

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON TUESDAY 23 DECEMBER 2008

1. COMMENCEMENT

The President declared the meeting open at 10:00am.

2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Attendance

Cr JD Alexander	President	North Ward
Cr DJ Ridgway	Deputy President	South Ward
Cr P Gogol		North Ward
Cr KM Murray		North Ward
Cr NF Flood		West Ward
Cr BM Foster		West Ward
Cr LC Shaw		West Ward
Mr KL Byers	Chief Executive Officer	
Mr SP Gollan	Deputy Chief Executive Officer	
Mrs SC Collins	Senior Administration Officer	

Apologies

Cr MG Roberts	South Ward
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Leave of Absence

Cr WS McDonald	South Ward
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3. PUBLIC QUESTION TIME

3.1 **Number of Dogs at 199 Richardson Street, Beverley – Noise Complaint** (File Reference: RIC1 756 & LE 012)

Mr Ron Glassby commented on the number of dogs kept at 199 Richardson Street and complained about the noise these dogs make, enquiring as to what action Council proposed to take to prevent this nuisance.

3. PUBLIC QUESTION TIME

**3.1 Number of Dogs at 199 Richardson Street, Beverley – Noise Complaint
(Continued)**

Council advised it would take note of Mr Glassby's concerns when addressing this agenda item at today's meeting.

Mr Mike Courtney enquired as to why neighbours were not approached in regard to the application to keep the dogs.

Mr Courtney was advised that the application by the owner of Lot 199 Richardson Street to keep more than two dogs on the property had been refused negating the need to contact neighbours.

3.2 Langsford Street – Sealing (File Reference: WO LAN 152)

Mr Bob Reid tabled a letter regarding his concerns that Langsford Street remained gravel and enquired as to whether Council would be sealing this street as he considered it a health hazard due to the dust problem.

The President advised that the sealing of this road is not in the 2008/09 budget.

4. CONDOLENCES

BARRETT-LENNARD Barbara 12 December 2008

5. APPLICATIONS FOR LEAVE OF ABSENCE

The meeting was informed that Cr MG Roberts (South Ward) had advised he would not be available for meetings throughout January and February 2009 and has applied for leave of absence.

COUNCIL RESOLUTION

**M1/1208 Moved Cr Flood Seconded Cr Gogol
That Cr Roberts' request for Leave of Absence from Council
meetings throughout January and February 2009, be approved.
CARRIED 6-1**

6. CONFIRMATION OF MINUTES AND BUSINESS ARISING

6.1 Minutes of the Council Meeting held in the Council Chambers on Tuesday 25 November 2008

COUNCIL RESOLUTION

M2/1208 Moved Cr Gogol **Seconded Cr Murray**
That the Minutes of the Ordinary Meeting of Council held in Council Chambers on Tuesday 25 November 2008, as printed, be confirmed.

CARRIED 7-0

BUSINESS ARISING

Yenyening Lakes - Item 6.1 of November 2008 Council Meeting (File Reference: WO SKI 83) – Council has not received a written response in regard to access to Yenyening Lakes via Ski Road.

Withdrawn Fines over last 2 years - Item 6.1 of November 2008 Council Meeting – A list of fines was tabled at the meeting.

Lot 530 & 54 Vincent Street – Fencing and Yards - Item 6.1 of November 2008 Council Meeting (File Reference: VIN 51105) - A further letter will be sent to the owners of this property.

Beverley Caravan Park Rules - Item 6.6 of November 2008 Council Meeting (File Reference: VIN 1624B) – Information to come in from Councillors and the matter to be discussed at the next Development Services Committee meeting.

6.2 Minutes of the Special Meeting of Council held in the Council Chambers on Tuesday 2 December 2008.

Appendix 1

COUNCIL RESOLUTION

M3/1208 Moved Cr Shaw **Seconded Cr Murray**
That the Minutes of the Special Meeting of Council held in the Council Chambers on Tuesday 2 December 2008, as printed, be confirmed.

CARRIED 7-0

6. CONFIRMATION OF MINUTES AND BUSINESS ARISING
6.2 Minutes of the Special Meeting of Council held in the Council Chambers on Tuesday 2 December 2008.
(Continued)

BUSINESS ARISING

Beverley Off Road Motor Sports Association (File Reference: NIC 231)

RESOLVED that the Beverley Off Road Motor Sports Association be requested to put their requirements for the lease of Portion of Reserve 5265 in writing.

7. PRESIDENT AND COUNCILLOR REPORTS

7.1 PRESIDENT'S REPORT

The following President's Report was tabled at the meeting:

Royalties for Regions (File Reference: ED 006)

The Chief Executive Officer and I attended the launch of the Royalties for Regions Funding by Brendan Grylls at the University of WA.

Beverley has been awarded a grant of \$605,000 in the first year, with a further grant for the next three years. There will be funds available for SEAVROC and other Regional Local Governments.

Since the launch myself along with the Deputy President and Deputy Chief Executive Officer have met with Brendon Grylls in Beverley where he outlined the Royalties for the Regions program.

The funds are to be spent as soon as possible on infrastructure projects. We can carry funds over or place them into reserves until the project is ready to commence, but it would be preferred to expend the funds as soon as possible.

RESOLVED that Council hold a Strategic Planning Workshop on Tuesday 20 January 2009 commencing at 10am.

Council agreed that after a workshop had been held it could be beneficial to have a meeting with a facilitator.

7. **PRESIDENT AND COUNCILLOR REPORTS**
7.1 PRESIDENT'S REPORT
(Continued)

Beverley Telecentre (File Reference: CS 003)

Brendon Grylls has stated that there is to be amounts of up to \$60,000 available to Telecentre's, based on performance. This creates some opportunity for the district.

The existing Telecentre is having some problems. A committee had been formed with the Shire Representative as the Acting Secretary, Brian Bedall as Chairman, and Pat Thompson as Treasurer. I have requested audited accounts for the 2007-08 financial year and Mr Gary Ventris, the Regional Coordinator of Telecentre's, are assisting with this matter.

I believe the Treasurer has resigned. The Coordinator had gone on stress leave with a letter from the Doctor.

I attended a meeting with the Chairman, the Regional Coordinator, Acting Secretary and a Telecentre committee member. I tried to scope out the elected people on the committee and the structure.

Later the Deputy Chief Executive Officer and I spoke with the Area Coordinator by phone and he suggested we have a meeting with the Telecentre Chairman, Mr Brian Bedall, however he resigned from the position later that day.

On the same day the Area Coordinator phoned, as the Telecentre was to have a two week break and he wanted the building secured. We advised him we would not do this until we had proper authority from his superior. This was obtained and Council now have the keys.

I believe with extra funds and some restructuring the Telecentre can be a valuable asset to the district.

RESOLVED that Council hold a Recreation Ground Committee meeting on Wednesday 7 January 2009 commencing at 8:00am.

RESOLVED that Council discuss with the Department of Local Government and Regional Development the future of the Beverley Telecentre.

7. PRESIDENT AND COUNCILLOR REPORTS
7.1 PRESIDENT'S REPORT
(Continued)

Avondale Project Committee (File Reference: RC 005)

The President tabled a letter from Michelle Williams, Chairperson of Avondale Project Committee, regarding concerns at Avondale.

COUNCIL RESOLUTION

M4/1208 **Moved Cr Shaw** **Seconded Cr Foster**
That the President's Report, be received.
CARRIED 7-0

7.2 COUNCILLOR REPORTS

Beverley Aeronautical Museum – Curator (File Reference RC 017)

Cr Gogol advised that Mr Frank Mathews had indicated he was interested in becoming the Curator for the Beverley Aeronautical Museum, along with the assistance of Julia Rocke to formulate an inventory of the museum. Mr Matthews had enquired as to whether Council would be able to assist with travelling expenses to and from the Museum.

RESOLVED that this matter be deferred until the next meeting of Council.

Beverley Medical Centre – Service Provision (File Reference: PH 023)

At 12 noon Dr Remi Adebayo provided Council with an update in regards to the Beverley Medical Practice operations. Dr Adebayo requested Council consider supplying a second vehicle for use by the second Doctor.

At 12:38pm the Council meeting adjourned for lunch.

At 1:04pm the Council meeting resumed with the Shire Planner in attendance and the Chief Executive Officer not in attendance.

7.1 PRESIDENT'S REPORT - FURTHER ITEM

From **Mr M Roberts – Beverley Community Information Services**
(File Reference: CS 021)

A letter was received requesting Council consider providing financial assistance to the Beverley Community Information Services.

M5/1208

Moved Cr Flood

Seconded Cr Gogol

That Council advise Mr Roberts that there is no allowance made in the 2008/2009 budget to provide financial assistance for the Beverley Community Information Services and therefore the request is refused.

CARRIED 7-0

8. OFFICERS' REPORTS

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.1.1.1
REPORT DATE:	2 December 2008
SUBJECT:	DEVELOPMENT APPLICATION – SINGLE DWELLING – 39 (LOT 229) NICHOLAS STREET, BEVERLEY
APPLICANTS:	E & P Harrington
FILE REFERENCE:	HAR 468
AUTHOR:	Shire Planner – Peter Wright

Appendix 2

BACKGROUND

It is proposed to construct a single dwelling at 39 (Lot 229) Nicholas Street, Beverley. The subject lot is approximately 1ha in area, zoned Residential R10 and vacant. Access is from Nicholas Street.

COMMENT

The application complies with the Acceptable Development criteria of the Residential Design Codes 2008 (Rcodes) for R10 density with the exception of Clause 6.5.4 relating to Vehicular Access. Submitted plans do not show the means of vehicular access (driveway).

Under Clause 6.5.4 of the Rcodes if the distance between the vehicle parking bays and the street is greater than 15 metres the driveway must be constructed to allow the vehicle to enter the street in a forward manner. Should Council approve the application it will be recommended the submission of a site plan showing a driveway with a reversing bay, be a condition of approval.

With the exception of a single variation to the Rcodes that may be addressed through conditions of approval, the proposal complies with the Shire of Beverley's Planning intent and requirements, therefore it will be recommended the application be granted.

STATUTORY ENVIRONMENT

With the exception of the matter discussed above the application complies with the Shire of Beverley's Town Planning Scheme No. 2.

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.1

**DEVELOPMENT APPLICATION – SINGLE DWELLING
– 39 (LOT 229) NICHOLAS STREET, BEVERLEY
(Continued)**

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M6/1208

Moved Cr Flood

Seconded Cr Foster

That Council grant Planning Approval for the construction of a single dwelling at 39 (Lot 229) Nicholas Street, Beverley, subject to the following conditions and advice notes: -

Conditions:

- 1. If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.**
- 2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan prepared by the applicant and endorsed by Council's Shire Planner.**
- 3. The dwelling is to be connected to the Water Corporation reticulated sewer. Should connection to the Water Corporation reticulated sewer not be practically available, to the satisfaction of the Shire of Beverley's Manager Health Services, the premises are to be connected to an approved wastewater treatment system, which complies with the requirements of the Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations and the Government Sewerage Policy Perth Metropolitan Region. The approved system is not to be used for disposal of industrial liquid waste or other non-ablution wastes (refer to Advice Note 3).**
- 4. A site plan showing a driveway, which incorporates a reversing bay in an approved location, is to be submitted and approved prior to the issue of a Building License, to the satisfaction of the Shire Planner.**

8.1.1 TOWN PLANNING ITEMS
Item 8.1.1.1
DEVELOPMENT APPLICATION – SINGLE DWELLING
– 39 (LOT 229) NICHOLAS STREET, BEVERLEY
(Continued)

Advice Notes:

- 1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.**
- 2. The applicant is advised a building licence is required prior to commencement of any building works.**
- 3. With regard to Condition 3, the applicant is advised Shire records indicate a reticulated sewer line is available on Lukin Street. Should the Shire's Manager Health Services determine connection to the reticulated sewer is not practically available, an application for an approved wastewater system is to be submitted to the Council's Environmental Health Section, in conjunction with the Building Licence application.**

CARRIED 7-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.1.1.2
REPORT DATE:	10 December 2008
SUBJECT:	DEVELOPMENT APPLICATION – RELOCATED SINGLE DWELLING – 24 (LOT 7) BROCKMAN STREET, BEVERLEY
APPLICANTS:	D & M Watts
FILE REFERENCE:	BRO1 51127
AUTHOR:	Shire Planner – Peter Wright

Appendix 3

BACKGROUND

It is proposed to relocate a second hand single dwelling to 24 (Lot 7) Brockman Street, Beverley. The subject lot is 1363m² in area, zoned Residential R10 and currently vacant.

Council's Building Surveyor has inspected the dwelling and is of the opinion the building is in good condition.

COMMENT

The proposed dwelling was assessed against and complies with the Residential Design Codes 2008 (Rcodes) and the Shire of Beverley's Town Planning Scheme No.2 (TPS 2). Assessment of the building by staff indicates the dwelling will not detrimentally affect the amenity of the area.

Due to the proposed development being a second hand dwelling, the application was assessed against Council's Relocated Second-Hand Buildings Policy No. 9. Should Council approve the application, to comply with Policy No. 9 the following are recommended as conditions of approval:

1. A bond of \$5,000 is to be lodged with the Shire of Beverley to ensure all works, including clearing the site of debris and connecting plumbing and drainage, are completed to the satisfaction of the Shire Building Surveyor and comply with the relevant provisions of the Building Codes of Australia.
2. All works including the provision of verandas are to be completed within twelve months from the relocation of the building.

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.2

DEVELOPMENT APPLICATION – RELOCATED SINGLE DWELLING – 24 (LOT 7) BROCKMAN STREET, BEVERLEY (Continued)

3. Certification from a registered pest control company that the building is free from termites.
4. The submission and approval of a landscaping plan prior to the occupation of the dwelling.
5. Any approved landscaping to be completed to the satisfaction of the Shire of Beverley.

It should be noted that the street address for the lot indicates the property fronts Brockman Street, however Acceptable Development Criteria 6.2.4 of the Rcodes states that at least one habitable room window must have a clear view of the street and approach to the dwelling. The dwelling has no windows facing Brockman Street. Should Council approve the application, it will be recommended Smith be the street frontage, as a condition of approval.

Acceptable Development Criteria 6.2.6 of the Rcodes states that to provide acceptable sight lines at vehicle access points and street corners, fences should be visually permeable above 0.75 metres. Although no fencing has been proposed, to ensure any future fencing complies with the Rcodes, should Council approve the application, it will be recommended fencing from across the front of the dwelling to Brockman Street and along Brockman Street, be visually permeable above 0.75 metres in height, as a condition of approval.

The proposed dwelling has been assessed by staff and it is considered the proposal will have no detrimental impact on amenity in the area. In addition the application complies with the Rcodes and TPS 2, with any potential concerns being addressed through conditions of approval. Therefore it will be recommended the application be granted Planning Approval.

STATUTORY ENVIRONMENT

The application complies with the Shire of Beverley's Town Planning Scheme No. 2 and may be conditioned to comply with Council's Relocated Second-Hand Buildings Policy No. 9.

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.2

**DEVELOPMENT APPLICATION – RELOCATED SINGLE DWELLING
– 24 (LOT 7) BROCKMAN STREET, BEVERLEY
(Continued)**

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M7/1208

Moved Cr Flood

Seconded Cr Shaw

That Council grant Planning Approval for the relocation of a single dwelling to 24 (Lot 7) Brockman Street, Beverley, subject to the following conditions and advice notes: -

Conditions:

- 1. If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.**
- 2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan prepared by the applicant and endorsed by Council's Shire Planner.**
- 3. A bond of \$5,000 is to be lodged with the Shire of Beverley to ensure all works, including clearing the site of debris and connecting plumbing and drainage, are completed to the satisfaction of the Shire Building Surveyor and comply with the relevant provisions of the Building Codes of Australia.**
- 4. All works are to be completed within twelve months from the relocation of the building.**
- 5. Certification from a registered pest control company that the building is free from termites is to be submitted to the Shire of Beverley, prior to the building being relocated to the Shire.**

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.2

**DEVELOPMENT APPLICATION – RELOCATED SINGLE DWELLING
– 24 (LOT 7) BROCKMAN STREET, BEVERLEY
(Continued)**

6. As the Water Corporation reticulated sewer is not available the premises are to be connected to an approved wastewater treatment system, which complies with the requirements of the Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations and the Government Sewerage Policy Perth Metropolitan Region. The approved system is not to be used for disposal of industrial liquid waste or other non-ablution wastes (refer to Advice Note 4).
7. A landscaping plan for the landscaping of the front setback area is to be submitted and approved prior to the occupation of the dwelling, to the satisfaction of the Shire Planner.
8. Approved landscaping to be installed prior to the occupation of the dwelling, to the satisfaction of the Shire Planner
9. The dwelling frontage is to be to Smith Street.
10. Fencing in front of the dwelling to Brockman Street and along Brockman Street as noted in red on the approved plan is to be visually permeable above 0.75 metres in height.

Advice Notes:

1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
2. The applicant is advised a building licence is required prior to commencement of any building works.
3. With regard to Condition 3, in compliance with Council's Relocated Second-Hand Buildings Policy No.9, the \$5,000 bond is to be lodged with the Shire. Bank or other guarantees are not acceptable.
4. With regard to Condition 6, an application is to be submitted to the Council's Environmental Health Section in conjunction with the Building Licence application.

CARRIED 7-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.1.1.3
REPORT DATE:	2 December 2008
SUBJECT:	DEVELOPMENT APPLICATION – OUTBUILDING WITH DWELLING – LOT 3 YORK - QUAIRADING ROAD, MAWSON
APPLICANTS:	G & P Tuddenham
FILE REFERENCE:	YOR 51286
AUTHOR:	Shire Planner – Peter Wright

Appendix 4

BACKGROUND

It is proposed to construct an outbuilding with a residential component at Lot 3 York – Quairading Road, Mawson. The subject lot is approximately 26ha in area, zoned Farming and vacant.

COMMENT

The applicant is proposing to construct an outbuilding, with a portion of the outbuilding to be used as a dwelling. The remainder of the outbuilding is to be used in conjunction with the domestic enjoyment of the property.

The application complies with all requirements under the Shire of Beverley's Town Planning Scheme No. 2 for residential development and is able to comply with the Building Codes of Australia. However the development could not be approved for any form of commercial or industrial use, therefore, should Council approve the application, it will be recommended those uses be expressly prohibited, as a condition of approval.

As the development is adjacent to the York Quairading Road and therefore clearly visible from a major thoroughfare, to enhance visual amenity, should Council approve the application, it will be recommended a schedule of colours and finishes be submitted as a condition of approval.

Although the development may be considered unusual, it complies with the planning intent for the area. It may be considered the development adds to the variety of housing options available, without creating detrimental external impacts. As such it will be recommended the application be approved.

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.3

**DEVELOPMENT APPLICATION – OUTBUILDING WITH DWELLING
– LOT 3 YORK - QUAIRADING ROAD, MAWSON
(Continued)**

STATUTORY ENVIRONMENT

The application complies with the Shire of Beverley's Town Planning Scheme No. 2.

At 2:27pm Mr Keith Byers, Chief Executive Officer, returned to the Council Chambers.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M8/1208 Moved Cr Gogol Seconded Cr Murray
That Council grant Planning Approval for the construction of an outbuilding containing a single dwelling at Lot 3 York – Quairading Road, Mawson, subject to the following conditions and advice notes: -

Conditions:

1. If the development, the subject of this approval, is not **SUBSTANTIALLY COMMENCED** within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan, prepared by the applicant and endorsed by Council's Shire Planner.
3. As the Water Corporation reticulated sewer is not available the premises are to be connected to an approved wastewater treatment system, which complies with the requirements of the Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations and the Government Sewerage Policy Perth Metropolitan Region. The approved system is not to be used for disposal of industrial liquid waste or other non-ablution wastes (refer to Advice Note 3).
4. A Schedule of Colours and Finishes is to be submitted and approved prior to the issue of a Building License, to the satisfaction of the Shire Planner.

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.3

**DEVELOPMENT APPLICATION – OUTBUILDING WITH DWELLING
– LOT 3 YORK - QUAIRADING ROAD, MAWSON
(Continued)**

5. The outbuilding and/or dwelling the subject of this approval shall not be used for any form of commercial or industrial activity.

Advice Notes:

1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
2. The applicant is advised a building licence is required prior to commencement of any building works.
3. With regard to Condition 3, an application is to be submitted to the Council's Environmental Health Section in conjunction with the Building Licence application.

CARRIED 7-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.1.1.4
REPORT DATE:	2 December 2008
SUBJECT:	DEVELOPMENT APPLICATION – EXTENSION TO EXISTING DWELLING – 3436 (LOT 155) WESTDALE ROAD, BEVERLEY
APPLICANTS:	R & J Cattalini
FILE REFERENCE:	WES 722
AUTHOR:	Shire Planner – Peter Wright

Appendix 5

BACKGROUND

It is proposed to extend an existing dwelling at 3436 (Lot 155) Westdale Road, Beverley. The subject lot is approximately 19ha in area, zoned Farming and is accessed via Westdale Road.

COMMENT

The application is unlikely to have any external impact. However, should Council approve the application, to ensure protection of amenity it will be recommended the additions match the colour and finish of the existing development, as a condition of approval.

Submitted plans do not demonstrate a water supply that complies with the requirements of Clause 4.14 of the Shire of Beverley's Town Planning Scheme No. 2. Therefore should Council approve the application, it will be recommended a compliant water supply be a condition of approval.

STATUTORY ENVIRONMENT

The application complies with the Shire of Beverley's Town Planning Scheme No. 2.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M9/1208 **Moved Cr Flood** **Seconded Cr Foster**
That Council grant Planning Approval for the construction of extensions to a single dwelling at 3436 (Lot 155) Westdale Road, Beverley, subject to the following conditions and advice notes: -

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.4

**DEVELOPMENT APPLICATION – EXTENSION TO EXISTING DWELLING - 3436 (LOT 155) WESTDALE ROAD, BEVERLEY
(Continued)**

Conditions:

- 1. If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.**
- 2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan prepared by the applicant and endorsed by Council's Shire Planner.**
- 3. The Colours and Finishes of the proposed development is to match the existing dwelling, to the satisfaction of the Shire Planner.**
- 4. A minimum of 120,000 litres domestic water storage tank or other approved potable water supply and storage facility is to be established with the dwelling, prior to occupation of the extension.**

Advice Notes:

- 1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.**
- 2. The applicant is advised a building licence is required prior to commencement of any building works.**

CARRIED 7-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.1.1.5
REPORT DATE:	28 November 2008
SUBJECT:	DEVELOPMENT APPLICATION – OUTBUILDING – 131 (LOT 62) FORREST STREET, BEVERLEY
APPLICANTS:	B & J Ross
FILE REFERENCE:	FOR 325
AUTHOR:	Shire Planner – Peter Wright

Appendix 6

BACKGROUND

It is proposed to construct an outbuilding at 131 (Lot 62) Forrest Street, Beverley to replace an existing outbuilding and carport. The lot is 4047m², zoned Residential R10 and contains an existing dwelling with outbuildings.

COMMENT

The applicant is proposing to replace an existing two bay carport and single garage with an outbuilding of similar area. The existing structures were built in the 1960s and now require continuous maintenance. Therefore the applicant seeks to replace the existing structures with a more aesthetically pleasing built form, which is easier to maintain.

The proposed outbuilding exceeds the maximum floor area contained in Council's Outbuilding Policy No. 8. However as there is no increase in the area covered on the lot, it is recommended Council consider that there is no increase in the external impact on amenity.

As the applicant has not stated the type and colour of the external finish, should Council approve the application, to protect amenity and aid in compliance with Council's Outbuilding Policy, it will be recommended the outbuilding be clad in Colorbond or similar material, as a condition of approval.

It is considered the replacement of the existing deteriorating built form with a new outbuilding will enhance the amenity of the area and produce no increase in adverse impacts, therefore it will be recommended the application be approved.

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.6

DEVELOPMENT APPLICATION – OUTBUILDING

- LOT 1 SOUTHERN BRANCH ROAD, MOUNT KOKEBY

(Continued)

3. The outbuilding shall not be used for human habitation, commercial or industrial purposes.

Advice Notes

1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
2. The applicant is advised a building licence is required prior to commencement of any building works.

CARRIED 7-0

8.1.1 TOWN PLANNING

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.1.1.7
REPORT DATE:	16 December 2008
SUBJECT:	DEVELOPMENT APPLICATION – PATIO – 61 (LOT 4) JOHN STREET, BEVERLEY
APPLICANTS:	Malcolm Fleay
FILE REFERENCE:	JOH 915
AUTHOR:	Shire Planner – Peter Wright

Appendix 7

BACKGROUND

It is proposed to construct a patio at 61 (Lot 4) John Street, Beverley. The application contains a minor variation to the Residential Design Codes 2008 (Rcodes) Acceptable Development Provisions and therefore requires Planning Approval.

The subject lot is 931m² in area, zoned Residential R10 and contains an existing single dwelling with ancillary outbuildings.

COMMENT

Clause 4.3.3 of the Shire of Beverley's Town Planning Scheme No. 2 requires development on residentially zoned land to be in compliance with the Rcodes. As such relevant proposals may be assessed under the Acceptable Development Criteria of the Rcodes, or if the proposal does not meet the Acceptable Development Criteria, assessment may conduct under the Performance Criteria.

Under Rcode Acceptable Development Criteria 6.3.1A1i the proposed patio is to comply with Table 2a of the Rcodes. Table 2a requires structures without major openings that are over 9 metres long to have a setback from the boundary of 1.2 metres. The proposal is for a patio 9.4 metres long, with a boundary setback of 1.5 metres and therefore the application cannot meet the Acceptable Development Criteria of the Rcodes.

Relevant Performance Criteria under section 6.3.1 of the Rcodes requires the proposal to: -

- provide adequate direct sun and ventilation to the building;
- ensure adequate direct sun and ventilation being available to adjoining properties;
- provide adequate direct sun to the building and appurtenant open spaces;

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.7

DEVELOPMENT APPLICATION – PATIO – 61 (LOT 4) JOHN STREET, BEVERLEY (Continued)

- assist with protection of access to direct sun for adjoining properties;
- assist in ameliorating the impacts of building bulk on adjoining properties; and
- assist in protecting privacy between adjoining properties.

It is considered the application will have no impact on adjoining properties in relation to building bulk, privacy and the provision of direct sunlight and ventilation. In the opinion of staff there may be some reduction in the provision of direct sunlight and ventilation to the dwelling, however it is considered access to direct sunlight and ventilation remains adequate.

The applicant has stated the purpose of the proposal is to reduce the impact of excessive direct sunlight on windows and create an improved outdoor living space. As such the proposal may be seen to enhance the domestic enjoyment of the property.

The application to construct a patio at 61 (Lot 4) John Street, Beverley is supported due to: -

- The variation to the Rcodes being relatively minor;
- There are no identified external impacts;
- In the opinion of staff, adequate direct sunlight and ventilation will be available; and
- Approval of the proposal will enhance the domestic enjoyment of the property.

Therefore it will be recommended the application be approved.

STATUTORY ENVIRONMENT

Apart from the matters previously discussed, the application complies with the Shire of Beverley's Town Planning Scheme No. 2.

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.7

**DEVELOPMENT APPLICATION – PATIO
– 61 (LOT 4) JOHN STREET, BEVERLEY
(Continued)**

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M12/1208 Moved Cr Flood Seconded Cr Foster
That Council grant Planning Approval for the construction of a patio at 61 (Lot 4) John Street, Beverley, subject to the following conditions and advice notes: -

Conditions

1. If the development, the subject of this approval, is not **SUBSTANTIALLY COMMENCED** within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan prepared by the applicant and endorsed by Council's Shire Planner.

Advice Notes

1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
2. The applicant is advised a building licence is required prior to commencement of any building works.

CARRIED 7-0

8.1.1 TOWN PLANNING

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.1.1.8
REPORT DATE:	2 December 2008
SUBJECT:	DEVELOPMENT APPLICATION – SWIMMING POOL – 10 - 12 (LOT 94) EDWARDS STREET, BEVERLEY
APPLICANT:	C August
FILE REFERENCE:	EDW 154
AUTHOR:	Shire Planner – Peter Wright

BACKGROUND

It is proposed to locate an above ground swimming pool at 10-12 (Lot 94) Edwards Street, Beverley. The lot is zoned Residential R10 and contains an existing dwelling.

COMMENT

The development is for the domestic enjoyment of the property and is not anticipated to have any external impact; therefore it will be recommended the application be approved.

STATUTORY ENVIRONMENT

The application complies with the Shire of Beverley's Town Planning Scheme No. 2.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M13/1208 Moved Cr Flood **Seconded Cr Foster**
That Council grant Planning Approval for the construction of a swimming pool at 10-12 (Lot 94) Edwards Street, Beverley, subject to the following conditions and advice notes: -

Conditions:

1. **If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.**
2. **Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan prepared by the applicant and endorsed by Council's Shire Planner.**

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.8

**DEVELOPMENT APPLICATION – SWIMMING POOL
- 10-12 (LOT 94) EDWARD STREET, BEVERLEY
(Continued)**

Advice Notes:

- 1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.**
 - 2. The applicant is advised a building licence is required prior to commencement of any building works.**
- CARRIED 7-0**

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.1.1.9
REPORT DATE:	3 December 2008
SUBJECT:	EXTENSION OF CARAVAN APPROVAL – BEVERLEY AIRPORT – LOT 29705 LUKIN STREET, BEVERLEY
APPLICANTS:	Beverley Soaring Society
FILE REFERENCE:	BRE 32745
AUTHOR:	Shire Planner – Peter Wright

Appendix 8

BACKGROUND

The Beverley Soaring Society is seeking Council approval for the storage of an additional 15 caravans onsite at the Beverley Airport, Lot 29705 Lukin Street, Beverley.

Council at its 28 October 2008 meeting resolved to recognise the Beverley Soaring Society's non-conforming use rights to store 20 caravans on the subject site. At the same meeting Council granted Planning Approval for the storage of a further 10 caravans, permitting a maximum of 30 caravans to be stored onsite. The current proposal is for a maximum of 45 caravans to be stored on the site.

COMMENT

According to the applicant, prior to Council recognition of the non-conforming use rights and granting of Planning Approval, there were 45 caravans onsite. The applicant advises that should the number of caravans be restricted to 30 it would place stress for onsite accommodation and may result in a loss of membership for the Society. It is also asserted that an increase in the number of caravans to 45 will provide flexibility, allowing new members to place caravans on site as retiring members leave. In support of the application the applicant submits the following points: -

- Member currently have a total of 45 caravans on site;
- The number of caravans occupied on any one day rarely exceeds 15 and never exceeds 30;
- Caravans provide convenient accommodation at the completion of flying activities;
- Overnight accommodation on site adds to the social fabric of the Society and increases interaction with the town;
- On site caravans make the Society's activities more attractive to member's families; and

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.9

EXTENSION OF CARAVAN APPROVAL – BEVERLEY AIRPORT – LOT 29705 LUKIN STREET, BEVERLEY (Continued)

- Caravans provide convenience by allowing members to store personal effects such as clothing, parachutes, electronic equipment, etc.

The applicant has given an undertaking that should there be any requirement to store caravans in excess of 45, such caravans would be stored at the Beverley Caravan Park.

It should be noted that the application is for the storage of caravans. The applicant contends that no more than 30 caravans will be occupied at any one time. Should Council approve the application, to prevent any increase in the impact on external amenity it will be recommended the number of occupied caravans be limited as a condition of approval.

Due to the application is not proposing any increase in the number of persons using the facilities at the airfield, staff consider there will not be any increased impact on external amenity. However a site inspection by staff indicates that some of the existing caravans have a detrimental impact on internal visual amenity. As the airfield may be accessed by members of the public not associated with the Soaring Society, should Council approve the application, it will be recommended a condition of approval relating to the appearance of the caravans, be imposed.

Submitted plans indicate that the application complies with the Caravan Parks and Camping Grounds Regulations 1997. Any Planning Approval granted by Council is complementary to these regulations and does not supersede them. To aid the caravans in complying with the regulations and enhance safety by ensuring the caravans are able to be removed in an emergency, should Council approve the application, it will be recommended all caravans are to be roadworthy, as a condition of approval.

The application to increase the permitted number of caravans to be stored on site at Lot 29705 Lukin Street, Beverley is supported because: -

- Increasing the permitted number of caravans to be stored on site to 45 is not anticipated to increase the external impact of the Beverley Soaring Society;
- Granting of approval will not exclude the society from complying with all other regulations relating to the use and storage of caravans; and

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.9

EXTENSION OF CARAVAN APPROVAL – BEVERLEY AIRPORT – LOT 29705 LUKIN STREET, BEVERLEY (Continued)

- Recommended conditions of approval are anticipated to improve the visual amenity of the site and enhance safety.

Therefore it will be recommended the application be approved.

STATUTORY ENVIRONMENT

Council may approve the application under the Shire of Beverley's Town Planning Scheme No. 2, Clause 5.2 - Extension of Non-Conforming Use. The application complies with all other aspects of the Shire of Beverley's Town Planning Scheme No. 2.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

Moved Cr Foster

Seconded Cr Gogol

That Council approve the storage of a maximum of 45 caravans at Lot 29705 Lukin Street, Beverley, subject to the following conditions and advice notes: -

Conditions:

1. If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan prepared by the applicant and endorsed by Council's Shire Planner.
3. A maximum of Thirty (30) caravans are to be occupied at any one time unless prior written approval from the Shire of Beverley has been applied for and obtained, to the satisfaction of the Shire Planner.
4. With regard to external appearance, all caravans stored on site are to be maintained in a manner acceptable to the Shire and the area kept, clean and tidy at all times, to the satisfaction of the Shire Planner.

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.9

**EXTENSION OF CARAVAN APPROVAL – BEVERLEY AIRPORT
– LOT 29705 LUKIN STREET, BEVERLEY
(Continued)**

5. All caravans stored on site are to be maintained in a roadworthy condition.
6. The storage of caravans on site is to comply with the Caravan Parks and Camping Grounds Regulations 1997.

Advice Notes:

1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
2. The applicant is advised this application relates to the use of the land. No building works are authorised through this approval.
3. With regard to Condition 3, a minimum of two (2) weeks' notice is required prior to any increase being considered.

AMENDMENT TO MOTION

M14/1208 Moved Cr Shaw

Seconded Cr Gogol

That Council approve the storage of a maximum of 38 caravans at Lot 29705 Lukin Street, Beverley, subject to the following conditions and advice notes: -

Conditions:

1. **If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.**
2. **Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan prepared by the applicant and endorsed by Council's Shire Planner.**
3. **A maximum of Thirty (30) caravans are to be occupied at any one time unless prior written approval from the Shire of Beverley has been applied for and obtained, to the satisfaction of the Shire Planner.**

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.9

**EXTENSION OF CARAVAN APPROVAL – BEVERLEY AIRPORT
– LOT 29705 LUKIN STREET, BEVERLEY
(Continued)**

4. With regard to external appearance, all caravans stored on site are to be maintained in a manner acceptable to the Shire and the area kept, clean and tidy at all times, to the satisfaction of the Shire Planner.
5. All caravans stored on site are to be maintained in a roadworthy condition.
6. The storage of caravans on site is to comply with the Caravan Parks and Camping Grounds Regulations 1997.

Advice Notes:

1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
2. The applicant is advised this application relates to the use of the land. No building works are authorised through this approval.
3. With regard to Condition 3, a minimum of two (2) week's notice is required prior to any increase being considered.

THE AMENDMENT WAS PUT AND CARRIED 4-3

M15/1208

Moved Cr Flood

That the Amendment lay on the table.

Seconded Cr Foster

CARRIED 6-1

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.1.1.10
REPORT DATE:	28 November 2008
SUBJECT:	SUBDIVISION - BOUNDARY REALIGNMENT – LOTS 7587 & 75 KOKENDIN ROAD, DALE
APPLICANTS:	Scanlan Surveys
FILE REFERENCE:	PL138932
AUTHOR:	Shire Planner – Peter Wright

BACKGROUND

It is proposed to realign the boundary between Lots 7587 and 75 Kokendin Road, Dale and create two lots approximately 30ha and 27ha in area. The lots are zoned Farming and are contained in the BE3a District Rural Strategy area. Currently the lots contain an existing dwelling, ancillary outbuilding and water tanks. The purpose of the boundary realignment is to secure water supplies, including an underground water supply, for the dwelling onto one lot.

COMMENT

Both proposed lots are below the recommended minimum size of 40ha contained in Clause 3.6.2 of the Shire of Beverley's Town Planning Scheme No. 2 for Policy area BE3a. Clause 3.6.2 does allow lots below 40ha and above 20ha to be approved with appropriate justification.

However as the proposed realignment will create lots generally in compliance with the size of the existing lots, it is not considered the requirement for justification of lots below 40ha contained in Clause 3.6.2, applies. The variation between the existing and proposed lot sizes is approximately 3ha, therefore it is considered there will be little external impact and the proposal will not set a negative precedent.

As the proposal is for farm management purposes, no new housing entitlements are created and there will be no restriction on continued agricultural production, therefore staff recommend the application be supported.

STATUTORY ENVIRONMENT

With the exception of the matters discussed above, the application complies with the Shire of Beverley's Town Planning Scheme No.2 and the District Rural Strategy.

8.1.1 TOWN PLANNING ITEMS
Item 8.1.1.10
SUBDIVISION - BOUNDARY REALIGNMENT
– LOTS 7587 & 75 KOKENDIN ROAD, DALE
(Continued)

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M16/1208 Moved Cr Murray **Seconded Cr Flood**
That Council recommend to the Western Australian Planning Commission that application WAPC No. 138932 for the boundary realignment of Lots 7587 and 75 Kokendin Road, Dale, be approved subject to the following conditions: -

- 1. The dwellings and any other structures proposed to be retained are to be compliant with the requirements and provisions of the Shire of Beverley's Town Planning Scheme No. 2.**
- 2. Vehicle crossovers complying with the Shire of Beverley's specifications are to be constructed to both lots.**

LOST 1-6

Council's reasons for the motion being Lost is that there was no justification demonstrating the remnant lot would be agriculturally viable and also the remnant block had no demonstrated water supply to assist in agricultural viability. For lots below 40 hectares in the BE3a district strategy under the Shire of Beverley Town Planning Scheme No. 2 it must be demonstrated that the proposal will not adversely affect the use of land for agricultural purposes in the area.

Councillor Shaw declared an interest in item 8.1.1.11, being that he is an owner of the land and left the Chambers at 3:15pm.

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.1.1.11
REPORT DATE:	5 December 2008
SUBJECT:	SUBDIVISION APPLICATION – 8 LOT SUBDIVISION – LOTS 6405, 27638, 6208, 73 & 9329 KOKENDIN ROAD, DALE
APPLICANTS:	Planning Enterprises
FILE REFERENCE:	PL 138852
AUTHOR:	Shire Planner – Peter Wright

Appendix 9

BACKGROUND

It is proposed to subdivide five lots from a contiguously rated property into eight new lots. A portion of one of the existing lots is the subject of an existing Western Australian Planning Commission (WAPC) subdivision approval (WAPC No. 137472).

Currently the subject lots form a part of a farm, are zoned Farming and are contained in the District Rural Strategy Policy Area BE3a. Within the subject lots are rocky outcrops, pine plantations, dams and a dwelling with ancillary structures. Four of the five existing lots do not have direct access to a constructed road.

COMMENT

Under Clause 3.6.2 of the Shire of Beverley's Town Planning Scheme No. 2, in Policy Area BE3a subdivision is not to be supported for proposals which are inconsistent with continued viable agricultural production. As such in this policy area the minimum recommended lot size is 40ha.

All proposed lot sizes are in excess of the recommended minimum of 40ha, with the smallest proposed lot size being approximately 70ha. The applicant asserts these lot sizes are suitable for continued viable agricultural production.

Proposed lot layout has been configured to optimise site specific topography and address on-ground constraints. Where practical, dams have been included with each lot. The current configuration reflects negotiation between the Shire and the applicant. It should be noted that under the proposed subdivision there will be three additional dwelling entitlements.

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.11

SUBDIVISION APPLICATION – 8 LOT SUBDIVISION

– LOTS 6405, 27638, 6208, 73 & 9329 KOKENDIN ROAD, DALE (Continued)

However all proposed lots will have direct road frontage, as opposed to the current configuration in which only one lot has access to a constructed road.

Due to current Lot 27638, proposed Lot 2, being the subject of an existing WAPC subdivision approval, should Council support the current application, it will be recommended the finalisation of the existing approval be a recommended condition of approval.

The application for an eight lot subdivision at Lots 27638, 6208, 6405, 73 and 9329 Kokendin Road, Dale is supported due to: -

- The proposed lot sizes being substantially in excess of the recommended minimum;
- All proposed lots being provided with road frontage;
- Current lots without access to a constructed road being eradicated; and
- The proposed lot configuration is sympathetic to onsite constraints and opportunities.

Therefore it will be recommended the application be supported.

STATUTORY ENVIRONMENT

The application complies with the Shire of Beverley's Town Planning Scheme No. 2.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

Moved Cr Gogol

Seconded Cr Ridgway

That Council recommend to the Western Australian Planning Commission that application WAPC No. 138852 for the subdivision of Lots 27638, 6208, 6405, 73 and 9329 Kokendin Road, Dale, be approved subject to the following conditions: -

1. The dwellings and any other structures proposed to be retained are to be compliant with the requirements and provisions of the Shire of Beverley's Town Planning Scheme No. 2.
2. Vehicle crossovers complying with the Shire of Beverley's specifications are to be constructed to all lots.

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.11

SUBDIVISION APPLICATION – 8 LOT SUBDIVISION

**– LOTS 6405, 27638, 6208, 73 & 9329 KOKENDIN ROAD, DALE
(Continued)**

3. WAPC Subdivision Approval No. 137472 being finalised.
4. All roads being constructed to the satisfaction of the Shire of Beverley.
5. The applicant lodging with the Western Australian Planning Commission the modified proposal presented to Council for consideration.

AMENDMENT TO MOTION

M17/1208

Moved Cr Alexander

Seconded Cr Flood

That Council recommend to the Western Australian Planning Commission that application WAPC No. 138852 for the subdivision of Lots 27638, 6208, 6405, 73 and 9329 Kokendin Road, Dale, be approved subject to the following conditions: -

1. **The dwellings and any other structures proposed to be retained are to be compliant with the requirements and provisions of the Shire of Beverley's Town Planning Scheme No. 2.**
2. **Vehicle crossovers complying with the Shire of Beverley's specifications are to be constructed to all lots.**
3. **WAPC Subdivision Approval No. 137472 being finalised.**
4. **All roads to be 30 metres wide and be constructed to the satisfaction of the Shire of Beverley.**
5. **The applicant lodging with the Western Australian Planning Commission the modified proposal presented to Council for consideration.**

THE AMENDMENT WAS PUT AND CARRIED 5-1

**THE AMENDMENT THEN BECAME THE MOTION
AND WAS PUT AND CARRIED 5-1**

At 3:38pm Cr Shaw returned to the Chambers.

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.1.1.12
REPORT DATE:	3 December 2008
SUBJECT:	MODIFICATION TO AMENDMENT 13 – TOWN PLANNING SCHEME NO. 2
APPLICANTS:	Shire of Beverley
FILE REFERENCE:	LUP 010 AM 13
AUTHOR:	Shire Planner – Peter Wright

Appendix 10

BACKGROUND

Council at its 29 July 2008 meeting resolved to adopt Amendment 13 to the Shire of Beverley's Town Planning Scheme No. 2 (TPS 2) and forward the amendment to the Western Australian Planning Commission (WAPC) for determination. The purpose of the amendment was to rezone Lots 67, 208, 209, 210, 211, 212, 213 and 214 Hamersley Street, Beverley, from Public Purpose to Residential R5.

The WAPC has assessed the amendment and has requested modifications. In particular the WAPC has requested that the portions of Lots 212 and 213 to the south of Hamersley Street be excluded from the rezoning and the Scheme Amendment Map cadastre be modified to reflect current cadastral boundaries.

COMMENT

Removal of the southern portions of Lots 212 and 213 has been requested due to these sections of the lots not being of sufficient size to be developed at a Residential R5 density. Lots in an R5 zone are required to be a minimum of 2,000m², the portions of the lots are 238m² and 1461m² respectively. It is anticipated future subdivision/ amalgamation may allow rezoning at a later date.

The other relevant requested modification is for the amendment map to reflect the current cadastral boundaries and is required to provide accurate documentation.

It is noted a further modification relating to Clause 4.14 of TPS 2 has been requested. Staff are unsure why this modification has been requested as it relates to Amendment 11 to TPS 2 which has been finalized with the modification already incorporated.

8.1.1 TOWN PLANNING ITEMS
Item 8.1.1.12
MODIFICATION TO AMENDMENT 13
– TOWN PLANNING SCHEME NO. 2
(Continued)

As the relevant modifications will ensure compliance with the proposed rezoning and provide accurate documentation, it will be recommended Amendment 11 to TPS 2 be modified in accordance with the WAPC Schedule of Modifications and forwarded to the WAPC for Ministerial approval.

STATUTORY ENVIRONMENT

Town Planning Scheme No. 2 is amended under Section 87 of the Planning and Development Act 2005, in compliance with the Town Planning Regulations 1967 (as amended).

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

- M18/1208 Moved Cr Flood** **Seconded Cr Gogol**
- 1. To accept the Western Australian Planning Commission's Schedule of Modifications for Amendment 13 to the Shire of Beverley's Town Planning Scheme No. 2, with the exception of Modification Number 4, and forward the modified amendment documents to the Western Australian Planning Commission for final approval.**
 - 2. To instruct the Shire Planner to advise the Western Australian Planning Commission that Modification Number 4 does not relate to Amendment 13 and therefore has not been incorporated into the amendment documents.**

CARRIED 7-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.1.1.13
REPORT DATE:	9 December 2008
SUBJECT:	DELEGATED AUTHORITY UNDER TOWN PLANNING SCHEME NO. 2
APPLICANTS:	Shire of Beverley
FILE REFERENCE:	LUP 010 14
AUTHOR:	Shire Planner – Peter Wright

Appendix 11

BACKGROUND

Amendment 14 to the Shire of Beverley's Town Planning Scheme No. 2 was granted approval by the Minister of Planning on 27 November 2008. Staff have arranged for publication of the amendment in the Government Gazette and West Australian.

A portion of Amendment 14 relates to introducing delegated authority provisions, giving Council the power to delegate authority to a Committee or Chief Executive Officer, and giving the Chief Executive Officer power to delegate authority to a specific employee.

It is proposed specific powers of Council relating to Town Planning matters, be delegated to the Chief Executive Officer for delegation to the Shire Planner.

COMMENT

Amendment 14 allows Council to delegate to the CEO or a committee, the exercise of any of its powers or the discharge of any of its duties under the scheme, other than the power of delegation. To alleviate Council workload and provide a timely and more cost efficient service to residents, it is proposed Council delegate the following functions to the CEO, to allow for delegation to the Shire Planner.

- Issue Planning consent relating to Development Approval;
- Issue Council response to Western Australian Planning Commission for subdivision/amalgamation applications and clear condition relating to subdivision and amalgamations;
- Sign outward correspondence relating to Town Planning matters;
- Sign strata titles in accordance with the Strata Titles Act;
- Determine and approve all Development Applications classified as a "P" use under the Shire of Beverley's Town Planning Scheme No. 2 Table 1 – Zoning Table;

8.1.1 TOWN PLANNING ITEMS
Item 8.1.1.13
DELEGATED AUTHORITY UNDER
TOWN PLANNING SCHEME NO. 2
(Continued)

- Determine and approve Grouped Dwelling Development Applications that comply with the Residential Design Codes 2008 and Town Planning Scheme No. 2;
- Determine and approve Single Dwelling Development Applications that comply with Town Planning Scheme No. 2, on Town Centre, Rural Townsite and Farming zoned land;
- Determine and approve Development Applications in Flood Prone areas that comply with the Residential Design Codes 2008 and Town Planning Scheme No. 2;
- Determine and approve Outbuilding Development Applications that comply with the Residential Design Codes 2008 and Town Planning Scheme No. 2, except where the provisions of Clause 4.1.2(h)ii) to ix) of Town Planning Scheme No.2 apply;
- Determine and approve Development Applications that contain minor variations to Town Planning Scheme No. 2 or the Residential Design Codes; and
- Issue certificates of compliance for the Residential Design Codes 2008.

In the opinion of staff the recommended delegation of authority will allow the processing of routine Development Applications and provision of timely responses to Town Planning matters, whilst maintaining Councils role in deliberating on matters requiring Council oversight. Therefore it will be recommended Council approve the suggested delegation of powers.

With regard to the delegated authority relating to outbuildings, it has come to the attention of staff that under Clause 4.1.2(h)i) of Town Planning No. 2, Development Approval is required for outbuildings where the proposal requires the exercise of discretion under the Town Planning Scheme. Under Zoning Table 1 of Town Planning Scheme No. 2 “sheds” are a discretionary use in all zones. Of relevance Outbuilding Policy No. 8 defines sheds as “structures” (outbuildings) with a floor area greater than 4m².

It appears a component of Councils intention when adopting Amendment 14 was to remove the requirement for Planning Approval for compliant outbuildings. Delegating the authority to approve Development Applications for outbuildings that comply with Town Planning Scheme No. 2 will allow for the timely approval of such applications.

8.1.1 TOWN PLANNING ITEMS
Item 8.1.1.13
DELEGATED AUTHORITY UNDER
TOWN PLANNING SCHEME NO. 2
(Continued)

Granting of delegated authority is seen as an interim measure and it will be recommended a scheme amendment be initiated to change outbuildings to a "P" use in all zones, under Zoning Table 1 of Town Planning Scheme No. 2.

STATUTORY ENVIRONMENT

Delegated authority may granted by Council to the CEO or a committee under Clause 7.7 of Town Planning Scheme No. 2.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

- M19/1208 Moved Cr Flood** **Seconded Cr Foster**
1. To delegate to the Chief Executive Officer, for further delegation to the Shire Planner, the following powers and functions: -
- Issue Planning consent relating to Development Approval;
 - Issue Council response to Western Australian Planning Commission for subdivision/amalgamation applications and clear condition relating to subdivision and amalgamations;
 - Sign outward correspondence relating to Town Planning matters;
 - Sign strata titles in accordance with the Strata Titles Act;
 - Determine and approve all Development Applications classified as a "P" use under the Shire of Beverley's Town Planning Scheme No. 2 Table 1 – Zoning Table;
 - Determine and approve Grouped Dwelling Development Applications that comply with the Residential Design Codes 2008 and Town Planning Scheme No. 2;
 - Determine and approve Single Dwelling Development Applications that comply with Town Planning Scheme No. 2, on Town Centre, Rural Townsite and Farming zoned land;
 - Determine and approve Development Applications in Flood Prone areas that comply with the Residential Design Codes 2008 and Town Planning Scheme No. 2;

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.13

**DELEGATED AUTHORITY UNDER
TOWN PLANNING SCHEME NO. 2
(Continued)**

- Determine and approve Outbuilding Development Applications that comply with the Residential Design Codes 2008 and Town Planning Scheme No. 2, except where the provisions of Clause 4.1.2(h)ii) to viii) of Town Planning Scheme No.2 apply;
 - Determine and approve Development Applications that contain minor variations to Town Planning Scheme No. 2 or the Residential Design Codes; and
 - Issue certificates of compliance for the Residential Design Codes 2008.
2. That Council instruct the Shire Planner to initiate a Scheme Amendment for the purpose of changing Outbuildings from a Discretionary use to a Permitted use in all zones, under Zoning Table 1 of Town Planning Scheme No. 2.

CARRIED 7-0

COUNCIL RESOLUTION

M20/1208 Moved Cr Flood

That Council review the Outbuilding Policy as soon as possible and it be presented to Council for consideration and approval.

Seconded Cr Foster

CARRIED 7-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.1.1.14
REPORT DATE:	10 December 2008
SUBJECT:	PLANNING FEES
APPLICANTS:	Shire of Beverley
FILE REFERENCE:	FM 001
AUTHOR:	Shire Planner – Peter Wright

Appendix 12

BACKGROUND

On 29 July 2008 Council adopted the 2008/2009 Shire of Beverley budget. Included in the budget was a Schedule of Fees relating to Planning within the Shire. The fees were set by the Western Australian Planning Commission (WAPC), under the authority of the Local Government Planning Fees Regulations 2000 and contained in Planning Bulletin 82.

Planning Bulletin 93 was gazetted on 10 October 2008 and provides an updated fee schedule, as well as being amended to correct errors in the schedule. It is proposed to replace the existing Schedule of Fees for Planning within the Shire of Beverley, with the Schedule of Fees contained in WAPC Bulletin 93.

COMMENT

Current fees charged for planning matters within the Shire of Beverley are based on Planning Bulletin 82, which was superseded by Planning Bulletin 84, which has subsequently been superseded by Planning Bulletin 93. The recommended fees are considered to be a reasonable recovery of the actual cost of providing the Planning service. It is not anticipated the Schedule of Fees contained in Planning Bulletin 93 will fully cover the cost of Planning within the Shire of Beverley.

As the fees contained in WAPC Planning Bulletin 93 have been adjusted to reflect the rise in the Consumer Price Index only, it is considered the relative cost to the public has remained static. Therefore it will be recommended the Schedule of Fees contained in WAPC Planning Bulletin 93 be adopted for inclusion in the Shire of Beverley 2008/2009 budget.

STATUTORY ENVIRONMENT

Planning fees are formulated in compliance with the Local Government Planning Fees Regulations 2000 under Section 261 of the Planning and Development Act 2005.

8.1.1 TOWN PLANNING ITEMS
Item 8.1.1.14
PLANNING FEES
(Continued)

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M21/1208 Moved Cr Ridgway Seconded Cr Gogol
That Council replace the Schedule of Town Planning Fees
contained in the Shire of Beverley 2008/2009 budget, with the
Schedule of Fees incorporated in Western Australian Planning
Commission Planning Bulletin 93.

CARRIED 7-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.1.1.15
REPORT DATE:	10 December 2008
SUBJECT:	COUNCIL AUTHORISATION – PLANNING COMPLIANCE OFFICER
APPLICANTS:	Shire of Beverley
FILE REFERENCE:	GOV03
AUTHOR:	Shire Planner – Peter Wright

BACKGROUND

To allow planning compliance matters to be investigated, under Clause 7.1d) of Town Planning Scheme No. 2 (TPS 2), Council may authorise an officer of the Council to, at all reasonable times, to enter any building or land for the purpose of ensuring compliance with the Town Planning Scheme. As all delegation to Council officers must be through the CEO under Section 5.42 of the Local Government Act, it is proposed Council delegate to the CEO the power to authorise the Shire Planner to be the authorised officer under Clause 7.1d) of TPS 2.

COMMENT

Authorising the Shire Planner under Clause 7.1d) of TPS 2, will allow for entry onto property, at all reasonable times, to investigate potential breaches of the Town Planning Scheme. Without the authorisation it may difficult or impossible to determine if the provisions of the Town Planning Scheme are being complied with. This authorisation does not allow the specified officer to initiate legal proceedings. As the authorisation will aid in the effective enforcement of compliance with the Town Planning Scheme, it will be recommended Council grant the authorisation.

STATUTORY ENVIRONMENT

The authorisation of an officer of the Council to enter property at all reasonable times may be granted by Council under Clause 7.1d) of the Shire of Beverley's Town Planning Scheme No. 2.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M22/1208 **Moved Cr Flood** **Seconded Cr Foster**
That Council instruct the Chief Executive Officer to authorise the Shire Planner to enter buildings or property, at all reasonable times, for the purpose of ascertaining whether the provisions of the Town Planning Scheme are being complied with.
CARRIED 7-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.1.1.16
REPORT DATE:	16 December 2008
SUBJECT:	INITIATION OF LOCAL PLANNING SCHEME
APPLICANTS:	Shire of Beverley
FILE REFERENCE:	LUP 004
AUTHOR:	Shire Planner – Peter Wright

BACKGROUND

Section 68 of the of the *Planning and Development Act 2005* (P & D Act) states that Town Planning Schemes continue in force as Local Planning Schemes under the P & D Act. Under Section 88 of the P & D ACT, Local Planning Schemes are required to be consolidated every five years. No consolidation or review of the Shire of Beverley's Town Planning Scheme No. 2 has been finalised since the Scheme was gazetted on 26 April 1993. As such the Town Planning Scheme is in breach of the P & D Act. Part (3) of Section 88 removes the requirement for a Scheme consolidation provided the Local Government has resolved to prepare a new Scheme.

Section 90 of the P & D Act states that should Scheme consolidation occur a report is to be prepared for the Minister. After considering the report the Minister may require amendments or a new Scheme under Sections 93 and 94, respectively.

Town Planning Regulations 1967 (TP Regs) under r12 requires the submission of a Scheme Report when a Local Government resolves to prepare a new Local Planning Scheme. TP Regs r12A requires the Scheme Report to be in the form of a Local Planning Strategy if the proposed Scheme envisages zoning or classification of land. As such the initiation of a new Local Planning Scheme would instigate a Local Planning Strategy.

COMMENT

The Shire of Beverley's Town Planning Scheme No. 2 (TPS 2) has operated since 1993 without review. Various matters such as motor sports, tree plantations and commercial vehicle parking in urban areas, have arisen since the Scheme was gazetted. Difficulties experienced in resolving such matters demonstrate the Scheme does not adequately address many of the current planning concerns.

8.1.1 TOWN PLANNING ITEMS
Item 8.1.1.16
INITIATION OF LOCAL PLANNING SCHEME
(Continued)

Since TPS 2 was gazetted the P & D Act and the Model Scheme Text have been introduced. TPS 2 does not comply with the consolidation provisions of the P & D Act, which are designed to keep Schemes updated and relevant. The Model Scheme Text has been designed to provide a uniform base for Local Planning Schemes and includes updated provisions which are absent in TPS 2. With regard to TPS 2, the Scheme has had to be amended to incorporate some of the basic provisions, such as delegated authority, contained in the Model Scheme Text. It may be considered therefore, that the current TPS 2 does not reflect best practice where land use Planning is concerned.

The introduction of a new Local Planning Scheme would also provide the opportunity for public consultation. Determining the current vision and planning aspirations of the community will aid in creating a Planning Scheme that is considered relevant by citizens and provides appropriate direction for future development.

Given the change in the Planning environment, the perceived inadequacies of TPS 2 and the opportunity to engage the community in the planning process, it will be recommended that Local Planning Scheme No. 3 be initiated to replace Town Planning Scheme No. 2.

STATUTORY ENVIRONMENT

Local Planning Schemes are prepared and adopted under Part 5 of the Planning and Development Act 2005, in compliance with the Town Planning Regulations 1967. Local Planning Strategies are prepared under r12, r12A and r12B of the Town Planning Regulations 1967.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

- M23/1208** **Moved Cr Shaw** **Seconded Cr Gogol**
- 1. To initiate Local Planning Scheme No. 3 encompassing all land contained within the Shire boundaries. The proposed Local Planning Scheme No. 3 is to replace the Shire of Beverley's Town Planning Scheme No. 2.**
 - 2. The purpose of the proposed scheme is to modernise the statutory planning controls within the Shire of Beverley, reflect current best practice with regard to land use planning and provide guidance for the future development of the Shire.**

8.1.1 TOWN PLANNING ITEMS
Item 8.1.1.16
INITIATION OF LOCAL PLANNING SCHEME
(Continued)

- 3. The Shire Planner is to forward appropriate documentation to the Western Australian Planning Commission.**
- 4. The Shire Planner, through the Chief Executive Officer, is granted delegated authority in all matters pertaining to the preparation of a Local Planning Strategy, to be presented to Council in support of the proposed Local Planning Scheme No. 3.**

CARRIED 7-0

8.1.2

INFORMATION BULLETIN REPORT – SHIRE PLANNER

(Refer pages 1 to 4 of the December Information Bulletin provided under separate cover.)

RESOLVED that Item 8.1.2.1 to 8.1.2.9 of the Information Bulletin Report of the Shire Planner, be received.

Item 8.1.2.10 of December Council Meeting
Response from Minister – Subdivision Approval – Two Lot
Subdivision – Lot 201 John Street, Beverley
(File Reference: JON1 190)

Appendix 13

A proposed two lot subdivision was referred to the Shire on the 12 September 2007. At its 18 September 2007 meeting Council resolved to recommend the application be deferred until an ODP was adopted for the area, with the suggestion that there should be road access from Lennard Road to allow for future development. The WAPC was subsequently advised. On the 4 January 2008 the WAPC advised the Shire the application was to be deferred to allow time for the submission of an adopted ODP.

On 22 May 2008, without consultation, the Shire was advised that the application had received conditional approval with the following advice to Local Government: -

“The WAPC acknowledges the requirement for an ODP and supports this approach in-principle.

In this instance however subdivision of Lot 201 John Street is deemed to not prejudice the orderly and proper planning of this area.”

Subsequently at its 27 May 2008 Council resolved to direct the Shire Planner to correspond with the Minister and WAPC and express the Shire’s disappointment with the decision.

Correspondence outlining the Shire’s position was sent on 20 June 2008 to the Western Australian Planning Commission and the Minister for Planning and Infrastructure. A response has now been received from Eric Lumsden, Director General of the Department of Planning and Infrastructure, on behalf of the Minister.

Item 8.1.2.10 of December Council Meeting
Response from Minister – Subdivision Approval – Two Lot
Subdivision – Lot 201 John Street, Beverley
(File Reference: JON1 190)
(Continued)

In the response Mr. Lumsden agrees that comprehensive planning in the form of Outline Development Plans provides for better planning outcomes. However the response then states that in this instance the seven remaining large lots of over 4000m² could be further subdivided into 2000m² lots with road frontage, therefore orderly and proper planning was deemed to not have been prejudiced.

It should be noted that for future subdivision to be in compliance with Mr. Lumsden correspondence each new lot would be required to have a road frontage of less than 20 metres and be over 100 metres in depth, thereby creating lots of an unusual shape. Also the lots are within a Residential R10 zone, which under the Residential Design Codes 2008 are required to have a minimum frontage of 20 metres, therefore the suggested subdivision could not comply with the Codes.

Of further concern, although the remaining lots may be subdivided, the approved subdivision of Lot 201 precludes future subdividers from achieving the full potential allowed under the R10 zoning and therefore in the opinion of staff the planning intent for the area under the Shire of Beverley's Town Planning Scheme No. 2 cannot be met.

COUNCIL RESOLUTION

M24/1208	Moved Cr Flood	Seconded Cr Foster
	Council write to Mr Eric Lumsden, Director General, Department for Planning and Infrastructure, advising that statements in his response to the Two Lot Subdivision of Lot 201 John Street, Beverley, are incorrect.	

CARRIED 7-0

At 4pm Mr Steve Vincent, Works Supervisor, entered the Chambers and Mr Peter Wright, Shire Planner, left the Chambers.

8.2.1 HEALTH & BUILDING SERVICES ITEMS

Nil.

8.2.2 INFORMATION BULLETIN REPORT – BUILDING SERVICES

8.2.2.1 GENERAL

General correspondence, duties and communications for Building Services.

8.2.2.2 BUILDING LICENSES ISSUED

Building licenses issued up to 10 December 2008: -

Lic No: 23 08/ 09	Lic No: 31 08/ 09
No: 401 York-Williams Rd	No: Lot 122 Bartram St
Building: Shed	Building: Dwelling
Value: \$78,000	Value: \$120,000
Lic No: 32 08/ 09	Lic No: 33 08/ 09
No: 36 Hunt Rd	No: 203 Hamersley St
Building: Garage/Workshop	Building: Verandah
Value: \$9,765	Value: \$5,000
Lic No: 34 08/ 09	Lic No: 35 08/ 09
No: Lot 10209(323) Jacobs Well Rd	No: 33 Nicholas St
Building: Shed	Building: Swimming Pool & Fence
Value: \$15,000	Value: \$8,000

COUNCIL RESOLUTION

M25/1208 Moved Cr Flood That the Building Services Information Bulletin Report, be received.

Seconded Cr Gogol

CARRIED 7-0

8.3.1 PLANT, WORKS, RECREATION AND TOURISM ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.3.1.1
REPORT DATE:	16 December 2008
SUBJECT:	CEMETERY ROADS
FILE REFERENCE:	CP 014
AUTHOR:	Works Supervisor – Steve Vincent

BACKGROUND

There is an allocation of \$89,647.00 to seal and kerb the roads at the Anglican Cemetery, of which \$67,330.00 is materials.

Council requested that quotes be obtained to have this work completed by contractors. I have asked for the quotes to be itemised as follows:

- 25mm asphalt kerbed both sides (black)
- or
- Two coat emulsion kerbed both sides.
- Remove existing drainage pipes.
- Backfill and compact new kerbing.

Another point to consider is if red asphalt is to be used, this would add approximately \$5,000.00 to \$6,000.00.

COMMENT

The following quotes have been received:

Buckleys Earthmoving and Paving

- | | |
|--|-------------|
| • 25mm asphalt kerbed both sides (black) | \$85,007.00 |
| or | |
| • Two coat emulsion kerbed both sides. | \$66,340.00 |
| • Remove existing drainage pipes. | \$ 2,800.00 |
| • Backfill and compact new kerbing. | \$ 3,400.00 |

Rural Road Services

- | | |
|--|-------------|
| • 25mm asphalt kerbed both sides (black) | \$61,081.00 |
| or | |
| • Two coat emulsion kerbed both sides. | \$41,574.00 |
| • Remove existing drainage pipes. | \$ 600.00 |
| • Backfill and compact new kerbing. | \$ 4,000.00 |

Road Maintenance Australia
No Quote received

8.1.1 PLANT, WORKS, RECREATION AND TOURISM ITEMS
Item 8.3.1.1
CEMETERY ROADS
(Continued)

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M26/1208 Moved Cr Gogol **Seconded Cr Shaw**
That Council accept the quote for \$65,681.00 from Rural Road
Services to remove the existing drainage pipes, form roads and
pave in 25mm asphalt, kerb both sides and backfill.
CARRIED 7-0

8.3.1 PLANT, WORKS, RECREATION AND TOURISM ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.3.1.2
REPORT DATE:	16 December 2008
SUBJECT:	BRIDGE REPLACEMENT - BRIDGE 731
FILE REFERENCE:	CP 019Q
AUTHOR:	Works Supervisor – Steve Vincent

BACKGROUND

Bridge 731 is located on the Mawson Road near the intersection of Barrington and Dongadilling Roads.

This wooden bridge is to be replaced with reinforced concrete boxes. These are to be installed by a contractor. The road reinstatement and widening is to be completed by the Shire.

This work is scheduled for the end of February, early March and will be done in conjunction with Greenhills South Road.

COMMENT

The following quotes to complete this work have been received:

Avon Concrete	\$ 89,621.00
Buckley Earthmoving and Paving	\$ 93,000.00
Charlie Cutrie	\$238,000.00

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M27/1208 **Moved Cr Gogol** **Seconded Cr Murray**
That Council accept the quote for \$89,621.00 from Avon Concrete to replace Bridge 731 with reinforced concrete boxes, headwalls and backfill with stabilised gravel to finished road level.
CARRIED 7-0

8.3.1 PLANT, WORKS, RECREATION AND TOURISM ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.3.1.3
REPORT DATE:	16 December 2008
SUBJECT:	PICNIC TABLE FOR FEDERATION PARK
FILE REFERENCE:	CP 011
AUTHOR:	Works Supervisor – Steve Vincent

BACKGROUND

There is an allocation of \$2,000.00 to purchase two concrete picnic tables, these units are poured as one unit including a floor and seats and weigh 1.5 tonnes. They only come in grey cement.

From the previous Council meeting, further investigation is required, due to the weight and ongoing maintenance of painting the concrete.

COMMENT

Alternative units looked at were Aluminium and recycled plastic/wood.

Quotes received:

Felton Industries

Aluminium Jumbo Park Setting 1810mm X 1000mm and can seat up to 12 people, powder coated frame with aluminium seats. \$1,650.00 + (GST & freight)

Landmark (Perth)

Large Hub setting, 2050 X 2050 powder coated frame with aluminium seats \$2,114.00 + freight

Standard Hub setting, 1600 X 1600 powder coated frame with aluminium seats \$1,620.00 + freight

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M28/1208	Moved Cr Ridgway	Seconded Cr Murray
	That Council purchase one aluminium Jumbo Park Setting from Felton Industries.	

CARRIED 7-0

8.3.2 INFORMATION BULLETIN REPORT – WORKS SUPERVISOR

8.3.2.1 GENERAL – PLANT AND WORKS

8.3.2.1.1 Town Maintenance

- The oval has been verti mowed and fertilised.
- Footpaths sprayed for weeds after rain.
- Christmas decoration put up.
- Bitumen roads patched.
- Intersection of Hutchinson and Hunt Road reconstructed.
- Oval hedge lopped and started on street trees.
- Various washouts have been repaired after recent heavy rain.

8.3.2.1.2 Give Way Signs

Main Roads have installed new give way signs on four narrow bridges within our Shire. These include Hobbs Road, York Williams Road at Corberding and two on Kokeby East Road.

8.3.2.1.3 Cherry Picker

There may be a second hand cherry picker coming up for sale for around \$12,000.00. This machine still has five years before the 10 year inspection is due. We are waiting on the outcome of the sale of a new machine to the Shire of Gosnells.

8.3.2.1.4 Tip Loader Steel Wheels

Quotes have been requested from three local businesses to manufacture steel wheels for the tip loader.

To date no prices have been received. Onsite repairs will have supplied quote of \$12,720.00, for second hand steel wheels from Brisbane, these will have to have the centres altered to fit our machine.

There is no indication as to when DeLisle Engineering and Darryl Burton will have their quotes completed.

Option for rubber tyres to be filled with solid rubber	\$17,667.00
Pneumatic tyre 17.5-25 L5 armour extra deep lug	\$ 7,140.00
Tyre fill (4 X 17.5 -25 Bias Lug)	\$10,092.00
Tyre fitting	\$ 180.00
Service call (travel to Beverley)	\$ 255.00

8.3.2 INFORMATION BULLETIN REPORT – WORKS SUPERVISOR

8.3.2.1 GENERAL – PLANT AND WORKS

8.3.2.1.4 Tip Loader Steel Wheels

(Continued)

COUNCIL RESOLUTION

M29/1208 Moved Cr Gogol Seconded Cr Shaw
That Council accept the quote from Karl Morrell to supply steel wheels for the Tip Loader at a cost of \$12,720.00.
CARRIED 7-0

8.3.2.1.5 Plant Purchases

The new crew cab truck (BE 016) has arrived from JEM Trucks. Replacement utes have been ordered through Gibbons Motors. These are to replace the Gardeners and Works Supervisor’s utes and under budget by \$328.17.

8.3.2.1.6 Plant Report

The Works Supervisor provided a Plant Report.
(Refer page 5 of the December Information Bulletin provided under separate cover.)

8.3.2.2 CONSTRUCTION

8.3.2.2.1 Waterhatch Road

Work is completed on Waterhatch Road, this included the shoulders been reconstructed from York-Williams Road to Kokendin Road, with the one kilometre section which required cement stabilising.

The approaches to the bridge over the Dale River have also been reconstructed; this section was also extended an extra 100 metres to join with another failed section.

Due to the rocks hit under the existing road there will be extra costs for damaged teeth to the stabiliser and for extra gravel to build up the pavement thickness.

**8.3.2 INFORMATION BULLETIN REPORT – WORKS SUPERVISOR
8.3.2.2 CONSTRUCTION
(Continued)**

8.3.2.2.2 Talbot West Road

Work has begun on Talbot West Road. The Telstra cable has been relocated and earthworks are now underway. There was a delay with the Surveyor not being able to start after the crop was harvested, as he was hospitalised with appendicitis.

While waiting for the Surveyor, gravel for the town street jobs have been carted for the few days we were delayed.

8.3.2.2.3 Reseals

RNR Contractors have completed all reseal except for 220 metres at Mawson and 260 metres on Yenyening Lakes Road. These will be done when their trucks are in the area doing Quairading and Brookton's reseals after the New Year.

Due to the higher cost of the tender we received this year, Harper Street and half of Dempster Street had to be left off to cover the extra .40 cents per square metre. These roads will be included in future reseal programs.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M30/1208 Moved Cr Foster **Seconded Cr Murray**
That the Information Bulletin Report from the Works Supervisor be received.

CARRIED 7-0

At 4:24pm Mr Steve Vincent, Works Supervisor, left the Chambers.

8.4.1 FINANCE ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.4.1.1
REPORT DATE:	15 December 2008
SUBJECT:	SCHEDULE OF ACCOUNTS
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

Appendix 14

COMMENT

The Schedule of Accounts for the month of November 2008 is the attachment to this item.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M31/1208	Moved Cr Foster	Seconded Cr Shaw
	That the Schedule of Accounts for the month of November 2008, be received.	

CARRIED 6-1

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.4.1.2
REPORT DATE:	15 December 2008
SUBJECT:	FINANCIAL STATEMENT FOR THE PERIOD ENDED 30 NOVEMBER 2008
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

COMMENT

The Financial Statement for the period ended 30 November 2008 is provided under separate cover.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M32/1208	Moved Cr Ridgway	Seconded Cr Gogol
	That the Financial Statement, as presented, for the period ended 30 November 2008, be received.	

CARRIED 7-0

8.4.1 FINANCE ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.4.1.3
REPORT DATE:	15 December 2008
SUBJECT:	INVESTMENT OF SURPLUS FUNDS
FILE REFERENCE:	FM 008
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

Council has at present surplus funds that have been invested in line with Council's policy.

COMMENT

Listed below are surplus funds that have been invested during the month of November 2008 with Esanda, ANZ and Commonwealth Banks.

▪ Office Equipment Reserve	\$ 21,240.00
▪ Annual Leave Reserve	\$ 107,083.00
▪ Building Reserve	\$ 448,566.00
▪ Plant Reserve	\$ 441,292.00
▪ Recreation Ground Reserve	\$ 251,379.00
▪ Bush Fire Fighters Reserve	\$ 81,579.00
▪ Avon River Development Reserve	\$ 16,463.00
▪ Community Bus Reserve	\$ 20,427.00
▪ Cropping Committee Reserve	\$ 82,165.00
▪ Road Construction Reserve	\$ 177,824.00
▪ Municipal Fund	\$ 500,000.00
▪ Municipal Fund	\$ 300,000.00
▪ Municipal Fund	\$ 400,000.00

The Investment terms are as follows:

Certificate#	Term	Interest Rate	Amount	Expires
1357709011	94 Days	7.30%	\$441,292.00	02/01/2009
1357717004	63 Days	7.70%	\$448,566.00	02/12/2008
ANZ Bank	91 Days	7.00%	\$358,462.00	30/01/2009
ANZ Bank	4 Months	5.50%	\$399,698.00	28/02/2008
CBA	3 Months	6.50%	\$300,000.00	14/01/2009
CBA	3 Months	6.50%	\$500,000.00	14/01/2009
ANZ Bank	2 Months	6.59%	\$400,000.00	14/12/2008

8.1.1 FINANCE ITEMS
Item 8.4.1.3
INVESTMENT OF SURPLUS FUNDS
(Continued)

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M33/1208 Moved Cr Foster **Seconded Cr Flood**
That the Investment Report for the month of November 2008, be
received.

CARRIED 7-0

8.4.1 FINANCE ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.4.1.4
REPORT DATE:	15 December 2008
SUBJECT:	ANNUAL REPORT
FILE REFERENCE:	CM 007
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

As Council would no doubt be aware, each year we are required to submit our Financial Statements to the Auditor. The Auditor then presents Council with an Audit Report and Management Report.

COMMENT

As in the past, we will combine the Audit Report and other reports with the completed Financial Statement to form the Annual Report for ratepayers to have at the Electors Meeting.

The Annual Report is provided under separate cover.

Council are required to set a date for the Electors Meeting that is no more than 56 days from the date of acceptance of the Annual Report (as per Section 5.27 of the Local Government Act). This means that Council must hold the Electors Meeting on or before Tuesday 17 February 2009.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

- M34/1208** **Moved Cr Shaw** **Seconded Cr Murray**
- 1. That the Audit Report for the 2007/2008 Financial Year be adopted, as presented.**
 - 2. That the Annual Report for the Year Ended 30 June 2008, as presented, be adopted.**
 - 3. That Council hold the Electors Meeting in the Beverley Lesser Hall on Monday 19 January 2009 at 7pm.**
- CARRIED 7-0**

8.4.1 FINANCE ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.4.1.5
REPORT DATE:	16 December 2008
SUBJECT:	REQUEST TO WRITE OFF DISCOUNT AND INTEREST CHARGES – FW NOONAN
FILE REFERENCE:	BRO5 1043
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

A request has been received from Mr FW Noonan seeking Council to write off the outstanding amount charges on his rate assessment.

COMMENT

Mr Noonan has stated that he placed a cheque in the mailbox outside the Shire on 18 September 2008 to enable him to receive the 10% discount.

The cheque was not found by staff until 3 October 2008 and was receipted on this day. Unfortunately the cheque was hand delivered and there is no way of knowing when it had been placed in the mail box.

As the cheque was deposited after the discount period had closed Mr Noonan was not granted the discount amount.

I have asked staff when they cleared the mailbox and were advised that it was inspected three times on the final day of the discount period and also the next morning.

Mr Noonan has in the last three years paid his rates in full prior to the close of the discount period. The outstanding amount currently is \$264.64.

There is also the question of whether the mailbox should be closed permanently as it is often broken into and this would also prevent any situation like this arising again.

8.1.1

FINANCE ITEMS

Item 8.4.1.5

**REQUEST TO WRITE OFF DISCOUNT AND INTEREST CHARGES –
WF NOONAN
(Continued)**

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M35/1208

Moved Cr Murray

Seconded Cr Foster

**That Council grant the discount and write off the penalty interest
on Mr FW Noonan's rates assessment number 1043 totalling
\$264.64.**

CARRIED 5-2

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.5.1.1
REPORT DATE:	15 December 2008
SUBJECT:	SEA CONTAINER – LOT 124 VINCENT STREET, BEVERLEY
FILE REFERENCE:	VIN 825 & DB 006
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

Beverley Supermarket and Liquor have requested an extension of Council approval (March 2007) to locate a refrigerated sea container in the rear of 122 Vincent Street.

COMMENT

At the March 2007 Council meeting Council resolved as follows;

Council resolve to Grant approval to the owners of 124 Vincent Street, Beverley, to place a 6.0 metre refrigerated sea container on the property for a period of 12 months, subject to the following conditions:

- 1. Compliance with setback codes of the Town Planning Scheme;
and*
- 2. Compliance with the Environmental protection (Noise) Regulations 1997.*

As Council has not received any adverse comments in relation to the cool room I consider a further twelve month extension should be approved.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

Moved Cr Gogol Seconded Cr Shaw
Council grant Beverley Supermarket and Liquor a further twelve month extension to locate a refrigerated sea container in the rear of 122 Vincent Street.

8.5.1 ADMINISTRATION ITEMS
Item 8.5.1.1
SEA CONTAINER – LOT 124 VINCENT STREET, BEVERLEY
(Continued)

AMENDMENT TO MOTION

M36/1208 Moved Cr Flood Seconded Cr Foster
That a decision be deferred upon the application to grant an extension to locate a refrigerated sea container at the rear of 122 Vincent Street, until the Beverley Supermarket and Liquor supply a time frame for the removal of the sea container.

THE AMENDMENT WAS PUT AND CARRIED 7-0

**THE AMENDMENT THEN BECAME THE MOTION
AND WAS PUT AND CARRIED 7-0**

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.5.1.2
REPORT DATE:	16 December 2008
SUBJECT:	WA TRACTOR PULL ASSOCIATION – REQUEST TO ENCLOSE A SECTION OF UNDERCOVER AREA AT THE REAR OF GRANDSTAND
FILE REFERENCE:	HAM 3378 & RC 002
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

Appendix 15

BACKGROUND

Council has received a request from the Western Australian Tractor Pull Association (WATPA) to close in a section of the undercover area at the rear of the grandstand for secure storage of their larger equipment onsite.

COMMENT

As the area is leased to the WATPA and there are no other users of this facility I see no problems with the WATPA enclosing a section of the undercover area.

The WATPA propose to place a sheet metal wall on the western end of the undercover area and steel mesh on the Southern Side of the bay. Refer attached plan.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M37/1208 Moved Cr Flood **Seconded Cr Gogol**
That Council grant approval to the Western Australia Tractor Pull Association to enclose a section of the undercover area at the rear of the grandstand.

CARRIED 6-1

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	December Council Meeting 23 December 2008
AGENDA ITEM:	8.5.1.3
REPORT DATE:	22 December 2008
SUBJECT:	PERMISSION TO KEEP DOGS AT 199 RICHARDSON STREET, BEVERLEY – R & B CARTER
FILE REFERENCE:	RIC1 756 & LE 012
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

Appendix 16

BACKGROUND

Robert and Bernie Carter, the owners of 199 Richardson Street, Beverley have written requesting Council to reconsider their decision of the October Council meeting regarding the keeping of four (4) dogs at their property.

COMMENT

It is a requirement of the Beverley Shire Council's Dogs Local Law that the maximum number of dogs that can be kept on a premise within a Townsite is two unless an exemption is granted by Council under the provisions of section 26(3) of the Dog Act 1976 (as Amended).

Part V – The keeping of dogs

26. *Limitation as to numbers*

- (1) The provisions of this Part shall not operate to prevent the keeping on any premises of 2 dogs over the age of 3 months and the young of those dogs under that age.*
- (2) Subject to subsection (1), a local government, pursuant to local laws, may limit the number of dogs over the age of 3 months, or the number of such dogs of any specified breed or kind, that may be kept on any premises situate in a specified area to which those local laws apply unless those premises are licensed as an approved kennel establishment or are exempt.*
- (3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —*

8.5.1 ADMINISTRATION ITEMS

Item 8.5.1.3

PERMISSION TO KEEP DOGS AT 199 RICHARDSON STREET, BEVERLEY – R & B CARTER (Continued)

- (a) May be made subject to conditions, including a condition that it applies only to the dogs specified therein;*
 - (b) Shall not operate to authorise the keeping of more than 6 dogs on those premises; and*
 - (c) May be revoked or varied at any time.*
- (4) Subject to the provisions of subsection (3), a person who keeps on any premises, not being premises licensed as an approved kennel establishment, dogs over the age of 3 months in numbers exceeding any limit imposed in relation to those dogs by a local law made under subsection (2) commits an offence.
Penalty: \$1 000 and a daily penalty of \$100.*
- (5) Any person who is aggrieved —*
- (a) by the conditions imposed in relation to any exemption from the provisions of a local law placing a limitation on the number of dogs that may be kept on any premises; or*
 - (b) By the refusal of a local government to grant such an exemption, or by the revocation of an exemption,*
- May apply to the State Administrative Tribunal for a review of the decision.*
- (6) An application under subsection (5) cannot be made later than the expiry of a period of 28 days after the day on which a notice of the decision is served on the person affected by that decision.*

The applicant needs to advise all adjoining neighbours of the request made to Council to house the dogs and Council will need to be provided with correspondence supporting the proposal.

Council has received complaints regarding noise emanating from the dogs.

The property is at 199 Richardson St, Beverley and is on 1.6819Ha.

8.5.1 ADMINISTRATION ITEMS

Item 8.5.1.3

**PERMISSION TO KEEP DOGS AT 199 RICHARDSON STREET,
BEVERLEY – R & B CARTER
(Continued)**

COUNCIL RESOLUTION

M38/1208 Moved Cr Flood **Seconded Cr Foster**
That Council refuse the request from R & B Carter, the owners of
199 Richardson Street, Beverley to reconsider its decision of the
October Council meeting regarding the keeping of four (4) dogs at
their property.

CARRIED 7-0

9. INFORMATION BULLETIN

The Information Bulletin is provided under separate cover.

COUNCIL RESOLUTION

M39/1208	Moved Cr Gogol	Seconded Cr Murray
	That the December Information Bulletin, be received.	
		CARRIED 7-0

10. TABLED CORRESPONDENCE

- CENTRAL COUNTRY ZONE
 - Minutes of Review Meeting held 28 November 2008
- WALGA
 - President's Report – November/December 2008
- WHEATBELT HEALTH PLANNING INITIATIVE
 - Building sustainable health services for Wheatbelt communities
 - Determining community needs and priorities through informed consultation
- DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT
 - 2007 Local Government Elections Review Report
- WALGA
 - ALGC in Canberra
- FESA
 - Service Delivery and Planning
- DEPARTMENT OF AGRICULTURE AND FOOD WA
 - Linking NRM and Sustainable Development at the Community Scale
- DEPARTMENT OF WATER
 - Report No. WRM 52 - November 2008 – Foreshore and Channel Assessment of Christopher Brook
- DEPARTMENT OF SPORT AND RECREATION
 - Release of the Review of Sport and Recreation in Regional WA
- STAY ON YOUR FEET WA
 - News & Views – Summer 2008/09
- DEPARTMENT OF AGRICULTURE AND FOOD / DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT
 - RRR Network News – Edition 46
- AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION INC.
 - Review of the National Framework for Women in Local Government
- HERITAGE COUNCIL OF WA
 - Heritage Matters – Issue No. 26 - November 2008

**10. TABLED CORRESPONDENCE
(Continued)**

- ALGA NEWS
 - November 2008
- OFFICE OF THE PUBLIC SECTOR STANDARDS COMMISSIONER
 - State of the Service Report 2008
- MAIN ROADS WA
 - 2008 Annual Report in brief
- COUNTRY HIGH SCHOOL HOSTELS AUTHORITY
 - Annual Report 2007 - 08
- AVON CATCHMENT COUNCIL
 - E-News Issue No. 43 – December 2008

11. OTHER BUSINESS

ITEM NUMBER:	11.1
SUBJECT:	BEVERLEY MEDICAL CENTRE – REQUEST FOR ADDITIONAL VEHICLE FOR OTHER DOCTOR
FILE REFERENCE:	PH 023

Earlier in the meeting Dr Remi Adebayo addressed Council in regard to providing an update on the medical services he has arranged for the Beverley Medical Practice. Dr Adebayo requested Council to consider providing a second vehicle for the other doctor he has arranged to practice at the centre.

COUNCIL RESOLUTION

M40/1208 **Moved Cr Flood** **Seconded Cr Foster**
That Council advise Dr Remi Adebayo that his request for a further vehicle for the second doctor is refused, due to no allowance being provided for in the 2008/2009 budget and that any future requests be written.

CARRIED 7-0

**11. OTHER BUSINESS
(Continued)**

ITEM NUMBER: 11.2
SUBJECT: HUNT ROAD - SPEED LIMIT
FILE REFERENCE: TT 003

The Chief Executive Officer tabled correspondence from Mr B & Mrs K Daws requesting Council consider lowering the speed limit along Hunt Road as he has observed many trucks travel this road at a considerable pace.

RESOLVED that this matter be dealt with at the next meeting of Council.

ITEM NUMBER: 11.3
**SUBJECT: AUSTRAL BRICKS - CLAY TRUCKS – USE OF
CORBERDING ROAD**
FILE REFERENCE: RO 008 & WO COR 43

The Chief Executive Officer tabled a letter from Austral Bricks further requesting Council's permission for trucks to use Corberding Road to cart Kaolin.

COUNCIL RESOLUTION

M41/1208 Moved Cr Flood **Seconded Cr Murray**
That Council advise Austral Bricks that it is prepared to permit the use of Restricted Access Vehicles on Corberding Road, subject to them paying for the re-sheeting of gravel and some minor clearing on this road, along with an annual maintenance contribution of \$12,000.00 per annum.

CARRIED 7-0

**11. OTHER BUSINESS
(Continued)**

ITEM NUMBER:	11.4
SUBJECT:	HOLDING OF A JANUARY 2009 COUNCIL MEETING
FILE REFERENCE:	CM 005

Council discussed the matter of holding a January meeting.

COUNCIL RESOLUTION

M42/1208	Moved Cr Flood	Seconded Cr Gogol
	That Council not hold a January 2009 Ordinary Meeting.	
		CARRIED 6-1

12. CLOSURE

There being no further business the meeting closed at 5:16pm.

I hereby certify these Minutes as being confirmed in accordance with Section 5.26 of the Local Government Act 2695.

Presiding Member

Date