

SHIRE OF YORK

**MINUTES OF THE ORDINARY
MEETING OF THE COUNCIL
HELD ON 20th April, 2009
COMMENCING AT 3.03PM IN THE
TALBOT HALL, YORK**

MISSION STATEMENT

"To build on our history to create our future"

SHIRE OF YORK
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RAY HOOPER
CHIEF EXECUTIVE OFFICER

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SHIRE OF YORK

THE ORDINARY MEETING OF THE COUNCIL
HELD ON MONDAY, 20 APRIL 2009, COMMENCING AT
3.03PM IN THE TALBOT HALL, TALBOT.

The York Shire Council acknowledges the traditional owners of the land on which this meeting will be held.

1. OPENING

- 1.1 Declaration of Opening
The Shire President, Cr Pat Hooper, welcomed all in attendance and declared the meeting open at 3:03pm
- 1.2 Chief Executive Officer, Mr Ray Hooper, read the disclaimer
- 1.3 Announcement of Visitors
NIL
- 1.4 Announcement of any Declared Financial Interests
Item 9.1.1 – Patrick Ruettjes, Shire Planner – Proximity interest.
Item 9.1.5 – Cr Lawrance – Financial interest.

2. ATTENDANCE

- 2.1 Members
Cr Hooper, Cr Lawrance, Cr Boyle, Cr Fisher, Cr Walters
- 2.2 Staff
R Hooper – CEO, G Stanley – DCEO, P Ruettjes – Shire Planner, P Stevens – EHO/BS, J Treloar – ESO, N McNamara - DSO
- 2.3 Apologies
Cr Randell, T Cochrane - MATS
- 2.4 Leave of Absence Previously Approved
NIL
- 2.5 Number of People in Gallery at Commencement of Meeting
12

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

- 3.1 Previous Public Questions Taken on Notice
NIL
- 3.2 Written Questions – Current Agenda

4. PUBLIC QUESTION TIME

Mr P McInnes

Question:

Will the Council resolution of the February 2009 Meeting in the section of the meeting closed to the public now be handled by:

- a. Rescinding the March 2009 motion to accept the February minutes*
- b. Amend the minutes to include the motion*
- c. Re-submit the amended minutes for acceptance.*

Response:

Yes. This will be dealt with at the May 2009 Council meeting to ensure it is detailed for the public as an agenda item.

Katherine Kneuss

Question:

Shires have the right to declare themselves free of genetically modified crops and Minister Redman has stated he will honour their decision.

Will the York Shire Council declare the Shire of York a GM free zone and disallow genetically modified seed, as defined in the "Genetically Modified Crops Free Areas Act 2003" to be sown or transported in the York Shire for at least the next two years?

If not, why not?

If yes, can this be implemented within the next month and made retrospective?

Response: The Act of 2003 was brought in by the previous government. The Act has been overruled by the Minister for Agriculture (Minister Redman) to allow GM crops to be planted in WA this year. The only action the Shire will take is to abide by the current state law. Information was sought in 2007, and the Shire Council was given no notification and very little information.

Rodney Kneuss

Question:

The proposed locations of GM Canola trials have been nominated as:

Top Beverley Rd Gilgering Locality 50ha,

Cubbine Rd Balkuling Locality 50ha,

Top Beverley Rd Beverley Locality 50ha (Shire of Beverley).

Will the York Shire Council request the government to publish details of the defined boundaries so that GM free and organic producers can assess the implications to their products?

If not, why not?

Has the Beverley Shire informed you of the boundaries of the trials in their shire?

Response: The Department of Agriculture and Food WA has provided general advice on Trial locations, but not specific locations or the properties. No Shires that touch our boundaries have informed us of any trial areas (including the Beverley Shire). The State Government has not provided definitive information to date. Council will write to the Minister for more information.

5. APPLICATIONS FOR LEAVE OF ABSENCE

**RESOLUTION
010409**

That Council grant Cr Hooper a leave of absence for the Ordinary Council Meeting to be held on the 18 May 2009 if required.

MOVED: CR LAWRENCE

SECONDED: CR BOYLE

CARRIED (5/0)

6. PETITIONS / PRESENTATIONS / DEPUTATIONS

NIL

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

**RESOLUTION
020409**

MOVED: CR BOYLE

SECONDED: CR FISHER

7.1 Minutes of the Ordinary Meeting of Council held March 16, 2009

Corrections - NIL

Confirmation

“That the minutes of the Ordinary Council Meeting held March 16, 2009 be confirmed as a correct record of proceedings.”

CARRIED (5/0)

**RESOLUTION
030409**

MOVED: CR WALTERS

SECONDED: CR LAWRENCE

7.2 Minutes of the Annual Electors Meeting held March 16, 2009

Corrections - NIL

Confirmation

“That the minutes of the Annual Electors Meeting held March 16, 2009 be confirmed as a correct record of proceedings.”

CARRIED(5/0)

**RESOLUTION
040409**

MOVED: CR BOYLE

SECONDED: CR LAWRENCE

7.3 Minutes of the Special Meeting of Council held March 23, 2009

Corrections - NIL

Confirmation

“That the minutes of the Special Council Meeting held March 23, 2009 be confirmed as a correct record of proceedings.”

CARRIED (5/0)

**RESOLUTION
050409**

MOVED: CR FISHER

SECONDED: CR BOYLE

7.4 Minutes of the Special Meeting of Council held March 24, 2009

Corrections - NIL

Confirmation

“That the minutes of the Special Council Meeting held March 24, 2009 be confirmed as a correct record of proceedings.”

CARRIED (5/0)

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

A Wheatbelt Men's Health luncheon for Men will be held on Wednesday 22 April 2009 at the Bowling Club. Contact Peter Boyle for more details.

9. OFFICER'S REPORTS

9.1 Development Services

9. OFFICER'S REPORTS

9.1 DEVELOPMENT REPORTS

9.1.1 Home Businesses – Lot 262 (68) Roe Street

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:	Ro1. 6370
COUNCIL DATE:	20 April 2009
REPORT DATE:	9 April 2009
LOCATION/ADDRESS:	Lot 262 (68) Roe Street
APPLICANTS:	Darren and Adrian Plaisted
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Patrick Ruettjes, Shire Planner
DISCLOSURE OF INTEREST:	Patrick Ruettjes – Proximity
APPENDICES:	Location plan, site plan and application letters
DOCUMENTS TABLED:	Site inspection photos

Summary:

Council is asked to consider two retrospective applications for home businesses at Lot 262 (68) Roe Street, York. The application is recommended for conditional approval subject to modifications to the operation of the businesses.

Background:

Lot 252 (68) Roe Street, York, is zoned 'Residential R2.5' under the Shire of York Town Planning Scheme No. 2 (the 'Scheme') and comprises an area of 5,210 m². A location plan is attached. The property is part of Scheme Amendment No. 22 which proposes a rezoning to 'Residential R5'. This amendment is currently with the Western Australian Planning Commission and does not impact on the proposed home businesses.

The two businesses in question, 'York Ceilings' and 'Gun Concrete' have been in operation for some time. The nature of the businesses is outlined in application letters which are attached to this report. Following complaints about the businesses and parking of commercial vehicles, Council wrote to the landowners on 6 February 2009:

"It has come to the attention of Council that a home business is operating from the above property. The operation of a home business requires planning consent in accordance with the Shire of York Town Planning Scheme No. 2 (clause 4.7).

Following complaints about the operation of the home business and the parking of commercial vehicles, a site inspection has been undertaken by the Shire Planner, Mr Patrick Ruettjes, on 30th January 2009. The site inspection revealed that a concrete truck ("Gun Concrete") and a delivery truck ("York Country Butchers") were parked on the verge of the property. Photos of the site have been taken. Please note that the Shire Ranger is currently dealing with the parking of the vehicles.

You are advised that while it is possible to grant planning consent after the commencement of development in accordance with section 164 of the Planning and Development Act 2005, you must immediately cease the current illegal operation of the home business and apply for planning consent to the Shire of York by 9 March 2009. Any continuation of the operation of the business must not occur without the necessary Shire approvals.

Please note that while this is not a formal notice issued in accordance with section 214 (3) of the Planning and Development Act 2005, a formal notice may be given if an application for planning

consent is not received by 9 March 2009. Extracts from the Planning and Development Act 2005 and the Shire of York Town Planning Scheme No. 2 have been enclosed for your convenience.

The penalty for an offence under the Planning and Development Act 2005 is \$50,000 and in the case of a continuing offence, a further fine of \$5,000 for each day during which the offence continues, is applicable."

An application for planning consent was lodged on 6 March 2009 which was subsequently advertised to adjoining properties for comment. The comments received are listed in the consultation section of this report.

The vehicles in question have been removed from the verge and the infringement notice issued by the Shire Ranger regarding the parking of vehicles on the verge has been paid.

A site inspection on 8 April 2009 showed that no cars or trucks were parked on the verge of 68 Roe Street.

Consultation:

The application for planning consent was advertised in accordance with clause 7.3 of the Scheme, i.e. newspaper notice, sign on site and letters to adjoining landowners. The following four submissions were received:

Submission 1

"I refer to an application by Darren Plaisted and Adrian Plaisted to run two home businesses from 68 Roe Street York.

I wish to lodge the strongest objection to this proposal.

Council has been encouraging development in York in recent years. It is wrong to invite people to settle in York into a pleasant rural environment, buy a house, create gardens and so on and then allow noisy, dusty traffic, and messy business premises, verge parking and so on to destroy the ambience of the area and to impact on the value of property.

With regard to this business proposal I make these comments:

- (1) Two businesses of such a nature in a cottage in a short street is not tolerable.*
- (2) The property is now cleaned up a little at the front, since the application has been made, but has looked like a cement/ceiling business in an industrial area for some time with one truck and often more on the verge at all times and residue from the businesses scattered about the front yard.*
- (3) Despite my objections we already have an approved cement business in this pretty little street.*
- (4) Previous councils have been strong in protecting residential areas from this sort of visual, noise and dust pollution and I hope this council will maintain these standards.*
- (5) Roe Street has more than its fair share of home industry already. This proposal is certainly not in the spirit of the town planning scheme".*

Submission 2

"Increased water, dust and noise pollution are important environmental concerns and as a concerned resident of York, I wish to state my reasons for this application to be rejected by your Council.

Increased activity on the property will result in an increase of water pollution. The owner states that he will try to do his cleaning during the day. Cleaning what? His truck that is covered in cement dust? His tools? His shed? More polluted water will seep into the ground and eventually into the Avon River. And that's only one business. The application is for two businesses to be developed on the same property, that means double the pollution.

Cement and Gyprock are extremely dusty products. Increased activity on this proposed development would cause increased dust pollution. The surrounding properties are residential and having a dusty business close by could be detrimental to the health of the residents, especially if dust is found to be contaminating neighbours swimming pools and gardens.

Then there is the problem of noise. Two businesses on one property. Two trucks plus big trailers for carting tools and materials, possibly day and night. The increased traffic flow, especially in a no through road would be most annoying to many neighbours. Environmentally concerned groups and Conservation societies would be very concerned regarding this proposed business application.

It is important for businesses to prosper in York, but a line has to be drawn as to where they are situated. Cement and Gyprock businesses are of the type that need to be placed in designated industrial areas such as Wheeler and Maxwell Streets, not in a peaceful, residential suburban street as Roe Street".

Submission 3

"Please find set out below our response to the proposal of a Home business at 68 Roe street York.

Our property is situated at Bland Road, adjoining the above address on the corner of Bland and Roe. We were attracted to the area for its peaceful rural aspect and the proximity of the neighbouring houses. This also provides us with a feeling of security.

Both business have been run from 68 Roe street, certainly since we have moved in three months ago.

From our back verandah as we sit and enjoy the afternoon we overlook the front yard of 68 Roe Street often the trucks are parked in the drive in front of the house or on the street nature strip not secured in the yard as indicated. If it is not currently the practice to park the trucks in the yard in the indicated area I am concerned that this will not change in the future.

I would expect as the business grows in the future that the storing and loading of materials will increase as need demands. This would also increase the noise disturbance in the area.

I appreciate the times that the work is taken out of town for extended periods as this returns the area to it's peaceful ambience.

The noise of the truck is comparable with most trucks and not as quiet as most 4wd's. It has a larger diesel motor which at 5:30 in the morning is enough to wake you up. The early morning starts also bring with it conversation and language more suited to an industrial work environment. The arrival and departure of the work force also contributes to the noise disturbance not usually expected at that time of day. It is more than just the actual road

noise that needs to be considered, there is all the associated noise with preparing to do a days business and then the end of a days work.

With the above comments in mind I would have to object to the approval of this Home Business proposal. We had purchased in a residential environment not in a commercial or industrial area.

Thank you for your time in considering our objections and whilst these business have been operating for some time at this address it is nice to be able to enjoy the tranquil serenity of the surroundings”.

Submission 4

“Thank you for the two letters of application for two home businesses, York Ceilings and Gun Concrete. My wife and I have given the applications due consideration and wish to state quite clearly that we are against the two applications, below are a list of our reasons for this decision.

- 1. Both these businesses have been operating for over twelve months from the premises 68 Roe St .I have made some enquiries over time about the situation at the property, so this is known to the shire.*
- 2. There is a considerable noise factor involved as anyone who is employed by the Two businesses comes to the property reasonably early in the morning to start work in noisy cars with radios blaring showing no consideration for the neighbours, also this results in up to sometimes four cars parked all over the verge.*
- 3. This is a residential area if we had wanted live in an industrial area we would have bought in an industrial area. The other point to note here is we already have one concrete business in the street.*
- 4. This application if successful has the possibility to reduce the value of our property.*
- 5. Because I am home most of the time and my office looks out on to the road I have noted that there are many vehicle movements in any one day, the most I have ever noticed was 37 by 11.00am.*
- 6. During the week beginning 9th march I noticed a major cleanup going on across the road and though not before time, but as it turns out a better explanation was that the cleanup was done to facilitate the passage of the two above applications which arrived in the mail on the 13th march. As part of the appearance upgrade a higher metal gate was installed in place of a reed material gate, this was obviously to hide the vehicles and tools of trade.*
- 7. Three points from Adrian's letter, 1 .mesh for the business has been dumped and reloaded on to the truck, 2 In the event of a large load of mesh etc being delivered on a semi how is that going to be handled, 3, I have no idea who the shift worker is that was stated in the application.*
- 8. Please note that part of the plan is not accurate (the gate noted on the nth side of the property is not there) and even as I type this letter there is a Toyota 4WD parked on the verge and has been there for nearly two weeks. An inspection of the road outside 68 Roe St should be undertaken to note the damage that has been done to the road by the trucks and many other vehicles that do a U turn at the property”.*

The submissions will be addressed in the comment section of this report.

Statutory Environment:

Planning and Development Act 2005

Shire of York Town Planning Scheme No. 2

The Scheme defines a 'home business' as follows:

"home business means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which —

- (a) does not employ more than 2 people not members of the occupier's household;*
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;*
- (c) does not occupy an area greater than 50 square metres, except that for land in the General Agriculture zone under the Scheme the local government may permit an area up to 200 square metres;*
- (d) does not involve the retail sale, display or hire of goods of any nature;*
- (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight, except that for land in the General Agriculture zone under the Scheme the local government may permit the presence and use of up to 3 vehicles of more than 3.5 tonnes tare weight; and*
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone;"*

The following clauses of the Scheme refer to the matter as well:

"4.7 Home Business or Home Occupation

4.7.1 A person is not to carry on a home business or home occupation unless planning consent has been issued by the local government and is current.

4.7.2 An approval to carry on a home business or home occupation:

- (a) is valid for a period of 12 months after the date of issue thereof but may be renewed upon application in writing to the local government;*
- (b) relates only to the premises for which, and the person for whom, the application was made and the approval subsequently issued; and*
- (c) is not capable of being transferred or assigned to any other person and does not run with the land in respect of which it was granted.*

4.7.3 In granting planning consent to carry on a home business or home occupation the local government may impose any reasonable condition it thinks fit to preserve the amenity of the area and reduce potential land use conflicts."

"5.9 Parking of Commercial Vehicles in the Residential Zone

5.9.1 No more than 2 commercial vehicles may be parked on a lot within the Residential zone, provided that:

- (a) only one vehicle may exceed 10 tonnes gross weight;*
- (b) the vehicles are parked on a lot containing only a single house (not grouped dwellings);*
- (c) the vehicles form an essential part of the occupation of an occupant of the dwelling;*

- (d) *no vehicle exceeds 15 metres in length;*
- (e) *any vehicle exceeding 8 metres in length is screened from view from outside the lot;*
- (f) *major repairs to either of the vehicles are not undertaken on the lot; and*
- (g) *any minor repairs, servicing or cleaning of either of the vehicles are carried out in areas which are screened from view from outside the lot.*

5.9.2 *Notwithstanding the provisions of clause 5.9.1 the approval of the local government is required for the parking of a commercial vehicle exceeding 10 tonnes gross weight, on a lot within the Residential zone.*

5.9.3 *An approval of the local government granted under clause 5.9.1*

- (a) *is personal to the person to whom it was granted;*
- (b) *is not capable of being transferred or assigned to any other person; and*
- (c) *does not run with the land in respect of which it was granted.*

5.9.4 *A person to whom an approval has been granted under clause 5.9.1 shall not park or cause to be parked such vehicle on any lot within the Residential zone other than on the lot in respect of which the approval was granted.*

5.9.5 *If a vehicle has been parked with the approval of the local government pursuant to clause 5.9.1 and if in the opinion of the local government such vehicle is causing a nuisance or annoyance to neighbours or to owners or occupier of land in the neighbourhood, the local government may rescind the approval granted by it. After such a rescission, no person shall upon the land subject to a resolution for rescission, park a commercial vehicle exceeding 10 tonnes gross weight unless approval to do so shall subsequently be granted by the local government.*

5.9.6 *With the approval of the local government the owner of land who also owns the adjoining vacant lot may park a commercial vehicle thereon subject to appropriate screening being provided. The maximum number of commercial vehicles that shall be parked on the two lots shall not exceed 2."*

Policy Implications:

No policy implications arise from the recommendations of this report.

Financial Implications:

Planning fees have been collected for this application. Site inspections have been carried out.

Strategic Implications:

Economic Development and Tourism – Key Result Area 2 – Objective 1, 4 and 5:

- "1. *To encourage a sustainable community by increasing employment opportunities in York, attracting investment and businesses to the town, and achieving diversification of industries.*
- 4. *To utilise the unique features of York's heritage and rural lifestyle, where appropriate, as the basis for economic development.*
- 5. *To ensure economic development does not conflict with York's heritage, lifestyle and environment."*

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Yes, several. Site inspection photos will be tabled.

Triple bottom Line Assessment:**Economic Implications:**

Home businesses are encouraged by the Scheme as options to combine living and working on the same premises and therefore minimising commuting. It offers owners or occupiers the opportunity to be self employed, start a business or work from home and look after their children at the same time. The scale and management of the business is of great importance. Any business that does not meet the criteria of home business in accordance with the Scheme has to relocate to appropriately zoned land, i.e. commercial or industrial. This applies to the parking of commercial vehicles as well.

The parking of commercial vehicles in the residential zone is linked to a home business being conducted from the premises as per clause 5.9.1 (c) of the Scheme. A permit for the parking of commercial vehicles cannot be issued without a valid application for a home business.

Social Implications:

Neighbours of home businesses have to accept certain minor inconveniences if the businesses next door meet the criteria set out above in the Scheme. On the other hand, neighbours in residential areas enjoy the right that their amenity be protected. Potentially contentious issues and how they are addressed in the definitions and proposed conditions are discussed in detail in the comment section of this report.

Environmental Implications:

Home businesses need to be managed properly to avoid environmental damage or emissions of noise, odour and dust. Similar rules apply to the parking of commercial vehicles as per clause 5.9 of the Scheme.

Comment:

A 'home business' in accordance with clause 4.7 and the definition in the Scheme is a "business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling" that meets certain criteria. The purpose of allowing home businesses in residential areas is to offer a range of employment opportunities at a small scale. It enables operators of small businesses to operate from home without having to lease or acquire commercial premises – because of their small scale. A home business is intended at tradespeople to start a business, at self-employed professionals or at parents to work from home and look after their children at the same time.

A wide range of home businesses is permissible in residential areas and the State Administrative Tribunal ('SAT') has adopted a rather supportive approach in favour of home businesses in some cases. In the case 'MARSHALL and CITY OF ROCKINGHAM [2006] WASAT 249', regarding a variation to the definition of 'Home Business' – namely 4 employees not being members of the occupier's household – SAT concluded:

"1 This matter came before the Tribunal to answer two preliminary questions concerning the Marshalls' anticipated development, namely a proposal for a commercial operation to be conducted out of a private dwelling house in Rockingham.

2 The first question related to the proper characterisation of the proposed business. The Tribunal considered the nature of the proposed business

operation and concluded that it met the definition of a "home business" under the City of Rockingham's Town Planning Scheme, except in one respect.

3 The City's Town Planning Scheme definition placed a limit on the number of non-household employees that could be accommodated in a home business, and this proposal exceeded that limitation. These limitations were repeated elsewhere in the City's Town Planning Scheme as general development requirements.

4 However, the City's Town Planning Scheme permitted standards and requirements to be lifted or varied.

5 The Tribunal had to consider whether the power of variation applied where the definition of "home business" in the City's Town Planning Scheme had a clear, fixed requirement (as here).

6 After considering various interstate and local tribunal and court decisions and the sources of and drafting of the City's Town Planning Scheme, the Tribunal concluded that, on balance, the limitation was capable of variation even though it appeared fixed in a definition.

7 The decision meant that the City of Rockingham would have to reconsider its decision on the merits of Mr and Mrs Marshall's proposal.

[...]

41 Consequently, the orders of the Tribunal are:

1. The preliminary questions are answered in terms of the questions and answers set out in the reasons of the Tribunal, namely:

Q1. As to the proper use classification of the proposal, is the proposed use or development a "Home Business" under TPS 2?

A. Yes, except as to subparagraph (a) of the definition.

Q2. If the proposal is otherwise found to be a "Home Business", is there nevertheless power to vary one restriction exceeded by the proposal, namely, that relating to the maximum number of persons that may be found on site (that is, subparagraph (a): "[must] not employ more than 2 people not members of the Occupier's household")?

A. Yes."

On the one hand, home businesses are generally supported by the provisions of the Scheme and these provisions are subject to discretion/variation. On the other hand, the Scheme also clearly provides for the protection of the rights of neighbours in regard to amenity ("will not cause injury to or adversely affect the amenity of the neighbourhood").

The definition of a home business in the Scheme (which is actually taken from the Model Scheme Text for Town Planning Schemes from the Town Planning Regulations 1967) includes criteria how this protection of amenity should be achieved:

- Clause (a) allows for a maximum of two people being employed who are not members of the occupier's household. This provision limits the scale of the home business and is recommended as a standard condition. The two home businesses subject to this report meet this criterion as Darren Plaisted's 'York Ceilings' is a single person operations,

while Adrian Plaisted's 'Gun Concrete' has one casual employee who is not member of the occupier's household.

- Clause (c) allows for a maximum area of 50 m² to be used for a home business. This limits the scale of any operation significantly and applies to these applications as a standard condition as well. The proposed condition 6 also restricts the storage of goods to the existing shed on the property and does not allow for any outdoor storage to take concerns from the neighbours with regard to dust generation into consideration.
- Clause (d) limits the scope of a home business by not allowing any retail sale, display or hire of goods of any nature. This is mainly intended at limiting vehicle and pedestrian movements from premises. Both home businesses do not propose to accommodate any customers on site. Other home businesses that involve customer movements would generally be restricted to a maximum of two customers per hours during the hours of operation, no customers after hours and any customer by appointment only. This is reflected in condition 4 and advice note c).
- Clause (e) connects the aspects of home businesses and the parking of commercial vehicles and outlines one of the most contentious issues with regard to neighbourhood amenity – traffic volumes and parking. The submissions and the correspondence with Council indicate that there were significant issues for quite some time until recently. This has been addressed in the proposed conditions 9 and 11. Verge parking is strictly prohibited and will not be tolerated. As outlined in the correspondence in the background section of this report, verge parking will be dealt with by the Shire Ranger. Both proposal letters address these issues by providing for screened parking space behind the street setback line. The two vehicles subject to the applications, a Mazda truck (tare weight 2.820 tonnes) and a Toyota Dyna (tare weight 2.960 tonnes), meet the criterion for maximum vehicle weight (3.5 tonnes) and other provisions of clause 5.9 of the Scheme. It should be noted that any delivery truck to the premises must not exceed 3.5 tonnes tare weight as well.
- Clause (f) is considered to be fairly self-explanatory and relates to the intention to avoid excessive use of electricity or water by the home businesses. It is not considered to be an issue as the businesses have not caused any excessive burden on essential services.
- An additional aspect that does not form part of the definition, but is recognised as a standard requirement for home businesses is the time of operation. A previously approved concrete business in Roe Street has had maximum hours of 7am and 7pm Monday to Friday as a condition on the approval. These hours are proposed as well for the two home businesses subject to this report. The letters from the applicants indicate that they sometimes operate earlier in the morning than these hours. It is considered that this cannot be supported as the time before 7am in the morning is subject to protection by the Noise Regulations. While the applicants try to justify their early operation and compare it with shift workers, they will have to make arrangements to park and load their commercial vehicles elsewhere on industrial premises if they wish to operate before 7am. Similar arrangements are required for weekend operation.

The submissions received for this double retrospective application address most of the issues mentioned above. They are addressed in the following table:

No	Submission/Concerns	Response
1	<p><i>"I refer to an application by Darren Plaisted and Adrian Plaisted to run two home businesses from 68 Roe Street York. I wish to lodge the strongest objection to this proposal.</i></p> <p><i>Council has been encouraging development in York in recent years. It is wrong to invite people to settle in York into a pleasant rural environment,</i></p>	<p><i>Acknowledged.</i></p> <p><i>The two businesses in question will have to comply with planning, building and health regulations. Verge parking</i></p>

	<p><i>buy a house, create gardens and so on and then allow noisy, dusty traffic, and messy business premises, verge parking and so on to destroy the ambience of the area and to impact on the value of property.</i></p> <p><i>With regard to this business proposal I make these comments:</i></p> <p><i>(1) Two businesses of such a nature in a cottage in a short street is not tolerable.</i></p> <p><i>(2) The property is now cleaned up a little at the front, since the application has been made, but has looked like a cement/ceiling business in an industrial area for some time with one truck and often more on the verge at all times and residue from the businesses scattered about the front yard.</i></p> <p><i>(3) Despite my objections we already have an approved cement business in this pretty little street.</i></p> <p><i>(4) Previous councils have been strong in protecting residential areas from this sort of visual, noise and dust pollution and I hope this council will maintain these standards.</i></p> <p><i>(5) Roe Street has more than its fair share of home industry already. This proposal is certainly not in the spirit of the town planning scheme".</i></p>	<p><i>is not permitted (see condition 11). The outdoor storage of goods is not permitted (see condition 6) to avoid dust emission.</i></p> <p><i>The businesses, as outlined in the proposal letter, properly managed and adhering to the conditions proposed, meet the criteria of home businesses and have to be recommended for conditional approval.</i></p> <p><i>The applicants have to comply with strict conditions regarding parking, loading and storage to protect the neighbourhood. Outdoor storage and parking on the verge are not permitted.</i></p> <p><i>Conditional approval for this home business was given in April 2008. The conditions proposed are similar to the businesses subject of this report.</i></p> <p><i>If approved, the businesses in question can only operate in accordance with strict conditions and also have to meet building and health standards to avoid pollution.</i></p> <p><i>See comment (1) above.</i></p>
2	<p><i>"Increased water, dust and noise pollution are important environmental concerns and as a concerned resident of York, I wish to state my reasons for this application to be rejected by your Council.</i></p> <p><i>Increased activity on the property will result in an increase of water pollution. The owner states that he will try to do his cleaning during the day. Cleaning what? His truck that is covered in cement dust? His tools? His shed? More polluted water will seep into the ground and eventually into the Avon River. And that's only one business. The application is for two businesses to be developed on the same property - that means double the pollution.</i></p> <p><i>Cement and Gyprock are extremely dusty products. Increased activity on this proposed development would cause increased dust pollution. The surrounding properties are residential and having a dusty business close by could be detrimental to the health of the residents, especially if dust is found to be contaminating neighbours swimming pools and gardens.</i></p>	<p><i>Acknowledged. Proposed conditions and compliance with building and health standards should ensure</i></p> <p><i>Clause 5.9.1 (g) of the Scheme allows for cleaning in accordance with environmental standards.</i></p> <p><i>The activity is confined to a combined maximum 50 m² area inside the existing shed. No outdoor storage will be permitted. Should the businesses be approved and store material outside and subsequently cause dust pollution, they are liable for breaching planning, health and environmental</i></p>

	<p><i>Then there is the problem of noise. Two businesses on one property. Two trucks plus big trailers for carting tools and materials, possibly day and night. The increased traffic flow, especially in a no through road would be most annoying to many neighbours. Environmentally concerned groups and Conservation societies would be very concerned regarding this proposed business application.</i></p> <p><i>It is important for businesses to prosper in York, but a line has to be drawn as to where they are situated. Cement and Gyprock businesses are of the type that need to be placed in designated industrial areas such as Wheeler and Maxwell Streets, not in a peaceful, residential suburban street as Roe Street”.</i></p>	<p><i>regulations.</i></p> <p><i>Hours of operation are strictly limited during daytime only (7am to 7pm Monday to Friday maximum). No larger vehicles than 3.5 tonnes tare weight are permitted in conjunction with the proposal. Increased traffic volumes are not expected.</i></p> <p><i>Acknowledged. That is why the specific conditions in the recommendation are proposed. Should the businesses exceed the scale of home businesses, they indeed have to relocate to an industrial area. As described in the application letters, they meet the definition of home business and are therefore recommended for conditional approval.</i></p>
3	<p><i>Our property is situated at Bland Road, adjoining the above address on the corner of Bland and Roe. We were attracted to the area for its peaceful rural aspect and the proximity of the neighbouring houses. This also provides us with a feeling of security.</i></p> <p><i>Both businesses have been run from 68 Roe street, certainly since we have moved in three months ago.</i></p> <p><i>From our back verandah as we sit and enjoy the afternoon we overlook the front yard of 68 Roe Street often the trucks are parked in the drive in front of the house or on the street nature strip not secured in the yard as indicated. If it is not currently the practice to park the trucks in the yard in the indicated area I am concerned that this will not change in the future.</i></p> <p><i>I would expect as the business grows in the future that the storing and loading of materials will increase as need demands. This would also increase the noise disturbance in the area.</i></p> <p><i>I appreciate the times that the work is taken out of town for extended periods as this returns the area to it's peaceful ambience.</i></p> <p><i>The noise of the truck is comparable with most trucks and not as quiet as most 4wd's. It has a larger diesel motor which at 5:30 in the morning is enough to wake you up. The early morning starts also bring with it conversation and language more suited to an industrial work environment. The arrival and departure of the work force also contributes to the noise disturbance not usually expected at that time of day. It is more than just the actual road noise that needs to be considered,</i></p>	<p><i>Acknowledged.</i></p> <p><i>Verge parking will not be permitted. The proponents have been fined for verge parking by the Shire Ranger. They have made some minor amendments to the layout of their entrance and have added screening measures so that the trucks cannot be seen from the street.</i></p> <p><i>The home businesses, if approved, are confined to a maximum area of 50 m².</i></p> <p><i>Acknowledged.</i></p> <p><i>Proposed maximum hours of operation are 7am to 7pm. Should the proponents need an earlier start, they have to make arrangements to start from appropriately zoned premises elsewhere. Noise disturbance from the 'work force' is not a planning matter and needs to be dealt with separately. Loading and any commercial activity is not</i></p>

	<p><i>there is all the associated noise with preparing to do a days business and then the end of a days work.</i></p> <p><i>With the above comments in mind I would have to object to the approval of this Home Business proposal. We had purchased in a residential environment not in a commercial or industrial area.</i></p> <p><i>Thank you for your time in considering our objections and whilst these businesses have been operating for some time at this address it is nice to be able to enjoy the tranquil serenity of the surroundings”.</i></p>	<p><i>permitted outside the prescribed hours.</i></p> <p><i>Acknowledged. The current proposal as described in the application letter and – if approved – in compliance with the planning conditions and relevant building, health and environmental regulations meets the definitions of home business in the Scheme and is therefore recommended for conditional approval. Should the businesses exceed the prescribed scale, they have to relocate to an industrial area.</i></p>
4	<p><i>“Thank you for the two letters of application for two home businesses, York Ceilings and Gun Concrete. My wife and I have given the applications due consideration and wish to state quite clearly that we are against the two applications, below are a list of our reasons for this decision.</i></p> <p><i>1. Both these businesses have been operating for over twelve months from the premises 68 Roe St .I have made some enquiries over time about the situation at the property, so this is known to the shire.</i></p> <p><i>2. There is a considerable noise factor involved as anyone who is employed by the Two businesses comes to the property reasonably early in the morning to start work in noisy cars with radios blaring showing no consideration for the neighbours, also this results in up to sometimes four cars parked all over the verge.</i></p> <p><i>3. This is a residential area if we had wanted live in an industrial area we would have bought in an industrial area. The other point to note here is we already have one concrete business in the street.</i></p> <p><i>4. This application if successful has the possibility to reduce the value of our property.</i></p> <p><i>5. Because I am home most of the time and my office looks out on to the road I have noted that there are many vehicle movements in any one day, the most I have ever noticed was 37 by 11.00am.</i></p> <p><i>6. During the week beginning 9th march I noticed a major cleanup going on across the road and though not before time, but as it turns out a better explanation was that the cleanup was done to facilitate the passage of the two above applications which arrived in the mail on the 13th march. As part of the appearance upgrade a</i></p>	<p><i>Acknowledged.</i></p> <p><i>See correspondence in the background section of this report. The proposal is an application for retrospective planning consent in accordance with section 164 of the Planning and Development Act 2005.</i></p> <p><i>As outlined, the maximum hours of operation – this includes loading or other preparation for work – are Monday to Friday 7am to 7pm. Verge parking is not permitted. Enforcement of noise issues from cars are not a planning matter.</i></p> <p><i>The businesses in question have to comply with standards relating to home businesses and are therefore appropriate for a residential area. See submission 1, point (3).</i></p> <p><i>Property values are not a planning matter.</i></p> <p><i>Acknowledged, see proposed condition 9.</i></p> <p><i>Screening is a standard condition for the parking of commercial vehicles in conjunction with a home business (see proposed condition 11 of the recommendation).</i></p>

<p><i>higher metal gate was installed in place of a reed material gate, this was obviously to hide the vehicles and tools of trade.</i></p> <p><i>7. Three points from Adrian's letter, 1 .mesh for the business has been dumped and reloaded on to the truck, 2 In the event of a large load of mesh etc being delivered on a semi how is that going to be handled, 3, I have no idea who the shift worker is that was stated in the application.</i></p> <p><i>8. Please note that part of the plan is not accurate (the gate noted on the nth side of the property is not there) and even as I type this letter there is a Toyota 4WD parked on the verge and has been there for nearly two weeks. An inspection of the road outside 68 Roe St should be undertaken to note the damage that has been done to the road by the trucks and many other vehicles that do a U turn at the property”.</i></p>	<p><i>Outdoor storage is not permitted. Delivery is confined to vehicles as prescribed in condition 9.</i></p> <p><i>Acknowledged. Several site inspections have been undertaken. See condition 12. Verge parking is not permitted and will be dealt with as outlined in the correspondence in the background section of this report..</i></p>
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The applicants are strongly advised to comply with the conditions should their applications be approved. Any breach of the conditions will lead to a rescission of their approvals and may result in prosecution and liability to a maximum fine of \$50,000 as outlined in the council correspondence in the background section of this report. For the areas of non-compliance with the provisions of the Scheme, they are advised to arrange for alternative parking and operation areas should they have to start early in the morning. If the applicants are unable to comply with the conditions they will have to relocate to industrial premises and cease operating their businesses from the premises in 68 Roe Street.

It is therefore recommended to approve the applications subject to the conditions outlined below as their application letter and plan outline compliance with most criteria set out in the Scheme and additional requirements being imposed as outlined in the following recommendation.

Patrick Ruettjes declared a proximity interest in this item and left the room at 3:13pm.

OFFICER RECOMMENDATION

RESOLUTION

060409

MOVED: CR FISHER

SECONDED: CR BOYLE

“That Council advise the applicants that it retrospectively approves two home businesses and the parking of two commercial vehicles at Lot 262 (68) Roe Street, York, subject to the following conditions:

- 1. The approval is valid for a period of 12 months after the date of issue but may be renewed upon application in writing to and assessment by the local government;***
- 2. This approval allows the Home Businesses hereby permitted to be conducted by Darren Plaisted and Adrian Plaisted. If Darren Plaisted and Adrian Plaisted cease to operate the Home Businesses hereby permitted, this approval will expire. The approval is not transferable in any way;***
- 3. The hours of delivery and operation for the two Home Businesses hereby permitted are restricted to Monday to Friday inclusive 7.00am to 7.00pm. No delivery or operation shall take place on a weekend or a public holiday;***
- 4. The Home Businesses hereby permitted shall not involve the retail sale, hire or display of goods. Customers are not permitted on the premises.***
- 5. The Home Businesses hereby permitted shall not employ more than two (2) persons who are not a member of the occupier’s household;***
- 6. The Home Businesses hereby permitted shall not occupy a combined total area greater than 50 square metres. Any outdoor storage of goods is not permitted;***
- 7. The Home Businesses hereby permitted shall not cause injury to or adversely affect the amenity of the neighbourhood;***
- 8. The Home Businesses hereby permitted shall not involve the use of an essential service of greater capacity than normally required in the residential zone;***
- 9. In relation to vehicles and parking, the Home Businesses hereby permitted shall not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and shall not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight;***
- 10. A maximum of two (2) commercial vehicles with a maximum tare weight of 3.5 tonnes are permitted to be parked on Lot 262 (68) Roe Street in conjunction with this approval for Home Businesses. The vehicles have to be registered in the name of Darren and Adrian Plaisted and have to be used in relation to their business;***
- 11. The two (2) commercial vehicles are to be parked behind the street setback (15 metres) and screened from the view of the street at all times. The parking of commercial vehicles within the street setback and/or on the street verge area is not permitted at any time; and***
- 12. Prior to occupation of the development, vehicle crossover(s) shall be constructed to the satisfaction of the local government.***

Advice Notes:

- a) *The Home Businesses are to comply with Noise Regulations;*
- b) *The local government may rescind the approval for the Home Businesses and the parking of the commercial vehicles in accordance with clauses 4.7 and 5.9 of the Scheme if in the opinion of the local government the Home Businesses or the commercial vehicles are causing a nuisance or annoyance to neighbours or to owners or occupiers of land in the neighbourhood,*
- c) *In relation to condition 4, if the operators of the Home Businesses intend to accommodate customers at the premises, this will be permissible by appointment only and up to a maximum of two customers per hour during hours of operations specified in condition 3 subject to a separate application to the local government; and*
- d) *The cleaning of the commercial vehicles is to comply with relevant environmental and health legislation.”*

AMENDMENT

MOVED: CR HOOPER

SECONDED: -

“That Item 3 be amended to read

The hours of delivery and operation for the two Home Businesses hereby permitted are restricted to Monday to Friday inclusive 8.00am to 5.00pm. No delivery or operation shall take place on a weekend or a public holiday;”

This motion lapsed for want of a seconder.

The motion was then put and carried subject to the words “*The vehicles have to be registered in the name of Darren and Adrian Plaisted and have to be used in relation to their business*” in Item 10 being deleted.

CARRIED (3/2)

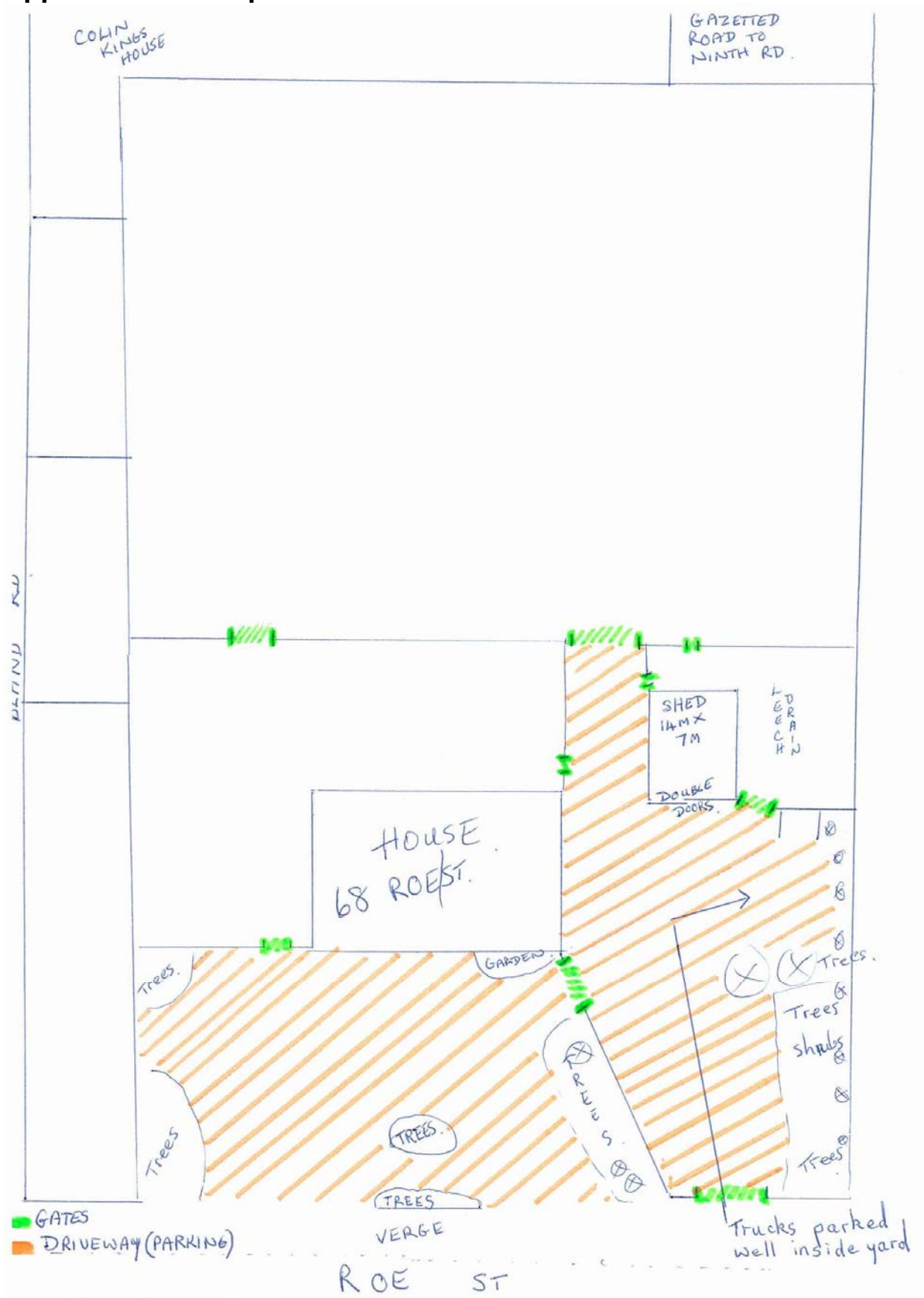
Reason: Requirement for licensing in individual names was considered onerous and unnecessary.

Patrick Ruettjes re-entered the room at 3:37pm.

Appendix A – Location Plan



Appendix B – Site plan



Appendix C – Application letters

Please accept my application to base my business at 68 Roe St, York. I have submitted a rough plan of the property showing parking areas, fences and gates.

I trade as Gun Concrete. I have a Mazda TTop truck, Tare 2820 which has a rack on the back. All my concreting equipment is kept on the vehicle, my steel mesh is loaded at Midalia in Northam, so very little loading is done at the property. This vehicle will be parked within the boundary of the property out of view as per planning laws when I am in town.

My work takes me out of town for sometimes long periods, for instance, last year I worked in Newman for most of the year. I also work around Wongan Hills, Narrogin and the city, which means I need a base in York for the times in between. This makes it impractical for me to maintain an industrial premises.

My truck makes less noise than most 4WD vehicles and creates no problem on the little no through road street. While my work means I sometimes leave early for work, there are people who work shiftwork or who regularly start work at very early hours. These people create as much or more road noise than I do and shine their carlights in the neighbour's windows, fortunately their neighbours do not complain. Any cleaning or stocking of the truck at the property will be done during daylight hours as far as possible.

I don't believe carrying on my business with my truck based in a residential area creates a problem for the average tolerant Australian citizen, in fact, the people next door are very supportive.

Please find in favour of my application and let me get on with trying to get ahead.



ADRIAN PLAISTED

GUN CONCRETE
PO BOX 551
YORK 6302

Please accept my application to carry on my business from my residential premises at 68 Roe St York.

I trade as York Ceilings. As a sole trader in a reasonably new business which still establishing itself I am not in a position to go into an industrial premises. However, I believe there is no reason this business cannot operate in a residential area and submit the following for your information:

I have a Toyota Dyna TTop Tare 2960 which will be kept at the premises. This vehicle is not loud and will be kept inside the boundary of the premises out of view as per planning laws. This vehicle is not used everyday so at times will not even be seen.

I will sometimes have stocks of gyprock, cornice, cornice cement and other supplies in the large shed on the premises. The shed is bitumised, powered and has double doors at the front.

I have my tools of trade, sander, vacuum, box trowel and other tools needed in my trade which I have gradually been acquiring as my business grows. When not in use these tools will be kept at the premises. These pose no risk to person or place.

My truck causes no disruption to traffic in the street which is a no through road. My working hours cause less potential problems than those of shift workers and any manual work around my truck in the yard is undertaken in daylight hours.

I submit with this application a rough plan of my residence showing the shed and the large amount of parking space inside the boundary of the premises. There are numerous trees on the property which screen the yard well.

I believe carrying on my business from my residence poses no threat to the lifestyle or health of anyone living in the area and therefore request you approve my application to do so.



DARREN PLAISTED

YORK CEILINGS
PO BOX 551
YORK 6302

9. OFFICER'S REPORTS

9.1 DEVELOPMENT REPORTS

9.1.2 Scheme Amendment 32 - Signage

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:	PS.TPS.27
COUNCIL DATE:	20 April 2009
REPORT DATE:	2 April 2009
LOCATION/ADDRESS:	N/A
APPLICANT:	Shire of York
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Patrick Ruettjes, Shire Planner
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Scheme Amendment 32 documentation

Summary:

Council is asked to resolve not to proceed with Scheme Amendment No. 32 – Signage and notify the Western Australian Planning Commission ('WAPC') accordingly.

Background:

Scheme Amendment 32 had been initiated to delete clauses in the Shire of York Town Planning Scheme No. 2 (the 'Scheme') relating to signage and replace them by a Local Planning Policy ('LPP') as a result from a proposed recommendation from a review of the Model Scheme Text which reads:

"p) Schedule for Exempted Advertisements. Local government recommended redrafting in a policy format to allow discretion for Councils."

The recommendation was not considered when the Model Scheme Text was updated and signage provisions still form part of the text. The Shire of York Town Planning Scheme in its current version has incorporated the existing recommendations from the Model Scheme Text and incorporates discretionary powers relating to signage control.

Discussions with the Department for Planning and Infrastructure ('DPI') have indicated that while a LPP can be an appropriate way to regulate signage control, scheme provisions would have more weight and are considered to be more appropriate while still giving ample discretionary powers to councils.

A local planning policy relating to signage control therefore has not been drafted.

Consultation:

Consultation with officers from DPI has been undertaken in the preparation of this report. The recommendation is reflected in this report.

Statutory Environment:

Town Planning Regulations 1967 (which contain the Model Scheme Text); and Shire of York Town Planning Scheme No. 2

The following clauses of the Scheme were proposed to be replaced by a LPP:

"4.1... Note: 2. Development includes the erection, placement and display of any advertisements."

4.2... "(f) any of the exempted classes of advertisements listed in Schedule 8 except in respect of a place included in the Heritage List or in a heritage precinct."

5.3 Control of Advertisements:

The provisions of this clause shall apply only within the York townsite.

5.3.1 Power to Control Advertisements:

- (a) *For the purpose of the Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose is development within the definition of the Act requiring, except as otherwise provided, the prior approval of the local government. Such an approval to planning consent is required in addition to any licence pursuant to the local government's Signs, Hoarding, and Bill Posting Local Laws.*
- (b) *Applications for the local government's consent pursuant to this clause shall be submitted in accordance with the provisions of the Scheme and shall be accompanied by a completed Additional Information Sheet in the form set out in Schedule 10 giving details of the advertisement(s) to be erected placed or displayed on the land.*

5.3.2 Existing Advertisements:

Advertisements which:

- (a) *were lawfully erected, placed or displayed prior to the approval of the Scheme, or*
- (b) *may be erected, placed or displayed pursuant to a licence or other approval granted by the local government prior to the approval of the Scheme, hereinafter in clause 5.3 referred to as "existing advertisements", may except as otherwise provided, continue to be displayed or be erected and displayed in accordance with the licence or approval as appropriate.*

5.3.3 Consideration of Applications:

Without limiting the generality of the matters which may be taken into account when making a decision upon an application for consent to erect, place or display an advertisement, the local government shall examine each such application in the light of the objectives of the Scheme and with particular reference to the character and amenity of the locality within which it is to be displayed, including its historic or landscape significance and traffic safety, and the amenity of adjacent areas which may be affected.

5.3.4 Exemptions from the Requirement to Obtain Consent:

Subject to the provisions of the Main Roads (Control of Signs) Regulations 1983 and notwithstanding the provisions of clause 5.3.1 (a) the local government's prior consent is not required in respect of those advertisements listed in Schedule 8 which for the purpose of this clause are referred to as "exempted advertisements". The exemptions listed in Schedule 8 do not apply to places, buildings, conservation areas or landscape protection zones which are either:

- (a) *listed by the National Trust; or*
- (b) *listed on the register of the National Estate; or*
- (c) *included in the Heritage List; or*
- (d) *in a Heritage Precinct.*

5.3.5 Discontinuance:

Notwithstanding the scheme objectives and clause 5.3.4 where the local government can demonstrate exceptional circumstances which cause an exempted or existing advertisement to seriously conflict with the objectives of the Scheme, it may by notice in writing (giving clear reasons) require the advertiser to remove, relocate, adapt, or otherwise modify the advertisement within a period of time specified in the notice.

5.3.6 Derelict or Poorly Maintained Signs:

Where in the opinion of the local government, an advertisement has been permitted to deteriorate to a point where it conflicts with the objectives of the Scheme or it ceases to be effective for the purpose for which it was erected or displayed, the local government may by notice in writing require the advertiser to:

- (a) repair, repaint or otherwise restore the advertisement to a standard specified by the local government in the notice, or*
- (b) remove the advertisement.*

5.3.7 Notices:

- (a) "The advertiser" shall be interpreted as any one or any group comprised of the landowner, occupier, or licensee.*
- (b) Any notice served in exceptional circumstances pursuant to clause 5.3.5 or pursuant to clause 5.3.6 shall be served upon the advertiser and shall specify:
 - (i) the advertisement(s) the subject of the notice;*
 - (ii) full details of the action or alternative courses of action to be taken by the advertiser to comply with the notice;*
 - (iii) the period, not being less than 60 days, within which the action specified shall be completed by the advertiser.**
- (c) Any person upon whom a notice is served pursuant to this clause may within a period of 60 days from the date of the notice appeal in accordance with Part V of the Act, and where any such appeal is lodged the effect of the notice shall be suspended until the decision to uphold, quash or vary the notice is known and, shall thereafter have effect according to that decision.*

5.3.8 Scheme to Prevail:

Where the provisions of clause 5.3 are found to be at variance with the provisions of the local government's Signs, Hoarding, and Bill Posting Local Laws, the provisions of the Scheme shall prevail.

5.3.9 Enforcement and Penalties:

The offences and penalties provisions specified in clause 8.3 of the Scheme apply to the advertiser in this clause."

SCHEDULE 8

EXEMPTED ADVERTISEMENTS

LAND USE AND/OR DEVELOPMENT	EXEMPTED SIGN TYPE AND NUMBER (includes the change of posters or poster signs and applies to non-illuminated signs unless otherwise stated)	MAXIMUM AREA
Dwellings	One professional nameplate as appropriate.	0.2m ²
Home Business or Home Occupation	One advertisement describing the nature of the home business or home occupation.	0.2m ²
Places of Worship, Meeting Halls and Places of Public Assembly	One advertisement detailing the function and/or the activities of the institution concerned.	0.2m ²
Cinemas, Theatres and Drive-In Theatres	Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed.	Each advertisement sign not to exceed 5m ²
Shops, Showrooms and other uses appropriate to a Shopping Area	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building subject to compliance with the requirements of the Signs Hoarding and Bill Posting Local Laws.	Not Applicable
Industrial and Warehouse Premises	<p>A maximum of four advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building and excluding signs which are connected to a pole, wall, or other building.</p> <p>A maximum of two freestanding advertisement signs not exceeding 5 metres in height above ground level.</p>	<p>Total area of such advertisements are not to exceed 15m²</p> <p>Maximum permissible total area is not to exceed 10m² and individual advertisement signs are not to exceed 6m².</p>
Showroom, racecourses, major racing tracks, sports stadia, major sporting grounds and complexes	All signs provided that, in each case, the advertisement is not visible from outside the complex or facility concerned either from other private land or from public places and streets.	Not Applicable
Public Places and Reserves	<p>(a) Advertisement signs (illuminated and non-illuminated) relating to the functions of Government, a public authority or local government excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and</p> <p>(b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the local government, and</p> <p>(c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.</p>	<p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p>
Railway Property	Advertisement signs exhibited on such land provided that each such advertisement is directed only at persons at or upon railway station.	No sign shall exceed 2m ² in area.

Advertisements within Buildings	All advertisements placed or displayed within buildings, which cannot ordinarily be seen by a person outside of those buildings.	Not Applicable
All classes of buildings other than single family dwellings	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m ²
TEMPORARY SIGNS	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA
Building Construction Sites (advertisement signs displayed only for the duration of the construction) as follows:		
(a) Dwellings	One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	2m ²
(b) Multiple dwellings, shops, commercial and industrial properties	One sign as for (a) above.	5m ²
(c) Large development or redevelopment projects involving shopping centres, office or other buildings exceeding three (3) storeys in height	One sign as for (a) above One additional sign showing the name of the project builder.	10m ² 5m ²
Sales of goods or livestock	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose	2m ²
Property transactions Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows:		
(a) Dwellings	One sign per street frontage for each property relating to the Sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.	Each sign is not to exceed an area of 2m ²
(b) Multiple dwellings, shops, commercial and industrial properties	One sign as for (a) above.	Each sign is not to exceed an area of 5m ²
(c) Large properties comprised of shopping centres, buildings in excess of four (4) storeys and rural properties in excess of five (5) hectares.	One sign as for (a) above	Each sign is not to exceed an area of 10m ²
Display Homes Advertisement signs displayed for the period over which homes are on display for public inspection	(a) One sign for each dwelling on display. (b) In addition to (a) above one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.	2m ² 5m ²

SCHEDULE 10

ADDITIONAL INFORMATION FOR ADVERTISEMENTS

ADDITIONAL INFORMATION FOR ADVERTISEMENTS

(NOTE: TO BE COMPLETED IN ADDITION TO THE APPLICATION FOR PLANNING CONSENT FORM)

1. Description of property upon which advertisement is to be displayed including full details of its proposed position within that property:

.....

2. Details of Proposed Sign:

(a) Type of structure on which advertisement is to be erected (i.e. freestanding, wall mounted, other):.....

(b) HeightWidth.....Depth.....

(c) Colours to be used:

(d) Height above ground level - (to top of advertisement):

- (to the underside):

(e) Materials to be used.....

Illuminated: Yes / No If yes, state whether steady, moving, flashing, alternating, digital, animated or scintillating and state intensity of light source:

.....

3. Period of time for which advertisement is required:

4. Details of signs (if any) to be removed if this application is approved:

.....

.....

.....

.....

Note: This application should be supported by a photograph or photographs of the premises showing superimposed thereon the proposed position for the advertisement and those advertisements to be removed detailed in 4 above.

Signature of Advertiser(s):
(if different from landowners)

Date.....

Policy Implications:

The Scheme has been identified as best tool to manage signage. If additional signage issues arise they should be addressed by a SEAVROC wide LPP. At this stage there is no need to address signage issues as a priority.

Financial Implications:

Time for preparation of amendment and research about the matter, no fees have been collected.

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.”

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: N/A

Triple bottom Line Assessment:**Economic Implications:**

Nil.

Social Implications:

Nil.

Environmental Implications:

Nil.

Comment:

The entire amendment is just an administrative planning matter, whether signage control should be administered through the provisions in the Scheme or in a LPP.

The termination of the amendment therefore does not change the fact that signage is development and needs an application for planning consent except for the signs listed in Schedule 8 of the Scheme.

Should the need to change provisions relating to signage control arise, an appropriate Scheme Amendment should be initiated or a Local Planning Policy be drafted, preferably in consultation with the other SEAVROC councils to streamline this aspect of planning control.

With the current provisions reflecting the statewide Model Scheme Text, Council at present has a range of discretionary powers with regard to signage control and therefore it is recommended to keep the status quo – i.e. the current clauses in the Scheme – and not proceed with the proposed Scheme Amendment No. 32.

OFFICER RECOMMENDATION

RESOLUTION

070409

MOVED: CR BOYLE

SECONDED: CR LAWRENCE

“That Council resolves-

- 1. *Not to proceed with the Shire of York Town Planning Scheme No. 2 – Amendment No. 32 relating to signage control; and***
- 2. *To advise the Western Australian Planning Commission accordingly.”***

CARRIED (5/0)

9. OFFICER'S REPORTS
9.1 DEVELOPMENT REPORTS
9.1.3 Building a Better Planning System

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:	N/A
COUNCIL DATE:	20 April 2009
REPORT DATE:	9 April 2009
LOCATION/ADDRESS:	N/A
APPLICANT:	N/A
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Patrick Ruettjes, Shire Planner
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	DPI/WAPC discussion paper 'Building a Better Planning System'

Summary:

Council is asked to write to the Department for Planning and Infrastructure ('DPI') in support of a discussion paper entitled 'Building a Better Planning System' and also to include some additional comments relating to the specific situation in the Shire of York.

Background:

The discussion paper 'Building a Better Planning System' was presented by DPI in March 2009. The Director General of the Department for Planning and Infrastructure, Mr Eric Lumsden, PSM, writes in the foreword:

"A good planning system should be invisible but accommodating and stimulating. Instead there have been complaints about delays in obtaining planning approvals, uncertainty as to processes and outcomes, a lack of capacity to deliver strategic outcomes and poor infrastructure coordination.

As a result there is now a lack of community and business confidence in the planning system. Western Australia cannot afford to have such a fundamental part of the State's institutional framework holding back development and investment decisions.

[...]

I hope that this document will encourage debate, result in sound advice and build a consensus for change."

The discussion paper acknowledges and addresses the current deficits of the Western Australian planning system which include:

- *"Complaints of lengthy approval delays;*
- *Lack of reporting timelines;*
- *Complexity of the approvals processes;*
- *Multiple layers in the approvals process;*
- *A focus on processes rather than outcomes;*
- *Lack of transparency in decisions;*
- *Poor quality development application information;*
- *Inconsistent decisions on proposals;*
- *Lack of coordination between different approval authorities;*
- *Lack of certainty of application outcomes; and*
- *Lack of clarity as to application assessment criteria."*

The paper establishes nine principles for better planning:

“Timeliness

The planning system needs to have timelines to provide certainty and avoid delays.

Efficiency

The planning system should not only be affordable and at reasonable cost to the proponent and the community but be efficient in an economic sense – that is, it should encourage optimal investment outcomes for the economy as a whole.

Simplicity

The planning system should be user friendly, understandable and avoid over-lapping or conflicting requirements.

Transparency

The planning system needs to be clear, open and accessible.

[Sustainability]

A sustainable planning system integrates economic, social and environmental outcomes to protect the natural and built environments and recognize that future generations are stakeholders in the planning process.

[Accountability]

There needs to be clear and enforceable accountabilities and responsibilities in planning processes.

Fairness

The planning system needs to be considered fair by all stakeholders to ensure equity, minimize disputes and ensure confidence in decision-making. A process for an independent review of decisions is an important part of a fair planning system.

Consistency

Uniform and standard planning requirements and processes ensures certainty, effectiveness, transparency and simplicity.

Suitability

Planning requirements and processes should be appropriate to the need.”

The discussion paper identifies six key areas that need attention and change:

1. Simplification of planning approvals
2. More effective planning instruments
3. Prioritisation of major projects
4. Integrated coordination of infrastructure and land use planning
5. Development of a comprehensive regional planning framework
6. Strengthening governance and institutional arrangements

A number of aspects of these key areas will have a significant impact on planning processes and decisions state wide, but some have special relevance to the Shire of York and the South East Avon Voluntary Regional Organisation of Councils. These include:

- 1.2 *Simplify approvals for multi-unit housing*
- 1.3 *Provide greater clarity regarding subdivision engineering conditions*
- 1.4 *Monitor and enforce referrals and response times*
- 1.5 *Reduce and simplify model subdivision conditions*
- 1.6 *Delegate most built strata subdivision applications to local government*
- 1.7 *Fast track public housing works on zoned land*
- 1.8 *Adopt a risk-based approach to development assessment*
- 1.9 *Adopt a risk-based approach to subdivision assessment*
- 1.10 *Trial subdivision delegation to local government*
- 1.11 *Simplify and streamline structure plan layers and requirements*
- 1.12 *Avoid dual approvals for structure plans*
- 1.13 *Track and monitor structure plans*
- 1.14 *Ensure majority of single houses are planning approval exempt*
- 1.15 *Ensure appropriate information is provided with applications*
- 1.16 *Simplify and streamline public works approvals*
- 1.17 *Abolish dual approvals for development*
- 1.18 *Development assessment panels*
- 1.19 *Development decisions tracked and reported*

- 2.2 *WAPC to gazette schemes and amendments at final approval*
- 2.4 *Restrict pre-selling of lots*
- 2.9 *Underpin planning by supporting preparation of timely and simplified local planning strategies*
- 2.10 *Initiation of local planning scheme amendments*
- 2.11 *Consider reducing amendment consultation timeframes*

- 4.4 *Completion of a whole of State policy on developer contributions in which local governments are able to partner private developers for the provision of social and community infrastructure*

- 5.4 *Target smaller regional centres under pressure*

- 6.3 *Increase the transparency of decisions made by the WAPC via web-based publication of decisions*
- 6.4 *Establishment of a joint training program for elected members of local governments in partnership with the Western Australian Local Government Association and local governments on the planning system and processes*

Some of these aspects will be discussed in the comment section of this report.

The closing period for submissions is 1 May 2009.

Consultation:

Discussions with officers from DPI have been undertaken relating to the discussion paper. A forum discussing the paper has been attended by the reporting officer.

Statutory Environment:

Planning and Development Act 2005
Shire of York Town Planning Scheme No. 2
Town Planning Regulations 1967
Environmental Protection Act 1986

Policy Implications:

At this stage no direct implications on relevant Shire of York policies are expected.

Financial Implications:

Nil.

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.”

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: N/A

Triple bottom Line Assessment:**Economic Implications:**

When reforms are implemented, they should lead to easier development and subdivision approval processes and therefore save time and money for developers and local government. Any results, however, are not expected in the short to medium term.

Social Implications:

Increased frustration with delays and inconsistencies relating to planning decisions need to be overcome to ensure sound and sustainable structure planning for the benefit of the community and the viability for the developer/landowner/investor.

Environmental Implications:

Sustainable development will benefit the environment, but consideration needs to be given to social and economic implications as well. Sustainable development therefore means viable for the developer, good outcome and benefit for the community and the environment.

Comment:

The discussion paper ‘Building a Better Planning System’ is the first step in the right direction and one can only congratulate the Director General for this approach. Unfortunately, change will not happen over night, and therefore Western Australia has to cope with the current deficient processes for the foreseeable future, but it is important to start the process of change.

The process of change has to overcome two major hurdles – legislative amendment, which means drafting modifications to various Acts and bringing them through parliament, and structures and funding within state government departments and agencies, which have to change from a process focus to an outcome focus.

Local government has to be part of the reform as well and needs to change the processes and procedures that they actually can change. The Shire of York is – together with the South East Avon Voluntary Regional Organisation of Councils – committed to constant improvement and clear customer and outcome focus and a number of relevant procedure changes have been implemented over the last couple of years. This constant improvement and reform process will see more changes to the handling of planning services delivery from local government to the community in the near future based on the principles and ideas from the discussion paper.

Urgent change in all aspects listed in the background section is needed for local governments like York to enable sustainable land use planning for the future. Two aspects, however, need the most urgent attention as they have the highest relevance for the local community and the submission made by the Shire of York should focus on these aspects:

a) Local Government Assistance Fund and Structure Planning in general

This aspect incorporates the following points from the discussion paper:

- 1.11 Simplify and streamline structure plan layers and requirements
- 1.12 Avoid dual approvals for structure plans
- 1.13 Track and monitor structure plans
- 4.4 Completion of a whole of State policy on developer contributions in which local governments are able to partner private developers for the provision of social and community infrastructure
- 5.4 Target smaller regional centres under pressure

The Shire of York is a situation of a local centre under development pressure as identified in chapter 5.4 on pages 22 and 23 of the discussion paper.

York is experiencing a large influx of people seeking a 'treechange'. Due to the history and heritage of York, its proximity to the metropolitan area and the relative affordability of land and houses, the number of people moving to York is ever increasing. Significant development projects in the town centre and a wide variety of services and businesses add to the attractiveness of the town.

The transformation of York from a farming based country town to a local centre on the urban fringe of Perth is currently happening and will continue well into the next decade. Proactive planning is an integral part to manage this transformation and will benefit all ratepayers, residents and visitors of York in the long run – and the State of WA as well. But proactive planning requires significant costs upfront that cannot be borne by landowners who just want to subdivide their block. The Local Government Assistance Fund, mentioned on page 23 of the consultation paper, has to be introduced to enable local governments like York to continue with their proactive and sustainable land use planning.

Outline Development Plans or Structure Plans are required almost anywhere in York before subdivision and development can happen as a result of the Local Planning Strategy. The Shire has been very proactive and initiated a multitude of those plans and subsequent scheme amendments to cater for the ever increasing demand of a variety of lot sizes and enable development of the town which had been stalled for a significant time previously.

Proactive planning means more structure plans will have to be initiated and more expert studies have to be funded upfront. The current approach to structure planning by the Western Australian Planning Commission and the Department for Planning and Infrastructure does not work in small centres under development pressure like York at all.

The current approach to structure planning is mostly metro-centred and structure plan requirements are usually for large green field sites and single landownership projects. A large developer/landowner organises for an Outline Development Plan and Scheme Amendment through a multitude of consultants who prepare water management studies, traffic management strategies, detailed environmental assessments and the like in light of 'Better Urban Water Management' and 'Liveable Neighbourhoods', sends it to the local government to be initiated. Before it can be advertised and hopefully finally adopted by the local government and the WAPC, the ODP and amendment have to be processed by the Environmental Protection Authority and DPI/WAPC. The developer has to bear significant costs upfront and has usually

been able to recover his costs due to the price increase for land and houses or other development in the Perth metro area in recent years.

The situation in York is fundamentally different. A fragmented ownership means that some owners want to develop and subdivide their land and have been waiting for years to be able to do so, while others might be vehemently opposed to any change and go to great lengths to prove their point. There is no strategy how structure planning is going to be funded in the first place and how costs are subsequently recovered through developer contributions when there is fragmented landownership within established settlement and road patterns as opposed to the green field approach.

While the Local Government Assistance Fund should fund the necessary plans, studies and strategies upfront to enable proactive structure planning, it is acknowledged that landowners and developers of all scales have to contribute to these costs when development is actually happening. But this developer contribution model has to be established in a coordinated and fair way so that developers can calculate the costs they face. It is not sustainable or viable for small landowners or the local government to face huge costs upfront before any development is undertaken. Development and investment should be encouraged by infrastructure and structure planning being funded upfront, cost estimates being established and a clear path indicated to developers what they have to contribute over what timeframe.

The whole outcome approach should focus on the question how development can be facilitated by the local and state governments to the benefit of the community and environment while taking the economic viability of the investment into consideration.

b) Essential Infrastructure – Sewer Infill and Draft Country Sewerage Policy

This aspect relates to the following areas:

4. Integrated coordination of infrastructure and land use planning

The aspect is not specifically mentioned in the discussion paper, but is connected to the establishment of more effective planning instruments and reducing policy complexity (chapters 2. and 2.6 of the discussion paper).

As discussed, the largest and ongoing planning issue for the next decade within the Shire of York is infill residential growth within the greater townsite. Yet development is severely limited by the availability of deep sewer and other infrastructure. Thankfully, a sewer infill program is currently being implemented by the Water Corporation, extending reticulated sewer to approximately 20% of York residents. The areas that have the luxury of being connected to sewer are currently being rezoned to higher density in accordance with their location in proximity of the town centre.

In all other areas, town planning is actually conducted by the Health Department of WA and the provisions of the 'Draft Country Sewerage Policy'. Not the zoning or density code in the Town Planning Scheme map, but the 'Draft Country Sewerage Policy' determine lot sizes and land availability. Strangely enough, there appear to be different requirements for development on the western side of the Avon River as opposed to the eastern side of the Avon River. A recent application to subdivide a lot of 3,844 m² on the western side of the river zoned 'Residential R10' into three lots of 1,281 m² each was refused outright by the WAPC for inconsistency with the 'Draft Country Sewerage Policy'. Another subdivision application of a 3,006 m² lot zoned 'Residential R10' into three lots of 1,002 m² each – to the east of the river – had been approved by the commission some time ago and is now in the process of being cleared. Both lots are within established areas and have some larger lots that could be subdivided in the immediate

vicinity. Legally created smaller lots can be much smaller and still be equipped with on-site effluent disposal anyway (clause 3.2 of the draft policy).

It is very astonishing to see 80% of the townsite population of York not being connected to deep sewer in the 21st century and some other country towns close to the Perth metro area not being connected to sewer at all. It is therefore imperative to extend the sewer infill program – an initiative could be to use ‘Royalties for Regions’ funding – and enable sustainable development of rural towns.

The ‘Draft Country Sewerage Policy’ needs general overhaul and a new ‘Country Sewerage Policy’ has to show clear timelines and funding towards connecting rural townsites to reticulated sewer. It has to show alternative waste water treatment options for areas that are unlikely to be connected in the foreseeable future, such as small treatment plants for a new street block or other techniques. A new ‘Country Sewerage Policy’ also has to be formalised into a proper State Planning Policy to give it the necessary statutory weight.

Conclusion

It is recommended to show full support for the intended changes outlined in the discussion paper ‘Building a Better Planning System’ and to write to DPI requesting urgent consideration of the management of structure plans, the establishment of the Local Government Assistance Fund and the overhaul of the Draft Country Sewerage Policy.

OFFICER RECOMMENDATION

RESOLUTION

080409

MOVED: CR BOYLE

SECONDED: CR FISHER

“That Council resolves-

- 1. to advise the Department for Planning and Infrastructure of its full support of the proposed changes and reforms outlined in the discussion paper ‘Building a Better Planning System’; and**
- 2. to make the following submission with regard to the discussion paper ‘Building a Better Planning System’ to the Department for Planning and Infrastructure:**

a) Local Government Assistance Fund – Structure Planning – Developer Contributions

The requirements and processes of structure planning – Outline Development Plans and Local Planning Scheme Amendments – need urgent review and reform, especially the requirements, responsibilities and timeframes. The need for structure planning is acknowledged. It has, however, to be conducted in partnership between developer, community, local and state government.

The Local Government Assistance Fund has to be established urgently to help local centres under development pressure to allow for proactive and sustainable planning for the future while offering achievable timelines and foreseeable cost estimates for developers to meet the demand for additional housing, services, infrastructure and enable additional employment opportunities.

The Local Government Assistance Fund should fund essential studies, strategies and structure planning in areas with multiple landownership to allow for coherent, sustainable planning and to avoid ad-hoc subdivisions. Costs should be recovered when development and subdivision is happening.

A fair and economically viable developer contributions scheme needs to be established to facilitate development and investment and to focus on outcomes rather than processes.

b) Essential Infrastructure – Sewer Infill – Draft Country Sewerage Policy

The Sewer Infill Programme has to be extended significantly to cover most of rural townsites. The ‘Draft Country Sewerage Policy’ needs urgent review by setting the goal of connecting all rural townsites to reticulated sewer, showing adequate timelines and funding options. For development in currently unsewered areas, alternative options for local waste water treatment need to be included reflecting the current state of the technologies available. The new ‘Country Sewerage Policy’ has to be formalised into a State Planning Policy.”

CARRIED (5/0)

9. OFFICER'S REPORTS

9.1 DEVELOPMENT REPORTS

9.1.4 Scheme Amendment 41 – Avon Terrace

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:	Av1.8512 & Av1.4950, PS.TPS.36
COUNCIL DATE:	20 April 2009
REPORT DATE:	9 April 2009
LOCATION/ADDRESS:	Lots 1 and 52 (Nos. 156 and 152) Avon Terrace
APPLICANT:	Vicki Ann Valenti
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Patrick Ruettjes, Shire Planner
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	A - Scheme Amendment 41 documentation
DOCUMENTS TABLED:	Nil

Summary:

Council is asked to initiate a Scheme Amendment to the Shire of York Town Planning Scheme No. 2 (the 'Scheme') by rezoning Lots 1 and 52 (Nos. 156 and 152) Avon Terrace from 'Residential R10' to 'Town Centre'.

Background:

Lot 1 (156) Avon Terrace comprises an area of 4047 m², Lot 52 (152) Avon Terrace measures 3149 m². Both lots are connected to reticulated sewer. While most other lots that have been connected to reticulated sewer or are in the process of being connected through the Water Corporation's Sewer Infill Programme have been rezoned to an 'R40' density over the last years, Lots 1 and 52 Avon Terrace have not been included in the respective Scheme Amendments.

The lots in question, Lot 1 (156) and Lot 52 (152) Avon Terrace, are located in the York town centre, in an area bound by Pool Street (North), Lowe Street (East), Macartney Street (South) and Avon Terrace (West). The other lots in this street block are already zoned 'Town Centre' (Lots 3, 4 and 53), while Lot 51 is zoned 'Public Purposes' and comprises the CWA building. Lot 1 is a heritage listed private residence, the building on Lot 52 is heritage listed as well and trading as 'Kookaburra Backpackers'. The other lots in the area are the heritage listed former ANZ Bank (Lot 3) and York Home Hardware (Lot 53, not individually heritage listed, but part of the Central York Heritage Precinct). Neighbouring lots on the west side of Avon Terrace are also zoned 'Town Centre'.

The proposed 'Town Centre' zoning offers a variety of possible uses and a density code of 'R40' applies in accordance with clause 4.9.3 (e) of the Scheme.

Consultation:

The Scheme Amendment will be forwarded to the Environmental Protection Authority and – upon receipt of the consent to advertise – will be advertised for 42 days in accordance with the Town Planning Regulations 1967.

Statutory Environment:

Planning and Development Act 2005
Shire of York Town Planning Scheme No. 2
Town Planning Regulations 1967

The following provisions apply for the 'Town Centre' zone in the Scheme:

"4.9 Town Centre Zone

4.9.1 Objectives

- (a) *To retain the town centre of York as the principal place for retail, commercial, civic, and tourist-oriented uses in the District.*
- (b) *To preserve the unique qualities of the town centre as a heritage place including the conservation of existing heritage buildings, and to avoid development which will detract from those qualities.*
- (c) *To ensure development complies with Design Guidelines adopted by the local government for the town centre.*
- (d) *To encourage a high standard of development of commercial facilities to service the residents, the farming sector, tourists, and travellers.*
- (e) *To encourage a high standard of landscaping in and around the town centre the local government will undertake planting of shade trees in road reserves and public car parks where appropriate.*
- (f) *To encourage a high standard of residential and residential mixed use development in appropriate locations that contribute to the amenity, security and economic sustainability of the town centre.*

4.9.2 Site Requirements:

The following minimum building setbacks shall apply:

Front:) At the
Rear:) local government's
Side:) discretion

4.9.3 Development Requirements

- (a) *Development shall not exceed 2 storeys in height except where the local government considers that particular circumstances may warrant an exception being made and provided the local government's objectives are not compromised.*
- (b) *In considering an application for planning consent for a proposed development (including additions and alterations to existing development) in the Town Centre the local government shall have regard to Design Guidelines adopted by the local government, and:*
 - (i) *the colour and texture of external building materials; (the local government may require the building facade and side walls to a building depth of 3 m to be constructed in masonry);*
 - (ii) *building size, height, bulk, roof pitch;*
 - (iii) *setback and location of the building on its lot;*
 - (iv) *architectural style and design details of the building;*
 - (v) *function of the building;*
 - (vi) *the relationship to surrounding development having particular regard to any impact upon the heritage significance of the York townscape, its streetscapes, and any Heritage Place or Heritage Precinct; and*
 - (vii) *other characteristics considered by the local government to be relevant.*
- (c) *Landscaping shall complement the appearance of the proposed development and the town centre.*
- (d) *Layout of car parking shall have regard for traffic circulation in existing car parking areas and shall be integrated with any existing and adjoining car park.*
- (e) *Development of land for residential purposes only within the Town Centre zone shall comply with the requirements of the Residential Design Codes R40 density.*
- (f) *The density of the residential component of any mixed use development shall be determined by Council taking into account any relevant policy, and include consideration of heritage protection and design."*

Policy Implications:

Nil.

Financial Implications:

Nil.

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.”

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Yes.

Triple bottom Line Assessment:**Economic Implications:**

Additional commercial and residential development will complement the town centre, bring additional people to the town and contribute to the local economy. Local investment will add local employment opportunities.

Social Implications:

Additional residents in the town centre will add to the vibrancy of the town and provide for activity outside normal trading hours. This also adds to passive surveillance of the town centre.

Environmental Implications:

Providing additional options for commercial and residential use within the town centre will reduce vehicle movements and therefore fossil fuels. Existing services and infrastructure can be used, reducing the need to extend services into new areas.

Comment:

This Scheme Amendment is proposed to be initiated to give the two subject properties the same development options that other properties along Avon Terrace have that are zoned ‘Town Centre’ and connected to reticulated sewer. All other properties that are already or in the process of being connected to sewer will have a density coding of ‘R40’, whether through ‘Town Centre’ or ‘Residential R40’ zoning. Therefore, all properties connected to sewer will have the same development opportunities. This approach adds to the sustainable development of the town by enabling a larger variety of lot sizes, optimal use of existing services, additional residential population in proximity to the town centre and more potential commercial floor space. It should be noted that there is no requirement to subdivide or development any property when the rezoning occurs. It simply gives the option to consider development or subdivision.

It is therefore recommended to initiate Scheme Amendment No. 41 by rezoning Lots 1 and 52 Avon Terrace, York, from ‘Residential R10’ to ‘Town Centre’.

OFFICER RECOMMENDATION

RESOLUTION

090409

MOVED: CR LAWRENCE

SECONDED: CR BOYLE

“That Council resolves to -

- 1. *Amend in accordance with Section 75 of the Planning and Development Act 2005 the Shire of York Town Planning Scheme No. 2, in respect of Amendment No. 41 by rezoning Lots 1 and 52 (Nos. 156 and 152) Avon Terrace, York, from ‘Residential R10’ to ‘Town Centre’;***
- 2. *Authorise the Shire President and the Chief Executive Officer to execute the relevant documentation;***
- 3. *Forward the Town Planning Scheme Amendment to the Environmental Protection Authority requesting consent to advertise; and***
- 4. *Upon receipt of consent to advertise from the Environmental Protection Authority, advertise the amendment for a period of 42 days in accordance with the Town Planning Regulations 1967.”***

CARRIED (5/0)



SHIRE OF YORK
TOWN PLANNING SCHEME NO. 2
AMENDMENT NO. 41

**PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME
SHIRE OF YORK
TOWN PLANNING SCHEME NO. 2 - AMENDMENT NO. 41**

Resolved that the Council, in pursuance of the Planning and Development Act 2005 amend the above Town Planning Scheme by:

- Rezoning Lots 1 and 52 Avon Terrace, York, from 'Residential R10' to 'Town Centre'.

Dated this 20th day of April 2009

CHIEF EXECUTIVE OFFICER

SCHEME AMENDMENT REPORT

- | | | |
|----|---------------------------------------------|----------------------------|
| 1. | LOCAL AUTHORITY: | SHIRE OF YORK |
| 2. | DESCRIPTION OF TOWN PLANNING SCHEME: | TOWN PLANNING SCHEME NO. 2 |
| 3. | TYPE OF SCHEME: | DISTRICT ZONING SCHEME |
| 4. | SERIAL NUMBER OF AMENDMENT: | 41 |

REPORT

Background

This Amendment No. 41 to the Shire of York Town Planning Scheme No. 2 (the 'Scheme') seeks to rezone Lots 1 (No. 156) and 52 (No. 152) Avon Terrace, York, from the current 'Residential R10' zoning to 'Town Centre'. The subject properties are connected to reticulated sewer and located in the town centre of York.

Lot 1 covers an area of 4047 m², Lot 52 measures 3149 m². Both lots form part of a block bound by Pool Street to the north, Avon Terrace to the west, Macartney Street to the south and Lowe Street to the east. The complete southern half of the block, namely Lots 3, 4 and 53, are already zoned 'Town Centre' (see Map 2). Lot 51 is zoned 'Public Purposes' and comprises the CWA building. All lots in the vicinity on the western side of Avon Terrace are zoned 'Town Centre' as well.



Map 1 – Land Tenure Plan



Map 2 – Current Zoning

While most other lots that have been connected to reticulated sewer or are in the process of being connected through the Water Corporation's Sewer Infill Programme have been rezoned to an 'R40' density over the last years, Lots 1 and 52 Avon Terrace have not been included in the respective Scheme Amendments. As the 'Town Centre' zoning attracts a density coding of 'R40' for residential development in accordance with clause 4.9.3 (e) of the Scheme and given the central location within the town centre and the surrounding zoning, it is therefore proposed to rezone the subject properties to 'Town Centre'.

Location Plan and Current Land Uses



Map 3 – Location Plan

The location plan above shows the location of the properties subject to this amendment within the town centre of York.



Map 4 – Current Land Uses

The current land uses are depicted in Map 4 above. The land uses show a dominance of commercial uses over residential uses in the area.

The street blocks immediately south, beginning with the York Hotel and York IGA are the central business district of the York town centre.

Town Centre Zone – Objectives and Requirements

The following provisions apply for the 'Town Centre' zone in the Scheme:

4.9 Town Centre Zone

4.9.1 Objectives

- (a) *To retain the town centre of York as the principal place for retail, commercial, civic, and tourist-oriented uses in the District.*
- (b) *To preserve the unique qualities of the town centre as a heritage place including the conservation of existing heritage buildings, and to avoid development which will detract from those qualities.*
- (c) *To ensure development complies with Design Guidelines adopted by the local government for the town centre.*
- (d) *To encourage a high standard of development of commercial facilities to service the residents, the farming sector, tourists, and travellers.*
- (e) *To encourage a high standard of landscaping in and around the town centre the local government will undertake planting of shade trees in road reserves and public car parks where appropriate.*
- (f) *To encourage a high standard of residential and residential mixed use development in appropriate locations that contribute to the amenity, security and economic sustainability of the town centre.*

4.9.2 Site Requirements:

The following minimum building setbacks shall apply:

- Front:) At the*
- Rear:) local government's*
- Side:) discretion*

4.9.3 Development Requirements

- (a) *Development shall not exceed 2 storeys in height except where the local government considers that particular circumstances may warrant an exception being made and provided the local government's objectives are not compromised.*
- (b) *In considering an application for planning consent for a proposed development (including additions and alterations to existing development) in the Town Centre the local government shall have regard to Design Guidelines adopted by the local government, and:*
 - (i) *the colour and texture of external building materials; (the local government may require the building facade and side walls to a building depth of 3 m to be constructed in masonry);*
 - (ii) *building size, height, bulk, roof pitch;*
 - (iii) *setback and location of the building on its lot;*
 - (iv) *architectural style and design details of the building;*
 - (v) *function of the building;*
 - (vi) *the relationship to surrounding development having particular regard to any impact upon the heritage significance of the York townscape, its streetscapes, and any Heritage Place or Heritage Precinct; and*
 - (vii) *other characteristics considered by the local government to be relevant.*
- (c) *Landscaping shall complement the appearance of the proposed development and the town centre.*
- (d) *Layout of car parking shall have regard for traffic circulation in existing car parking areas and shall be integrated with any existing and adjoining car park.*
- (e) *Development of land for residential purposes only within the Town Centre zone shall comply with the requirements of the Residential Design Codes R40 density.*
- (f) *The density of the residential component of any mixed use development shall be determined by Council taking into account any relevant policy, and include consideration of heritage protection and design."*

Heritage

The two subject properties are heritage listed under category 1B in the Shire of York Municipal Heritage Inventory. Category 1B lists "A place of considerable cultural heritage significance to Shire of York that is worthy of recognition and protection through provisions of the Shire of York's Town Planning Scheme."

Both properties are also within the Central York Heritage Precinct. Similar to the other buildings in Avon Terrace in the vicinity within the same heritage category, any development proposal will be submitted to the Heritage Advisor for assessment. The proposed rezoning does not impact on the heritage listing as most other heritage listed buildings in the vicinity are already zoned 'Town Centre'.

The entries from the Municipal Heritage Inventory for the two subject buildings are as follows:



NAME AND ADDRESS

Current Name: Kookaburra's Backpackers **Current Use:** Backpackers Accommodation

Previous Names/Uses: /Shop and Residence

Original Name: -

Street Address: 152 Avon Terrace, York

Lot: 52

HCWA Assessment No: 2842

LISTINGS

Heritage Council of WA: -
National Trust of Australia (WA): Classified 05.03.85
Australian Heritage Commission: Registered 25.09.85
Other Listings: York Municipal Inventory – March 1995

DETAILS

Public Accessibility: Privately Owned

Date Built: 1890

Source of Date: Heritage Council's Website

Architect/Contractor:

Historic Theme: Occupations

Architectural Style: Federation

Construction: Brickwork rendered and painted and Corrugated Iron

Integrity: Fair **Authenticity:** Fair **Condition:** Good

Physical Evidence:

The street façade has recently been repaired and painted. Original verandah has been removed.

Documentary Evidence:

-

Significance:

Management Category:

1B A place of considerable cultural heritage significance to Shire of York that is worthy of recognition and protection through provisions of the Shire of York's Town Planning Scheme.

Recommend: Retain and Conserve the place.

Planning application needs to be submitted to Shire of York for any proposed development. Full consultation with property owner prior to making the recommendation.

Heritage Precinct: Central York
Date of Assessment: December 2004
Further Research Required: Not at this time.
Further Information available: Not at this time.



NAME AND ADDRESS

Current Name: - **Current Use:** Residence

Previous Names/Uses: -/Residence

Original Name: -

Street Address: 156 – 158 Avon Terrace, York

Lot: 1

HCWA Assessment No: 2846

LISTINGS

Heritage Council of WA:	-
National Trust of Australia (WA):	Classified 05.03.85
Australian Heritage Commission:	Nominated 25.09.85
Other Listings:	York Municipal Inventory – March 1995

DETAILS

Public Accessibility:		Nil – Privately Owned
Date Built: 1880	Source of Date:	MI Research
Architect/Contractor: -		

Historic Theme:	Domestic	
Architectural Style:	Victorian	
Construction:	Brick and iron	
Integrity: Good	Authenticity: Good	Condition: Fair
Physical Evidence:		
The building is in fair order though some brick distortion is evident in the outbuilding.		
Documentary Evidence:		
-		
Significance:		
An indication of better class housing of the period.		
Management Category:		
1B	A place of considerable cultural heritage significance to Shire of York that is worthy of recognition and protection through provisions of the Shire of York's Town Planning Scheme.	
	Recommend: Retain and Conserve the place.	
	Planning application needs to be submitted to Shire of York for any proposed development. Full consultation with property owner prior to making the recommendation.	
Heritage Precinct:	Central York	
Date of Assessment:	March 2004	
Further Research Required:	Not at this time.	
Further Information available:	Not at this time.	

Water Management and Flood Issues

Almost every lot in the York town centre in vicinity to the Avon River is subject to flood exposure. The two lots subject to this amendment are partly located within the Avon River flood fringe and are also exposed to the 100 year flood level (see Map 5 below).



Map 5 – Flood Information: Flood way/flood fringe (yellow), 100 year ARI flood level (blue).

The following guidelines apply for all development within the flood fringe and the 100 ARI flood level, as per advice from the Department of Water:

- No development is to occur within the flood fringe;
- Residential development within the 100 year ARI flood level has to be elevated to a floor level of more than 0.5 m above the prescribed ARI flood level.

As Map 5 shows, the relevant flood level varies between 174.04 m and 174.14 m above AHD (Australian Height Datum). Residential development at the back of the properties therefore has to have a minimum finished floor level of 174.64 m above AHD.

The proposed 'Town Centre' zoning opens a wider range of possible uses to overcome the limitations set by the flood level requirements. In the flood fringe, car parking could be an option, while commercial uses should be encouraged on the ground floor. Residential development on the upper floor would complement a potential mixed-use development adequate to the town centre location of the properties. These considerations apply similarly to other properties zoned 'Town Centre' further south along Avon Terrace. Mixed-use development would enhance and complement the existing uses along Avon Terrace and open up the town centre towards the river.

Developer Contributions

Developer Contributions will apply in accordance with relevant provisions in the Town Planning Scheme or relevant Local Planning Policies. Contributions towards open space and possibly car parking will be applied at subdivision stage. It should be noted that the subject properties are opposite Avon Park, a large public open space area along the Avon River. As outlined in the Shire of York Open Space Strategy, ample open space has been reserved in this area. It is therefore considered appropriate to enhance existing and utilised open space areas with possible developer contributions towards open space instead of reserving areas on the subject properties.

Achieving Economic, Social and Environmental Sustainability

The WAPC "State Sustainability Strategy" (2003) seeks to ensure that sustainability is considered and incorporated into the decisions and actions for the future of Western Australia at all levels and is a key element in the Shire of York Local Planning Strategy, which will guide the future of York as a vibrant sustainable community. The three aspects of sustainability are economic, social and environmental:

1. Economic Sustainability

Providing for a greater variety of housing choice will assist people to remain in the town and therefore contribute to the local economy. The WAPC "Liveable Neighbourhoods" has also established a close link between the economic viability of a commercial centre and the number of people living within its walkable catchment of a 400 metre radius. Providing for an increase in residential density within close proximity to the town centre area will contribute to such economic viability.

Increasing the development potential within the existing town area also maximises the use of existing services and community facilities and therefore reduces the cost to the community as a whole in needing to extend services and facilities to new areas.

As outlined, the best option for the subject properties under the proposed 'Town Centre' zoning would be a mixed-use development of commercial and residential uses, not only adding to a greater variety of housing choice but also offering employment opportunities through added commercial floor space.

2. Social Sustainability

The proposal will contribute to social sustainability by providing greater flexibility in the type of housing that may be made available within the town. This will better provide for different lifestyle needs during a person's life cycle. In particular, it will better provide for housing suited to singles and the older population, providing better opportunity for such residents to stay in the town where they have established social networks. It also provides better opportunity for singles from outside the district to relocate to the town should employment opportunities make that desirable and so contribute to the ongoing vibrancy of the town, especially with regard to the location of the subject properties right in the town centre.

3. Environmental Sustainability

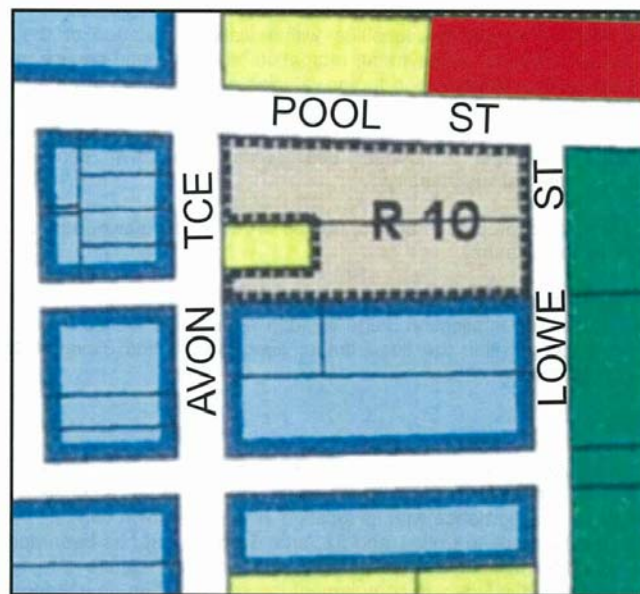
Increasing residential densities within walking distance of the community's opportunities for employment, recreation, shopping and service needs helps to reduce dependence upon motor vehicles and therefore the use of fossil fuels. This also has individual economic and social benefits. It also reduces demand on the amount of land required for housing purposes. A combination of commercial and residential uses within the town centre will add to environmental sustainability.

The subject properties are connected to reticulated sewer service and situated in the town centre.

Flood issues with the properties will be addressed at subdivision and development application stage through appropriate locations of uses, such as car parking within the flood fringe, adequate fill and elevated floor levels to enable residential uses.

Conclusion

This Scheme Amendment No. 41 will enable the coherent development of the block bound by Pool, Lowe, Macartney Streets and Avon Terrace as a consistent area zoned 'Town Centre' in accordance with its location in the York town centre. It will apply the same potential density to Lots 1 and 52 Avon Terrace that has been applied to other lots connected to reticulated sewer. The proposed 'Town Centre' zoning allows for a wide range of potential uses to complement the existing uses, to enhance the heritage values of the area and to add to a sustainable development of the town centre in general by offering space to accommodate additional businesses and residents.



EXISTING ZONING

LEGEND

York Z 2

- PUBLIC PURPOSES
- TOWN CENTRE
- SPECIAL USE
- RECREATION AND OPEN SPACE
- RESIDENTIAL
- ROAD

LPS Road - Capture data

LPS Cadastre - Capture data



Department for
Planning and Infrastructure



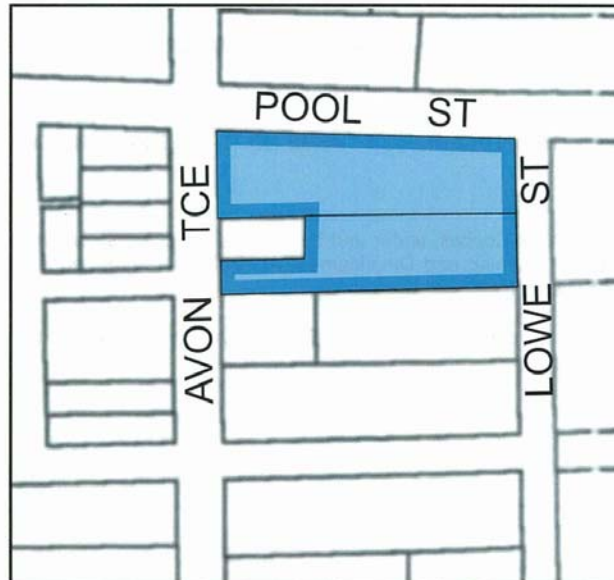
SHIRE OF YORK

TOWN PLANNING SCHEME NO. 2

AMENDMENT NO. 41



Scale 1:2000
0 40 m



SCHEME AMENDMENT MAP

LEGEND

-  LPS Cadastre - Capture data
- York Z 2
-  TOWN CENTRE



Department for
Planning and Infrastructure



SHIRE OF YORK
TOWN PLANNING SCHEME NO. 2
AMENDMENT NO. 41



Scale 1:2000
0 40 m

PLANNING AND DEVELOPMENT ACT 2005

SHIRE OF YORK

TOWN PLANNING SCHEME NO. 2 - AMENDMENT NO. 41

The Shire of York Council, under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above Town Planning Scheme by:

- Rezoning Lots 1 and 52 Avon Terrace, York, from 'Residential R10' to 'Town Centre'.

RESOLUTION TO AMEND SCHEME

Adopted by resolution of the Council of the Shire of York at the Ordinary Meeting of the
Council held on the20th.....day of.....April.....2009

CHIEF EXECUTIVE OFFICER

SHIRE PRESIDENT

RESOLUTION TO ADOPT AMENDMENT TO SCHEME

Adopted by resolution of the Council of the Shire of York at the Ordinary Meeting of the
Council held on the day of2009

- (a) that the amendment to the Scheme be adopted ~~with~~ or without modification;
- ~~(b) that it does not wish to proceed with the amendment to the Scheme,~~
(delete whichever is not applicable)

The Common Seal of the Shire of York was hereunto affixed
by authority of a resolution of the Council in the presence of:

CHIEF EXECUTIVE OFFICER

SHIRE PRESIDENT

Recommended/Submitted for Final Approval

DELEGATED UNDER s. 16 OF THE
PD ACT 2005

Date: _____

Final Approval Granted

MINISTER FOR PLANNING

Date: _____

9. OFFICER'S REPORTS

9.1 DEVELOPMENT REPORTS

9.1.5 Amendment No 40 – Industrial Area

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:	PS.TPS.35
COUNCIL DATE:	16th March, 2009
REPORT DATE:	3rd March, 2009
LOCATION/ADDRESS:	Knotts Road/Great Southern Highway
APPLICANT:	Mr Emin and Shire
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	David Lawn, Planning Consultant
DISCLOSURE OF INTEREST:	Cr Lawrance - Financial
APPENDICES:	A - Report to Support Scheme Amendment
DOCUMENTS TABLED:	Nil

Summary:

Proposed Town Planning Scheme Amendment No 40.

The amendment seeks to rezone land to the south of the town adjacent to the Co-Operative Bulk Handling facility from General Agriculture Zone to General Industry and Light Industry with appropriate development provisions to each category.

Background:

The Shire has a shortage of industrial land capable of sustaining larger industry needs and to attract business to locate to York more land that offered in the Forrest Street industrial sector needs to be provided.

The land lies within the 'buffer' zone of CBH and the railway terminal where residential and 'noise sensitive' land uses are not appropriate.

Some minor industrial activities already exist on Knotts Road and this amendment will formalise these land uses.

Of major concern is land drainage and in the suggested development layout drainage management is included to reduce the discharge of stormwater which is causing erosion and to ensure no contaminated water reaches the Avon River.

Discharge of water into Bland Brook is discouraged due to its limited capacity to accept more than natural runoff. Existing downstream properties are damaged during high flows and this is not to be exacerbated.

Consultation:

Advertising of the proposed amendment is necessary following the assessment of the Environmental Protection Authority.

All land owners affected by the Amendment are to be notified by direct mail.

Statutory Environment:

All of the land is currently zoned for General Agriculture.

The current scheme has the following provisions for industrial land use:

4.12 Industrial Zone

4.12.1 Objectives

- (a) *To encourage industrial development with diverse employment opportunities.*
- (b) *To provide for industry to support development in the District.*
- (c) *To include development requirements for building facades, with particular attention to minimizing any adverse effects on the nearby Blandstown residential area.*

4.12.2 Site Requirements:

The following minimum building setbacks shall apply:

- Front : 7.5m*
- Rear : 7.5m*
- Side : 5.0m on one side*

4.12.3 Development Requirements

- 4.12.3.1** *The first 5 metres of the front setback on any lot shall be landscaped to the satisfaction of the local government. Where a lot has frontage to two or more streets the local government may vary the landscaping requirement only where the local government has approved a reduced setback pursuant to clause 4.6 in which case the whole of the setback so reduced shall be landscaped to the satisfaction of the local government.*
- 4.12.3.2** *No building or any other structure shall be erected closer than a distance of 15 metres from any part of the Residential zone, except with the approval of the local government. The setback area shall be landscaped and maintained to provide a suitable screen as may be required by the local government as a condition of such approval.*
- 4.12.3.3** *The whole of any wall or building facing any street shall be constructed in brick, concrete, or masonry provided however that the local government may permit the use of such other materials where it is satisfied that such use will not detract from local amenities.*
- 4.12.3.4** *Each open yard on an industrial lot shall be screened from any street by a closed fence or wall not less than 1.8 metres in height unless with the approval of the local government.*

This section of the Scheme requires modification to include the two categories of industry and to expand upon the conditions of development in each.

The proposed zonings are for Light Industry along the northern side of Knotts Road and those lots fronting Avon Terrace/Great Southern Highway.

General Industry is confined to Lot 2, on the western side of CBH.

For general information, the description of each category of industry is as follows:

Light Industry: means an industry:

- (a) *in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater or other waste products; and*
- (b) *the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, electricity, sewerage facilities, or any other like services.*

industry - general: means an industry other than a cottage, extractive, hazardous, light, noxious, rural, or service industry.

In this sense, general industries are the larger industrial activities which can generate noise and other emissions within tolerable limits but do not adversely affect nearby residential or “noise sensitive” land uses.

Policy Implications:

The proposals are contained in the Local Planning Strategy – “To provide flexibility in determining the Shire’s future land use requirements”.

Financial Implications:

Advertising costs to be borne by the Shire.

Strategic Implications:

The Local Planning Strategy also includes the provision of the deviation of the York-Chidlow Road (Great Southern Highway). This major road alignment will redirect heavy vehicle traffic out of the town and in particular from Avon Terrace, Blandstown.

Limited access from lots to the new highway is not acceptable and all vehicular access is to be via service roads.

Voting Requirements:

Absolute Majority Required: Yes

Site Inspection:

Site Inspection Undertaken: Several site inspections have been carried out during the preparation of the supporting report.

Triple bottom Line Assessment:

Economic Implications:

The creation of lots for industrial uses will enhance the attraction for industries and businesses to locate in York.

Social Implications:

An increase in opportunities for employment will follow and this could increase demand for housing and community facilities.

Environmental Implications:

Land drainage management is the critical issue. Already with extreme events stormwater runoff has caused local flooding, erosion and damage to properties.

Stormwater runoff is to be directed to retention basins for further use as part of the Liquid Assets Program.

Bland Brook is to be protected from excessive discharge as is the railway line.

Any excess water reaching the Avon River shall be though filtering to ensure only clean water enters the river system.

Comment:

The creation of two distinct industrial zones is required for both the placement of certain industrial uses in appropriate localities for reasons of compatibility with existing land uses and for environmental. The inclusion into the Scheme of these new zones required the deletion of the existing Industrial Zone which applies principally to the Forrest Street industrial area.

The location of the proposed industry types fits well with the future realignment of the York-Chidlow Road, the 'buffer' area of the CNH facility and the railway line.

Development along the frontages to the roads leading into the town are required to have a clean and presentable facade as the approach roads are the primary image of the town.

With respect to the new industrial zones, particular requirements are to be applied to manage the land uses for the benefit of the town and future industrial activity.

Although the economic downturn may witness the lower demand for industrial land at this time it is prudent to rezone the land now to be prepared for the upturn in activity and to reduce the lag time for rezoning and applications for subdivision and development.

Structure Plans, Scheme Amendments and subdivision applications take a long time to reach final approval. Some may take years so it is reasonable to initiate the early phases of planning as early as possible.

Cr Lawrance has declared a financial interested in this item and left the room at 3:44pm.

OFFICER RECOMMENDATION

RESOLUTION

100409

MOVED: CR FISHER

SECONDED: CR BOYLE

“That Council:

Initiate Scheme Amendment No 40 to:

- 1. Delete the Industry Zone from the Scheme Text and Maps;***
- 2. rezone Part of Lot 2, Knotts Road from General Agriculture Zone to General Industry Zone;***
- 3. To replace Clause 4.12 from the Scheme Text and replace it with the following:***

4.12.1 General Industry Zone:

- a) To encourage industrial development with diverse employment opportunities.***
- b) To provide for industry to support development in the District,***
- c) To provide for protection of Bland Brook;***
- d) To include development requirements for building facades, with particular attention to minimising any adverse effects on the nearby Blandstown residential area.***

4.12.2 Site Requirements:

The following minimum building setbacks shall apply:

General Industry Zone:

- a) Knotts Road frontage - 20 metres.***
- b) Other Service Road frontage - 15 metres***
- c) Side setbacks shall be a minimum of 10 metres on one side and 5 metres on the other.***

Light Industry Zone

- a) Knotts Road frontage - 20 metres.***
- b) Great Southern Highway – 10***
- c) Other Service Road frontage - 10 metres***
- d) Avon Terrace frontage – 15 metres***
- e) Side setbacks shall be a minimum of 10 metres on one side and 5 metres on the other.***

4.12.3 Landscaping

The first 5 metres of the front setback on any lot shall be landscaped to the satisfaction of the local government. Where a lot has frontage to two or more streets the local government may vary the landscaping requirement only where the local government has approved a reduced setback pursuant to clause 4.6 in which case the whole of the setback so reduced shall be landscaped to the satisfaction of the local government.

4.12.3.4 Setbacks from Residential Zoned land

No building or any other structure shall be erected closer than a distance of 15 metres from any part of the Residential zone, except with the approval of the local government. The setback area shall be landscaped and maintained to provide a suitable screen as may be required by the local government as a condition of such approval.

4.12.3.5 Building facades

The whole of any wall or building facing any street shall be constructed in brick, concrete, or masonry provided, however that the local government may permit the use of such other materials where it is satisfied that such use will not detract from the local amenity.

4.12.3 Screening

Each open yard on an industrial lot shall be screened from any street by a closed fence or wall not less than 1.8 metres in height unless with the approval of the local government.

4.12.4 Display Areas

The local government may permit the use of the land between the front building line and the street boundary for car parking and the display of finished goods but shall not permit the storage of unfinished goods and materials or waste products.

4.12.5 On-Site Drainage

Development shall ensure as much retention of stormwater on-site as practicable. This may be by the installation of soakage pits, minor bunding or water tanks.

Runoff from properties to the roadway shall be kept to a minimum and then only into formal drains and retention basins.

4.12.5.6.1 Signage

Signage at the entrance to internal or service roads may be permitted to notify the services available within that road/street.

4.12.5.6.2 Factoryette Development

Factoryette developments are permitted in both industrial zones.

4.12.5.6.3 Easements/ Reserves

Land for drainage and public open space shall be ceded to the crown and vested in the Shire of York for that specific purpose. Easements for drainage shall be in favour of the local government.

4. To delete "4.12 Industrial Zone" from the Town Planning Scheme Table of Contents and replace it with "4.12 Industrial Zones"

5. Adding to Schedule 1- Interpretations - the following definitions:

"farm supply centre" means the use of land and buildings for the supply of vegetable seed, fertilizers, agricultural chemicals, stock food, tractors, farm equipment, implements or components, or irrigation equipment.

"restricted premises" means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of —

(a) publications that are classified as restricted under the Censorship Act 1996;

(b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity;

“trade display” means premises used for the display of trade goods and equipment for the purpose of advertisement;

6. “warehouse” means premises used to store or display goods and may include sale by wholesale; *Modifying the Zoning Table to delete Industrial from the list of zones and including General Industry and Light Industry Zones with associated symbols in the USES column.*

USES		GENERAL INDUSTRY	LIGHT INDUSTRY	MIXED BUSINESS
1	aged or dependent persons' dwelling	X	X	X
2	ancillary accommodation	X	IP	X
3	caretakers dwelling	IP	IP	IP
4	civic building	AA	AA	AA
5	club premises	X	X	AA
6	consulting rooms	X	X	AA
7	dog kennels	X	SA	X
8	education establishment	X	X	AA
9	farm supply centre	AA	P	AA
10	fast food outlet	X	X	SA
11	fuel depot	SA	X	X
12	grouped dwelling	X	X	X
13	home business	X	AA	X
14	home occupation	X	X	X
15	hotel	X	X	X
16	industry - cottage	X	X	X
17	industry - extractive	X	X	X
18	industry - general	P	X	X
19	industry - light	P	P	X
20	industry - noxious	X	X	X
21	industry - rural	AA	P	X
22	industry - service	P	P	X
23	intensive agriculture	X	X	X
24	lunch bar	AA	AA	AA
25	motel	X	X	AA
26	motor vehicle repair	P	AA	X
27	motor vehicle, boat or caravan sales	P	P	AA
28	office	X	X	P
29	piggery	X	X	X
30	plant nursery	P	P	AA
31	poultry farm	X	X	X
32	public recreation	AA	AA	AA
33	public utility	P	P	P
34	residential building	X	X	X
35	restaurant	X	X	AA
36	restricted premises	X	SA	SA
37	rural pursuit	X	X	X
38	service station	SA	SA	SA
39	shop	X	X	SA
40	storage	P	AA	AA
41	single house	X	X	X
42	tavern	X	X	SA
43	trade display	P	P	P
44	transport depot	P	X	X
45	veterinary centre	P	SA	AA
46	warehouse	P	P	AA

7. *Adopt the Draft Outline Development Plan for the Balladong Industrial Area and undertake the advertising and consultative procedures in accordance with the provisions of the Shire of York Town Planning Scheme No. 2.”*

CARRIED (4/0)
By an absolute majority

Cr Lawrance re-entered the room at 3:53pm.

PROPOSED INDUSTRIAL ESTATE

Shire of York

April 2009

DRAFT

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INTRODUCTION

This Structure Plan intends to provide a basis for rezoning of land for a new industrial precinct for the locality of York to allow for subdivision and development to occur.

There is a scarcity of available industrial land in the town and this plan provides for a variety of land uses ranging from General Industry, Light Industry and additional Mixed Business land uses each in strategic and dedicated locations.

The plan is based around the constraints of the existing Co-Operative Bulk Handling Facility, the adjacent railway line and the future York-Chidlow Road realignment.

The traffic circulation pattern aims at directing through traffic away from the town centre, more direct and efficient access to CBH and re-directing traffic heavy haulage vehicles away from the Blandstown Heritage Precinct.

Development conditions are aimed at providing a highly presentable entry to the town by commuter traffic on the approaches to the town centre area and Blandstown, as well as for the future residential development on the historic Balladong Farm. Controls on building mass and structures and landscaping are essential to achieve the objectives of an attractive and efficient development.

Land drainage is accounted for in accordance with the 'total water cycle' parameters by the provision of drainage basins for both water capture for re-use and to ensure excess stormwater is discharged into the Avon River in a clean and debris free state. Bland Brook is to be protected from excess discharge of water by the inclusion of a comprehensive drainage system.

The completion of the planning process for this precinct will see the final adoption of the amendments to the town planning scheme and the approval of subdivision applications leading to the development of the land.

Development conditions of subdivision will apply further detail of performance standards to meet the overall objectives for the precinct.

1.0 STATUTORY FRAMEWORK

1.1 Local Planning Strategy

"2.3.7 Industrial and Rural Industries

Objective:

- Encourage development and diversification of industry that will strengthen and broaden the economic base of the Shire and provide employment opportunities for the community whilst minimising impacts on existing landowners.

Strategies and Actions:

- Provide suitably zoned and serviced industrial land to attract new industries to the Shire and to allow for future industrial and rural industry expansion.
- Encourage locating the new industrial area to the Cold Harbour Precinct, south east of the townsite, along the Quairading-York railway line and York Merredin Road and to the south west adjacent to the CBH facility.
- Any proposed site will take into account the outcomes of any relevant studies such as the Shire of York Transport Study and the proposed inter-modal hub facility and require liaison with the Department of Environment and Conservation in regard to the impact a proposed industrial area may have on Hedley Creek and consideration of the ability of the site to be seweraged to accommodate 'wet' industry.
- Ensure that the proposed industrial area is large enough to cater for existing and new industries, and in particular able to cater for expanded hay, wheat and grain exports and any proposed inter-modal hub facility.
- Ensure that any new industrial area is appropriately planned for through requiring the preparation of a Structure Plan and development plan prior to approving industrial development.
- Key issues in undertaking structure planning to include access, servicing and infrastructure requirements, integration with existing and future transport infrastructure, has a suitable interface with adjoining land uses, provision and identification of suitable buffers, landscaping requirements to minimise any potential impacts, urban water management and identification, retention of native vegetation and any other matter deemed relevant by the Shire to ensure that the development does not have any additional adverse impact. The development plan will include an analysis of the impacts to ensure they are consistent and contained within the buffers of the existing and/or proposed uses.
- Seek the retention of existing transport infrastructure to facilitate expansion of industry i.e. retention of Quairading-York rail spur line that is proposed to be closed.
- In consultation with the Environmental Protection Authority and the Department of Environment and Conservation, determine the appropriate buffers for existing and proposed developments, including CBH and Gilmac Hay, and illustrate these on the appropriate local planning strategy maps.
- Amend the scheme to zone land identified in the Shire for future industrial development and include provisions for such development including the need for a development plan as a prerequisite to development.
- Investigate the long-term land use options for the existing industrial area, with the preferred option of redeveloping it for mixed commercial/business and residential purposes. A contaminated site assessment study will need to be conducted to assist in determining the viability of potential land use options. Costs associated with this investigation, including a contaminated site assessment, will be borne by the landowners of the existing industrial area.

- k. *Review, and if necessary, support amendments to, the existing zoning and town planning scheme provisions for the existing industrial area to provide guidance on future development, which may include the need for a structure plan and development plan.*
- l. *Investigate all options to minimise the amount of heavy traffic and service vehicles passing through Blandstown including considering the closure of Wheeler Street when other access road become operational to provide efficient vehicle access to the business sector.*
- m. *Seek government and professional advice the need for economic development expertise to promote economic growth."*

An integral part of the LPS is the notional by-pass road being the realignment of the Great Southern Highway (York-Chidlow Road) away from the town centre and Blandstown precincts and to connect to the York-Merredin Road on the eastern side of the Avon River. This is further discussed in Part 5 of this report.

1.2 Town Planning Scheme Provisions

Town Planning Scheme No 2 requires the following provisions to be met with regard to any industrial development.

4.12 Industrial Zone

4.12.1 Objectives

- (a) *To encourage industrial development with diverse employment opportunities.*
- (b) *To provide for industry to support development in the District.*
- (c) *To include development requirements for building facades, with particular attention to minimizing any adverse effects on the nearby Blandstown residential area.*

4.12.2 Site Requirements:

The following minimum building setbacks shall apply:

*Front : 7.5m
Rear : 7.5m
Side : 5.0m on one side*

4.12.3 Development Requirements

- 4.12.3.1 *The first 5 metres of the front setback on any lot shall be landscaped to the satisfaction of the local government. Where a lot has frontage to two or more streets the local government may vary the landscaping requirement only where the local government has approved a reduced setback pursuant to clause 4.6 in which case the whole of the setback so reduced shall be landscaped to the satisfaction of the local government.*
- 4.12.3.2 *No building or any other structure shall be erected closer than a distance of 15 metres from any part of the Residential zone, except with the approval of the local government. The setback area shall be landscaped and maintained to provide a suitable screen as may be required by the local government as a condition of such approval.*
- 4.12.3.3 *The whole of any wall or building facing any street shall be constructed in brick, concrete, or masonry provided however that the local government may permit the use of such other materials where it is satisfied that such use will not detract from local amenity."*
- 4.12.3.4 *Each open yard on an industrial lot shall be screened from any street by a closed fence or wall not less than 1.8 metres in height unless with the approval of the local government.*

4.10 Mixed Business Zone

4.10.1 Objectives

- (a) To provide for a range of commercial uses which complement the town centre.
- (b) To generally exclude retail shopping which should be located within the town centre.
- (c) To achieve a high standard of development and presentation including buildings, landscaping, car parking, and the conservation of existing heritage buildings.

4.10.2 Site Requirements

4.10.2.1 At the discretion of the local government which may be guided by the following:

- (a) lot size and frontage should generally be consistent with existing lots in the vicinity and capable of supporting development which complies with provisions of the Scheme;
- (b) setbacks are to comply with the Building Code of Australia, and the local government will encourage building to the front boundary where this will be consistent with existing development on adjoining lots fronting the same street.

4.10.2.2 Notwithstanding the provisions of clause 4.10.2.1, for a lot in the Mixed Business zone which abuts a lot in the Residential zone setbacks shall comply with the Residential Design Code applicable to the abutting lot.

4.10.3 Development Requirements

4.10.3.1 Development shall not exceed 2 storeys in height except where the local government considers that particular circumstances may warrant an exception being made and provided such development will not affect local amenity and will enhance the character of the locality.

4.10.3.2 In considering an application for planning consent for a proposed development (including additions and alterations to existing development) the local government shall have regard to the following:

- (a) the colour and texture of external building materials; the local government may require the building facade and side walls to a building depth of three metres to be constructed in masonry;
- (b) building size, height, bulk, roof pitch;
- (c) setback and location of the building on its lot;
- (d) architectural style and design details of the building;
- (e) function of the building;
- (f) the relationship to surrounding development having particular regard to any impact upon the heritage significance of the York townscape, its streetscapes and any Heritage Place or Heritage Precinct; and
- (g) other characteristics considered by the local government to be relevant.

4.10.3.3 Landscaping shall be provided to complement the appearance of the proposed development and the locality.

4.10.3.4 The layout of car parking provided in accordance with the provisions of the Scheme shall have regard for traffic circulation in existing car parking areas and shall be integrated with any existing and adjoining car park.

These provisions relate to the existing industrial area on Forrest Street. To make them more relevant to the new industrial areas and to remedy the problems that are currently experienced, these clauses in the Scheme Text require modification to make future development attain a higher standard.

The reasons for this are that the new development areas (Knotts Road and Great Southern Highway) are on the approaches to the town and therefore constitute an 'entry statement' from outside the townsite boundaries. Furthermore, these industrial precincts are in close proximity to the Blandstown Heritage Precinct and therefore shall provide an aesthetic approach to the residential character of the precinct.

These industrial precincts are also selected because of the relationship to the CBH grain handling facility and the assumed buffer around it because of noise and dust nuisance at the busy operating times.

Rezoning of the affected land shall be included in the scheme amendment.

1.3 *Western Australian Planning Commission Policy: DC 4.1; Industrial Subdivision*

The WAPC Policy provides some guidance as to the development of industrial areas but allows for the local authority to prescribe performance criteria in either the town planning scheme or enabling policies.

These guidelines are acknowledged and expanded upon due to the location of the proposed development areas and the desire to ensure an efficient and high quality presentation is maintained.

1.4 *Blandstown/Balladong Structure Plan*

The Structure Plan for the Blandstown/Balladong precinct depicts these proposed industrial areas as being the optimum land use for servicing, roads and compatibility with the CBH operations.

One of the primary considerations in the Structure Plan is to reduce the heavy traffic from entering the Blandstown heritage Precinct where noise and vibrations are having a damaging effect on the close living environment.

The other factor in the Structure Plan is the proposed conversion of the existing industrial area in Forrest Street to Mixed Business and to encourage the 'general' industries to relocate to the new industrial area.

2.0 LOCATION (Figure 1)

The town expansion precinct lies to the south of the town largely around the CBH facility. The main features are the Great Southern Highway, railway reserve, CBH, and Knotts Road.

For the most part the land may be described as vacant although some cropping/grazing is practiced on the open country.

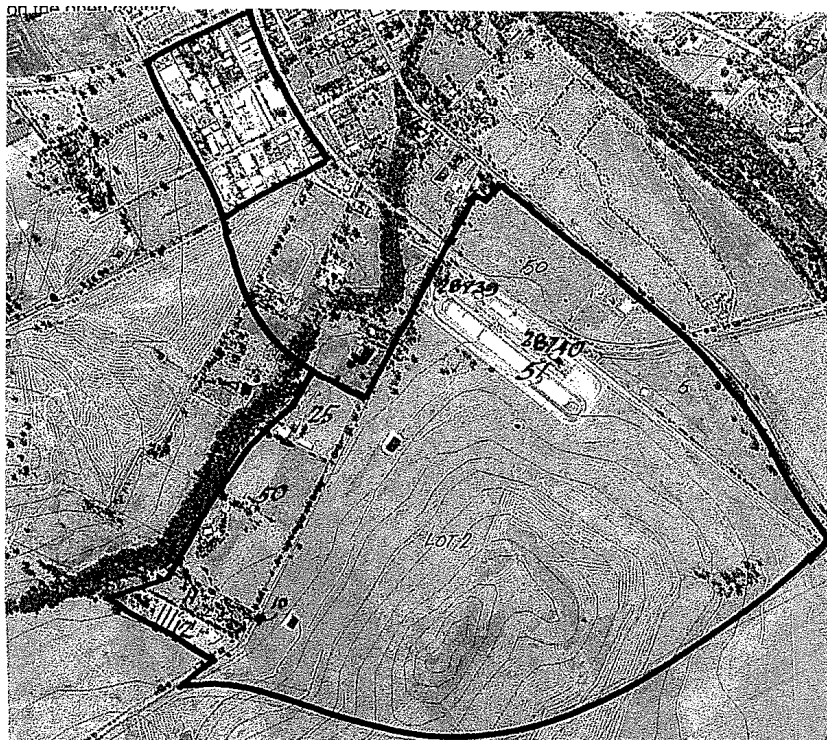


Figure 1: Locality Sketch

2.1 Land Description

The land to the east of CBH and the railway reserve is flat and easily accessible. To the west the land rises from 186 metres AHD to the peak of the hill at 236 metres AHD. The more gentle gradients cease at about 200 metres AHD, and are more suitable for development.

To the north of Knotts Road, the terrain is even with a slight decline to Bland Brook.

2.2 Soils

The soils comprise light to heavy clays with granite outcropping at the higher levels. Excavation poses little difficulty and any embankments for roads or structures are stable although susceptible to water erosion if not properly protected.

2.3 *Vegetation*

Only Bland Brook has significant remnant vegetation and this is to be protected in future reservation.

Some scattered natural vegetation is on Knotts Road reserve, but there is little if no understorey or regeneration.

All of the land proposed for industrial development is on cleared land.

3.0 LOCAL INDUSTRIAL ENVIRONMENT

3.1 Existing Industrial Areas

Currently all small industries are located in the Forrest Street sector. Larger agricultural industries like Gilmac Hay and CBH are located on General Agriculture Zones and are permitted uses as such in the scheme.

The Forrest Street sector contains a variety of land uses including concrete batching, auto repairs, agricultural sales and service, shire depot, fabrication operations, landscape supplies, motor vehicle wrecking and so forth, mixed in with residential uses.

Most of the lots are small and constrained for some of the industrial activities. There is little opportunity for some activities to expand.

While some operators present a clean and efficient business others are unkempt and are of low standard.

There is clear incompatibility amongst the land uses and this causes some conflict but without an alternative location for noisy or dusty activity they are tolerated.

New industries to serve the region have nowhere to go and York is missing out on services and employment opportunities.

3.2 Services

Water Supply: Scheme water can be provided by Water Corporation up to 220 metres AHD from existing infrastructure.

Sewerage: Sewerage can be provided if necessary as gravity feed either directly to the adjacent treatment works or by the existing mains along Avon Terrace. An engineering assessment accompanying the detail design applications will demonstrate the most appropriate system for this precinct.

Power: Electricity can be provided by Western Power although it is anticipated that substantial upgrading of the existing network will be needed to provide adequate power to satisfy industrial requirements.

Communications: An existing optic fibre cable is located on the southern side of Knotts Road. Telstra can provide the necessary information to service all industrial lots.

4.0 CONSTRAINTS

4.1 *Existing Land Drainage*

Drainage is a major issue for any development in this precinct.

Drainage is well managed for most of the area by the use of contour bunding and agricultural dams on the broad acre farmland. Obviously, the industrial development will require a more sophisticated approach to create a safe and efficient drainage system.

Land Drainage issues and solutions are broadly addressed in Part 6 of this report.

4.2 *Gradients*

Parts of the landform require some cut and fill to render the land suitable for large sheds. Large lots are recommended to allow for buildings to be properly established without excessive 'surplus' space for earthworks. Similarly, road construction may require variable reserve widths to cater for access and roadside drainage.

4.3 *Buffer Zones*

Buffer zones will apply to CBH for noise and dust emissions. CBH has varying or seasonal busy periods, mainly at harvest times when truck deliveries are made from farms.

Elevator noise may be experienced as loading from the silos to the trains and during busy periods can be over 24 hour spans.

Noise from the trains can also be experienced during the busy transport times; however this is normal practice and is largely acceptable for a country centre.

Noise intrusion from either the railway or CBH to Balladong Farm will be mitigated by intervening service industry development.

Protection from noise in the meantime can best be approached by applying a Special Control Area which may include noise absorbing measures for future dwellings (insulation, double glazing and screening).

5.0 ROADS

5.1 *Major Highway* (Figures 2 and 3)

The options for the York-Chidlow Road realignment have been assessed based upon two options.

In either case the Knotts Road/Cut Hill Road option will remain as a permit vehicle road and may have the potential to be constructed before the highway route.

Option One was for the use of Cut Hill/Knotts Road with a sweeping bend around the CBH facility. This option required a longer new section of road and extended upgrading of Cut Hill Road and part of Knotts Road (about 1.7 km). The junction of Cut Hill Road and York Chidlow Road would also require significant changes to direct traffic away from the thoroughfare to the York townsite and giving preference to the new alignment.

Numerous properties along both Cut Hill Road and Knotts Road from which land may need to be acquired to allow for road widening and carriageway reconstruction. Significant works are needed to eliminate tight corners and relatively poor vertical geometry. Cut and fill is likely to be extensive with the additional costs of constructing several watercourse crossings of either larger culverts or small bridges.

An advantage of this option is the reduction in heavy and through traffic reaching close proximity to the town particularly the new development area of Daliak and the adjoining school and hospital.

Construction costs are likely to be high due to frequent rock outcropping.

Option Two This option set the realignment of the York-Chidlow Road, near Henrietta Street, and running parallel to Forrest Street and around the south of CBH.

The option follows that generally depicted in the Local Planning Strategy. Although longer in new road construction than Option One (about 3km), it does not have the attachment of upgrading a secondary road as with Cut Hill Road.

The only significant watercourse of consequence is Bland Brook.

Both options propose to cross the Avon River to join up with the York-Merredin Road.

A radius of about 500 metres curve is shown on the sketch to avoid impacting on existing heritage structures (Hillside and Hart Leap) and their appurtenant lands
This radius will determine the speed regulations.

A wider reserve width may be required to the west of CBH to accommodate cut and fill on the sloping landform.

Landscaping on the verges will be necessary for both soil stabilisation and aesthetics.
Intersection and service road junctions will be to Main Roads W.A. specifications.
Access to the highway from abutting lots will be restricted.

The final alignment will be determined by the Department of Planning and Infrastructure and Main Roads W.A.

Enquiries to the Minister for Transport resulted in a determination that Option 2 was preferred and that the future alignment be that illustrated on the Local Planning Strategy maps.

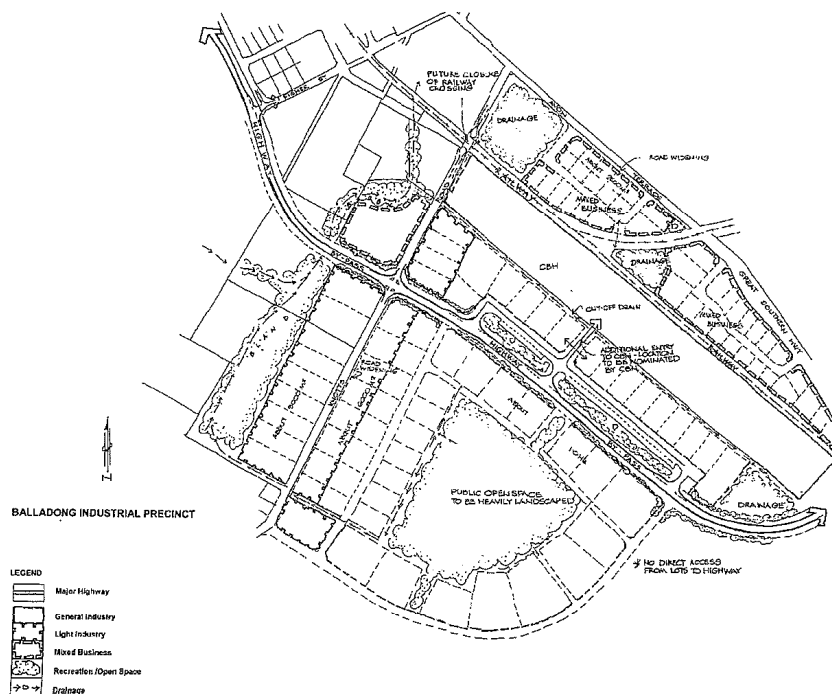


Figure 2: Proposed Development Layout

5.2 Local and Service Roads

Local or service roads for industrial purposes may be contained in 20 metre reservations with a 10 metre carriageway. Some additional reserve widening may be required for roadside drainage.

5.3 Road Widening/Access Point Requirements

Road widening is required on Spice Road and Avon Terrace, adjacent to the future residential development on Balladong Farm.

Some road widening is also required along Knotts Road (south suite) to allow for road upgrading.

Several access points are needed to the existing and future roads into the development areas require special design in accordance with proper engineering standards.

Access to Henrietta Street from the highway for commercial and local traffic, will need to be modified to give priority to the highway. Access into the existing Forrest Street Mixed Use precinct should be restricted to either Fisher Street or Wheeler Street. The Wheeler Street railway crossing could be permanently closed off when the by-pass is functional.

The intersection with Knotts Road could be a four way crossroad with priority to the highway. The railway crossing on Knotts Road could also be permanently closed.

Industrial lots adjacent to CBH shall only be accessed by an internal service road. Further vehicle access to CBH can be built into the design allowing more flexibility for CBH operations and reduce the heavy traffic on the minor roads.

Both Knotts Road and Cut Hill Road will require significant road widening and carriageway upgrading to improve the vertical and horizontal geometry and totally restructure the Cut Hill Road York-Chidlow junction.

5.4 Traffic Management

As part of the engineering design stage, a detailed assessment of the traffic needs shall be undertaken to properly provide for safety and efficiency of traffic movements, particularly in relation to heavy haulage vehicles.

Roadside signage is not permitted on the highway or at the junction /intersection to any service road.

5.5 Land Drainage

Drainage is probably the most important consideration of this area. The nature of the heavy soils and its inability to rapidly absorb heavy rain events together with the projected increase in impervious surfaces as industrial buildings and associated activities are established, means a significant increase in runoff into substandard drainage systems.

Heavy summer rains has demonstrated the need for a comprehensive drainage plan. Flash flooding is widespread during such storms leading to severe erosion, damage to public infrastructure and private property.

Bland Brook is the more prominent recipient of runoff and is also a significant part of the Blandstown Heritage Precinct. The brook, in either private or public land is one of the town's stands of remnant vegetation. It is an important biodiversity corridor connecting the rural areas with the river.

The Bland Brook catchment is extensive and it is not considered a viable option for any increase in discharge from the proposed industrial development and additional roads. This tributary simply cannot cope with additional high volumes of storm water as experienced in recent storms. (November 2008).

To offset the impact on Bland Brook and downstream developments it is preferred that supplementary drainage basins be constructed within this precinct to intercept and arrest surface runoff.

Cut-off drains between the new industrial area and CBH and within the proposed industrial lots should direct runoff into roadside drainage systems and into the retention basins.

The location of these retention basins is marked on each of the Optional Plans. However, the exact siting and capacities shall be verified by competent engineering assessments. There is ample opportunity for modifications to the proposed basins within the plans.

Minimum drainage discharge into Bland Brook from lots fronting Knotts Road is essential and the larger lots proposed shall be made to accommodate individual lot runoff and retained on-site.

Construction of the basins shall acquire the further function of nutrient stripping, and in the case of large retained volumes, the capacity for future use of the water for open space reticulation.

Use of land contiguous to, and within the railway reserve, shall not be used for stormwater retention. Protection of the railway line from inundation and erosion of the embankments is essential.

6.0 LOT SIZES and DEVELOPMENT CRITERIA

6.1 Lot Sizes

There is no hard and fast rule over lot sizes. Lot areas depend on the activity and the need for efficient access. For a small rural townsite it is more to do with accommodating a local business with room to expand in the future.

The proposed lots range from 2500m² at Avon Terrace to about one hectare on the Knotts Road area. These sizes allow for substantial buildings/workshops, offices, landscaping, car parking and limited outdoor storage.

Regular shaped lots are preferred given the geometric shapes of factory buildings, road access and parking.

Road frontage is important for both access and for advertising the business to be carried on. Lots of any size should not have a frontage of less than 30-40 metres to allow for efficient access/egress.

Plot ratios of 50% or less are preferred to allow for the inclusion of access, parking, landscaping and water retention.

6.2 Facades and Building Materials

The current town planning scheme recommends masonry for facades but with Council discretion for alternate materials. Masonry structures are not required as more modern materials can achieve the same if not better presentations with the same structural strength.

Metal walls may be coloured (Colourbond) and not galvanised or highly reflective zincalume .

Nevertheless, all buildings shall meet a standard of construction which presents an attractive but not bland façade with adequate fenestration.

Building height restrictions do not apply.

6.3 Streetscape and Frontage

In the interests of tidy sites land between the front boundary and the building shall not be used for the storage of unfinished or stored goods or materials.

This area can be used for formal car parking, landscaping and display of finished good for exhibition or sale. Such areas must be kept in a clean and tidy condition.

On the large lots there is the opportunity to develop factoryettes for two or more businesses.

6.4 *Building Setbacks – Industrial Zones*

Front building setbacks shall be:

- a) Knotts Road frontage - 30 metres.
- b) Other Service Road frontage - 15 metres
- c) Avon Terrace frontage – 15 metres

Side setbacks shall be a minimum of 10 metres on one side and 5 metres on the other.

Rear setbacks shall be set at a minimum 10 metres.

It is important to have clear access to all boundaries for fire protection and general maintenance.

6.5 *Highway Access*

No direct access to the highway shall be permitted unless absolutely necessary and only with the approval of Main Roads WA if required.

6.6 *On -Site Drainage*

Development shall ensure as much retention of stormwater on-site as practicable. This may be by the installation of soakage pits, minor bunding or water tanks.

Runoff from properties to the roadway shall be kept to a minimum and then only into formal drains.

6.7 *Signage*

Signage at the entrance to internal or service roads may be permitted to notify the services available within that road/street.

Individual properties may advertise the services offered on that property.

6.8 *Factoryette Development*

Factoryette developments are permitted for small business operators. Parking and landscaping requirements are

6.9 *Easements/ Reserves*

For essential services installation and protection some reservations or easements are required. This is particularly important for land drainage. It is essential that any reserve or easement is clearly depicted on any subdivision and development plan.

Easements for drainage shall be in favour of the Shire of York and access to those easements shall be unimpeded.

Land for drainage and public open space shall be ceded to the crown and vested in the Shire of York for those specific purposes.

7.0 PROPOSALS

7.1 *Development Proposals*

The introduction of two industry zones shall assist in determining the location of specific industrial land uses. The objective is clear in that the activities that emit noise, vibration dust are to be confined to the inner areas whilst those land uses that are relatively quiet, inoffensive and provide an attractive facade shall be located on the main roads leading into the town.

The land fronting Avon Terrace shall be specifically for commercial type activities in line with the provision of the Mixed Business Zone that provides for an aesthetic entry statement into the town via Blandstown.

7.2 *Varying Lot Sizes*

Lot sizes will vary according to land requirements. Flexibility to side boundaries may be applied to cater for expansion if needed as the subdivision proceeds.

7.3 *Knotts Road Frontage*

The use of suitable land on Knotts Road is appropriate given the existing light industrial uses on the northern side and the presence of the 'buffer' for CBH. In this part, larger lots are possible of about one hectare can be created with minimal additional infrastructure. Knotts Road has a reserve width of 20 metres which is adequate for a low traffic road.

The carriageway needs to be widened to 10 metres. The road reserve may require widening to include increased stormwater capacity.

7.4 *Avon Terrace Frontage*

The land between Avon Terrace and railway reserve has suitable terrain for Mixed Business with an internal loop road.

Any development in this area will be the interface between the CBH facility and the Balladong Farm residential precinct. It is also on one of the main entry roads to the town and is therefore required to have a highly presentable facade and attractive landscaping.

Lots of about 2500m² would be adequate for small business which may include showrooms and service trades /retail floor space uses.

Land uses shall be complementary to the Town Centre but not

7.5 *Internal Area Development*

The development contained within the perimeter roads is likely to be incremental and reactive to demand. Nevertheless, an overall plan of subdivision is required to ensure the future roads and services designs can be prepared in confidence. This is particularly important for land drainage.

7.6 *Storage of Materials*

To prevent the whole area being spoiled by unkempt and untidy sites, conditions of development and land usage are required to form a consistent standard of presentation.

Areas between the building line and the lot frontage shall not be used for the dumping or storage of unfinished products, derelict machinery or motor vehicles or sundry rubbish.

The area so defined may be used for open air display of finished products, car parking and landscaping.

7.7 *Water Tanks*

In order to limit the runoff from buildings a water tank/s shall be connected to each roof area. Excess rainwater is to be retained on-site as much as practicable.

7.8 *Landscape Requirements*

No less than 5% of the frontage of each lot shall be landscaped to the satisfaction of the Shire and maintained in a tidy and presentable condition.

8.0 PROPOSED SCHEME AMENDMENT

8.1 Objectives

To meet the objectives of environmental care and management, to differentiate the differences between the industrial activities and prescribe development conditions or performance criteria, the current scheme clauses require modification.

The existing Industry Zone is to be deleted in favour of a General Industry Zone and a Light Industry Zone.

8.2 Definitions of Industry

The definitions of the various types of industry are listed below for the purpose of clarification

industry: means the carrying out of any process in the course of trade or business for gain, for and incidental to one or more of the following:

- (a) the winning, processing, or treatment of minerals;
- (b) the making, altering, repairing, or ornamentation, painting, finishing, cleaning, packing, or canning or adapting for sale, or the breaking up or demolition of any article or part of an article;
- (c) the generation of electricity or the production of gas;
- (d) the manufacture of edible goods, and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the wholesaling of, or the incidental sale of goods resulting from the process, and the use of land for the amenity of persons engaged in the process; but does not include:
 - (i) the carrying out of agriculture,
 - (ii) on-site work on buildings or land,
 - (iii) in the case of edible goods the preparation of food for retail sale from the premises.

industry - cottage: means a business, professional service, trade or light industry producing arts and craft goods which cannot be carried out under the provisions relating to a "home occupation" and which in the opinion of the local government:

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood;
- (b) where operated in a Residential Zone, does not entail the employment of any person other than a member of the occupier's household;
- (c) is conducted in an outbuilding which is compatible within the principal uses to which land in the zone in which it is located may be put;
- (d) does not occupy an area greater than 50m²;
- (e) does not display a sign exceeding 0.2m² in area.

industry - extractive: means an industry which involves:

- (a) the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals, or similar substance from the land, and also the storage, treatment, or manufacture of products from those materials when the manufacture is carried out on the land from which any of the materials so used is extracted or on land adjacent thereto, and the storage of such materials or products;
- (b) the production of salt by the evaporation of salt water.

industry - general: means an industry other than a cottage, extractive, hazardous, light, noxious, rural, or service industry.

industry - hazardous: means an industry which, when in operation and when all measures proposed to minimize its impact on the locality have been employed (including measures to isolate the industry from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality, to human health, life or property, or to the biophysical environment. Examples of such industry include oil refineries and chemical plants but would generally exclude light, rural, or service industries.

industry - light: means an industry:

- (a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater or other waste products; and
- (b) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, electricity, sewerage facilities, or any other like services.

industry - noxious: means an industry which is subject to licensing as "Prescribed Premises" under the *Environmental Protection Act, 1986* (as amended).

industry - rural: means an industry handling, treating, processing, or packing primary products grown, reared, or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality.

industry - service: means a light industry carried out on land or in buildings which may have a retail shop front and from which goods manufactured on the premises may be sold; or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced.

8.3 Scheme Amendment Details

Amending the Town Planning Scheme to:

- a) Delete the Industry Zone from the Scheme Text and Maps;
- b) rezone Part of Lot 2, Lots 51, 28739 and 28740 Knotts Road from General Agriculture Zone to General Industry Zone;
- c) rezone Lots 50, 5 and 3 Great Southern Highway from General Agriculture Zone to Mixed Business Zone;
- d) rezone Lots 25, 10, 11 and 12 and part of Lot 50 Knotts Road from General Agriculture Zone to Light Industry Zone;
- e) rezone parts of Lot, 11, 12 and 50 Knotts Road from General Agriculture Zone to Recreation and Open Space zone;
- f) rezone part of Lot 2 Knotts Road from General Agriculture Zone to Recreation and Open Space zone
- g) rezone Lots 2, 635-637 Henrietta Street, 204, 200, 209, 210, 260, 26126, 27,23, 586, 38 Maxwell Street, Part Lot 104, 103, Part Lot 18, 50, 594 (Reserve 37504).6- 9, 13 Elizabeth Street, 613,614, 51, 52, 1-6 Wheeler Street, 7-12 Fisher Street, 1,2 and 216 Main Camp Road from Industry Zone to Light Industry Zone.
- h) To replace Clause 4.12 from the Scheme Text and replace it with the following:
4.12.1General Industry Zone:
 - a) To encourage industrial development with diverse employment opportunities.
 - b) To provide for industry to support development in the District,
 - (b) To provide for protection of Bland Brook;
 - (c) To include development requirements for building facades, with particular attention to minimising any adverse effects on the nearby Blandstown residential area.

4.12.2 Site Requirements:

The following minimum building setbacks shall apply:

General Industry Zone:

- d) *Knotts Road frontage - 20 metres.*
- e) *Other Service Road frontage - 15 metres*
- f) *Side setbacks shall be a minimum of 10 metres on one side and 5 metres on the other.*

Light Industry Zone

- a) *Knotts Road frontage - 20 metres.*
- b) *Great Southern Highway – 10*
- c) *Other Service Road frontage - 10 metres*
- d) *Avon Terrace frontage – 15 metres*
- e) *Side setbacks shall be a minimum of 10 metres on one side and 5 metres on the other.*

4.12.3 Landscaping

The first 5 metres of the front setback on any lot shall be landscaped to the satisfaction of the local government. Where a lot has frontage to two or more streets the local government may vary the landscaping requirement only where the local government has approved a reduced setback pursuant to clause 4.6 in which case the whole of the setback so reduced shall be landscaped to the satisfaction of the local government.

4.12.3.4 Setbacks from Residential Zoned land

No building or any other structure shall be erected closer than a distance of 15 metres from any part of the Residential zone, except with the approval of the local government. The setback area shall be landscaped and maintained to provide a suitable screen as may be required by the local government as a condition of such approval.

4.12.3.5 Building facades

The whole of any wall or building facing any street shall be constructed in brick, concrete, or masonry provided, however that the local government may permit the use of such other materials where it is satisfied that such use will not detract from local amenities.

4.12.3.6 Screening

Each open yard on an industrial lot shall be screened from any street by a closed fence or wall not less than 1.8 metres in height unless with the approval of the local government.

4.12.3.7 Display Areas

The local government may permit the use of the land between the front building line and the street boundary for car parking and the display of finished goods but shall not permit the storage of unfinished goods and materials or waste products.

4.12.3.8 On -Site Drainage

Development shall ensure as much retention of stormwater on-site as practicable. This may be by the installation of soakage pits, minor bunding or water tanks.

Runoff from properties to the roadway shall be kept to a minimum and then only into formal drains and retention basins.

4.12.3.9 Signage

Signage at the entrance to internal or service roads may be permitted to notify the services available within that road/street.

4.12.3.10 Factoryette Development

Factoryette developments are permitted in both industrial zones.

4.12.3.11 *Easements/ Reserves*

Land for drainage and public open space shall be ceded to the crown and vested in the Shire of York for that specific purpose. Easements for drainage shall be in favour of the local government.

- l) To modify the Zoning Table (Figure 4) to delete the Industrial Zone and include General Industry Zone and Light Industry Zone and add the appropriate symbols to the land uses.*
- j) To modify the Zoning Table to change the permissible uses against the Mixed Business Zone;*
- b) Adding to Schedule 1- Interpretations - the following definitions:*

“farm supply centre” means the use of land and buildings for the supply of vegetable seed, fertilizers, agricultural chemicals, stock food, tractors, farm equipment, implements or components, or irrigation equipment.

“restricted premises” means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of —

- (a) publications that are classified as restricted under the *Censorship Act 1996*;
- (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity;

“trade display” means premises used for the display of trade goods and equipment for the purpose of advertisement;

“warehouse” means premises used to store or display goods and may include sale by wholesale;

ZONING TABLE

The symbols used in the cross reference in the Zoning Table have the following meanings:

- 'P' means that the use is permitted by the Scheme
- 'AA' means that the use is not permitted unless the local government has exercised its discretion by granting planning consent.
- 'SA' means that the use is not permitted unless the local government has exercised its discretion and has granted planning consent after giving special notice in accordance with clause 7.3.
- 'IP' means a use that is not permitted unless such use is incidental to the predominant use as decided and approved by the local government.
- 'X' means a use that is not permitted by the Scheme.

USES		GENERAL INDUSTRY	LIGHT INDUSTRY	MIXED BUSINESS
1	aged or dependent persons' dwelling	X	X	X
2	ancillary accommodation	X	IP	X
3	caretakers dwelling	IP	IP	IP
4	civic building	AA	AA	AA
5	club premises	X	X	AA
6	consulting rooms	X	X	AA
7	dog kennels	X	SA	X
8	education establishment	X	X	AA
9	farm supply centre	AA	P	AA
10	fast food outlet	X	X	SA
11	fuel depot	SA	X	X
12	grouped dwelling	X	X	X
13	home business	X	AA	X
14	home occupation	X	X	X
15	hotel	X	X	X
16	industry - cottage	X	X	X
17	industry - extractive	X	X	X
18	industry - general	P	X	X
19	industry - light	P	P	X
20	industry - noxious	X	X	X
21	industry - rural	AA	P	X
22	industry - service	P	P	X
23	intensive agriculture	X	X	X
24	lunch bar	AA	AA	AA
25	motel	X	X	AA
26	motor vehicle repair	P	AA	X
27	motor vehicle, boat or caravan sales	P	P	AA
28	office	X	X	P
29	piggery	X	X	X
30	plant nursery	P	P	AA
31	poultry farm	X	X	X
32	public recreation	AA	AA	AA
33	public utility	P	P	P
34	residential building	X	X	X
35	restaurant	X	X	AA
36	restricted premises	X	SA	SA
37	rural pursuit	X	X	X
38	service station	SA	SA	SA
39	shop	X	X	SA
40	storage	P	AA	AA
41	single house	X	X	X
42	tavern	X	X	SA
43	trade display	P	P	P
44	transport depot	P	X	X
45	veterinary centre	P	SA	AA
46	warehouse	P	P	AA

Figure 3: Zoning Table

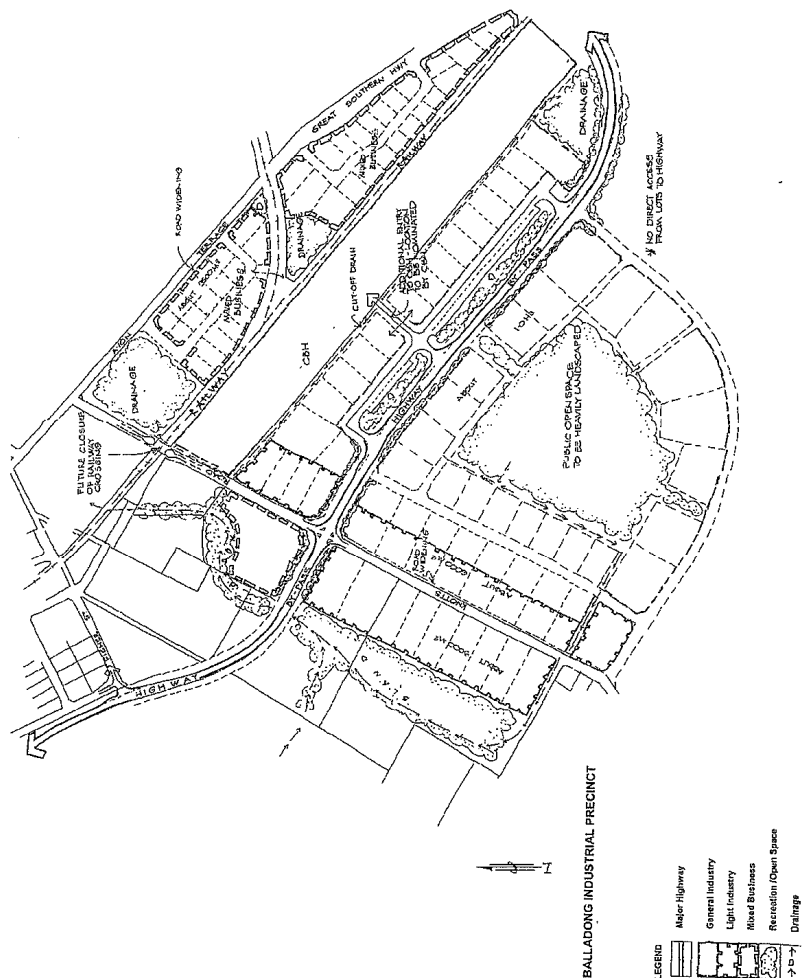


Figure 4: Balladong Industrial Precinct Outline Development Plan

9.2 Administration Reports

9. OFFICER'S REPORTS
9.2 ADMINISTRATION REPORTS
9.2.1 SEAVROC Strategic Plan

FILE NO:	OR.RDT.4
COUNCIL DATE:	20 APRIL 2009
REPORT DATE:	24 MARCH 2009
LOCATION/ADDRESS:	NA
APPLICANT:	SEAVROC
SENIOR OFFICER:	RAY HOOPER, CEO
REPORTING OFFICER:	JULIEANNE TRELOAR, ESO
DISCLOSURE OF INTEREST:	NIL
APPENDICES:	A – SEAVROC Strategic Plan February 2009
DOCUMENTS TABLED:	NIL

Summary:

The original Strategic Plan was adopted by SEAVROC and it's Member Councils on the 1st August, 2007.

This document has been updated after a workshop held in York on February 17, 2009 involving the Executive Officer of SEAVROC, Elected Members and staff of the Member Councils and representatives from DLGRD and WALGA.

The February 2009 version of the SEAVROC Strategic Plan is presented to Council for endorsement.

Background:

SEAVROC's Mission Statement is:

- To achieve recognition of the South East Avon as a viable, political, social and economic region;
- To enhance service delivery and infrastructure for our collective and individual communities; and
- To achieve a sustainable, cost effective model for the sharing of resources.

Consultation:

Member Shires of Beverley, Brookton, Cunderdin, Quairading and York.

Dominic Carbone, DCA – Executive Officer SEAVROC

Department of Local Government and Regional Development

WA Local Government

Statutory Environment:

Not applicable as SEAVROC is a voluntary organisation.

Policy Implications:

Nil

Financial Implications:

Nil however the overall objective of SEAVROC is to reduce costs and to improve services to the communities.

Strategic Implications:

Key Result Area 7: Community Services - Direct provision of community services by council. Council's role in working with the community, other levels of government and the private sector to ensure the total range of appropriate facilities, services and services are available to the York community

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Nil at this stage however there are proven financial benefits for the Member Councils in their involvement with SEAVROC such as improved economies of scale, increased availability of grant funding and sharing of services/ staff where the individual shire may not have sufficient funds or workload.

Social Implications:

Projects that the Shire of York has been involved in through its membership of SEAVROC have included emergency management planning, crime prevention planning, disability services, joint tendering, plant hire, road analysis, land use planning and management and other support services which all help to maintain and improve the social cohesion and lifestyle in the Shire of York and SEAVROC region.

Environmental Implications:

Nil

Comment:

The Plan provides a regional vision for the future and with its timeframes provides for measurable achievement at the individual Council and SEAVROC levels.

OFFICER RECOMMENDATION

RESOLUTION

110409

MOVED: CR WALTERS

SECONDED: CR LAWRENCE

“That Council:

Endorse the South East Avon Voluntary Regional Organisation of Councils (SEAVROC) Strategic Plan dated February 2009.”

CARRIED (5/0)

South East Avon Voluntary Regional Organisation of Councils (SEAVROC)

STRATEGIC PLAN

February 2009



11

Table of Contents

Message from the Chairman
Regional Statistics
Introduction
Our Vision
Our Mission
Strategic Goals
Structure
Strategies
Guiding Principles

Message from the Chairman

SEAVROC's Strategic Plan maps out a vision for the region that comprises the Shires of Beverley, Brookton, Cunderdin, Quairading and York.

SEAVROC was formed in 2006 and is in the process of determining a regional collaborative model in which to operate and is to have legal recognition pursuant to the Local Government Act 1995 and other relevant legislation. The establishment of an appropriate model is critical if the member Local Governments are to find new and successful ways to plan and deliver services on a regional basis. It is important that SEAVROC's structure be innovative if administrative costs are to be minimised.

The plan sets out four strategic goals and has identified specific actions that will help us achieve our vision. It has also set timeframes for their completion.

I am confident that by implementing the goals set in this plan that the region will grow and its five member local governments will prosper and continue to be sustainable in serving their local communities.

Cr. Graham Cooper – President – Shire of Cunderdin
Chairman

SEAVROC Regional Statistics

	Beverley	Brookton	Cunderdin	Quairading	York	Total
Area (sq km)	2,310	1,626	1,872	2,000	2,010	9,818
Length of Sealed Roads (km)	241	203	376	288	255	1,363
Length of Unsealed Roads (km)	516.5	440	466	654	480	2,557
Population	1,625	1,061	1,490	1,022	3,484	8,682
Number of Electors	1,785	701	895	750	2,544	6,675
Number of Dwellings	740	489	575	500	1,341	3,645
Total Rates Levied	1,804,583	944,424	1,323,963	1,130,000	2,527,396	7,730,366
Total Revenue	4,104,756	6,682,197	4,634,241	3,132,000	5,760,050	24,313,244
Number of Employees	27	27	22	26	35	137

Statistics taken from the 2008 Western Australian Local Government Directory

INTRODUCTION TO THIS STRATEGIC PLAN

The Shires of Beverley, Brookton, Cunderdin, Quairading and York have responded to the changing economic times and the structural reform issues in a proactive way by developing and implementing this voluntary region of Councils. The objectives of this initiative are to ensure that the region remains viable, vibrant, progressive and able to respond to the needs of its individual and collective communities. SEAVROC was mainly formed to drive long term change in the region rather than reacting to short terms issues. To meet this challenge, the group has recognised the need for a clear strategic direction which will guide decision making and ensure effective governance through a strong focus on process and communication. This Plan is the outcome of workshops involving Elected Members and Executive Officers of all Member Councils, and will provide the blueprint for future development and operations.

The structure of this Plan includes:

- ☐ Mission
- ☐ Share Vision
- ☐ Strategic Goals
- ☐ Strategies
- ☐ Guiding Principles

The Plan will be presented to the individual Member Shire Councils for formal adoption, and thereafter be managed by the SEAVROC Executive Committee, with regular reporting of progress to individual Member Councils. This Plan should give confidence to the Councils and their communities that SEAVROC is developing in an organised and efficient manner that is transparent and open to view.

“The best way to predict the future is to create it.”

Peter Drucker

VISION

An alliance consisting of Beverley, Brookton, Cunderdin, York and Quairading, that responds proactively to the changing environment while retaining their individual identities.

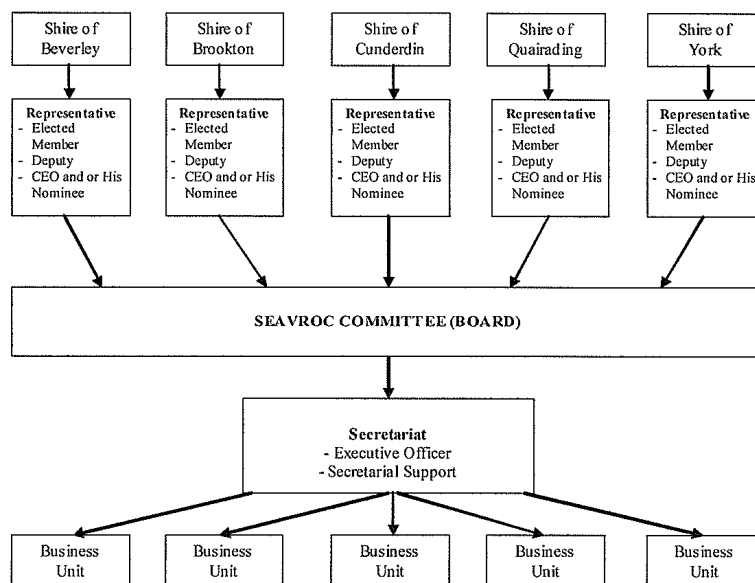
MISSION

- Reinforce and promote South East Avon as a viable, political, social and economic region.
- To form an alternative structure of regional local government which projects local autonomy and identity through structure reform and improve service delivery.

STRATEGIC GOALS

- Implement resource sharing, including intellectual property to avoid duplication and increase outcomes.
- Promote the image and reputation of SEAVROC.
- Introduce sustainable asset management.
- Implement region wide strategies and standards.

STRUCTURE



STRATEGIES

Goal one:

- ☐ To implement resource sharing, including intellectual property, to avoid duplication and increase outcomes.
- ☐ Deliver Planning, Building and Health Services Business Plan by May 2009.
- ☐ Progress the Strategic Waste Management Plan.
- ☐ Investigate IT Operating Systems by June 2009.
- ☐ Investigate the establishment of Engineering Work Teams.

Goal Two:

- ☐ Promote the image and reputation of SEAVROC.
- ☐ Achieve a legal entity status for SEAVROC by 30 June 2009.
- ☐ Prepare brochures, leaflets and press releases as and when required.
- ☐ Influence other levels of government as and when required.

Goal Three:

- ☐ Introduce sustainable asset management.
- ☐ Assist SEAVROC Member Councils in developing an Infrastructure Asset Management Plan by September 2009.
- ☐ Develop an integrated five year Capital Works Plan for the region by September 2009.

Goal Four:

- ☐ Implement Region wide strategies and standards.
- ☐ Delivery a regional Works Coordination Plan for 2009/2010 by September 2009.
- ☐ Develop Natural Resource Management Standards, Policies and Processes.
- ☐ Develop service delivery standards.
- ☐ Coordinate the adoption of the Tree Cropping Policy by each Member Council by June 2009.

GUIDING PRINCIPLES

☐ **Access**

Clear access involves:

Communication that ensures the five participating local governments have the information needed to choose and participate.

☐ **Consultation**

Sound consultation is essential to provide the Member Local Governments to be actively involved in the development of strategies, associated policies and programs.

Good governance also requires that clear plans and actions are in place and that there is a monitoring and reporting on the implementation and impact of strategy.

☐ **Advocacy**

All strategies must identify where effective advocacy is needed to represent SEAVROC to other spheres of government and other groups of influence.

☐ **Sustainability**

All strategies must be environmentally, socially, and economically sustainable for the long term benefit of the region.

As part of the Strategic Plan, the undersigned agree to abide by the underlying principles and commitments (outlined) on which the arrangements are based.

Signed by for and on behalf of the Council of Beverley
Shire President

Signed by for and on behalf of the Council of Brookton
Shire President

Signed by for and on behalf of the Council of Cunderdin
Shire President

Signed by for and on behalf of the Council of Quairading
Shire President

Signed by for and on behalf of the Council of York
Shire President

Signed by for and on behalf of the Council of Beverley
Shire President

9. OFFICER'S REPORTS
9.2 ADMINISTRATION REPORTS
9.2.2 Nib Main Street

FILE NO:	Av 1.6665 & Av1.6666
COUNCIL DATE:	20 April 2009
REPORT DATE:	8 April 2009
LOCATION/ADDRESS:	Lot 5 (133) & Lot 6 (135) Avon Terrace
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Peter Stevens, EHO
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Nil

Summary:

Council received a request from Mr G Shardlow (Penny Farthing Sweets) and Larry Lockyear (York Pizza) to infill a car parking space outside their premises for customers to dine in the alfresco area after works had commenced on the main street upgrade.

Background:

The following email was forwarded on the 31st March 2009:

"I am writing on behalf of the aforementioned shop owners to request a timely consideration of a combined alfresco nib. Both shops currently have alfresco licences but were not aware that they had to apply for the construction of a nib to be completed during the current street scaping works.

They were hoping if possible to arrange for a nib to be incorporated into the current works so as to avoid any additional disruption and costs that would be incurred if work was required at a later date."

Consultation:

Shop owners and proprietors were advised of the design for the main street and comments were requested on the 18 March 2009, at this time no request was made for a nib in front of York Pizza or Penny Farthing Sweets.

The Community Information Update (March edition) advised of the proposed works occurring in the main street.

Statutory Environment:

Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law

Policy Implications:

Nil

Financial Implications:

Additional work to install a nib will incur further costs to Council.

Strategic Implications:

Nil

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Various

Triple bottom Line Assessment:**Economic Implications:**

The applicant would need to negotiate with Council regarding the costs associated with removing a car parking bay, if approved.

Installation of a nib outside of the pizza shop may have a detrimental effect on parking arrangements for customers stopping to pick up pizzas and staff delivery vehicles.

Loss of further parking bays in the main street may reduce customers for some other businesses in the main street.

Social Implications:

Alfresco dining is beneficial from a social context however loss of parking may have a detrimental social impact.

Environmental Implications:

Nil.

Comment:

Council has limited street car parking available within the town site and particularly in the main street. Installation of another nib at these premises would result in the loss of at least 2 more car bays. The initial plan considered existing businesses, their primary uses and opening hours.

The pizza shop has more of a takeaway trade than dine in and the parking bays at the front of the shop allow for customers and the pizza delivery vehicle to park conveniently during opening hours. Both shops have Traders Permits for tables and chairs for the minimum number (2 Tables) these can be accommodated on the existing footpath with the two (2) metre clearance for pedestrians. The footpath has also been widened by 300 mm with the current works which allows more room for seating arrangements.

Another important consideration is the lack of rear access to both of the shops which necessitates all commercial deliveries to be made through the front of both of the premises. Loss of the parking bays would result in commercial vehicles having to park outside other businesses and transporting goods along the street.

OFFICER RECOMMENDATION**RESOLUTION**

120409

MOVED: CR FISHER

SECONDED: CR BOYLE

“That Council does not support the installation of an alfresco nib at the front of Lots 5 (133) & 6 (135) Avon Terrace, York at this time.”

CARRIED (5/0)

9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.3 Name Unnamed Road – Duperouzel Road

FILE NO:	PS.NAM.2
COUNCIL DATE:	20 April 2009
REPORT DATE:	8 April 2009
LOCATION/ADDRESS:	Unnamed Road – Road Number 7391
SENIOR OFFICER:	R Hooper, CEO
REPORTING OFFICER:	T Cochrane, MATS
DISCLOSURE OF INTEREST:	Nil.
APPENDICES:	Appendix A - Correspondence Appendix B - Map
DOCUMENTS TABLED:	Nil

Summary:

A request has been received from Mr William Duperouzel to name a street or road in York 'Duperouzel'.

Background:

The following request was received on the 4th March 2009:

"In 2003 I wrote to the Shire President, Mr J Gregory, requesting that a street or road be named, 'Duperouzel', in memory of my French great-grandfather, Aimable Ciril Duperouzel. Aimable was an original pioneer of the town having arrived in York in 1858 and some of his descendants still live in the town today. For ease of reference, please find enclosed a copy of my original letter, with attachments.

I will be on holiday in Western Australia, with my wife, Janet, from 20th April until 10th May this year. We plan to visit family and friends in York during this period. My French cousin, Gilbert Ledoux, from Normandy, the son of Aimable Victor Desire Duperouzel, who was a cousin of my great-grandfather, will be travelling with us. This visit is highly significant because it is the first time that a French member of the Duperouzel family has visited Australia."

Consultation:

Landgate – Geographic Naming Committee.

Statutory Environment:

Land Administration Act.

The Geographic Names Committee – WA (Landgate) provides the following information:

"Procedure for Naming and Renaming Roads

New Roads - Survey documents require approved road names before the survey can be approved. The developer or their agent should be prompt in lodging a concept plan and a proposal for road names conforming to the above guidelines with the relevant local government. It may also be helpful to supply a copy to the Secretary, Geographic Names Committee. Local governments then propose the names to LANDGATE for approval. Following agreement between the Department and the local government, the names will be approved and all interested parties advised.

The selection of names is at local government discretion, and many local governments maintain lists of preferred names. There must be sound justification to propose

alternative names, but some local governments allow developers discretion, particularly with larger developments. Short names are encouraged for short roads.

Existing Roads — *Unnamed roads should be treated in a like manner to new roads. Proposals for renaming roads should follow the above guideline and be submitted through local government. Proposals should be accompanied by a map showing the extent of the name and full details on the name, including the reason for the selection.”*

Policy Implications:

Nil.

Financial Implications:

Administration costs associated with staff time.

Strategic Implications:

Nil.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: No

Triple bottom Line Assessment:

Economic Implications:

Nil.

Social Implications:

The naming of roads should have a tangible connection to the community.

Environmental Implications:

Nil.

Comment:

Once Council endorses the name then the matter will be referred to the Geographic Names Committee for final approval.

OFFICER RECOMMENDATION

RESOLUTION

130409

MOVED: CR LAWRANCE

SECONDED: CR BOYLE

“That Council:

advise the Geographic Names Committee that it approves the use of the name Duperouzel Road to be used on the unnamed road – Road No. 7391 (as per Appendix B).”

CARRIED (5/0)

ITEM 9.2.3
APPENDIX A

Janet & William Duperouzel
5 Rock Close, Linslade,
Leighton Buzzard, Beds LU7 2YJ, England
e-mail: - william@duperouzel.org
web site: - www.duperouzel.org
tele: - +44.1525.374484

 COPY

Mr J Gregory JP, Shire President
The Shire of York
P O Box 22
York 6302
Western Australia

22 May 2003

Dear Mr Gregory,

Request for a street name in York

I am writing to ask if the Shire of York could give consideration to naming a road in York in memory of my great-grandfather, Aimable Ciril Duperouzel, a pioneer of the town.

Aimable was known in the York district as "John, the Frenchman" during the forty-three years he lived in the area (1858-1901) and was a well known local character. As you may be aware he was one of only seven convicts of French origin who were transported to Western Australia in the middle of the 19th century.

Aimable arrived in York in 1858, aged 27. Initially he worked for S. S. Parker at Balladong Farm where he met his wife, Julia. They established a farm at Qualen in 1871, which is still in the family name. Aimable and Julia retired in the early 1890s to the home he had built at 46, South Street, York. This home is currently known as the "Four Julias". They had seven children and thirty-four grandchildren. Many descendants still live in the York district. Aimable died in York in 1901, aged 70 years.

I have enclosed extracts taken from my recently published book 'Petrosellum, The Global History of the Families Duperouzel / Duperrouzel' which refer to letters written to the York Road Board by Aimable between 1884 and 1886 requesting the provision of a road from Qualen to York. In light of the earlier correspondence in July 1876 it would seem appropriate to have a road named 'Duperouzel' running off Knotts Road.

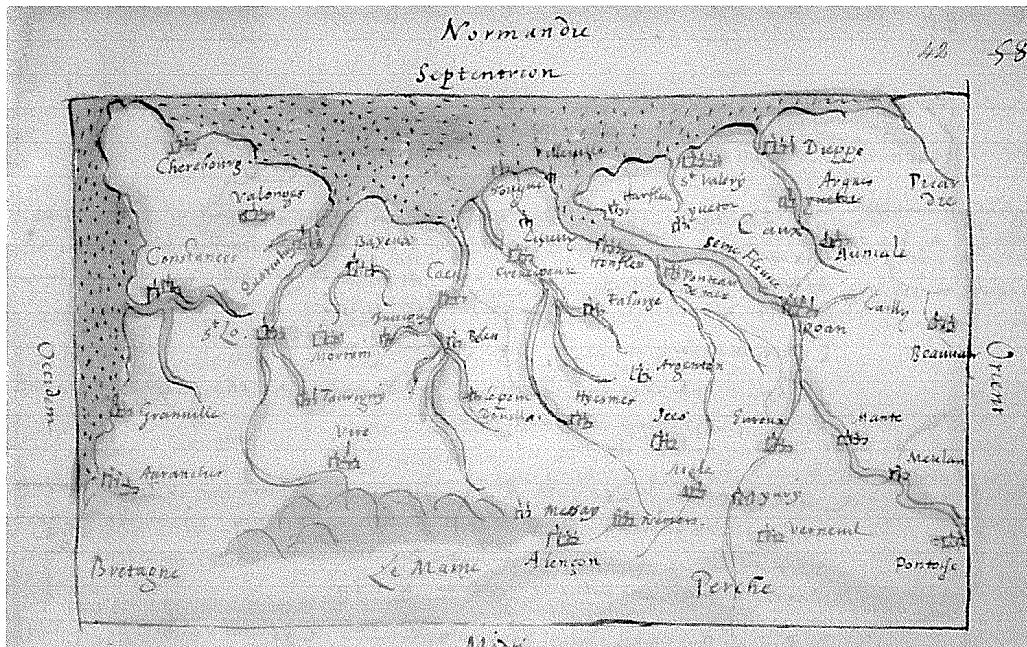
Thank you for your attention in this matter. I look forward to hearing from you when convenient.

Yours sincerely,

William Duperouzel

Petrosellum

A Global History of the Families Dupérrouzel / Duperrouzel



William Thomas Duperrouzel

First published in 2003 by William Thomas Duperouzel CPA
Leighton Buzzard, Bedfordshire, England.
Web page: www.duperouzel.org

Edited by Janet Patricia Duperouzel BA Hons., Dip. Eur. Hum.

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Petrosellum The Global History of the Families Dup  rouzel / Duperrouzel
William Thomas Duperouzel

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Front cover illustration:

Map of Normandy, France, dated 1594. Sloane Manuscript SL 557, portfolio 26. *The British Library, London, England.*

Back cover illustration:

Map of Brittany, France, dated 1594. Sloane Manuscript SL 557, portfolio 42. *The British Library, London, England.*

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Petrosellum

7 Oct 1873 Aimable Duperouzel, Farmer from Black Wattle Flats, 7th Oct' 1873; I have impounded in the Public Pound at York a Bay mare black points with a stripe on the nose, about 14½ hands high believed to be aged, a white spot under saddle owner unknown. A. Duperouzel.
Branded ~ E near shoulder. The mare alluded to was claimed by Mr. I. Box on 11/10/73.

July 1876 W. Knott charged by A. Duperouzel with trespass of 700 sheep on his run.

In line with the local practice Aimable placed advertisements in the local newspaper for animals found on his property. In the event that an animal was not claimed by its rightful owner permission was given by the police for the animal to be sold by the finder to cover their expenses. For example, in January 1871 Aimable received £3.0.2 for the brown and white heifer cow which had strayed onto his property.

Found along with my own cattle, some time ago a brown and white heifer, branded on rump V. The owner can have it on paying expenses or, if not claimed according to Law, will be sold to defray expenses. A. Duperouzel, York. 21st November 1870. *Inquirer Newspaper, York*.

In 1876 Aimable let some of his stock run on the property of a neighbouring landowner, Mr W. Knott, who then sought to take out a pastoral lease of one thousand five hundred acres in order to prevent his access. There had been considerable resentment from Knott, an old colonist who considered Aimable's land to be his own preserve. As soon as Aimable heard about this he applied to the Resident Magistrate for 1,000 acres of the same land. On the same day Mr. S. S. Parker wrote, on behalf of Knott, to the Commissioner of Crown Lands. There is no other correspondence regarding Aimable's application:

The Commissioner of Crown Land, York, July 10th. 1876
Sir,
I have just now put into the Residents Office an application for W. Knott for 1,500 acres of Pastoral land, and am informed by Mr. Cowan that A. Duperouzel has this morning applied for 1,000 acres of the same piece. Duperouzel has but small quantity of stock, and I hear he is taking up this merely to spite W. Knott. I hope you will approve of W. Knott's application he having Stock and requires the run.
Your Obedient Servant, S.S. Parker.

Aimable and Julia needed to be extremely resourceful and self-reliant. Nothing could have prepared them for the harsh conditions of the outback and the extreme heat. They found themselves facing a variety of dangers and difficulties arising from the hot summers. In addition, their land was often visited by aborigines. Although the aborigines did not cause the settlers of that period much trouble, they were, nevertheless, regarded with fear and suspicion. It must have been very worrying, therefore, when members of the family went missing, as evident in the following police report.

"2 March 1883, John Duperouzel reports his father A. Duperouzel left home yesterday at 8 a.m. hunting horses. Not returned...came home about 8 p.m. Alright".

Olive Munckton, the granddaughter of Aimable and Julia, remembered the following:
"Granny Duper was very courageous having to cope with the long walk into York through some rough countryside, encountering from time to time unexpected meetings with aborigines..."

"There was an occasion at the farm when Granny Duper was on her own when her children were very young....she was quite frightened by the surprise appearance of an aborigine who was peering in at her through the window..."

Mona Skinner and Bessie Saunders, Olive's sisters, talked fondly about the resourcefulness of their grandmother. They said that not only did she teach the children to read and write but she was also an excellent dressmaker, cook, and cobbler.

As pioneers in a new and inhospitable land, settlers had to fend for themselves but at the same time seek support from their neighbours. The resulting tension often erupted in abusive language and dust-ups. The following entries in the police files in York describe some of the incidents experienced by Aimable and Julia.

27 Aug 1870 A. Duperouzel charged W.D. with unlawfully and maliciously placing poison which killed his dog.
7 Jan 1873 Julia Duperouzel charged J. M. Craig (publican) with using abusive and insulting language to her; fined 10/- with 2/6 costs.
7 Jan 1873 J. M. Craig charged A. Duperouzel with using abusive language to him; fined 10/-; with 2/6 costs.

Aimable Ciril Dupérouzel and his Descendants

Feb 1877	Aimable Dupérouzel charged by his wife Julia with violently assaulting her in her own home without provocation - put her in bodily fear - case dismissed, parties having made up the matter.
Sept 1877	Julia Dupérouzel, married woman, charged on the information of James Wansborough with assaulting his wife Mary Ann Wansborough and using abusive language to her at Maddington. fined 10/-; 11/10 costs.
Sept 1877	James Wansborough charged on information of A. Dupérouzel with using abusive language to him in the streets of York. fined 10/-; 12/6 costs.
Oct 1881	Aimable Dupérouzel summoned and charged W. Craig with using abusive and insulting language to him. Fined 10/- and costs 17/-.
13 May 1883	Police constable E. Wansborough visited A. Dupérouzel to see if he has a horse to suit mailman.

In 1880 Aimable was admitted to the Educational List of Electors for the Electoral District of York. However, within four years he was still viewed with suspicion showing that the stigma of having been a convict continued to exist.

12 Feb 1884	Aimable Dupérouzel supposed to be trapping people's horses for the purpose of getting their foals. E. Wansborough reports not finding him.
12 Mar 1884	Aimable Dupérouzel suspected of theft of a horse from J. Brown
14 Oct 1884	Aimable Dupérouzel, Expiree 4840, charged by J. McCarthy with allowing 22 head of cattle to trespass on his land.

Neighbouring farmers Wansborough and McCarthy, the latter himself an expiree, put up fences across the bushland thus blocking the road that Aimable and Julia used to go into York. Alternative tracks that Aimable might have been able to use passed through the properties of Knott and Wansborough. In 1884 Aimable made a formal application to the York Road Board for road access to York in order to avoid going many miles out of his way. There followed a series of correspondence over the next two years before the land was surveyed and approval granted.

York Road Board,
York

Sir, 1st September 1884

I beg most respectfully to bring to your notice the fact that owing to recent (selections) round my homestead at Qualen I have no means of getting to York without travelling about 5 miles out of my road and then by a very bad road.

The track I have hitherto used was between S1526 and the part lately taken up by Mr. McCarthy, but there is another and an older road which passes through the 40 acre block purchased by Mr. Wansborough which that gentleman has blocked up and which if opened would serve my purpose very well. Only a very small portion of the block referred to would be affected by its being opened as the road passes through at our corner and on either side the land is the property of the Crown: the number is, I believe S46 adjoins his homestead and the block purchased by now. Trusting that you will see fit to provide me with an opening at either one of the places indicated.

I remain,

Your obedient servant,
Aimable Dupérouzel,
Qualen,
York.

Commissioner of Crown Lands,
Perth

Dear sir,

8th November 1884

In accordance with a resolution of the York Road Board passed at its meeting held to-day, I have the honour to inform you that the Board's request that a Surveyor be sent into the district for the purpose of surveying both roads now under discussions viz to Cobham and the one applied for by Dupérouzel.

The Board find that in these matters they cannot give satisfaction to all parties and they deem it desirable that the work should be performed by a Government Surveyor. The Board would also recommend that where in future land is being sold in blocks provision will be made for roads so that the occupant may be provided with means of ingress and egress.

Chairman,

York Road Board.

Extract from Minute Book of York Road Board 8 November 1884 confirms (3) above.

Petrosellum

Sir, 8th December 1884
I again take the liberty of addressing you re my question of a road from my location to York and herewith not for the very great inconvenience to which I am subjected, I would not further trouble you. As things are at present I am unable to convey my produce to market without travelling by a very circuitous route which causes considerable delay and is a very bad road. J.J.T. Manager, V.W. Edwards on the part of the Road Board have been put out to inspect the place and we agreed that any other...the route suggested by me would be impracticable but the latter gentleman is unwilling to distract Mr. Wansborough, my neighbour.

If the road was cut through the corner of his block for about two chains I could get an easy road to the Surveyor line which comes in...and which would be equally serviceable to those being in my neighbourhood. On the other side there is nothing but hills by crossing Knott's Farm for about 20 chains after leaving Wansborough's one gets on to the surveyor road spoken of and which terminates at this point. I have seen Mr. Mager since his visit and he recommends me to write you at once. Feeling assured you will give my cause your earliest consideration, etc, etc.

A. Duperouzel,
Qualen,
York.

Commissioner for Crown Lands,
Perth

Sir, 10th March 1885
In reply to your letters of September 10th 1884 and February 28th 1885 referring to letters forwarded to me numbered respectively 3011 / 83 and 2607 / 84 having reference to a Minor Road from Cobham to the Clackline Road also a road from A. Duperouzel's homestead to York, I beg to say that upon searching our letter book I find a copy of a letter addressed to you on November 8th 1854 in which a postscript says, "Herewith please find enclosed all papers in connection with Duperouzel's application as well as those re Cobham Road". I have made a complete search and can find nothing but two drawings which can be forwarded to you at once if you desire it.
Yours sincerely,
Chairman
York Road Board.

York Road Board,
York

Sir, 21st March 1885
I have again the honour to submit to you for your consideration the question of a road from my homestead to York; at present I am hemmed in that it is almost impossible for me to get produce to market, the only available route being over strong hills and unpenetrable thicket. Last year I waited at your office and was informed that the matter had been referred to the District Road Board from which body I gather that the question has been shelved owing to their being unable to satisfy all parties.

In fact the Chairman informed me that they decided not to have anything to do with it. Meantime, I am suffering great hardship and loss. I enclose herewith an extract from the minutes of the Board in support of my statement. I beg therefore to request that you will be so good as to take the matter under your consideration as early as possible to avoid further litigation as I have been already summoned for trespass by one of my neighbours and as the season is rather advanced Unless speedily attended to I shall be unable to get rid of my last year's crop. An opening of about 3 chains through Wansborough's land would afford an easy road for all parties.

I am sir,
Aimable Duperouzel.

York Road Board,
York

Sir, 24th March 1885
In reply to your letter of 10th instant I have to inform you that the issuing papers referred to are numbers 2607 / 84 on the outside jacket and refer to Duperouzel's application for a road to his homestead, the register in this office shows them marked off to York Road Board 16.10.1884 and there is no record of this request.
Yours sincerely,
Commissioner Crown Lands.

Aimable Ciril Dupérouzel and his Descendants

Commissioner Crown Lands,
Perth

Sir,

24th March 1885

I am in receipt of your letter of the 24th instant and in reply I have to offer you a sincere apology for all the trouble I have given you. Upon reading your letter I went at once to the Chronicle Office, the residence of our late clerk, and had a thorough search made and to my disgust and amazement the very papers in question were discovered in a box belonging to him (the late clerk) upon whom the blame must rest. Pray accept my apology and excuse my seeming neglect. I herewith enclose the papers you request.

Manager,
York Road Board.

Surveyor

Sir,

18th September 1885

Before you leave the district I want you to make enquiries from the Road Board and to find out what is best to be done with regard to a road from Dupérouzel's homestead about which there has been some correspondence between Mr. Dupérouzel and the Road Board and this office and if possible make a road to meet Mr. Dupérouzel's wishes under the direction of the Board.

Yours,
Surveyor-General.

Honorable, the Surveyor General

Sir,

20th January 1886

In reply to your letter of 21st instant having reference to the survey of a road for Mr. Dupérouzel, I have to state that I have consulted the Chairman of the Road Board on the subject, a route has been decided upon and I will undertake the work as soon as possible.

Yours truly,
George Leeming,
District Surveyor.

His Excellency, the Governor, finally authorised Aimable and Julia's application for a new road on 26 August 1886. This was recorded in the Western Australian Government Gazette, 31 August 1886.

No. 2727.—C.S.O.

Minor Road.

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*Colonial Secretary's Office,
Perth, 31st August, 1886.*

HIS Excellency the Governor, on the recommendation of the York Roads Board, has been pleased to declare the following Road to be a Minor Road.

By Command,
M. S. SMITH,
Acting Colonial Secretary.

A road, 1 chain wide, starting from the old surveyed road at the Western corner of Avon location X, Gazetted 18th July, 1872, and extending in a Southerly direction along that location's Western boundary 4 chains 83 links; from thence in a South-westerly direction to the Western corner of Avon location 643; thence in a Southerly direction along the Western boundary of Avon location 643 aforesaid, 793, and part of the Western boundary of Special Occupation License 1526, to the Northern corner of Special Occupation License 1816, and in the same direction 15 chains 15 links along its Eastern boundary; and from the said Northern corner of Special Occupation License 1816 along its Northern boundary, measuring 26 chains 25 links; and in a Southerly direction along its Western boundary 33 chains 82 links; from thence in a South-westerly direction to a spot on the Northern boundary of Avon location 1042, situate 15 chains 63 links East-North-East from its Western corner; thence in a Westerly direction along its Northern boundary and the Northern boundary of Avon location 294 to its Western corner.

Western Australian Government Gazette, 1886.

Aimable Ciril Dupérouzel and his Descendants

The lawyer to whom Peter was referring was Amand Tranquille Dupérouzel, Aimable's nephew. It is not known whether Peter wrote to Amand to make further enquiries.

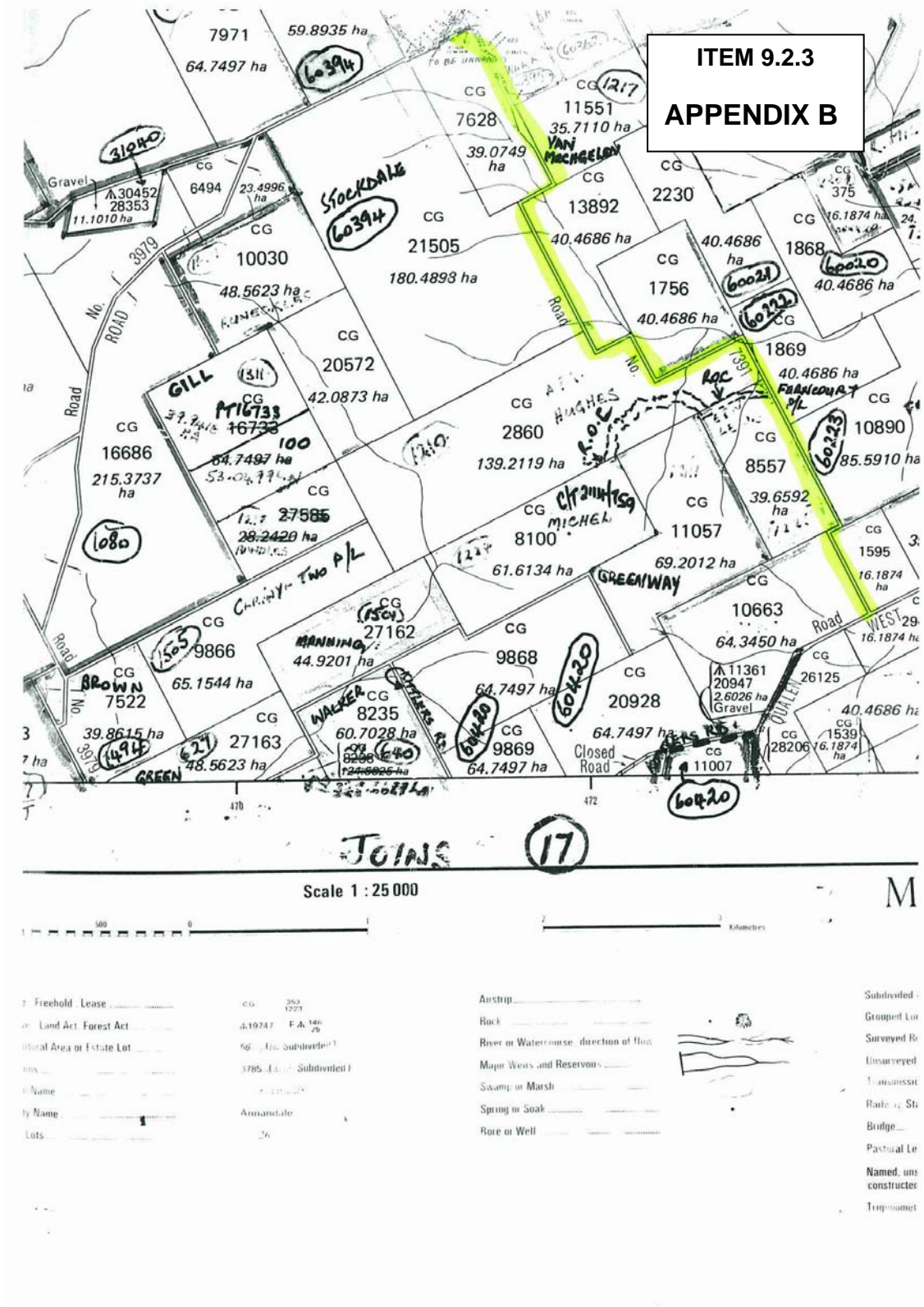
Julia survived Aimable by twenty five years. She died in the York Hospital in 1926, the year of the great flood. She was aged eighty two. Julia was survived by five children all with families of their own. Julia was buried in the York Cemetery in the same grave as Aimable.

Julia and Aimable were married for thirty eight years and their unbroken spirit enabled them to establish a farm and to raise a large family. Their descendants are no longer tainted by the stigma of convict ancestry but instead are justifiably proud of their achievements.



Aimable Ciril Dupérouzel and Julia Neagle, date unknown.

Courtesy of Kenneth Duperouzel.



9.3 Finance Reports

9.3.1 Finance Report March 2009

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:**Economic Implications:**

A zero balance or surplus end of year financial position will increase community confidence and cohesion and provide an opportunity for improved community benefits in future years.

Social Implications:

Not applicable.

Environmental Implications:

Not applicable.

Comment:

The attached variance report provides explanations of the variances. Many variances are due to timing issues such as delays to jobs commencing or the budget being allocated on a pro-rata basis but the majority of the income or expense being received or incurred over only a few months. At this stage the end of year position is anticipated to be in line with projections as reported in the mid year review which was presented to Council in March. Council's cash position is very strong at the moment with substantial funds invested. This will result in Municipal fund interest income exceeding budget despite the large fall in interest rates. Unfortunately the same can't be said about our reserve funds as the reserve fund transfers usually take place in June. This means we can more accurately predict our interest income on reserves however the fall in interest rates was much greater than was anticipated at the time of setting the budget and our income will be reduced.

OFFICER RECOMMENDATION**RESOLUTION
140409****MOVED: CR FISHER****SECONDED: CR LAWRENCE*****“That Council:******Receive the Monthly Financial Report and ratify payments drawn from the Municipal and Trust accounts for the period ending 31 March 2009:***

	VOUCHER	AMOUNT
<u>MUNICIPAL FUND</u>		
<i>Cheque Payments</i>	28112-28152	\$ 118,887.78
<i>Electronic Funds Payments</i>	5346-5423	\$ 263,496.75
<i>Direct Debits Payroll</i>		\$ 101,097.63
<i>Bank Fees</i>		\$ 841.08
<i>Corporate Cards</i>		\$ 664.08
<i>Photocopier Lease</i>		\$ 1,037.22
<i>Shell Cards</i>		\$ 88.35
<u>TOTAL</u>		\$ 486,112.89

<u>TRUST FUND</u>		
<i>Cheque Payments</i>	3570-3586	\$ 0.00
<i>Direct Debits Licensing</i>		\$ 142,059.10
<u>TOTAL</u>		\$ 142,059.10

<u>TOTAL DISBURSEMENTS</u>	\$ 628,171.99
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Note to this item:***The Chief Executive Officer has delegated authority under Delegation DE1 (Council Meeting 22 September 2008) to make payments from the Municipal and Trust accounts.*****CARRIED (5/0)**

**Item 9.3.1
Appendix A**

**SHIRE OF YORK
STATEMENT OF FINANCIAL POSITION
AS AT THE 31 MARCH 2009**

2007/08 ACTUAL		2008/09 ACTUAL 31-Mar-09
\$		\$
	CURRENT ASSETS	
563,946	Cash	2,280,079
2,034,539	Cash Restricted	2,104,546
675,758	Receivables	747,606
33,549	Stock on Hand	16,563
0	Prepaid Expenses	0
3,307,792	TOTAL CURRENT ASSETS	5,148,793
	CURRENT LIABILITIES	
(429,984)	Accounts Payable	(358,285)
0	Income Received in Advance	0
(397,042)	Provision for Leave	(397,042)
(7,799)	Interest Bearing Liabilities	(7,799)
(834,825)	TOTAL CURRENT LIABILITIES	(763,126)
2,472,968	NET ASSETS	4,385,668
	Less Items	
(2,034,539)	Cash Restricted	(2,104,546)
7,799	Interest Bearing Liabilities Included in Budget	7,799
(7,799)	Self Supporting Loan Income	(7,799)
105,636	Add Back LSL	109,565
544,065	TOTAL EQUITY	2,390,687

SHIRE OF YORK STATEMENT OF FINANCIAL ACTIVITY AS AT 31 MARCH 2009						
	2008/09 ADOPTED BUDGET	2008/09 Amended Budget	2008/09 Budget Year to Date	2008/09 Actual	Variance % Budget to Actual	Variance \$ Budget to Actual
OPERATING REVENUE	\$	\$	\$	\$	\$	
General Purpose Funding	(1,340,874)	(1,343,483)	(1,010,490)	(995,921)	(1%)	(14,569)
Governance	(221,970)	(221,970)	(165,226)	(222,819)	35%	57,593
Law, Order, Public Safety	(123,326)	(123,136)	(103,849)	(44,834)	(57%)	(59,015)
Health	(23,000)	(23,000)	(17,678)	(23,497)	33%	5,819
Education and Welfare	(25,000)	(25,000)	(18,747)	(14,290)	(24%)	(4,457)
Housing	-	-	-	-	-	-
Community Amenities	(586,056)	(611,056)	(561,738)	(541,889)	(4%)	(19,849)
Recreation and Culture	(998,749)	(998,749)	(578,221)	(74,254)	(87%)	(503,967)
Transport	(1,522,704)	(1,622,704)	(1,071,882)	(997,695)	(7%)	(74,187)
Economic Services	(101,200)	(101,200)	(75,897)	(38,791)	(49%)	(37,106)
Other Property and Services	(129,406)	(129,406)	(97,245)	(44,219)	(55%)	(53,026)
	(5,072,285)	(5,199,704)	(3,700,973)	(2,998,209)	(19%)	(702,764)
LESS OPERATING EXPENDITURE						
General Purpose Funding	196,698	196,698	95,406	82,511	(14%)	12,895
Governance	652,106	652,106	493,084	298,702	(39%)	194,383
Law, Order, Public Safety	326,949	326,549	255,760	227,012	(11%)	28,748
Health	192,581	192,581	143,900	139,781	(3%)	4,119
Education and Welfare	59,578	59,578	47,272	42,591	(10%)	4,681
Housing	-	-	0	-	-	-
Community Amenities	1,186,685	1,186,685	799,827	581,451	(27%)	218,376
Recreation and Culture	1,119,253	1,127,917	839,928	712,590	(15%)	127,338
Transport	4,270,822	4,383,477	3,289,366	3,190,467	(3%)	98,899
Economic Services	415,896	415,896	308,252	256,071	(17%)	52,181
Other Property & Services	102,000	102,000	74,355	73,105	(2%)	1,250
	8,522,568	8,643,487	6,347,150	5,604,281	(12%)	742,869

SHIRE OF YORK STATEMENT OF FINANCIAL ACTIVITY AS AT 31 MARCH 2009						
	2008/09 ADOPTED BUDGET	2008/09 Amended Budget	2008/09 Budget Year to Date	2008/09 Actual	Variance % Budget to Actual	Variance \$ Budget to Actual
<i>Increase/(Decrease)</i>	3,450,283	3,443,783	2,646,177	2,606,072	(2%)	40,105
ADD						
Proceeds on Sale of Assets		-	0	-		
Profit/Loss on Sale of Assets	(665,310)	(665,310)	(58,541)	(21,888)		
Increase/(Decrease) Non Current Debtors Rates	-	-	6,000	(26,064)		
Increase/(Decrease) Non Current Debtors S/S Loan	242,221	242,221	(5,832)	-		
Change Employee Leave Provisions				-		
Long Service Leave Cash at Bank (Increase)/Decrease in Balance	(7,395)	(7,395)	-	(3,929)		
Depreciation Written Back	(4,027,368)	(4,027,368)	(3,020,526)	(3,023,890)		
Book Value of Assets Sold Written Back	(475,625)	(475,625)	(193,212)	(40,584)		
	(4,933,477)	(4,933,477)	(3,272,111)	(3,116,355)	(5%)	(155,756)
<i>Sub Total</i>	<i>(1,483,194)</i>	<i>(1,489,694)</i>	<i>(625,934)</i>	<i>(510,283)</i>	<i>(18%)</i>	<i>(115,650)</i>
LESS CAPITAL PROGRAMME						
Purchase Tools	-	-	0	-		-
Purchase Land & Buildings	2,184,002	2,184,002	524,168	190,510	(64%)	333,658
Purchase Plant & Equipment	768,201	768,201	667,201	306,053	(54%)	361,148
Purchase Furniture & Equipment	93,375	93,375	72,175	42,925	(41%)	29,250
Infrastructure Assets - Roads	2,390,862	2,390,862	1,549,941	913,471	(41%)	636,470
Infrastructure Assets - Recreation Facilities	40,000	40,000	0	-		-
Infrastructure Assets - Other	30,000	30,000	10,000	7,595	(24%)	2,405
Repayment of Debt - Loan Principal	14,871	14,871	7,799	7,799	(0%)	0
Transfer To Reserves	1,176,785	1,584,381	0	70,006		(70,006)
Transfer to Other Funds	-	-	0	-		-
	6,698,096	7,105,692	2,831,284	1,538,360	(46%)	1,292,924

SHIRE OF YORK STATEMENT OF FINANCIAL ACTIVITY AS AT 31 MARCH 2009						
	2008/09 ADOPTED BUDGET	2008/09 Amended Budget	2008/09 Budget Year to Date	2008/09 Actual	Variance % Budget to Actual	Variance \$ Budget to Actual
ABNORMAL ITEMS	-	-	0	-		-
	-	-	0	-		-
Plus Rounding						-
	6,698,096	7,105,692	2,831,284	1,538,360	(46%)	1,292,924
Sub Total	5,214,902	5,615,998	2,205,350	1,028,076	(53%)	1,177,274
LESS FUNDING FROM						
Reserves	(816,085)	(816,085)	0	-		-
Other Funds	-	-	0	-		-
Loans Raised	(950,000)	(950,000)	(200,000)	-	(100%)	(200,000)
Opening Funds	(565,736)	(565,736)	(565,736)	(544,065)	(4%)	(21,671)
Sundry Adjustments				(4,039)		4,039
Closing Funds	(2,331,821)	(2,331,821)	(765,736)	(548,104)	(28%)	(217,632)
Total To Be Made up from Rates	(2,883,081)	(2,883,081)	(2,878,080)	(2,870,660)	(0%)	(7,420)
Net (Surplus) / Deficit	-	401,096	(1,438,466)	(2,390,687)	66%	952,221

**SHIRE OF YORK
VARIANCE REPORT
AS AT 31 MARCH 2009**

OPERATING REVENUE

General Purpose Funding

No material variance to report

Governance

Timing of SEAVROC Income

Law, Order Public Safety

Firebreak reimbursements to be raised, Less Ranger duties to other Councils than budgeted,
Fire break infringements down, Timing of FESA grant for Fire Truck

Health

Income from health prosecutions higher than anticipated

Education and Welfare

Centennial Units rent increases yet to come into effect

Housing

No material variance to report

Community Amenities

No material variance to report

Recreation and Culture

Budgeted co-location facility grants not received

Transport

No material variance to report

Economic Services

Building permits much lower than expected / Standpipe water charges to be raised/ Community Bus income down

Other Property and Services

Private works income lower than expected / Claim for workers' comp reimbursement to be issued

**SHIRE OF YORK
VARIANCE REPORT
AS AT 31 MARCH 2009**

OPERATING EXPENDITURE

General Purpose Funding

Fewer write-offs; lower debt recovery expenses.

Governance

Less CRS conferences to date / AROC subscription not paid / No community project claims received / Strategic planning expenses down / SEAVROC expenses lower than expected by approximately \$144,000

Law, Order, Public Safety

Firebreak and Fire Control expenses down. Lower admin allocations, Less Ranger duties to other Councils than budgeted

Health

No material variance to report

Education and Welfare

No material variance to report

Housing

No material variance to report

Community Amenities

Waste Management costs down/ SEAVROC Waste Minimisation Strategy Expenditure down/ Lower Town Planning expenses due to time taken to find new planner/ Cemetery mtc down/ Sewerage Pond Mtce down

Recreation and Culture

Parks & Gdns mtc lower than anticipated / Swimming Pool expenses down / Budget timing - Colocation facility/ Greenhills Hall Committee yet to claim/ Community Rec Officer Exp Down

Transport

No material variance to report

Economic Services

Building control expenses down / Standpipe mtc down/ Tourism & Area promotion expenses down due to timing issues

Other Property & Services

No material variance to report

**SHIRE OF YORK
VARIANCE REPORT
AS AT 31 MARCH 2009**

CAPITAL PROGRAMME

Purchase Land & Buildings

Colocation & Youth Building yet to proceed/ Timing of expenditure Public Toilets & Records shed

Purchase Plant & Equipment

Admin & health vehicle changeovers/ Kubota tractor not replaced/ Waiting on Fire Truck replacement

Purchase Furniture & Equipment

Timing of computer replacements, office furniture and hall furniture

Infrastructure Assets Roads

Timing of works programme - sealing invoices outstanding

Infrastructure Assets Other

Timing of entry statement works

Transfers to Reserves

Interest on reserves received - budgeted as end of year transfer.

LESS FUNDING FROM

Loans Raised

CBH dam land purchase loan not taken out as purchase did not proceed

Opening Funds

Opening funds were lower than budgeted due to changes to end of year accruals requested by Council's auditors

OFFICER RECOMMENDATION

"That Council:

Receive the Monthly Financial Report and ratify payments drawn from the Municipal and Trust accounts for the period ending 31 March 2009:

	<u>VOUCHER</u>	<u>AMOUNT</u>
MUNICIPAL FUND		
<i>Cheque Payments</i>	28112-28152	\$ 118,887.78
<i>Electronic Funds Payments</i>	5346-5423	\$ 263,496.75
<i>Direct Debits Payroll</i>		\$ 101,097.63
<i>Bank Fees</i>		\$ 841.08
<i>Corporate Cards</i>		\$ 664.08
<i>Photocopier Lease</i>		\$ 1,037.22
<i>Shell Cards</i>		\$ 88.35
TOTAL		<u>\$ 486,112.89</u>
TRUST FUND		
<i>Cheque Payments</i>	3570-3586	\$ 0.00
<i>Direct Debits Licensing</i>		\$ 142,059.10
TOTAL		<u>\$ 142,059.10</u>
TOTAL DISBURSEMENTS		<u>\$ 628,171.99</u>

Note to this item

The Chief Executive Officer has delegated authority under Delegation DE1 (Council Meeting 22 September 2008) to make payments from the Municipal and Trust accounts.

BANK RECONCILIATION				
MARCH 2009				
		MUNICIPAL	TRUST	RESERVE
Balance as previous reconciliation		2,061,475.50	481,167.75	2,104,545.74
Receipts as per daily cash book		\$ 702,934.99	146,675.13	
Muni Interest NCD 723909		\$ 981.05		
Reserve Interest 119521748				0.04
JNL Cat trap bond transfer - previous month		(50.00)	50.00	
Total Receipts		703,866.04	146,725.13	0.04
Payment as per schedule cheques	28112 - 28152	(118,887.78)		
EFT Direct payments	5424 - 5509	(263,496.75)		
Payment as per schedule chqs - Trust			0.00	
Direct Debit Licensing			(142,059.10)	
Direct Debit Payroll		(101,097.63)		
Bank fees Bendigo Trust		(168.40)		
Bank fees Bendigo Muni		(106.16)		
Bank fees Bendigo Reserve		0.00		
Business Cards Bank Fees		(8.00)		
Dishonour Cheque Fee		(10.00)		
Eftpos Bank Fee Trust		(230.20)		
Eftpos Bank Fee Muni		(318.32)		
TOTAL BANK FEES	(841.08)			
Business Card Bendigo - CEO		(417.49)		
Business Card Bendigo - DCEO		(246.59)		
TOTAL BUSINESS CARDS	(664.08)			
Lease photocopier		(1,037.22)		
Shell Card		(88.35)		
Rounding				
TOTAL EXPENDITURE		(486,112.89)	(142,059.10)	0.00
TOTAL RECONCILIATION		2,279,228.65	485,833.78	2,104,545.78
BALANCES AS PER BANK STATEMENTS				
BENDIGO MUNICIPAL 118630623		159,394.23		
BENDIGO MUNICIPAL NCD 45508	15/04/2009	507,952.05		
BENDIGO MUNICIPAL NCD 49050	20/04/2008	500,000.00		
BENDIGO MUNICIPAL AT-CALL ACCT 61158		610,616.75		
BENDIGO MUNICIPAL NCD 36488	30/06/2009	202,921.18		
BENDIGO MUNICIPAL NCD 723909	19/05/2009	356,824.13		
BENDIGO TRUST 13074174			305,013.02	
BENDIGO TRUST NCD 52172 Open space	6/04/2009		124,295.91	
BENDIGO TRUST NCD 42170 Defects liability	6/04/2009		70,090.21	
BENDIGO RESERVE 119521748				1,011.12
BENDIGO RESERVE NCD 709194	2/04/2009			560,153.14
BENDIGO RESERVE NCD 42174	6/04/2009			1,543,381.52
		2,337,708.34	499,399.14	2,104,545.78
TOTALS				
Plus Outstanding Deposits		2,930.35	13,870.40	
Less Outstanding cheques		(36,957.60)	(2,570.00)	
Less Outstanding Licence Debits			(22,952.40)	
Less March credits - receipted April		(22,000.00)		
Less Unidentified Direct Credit - Nov 07		(346.83)		
Less O/bank - unidentified money order 27/11/08		(250.00)		
Plus Dishonoured Cheque - 25/3/09		357.45		
Less Outstanding EFT		(4,136.00)		
Trust to Muni transfer		1,923.06	(1,923.06)	
Adjustments 7/12/07 - Police Licensing			(0.30)	
Underbank 27/2/08			10.00	
Adjustments		(0.12)		
TOTAL RECONCILIATION		2,279,228.65	485,833.78	2,104,545.78
		0.00	0.00	0.00

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**SHIRE OF YORK
MUNICIPAL CHEQUE PAYMENTS
MARCH 2009**

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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
		PETTY CASH		
28112		PETTY CASH RECOUP		489.45
INV PETTY			455.75	
INV PETTY			33.70	
		AUSTRALIAN TAXATION OFFICE		
28113		BAS - FEBRUARY 2009		20,707.00
INV BAS FE			20,707.00	
		DEPARTMENT FOR PLANNING & INFRASTRUCTURE		
28114		WILBERFORCE RD CLOSURE DOCUMENTATION FEES		17.00
INV WILBEI			17.00	
		YORK NEWSAGENCY		
28115		PAPERS/ STATIONERY - FEB 09		120.00
INV 2459			120.00	
		DEPARTMENT OF ENVIRONMENT		
28116		APPLICATION TO AMEND CLEARING PERMIT CPS 1042/2		150.00
INV CLEARI			150.00	
		SYNERGY		
28117		STREET LIGHTING 24/1-24/2/09		86.20
INV 4675683			86.20	
		ANSTAT		
28118		FOOD STANDARD CODES USER GUIDES & SAFE FOOD AUST		519.75
INV 307332			519.75	
		DOMINIC CARBONE		
28119		PREPERATION OF WASTE MANAGMENT PLAN		924.00
INV 3			924.00	
		ROBERTO SCERNI		
28120		PARTIAL EFFLUENT DISPOSAL REFUND - 7 BRUNSWICK RD		92.00
INV REFUN			92.00	
		ALICIA ANNE GROUT		
28121		REIMBURSEMENT - MEDICAL		110.00
INV REFUN			110.00	
		A J MARSH PTY LTD		
28122		REFUND SUBDIVISION FEES - RECEIPT 138541		124.00
INV REFUN			124.00	
		TONY YOZZI SPORTS		
28123		SHOTGUN - BOITO DOUBLE BARRELL		845.00
INV 46			845.00	
		AUSTRALIAN RED CROSS		
28124		DONATION VICTORIAN BUSH FIRE APPEAL		5,000.00
INV DONAT			5,000.00	
		PREMIERS DISASTER RELIEF APPEAL		
28125		DONATION QUEENSLAND FLOOD APPEAL		2,000.00
INV DONAT			2,000.00	
		BARBARA SIMUNOV		
28126		LIBRARY BOOKS X 12		170.00
INV BOOKS			170.00	
		COVENTRYS		
28127		SPANNER SET/ GREASE GUN/ WRENCH		1,368.09
INV 9262415			1,342.17	
INV 9262395		 SCOKET 3/4 DRIVE	25.92	
		LANDGATE		
28128		GRV INTERIM VALUATIONS COUNTRY SHARED/ FESA		102.87
INV 4792335		TITLE SEARCH - YORK RACE CLUB	17.50	
INV 4792202		TITLE SEARCH YORK RACE CLUB ADDITIONAL LOTS	17.50	

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**SHIRE OF YORK
MUNICIPAL CHEQUE PAYMENTS
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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
INV 238688-		LANDGATE GRV INTERIM VALUATIONS COUNTRY SHARED/ FESA	67.87	
28129		FIRST YORK SCOUT GROUP CONTRIBUTION		1,758.75
INV CONTR			1,758.75	
28130		TELSTRA TELSTRA ASSET RELOCATION FOR YORK HOTEL DEVELOP		6,174.60
INV 4062574		MOBILE PHONE 11/1-10/2/09 WORKS	12.20	
INV BP0271-		INTERNET ACCESS 26/1-25/2/09 - CEO	59.95	
INV 9436723		TELEPHONE 29/1-28/2/09 RES MUS	44.52	
INV 3334864		MOBILE PHONES 11/1-10/2/09	612.83	
INV 1707313		TELSTRA ASSET RELOCATION FOR YORK HOTEL DEVELOP	4,008.22	
INV 9434282		TELEPHONES 25/12-24/1/09	1,436.88	
28131		WEST AUSTRALIAN NEWSPAPERS ADVERT - ANNUAL ELECTORS MEETING		179.52
INV 8964122			179.52	
28132		SHIRE OF YORK CONTRIBUTION - CONNECTING LG PROJECT - SEAVROC		22,264.00
INV 1622			22,000.00	
INV 1610		PAVILLION HIRE - DEPT OF AG TRAINING 21/3, 18/4, 23/5/09	264.00	
28133		M C YORK PENALTY FIREBREAKS/ HAZARD REDUCTION 08/09		121.00
INV 300			121.00	
28134		YORK DISTRICT HIGH SCHOOL P&C ASSOC INC SPONSORSHIP 08/09 - YDHS CROSSWALK ATTENDANT		2,000.00
INV SPONS			2,000.00	
28135		ZURICH INSURANCE INSURANCE CLAIM EXCESS - Y000		300.00
INV 019141			300.00	
28136		SHIRE OF YORK PLATE CHANGE FEE - 0Y, Y00/ VEHICLE REGISTRATION Y00		127.15
INV PLATE			127.15	
28137		SHIRE OF YORK WALGA AVON MIDLAND ZONE CONFERENCE EXP - CEO 26-		100.00
INV CONFE			100.00	
28138		ROYAL LIFE SAVING SWIMMING POOL INSPECTIONS - ENDING 19 FEBRUARY 09		1,722.00
INV 36733			1,722.00	
28139		TAFE TASMANIA BUILDING SURVEYOR DIPLOMA - EHO		936.25
INV FIN0011			936.25	
28140		WESTSCHEME SUPERANNUATION SUPERANNUATION CONTRIBUTIONS		289.12
INV SUPER			144.56	
INV SUPER			144.56	
28141		AMP CORPORATE SUPERANNUATION SUPERANNUATION CONTRIBUTIONS		234.00
INV SUPER			117.00	
INV SUPER			117.00	
28142		YORK SHIRE COUNCIL (payroll only) PAYROLL DEDUCTIONS		2,194.00
INV DEDUC			470.00	
INV DEDUC			27.00	
INV DEDUC			600.00	
INV DEDUC			470.00	
INV DEDUC			27.00	

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**SHIRE OF YORK
MUNICIPAL CHEQUE PAYMENTS
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Cheque/EFT No	Date	Name Invoice Description	INV Amount	Amount
INV DEDUC		YORK SHIRE COUNCIL (payroll only) PAYROLL DEDUCTIONS	600.00	
28143		A D COOTE & CO BANNER POLES - HENRIETTA STREET		6,974.00
INV 90269			6,974.00	
28144		CENTRELINK PAYROLL DEDUCTIONS		200.00
INV DEDUC			100.00	
INV DEDUC			100.00	
28145		MLC MASTERKEY SUPERANNUATION SUPERANNUATION CONTRIBUTIONS		166.53
INV SUPER			86.28	
INV SUPER			80.25	
28146		AUSTRALIAN SERVICES UNION UNION FEES		393.80
INV DEDUC			196.90	
INV DEDUC			196.90	
28147		YORK BOWLING CLUB AROC BOWLS DAY 20/03/09 HIRE OF FACILITIES/ CATERING		1,151.50
INV 17			1,151.50	
28148		BUSH CONTRACTING PTY LTD SIDE TIPPER HIRE DOODENANNING/ TOP BEVERLEY RD		18,216.00
INV 3262			18,216.00	
28149		WA LOCAL GOVT SUPER PLAN PTY LTD, (ACN 0 SUPERANNUATION CONTRIBUTIONS		20,208.95
INV SUPER			7,005.63	
INV DEDUC			576.82	
INV DEDUC			457.22	
INV DEDUC			46.53	
INV DEDUC			180.17	
INV DEDUC			245.87	
INV DEDUC			33.95	
INV DEDUC			135.82	
INV DEDUC			147.18	
INV DEDUC			841.12	
INV DEDUC			420.37	
INV SUPER			6,995.39	
INV DEDUC			576.83	
INV DEDUC			457.22	
INV DEDUC			46.53	
INV DEDUC			180.17	
INV DEDUC			249.87	
INV DEDUC			35.96	
INV DEDUC			143.82	
INV DEDUC			150.83	
INV DEDUC			841.12	
INV DEDUC			440.53	
28150		SHIRE OF YORK RATES PAYMENT - A12280 - PAID BY CUMING INCORRECTLY		50.00
INV 260309			50.00	
28151		SHIRE OF YORK NEW VEHICLE REGISTRATION 0Y		101.25
INV REGIST			101.25	
28152		SHIRE OF YORK CONFERENCE EXPENSES 31/3-4/4/09 - CEO - LGMA		200.00
INV CONFE			200.00	

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SHIRE OF YORK
MUNICIPAL CHEQUE PAYMENTS
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Cheque/EFT No	Date	Name Invoice Description	INV Amount	Amount
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REPORT TOTALS

Bank Code	Bank Name	TOTAL
1	MUNICIPAL FUND BANK	118,887.78
TOTAL		118,887.78

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**SHIRE OF YORK
MUNICIPAL ELECTRONIC PAYMENTS
MARCH 2009**

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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
		COMMERCIAL AIR SOLUTIONS		
EFT5424		AIR CON REPAIRS - ADMIN BUILDING		6,254.93
INV 3288			6,254.93	
		THE NOSH & NOD		
EFT5425		ACCOMMODATION - RELIEF EHO - 28/3/09		110.00
INV 280309			110.00	
		MARKS WORKSHOP		
EFT5426		VEHICLE SERVICE - 50000KM - Y86		300.02
INV 1083			300.02	
		DELICH CONSTRUCTION PTY LTD		
EFT5427		ROOF TIMBER SUPPLY HOWICK ST TOILETS		3,976.00
INV 150209			3,976.00	
		RAYMOND DELICH		
EFT5428		LABOUR - HOWICK ST TOILET BLOCK - SECOND PAYMENT		2,500.00
INV 28			2,500.00	
		COCKATOO ACCOMMODATION		
EFT5429		ACCOMMODATION - EHO RELIEF 19/2/09		110.00
INV 3			110.00	
		VERMEER EQUIPMENT		
EFT5430		WOODCHIPPER - VERMEER BC1000XL		60,702.75
INV 11062			60,702.75	
		AUSTRALIA POST		
EFT5431		POST OFFICE BOX RENTAL TO 31/3/2010 - ADMIN		117.00
INV 1495422			117.00	
		NORTHAM HYUNDAI		
EFT5432		CAR HIRE 16/2/09		104.00
INV M-MISC			104.00	
		YORK MOTEL		
EFT5433		ACCOMMODATION - RELIEF EHO - 3/3/09		100.00
INV 030309			100.00	
		FUEL DISTRIBUTORS		
EFT5434		DISTILLATE X 4000 LTRS		4,563.60
INV 75953			4,563.60	
		CORPORATE EXPRESS		
EFT5436		STATIONERY/ PAPER/ SELF INK STAMP		1,204.17
INV WKI301			829.84	
INV WKI305		STATIONERY - ADMIN	374.33	
		YORK BUILDING SUPPLIES		
EFT5437		CEMENT BAGS		300.62
INV 14395			96.00	
INV 14507		EDGING/ SCREW CAPS	6.90	
INV 014095		WALL PLUG/ DRILL BIT/ SCREWS	34.94	
INV 014212		CONCRETE - TOP BEVERLEY RD/DOODENANNING RD	58.96	
INV 014233		WHEELBARROW WHEEL	56.92	
INV 014374		BATTERIES	26.40	
INV 014393		SPRAYPAINT	20.50	
		YORK AUTO ELECTRICS		
EFT5438		REPAIR ALTERNATOR - STREET SWEEPER		156.94
INV 3909			156.94	
		JOHN & CORRY GILFELLON		
EFT5439		SEAVROC EXECUTIVE SUPPORT - JAN 09		913.15
INV 0097			913.15	
		BRANDCORP PTY LTD		
EFT5440		TISSUE PAPER		290.40
INV 264422			290.40	

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Cheque/EFT No	Date	Name Invoice Description	INV Amount	Amount
EFT5441		VALUE TISSUE		
INV 3897		TOILET TISSUE/ BLEACH/ HAND TOWEL/ GLOVES/ URINAL E	499.73	499.73
EFT5442		DEXION BALCATT		
INV INV372:		ALPHA FILE LABELS/ LOOP RACK/ FILE CLIPS		1,976.24
INV INV372:		DOCUMENT FILES - BUILDING	715.00	
INV INV372:		ALPHA FILE LABELS/ LOOP RACK/ FILE CLIPS	1,097.89	
		FILE CLIPS	163.35	
EFT5443		JOHNS LOCAL CLEANING SERVICE		
INV 00263		CLEANING RES MUS - FEB 09	125.00	125.00
EFT5444		GRAHAM STANLEY		
INV REIMB1		REIMBURSEMENT - REFRESHMENTS PURCHASED ON BEHAL	264.30	264.30
EFT5445		TATTY PARROT BAKERY		
INV 008		MORNING TEA - LEMAC MEETING/ LUNCH - SEAVROC STRA	235.40	235.40
EFT5446		4 FARMERS		
INV 76490		GLYPHOSATE/ TRICLOPYR	1,180.30	1,180.30
EFT5447		MACRI PARTNERS		
INV 21985		AUDIT ROADS TO RECOVERY PROGRAMME ENDING 30/6/08	660.00	660.00
EFT5448		SHIRE OF NORTHAM		
INV 2231		TIPPING FEES FEBRUARY 09		12,047.05
INV 2350		TIPPING FEES JANUARY 09	5,756.35	
		TIPPING FEES FEBRUARY 09	6,290.70	
EFT5449		M & R MACHINING		
INV 621		REPLACE CUTTING EDGE - KUBOTA TRACTOR	396.00	396.00
EFT5450		MOTORCHARGE LTD		
INV 280209		GULL CARD	790.21	790.21
EFT5451		ALLROUND CONCRETE		
INV 1031		SUPPLY & LAY CONCRETE - ULSTER RD CULVERT	1,408.00	1,408.00
EFT5452		YORK GLAZING SERVICE		
INV X488		SUPPLY & FIT LOCKS - RES MUS SHOWCASES	325.00	325.00
EFT5453		SPECTRUM DISTRIBUTORS (ORICA AUSTRALIA PTY LTD)		
INV 4325037		CHLORINE GAS 70KG X 3	914.10	1,115.99
INV 4330655		CHLORINE SERVICE FEE - SWIMMING POOL/ FORREST OVAL	201.89	
EFT5454		WESTNET PTY LTD		
INV 1288392		INTERNET CONNECTION - ADMIN 1/3-1/4/09	109.95	169.90
INV 1228835		EMAIL ANTI SPAM 1/3/09-1/3/2010	49.95	
INV 1229167		EMAIL ANTI SPAM 1/3/09-1/3/2010 - SWIMMING POOL	10.00	
EFT5455		YORK IT & COMMUNICATION		
INV 000960		LAMINATING POUCH	9.20	9.20
EFT5456		WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION		
		ADVERT - SEAVROC STRATEGIC WASTE MANAGMENT PLAT		508.72

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MUNICIPAL ELECTRONIC PAYMENTS
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Cheque/EFT No	Date	Name Invoice Description	INV Amount	Amount
		WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION		
INV 1268047		ADVERT - SEAVROC STRATEGIC WASTE MANAGMENT PLAT	508.72	
		FIRE & EMERGENCY SERVICES AUTH. OF WA		
EFT5457		ESL PAYMENT QUARTER 3 - 2008/09		30,672.43
INV 126591			30,672.43	
		FUJI XEROX AUSTRALIA PTY LTD		
EFT5458		PHOTOCOPIER METRE CHARGES FEB 09		958.90
INV CH3186			793.83	
INV CH2538		PHOTOCOPIER METRE CHARGES JAN 09	165.07	
		YORK GENERAL CONTRACTING		
EFT5459		BOBCAT HIRE - STORM DAMAGE CLEANUP		1,875.50
INV 250209			1,567.50	
INV 250209		BOBCAT HIRE - LINCOLN ST DRAINAGE	308.00	
		TREVS TRANSPORT		
EFT5460		FREIGHT - OFFICE FURNITURE - PLANNER		220.99
INV 25			132.00	
INV 15		FREIGHT - STREET SIGNS	22.00	
INV 26			22.00	
INV 19		FREIGHT - CUTTING EDGE/ BLADE	33.00	
INV FUEL L		FUEL LEVY FOR FREIGHT - JAN/ FEB 09	11.99	
		ALLPACK SIGNS		
EFT5461		WARNING SIGNAGE		935.00
INV 1825		SIGNAGE - TREE LOPPING IN PROGRESS	264.00	
INV 1932		WARNING SIGNAGE	346.50	
INV 1808		DIRECTIONAL SIGNAGE	324.50	
		IMPACT SWEEPING		
EFT5462		STREET SWEEPING - FEB 09		2,640.00
INV 35			2,640.00	
		COUNTRY METAL RECYCLERS		
EFT5463		SIDE TIPPER HIRE 16-20/2/09		5,412.00
INV 53			5,412.00	
		HORIZON SURVEYS PTY LTD		
EFT5464		ROAD BOUNDARY SURVEY - MORRIS EDWARDS DVE		550.00
INV 1001-09			550.00	
		PATRICK RUETTJES		
EFT5465		REIMBURSEMENT - MEDICAL/ 50% REMOVAL COSTS		1,440.00
INV REIMB1			1,440.00	
		AUSTRALIAN TAX COLLEGE		
EFT5466		FRINGE BENIFITS TAX SEMINAR - DCEO, FINANCE OFFICER		440.00
INV 220209			440.00	
		AUSTRALIA POST		
EFT5467		POSTAGE - FEB 09		593.04
INV 618964-			593.04	
		AYOUB, DAVID JOHN		
EFT5468		BOBCAT HIRE - GOLDFIELDS RD STORM DAMAGE REPAIRS		396.00
INV 275			396.00	
		COURIER AUSTRALIA		
EFT5469		FREIGHT		205.66
INV TRANS1			105.44	
INV TRANS1			75.97	
INV TRANS1			24.25	
		CJD EQUIPMENT PTY LTD		
EFT5470		RADIATOR/ COOLANT - Y130		7,032.24
INV 148663		SCARRIFIER SHANK	964.39	
INV 149437		RADIATOR/ COOLANT - Y130	5,451.74	

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MUNICIPAL ELECTRONIC PAYMENTS
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Cheque/EFT No	Date	Name Invoice Description	INV Amount	Amount
		CJD EQUIPMENT PTY LTD		
INV W01197		FILTER/ SAMPLE KIT - Y205	68.53	
INV W01197		BEARINGS	547.58	
		CENTRAL DISTRICTS AIRCONDITIONING		
EFT5471		SUPPLY & INSTALL DAIKIN FTXS60 AIR CON - 2 DINSDALE S		2,980.00
INV 28462			2,980.00	
		CUTTING EDGES PTY LTD		
EFT5472		CUTTING EDGE/ GRADER BLADE		4,066.85
INV 2826341		CUTTING EDGE KUBOTA TRACTOR	221.25	
INV 2825725		CUTTING EDGE/ GRADER BLADE	3,845.60	
		DE-NEEFE SIGNS		
EFT5473		SPORT WARNING SIGNS - REC CENTRE		201.08
INV 164682		DIRECTIONAL SIGNAGE - LOTUS MASSAGE CLINIC	60.50	
INV 165130		SPORT WARNING SIGNS - REC CENTRE	140.58	
		JR & A HERSEY		
EFT5474		EARMUFF/ BROOM/ MAGIC TREES/ HANDLE/ SOCKET SET		882.37
INV K2172		GLOVES/ TAPE/ MARKING PAINT	349.80	
INV S15457		EARMUFF/ BROOM/ MAGIC TREES/ HANDLE/ SOCKET SET	532.57	
		PERFECT COMPUTER SOLUTIONS PTY LTD		
EFT5475		PREPURCHASE COMPUTER HOURS		13,200.00
INV 13882			13,200.00	
		QUAIRADING EARTHMOVING CO		
EFT5476		DOZER HIRE - PUSH UP GRAVEL		3,228.50
INV 16477			3,228.50	
		SHERIDANS		
EFT5477		BADGES CITIZENS OF THE YEAR X 2		442.74
INV 42351		MAGNETIC NAME BADGES X 5	161.98	
INV WYORI		BADGES CITIZENS OF THE YEAR X 2	280.76	
		AVON WASTE		
EFT5478		RECYCLING SERVICES		17,709.61
INV 4225		RUBBISH SERVICE	5,887.46	
INV 4226		RECYCLING SERVICES	11,822.15	
		AVON VALLEY TYRE SERVICE		
EFT5479		SUPPLY & FIT TYRES - Y299		2,235.00
INV 2376			2,190.00	
INV 2393		SUPPLY & FIT PATCH - Y1660	45.00	
		YORK EARTHMOVING		
EFT5480		TRUCK HIRE - CART BLUE METAL		569.25
INV 199			569.25	
		MAL AUTOMOTIVES		
EFT5481		VEHICLE SERVICE - Y4118		438.25
INV 8394			438.25	
		AVON EXPRESS		
EFT5482		FREIGHT		396.00
INV 01198			396.00	
		SAI GLOBAL		
EFT5483		ANNUAL MEMBERSHIP FEE 01/04/2009 - 31/03/2010		374.00
INV SR0010			374.00	
		MANSELL PTY LTD		
EFT5484		RATE COMPARISON REPORT 2008/2009		132.00
INV 2318			132.00	
		DUSTRY PTY LTD		
EFT5485		BACKHOE HIRE - CEMETERY/ CULVERT REPAIRS		2,585.00
INV 527			2,035.00	
INV 529		BACKHOE HIRE -FRASER ST/ TOWN DAM	550.00	

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**SHIRE OF YORK
MUNICIPAL ELECTRONIC PAYMENTS
MARCH 2009**

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Cheque/EFT No	Date	Name Invoice Description	INV Amount	Amount
		DIRECT COMMUNICATIONS PTY LTD		
EFT5486		TAIT RADIO REPAIRS		123.20
INV 0002834			123.20	
		KEEBLE, CINDY REA		
EFT5487		REIMBURSE - BOOK PURCHASES LIBRARY		370.09
INV REIMB			370.09	
		PARS RURAL PTY LTD		
EFT5488		EXIFOAM - DEFOAMING AGENT		22.00
INV D72			22.00	
		L J'S CAFE		
EFT5489		REFRESHMENTS - AROC BOWLS DAY 20/03/09		549.58
INV 11		REFRESHMENTS COUNCIL BRIEFING 16/03/09	188.78	
INV 17		REFRESHMENTS - AROC BOWLS DAY 20/03/09	360.80	
		NAVIGATOR PERSONAL RETIREMENT PLAN		
EFT5490		STAFF SUPERANNUATION		294.85
INV SUPER			115.02	
INV SUPER			179.83	
		CHILD SUPPORT AGENCY		
EFT5491		SUPPORT PAYMENT		460.16
INV DEDUC			230.08	
INV DEDUC			230.08	
		DELICH CONSTRUCTION PTY LTD		
EFT5492		ROOF SHEETING SUPPLIES - HOWICK STREET TOILETS		1,691.00
INV 1590378			1,691.00	
		COOK'S TOURS		
EFT5493		ADVERTISING 1/4 PAGE BEAUTIFUL SOUTH RES MUS		400.00
INV EDITIO			400.00	
		YORK & DISTRICTS COMMUNITY MATTERS		
EFT5494		ADVERTISING		433.40
INV 0000143			433.40	
		HENDERSON, PJ & KD		
EFT5495		CLEARING OF BLOCKED DRAIN - PIONEER LODGE MARCH 2		1,658.03
INV 2349		RELIEF VALVE REPLACEMENT - 4/40 MACARTNEY ST UNITS	389.51	
INV 2362		REPAIR SEPTIC TANK DRAINAGE - OSNABURG ROAD	240.24	
INV 2353		CLEARING OF BLOCKED DRAIN - PIONEER LODGE MARCH 2	1,028.28	
		SEMINARS AUSTRALIA PTY LTD		
EFT5496		EMPLOYER SUPERANNUATION SEMINAR - PAYROLL OFFICE		360.00
INV RN1118			360.00	
		LOCAL GOVERNMENT MANAGERS AUSTRALIA		
EFT5497		LGMA MANAGEMENT CHALLENGE - ENTRY FEE MARCH 200		3,056.00
INV N3201			3,056.00	
		F R RODDA & CO		
EFT5498		SURVEY QUELLINGTON/ MANNAVALE INTERSECTION		401.50
INV 2552-08			401.50	
		KW MOORFIELD		
EFT5499		VEHICLE REPAIRS		426.25
INV 000025C			426.25	
		HOME HARDWARE		
EFT5500		SAFETY SWITCH		1,061.02
INV 344645		NYLON WALLPLUG	6.75	
INV 345979		SAFETY SWITCH	138.50	
INV 346000		PVC PLUG	5.76	
INV 346394		PAINT	90.22	
INV 346395		FLUORESCENT LIGHTS	129.38	
INV 346450		FLUORESCENT GLOBE	30.75	
INV 346540		SPRINGS	0.68	

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**SHIRE OF YORK
MUNICIPAL ELECTRONIC PAYMENTS
MARCH 2009**

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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
HOME HARDWARE				
INV 346609		ANTI SLIP TAPE/ CUT OFF WHEEL/ PAINT	23.63	
INV 346631		RATSAK	9.68	
INV 346663		WEATHER STRIP SEAL/ ANTISLIP TAPE	24.04	
INV 346754		MELAMINE SHELVING	49.37	
INV 344716		PAINT ROLLER/ PAINT/ SEALER	106.98	
INV 346901		SCREWS/PICTURE HOOKS/ SANDING DISCS	25.36	
INV 346937		WALLPLUG/ SCREW	21.33	
INV 347480		GAP FILLER/ TAPE/ SANDING BLOCK/ GYPROCK	47.41	
INV 347679		SEALER/ BROOM HANDLE	31.95	
INV 347764		GAP FILLER/ SPRAYPAINT	20.26	
INV 347815		CUT OFF WHEEL/ AXLE CAP	22.54	
INV 347854		CAP SCREW	6.12	
INV 247872		HAND TROLLEY	27.00	
INV 344936		PIN 45MM	5.94	
INV 344942		LIGHT GLOBE	8.64	
INV 345019		BBQ GAS REFILL	35.00	
INV 345737		PLATE/ SCREWS	16.19	
INV 345790		BRASS TEE/ HEX NIPPLE	6.30	
INV 345835		GRAFFITI REMOVER/ STAIN REMOVER/ PAINT STRIPPER	47.78	
INV 345906		THINNERS/ LINSEED OIL/ MAGNET	30.39	
INV 344887		GAS REFILL - STREET SWEEPER	70.00	
INV 344896		PAINT ROLLER KIT/ DOUBLE SIDED TAPE	23.07	
YORK IGA				
EFT5501		REFRESHMENTS - HONOURS COMMITTEE MTG 23/2/09		451.56
INV 01/3583		MILK/ BISCUITS/ ROLLS	19.91	
INV 03/7622		REFRESHMENTS - SEAVROC STRATEGIC PLANNING MTG	13.13	
INV 02/8074		MILK/ COFFEE/ BISCUITS	39.17	
INV 02/8987		MILK	8.83	
INV 02/0083		MILK - DEPOT	5.44	
INV 02/0100		MILK/ BISCUITS	12.43	
INV 03/9264		REFRESHMENTS - HONOURS COMMITTEE MTG 23/2/09	48.64	
INV 01/0665		EUCALYPTUS OIL/ COTTON WOOL/ TISSUES	14.27	
INV 02/1046		MILK/ BISCUITS	17.72	
INV 01/1110		WASHING DETERGENT/ PANADOL	5.85	
INV 02/1983		AIR FRESHNER/ BISCUITS	6.94	
INV 01/3597		ALFOIL/ VINEGAR/ BLEACH/ CLING WRAP	14.26	
INV 03/4105		BISCUITS - RES MUS	7.98	
INV 02/2756		CARRY CASE - RES MUS	2.96	
INV 01/6175		MILK/ COFFE/ TEA/ WASHING DETERGENT - RES MUS	19.33	
INV 03/6640		DRINK REFRESHMENTS - RES MUS	21.20	
INV 01/8581		TISSUES/ PAPER TOWEL/ RUBBISH BAGS/ AIR FRESHNER - R	17.12	
INV 04/2055		MILK/ BISCUITS - RES MUS	8.80	
INV 04/2267		VOLUNTEER REFRESHMENTS - RES MUS	42.83	
INV 01/4095		BISCUITS	6.99	
INV 01/5463		MILK/ BISCUITS/ ROLL	25.73	
INV 02/5081		MILK/ BISCUITS	9.81	
INV 02/5572		MILK	3.66	
INV 01/8029		MILK/ BISCUITS	16.93	
INV 02/7322		REFRESHMENTS - COUNCIL MTG 16/2/09	29.75	
INV 02/7509		MILK/ BISCUITS/ COFFEE/ TEA - DEPOT	31.88	
YORK VISITORS CENTRE				
EFT5502		YVC FUNDING - 4TH QUARTER 08/09		27,557.20
INV 3400			27,557.20	
MAL AUTOMOTIVES				
EFT5503		VEHICLE SERVICE Y770		303.00
INV 8449			303.00	
RURAL PRESS REGIONAL MEDIA (WA) PTY LTD				
EFT5504		TP ADVERT - 11 POOL ST/ 72 AVON TCE		316.43

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SHIRE OF YORK
MUNICIPAL ELECTRONIC PAYMENTS
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Cheque/EFT No	Date	Name Invoice Description	INV Amount	Amount
		RURAL PRESS REGIONAL MEDIA (WA) PTY LTD		
INV 2118805		TP ADVERT - 11 POOL ST/ 72 AVON TCE	166.54	
INV 2123968		TP ADVERT - BALLADONG/ REDMILE RD AGED CARE FACIL	149.89	
		YORK RURAL TRADING		
EFT5505		SAFETY BOOTS - EHO		24.95
INV 100100C			24.95	
		LANDMARK		
EFT5506		DOG BISCUITS - POUND SUPPLIES		141.58
INV 817568		CAMLOCK FITTINGS - WATERPUMP	20.69	
INV 812774		CAMLOCK THREAD & COUPLER	53.59	
INV 757496		DOG BISCUITS - POUND SUPPLIES	67.30	
		WESTERN AUSTRALIAN TREASURY CORPORATION		
EFT5507		Loan No. 60 Interest payment - LOAN 60 WATER BUCKINGHAM (6,470.15
INV 60			6,470.15	
		SHIRE OF QUAIRADING		
EFT5508		TRUCK/ TRAILER HIRE 17-21/11/08		6,561.77
INV 80999			6,561.77	
		A BALANCED VIEW LEISURE CONSULTANCY SERVICES		
EFT5509		CONSULTANCY FEES - FORREST OVAL REC PLAN - FINAL IN		4,136.00
INV 836			4,136.00	

REPORT TOTALS

Bank Code	Bank Name	TOTAL
1	MUNICIPAL FUND BANK	263,496.75
TOTAL		263,496.75

TOTAL RESERVES	
31-Mar-09	
Reserve Name	Current Balance
4. Plant Reserve	291,693.58
6. Staff Leave Reserve	109,565.38
7. Town Planning Reserve	11,604.94
8. Recreation Complex Reserve	274,145.47
9. Avon River Maintenance Reserve	18,967.79
14. Industrial Land Reserve	86,781.10
15. Refuse Site Development Reserve	184,137.66
22. Centennial Gardens Reserve	101,944.14
23. Public Open Space Cont Reserve	294.66
24. Community Bus Reserve	32,790.72
25. Pioneer Memorial Lodge Reserve	142,711.91
26. Residency Museum Reserve	18,707.97
27. Carparking Reserve	55,404.81
30. Building Reserve	56,559.25
35. Disaster Reserve	22,448.59
37. Archives Reserve	46,535.73
38. Water Supply Reserve	6,778.29
40. Tied Grant Funds Reserve	147,353.49
42. Main Street (Town Precinct) Update Reserve	110,527.32
43. Strategic Planning Reserve	18,236.21
44. Cemetery Reserve	25,427.79
45. York Town Hall Reserve	38,149.85
46. RSL Memorial Reserve	18,518.91
47. Greenhills Townsite Development Reserve	20,400.96
48. Youth Capital Works	21,712.97
49. Roads	56,105.20
50. Land & Infrastructure	187,041.09
TOTAL RESERVE FUNDS	2,104,545.78
Funded by	
Bendigo Reserve 119521748	1,011.12
Bendigo NCD	560,153.14
Bendigo NCD	1,543,381.52
Total Cash Funding	2,104,545.78
Comment	
The Local Government Act 1995 Part 6 Division 4 Section 6.11 requires the reserves to be fully funded. The reserves are fully funded.	

STATEMENT OF PAYROLL DIRECT DEBITS FOR THE MONTH ENDING MARCH 2009	
11 March 2009	\$ 50,090.31
25 March 2009	\$ 48,619.96
27 March 2009	\$ 2,387.36
PAYROLL TOTALS	\$ 101,097.63
LESS PAYMENTS BY CHEQUE	\$ -
TOTAL PAYROLL DIRECT DEBITS AS PER BANK REC	\$ 101,097.63

STATEMENT OF CREDIT CARD PAYMENTS FOR THE MONTH ENDING MARCH 2009		
REFRESHMENTS	\$	400.19
TRAINING & CONFERENCES	\$	51.00
SEAVROC	\$	88.00
FUEL	\$	124.89
HOUSING MAINTENANCE	\$	-
OTHER	\$	-
TOTAL PURCHASES	\$	664.08
PAYMENTS TO C/C IN ADVANCE	\$	-
LESS PREVIOUSLY PAID IN ADVANCE	\$	-
TOTAL PAYMENTS TO C/C AS PER BANK REC	\$	664.08

STATEMENT OF SHELL CARD PURCHASES FOR THE MONTH ENDING MARCH 2009		
0 Y - CEO	\$	-
Y 00 - DCEO	\$	-
Y 000 - EHO	\$	80.85
CARD FEES	\$	7.50
TOTAL PURCHASES	\$	88.35
TOTAL PAYMENTS TO SHELL AS PER BANK REC	\$	88.35

9. OFFICER'S REPORTS

9.3 FINANCE REPORTS

9.3.2 Non-Rates Write Off – Various

FILE NO:	FI.DRS
COUNCIL DATE:	20 APRIL 2009
REPORT DATE:	30 MARCH 2009
LOCATION/ADDRESS:	NOT APPLICABLE
APPLICANT:	SHIRE OF YORK
SENIOR OFFICER:	GRAHAM STANLEY, DCEO
REPORTING OFFICER:	MATTHEW DAVIES, ADMINISTRATION OFFICER - FINANCE
DISCLOSURE OF INTEREST:	NIL
APPENDICES:	YES
DOCUMENTS TABLED:	NIL

Summary:

This report recommends the write-off of various debts relating to overdue library items to the total of \$522.25. All reasonable efforts have been made to recover the debts and further action is only likely to result in increased expense for little or no return.

Background:

Following a study of Council's sundry debtor's ledger it appears there are numerous outstanding charges relating to overdue library items. Borrowers were sent overdue notices and letters requesting the prompt return or payment of these items. This action proved mostly unsuccessful as many library patrons had left York leaving no forwarding address or contact details.

Council proceeded with debt collection through Austral Mercantile and consequently a number of the books and videos were returned or payment was made. For the remaining items it would prove more costly to pursue this matter further through debt collection than to write off the charges.

As there remains a number of unrecoverable items still outstanding a resolution of Council is required in order to write off the combined balances owing, being \$522.25 in order to satisfy the requirements of the Local Government Act 1995 (as amended).

Consultation:

Library Patrons
Debt Collection Agent (Austral Mercantile)
Council's Officers

Statutory Environment:

Local Government Act, 1995 (as amended) – Section 6.12 Power to Write Off Debts.

Policy Implications:

Not Applicable.

Financial Implications:

Given the amount of \$522.25 that is requested to be written off, no material impact will arise from on Council's financial position.

Strategic Implications:

Nil.

Voting Requirements:

Absolute Majority Required: Yes

Triple Bottom Line Assessment:**Economic Implications:**

Council must be seen to be pro-active in debt recovery action as the ultimate burden rests with the ratepayers.

Social Implications:

Nil.

Environmental Implications:

Nil.

Comment:

Following up of these debts has consumed many hours of Council officers' time, although to no advantage. Accordingly, it is deemed necessary to write these debts off as all attempts to recover these debts have been made and failed. These attempts have included reminders, phone calls and letters from Council's debt collector.

It should be noted that all borrowers with outstanding charges to be written off have since been blacklisted from using the York Library. No future issues will occur until outstanding items are returned or paid in full. Write off is therefore recommended due to the above information provided as per Appendix "A". The full list of write-offs is included as Appendix "A" to this report.

OFFICER RECOMMENDATION:**RESOLUTION**

150409

MOVED: CR LAWRANCE

SECONDED: CR FISHER

"That Council:

by an absolute majority, resolve to write off \$522.25 from the debts for unreturned library items as per Appendix "A".

CARRIED (5/0)

**APPENDIX
"A"
9.3.2**

SUNDRY DEBTOR WRITE-OFFS				
NAME	DESCRIPTION	INV RAISED	VALUE	NOTES
MELISSA MORGAN	REDBILL	14-Nov-06	\$ 35.00	BORROWER ADVISED BOOK HAD BEEN RETURNED - UNABLE TO LOCATE IN LIBRARY - SUGGEST WRITE OFF
SEAN KNIGHT	SHANGHAI BABY FOOLS ERRAND DRAW GREAT MANGA THE LEGEND OF LITTLE FUR THE GOO ADYSEY LORD LOSS	14-Nov-06	\$ 101.70	DEBT COLLECTOR UNABLE TO LOCATE - TO COSTLY TO PURSUE
SARAH TURVEY	NATURAL CAPITALISM	20-Feb-07	\$ 30.65	NUMEROUS REMINDERS SENT - CAN NOT CONTACT BORROWER - SUGGEST WRITE OFF
JEREMY HICKS	11'09'01 (VIDEO)	20-Feb-07	\$ 20.40	NUMEROUS REMINDERS SENT - CAN NOT CONTACT BORROWER - SUGGEST WRITE OFF
D BURKETT	SHADOWGATE ISLE OF THE DEAD THE SISTER OF THE SOUTH GREEN EGGS AND HAM	18-Apr-07	\$ 70.00	CAN NOT CONTACT BORROWER - ALL EFFORTS OF RECOVERY PROVIDED FUTILE
MITCHELL BURKETT	THE MURDERERS WHOS WHO CAN YOU CHOO CHOO TOO THE FANTASTIC JOURNEY	18-Apr-07	\$ 30.25	CAN NOT CONTACT BORROWER - ALL EFFORTS OF RECOVERY PROVIDED FUTILE
SHARON GIBBONS	THE ADVENTURE OF MILO AND OTIS (VIDEO) BUSH COOKING IN STYLE MOG IN CHARGE	18-Apr-07	\$ 35.50	NUMEROUS REMINDERS SENT - UNABLE TO CONTACT BORROWER - TO COSTLY TO PURSUE WITH DEBT COLLECTOR
JAQUELINE HANSORD	TAKE CONTROL OF YOUR HEALTH BONEY BOB THE SCARED SKELETON THE FANTASTIC JOURNEY THE SMOOTHIES BIBLE OH THE THINKS YOU CAN THINK FAVOURITE BEDTIME TALES BUSH BABIES	16-May-07	\$ 117.65	DEBT COLLECTOR UNABLE TO LOCATE - TO COSTLY TO PURSUE
JANELLE TOMLINSON	SUBVERSIVE CROSS STITCH ANGELS & DEMONS YOU'RE THE ONE THAT I WANT THE DA VINCI CODE	22/02/2007	63.15	REMINERS SENT TO BORROWER - UNABLE TO CONTACT - SUGGEST WRITE OFF
TALEISHA NARRIER	GERMANY	28-Nov-07	\$ 17.95	NUMEROUS REMINDERS SENT - UNABLE TO LOCATE BORROWER - LEFT HOMESWEST PREMISES
TOTAL			\$ 522.25	
NB - ALL ABOVE BORROWERS HAVE SINCE BEEN BLACKLISTED FROM USING THE YORK LIBRARY. NO FUTURE ISSUES TO OCCUR UNTIL O/S BOOKS ARE RETURNED OR PAID IN FULL				

9.4 Confidential Reports

9.5 Late Reports

10. NEXT MEETING

**RESOLUTION
160409**

MOVED: CR LAWRANCE

SECONDED: CR BOYLE

“That Council

hold the next Ordinary Meeting of the Council on 18 MAY 2009, commencing at 3.00pm in the Council Chambers, York.”

CARRIED (5/0)

11. CLOSURE

Cr Hooper thanked Ian and the Talbot ladies for their hospitality.
Meeting closed at 4:07pm.