

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON TUESDAY 22 APRIL 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 WS McDonald		South Ward
Cr MG Roberts		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

Nil.

Leave of Absence

Nil.

3. PUBLIC QUESTION TIME

3.1 Mr Barrie Burns, Vice President, Beverley Lions Club Use of Old Racecourse (File Reference: CP 009)

Advised Council that he had approached the Perth Tractor Pull Association in regard to whether they would agree to the Beverley Lions Club sub-leasing the kitchen side of the grandstand building for Beverley Lions Club meeting/club rooms.

3. PUBLIC QUESTION TIME (continued)

**3.1 Mr Barrie Burns, Vice President, Beverley Lions Club
Use of Old Racecourse (File Reference: CP 009) (continued)**

The Perth Tractor Pull Association have written to Council indicating they encourage the Lions Club to use the old facilities at the racecourse.

Mr Burns asked Council to consider whether the Beverley Lions Club could be granted permission to use this area.

**3.2 Mr Karl Morrell
Leasing of Cropping Committee Land – Reserve 2633 (Old Aerodrome Opposite CBH)
(File Reference: CP 017 and FOR 2633)**

Since May 2006 Mr Morrell has leased and used a portion of Reserve 2633 and enquired as to the leasing situation in regard to the entire Reserve as he was of the opinion this was for his use.

The Deputy President commented that the portion of the Reserve not being used by Mr Morrell is becoming a fire hazard and it was her intention to suggest to Council that it might consider leasing that portion for the purpose of cropping.

Mr Morrell enquired of Council in regard to rural land being used for his mechanical type industry. The Chief Executive Officer advised Mr Morrell that he would arrange for the Shire Planner, who will commence with Council on 5 May 2008, to meet with Mr Morrell.

There was general discussion in regard to the Cropping Committee Land being tendered for lease.

**3.3 Mr Herb Klofta
Harper Street - Truck Parking and Zoning Use of Land**

Mr Klofta raised concern that a heavy haulage vehicle was being parked in Harper Street and the Chief Executive Officer advised that this is a Police matter.

He also enquired as to whether such a vehicle could be parked on a lot zoned residential. The Chief Executive Officer advised this would be investigated as to whether such a land use was appropriate.

3. PUBLIC QUESTION TIME (continued)

**3.4 Mr Barrie Burns
Greenhills South Road – Road Works (File Reference: WO GRE1)**

Enquired as to whether Council was aware of any proposed works on a bend on the Greenhill South Road in the York Shire. The Chief Executive Officer advised that this is not on the road works program for the Shire of York and commented that the Shire of York had contributed to the current realignment on the border between the two Shires. There is a 3-year program to gravel and a 2-year program to bituminize.

**3.5 Cr Neil Flood
Council Verge Obstructions**

Reported that there are obstructions on the Council verge in front of Barnsley Motors. The Chief Executive Officer advised the matter would be investigated and if necessary the obstructions removed.

4. CONDOLENCES

KILPATRICK	Roy	April 2008
HUMBLE-WHITE	Elsie Rose	10 April 2008
GROVER	Rede	18 April 2008

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. CONFIRMATION OF MINUTES & BUSINESS ARISING

6.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON TUESDAY 25 MARCH 2008

COUNCIL RESOLUTION

M1/0408 Moved Cr Flood **Seconded Cr Shaw**
That the Minutes of the Ordinary Meeting of Council held in Council Chambers on Tuesday 25 March 2008, be confirmed.
CARRIED 9-0

BUSINESS ARISING

Nil.

6. CONFIRMATION OF MINUTES & BUSINESS ARISING (continued)

6.2 MINUTES OF THE PLANT AND WORKS COMMITTEE MEETING HELD IN THE COUNCIL CHAMBERS ON FRIDAY MONDAY 7 APRIL 2008

Appendix 1

COUNCIL RESOLUTION

M2/0408 Moved Cr Foster Seconded Cr Murray
That the Minutes of the Plant and Works Committee Meeting held in Council Chambers on Monday 7 April 2008, be received.
CARRIED 9-0

BUSINESS ARISING

Nil.

7. REPORTS

7.1 PRESIDENT'S REPORT

The President gave a verbal report at the meeting.

COUNCIL RESOLUTION

M3/0408 Moved Cr Foster Seconded Cr Shaw
That the President's Report, be received.
CARRIED 9-0

7.2 COUNCILLOR'S REPORT

Cr Peter Gogol

Reported that he is not able to attend the Avondale Meeting on Thursday 24 April 2008 at 7:30pm and asked if any Councillor was able to substitute for him.

Cr Dee Ridgway advised she is prepared to attend the meeting as Council's Delegate.

Cr Peter Gogol

Reported he had attended a Yenyenning Lakes Meeting and that Mr Trevor McLean had been elected President and gave a general report of the meeting.

7.2 COUNCILLOR'S REPORT (continued)

M4/0408 Moved Cr Murray Seconded Cr Roberts
That the Councillor's Report, be received.
CARRIED 9-0

At 11:10 Cr Mal Roberts left the Chambers.

7.3 INFORMATION BULLETIN REPORT - COUNCILLORS

Cr Dee Ridgway

7.3.1 Fire Risk and Paddock Preparation Education
(Item 7.3 of April Information Bulletin)

Appendix 2

At the November 2007 Shire Council meeting, concerns were raised in regard to potential fire hazard situations on some small landholdings in the Shire and a lack of understanding of fire risk and paddock preparation by owners.

With the increasing number of small landholdings in the Shire, Council needs to take an active interest in how the reduction of potential fire risk is approached.

An "Advisory Calendar" has been produced (attached for Council's reference). A special mail out now, drawing small landholders' attention to their responsibilities and giving advice on how to manage grass on their blocks, may alleviate some of the fire risk problems that arise at the end of the year. This information could also be included in the Blarney and the Bulletin.

Some residential and rural-residential blocks have fire risk problems that need to be addressed also.

7.3.2 Mt Kokeby Fire Hazard

There remains a huge fire risk problem in the Mt Kokeby Precinct, where a multitude of town site blocks have had no form of grass manipulation of years. Council needs to take a proactive approach in this precinct and resume these old Mt Kokeby town site blocks if possible, and amalgamate them into a single holding. At the very least the area needs to be fenced so the neighbouring landowners can graze livestock to reduce the grass burden.

The above matters for Council's consideration.

7.3 INFORMATION BULLETIN REPORT – COUNCILLORS (continued)

COUNCIL RESOLUTION

M5/0408 Moved Cr Ridgway Seconded Cr Murray
That the above information and any other relevant information for small landholders be mailed out to all Fire Control Officers in regard to the Firebreak Management Schedule for comment and signing off at their next meeting.

CARRIED 8-0

At 11:15 Cr Mal Roberts returned to the Chambers.

8. OFFICERS' REPORTS

Cr Dee Ridgway declared an interest in item 8.1.1.2 of the meeting as she is an owner of the property and runs a business on it.

8.1 TOWN PLANNING

ITEM NUMBER:	8.1.1.1 – 8.1.1.4
REPORT DATE:	16 April 2008
SUBJECT:	PROPOSED SHEDS
APPLICANTS:	Multiple
FILE REFERENCE:	Multiple
AUTHOR:	Acting Shire Planner – Frank Buise

BACKGROUND

The following items comply with the Shire's Town Planning Scheme and related policies. *Copies of the plans were tabled.* It is proposed to approve the items, subject to the development being in accordance with the approved plans.

COMMENT

The proposed developments are located at:

	Owner	Address	Development	File Ref
1	Luke & Lisa Blanch	Lot 780 York- Williams Road	Shed	YOR2 1540
2	Denise & Ronald Ridgway	Avon Location 3128	Shed	YEN 675
3	David & Gina Adams	Lot 17 Corner Mawson & Morbinning Roads	Shed	MAW 238
4	Stephen & Deidre Gowland	Lot 103 Cattle Station Road	Shed	CAT 51251

OFFICER'S RECOMMENDATION

That Council resolve –

To approve applications 1 to 4 as shown above for Development as listed in the body of the report subject to the following conditions:

1. The development shall be in complete accordance with the approved plans prepared by the applicant and endorsed by Council's Shire Planner.
2. The applicant first obtaining a building licence prior to the erection of the building.

8.1.1 TOWN PLANNING

ITEM NUMBER:	8.1.1.5
REPORT DATE:	15 April 2008
SUBJECT:	PROPOSED SUBDIVISION/REALIGNMENT OF AVON LOCATIONS 721, 3272 AND 86 DALE KOKEBY ROAD
OWNER:	I G Strange
FILE REFERENCE:	PL 137081
AUTHOR:	Chief Executive Officer – Keith Byers

Appendix 3

BACKGROUND

The Western Australian Planning Commission (WAPC) has forwarded, for Council's comments, an application for the subdivision/realignment of Lots 721, 3272 and 86 Dale Kokeby Road. The subdivision will create three new lots of 48ha, 31ha and 24ha.

COMMENT

The proposal does not formally create any additional lots: -

1. The agricultural viability of the previous Lot 86 (4.0469ha) would be increased.
2. The proposal would create road access to the Dale Kokeby Road for all lots; currently lots 721 and 86 are land locked.
3. All proposed lots conform to the minimum 20ha for policy area 3 as required by the Beverley Rural Planning Strategy.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M8/0408 **Moved Cr Foster** **Seconded Cr Shaw**
That Council resolve –
To recommend to the Western Australian Planning Commission
that approval be given to planning application number 137081.
CARRIED 8-0

At 11:20am Cr Dee Ridgway returned to the Chambers.

8.1.1 TOWN PLANNING

ITEM NUMBER:	8.1.1.6
REPORT DATE:	15 April 2008
SUBJECT:	PROPOSED SUBDIVISION - LOT 140 VINCENT STREET, BEVERLEY
OWNER:	S E M Schmidt
FILE REFERENCE:	PL 137211
AUTHOR:	Chief Executive Officer – Keith Byers

Appendix 4

BACKGROUND

The Western Australian Planning Commission (WAPC) has forwarded, for Council's comments, an application for the subdivision of Lot 140 Vincent Street, Beverley. The proposal will create 4 lots ranging from 3903m² – 4499m².

COMMENT

The applicant's proposal meets the site requirements of the land, which is zoned Residential with an "R" Code of R5.

The minimum requirements for an R5 are: -

Area	2,000m ²
Frontage	30 metres

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M9/0408 **Moved Cr Ridgway** **Seconded Cr Roberts**
That Council resolve –
To recommend to the Western Australian Planning Commission that it approves planning application 137211 without conditions being imposed by the Shire of Beverley.

CARRIED 9-0

8.1.1 TOWN PLANNING

ITEM NUMBER:	8.1.1.7
REPORT DATE:	16 April 2008
SUBJECT:	PROPOSED SUBDIVISION – LOT 205 HARPER STREET, BEVERLEY
OWNER:	W Smith
FILE REFERENCE:	PL 135283
AUTHOR:	Chief Executive Officer – Keith Byers

Appendix 5

BACKGROUND

In November 2006 Mr W Smith indicated he wished to subdivide Lot 205 into four lots of approximately 4000m² each. In accordance with Council's Town Planning Scheme an Outline Development Plan (ODP) was prepared for Council's consideration.

The then Shire Planner, Mr Warwick Carter, reported to Council that: -

"The design is straightforward and will allow for the development of all lots within the area. No Public Open Space (POS) is identified within the area, however, this could be located on adjacent areas and cash-in-lieu taken towards the development of other POS in the town."

On 28 November 2006 Council resolved: -

"That Council adopt the Outline Development Plan for advertising and that the plan be referred back to Council after it has been advertised to all landowners in the area for comment."

In April 2007, Mr Carter advised Council that: -

Advertising for the Outline Development Plan (ODP) had been completed and no objections were received.

The draft ODP is generally acceptable in terms of the subdivision layout. A comprehensive drainage plan shall now be requested. Given that the layout had not been approved, it was considered premature to ask for a drainage detail until now.

Upon receiving a satisfactory drainage plan the draft ODP will be forwarded to the Western Australian Planning Commission for adoption."

Item Number 8.1.1.7

**PROPOSED SUBDIVISION – LOT 205 HARPER STREET, BEVERLEY
(continued)**

On 24 April 2007 Council resolved: -

“That Council: -

A Request a comprehensive drainage plan be submitted for the proposed ODP site to the satisfaction of the Chief Executive Officer.

B Subject to the satisfaction of clause A above, the draft ODP be forwarded to the Western Australian Planning Commission for adoption.”

Mr Smith was advised of Council’s resolution on 4 May 2007.

Council subsequently received from the Western Australian Planning Commission an application for the proposed subdivision of Lot 205 for comment.

On 24 July 2007 the following agenda item was placed before Council,

“Council has previously supported the creation of an Outline Development Plan (ODP). Council last resolved that it was supportive of the design, subject to a comprehensive drainage plan. To date, the Shire has not received a drainage plan and the ODP has not been forwarded to the WAPC for adoption.

As Council does not have an adopted ODP over the area and is unaware of what the drainage requirements are for the development, it is recommended that the application not be supported at this time. The ODP is important to ensure that the Shire is not creating problems with additional stormwater runoff from future roads in the development and that the Shire acquires easements in necessary locations.

If the ODP shows that there is need for upgrading of drainage infrastructure due to additional development in this area, then the Shire needs to take contributions towards these costs at the time of subdivision, in order to ensure that the costs of development are not burdened on the remainder of the Shire’s ratepayer.”

and the following resolution was adopted: -

Item Number 8.1.1.7

**PROPOSED SUBDIVISION – LOT 205 HARPER STREET, BEVERLEY
(continued)**

“That Council advise the WAPC that they do not support the approval of application 135283 at this time for the following reasons: -

- 1. No Outline Development Plan has been adopted over the site, and development would be ad-hoc.***
- 2. Lots 3 and 4 do not have sufficient frontage to Richardson Street.”***

The Western Australian Planning Commission has refused the application; one of the reasons being that the proposed subdivision does not comply with the Local Government Scheme by the reason that the Outline Development Plan (ODP) has not been adopted for the site.

Council has been concerned that stormwater drainage could be a problem with both Lot 205 and the entire ODP. The matter has been before the State Administrative Tribunal, however a suitable drainage model cannot be agreed upon.

COMMENT

Council is now in receipt of the following correspondence from Mr Alan Marsh, a licensed surveyor, representing Mr Wayne Smith.

- a) *“It is my client’s intention to retain all additional stormwater created by lot development of this subdivision on site by:*

Imposing a condition of subdivision, which is reinforced by a 70a Notification on title that states “The stormwater is to be kept on site by the connection of roof water to a 90,000 litre rainwater tank and hardstand areas including driveways to soak wells.”

- b) *“My client Mr Wayne Smith is seeking approval in the State Administrative Tribunal to subdivide Lot 205 Harper Street into four lots all of which are over 4000m².*

Item Number 8.1.1.7

**PROPOSED SUBDIVISION – LOT 205 HARPER STREET, BEVERLEY
(continued)**

On 12 September 2007 Council wrote to the WA Planning Commission stating they did not support the subdivision because: -

- 1. No Outline Development Plan has been adopted over the site and development would be ad-hoc.*
- 2. Lots 3 and 4 do not have sufficient frontage to Richardson Street.*

A copy of the Shire of Beverley's letter is attached.

Reason 2 for the refusal has been addressed by a redesign. A copy of the redesign is attached and is headed Annexure B.

My client wishes Council to reconsider its position in imposing Reason No. 1 and to take into consideration the following points:-

- a. Mr Smith has prepared a Plan for possible future subdivision over the super lot bordered by Harper Street, Richardson Street, Chipper Street and Bremner Road. On 24 April 2007 the Council approved the lot layout. A copy of Council's letter dated 4 May 2007 is attached.*
- b. The plan illustrates that the approval of Mr Smith's subdivision will not adversely jeopardize future subdivision by any adjoining landowners.*
- c. Mr Smith does not receive any benefit from the proposed road system.*
- d. Mr Smith's proposed lots are over 4000m² and any additional stormwater drainage generated by future development can be kept on site by connecting the roof water to rainwater tanks and driveways to soak wells. Council's Manager of Building/Health Services Mr F Buise has inspected the site and has verbally advised he has no problem with the soil's capability to achieve onsite retention of stormwater.*
- e. On 22 January 2008 Civil Engineer Alan McLean Engineering Pty Ltd prepared a report stating that the internal road system could be designed to retain stormwater onsite. A copy of Mr McLean's report is attached.*

Item Number 8.1.1.7

**PROPOSED SUBDIVISION – LOT 205 HARPER STREET, BEVERLEY
(continued)**

- f. *Council has recently supported the subdivisions of Lots 228 Harper Street and 213 Lukin Streets on Files 130436 and 130111 without imposing the condition of the applicant preparing an Outline Development Plan.*

You will note that these subdivisions are on corner lots and do not rely on any internal road system for access. The position is exactly same in Mr Smith's case. A copy of the files 130436 and 130111 are attached.

- g. *Under Section 4.11 headed subdivision of the Shire of Beverley Town Planning Scheme Number 2 it states that in the residential zone the Council may require preparation of an Outline Development plan before recommending approval of subdivisions. A copy of P 19 is attached. In the previous recent approvals Council exercised its discretion and did not require an Outline Development Plan to be prepared.*

It is for these reasons that my client Mr W Smith requests Council to give consideration to rescinding its previous decision to require the preparation of an Outline Development plan and to recommend approval of the subdivision with conditions that will keep additional stormwater generated from the development after subdivision onsite."

OFFICER'S RECOMMENDATION

That Council resolve –

To adopt the Outline Development Plan for the area bounded by Harper, Richardson, Chipper, Lukin and Nicholas Streets, without the need for a comprehensive drainage scheme, subject to a condition being imposed upon the subdivision application 135283 that all stormwater created by the development of the subdivision of Lot 205 is to be kept on site by the connection of roof water to a 90,000 litre rainwater tank and hardstand areas including driveways to soak wells and for this to be reinforced by a 70a notification on the title.

Item Number 8.1.1.7

**PROPOSED SUBDIVISION – LOT 205 HARPER STREET, BEVERLEY
(continued)**

COUNCIL RESOLUTION

M10/0408 Moved Cr Flood Seconded Cr Roberts
That Council rescind resolution M6/0707 of Council's Ordinary Council Meeting held on 24 July 2007, which motion reads as follows: -

“That Council advise the WAPC that they do not support the approval of application 135283 at this time for the following reasons: -

1. No Outline Development Plan has been adopted over the site, and development would be ad-hoc.
2. Lots 3 and 4 do not have sufficient frontage to Richardson Street.”

CARRIED 9-0

COUNCIL RESOLUTION

M11/0408 Moved Cr Shaw Seconded Cr Gogol
That Council replace the abovementioned rescinded resolution M6/0707 with –
That Council recommend to the Western Australian Planning Commission that subdivision application 135283 be approved, subject to imposing a condition of subdivision, which is reinforced by a 70a Notification on the title that states “The stormwater is to be kept on site by the connection of roof water to a 90,000 litre rainwater tank and hardstand areas including driveways to soak wells.”

CARRIED 9-0

COUNCIL RESOLUTION

M12/0408 Moved Cr Flood Seconded Cr Foster
That Council give consideration to the Outline Development Plan, prepared by Mr. W Smith, for the Harper, Nicholas, Lukin, Chipper Richardson Street area, at the September Council Meeting.

CARRIED 9-0

8.1.1 TOWN PLANNING

ITEM NUMBER:	8.1.1.8
REPORT DATE:	16 April 2008
SUBJECT:	TOWN PLANNING SCHEME AMENDMENT 14
FILE REFERENCE:	LUP 010 am14
AUTHOR:	Chief Executive Officer – Keith Byers

Appendix 6

BACKGROUND

At the December 2006 Council meeting the following agenda item was placed before Council.

“Planning Applications are taking some time to process, as each requires referral to Council for determination. Also, due to there being no exemptions for dwellings and sheds, valuable time is taken up processing straight forward applications which are generally approved with no conditions.

COMMENT

The proposed amendment will allow for Council to legally delegate certain functions to the CEO and Shire Planner, to ensure that straightforward applications do not come to Council. It will also see that most applications for a single dwelling or shed will not require the Council’s Planning Consent. Applications for a building licence shall still be required.

The amendment stipulates maximum sizes for Sheds, and any variation for that could become the subject of a new policy or simply referred to Council for each determination.

It is considered that these amendments to the Scheme will save significant Staff and Councillor time and will improve processing delays.”

Council subsequently resolved: -

“That Council: -

A Adopt Amendment No. 14 to Town Planning Scheme No.2 pursuant to Section 72 of the Planning and Development Act 2005 (as amended) by:

Item Number 8.1.1.8
TOWN PLANNING SCHEME AMENDMENT 14 (continued)

Inserting clauses 4.12(g) and 4.12(h) as follows: -

- (g) the erection on a lot of a single house including any extension, except where -*
 - (i) the proposal requires the exercise of a discretion by the local government under the Scheme to vary the provisions of the Scheme; or*
 - (ii) the development will be located in a heritage area designated under the Scheme; or*
 - (iii) the lot does not have frontage to a constructed gazetted road.*

- (h) the erection on a lot of a Shed that complies with the provisions of Clause 4.14.*

Inserting Clause 4.14 as follows: -

SHEDS

4.14 *All sheds shall, except with the approval of Council, comply with the conditions set out hereafter in this Clause:*

- (a) Sheds on lots zoned Residential R10 and above shall not: -*
 - (i) have an individual area greater than 55m²; or*
 - (ii) have a total combined area of more than 75m²; or*
 - (iii) have a height greater than 3.0 metres at wall height and 4.0 metres at the ridge line; or*
 - (iv) be constructed on a lot prior to the construction of a dwelling on the property.*

- (b) Sheds on lots zoned below Residential R10 shall not: -*
 - (i) have an individual area greater than 150m²; or*
 - (ii) have a total combined area of more than 200m²; or*

Item Number 8.1.1.8
TOWN PLANNING SCHEME AMENDMENT 14 (continued)

- (iii) *have a height greater than 3.0 metres at wall height and 4.0 metres at the ridge line; or*
 - (iv) *be constructed on a lot prior to the construction of a dwelling on the property.*
 - (c) *Sheds on lots zoned Rural Residential and Farming zoned lots of an area of 5 hectares or less shall not: -*
 - (i) *have an individual area greater than 150m²; or*
 - (ii) *have a total combined area of more than 200m²; or*
 - (iii) *have a height greater than 3.0 metres at wall height and 4.0 metres at the ridgeline.*
 - (d) *Sheds on lots zoned Farming and above 5 hectares shall not: -*
 - (i) *have an individual area greater than 400m²; or*
 - (ii) *have a height greater than 5.0 metres at wall height and 6.0 metres at the ridgeline.*

Inserting Clause 7.7 as follows: -

7.7 DELEGATIONS OF AUTHORITY

7.7.1 *The local government may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a committee or the CEO, within the meaning of those expressions under the Local Government Act 1995, the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.*

7.7.2 *The CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 7.7.1.*

Item Number 8.1.1.8
TOWN PLANNING SCHEME AMENDMENT 14 (continued)

7.7.3 The exercise of the power of delegation under clause 7.7.1 requires a decision of an absolute majority as if the power had been exercised under the Local Government Act 1995.

7.7.4 Sections 5.45 and 5.46 of the Local Government Act 1995 and the regulations referred to in section 5.46 apply to a delegation made under this clause as if the delegation were a delegation under Division 4 of Part 5 of that Act.

B That the amendment be forwarded to: -

- (i) The Environmental Protection Authority for comment, pursuant to Section 82 of the Planning and Development Act 2005 (as amended); and*
- (ii) The WA Planning Commission for Comment.*

C Subject to no objections being received in response to B above, the amendment be advertised for public comment pursuant to Regulation 25(2) of the Town Planning Regulations 1967 for a period of 42 days.

D The amendment being referred back to Council at the conclusion of the advertising period, together with a schedule of all submissions received.”

COMMENT

It has recently come to my attention that the amendment was not acted upon prompting me to request Gray and Lewis to initiate the necessary action.

In dealing with the issue it became apparent that Council has adopted a policy in February 2007 that is in conflict with the scheme amendment. The policy also is overly prescriptive and does not allow for discretion and as such it probably needs modification, however this can be undertaken when the new planner takes up his appointment.

**Item Number 8.1.1.8
TOWN PLANNING SCHEME AMENDMENT 14 (continued)**

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M13/0408 Moved Cr Flood Seconded Cr Roberts
That Council resolve –
That Council rescind resolution M13/1206 of Council's Ordinary Council Meeting held on 19 December 2006, which motion reads as follows: -

“That Council: -

A Adopt Amendment No. 14 to Town Planning Scheme No.2 pursuant to Section 72 of the Planning and Development Act 2005 (as amended) by: -

Inserting clauses 4.12(g) and 4.12(h) as follows: -

- (g) the erection on a lot of a single house including any extension, except where -**
 - (i) the proposal requires the exercise of a discretion by the local government under the Scheme to vary the provisions of the Scheme; or**
 - (ii) the development will be located in a heritage area designated under the Scheme; or**
 - (iii) the lot does not have frontage to a constructed gazetted road.**

- (h) the erection on a lot of a Shed which complies with the provisions of Clause 4.14.**

Inserting Clause 4.14 as follows: -

SHEDS

4.14 All sheds shall, except with the approval of Council, comply with the conditions set out hereafter in this Clause:

- (a) Sheds on lots zoned Residential R10 and above shall not: -**
 - (i) have an individual area greater than 55m²; or**
 - (ii) have a total combined area of more than 75m²; or**

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TOWN PLANNING SCHEME AMENDMENT 14 (continued)

- (iii) have a height greater than 3.0 metres at wall height and 4.0 metres at the ridge line; or
 - (iv) be constructed on a lot prior to the construction of a dwelling on the property.

- (b) Sheds on lots zoned below Residential R10 shall not: -
 - (i) have an individual area greater than 150m²; or
 - (ii) have a total combined area of more than 200m²; or
 - (iii) have a height greater than 3.0 metres at wall height and 4.0 metres at the ridge line; or
 - (iv) be constructed on a lot prior to the construction of a dwelling on the property.

- (c) Sheds on lots zoned Rural Residential and Farming zoned lots of an area of 5 hectares or less shall not: -
 - (i) have an individual area greater than 150m²; or
 - (ii) have a total combined area of more than 200m²; or
 - (iii) have a height greater than 3.0 metres at wall height and 4.0 metres at the ridgeline.

- (d) Sheds on lots zoned Farming and above 5 hectares shall not: -
 - (i) have an individual area greater than 400m²; or
 - (ii) have a height greater than 5.0 metres at wall height and 6.0 metres at the ridgeline.

**Item Number 8.1.1.8
TOWN PLANNING SCHEME AMENDMENT 14 (continued)**

Inserting Clause 7.7 as follows: -

7.7 DELEGATIONS OF AUTHORITY

7.7.1 The local government may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a committee or the CEO, within the meaning of those expressions under the Local Government Act 1995, the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.

7.7.2 The CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 7.7.1.

7.7.3 The exercise of the power of delegation under clause 7.7.1 requires a decision of an absolute majority as if the power had been exercised under the *Local Government Act 1995*.

7.7.4 Sections 5.45 and 5.46 of the *Local Government Act 1995* and the regulations referred to in section 5.46 apply to a delegation made under this clause as if the delegation were a delegation under Division 4 of Part 5 of that Act.

B That the amendment be forwarded to: -

- (i)** The Environmental Protection Authority for comment, pursuant to Section 82 of the Planning and Development Act 2005 (as amended); and
- (ii)** The WA Planning Commission for Comment.

C Subject to no objections being received in response to B above, the amendment be advertised for public comment pursuant to Regulation 25(2) of the Town Planning Regulations 1967 for a period of 42 days.

Item Number 8.1.1.8

TOWN PLANNING SCHEME AMENDMENT 14 (continued)

- D** The amendment being referred back to Council at the conclusion of the advertising period, together with a schedule of all submissions received.”

CARRIED 9-0

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M14/0408 **Moved Cr Gogol** **Seconded Cr Foster**
That Council resolve to replace the abovementioned rescinded resolution M13/1206 with -

- A** The Shire of Beverley Council under and by virtue of the power conferred upon it in that behalf by the Planning and Development Act 2005 hereby adopts Amendment 14 of Town Planning Scheme No. 2 by: -

- 1.** Inserting Clauses 4.1.2(g) and 4.1.2(h) as follows: -

- (g)** The erection on a lot of a single house including any extension, except where -
- i)** the proposal requires the exercise of a discretion by the local government under the Scheme; or
 - ii)** the proposal requires the exercise of a discretion by the local government to vary the provisions of the Residential Design Codes; or
 - iii)** the development will be located in a heritage area designated under the Scheme; or
 - iv)** the lot does not have frontage to a constructed gazetted road; or
 - v)** the single house does not comply with Clause 4.13.1; or
 - vi)** the single house involves the use of second hand material to clad the exterior of the building subject to Clause 4.13.2; or
 - vii)** the single house is a relocated second hand dwelling or building subject to Clause 4.13.4.
- (h)** the erection of an outbuilding on a lot including any extension, except where -
- i)** the proposal requires the exercise of a discretion by the local government under the Scheme;

Item Number 8.1.1.8

TOWN PLANNING SCHEME AMENDMENT 14 (continued)

- ii) the proposal requires the exercise of a discretion by the local government to vary the provisions of the Residential Design Codes; or
- iii) the development will be located in a heritage area designated under the Scheme; or
- (iv) the lot does not have frontage to a constructed gazetted road; or
- v) the outbuilding does not comply with Clause 4.13.1; or
- vi) the outbuilding involves the use of second hand material to clad the exterior of the building subject to Clause 4.13.2; or
- vii) the outbuilding does not comply with the relevant Shire of Beverley Local Planning Policy;
- viii) the outbuilding is proposed to be used for habitation;
- ix) the lot is vacant and the outbuilding is not ancillary to a single house.

2. Inserting Clause 7.7 as follows: -

7.7 DELEGATIONS OF AUTHORITY

7.7.1 The local government may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a committee or the Chief Executive Officer, within the meaning of those expressions under the Local Government Act 1995, the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.

7.7.2 The Chief Executive Officer may delegate to any employee of the local government the exercise of any of the Chief Executive Officer's powers or the discharge of any of the Chief Executive Officer's duties under clause 7.7.1.

7.7.3 The exercise of the power of delegation under clause 7.7.1 requires a decision of an absolute majority as if the power had been exercised under the Local Government Act 1995.

**Item Number 8.1.1.8
TOWN PLANNING SCHEME AMENDMENT 14 (continued)**

7.7.4 Sections 5.45 and 5.46 of the Local Government Act 1995 and the regulations referred to in section 5.46 apply to a delegation made under this clause as if the delegation were a delegation under Division 4 of Part 5 of that Act.

B That the amendment be forwarded to:

(1) The Environmental Protection Authority for comment, pursuant to Section 82 of the Planning and Development Act 2005 (as amended); and

(2) The WA Planning Commission for comment.

C Subject to no objections being received in response to B above, the amendment be advertised for public comment pursuant to Regulation 25(2) of the Town Planning Regulations 1967 for a period of 42 days.

D The amendment be referred back to Council at the conclusion of the advertising period, together with a schedule of all submissions received.

CARRIED 9-0

8.1.1 TOWN PLANNING

ITEM NUMBER:	8.1.1.9
REPORT DATE:	16 April 2008
SUBJECT:	BANNER POLES – VINCENT STREET, BEVERLEY
FILE REFERENCE:	RO 006 and WO VIN
AUTHOR:	Chief Executive Officer – Keith Byers

BACKGROUND

A request has come from Mr Fred Bremner for Council to consider removing the banner poles and bollards from Vincent Street.

Whilst commending Council for the initiative to place the poles there in the first place, Mr Bremner is of the opinion that there is insufficient room between bollards and car doors, when being open, to allow access to vehicles passing along Vincent Street.

COMMENT

As Council would be aware a number of the bollards and one pole have been broken since they were erected in 2005. The cost of the poles and bollards, when originally purchased, however, was approximately \$10,500 (this does not include the cost of installation).

OFFICER'S RECOMMENDATION

For Council's consideration.

COUNCIL RESOLUTION

M15/0408 **Moved Cr Gogol** **Seconded Cr Foster**
That Council do not remove the bollards and banner poles in
Vincent Street.

CARRIED 6-3

8.1.1 TOWN PLANNING

ITEM NUMBER:	8.1.1.10
REPORT DATE:	16 April 2008
SUBJECT:	SUBDIVISION APPLICATION 137283 – LOT 66 LUDGATE STREET, KOKEBY
APPLICANT:	R F Parrick
FILE REFERENCE:	PL 137283
AUTHOR:	Acting Shire Planner – Frank Buise

Appendix 7

BACKGROUND

The Western Australian Planning Commission has forwarded, for Council's comment, an application for the subdivision of Lot 66 Ludgate Street, Kokeby into two lots of 8.2527ha and 3.9588ha.

COMMENT

This parcel of land is located within Policy area BE3, which stipulates in the Beverley Rural Strategy that the minimum lot size is 20ha.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M16/0408 **Moved Cr Shaw** **Seconded Cr Murray**
That Council resolve –
To advise the Western Australian Planning Commission that it recommends Subdivision Application 137283 be refused as the proposed lot sizes are less than the 20ha as required by policy area BE 3 in the Beverley Rural Planning Strategy.
CARRIED 9-0

8.1.2 INFORMATION BULLETIN REPORT – PLANNING

Council received the Information Bulletin Report – Planning.

At 12:15pm Mr Frank Buise, Manager, Health & Building Services, entered the Chambers.

8.2.1 HEALTH & BUILDING SERVICES

ITEM NUMBER:	8.2.1.1
REPORT DATE:	16 April 2008
SUBJECT:	PERMISSION TO PARK VEHICLE ON THOROUGHFARE – LOT 20 HARPER STREET, BEVERLEY
OWNER:	Alan Styles
FILE REFERENCE:	HAR 378
AUTHOR:	Manager, Health & Building Services – Frank Buise

BACKGROUND

This matter was first reported to the March 2008 Council meeting. Council resolved to hold the matter over to the April 2008 Council meeting.

COMMENT

The OIC Beverley Police has now resolved the matter.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M17/0408	Moved Cr Flood That Council resolve – To withdraw the matter.	Seconded Cr Shaw CARRIED 9-0
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COUNCIL RESOLUTION

M18/0408	Moved Cr Murray That Council staff investigate the status of land use for Lot 20 Harper Street, Beverley, and if the land is being used for a non- permitted use the owner be instructed to remove the truck.	Seconded Cr Gogol CARRIED 9-0
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8.2.1 HEALTH & BUILDING SERVICES

ITEM NUMBER:	8.2.1.2
REPORT DATE:	16 April 2008
SUBJECT:	UNCOMPLETED BUILDING – LOT 54 VINCENT STREET, BEVERLEY
OWNER:	John Saville-Wright
FILE REFERENCE:	VIN 51105
AUTHOR:	Manager, Health & Building Services – Frank Buise

Appendix 8

BACKGROUND

I wrote to the owners of the property on 19 February 2008, advising them that the Building Licence issued on 13 March 2006 (for a Renovation) was about to expire. The letter is attached.

The building works have not been completed.

The property looks neglected due to the constant state of the disused building materials in the yard and the poorly constructed perimeter fencing.

There are no sanitary fixtures yet fitted to the building.

I have told the owner to write in to Council to seek an extension of the Building Licence.

Section 409A Uncompleted Buildings states: -

- (1) Where the erection of a building has been commenced but not completed within the time prescribed by the local laws, if any, made under section 433 (39), that are applicable to the building, the local government may, by notice served on the owner of the building, requiring him to show cause, within 60 days of the service of the notice, why the building should not be demolished and removed.
- (2) Where an owner on whom a notice has been served pursuant to subsection (1) fails, within 60 days of the service of the notice, or within such further time as the local government allows for the purpose, to satisfy the local government that there are good and sufficient reasons for the failure to complete the erection of the building within the time referred to in subsection (1) the local government may-

Item Number 8.2.1.2

**UNCOMPLETED BUILDING – LOT 54 VINCENT STREET, BEVERLEY
(continued)**

- (a) by order served on the owner require him to have the building demolished and removed within such reasonable time as the local government specifies in the order; and
 - (b) subject to subsection (3), where the owner fails to comply with the terms of the order referred to in paragraph (a), demolish and remove the building, and recover the costs incurred on account of the demolition and removal as a debt due to it.
- (3) An owner on whom an order is served pursuant to subsection (2)(a) may, within 15 days of the service upon him of the order, by causing notice in writing setting out his grounds to be served upon the Minister, appeal against the making of the order.
- (4) The Minister shall consider the appeal and confirm or set aside the making of the order, and may in confirming the order, if he thinks fit, extend the time specified in the order for compliance with the order, and the provisions of subsection (2)(b) apply in relation to the order as so confirmed or as so confirmed and varied, as the case requires.

The owner has the right of appeal.

COMMENT

The owners have had two years to complete the building works. Ordinarily, a person may apply for a further twelve-month extension to the building licence, if they can show that the works have progressed during the two-year period. In this case, little or no work has been carried out on the dwelling in the past six to eight months.

It should be noted that the fencing is not part of the original building licence.

The property is for sale in the 'as is' state which means that there would be a further delay for a prospective purchaser to obtain the necessary building licence.

Council will have to decide if a twelve month extension is justified, or an order be issued for the owners to show cause (409A (1)) why the building should not be demolished.

**Item Number 8.2.1.2
UNCOMPLETED BUILDING – LOT 54 VINCENT STREET, BEVERLEY
(continued)**

STATUTORY ENVIRONMENT

Local Government (Miscellaneous Provisions) Act 1960
Building Regulations 1989 Section 15 (1)

OFFICER'S RECOMMENDATION

For Council's consideration.

COUNCIL RESOLUTION

M19/0408 **Moved Cr Flood** **Seconded Cr Roberts**
That Council extend the owner's building licence, for Lot 54 Vincent Street, Beverley, for a period of six months, and request that all works to be carried out as per building licence 48 05/06 issued on 13 March 2006.

CARRIED 9-0

COUNCIL RESOLUTION

M20/0408 **Moved Cr Ridgway** **Seconded Cr Roberts**
That the Manager, Health & Building Services, write to the owner of Lot 54 Vincent Street, Beverley, requesting that he tidy up the fencing and yards on this property by 1 July 2008.

CARRIED 9-0

At 12:35pm Council adjourned for lunch.

At 1.57pm Council resumed the meeting with Mr Frank Buise, Manager, Health & Building Services, in attendance.

8.2.2 INFORMATION BULLETIN REPORT – MANAGER, HEALTH & BUILDING SERVICES

8.2.2.1 GENERAL

General Correspondence, duties and communications for Environmental Health Officer/Building issues; General duties with complaints, building activities follow-ups, food recalls, Building returns, water sampling, Builders Registration Board returns.

8.2.2.2 BUILDING LICENSES ISSUED

Building licenses issued up to 16 April 2008: -

Lic No	78 07/08	Lic No	79 07/08
Lot No	2368 York-Williams Rd	Lot No	160 Jones Rd
Building	Shed	Building	Shed
Value	\$18,000	Value	\$50,000
Lic No	80 07/08	Lic No	81 07/08
Lot No	42 Hope St	Lot No	46 Hunt Rd
Building	Carport	Building	Fence Flag Pole
Value	\$3,600	Value	\$3,000
Lic No	82 07/08	Lic No	83 07/08
Lot No	28160 Dale Bin North Rd	Lot No	100 Barnsley St
Building	Dwelling	Building	Verandah
Value	\$184,980	Value	\$300
Lic No	84 07/08		
Lot No	198 Richardson St		
Building	Swimming Pool		
Value	\$5,000		

8.2.2.3 REPAIRS/MAINTENANCE REPORT

The Shire Maintenance Officer provided a report of repairs/maintenance carried out from 17 March 2008 to 16 April 2008.

8.2.2 INFORMATION BULLETIN REPORT – MANAGER, HEALTH & BUILDING SERVICES (continued)

8.2.2.4 PROPOSED PROSECUTION – LOT 123 GREAT SOUTHERN HIGHWAY – Owner Mr C Puttick (Item 8.2.5 of Council’s January meeting) (File Reference GRE2 798)

On 22 January 2008 Council moved the following resolution M10/0108:

“To prosecute the owner of Lot 123 Great Southern Highway for illegal building works under Section 13 of the Building Regulations 1989, and further authorise the Manager Health & Building Services to instigate legal action.”

The Manager, Health & Building Services, gave a verbal report on this matter.

COUNCIL RESOLUTION

M21/0408 Moved Cr Roberts **Seconded Cr Gogol**
That Council allow Mr C Puttick to complete the second shed on vacant Lot 123 Great Southern Highway, Beverley, to the satisfaction of the Manager, Health & Building Services, and such works to be completed by 10 October 2008.
CARRIED 9-0

COUNCIL RESOLUTION

M22/0408 Moved Cr Foster **Seconded Cr Flood**
That Council hold the matter of the fine imposed on Mr C Puttick over until the May meeting of Council.
CARRIED 9-0

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION

M23/0408 Moved Cr Flood **Seconded Cr Roberts**
That Council resolve –
That the Information Bulletin Report from the Manager, Health & Building Services, be received.
CARRIED 9-0

At 1:20pm Mr Frank Buisse, Manager, Health & Building Services, left the Chambers.

8.3.1 PLANT, WORKS, RECREATION AND TOURISM

Nil.

8.3.2 INFORMATION BULLETIN REPORT – WORKS SUPERVISOR

8.3.2.1 GENERAL – PLANT AND WORKS

8.3.2.1.1 Oval

The oval has been spray with iron and manganese.

8.3.2.1.2 Parks and Gardens

The lawns at Memorial Park, Aeronautical Museum and around the blue fountain have been verti mowed, verti drained and fertilized.

8.3.2.1.3 Deep Pool Road

The first section of Deep Pool Road has been gravel sheeted. Further work is required and a costing will be put forward for consideration for the 2008/2009 budget.

8.3.2.1.4 Tree Lopping

Tree lopping is currently being carried out. Work commenced at Mawson and will be heading along Westdale Road to the Brookton Highway

8.3.2.1.5 Roads Graded

Bally Bally County Peak, Cookes, Hobbs, K1, Steve Edwards, York-Williams, Dale Kokeby. Various roads had washouts repaired after the recent heavy rain.

8.3.2.1.6 Plant Report

The Works Supervisor provided a Plant Report.

8.3.2.2 CONSTRUCTION

8.3.2.2.1 Greenhills South Road

Work is underway with the realignment of the corner of Greenhills South Road at the boundary.

8.3.2.2.2 Reseals

Reseals have been completed on Forrest Street between Vincent Street and Taylor Street, Lukin Street between Vincent Street and Nicolas Street.

8.4.1 FINANCE

ITEM NUMBER:	8.4.1.1
REPORT DATE:	15 April 2008
SUBJECT:	SCHEDULE OF ACCOUNTS
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

Appendix 9

COMMENT

The Schedule of Accounts for the month of March 2008 is attached.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M25/0408	Moved Cr Foster	Seconded Cr Gogol
	That Council resolve –	
	That the Schedule of Accounts for the month of March 2008, be received.	

CARRIED 9-0

8.4.1 FINANCE

ITEM NUMBER:	8.4.1.2
REPORT DATE:	15 April 2008
SUBJECT:	FINANCIAL REPORT FOR THE PERIOD ENDED 31 MARCH 2008
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

COMMENT

The Financial Statement for the period ended 31 March 2008 was provided under separate cover.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M26/0408	Moved Cr Murray	Seconded Cr Roberts
	That Council resolve –	
	That the Financial Statement, as presented, for the period ended 31 March 2008, be received.	

CARRIED 9-0

8.4.1 FINANCE

ITEM NUMBER: 8.4.1.3
REPORT DATE: 15 April 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 March with Esanda Investments.

▪ Office Equipment Reserve	\$ 20,706.00
▪ Annual Leave Reserve	\$ 104,385.00
▪ Building Reserve	\$ 242,317.00
▪ Plant Reserve	\$ 88,997.00
▪ Recreation Ground Reserve	\$ 245,062.00
▪ Bush Fire Fighters Reserve	\$ 67,102.00
▪ Avon River Development Reserve	\$ 16,056.00
▪ Community Bus Reserve	\$ 19,913.00
▪ Cropping Committee Reserve	\$ 66,380.00
▪ Road Construction Reserve	\$ 423,207.00
▪ Municipal Fund	\$ 500,000.00

The Investment terms are as follows

Certificate#	Term	Interest Rate	Amount	Expires
1233957003	33 Days	7.57%	\$ 500,000.00	29/04/2008
1233960001	30 Days	7.61%	\$ 423,207.00	12/05/2008
1233961001	60 Days	7.74%	\$ 487,379.00	11/06/2008
1233962001	60 Days	7.74%	\$ 383,539.00	11/06/2008

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M27/0408 Moved Cr Foster **Seconded Cr McDonald**
That Council resolve –
That the Investment Report for the month of March 2008, be received.

CARRIED 9-0

8.5.1 ADMINISTRATION

ITEM NUMBER:	8.5.1.1
REPORT DATE:	16 April 2008
SUBJECT:	REAR ACCESS – LOT 122 – 124 VINCENT STREET
OWNER:	Mr C J Pepper
FILE REFERENCE:	VIN 825
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

Mr C Pepper, Proprietor of the Beverley Supermarket and Liquor, has requested that Council Road be extended to enable access to the rear of Lot 124. The previous access was via a lane on Lot 123, however the owners have now closed this.

The access is needed for delivery of gas, which is stored at the rear of the premises and to enable freight to be unloaded in preference to having vehicles parked in Vincent Street.

COMMENT

The extension of Council Road would require a resumption of portion of Lot 427, which was recently purchased by the Shire of Beverley from the Crown. In preference to creating a 20-metre road reserve from an 80.9 metre frontage I would suggest an easement of say 6m – 7m be provided along the southern boundary of Lot 427 to enable access to Lot 124.

Council at its January 2008 meeting resolved to:

“Advise Mr C Pepper of its intention to allow access to Lot 124 Vincent Street, subject to Council’s further consideration of the Shire of Beverley Townscape Plan.”

Several Councillors have inspected the area and agreed that access is required to the back of the Railway Station from Council Road.

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION

Moved Cr Foster

Seconded Cr Shaw

That Council resolve –

To grant a 7 metre easement along the southern boundary of Lot 427 to enable access to Lot 124 subject to the owner of Lot 124: -

- (a) Meeting all costs to have the necessary memorial posted on the certificate of title.

LOST 6-3

Item Number 8.5.1.1

REAR ACCESS – LOT 122 – 124 VINCENT STREET, BEVERLEY (continued)

COUNCIL RESOLUTION

M28/0408

Moved Cr Flood

Seconded Cr Foster

That Council grant a 15-year right of access, along the southern boundary of Beverley Suburban Lot 8, to the owners of Lot 124 Vincent Street, to enable them to gain access to the rear of their property and that this decision be reviewed at the end of the period.

CARRIED 9-0

11. OTHER BUSINESS (continued)

ITEM NUMBER: 11.3
SUBJECT: AVONDALE DISCOVERY FARM

Council held a general discussion in regard to the future of the Avondale Discovery Farm.

ITEM NUMBER: 11.4
SUBJECT: DEVELOPMENT SERVICES COMMITTEE MEETING

The next meeting of the Development Services Committee will be held in the Council Chambers on Tuesday 13 May 2008 at 1:00pm.

12. CLOSURE

There being no further business the meeting closed at 4:15pm.

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

Presiding Member

Date
