

## 9. OFFICER'S REPORTS

### 9.1 DEVELOPMENT REPORTS

#### 9.1.7 Variation To The Residential Design Codes For An Oversize And Over Height Outbuilding On Vacant Land

*When acting as a planning authority in accordance with the powers conferred by the Planning and Development Act 2005 and any relevant scheme, the Council of the Shire is entitled to make decisions based only on proper planning considerations.*

FILE NO:	LE4.9767
COUNCIL DATE:	20 December 2010
REPORT DATE:	14 December 2010
LOCATION/ADDRESS:	Lot 23 (38) Lewis Road, York
APPLICANTS:	Darren And Amanda Erickson
SENIOR OFFICER:	Ray Hooper
REPORTING OFFICER:	Brooke Newman
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Plans
DOCUMENTS TABLED:	Nil

#### **Summary:**

Council is requested to consider issuing planning consent for a variation to the Residential Design Codes ('R Codes') for an oversize and over height outbuilding on Lot 23 before the construction of a dwelling.

#### **Background:**

An application has been received for the construction of an oversize and over height outbuilding with the dimensions of 9m x 9m (81m<sup>2</sup>) with a wall height of 3.3m and a ridge height of 4.1m which is proposed to be constructed on Lot 23 (38) Lewis Road, York before the construction of a dwelling.

Lot 23 is located in an area generally known as the "York Estates".

The outbuilding is proposed to be used to house various household items, motor vehicles and a boat. The height of the boat is such that it requires the wall height to be 3.3m in order to fit under the entrance door.

A building licence has been issued for the construction of a dwelling on Lot 23 but as at the date of writing this report, the dwelling has not been commenced.

#### **Consultation:**

The proposed development has been advertised in accordance with clause 7.3.3 of the Scheme, i.e. advert in local newspaper, letter to adjoining landowners and sign erected on site. Detailed plans of the proposed development and relevant documentation have been on display at the Council offices during the advertising period.

Four (4) submissions have been received (see attached Schedule of Submissions).

#### **Statutory Environment:**

Lot 23 is zoned "Residential R5/10" under the provisions of the Shire of York Town Planning Scheme No 2 ("TPS2"), is approximately 5,169m<sup>2</sup> and is not located within the 1 in 100 year floodplain for the Avon River.

The outbuilding does not comply with the R Codes as follows:

	<b>Performance Criteria</b>	<b>Acceptable Development Criteria</b>	<b>Inconsistency</b>
<b>Oversize and Over Height Outbuilding</b>	P1 Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties		
		<i>A1 Outbuildings that:</i> <i>(i) are not attached to a dwelling;</i>	There is currently no dwelling on the property.
		<i>(ii) are non-habitable;</i>	The outbuilding is not proposed to be habitable.
		<i>(iii) collectively do not exceed 60m<sup>2</sup> in area or 10 per cent in aggregate of the site area, whichever is the lesser;</i>	Requested Floor Area = 81m <sup>2</sup> (Acceptable Floor Area = 60m <sup>2</sup> ) - Discretion Requested = 21m <sup>2</sup>
		<i>(iv) do not exceed a wall height of 2.4m;</i>	Requested Wall Height = 3.3m (Acceptable Wall Height = 2.4m) - Discretion Requested = 0.9m
		<i>(v) do not exceed a ridge height of 4.2m. are not within the primary street setback area;</i>	Requested Ridge Height = 4.1m (Acceptable Ridge Height = 4.2m) - Discretion Requested = nil as the proposed ridge height does not exceed the maximum allowable
		<i>(vi) do not reduce the amount of open space required in table 1; and</i>	The proposed outbuilding and dwelling will not reduce the required open space

	<b>Performance Criteria</b>	<b>Acceptable Development Criteria</b>	<b>Inconsistency</b>
		<i>(vii) comply with the siting and design requirements for the dwelling but do not need to meet rear setback requirements of table 1.</i>	The outbuilding is not proposed to be constructed within the required setbacks.

**Policy Implications:**

A Local Planning Policy for Outbuildings is required to be initiated by Council. It is anticipated that the Policy will be presented to the February 2011 OCM.

**Financial Implications:**

Planning fees have been paid and building licence fees will be required.

**Strategic Implications:**

Key Result Area 1 – Objective 1:

*“To develop a framework to facilitate planning and decision-making in order to identify and meet community needs, develop opportunities and implement change.”*

Historically, there has been no Local Planning Policy to guide the construction of outbuildings throughout the Shire. It is anticipated that an Outbuildings Policy will assist landowners when proposing to construct outbuildings in the Shire by providing size and height specifications which are deemed to be acceptable by Council.

Key Result Area 2 - Objective 5:

*“To ensure economic development does not conflict with York’s heritage, lifestyle and environment.”*

It is not considered that the construction of an outbuilding with the dimensions proposed by the applicants will pose significant negative impacts on the locality in general.

**Voting Requirements:**

**Absolute Majority Required:**           **No**

**Site Inspection:**

**Site Inspection Undertaken:**           **Yes**

Lot 23 is currently vacant.

**Triple bottom Line Assessment:**

**Economic Implications:**

Allowing appropriately sized storage area space on the property will assist the applicant is achieving the maximum development potential of Lot 23.

**Social Implications:**

It is considered that the application does not have any significant social implication.

**Environmental Implications:**

It is not anticipated that the application will have any environmental impacts.

**Comment:**

The applicants are proposing to construct an outbuilding with the dimensions of 9m x 9m (81m<sup>2</sup>) with a wall height of 3.3m and a ridge height of 4.1m on Lot 23 before the construction of a dwelling.

In general, in residential zones, outbuildings are not permitted to be constructed without a dwelling being constructed, or at least, an application for a building licence for the construction of a dwelling being received and approved by the Shire prior to an approval being issued for the construction of an outbuilding.

The reason behind the requirement for dwellings to be constructed or building licences being issued for the construction of a dwelling prior to the construction of an outbuilding is to retain the residential nature of the locality and avoid land resembling industrial areas.

It should be noted that the applicants have had a building licence issued for the construction of a dwelling on Lot 23.

The floor area of the outbuilding proposed by the applicant is 81m<sup>2</sup> which is 21m<sup>2</sup> over the maximum allowable floor area as determined by the R Codes. Generally, as at 15 June 2009 (date of aerial photography), outbuildings in the area known as the "York Estates" have had outbuildings with floor areas of, on average, 110m<sup>2</sup> approved (see attached plan).

In this context, the applicants are requesting an outbuilding which does not exceed the maximum floor area precedent set in the area.

The wall height of the proposed outbuilding (3.3m) is 0.9m above the maximum allowable wall height as determined by the R Codes for a residential area (2.4m).

Generally, wall heights for outbuildings approved and constructed within the "York Estates" area are, on average, approximately 3m. Therefore, the applicant is proposing to construct an outbuilding with a wall height exceeding the average for the area by approximately 0.3m.

The proposed ridge height of the outbuilding is 4.1m which is not in excess of the maximum allowable under the R Codes. To this extent, staff consider the outbuilding to be acceptable under the R Codes except for the wall height. Considering that the ridge height is not in excess of the maximum, it is considered that the outbuilding, in general, will not impose negative impacts on adjoining landowners or to the area in general.

Given the justification for the request for the outbuilding to have a wall height of 3.3m being, the desire to store a boat in the outbuilding and the fact that the ridge height is not in excess of the maximum under the R Codes, it is considered that a wall height 0.3m in excess of the average for the area and 0.9m in excess of the maximum under the R Codes is appropriate.

Therefore, it is the officer's recommendation that an outbuilding be recommended for approval subject to the maximum floor area being no greater than 81m<sup>2</sup>, the wall height of the outbuilding being no higher than 3.3m and the ridge height being no higher than 4.1m.

**RESOLUTION  
081210**

**Moved: Cr Scott**

**Seconded: Cr Randell**

***“That Council:***

***Issue planning consent for a variation to the R Codes for an oversize and over height outbuilding with the dimensions of 9m x 9m (81m<sup>2</sup>) with a wall height not exceeding 3.3m and the ridge height not exceeding 4.1m on Lot 23 (38) Lewis Road, York subject to the following conditions:***

- 1. Development must substantially commence within one (1) year from the date of this decision;***
- 2. The outbuilding have a maximum floor area of 81m<sup>2</sup>, a maximum wall height of 3.3m and a maximum ridge height of 4.1m.***
- 3. Prior to commencement of the development, detailed drainage plans shall be submitted to the satisfaction of the local government;***
- 4. Prior to occupation of the development, vehicle crossover(s) shall be constructed to the satisfaction of the local government;***
- 5. Prior to occupation of the development, stormwater drainage works must be completed in accordance with the approved plans to the satisfaction of the local government;***
- 6. The on-site drainage system shall be maintained on an ongoing basis to the satisfaction of the local government;***
- 7. The outbuilding is not to be used for human habitation, commercial or industrial purposes;***
- 8. The finish of the outbuilding is to be non-reflective factory applied painted steel to the satisfaction of the local government. A colour scheme is required to be submitted and approved by the local government prior to the issue of a building licence.”***

**CARRIED: 5/0**

**RESOLUTION  
091210**

**Moved: Cr Scott**

**Seconded: Cr Lawrance**

***“That Council:***

***Request the owner to relocate the oversize shed closer to the residence to minimise the impact on neighbours, however this is not a condition of the planning approval.”***

**CARRIED: 5/0**



**ITEM 9.1.7  
APPENDIX A**

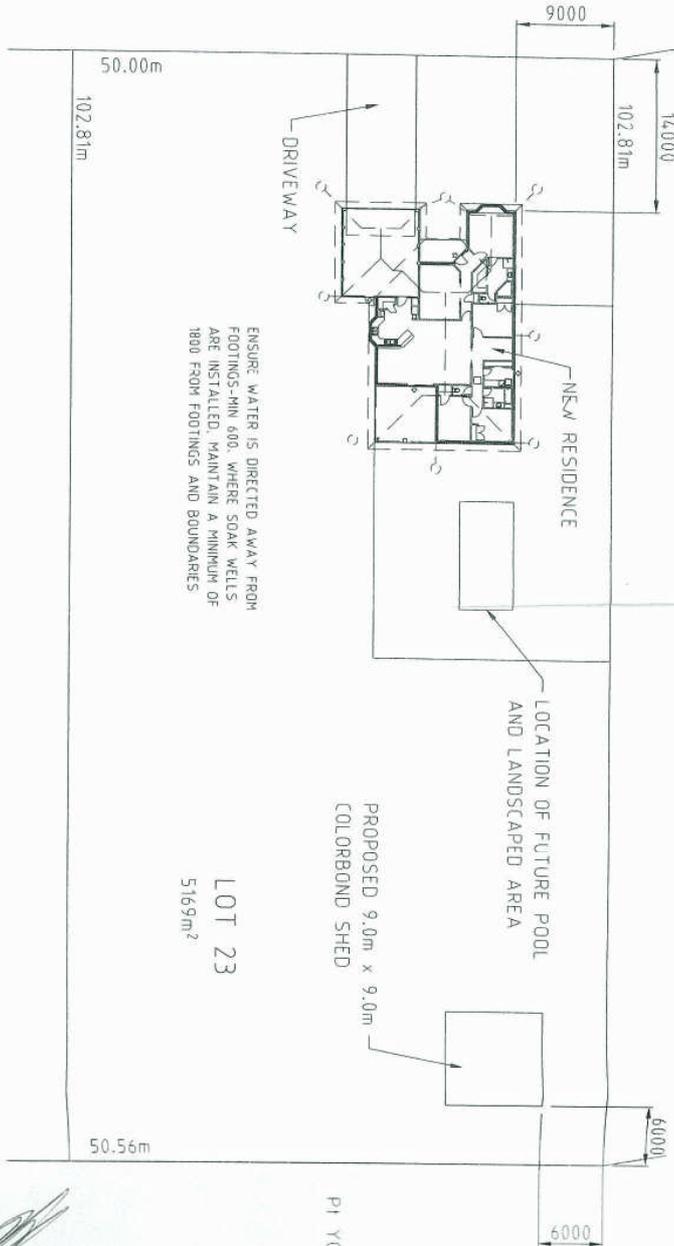


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LEWIS ROAD



ENSURE WATER IS DIRECTED AWAY FROM FOOTINGS-MIN 600. WHERE SOAK WELLS ARE INSTALLED, MAINTAIN A MINIMUM OF 1800 FROM FOOTINGS AND BOUNDARIES

SITE PLAN  
1:250



D. & A. ERICKSON

02  
JUNE 2010

Mike Gill  
M.E.V. as Certified  
General Professional Engineer  
License No. 620131

*28-7-10 Site Check PI York Sub A T28 Co-2 Settled Av22-4*



# ENGINEERED FOR 41MPS - GARAGE (9m SPAN)

7.04.1.1.2

MATERIALS SPECIFICATION	
<b>SPAN</b>	<b>2.1m TO 3.0m</b> <b>3.3m TO 4.2m</b>
BOTTOM CHORD	50x50x5 L G450
TOP CHORD	50x50x4 L G450
WEBBING	25x25x2 L G350
END WEB	45x45x4 L G450
CENTRE VEB	40x40x2 L G350
FLY BRACE	25x25x2 L WITH 1/2" ROOF PITCH
BRACINGS	G450 STUD FRAME WITH 2x 1/2" W/2x20 TEKS EACH END
PURLINS	100C10 DR UNISPAN 1.5m MAX SPAN 3000mm
GIRTS	100C10 DR UNISPAN 1.5m MAX SPAN 3000mm
CEILING CONNECTION	40x40x4 L G450 WITH 2x HIGH-20 BOLTS
<b>COLUMNS</b>	
2100 HIGH	CODE 7
2400 HIGH	CODE 8
2700 HIGH	CODE 9
3000 HIGH	CODE 10
3300 HIGH	CODE 11
3600 HIGH	CODE 12
3900 HIGH	CODE 13
4200 HIGH	CODE 14
<b>FOOTINGS</b>	
TO 3050 HIGH	450x450x400 IF 75mm SLAB INSTALLED
TO 4200 HIGH	500x500x400 IF NO FLOOR SLAB
TO 4200 HIGH	550x550x600 IF NO FLOOR SLAB

OPTIONAL ITEMS	
ROLLER DOORS	LOCATION AND SIZE TO CLIENT REQUIREMENTS
WINDOWS	LOCATION AND SIZE TO CLIENT REQUIREMENTS
SKYLIGHTS	LOCATION AND SIZE TO CLIENT REQUIREMENTS

**TYPICAL SECTION**

**END ELEVATION**

**SIDE ELEVATION**

**PLAN**

MAXIMUM LENGTH  
3 BAYS @ 3000 IF BRACED AT ONE END ONLY  
5 BAYS @ 3000 IF BRACED AT BOTH ENDS

PROPOSED GABLE ROOF GARAGE FOR: **Mr Darren Erickson**

SITE LOCATION: **Lot 23 Lewis Road, York, 6502**

DRAWING No: <b>G 01679</b>	REF: P60009
DATE: <b>17.08.10</b>	

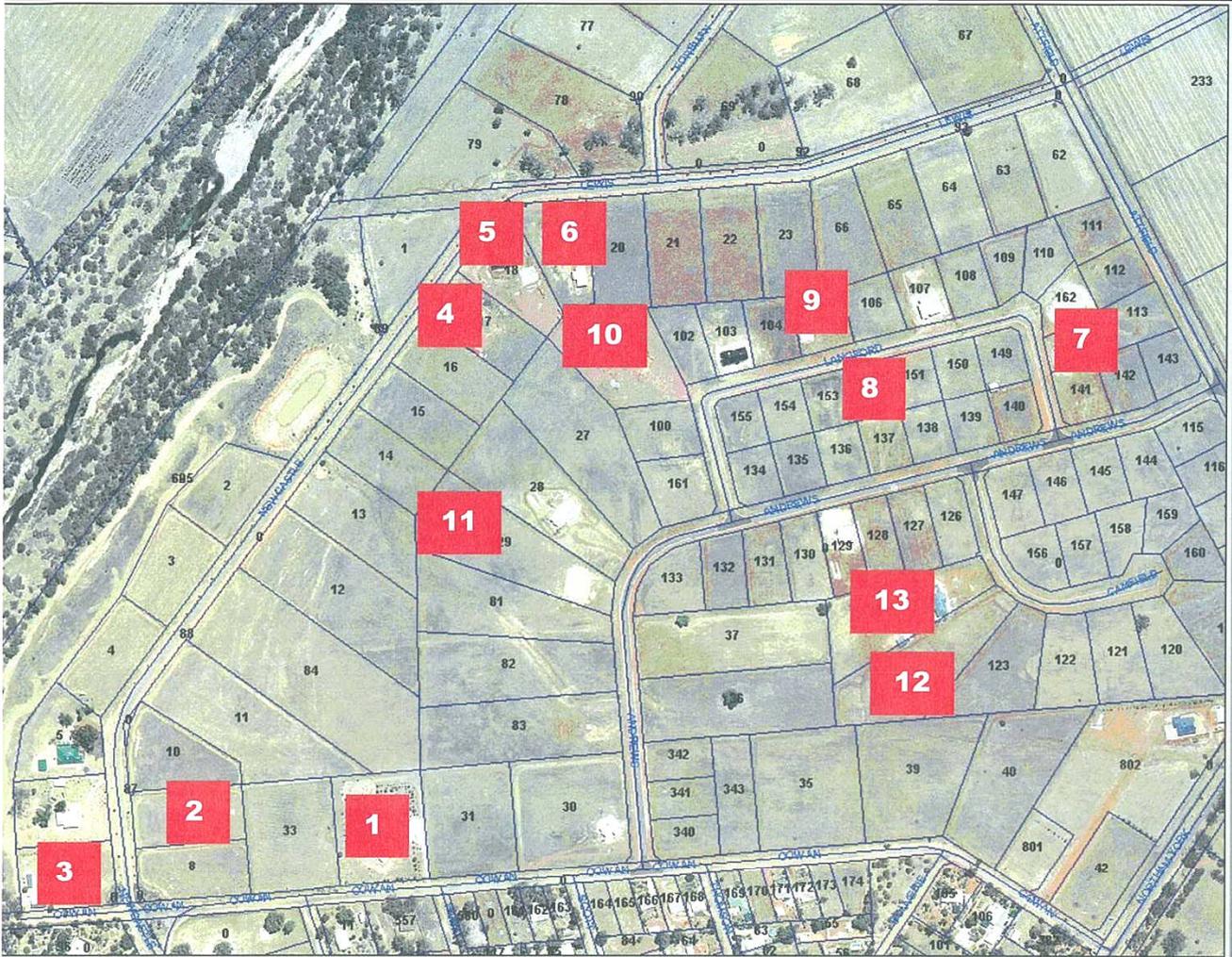
  

**HIGHLINE** © COPYRIGHT

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 Locked Bag 25, Welshpool, W.A. 6086  
 Tel: (08) 9451 5368 Toll Free (08) 198 386  
 Fax: (08) 9451 5369  
 Drawing File: (08) 9350 6449

**ITEM 9.1.7  
APPENDIX B**





No	Address	Floor Area (m <sup>2</sup> )	Wall height (m)
1		136	2.7
2		144	3.2
3		137	3.6
4		90	2.4
5		120	2.7
6		144	3.3
7		84	3.2
8		72	2.7
9		63	2.7
10		140	3.6
11		81	2.7
12		90	3.6
13		81	3
<b>Averages:</b>		<b>110m<sup>2</sup></b>	<b>3m</b>

**AVERAGE APPROVED OUTBUILDING  
SIZES FOR THE 'YORK ESTATES' AREA**





**PROPOSED OVERSIZE AND OVER HEIGHT OUTBUILDING  
ON VACANT LAND  
LOT 23 (38) LEWIS ROAD, YORK**

<b>Submitter</b>	<b>Submission Received</b>	<b>Applicant's Comments</b>	<b>Officer Comments</b>
Landowner	I have no problem with the proposed development on Lot 23 Lewis Road, York.	Thank you	Noted.
Landowner	<p>As you have kindly given me the opportunity to comment on the above development, the following are my opinions about the 9 x 9 metre garage:</p> <ol style="list-style-type: none"> <li>1. attached to a stock suburban house, as shown on the plans, the garage will be out of proportion to this house and not blend into the landscape.</li> <li>2. that this garage will in effect, be a massive "open cave" full of cars and other odd ugly bits. Our vista of the landscape will be compromised.</li> <li>3. that any "working method" within this large open garage will be amplified and project directly across Lewis Road.</li> </ol> <p>For what its worth, if I may continue with a very personal opinion generally on York. I appreciate the need for development in York. It's a lovely little town and deserves to see this "development" fit within its current and historic</p>	<p>I need to have a minimum 3.0m clearance under the doors to be able to park my boat <u>inside</u> the outbuilding.</p> <p>The residence is approximately 300sq metres. The proposed outbuilding being only 81sq metres is small in comparison. Ridge height of residence 4.7m. Ridge height of proposed outbuilding 4.1m</p> <p>The plans clearly state the outbuilding will be clad <u>completely</u> on all sides.</p> <p>With 500sq metres of fenced landscaped garden and a 300+ sq metre residence between the proposed outbuilding and Lewis Road I don't believe any tinkering I may do will disrupt the peace and serenity of the area.</p>	<p>The outbuilding is not proposed to be constructed in an "open" fashion. The outbuilding is proposed to be closed on all sides.</p> <p>No outbuildings in residential areas are permitted to be used for commercial or industrial purposes.</p> <p>General comments are noted. The York Estates area is a new residential development with no construction guidelines imposed on development in the area. Development is to be in accordance with the Residential Design Codes.</p>

	<p>lifestyle. It needs more people living and working locally. The development and expansion of the local wine and olive oil crops plus the existing farming are fantastic industries for the area. They make York quite special and should be valued highly.</p> <p>On a visit over xmas 2009 and again last month the area though is showing signs of leaning towards being yet another typical development of "suburban pizza boxes". I personally feel this will not add any special significance to York at all. There is a wealth of influence architecturally, plus the lovely York "stone", to be able to develop a policy within the Council to add visual value on "all new building" works. This may prevent York from being just another suburban spec-built coastal suburb.</p>	<p>I feel the proposed outbuilding, along with the residence, will blend in appropriately with the current dwellings in the area.</p> <p>For what it's worth we are a new family just arrived in York, we both work within the town and our daughter attends the local High school.</p> <p>I will be using local businesses for most materials and local tradesmen for the labour.</p>	<p>It is agreed that the approved dwelling and the proposed outbuilding will not be out of character with the area.</p> <p>It is considered that the construction of an outbuilding with a wall height of 3.3m and a ridge height of 4.1m will not pose significant negative impacts to the area in general.</p>
<p>Landowner</p>	<p>Block our view, that's why we bought that block so we could build a house and have beautiful views of Mt Bakewell. What are we supposed to look at?</p> <p>Block our view of Mt Bakewell. Will we see an ugly building? If we did sell our price of the block or house would be severely devalued. Blocking the view would give us less chance to sell and the block would be devalued. The whole point in us buying the block was the view. Will we be compensated for our loss of view?</p>	<p>Again the ridge height of the residence is 4.7m. The proposed outbuilding is 4.1m.</p> <p>Again the ridge height of the residence is 4.7m. The proposed outbuilding is 4.1m. I have already begun planting native Flora as per council guidelines.</p>	<p>Officers are restricted to reaching decisions based on the requirements of TPS 2 and the Residential Design Codes.</p> <p>Views from adjoining properties are not categorised as planning considerations under either document. It is considered that the construction of an outbuilding with a wall height of 3.3m and a ridge height of 4.1m will not pose significant negative impacts to the area in general.</p> <p>Property values are also not categorised as a planning consideration under either document.</p>
<p>Landowner</p>	<p>As the highest Lot on Lewis Road, Lot 23 by building an over height building will obstruct view to Mount Bakewell from Lot 66 down to Lot 62 as well as property on Langford Avenue. Hope the Council share my concern.</p>	<p>Again the ridge height of the residence is 4.7m. The proposed outbuilding is 4.1m.</p>	<p>Officers are restricted to reaching decisions based on the requirements of TPS 2 and the Residential Design Codes.</p> <p>Views from adjoining properties are not</p>

			<p>categorised as planning considerations under either document. It is considered that the construction of an outbuilding with a wall height of 3.3m and a ridge height of 4.1m will not pose significant negative impacts to the area in general.</p> <p>Property values are also not categorised as a planning consideration under either document.</p>
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## 9.2 Administration Reports



**9. OFFICER'S REPORTS**  
**9.2 ADMINISTRATION REPORTS**  
**9.2.1 Change the Rateable Boundary**

**FILE NO:** GR 2.110/FI.RTS  
**COUNCIL DATE:** 20 December 2010  
**REPORT DATE:** 10 December 2010  
**LOCATION/ADDRESS:** Lots Z3 and 25 Great Southern Highway, York  
**APPLICANT:** Shire of York  
**SENIOR OFFICER:** R Hooper, CEO  
**REPORTING OFFICER:** T Cochrane, A/DCEO  
**DISCLOSURE OF INTEREST:** Nil  
**APPENDICES:** Nil  
**DOCUMENTS TABLED:** Map

**Summary:**

The Council requests consideration of changing a portion of UV to GRV and vice versa, as per the tabled map.

**Background:**

Through an approved subdivision of land to enable a driveway to be in the ownership of the landowner of Lot Z3 a swap has taken place dividing land located within the GRV and the UV.

**Consultation:**

Regional Development and Lands;  
Landgate; and  
Department of Local Government.

**Statutory Environment:**

Section 6.28 of the Local Government Act:

**"6.28. Basis of rates**

- (1) The Minister is to —
  - (a) determine the method of valuation of land to be used by a local government as the basis for a rate; and
  - (b) publish a notice of the determination in the *Government Gazette*.
- (2) In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be —
  - (a) where the land is used predominantly for rural purposes, the unimproved value of the land; and
  - (b) where the land is used predominantly for non-rural purposes, the gross rental value of the land.
- (3) The unimproved value or gross rental value, as the case requires, of rateable land in the district of a local government is to be recorded in the rate record of that local government.
- (4) Subject to subsection (5), for the purposes of this section the valuation to be used by a local government is to be the valuation in force under the *Valuation of Land Act 1978* as at 1 July in each financial year.

(5) Where during a financial year —

- (a) an interim valuation is made under the *Valuation of Land Act 1978*;
- (b) a valuation comes into force under the *Valuation of Land Act 1978* as a result of the amendment of a valuation under that Act; or
- (c) a new valuation is made under the *Valuation of Land Act 1978* in the course of completing a general valuation that has previously come into force,

the interim valuation, amended valuation or new valuation, as the case requires, is to be used by a local government for the purposes of this section.”

**Policy Implications:**

Not applicable to this report.

**Financial Implications:**

The change will result in the loss of two minimum rates for UV and GRV – totalling \$1,790.00, which Council did not have before the subdivision was approved.

**Strategic Implications:**

Not applicable.

**Voting Requirements:**

**Absolute Majority Required:           No**

**Site Inspection:**

**Site Inspection Undertaken:           Not applicable**

**Triple bottom Line Assessment:**

**Economic Implications:**

The changing of the land parcels to enable a driveway has created two sections that are in the GRV area and the UV area, as such it is considered appropriate to have the GRV rateable boundary changed so that a minimum rate will not be applied to the landowners for these two small sections.

**Social Implications:**

Council is endeavouring to assist the landowners for an amicable outcome. This approach should minimise complaints.

**Environmental Implications:**

Not applicable.

**Comment:**

With the current layout of the land it is suggested that the GRV Rateable Boundary be changed to enable rating of the land in the appropriate form, which it is considered that the land adjoining Great Southern Highway be rated GRV, as it has previously. The land at the rear of the lots facing Great Southern Highway and utilising the piece of land rated GRV previously and used as a connection point to the Great Southern Highway be changed to UV. Resulting in the following:

- Lot 25 – Shown as Lot 801 on DP 67424 – to be GRV rated including portion excised from Lot Z3 Great Southern Highway, York.
- Lot Z3 – Shown as Lot 802 on DP 67424 – to be UV rated including portion excised from Lot 25 Great Southern Highway, York.

**RESOLUTION  
101210**

**Moved: Cr Lawrance**

**Seconded: Cr Hooper**

***“That Council:***

- 1. resolve to change the rateable boundary of the following parcels of land on Deposited Plan (DP) 67424, as a result of a subdivision application to create an access/driveway to connect with Great Southern Highway, York:***

***Lot 25 – Shown as Lot 801 on DP 67424 – to be GRV rated including portion excised from Lot Z3 Great Southern Highway, York.***

***Lot Z3 – Shown as Lot 802 on DP 67424 – to be UV rated including portion excised from Lot 25 Great Southern Highway, York.***

- 2. advise the Department of Local Government of the above.”***

***CARRIED: 5/0***



## 9. OFFICER'S REPORTS

### 9.2 ADMINISTRATION REPORTS

#### 9.2.2 Renewal of Waste and Recycling Contract – Avon Waste

<b>FILE NO:</b>	<b>HS.WDL.1</b>
<b>COUNCIL DATE:</b>	<b>20 December 2010</b>
<b>REPORT DATE:</b>	<b>9 December 2010</b>
<b>LOCATION/ADDRESS:</b>	<b>Designated Rubbish Collection Areas, York</b>
<b>APPLICANT:</b>	<b>Avon Waste</b>
<b>SENIOR OFFICER:</b>	<b>Ray Hooper</b>
<b>REPORTING OFFICER:</b>	<b>Gordon Tester</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>Nil</b>
<b>DOCUMENTS TABLED:</b>	<b>Avon Waste – 1<sup>st</sup> December 2010</b>

#### **Summary:**

Councils Waste and Recycling Collection contract with Avon Waste expired on 1 December 2010.

Council has the option of extending the present contract for a further 5 years.

#### **Background:**

Correspondence from Avon Waste was received by Council on 1 December 2010 requesting that Council extend the present Waste and Recycling Contract for a further period of 5 years as is stated under the current contract specifications.

#### **Consultation:**

Nil

#### **Statutory Environment:**

Health Act 1911, Local Government Act 1995, Environmental Protection Act 1986

#### **Policy Implications:**

Nil

#### **Financial Implications:**

At present all bulk bin services are charged for the equivalent number of 240 litre recycling bins.

Avon Waste proposes under a new contract to reduce this number of bins to the number of bins that the property actually has. For example a business with a 4.5m<sup>3</sup> bulk rubbish bin would previously have been charged for 20 recycling services but may only have been using 2 recycling bins.

Under the proposed new system the business would only be charged for the 2 recycling bins that they have been allocated.

This has the potential to reduce the recycling bin numbers by around 200 services with a potential saving for the Shire of York of approximately \$8000.00 per annum.

As of July 1, 2011, Avon Waste proposes to have completed a full phase out of the 1100 litre bins replacing them with 1.5m<sup>3</sup> bulk bins. The 1100 litre bins are no longer considered to be the most efficient way of collecting bulk waste. There are only 6 of the 1100 litre bins still in use in York. Avon Waste believes that the implementation of the 1.5m<sup>3</sup> will provide a much safer and efficient waste collection service.

As of 1 July 2011, Avon Waste have indicated that the minimum charge for a bulk collection will increase from \$12.21( previous 1100 litre bin service charge ) to \$16.66 for the new larger 1.5m<sup>3</sup> bulk bin.

Avon Waste has also indicated that they propose to withdraw their charge for travelling to Gwambygine for the waste and recycling collection. This is estimated to be a further saving of approximately \$3000.00 per year for Council.

All prices will still be subject to CPI as has been the case with the previous contract.

**Strategic Implications:**

The proposed changes to Councils Waste Management and Recycling contract have the potential to enhance the level of community satisfaction with Council's environmental management activities.

**Voting Requirements:**

**Absolute Majority Required:            Yes**

**Site Inspection:**

**Site Inspection Undertaken:            Not applicable**

**Triple bottom Line Assessment:**

**Economic Implications:**

The review of the number of recycling bins allocated to commercial premises and the subsequent savings of approximately 8000.00 is very encouraging. The increased charge for the larger bulk bin is considered to be reasonable. The savings from deletion of travelling charges to Gwambygine of \$3000.00 is also welcome.

**Social Implications:**

Nil

**Environmental Implications:**

Nil

**Comment:**

The current contractor has proved to be efficient and approachable during the preceding 5 years of this contract with very few problems occurring in this time.

In accordance with the provisions of the original contract that indicated an option of renewing the contract for a further 5 years from the expiry date of 1 December 2010, it is recommended that Council renew the contract for a further 5 Years terminating on 1 December 2015.

It is also recommended that Council approve of the deletion of the 1100 litre bulk waste bins and the replacement of them with a 1.5m<sup>3</sup> bulk bins with an increased charge of \$16.66.

The review of the recycling bin allocations to realistic levels and the estimated savings of \$ 8000.00 is a very positive review of the former contract arrangements along with the \$3000.00 saving on travel expenses.

**RESOLUTION  
111210**

**Moved: Cr Randell**

**Seconded: Cr Scott**

***“That Council:***

***Approves the renewal of the Waste and Recycling Collection Contract between the Shire of York and Avon Waste for a further 5 years terminating on 1 December 2015 subject to the following conditions;***

- 1. Charges for recycling bins to be allocated only to the number of recycling bins allocated to each individual premise.***
- 2. All 1100 litre bins to be replaced with 1.5<sup>3</sup> bulk bins with a service charge of \$16.66 subject to the consumer price index.***
- 3. The travelling charge to Gwambygine being deleted.”***

**CARRIED: 5/0**





- Quotes for:

T Shirts for Forum  
Sports equipment for Holiday Programme

- Organising Grant from Local Drug Action Group for \$3,000 to cover merchandise and food for Youth Forum.

**Background:**

Ms Lyn Kay commenced employment on the 11<sup>th</sup> November 2010 and has already made a significant contribution to the Youth of York.

**Consultation:**

Youth  
School  
Police  
Staff  
Councillors

**Statutory Environment:**

Nil from this report.

**Policy Implications:**

Nil to this report.

**Financial Implications:**

Activities and initiatives are funded in the budget or through grants and/or user pays contributions.

**Strategic Implications:**

To be developed further in conjunction with Councillors, Staff and the Youth.

**Voting Requirements:**

**Absolute Majority Required:           No**

**Site Inspection:**

**Site Inspection Undertaken:           Not applicable at this time**

**Triple bottom Line Assessment:**

**Economic Implications:**

Nil at this stage.

**Social Implications:**

A strong focus on youth activities will support community cohesion and interaction through the recognition and valuing of this section of the community.

**Environmental Implications:**

Not applicable at this time.

**Comment:**

It is the officer's intent to complete a monthly update of activities and progress towards youth related matters.

**RESOLUTION  
121210**

**Moved: Cr Randell**

**Seconded: Cr Scott**

***“That Council:***

***Receives the report and acknowledges the activities and initiatives of the Youth Development Officer.”***

***CARRIED: 5/0***



**9. OFFICER'S REPORTS**  
**9.2 ADMINISTRATION REPORTS**  
**9.2.4 Banner Poles – Operating Procedures**

**FILE NO:** AV1; HE2; PA1  
**COUNCIL DATE:** 20 December 2010  
**REPORT DATE:** 8 December 2010  
**LOCATION/ADDRESS:** Avon Terrace, Henrietta Street, Panmure Road  
**APPLICANT:** N/A  
**SENIOR OFFICER:** R Hooper, CEO  
**REPORTING OFFICER:** R Hooper, CEO  
**DISCLOSURE OF INTEREST:** Cr Walters - Proximity  
**APPENDICES:** Shire of York Procedures for Banner Pole Signage  
**DOCUMENTS TABLED:** Nil

**Summary:**

Questions about advertising use of the banner poles in Avon Terrace resulted in a review of the Operational Procedures in place from the 7<sup>th</sup> April, 2009 to ensure an open and accountable process is in place.

**Background:**

Avon Terrace banner poles are part of the Town Centre Streetscape project partly funded by the Federal Government under RLCIP.

**Consultation:**

Councillors

Staff

The Avon Terrace Streetscape Plan (South to Macartney Streets) was publicly advertised and provided to affected businesses.

**Statutory Environment:**

Nil

**Policy Implications:**

Nil

**Financial Implications:**

Minor income potential through occasional business use.

**Strategic Implications:**

Nil

**Voting Requirements:**

**Absolute Majority Required:** No

**Site Inspection:**

**Site Inspection Undertaken:** Ongoing

**Triple bottom Line Assessment:**

**Economic Implications:**

Restricted economic or commercial benefit may result for businesses who provide advertising banners.

**Social Implications:**

The banner poles are primarily for Community benefit to advertise and promote events and for the display of Shire promotional material.

**Environmental Implications:**

Not applicable

**Comment:**

Banner poles are a means of advertising, area promotion and street decorating primarily for Community benefit. Individual promotion of local operating businesses may provide some benefit as an advertising medium.

*Cr Walters declared an Interest Affecting Impartiality to this item and left the room at 3.45pm*

**RESOLUTION**

**131210**

**Moved: Cr Randell**

**Seconded: Cr Lawrance**

***“That Council:***

***Endorse the operating procedures for use of banner poles in Avon Terrace, Henrietta Street and Panmure Road and any other sites developed in the York townsite.”***

***CARRIED: 4/0***

*Cr Scott recommended that a size for the banners to be stipulated in the Procedures.*

*Cr Walters returned to the room at 3.47pm*



## **PROCEDURES FOR BANNER POLE SIGNAGE**

The following details the requirements for the use of the Shire banner poles on Avon Terrace, Henrietta Street and Panmure Road.

### **1. Avon Terrace Banner Poles**

The primary use of these poles is to be for the promotion of approved community events and street decorations and generally there will be restricted use by commercial operations/businesses.

#### **1.1. Community Events**

- 1.1.1. Bookings are to be made at the Shire Office a minimum of two (2) weeks before the banners are erected.
- 1.1.2. Banners are to be delivered to the Shire Depot a minimum of 48 hours prior to it being on display for co-ordination with the Works crew for erection.
- 1.1.3. A maximum display period of 6 weeks prior to an event shall apply to ensure that all Community groups get the opportunity to promote their event.
- 1.1.4. Generally the Works crew will remove the banners in the week following an event and hold them at the depot for collection.
- 1.1.5. No charges apply to approved Community event promotion on these banner poles.

#### **1.2. Commercial Advertising**

- 1.2.1. Commercial advertising will only be permitted on the Avon Terrace banner poles if there is no conflict with Community event promotion or street decoration periods.
- 1.2.2. Commercial application for use of these banner poles will be by written application detailing the content of the sign, the period to be displayed and any other relevant information.
- 1.2.3. A commercial hire rate of \$15.00 per four (4) week period shall apply plus an installation and removal fee of \$150.00 per sign.
- 1.2.4. No single commercial operation shall have rights to use all banner poles to the exclusion of other businesses.
- 1.2.5. Signs must be delivered to the Shire depot a minimum of 48 hours prior to the required display date.

- 1.2.6. Commercial signage shall be restricted to a maximum display period of six (6) weeks per business per financial year.
- 1.2.7. Community and Shire of York use of the banner poles will take precedence and priority over commercial displays.
- 1.2.8. Commercial signage will only be approved for operating businesses.

## **2. Henrietta Street and Panmure Road**

The primary use of these banner poles is to be for the promotion of approved community events, approved community art e.g. Banners on the Terrace and street decorations/Shire of York promotions and generally there will be restricted use for commercial/business operations.

### **2.1. Community Events**

- 2.1.1. Bookings are to be made at the Shire Office a minimum of two (2) weeks before the banners are erected.
- 2.1.2. Banners are to be delivered to the Shire Depot a minimum of 48 hours prior to it being on display for co-ordination with the Works crew for erection.
- 2.1.3. A maximum display period of 6 weeks prior to an event shall apply to ensure that all Community groups get the opportunity to promote their event.
- 2.1.4. Generally the Works crew will remove the banners in the week following an event and hold them at the depot for collection.
- 2.1.5. No charges apply to approved Community event promotion on these banner poles.

### **2.2. Commercial Advertising**

- 2.2.1. Commercial advertising will only be permitted on the Henrietta Street and Panmure Road banner poles if there is no conflict with Community event promotion or street decoration periods.
- 2.2.2. Commercial application for use of these banner poles will be by written application detailing the content of the sign, the period to be displayed and any other relevant information.
- 2.2.3. A commercial hire rate of \$20.00 per four (4) week period shall apply plus an installation and removal fee of \$150.00 per sign.
- 2.2.4. No single commercial operation shall have rights to use all banner poles to the exclusion of other businesses.
- 2.2.5. Signs must be delivered to the Shire depot a minimum of 48 hours prior to the required display date.
- 2.2.6. Commercial signage shall be restricted to a maximum display period of six (6) weeks per business per financial year.

2.2.7. Community and Shire of York use of the banner poles will take precedence and priority over commercial displays.

2.2.8. Commercial signage will only be approved for operating businesses.

**3. General**

3.1. No responsibility or liability is accepted by the Shire of York for any damage during placement, display or removal.

3.2. The applicant shall ensure that banners are made of a suitable material and of sufficient strength to meet the weather conditions and are of a size suitable for the fixing points.

3.3. There is no statutory requirement for the Shire of York to accept any application for the display of banners for any purpose.

