



AGENDA FORUM NOTES

Tuesday 15 September 2026



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1 DECLARATION OF OPENING

The Presiding Member welcomed Councillors and Staff then declared the Agenda Forum open at 5.00pm.

2 ATTENDANCE

2.1 MEMBERS

Councillor I Scott (Via Teams)

Shire President

Councillor A J Gillam

Deputy Shire President

Councillor P Summers

Councillor S Hansen

Councillor L Berecz

Councillor L Musulin

2.2 STAFF

Mr S D Ivers

Chief Executive Officer

Mr M Connell

Manager Development

Miss P Machaka

Manager Finance

Ms F Boksmati

Manager Community Services

Mr M Antony

Community Emergency Services Manager

Ms S Mearns

Executive Assistant

2.3 GUESTS

Nil

2.4 APOLOGIES

Mr M Jones

Manager Operations

2.5 APPROVED LEAVE OF ABSENCE

Councillor J Melsom

2.6 GALLERY

Nicolaas Oosthuizen

1 Brennand Road, Dongara

Annamaria Oosthuizen

1 Brennand Road, Dongara

Janet Ross

4 Nairn Court, Port Denison

Jan Hughes

41 Brennand Road, Dongara

Di Moriarty

9 Brennand Road, Dongara

Phil Clark

9 Brennand Road, Dongara

Roslyn Miller

16 Brennand Road, Dongara

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Question 1: Nicolaas Oosthuizen

1 Brennand Road, Dongara

The submission made on our behalf by our lawyers raises concerns about the potential invalidity of the proposal. Has the Shire obtained legal advice as to the legality of the proposed road dedication?

Response: Question taken on notice.

Question 2: Nicolaas Oosthuizen

1 Brennand Road, Dongara

Why was the potential legal invalidity of the proposal not highlighted in the officers' report to Council?

Response: Question taken on notice.

Question 3: Annemarie Oosthuizen

1 Brennand Road, Dongara

Was any traffic impact assessment undertaken to ascertain the impact of the increased traffic flow that will stem from the road dedication in question?

Response: Question taken on notice.

Question 4: Annemarie Oosthuizen

1 Brennand Road, Dongara

Were any alternative access routes to the Lot 9000 development, other than the Hidden Valley Close access and connection to Brennand Road via the Right of Way, seriously contemplated?

Response: Question taken on notice.

Items 5 - 9 will be dealt with at the Ordinary Council Meeting being held on Tuesday 22 September 2026.

10 REPORTS OF OFFICERS AND COMMITTEES

10.1 FINANCE REPORTS

10.1.1 Accounts for Payment - August 2026

REPORT PURPOSE

For Council to receive the list of accounts paid under delegated authority during August 2026.

QUESTIONS

Nil

10.1.2 Monthly Financial Statements - July 2026

REPORT PURPOSE

For Council to consider and receive the Monthly Financial Statements for the period 1 July 2026 to 31 July 2026.

QUESTIONS

Nil

10.2 DEVELOPMENT REPORTS

10.2.1 August 2026 Development Delegated and Authorised Authority Report

REPORT PURPOSE

For Council to receive the August 2026 Development Delegated and Authorised Authority Report.

QUESTIONS

Nil

10.2.2 Road Dedication, Right-of-Way Reserve 54384 – Brennand Road, Dongara

REPORT PURPOSE

For Council to request the Minister for Lands to approve the dedication of the Right-of-Way (ROW) Reserve 54384 as road.

QUESTIONS

Cr Scott asked whether final approval for the road dedication rests with the Minister for Planning.

The Manager Development confirmed that the Shire of Irwin simply *requests* the Minister to dedicate the road, however the final decision to dedicate the road ultimately rests with the Minister for Lands.

Cr Scott further asked whether an injunction was made – would it be against the Shire of Irwin.

Manager Development advised (qualifying that this was not legal advice to Council) that it was his understanding that any injunction would be against the decision to dedicate the road, which is made by the Department of Planning and Minister for Lands.

Cr Hansen questioned why, if the decision doesn't rest with Council, the matter was actually before Council.

The Manager Development advised that the procedure for road dedications is as prescribed by the *Land Administration Act 1997* and Council has been requested via the developer to action the road dedication as per the Act.

10.2.3 Land Acquisition and Road Dedication - Portion of Lot 713 Midlands Road, Yardarino

REPORT PURPOSE

For Council to conditionally approve the acquisition of a 3,246m² portion of Lot 713 Midlands Road, Yardarino and subsequently request the Minister for Lands to approve the dedication of the land as road.

QUESTIONS

Council discussed whether an alternative location for the informal parking bays could be provided as the current parking area will be removed.

Officers advised that MRWA can be requested to consider an alternative location for a replacement vehicle parking area and suggested this form part of the Council resolution.

10.3 COMMUNITY DEVELOPMENT

Nil

10.4 OPERATIONS

Nil

10.5 OFFICE OF THE CEO

10.5.1 Compliance Audit Return 2025

REPORT PURPOSE

For Council to consider and adopt the 2025 Compliance Audit Return as per the *Local Government Act 1995*, Section 7.13 and the *Local Government (Audit) Regulations*, Regulation 14.

QUESTIONS

Nil

10.6 COMMITTEES

Nil

Items 11 - 15 will be dealt with at the Ordinary Council Meeting being held on Tuesday 22 September 2026.

- 11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 12 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**
- 13 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**
- 14 MATTERS FOR WHICH MEETING WAS CLOSED TO THE PUBLIC**
- 15 CLOSURE**

There being no further business, the Presiding Member closed the Agenda Forum at 5.22pm.