: Bruce Baskerville, Chair, Irwin Districts Historical Society
With regards to the Dongara Public Town Hall restoration works – Why is there a difference in the budgeted funding between \$240,000 last year and \$256,000 this year?

RESPONSE: Question to be taken on notice

Question 5: Bruce Baskerville, Chair, Irwin Districts Historical Society
With regards to the Dongara Public Town Hall restoration works – If work had not commenced by the end of the last financial year 2024/25, will the funds be carried over in full to the 2025/26 financial year for the same or similar work on the Hall?

RESPONSE: Question to be taken on notice

Question 6: Bruce Baskerville, Chair, Irwin Districts Historical Society
With regards to the Denison House Capital Renewal Works - What is the project, works or purpose of the \$25,000 funding set aside in the adopted annual budget?

RESPONSE: Question to be taken on notice

Question 7: Bruce Baskerville, Chair, Irwin Districts Historical Society
With regards to the Denison House Capital Renewal Works – Has any of the work commenced?

RESPONSE: Question to be taken on notice

Question 8: Bruce Baskerville, Chair, Irwin Districts Historical Society
With regards to the Denison House Capital Renewal Works – Has any of the funding been spent and if so, on what?

RESPONSE: Question to be taken on notice

Question 9: Bruce Baskerville, Chair, Irwin Districts Historical Society
With regards to the Denison House Capital Renewal Works – Is any of the funding available for conservation works on the riverbank terracing in front of the building?

RESPONSE: Question to be taken on notice

Question 10: Bruce Baskerville, Chair, Irwin Districts Historical Society
With regards to the Denison House Capital Renewal Works – If work had not commenced by the end of the last financial year 2024/25, will the funds be carried over in full to the 2025/26 financial year for the same or similar work on Denison House?

RESPONSE: Question to be taken on notice

5. DECLARATIONS OF INTEREST

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. PETITIONS AND DEPUTATIONS

Nil

8. CONFIRMATION OF MINUTES AND TABLING OF AGENDA FORUM NOTES**8.1 Minutes of the Ordinary Council Meeting held 24 June 2025**

The Minutes of the Ordinary Council Meeting held 24 June 2025 are included in the *Attachment Booklet – July 2025*.

COUNCIL DECISION		010725
MOVED: Cr Wyse		SECONDED: Cr Melsom
That Council confirms the Minutes of the Ordinary Council Meeting held 24 June 2025.		
VOTING DETAILS:		CARRIED: 7/0
For:	Cr Leonard, Cr Wyse, Cr Tunbridge, Cr Summers, Cr Melsom, Cr Gillam, Cr Scott	
Against:	Nil	

8.2 Agenda Forum Notes – 15 July 2025

At the Agenda Forum held 15 July 2025, Shire Officers presented background information and answered questions on items to be considered at the June 2025 Ordinary Council Meeting.

Notes from the Agenda Forum are included in the *Attachment Booklet – July 2025*.

COUNCIL DECISION		020725
MOVED: Cr Tunbridge		SECONDED: Cr Summers
That Council confirms the Notes of the Agenda Forum held 15 July 2025.		
VOTING DETAILS:		CARRIED: 7/0
For:	Cr Leonard, Cr Wyse, Cr Tunbridge, Cr Summers, Cr Melsom, Cr Gillam, Cr Scott	
Against:	Nil	

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

25 June 2025 Shire President attended the Mid West Economic Forum held in Geraldton

1 July 2025 Shire President and CEO met with Mr Rob Gillam to discuss the Surf Beach

3 July 2025 CEO attended a Government Forum at the City of Vincent

21 July 2025 Shire President attended the PAG Meeting

10. REPORTS OF OFFICERS AND COMMITTEES

10.1 Finance Reports

FIN 01-07/25 Accounts for Payment - June 2025	
Author:	S Clarkson, Senior Finance Officer
Responsible Officer:	P Machaka, Manager Finance
File Reference:	2.0057
Council Role:	Executive
Voting Requirements:	Simple Majority

Report Purpose:

For Council to receive the list of accounts paid under delegated authority during June 2025.

COUNCIL DECISION		030725																								
MOVED: Cr Scott		SECONDED: Cr Summers																								
That Council, by Simple Majority, receives the Accounts paid during June 2025 as contained in FIN01-07/25 Attachment 1 of the Attachment Booklet – July 2025 represented by:																										
<table><tr><th>Payment Type/Numbers</th><th>Total Amount</th></tr><tr><td>EFT 33678 – 33836</td><td>\$703,084.20</td></tr><tr><td>Muni Cheques – 32237 – 32244</td><td>\$85,527.05</td></tr><tr><td>Direct Debit – Telstra</td><td>\$1,797.48</td></tr><tr><td>Direct Debit – WA Treasury Corporation</td><td>\$145,866.05</td></tr><tr><td>Direct Debit – Credit Card</td><td>\$33,666.25</td></tr><tr><td>Direct Debit – N-Able Pty Ltd</td><td>\$2,063.96</td></tr><tr><td>Direct Debit – Australian Phone Company</td><td>\$225.23</td></tr><tr><td>Direct Debit – Telair Pty Ltd</td><td>\$2,448.91</td></tr><tr><td>Direct Debit – Vestone Capital Pty Ltd</td><td>\$10,554.20</td></tr><tr><td>Direct Debit – Superannuation</td><td>\$26,663.07</td></tr><tr><td>Grand Total</td><td>\$1,011,896.40</td></tr></table>		Payment Type/Numbers	Total Amount	EFT 33678 – 33836	\$703,084.20	Muni Cheques – 32237 – 32244	\$85,527.05	Direct Debit – Telstra	\$1,797.48	Direct Debit – WA Treasury Corporation	\$145,866.05	Direct Debit – Credit Card	\$33,666.25	Direct Debit – N-Able Pty Ltd	\$2,063.96	Direct Debit – Australian Phone Company	\$225.23	Direct Debit – Telair Pty Ltd	\$2,448.91	Direct Debit – Vestone Capital Pty Ltd	\$10,554.20	Direct Debit – Superannuation	\$26,663.07	Grand Total	\$1,011,896.40	
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VOTING DETAILS:		CARRIED: 7/0																								
For:	Cr Leonard, Cr Wyse, Cr Tunbridge, Cr Summers, Cr Melsom, Cr Gillam, Cr Scott																									
Against:	Nil																									

Background:

A list of accounts paid under delegated authority is attached showing all payments made during the month of June 2025.

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 – July 2025

FIN01-07/25 Attachment 1: Accounts for Payment – June 2025

FIN 02-07/25 Monthly Financial Statements – May 2025	
Author:	P Machaka, Manager Finance
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	2.0057
Council Role:	Executive
Voting Requirements:	Simple Majority

Report Purpose:

For Council to consider and receive the Monthly Financial Statements for the period 1 July 2024 to 31 May 2025.

COUNCIL DECISION		040725
MOVED: Cr Gillam		SECONDED: Cr Tunbridge
That Council, by Simple Majority, receives the Monthly Financial Statements for the period 1 July 2024 to 31 May 2025 as contained in FIN02 07/25 Attachment 2 of the Attachment Booklet – July 2025.		
VOTING DETAILS:		CARRIED: 7/0
For:	Cr Leonard, Cr Wyse, Cr Tunbridge, Cr Summers, Cr Melsom, Cr Gillam, Cr Scott	
Against:	Nil	

Background:

The Monthly Financial Statements to 31 May 2025 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
- Statement of Financial Position
- 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 May 2025 is detailed in the attached report and summarised as per below:

31/05/2025	YTD Budget	YTD Actual	Variance YTD to Budget
Operating Revenue	10,320,454	10,424,374	1%
Operating Expenditure	(12,815,442)	(13,369,434)	4%
Net Operating	(2,494,988)	(2,945,060)	
Non-Operating Revenue	629,463	856,848	36%
Non-Operating Expenditure	(2,417,456)	(2,429,388)	0%
Net Non-Operating	(1,787,993)	(1,572,540)	
Cash at Bank		770,071	
Cash at Bank Restricted		373,935	
Reserve Bank		1,351,676	
Total Cash Funds		2,495,682	

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 must be shown according to the nature classification.*
- (4) *A statement of financial activity, and the accompanying documents referred to in sub-regulation (2), are to be -*
 - (a) *presented to the council - at an ordinary meeting of the council within 2 months after the end of month to which the statement relates; 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 – July 2025

FIN02-07/25 Attachment 2: Financial Statements for the Period Ended 31 May 2025

10.2 Development Reports

DEV 01-07/25 June 2025 Development Delegated and Authorised Authority Report	
Author:	M Connell, Manager Development
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	3.00125
Council Role:	Executive
Voting Requirements:	Simple Majority

Report Purpose:

For Council to receive the June 2025 Development Delegated and Authorised Authority Report.

COUNCIL DECISION	050725
MOVED: Cr Gillam SECONDED: Cr Summers That Council by Simple Majority, receives the June 2025 Development Delegated and Authorised Authority Report, as contained in DEV 01-07/25 Attachment 1.	
VOTING DETAILS: CARRIED: 7/0	
For: Cr Leonard, Cr Wyse, Cr Tunbridge, Cr Summers, Cr Melsom, Cr Gillam, Cr Scott	
Against: Nil	

Background:

Local governments utilise levels of delegated authority to undertake day-to-day statutory functions, thereby allowing Council to focus on policy development, representation, strategic planning and community leadership, with the organisation focussing on the day-to-day operations of the Shire.

The use of delegated authority means the large volume of routine work can be effectively managed and acted on promptly, which in turn facilitates efficient service delivery to the community.

In addition, as of 1 July 2024, the determination of development applications for single houses or any development associated with a single house (excluding development associated with a heritage place), can now only be done by the CEO or authorised employees of the local government.

Officer's Comment:

This report presents the details of development functions made under delegated or authorised authority for the month of June 2025, with 9 building permits/certificates, 5 single house applications and 4 applications for development approval having been issued.

Consultation:

Nil.

Statutory Environment:

- *Local Government Act 1995*
- *Local Government (Administration) Regulations 1996*
- *Planning and Development (Local Planning Schemes) Regulations 2015*

Policy Implications:

Nil.

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 – July 2025

DEV 01-07/25 Attachment 1: June 2025 Development Delegated and Authorised Authority Report

DEV 02-07/25 Proposed Local Planning Scheme Amendment No. 22 – Rural Residential Rezoning Lot 9000 Hidden Valley Close, Dongara	
Author:	M Connell, Manager Development
Responsible Officer:	S Ivers, Chief Executive Officer
File Reference:	P24-69 / A5633
Council Role:	Legislative
Voting Requirements:	Simple Majority

Report Purpose:

For Council to support, without modification, Amendment No. 22 (the amendment) to the Shire of Irwin Local Planning Scheme No. 5.

COUNCIL DECISION		060725
MOVED: Cr Wyse		SECONDED: Cr Summers
That Council by Simple Majority, supports Amendment No. 22 to the Shire of Irwin Local Planning Scheme No. 5 without modification.		
VOTING DETAILS:		CARRIED: 7/0
For:	Cr Leonard, Cr Wyse, Cr Tunbridge, Cr Summers, Cr Melsom, Cr Gillam, Cr Scott	
Against:	Nil	

Background:

Amendment 22 seeks to rezone Lot 9000 Hidden Valley Close, Dongara from 'Residential R12.5' to 'Rural Residential'.

Lot 9000 is located some 700m from the coast and approximately 2km north from the Dongara town centre. The site is generally rectangular and has an area of around 40ha, being 400m wide (east to west) and 1.1km long (north to south).

The site lies within a coastal band of dunes that have previously been partially cleared for agricultural purposes. The site is vacant, characterised by significant variations in topography throughout, with an elevated ridge running through the southern portion of the eastern boundary as well as a small ridge situated towards the south-western boundary.

The site abuts large areas of coastal reserve and conservation land to the north and west, with larger rural residential lots to the east. The land to the south is zoned Residential R12.5 but has not yet been subdivided and will ultimately provide a transition from the existing North Shore residential estate further south.

Council at its meeting held on 25 February 2025 resolved to initiate the amendment and the advertising period has now concluded with 10 submissions being received.

Proposal

The amendment seeks to rezone Lot 9000 from Residential R12.5 to Rural Residential, which will enable the land to be developed for 1 hectare rural living lots. Under the existing R12.5 R-Code the site has the potential for subdivision to lots of an average size of 800m².

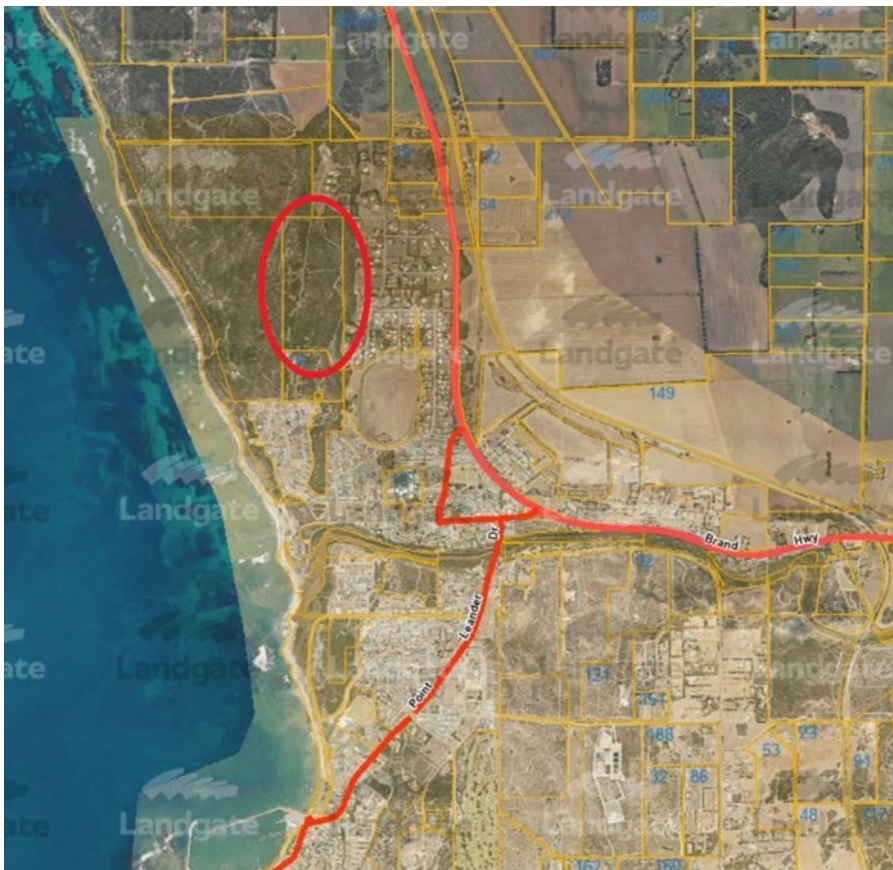
The site is located on the periphery of town in an area of transition between conservation and natural area reserves and existing / future low density residential and rural residential development.

The context of the site is such that the rezoning allows for the following opportunities:

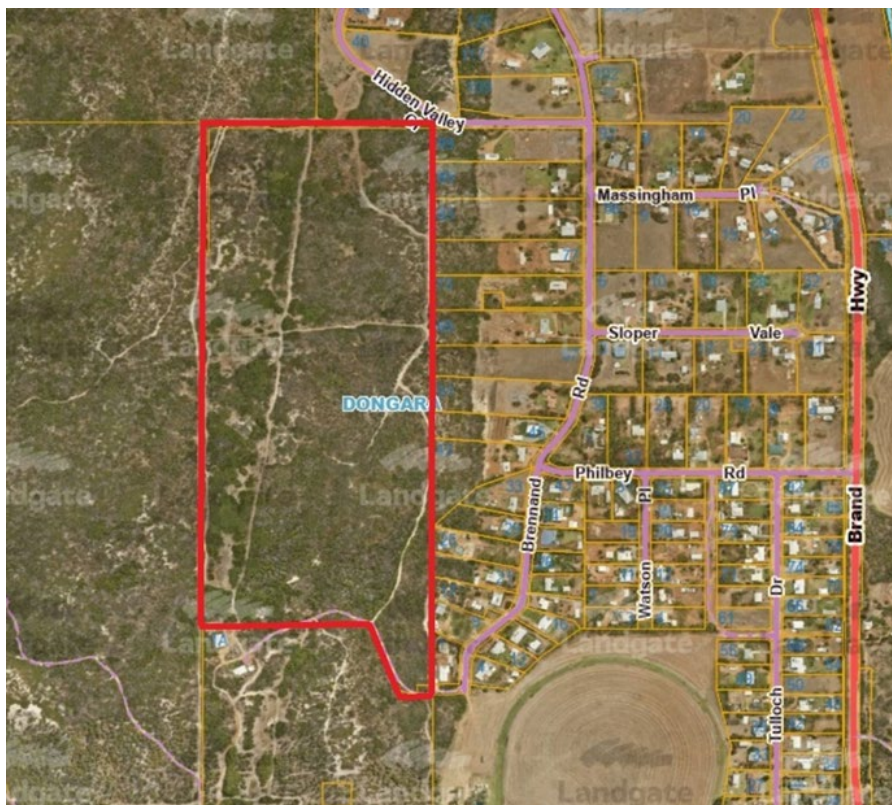
- The steep grades of the site (a vertical difference of over 32m between the highest and lowest portions of the site) would require extensive earthworks to level and retain traditional residential lots. Rural residential development of the site will reduce the extent of earthworks and retaining required and will deliver an appropriate and more sustainable site outcome that responds to the site topography which does not require wholesale clearing of the site.
- Sewer infrastructure is remote, and it is cost prohibitive to service the site for smaller residential lots. Development to the R12.5 density is therefore unviable.
- The Rural Residential zone will reduce the land use intensity of the site adjacent to the existing coastal and conservation reserves to improve separation distances and improve land use compatibility.
- The rezoning will not impact the ability for Dongara / Port Denison to accommodate future population growth and will facilitate timely subdivision to meet current and forecast future demand.
- The rezoning will facilitate an appropriate site responsive subdivision and development outcome in this location, further providing lifestyle and housing choice in the Dongara locality.

The amendment report is contained in DEV 02-07/25 Attachment 1.

Location Plan



Aerial Enlargement



Officer's Comment:

The amendment has been assessed against the following applicable planning framework as detailed below.

Guilderton to Kalbarri Sub-regional Strategy

The primary purpose of this Strategy is to guide growth, future planning and development in the sub-region. The Strategy identifies Dongara – Port Denison as a sub-regional centre that aims to support population and economic activities within its hinterland through the provision of goods and services. Urban growth within the Dongara – Port Denison sub-regional centre is promoted and the amendment is consistent with the strategic direction of the Strategy.

Local Planning Strategy

The Strategy sets out the long-term planning directions for the Shire and guides land use planning over the next 20 years. The Strategy promotes density infill of existing vacant residential zoned land as a priority. Lot 9000 is located in 'Policy Area B' and is identified for future development.

Section 3.1 'Population and Housing' of the Strategy indicates that there could be a shortfall of rural residential lots in the medium term, whereas there is sufficient land identified for Urban expansion and a significant supply of residential zoned land within the Shire. The strategic direction is to not proceed with the intensification of the low density Racecourse Estate residential lots but to leave the area for rural residential purposes based on the projected demand.

The Shire has recently completed advertising of a new draft Local Planning Strategy (2024) and has recommended that the site be identified as 'Rural residential'. A key planning direction of the draft Strategy is to provide a range of residential densities, housing choice and compatible uses that are suitable for local conditions.

The rezoning proposal will facilitate a development outcome that is not explicitly stated within the current Local Planning Strategy but is consistent with the new draft Local Planning Strategy.

Local Planning Scheme

The amendment proposes to rezone the site to 'Rural Residential'. The objectives of this zone are:

- a) To provide for the use of land for residential purposes in a rural setting for alternative residential lifestyle.
- b) To preserve the amenity of such areas and control land use impacts.

The amendment and associated subdivision / development of the site is consistent with the above objectives.

Dongara – Port Denison District Structure Plan

This Plan provides a strategic framework to sustainably grow the townsites of Dongara and Port Denison in a manner that serves the needs of the community now and in the future. Lot 9000 is identified on the Plan as 'Existing Urban / Residential' and within the future urban area identified as the 'Race Course Estate Precinct'. The Plan acknowledges that there is significant land fragmentation that limits the potential for residential intensification.

The amendment will facilitate housing diversity and retain the landform to optimise the physical elements of the landscape which is consistent with the Plan's objectives.

Conclusion

The proposed rezoning will facilitate an appropriate site responsive subdivision and development outcome by significantly reducing the extent of earthworks and retaining that would otherwise be required for suburban residential development.

The Rural Residential zone will reduce the land use intensity of the site adjacent to the existing coastal and conservation reserves and provides for the retention of an increased amount of existing vegetation that will contribute to improved environmental and landscape protection.

It is considered the amendment complies with the planning framework applicable to the site and the requirements of orderly and proper planning.

Consultation:

Prior to public advertising, the Environmental Protection Authority (EPA) is required to assess the amendment under Part IV of the *Environmental Protection Act 1986*. The EPA advised that the amendment should not be assessed.

The EPA provided advice regarding the retention of vegetation and fauna habitat in future stages of the development and stated that *'implementation of the amendment will reduce the intensity of development and may facilitate enhanced protection of environmental values than the existing zone. Clearing will still be required to implement the amendment.'*

The amendment was publicly advertised in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The advertising involved the following:

- A public notice was published in the Midwest Times;
- A public notice was published in the Dongara Denison Local Rag;
- A written notice was sent to adjoining landowners within approximately 500m of the site;

- 2 signs were placed on-site;
- A copy of the amendment was made available for public inspection at the Shire office;
- The amendment details were published on the Shire's website; and
- The amendment was referred to the following government / service agencies and stakeholders:
 - Department of Biodiversity, Conservation and Attractions
 - Department of Fire and Emergency Services
 - Department of Planning, Lands and Heritage – Aboriginal Heritage
 - Department of Water and Environmental Regulation
 - Main Roads WA
 - Telstra
 - Water Corporation
 - Western Power
 - Irwin Districts Historical Society
 - Dongara Irwin Race Club

In response to the advertising a total of 10 submissions were received (4 from the public / stakeholders and 6 from government / service agencies). The key relevant planning issues raised in the submissions are summarised as follows:

- Land clearing.
- Confusion over the plans within the amendment report.
- Provision of a buffer zone.
- Environmental report required.
- Means of access via right-of-way.
- Bushfire concerns.
- Lower density a better outcome.
- Possible provision of public open space.
- Exemption from State Planning Policy 3.7 – Bushfire.
- Site and soil evaluation required to demonstrate that the site can meet the minimum groundwater separation requirements of the Government Sewerage Policy.

A copy of the actual submissions received is contained in DEV 02-07/25 Attachment 2 and a 'Schedule of Submissions' which includes recommendations for each submission is contained in DEV 02-07/25 Attachment 3.

Statutory Environment:

Part 5, Section 75 of the *Planning and Development Act 2005* provides for a local government to amend a local planning scheme.

Division 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the process that must be followed for standard amendments to a local planning scheme. Council must pass a resolution to either support the amendment (with or without modification) or not support the amendment.

Policy Implications:

Nil.

Financial/Resource Implications:

Nil.

Strategic Implications:

Our Brilliant Future – Strategic Community Plan 2021 – 2031
Strategy 2.1.1 Continuously improve approval processes.

Attachments:

Attachment Booklet – July 2025

DEV 02-07/25 Attachment 1: Amendment 22 Report

DEV 02-07/25 Attachment 2: Submissions

DEV 02-07/25 Attachment 3: Schedule of Submissions

10.3 Community Services Reports

Nil

10.4 Operations Reports

Nil

10.5 Office of the CEO Reports

Nil

10.6 Committee Reports

Nil

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

13. URGENT BUSINESS APPROVED BY PERSON PRESIDING OR BY DECISION

Nil

14. MATTERS FOR WHICH THE MEETING IS CLOSED TO THE PUBLIC

Nil

15. CLOSURE

There being no further business the Shire President closed the meeting at 6.13pm.