



SHIRE OF YORK

**MINUTES OF THE ORDINARY
MEETING OF THE COUNCIL
HELD ON 21 NOVEMBER, 2011
COMMENCING AT 3.04pm
IN THE LESSER HALL, YORK**

SHIRE OF YORK

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RAY HOOPER
CHIEF EXECUTIVE OFFICER

Table of Contents

1. OPENING	7
1.1 Declaration of Opening	7
1.2 Chief Executive Officer to read the disclaimer.....	7
1.3 Announcement of Visitors	7
1.4 Announcement of any Declared Financial Interests	7
2. ATTENDANCE	7
2.1 Members.....	7
2.2 Staff.....	7
2.3 Apologies.....	7
2.4 Leave of Absence Previously Approved.....	7
2.5 Number of People in Gallery at Commencement of Meeting.....	7
3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	8
3.1 Previous Public Questions Taken on Notice.....	8
3.2 Written Questions	8
4. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION.....	8
5. PETITIONS / PRESENTATIONS / DEPUTATIONS.....	9
6. PUBLIC QUESTION TIME.....	9
7. APPLICATIONS FOR LEAVE OF ABSENCE	12
8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING	12
8.1 Minutes of the Special Council Meeting held October 17, 2011.....	12
8.2 Minutes of the Ordinary Council Meeting held October 17, 2011.....	12
8.3 Minutes of the Special Council Meeting held October 24, 2011.....	12
8.4 Minutes of the Special Council Meeting held October 31, 2011.....	13
9. OFFICER'S REPORTS.....	13
9.1 Development Services.....	15
9.1.1 Proposed Free Range Poultry Farm At Lot 11744 Cubbine Road, Kauring.....	17
Item 9.1.1 - Appendices.....	25
9.1.2 Home Business At Lot 64 (5474) Great Southern Highway, Gwambygine	27
Item 9.1.2 - Appendices.....	35
9.1.3 Proposed Open Bulkhead For Additional Grain Storage At CBH – Lot 51 Knotts Road, Balladong	37
Item 9.1.3 - Appendices.....	43
9.2 Administration Reports	45
9.2.1 Information Services	47
Item 9.2.1 - Appendices.....	51
9.2.2 Youth Report for October, 2011	53
9.3 Works Reports	57
9.4 Financial Reports.....	59
9.4.1 Unbudgeted Expenditure – CEO Appraisal.....	61
9.4.2 Revaluation of Road Infrastructure Assets.....	63
9.4.3 York Family Playgroup 2011/2012 sponsorship	67
9.4.4 Monthly Financial Reports – October 2011	69
Item 9.4.4 - Appendices.....	71

9.5	<i>Late Reports</i>	73
9.5.1	York Adult Centre – Application to be Recognised as a Community Group	75
9.6	<i>Confidential Reports</i>	77
9.6.1	Drainage Lot 51 Panmure Road	77
9.6.2	Potential Purchase Offer – Old York School	79
10.	NEXT MEETING	81
11.	CLOSURE	81



SHIRE OF YORK

THE ORDINARY MEETING OF THE COUNCIL
HELD ON MONDAY, 21 NOVEMBER 2011, COMMENCING AT
3.04PM IN THE LESSER HALL, YORK.

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
Cr Tony Boyle, Shire President, declared the meeting open at 3.04pm
- 1.2 Chief Executive Officer to read the disclaimer
Ray Hooper, Chief Executive Officer, read the disclaimer
- 1.3 Announcement of Visitors
Nil
- 1.4 Announcement of any Declared Financial Interests
Ray Hooper, CEO Item 9.4.1 – Financial
Cr Denese Smythe Item 9.6.2 – Impartial

2. ATTENDANCE

- 2.1 Members
*Cr Tony Boyle, Shire President; Cr Roy Scott; Cr Pat Hooper, Cr Denese Smythe;
Cr Mark Duperouzel*
- 2.2 Staff
*Ray Hooper, Chief Executive Officer, Gordon Tester; Manager of Health and Building
Services; Jacky Jurmann, Manager Planning Services; Glen Jones, Manager Works
& Projects; Gail Maziuk, Finance Officer/Project Co-Ordinator; Helen D'Arcy-Walker,
Executive Support Officer*
- 2.3 Apologies
Cr Brian Lawrance
- 2.4 Leave of Absence Previously Approved
Nil
- 2.5 Number of People in Gallery at Commencement of Meeting
There were 11 people in the Gallery at the commencement of the meeting.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

3.1 Previous Public Questions Taken on Notice

Nil

3.2 Written Questions

Ms Tricia Walters
27 Henrietta Street
York WA 6302

9.4.1 Unbudgetted Expenditure

Question 1:

Will the two unsuccessful Councillors be asked for input to the CEO's appraisal?

Response:

No

Question 2:

If not – why not since they have had four years to assess the CEO's performance?

Response:

Agenda item 9.4.1 CEO performance appraisal may be allocated to an outside source.

Question 3:

Will the current Councillors be having input into the performance appraisal?

Response:

Yes

Question 4:

Will Council be approving funding for a continuation of the 'Urban Art' programme (Police Station wall) to be undertaken by the youth of this town to design and pain banners for the entry statement and Avon Terrace banner poles?

Response:

Taken on Notice

4. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President announced that he would bring the above item forward as it may help with Public Question Time.

The Shire President stated that the following has not been discussed with Council as yet, however he would like to introduce portfolios to each individual Councillor and where relevant the Councillor may need to have a reference group where the Community has input into the Council decision.

Portfolios:

Cr Denese Smythe –

- Tourism - to form reference group. To include Chamber of Commerce or a Business Development facility under one banner.
- Main Street (from Knotts Road to Macartney Street) – beautification – seats, trees, paint, removal of bird manure, cleaning footpaths.

Cr Pat Hooper –

- Health – includes Hospital, Frail Aged, Global Care, Ambulance, Doctor Services
- Industrial Area – includes training area for earthmoving
- NBN Roll Out – pilot project includes trenches for underground power, water and NBN cables

Cr Brian Lawrance –

- Forrest Oval Development – completion of project including all sports and management of facilities. Also to form a reference group with a representative from each sport.

Cr Mark Duperouzel –

- Youth – new facility. To work with Youth Officer. May need to form a reference group.
- Roads – to select own reference group to prioritise road works

Cr Roy Scott –

- Heritage – form own reference group including Cr Smythe – Museum, Archives, Town Hall, York Society, possibly Old School, Heritage Rail.
- Education – School Council
- Main Street – Macartney Street to the Racecourse

Cr Tony Boyle –

- Emergency Services – FESA, Bush Fire control
- RTG issues
- Finance and Audit Committee – all Councillors have been appointed to this Committee
- Purchase & Sales of properties
- Presidential Duties
- Presidents Forum – once a fortnight commencing from Monday, 28th November, 2011 at 8.30am in Chambers the Community will have an opportunity to voice their grievance and give suggestions and new ideas to both Cr Boyle and Cr Scott. Cr Boyle wishes to eliminate the many emails currently received and would prefer to discuss and debate issues in this forum.

5. PETITIONS / PRESENTATIONS / DEPUTATIONS

Mr David Paton presented a submission to Council regarding the lack of toilet facilities for visitors and poor quality of toilet paper provided at the Town Hall.

6. PUBLIC QUESTION TIME

Mrs R Paton
30 Bouverie Road
York WA 6302

Question 1:

Inv 28 – Dominic Carbone – SEAVROC Management & Administration 11/7/11 \$646.58
and Inv 30 – SEAVROC Management & Administration 1/1-31/8 \$480.18.

Why has there been two invoices raised within the same period? Good Governance should have seen these combined all within 1/7-31/8.

Response:

Taken on Notice

Question 2:

Has the town Emergency Plan been put in place?

Response:

Emergency Plan was almost put out to the Community. However, the Toodyay fires were looked at and the Emergency Plan will have these findings incorporated into it before going out to the Community.

Mr S Saint
87 Avon Terrace
York WA 6302

Question 1:

At the Ordinary Council Meeting on the 18th July, 2011 I asked when will the Forrest Oval Committee be appointed? The answer was one week tomorrow. Has the Committee been appointed?

Response:

Not as yet.

Reference the Forrest Oval Complex:

Question 2a:

Could Council explain which category of Liquor license is being applied for?

Response:

Tavern Licence

Question 2b:

Why is the category of licence being applied for?

Response:

From advice received from the Department of Racing, Gaming & Liquor

Question 2c:

How is the application progressing?

Response:

Application lodged and fees paid – no further advice to date

Question 2d:

When is the anticipated opening date?

Response:

Sometime in January.

Reference the Town Hall Centenary celebrations.

Question 3a:

Why have the evening celebrations being cancelled?

Response:

Due to lack of acceptances and response.

Question 3b:

Council paid the sum of \$3,780.38 to Titanwood Holdings Pty for consultancy for the Town Hall centenary celebrations. What did the consultancy relate to?

Response:

A light show on the side of the building which is unfortunately not able to occur due to technical difficulties.

Question 3c:

Why did the Shire leave it so late before sending out the invitations?

Response:

The invitations were sent out when we had an approved list.

Question 4:

Council is aware that the Ordinary Council meeting in October 2010 I asked the question why the Town Hall and toilets could not open earlier especially with the warmer weather approaching. Council's response was, it would cost \$5,935.80 per annum to open the extra 4 hours every weekend. Would Council agree this amount is hardly excessive when compared to the \$10,000-\$12,000 spent annual on coffee, tea and biscuits for the Shire Administration?

Response:

Taken on Notice

Mrs H Saint
87 Avon Terrace
York WA 6302

With reference to Item 9.2.1 – Information Services

Question 1:

Do all relevant local businesses receive a copy of the report?

Response:

Taken on Notice

Question 2:

Have any of the local businesses ever been asked why they do not open or even close early?

Response:

Cr Smythe to follow up as tourism is part of her portfolio.

Question 3:

The report also states the only reason for visitors to York over the Christmas and New Year period is whether there are open businesses or attractions, does this not imply that the Shire is relying on private enterprise to provide these facilities? In light of the report, Council do you not think that it is sad that people do not visit York for its historic value and beauty?

Response:

Cr Smythe to follow up.

Ms S Paskett
18 Panmure Road
York WA 6302

Item 9.2.1 – sent a report to be tabled for consideration. Report will be passed onto the Tourism portfolio.

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 Minutes of the Special Council Meeting held October 17, 2011

Corrections

Nil

Confirmation

**RESOLUTION
011111**

Moved: Cr Hooper

Seconded: Cr Scott

“That the minutes of the Special Council Meeting held October 17, 2011 be confirmed as a correct record of proceedings.”

CARRIED: 5/0

8.2 Minutes of the Ordinary Council Meeting held October 17, 2011

Confirmation

**RESOLUTION
021111**

Moved: Cr Scott

Seconded: Cr Duperouzel

“That the minutes of the Special Council Meeting held October 17, 2011 be confirmed as a correct record of proceedings subject to amendments being made to Resolution 191011 to show that Cr Smythe only moved one item for the Special Meeting Agenda being the Bowls, Tennis, Lights Tender .”

CARRIED: 5/0

8.3 Minutes of the Special Council Meeting held October 24, 2011

Corrections

Nil

Confirmation

**RESOLUTION
031111**

Moved: Cr Scott

Seconded: Cr Hooper

“That the minutes of the Special Council Meeting held October 24, 2011 be confirmed as a correct record of proceedings.”

CARRIED: 5/0

8.4 Minutes of the Special Council Meeting held October 31, 2011

Corrections

Nil

Confirmation

RESOLUTION

041111

Moved: Cr Hooper

Seconded: Cr Scott

“That the minutes of the Special Council Meeting held October 31, 2011 be confirmed as a correct record of proceedings.”

CARRIED: 5/0

9. OFFICER’S REPORTS

9.1 Development Services

9. OFFICER'S REPORTS

9.1 DEVELOPMENT REPORTS

9.1.1 Proposed Free Range Poultry Farm At Lot 11744 Cubbine Road, Kauring

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: CU1.3850, P709
COUNCIL DATE: 21 November 2011
REPORT DATE: 11 November 2011
LOCATION/ADDRESS: Lot 11744 Cubbine Road, Kauring
APPLICANT: N M Longworth
SENIOR OFFICER: R Hooper, CEO
REPORTING OFFICER: J Jurmann, MPS
DISCLOSURE OF INTEREST: Nil
APPENDICES:
1 – Locality & Land Use Plan
2 – Photographs of Shelters and Fencing
3 – DEC Map
DOCUMENTS TABLED: Nil

Summary:

Council is in receipt of a planning application to use Lot 11744 Cubbine Road, Kauring as a free range poultry farm in conjunction with other farming activities.

The application was notified to adjoining landowners and relevant government agencies. One submission was received from the Department of Environment and Conservation conditionally supporting the proposal.

It is recommended that the application be approved subject to the conditions of consent listed in the 'recommendation' of this report.

Background:

On 23 September 2011, Council received an application to use the subject lot as a free range poultry farm for up to 10,000 chickens, ducks, turkey, geese and/or guinea fowl in conjunction with other farming activities for the production of eggs and/or meat. No processing proposed on site and will be carried out at a licensed processing facility.

The property is zoned General Agriculture under the provisions of the York Town Planning Scheme No. 2 and the proposed use is best defined as a 'poultry farm', which is a permitted use only with planning consent.

The site comprises an area of 190.3 hectares and is currently used for mixed farming business, consisting of such activities as olive, pomegranate and sandalwood trees, and cattle farming. The nearest residence is located approximately 1.5 kilometres from the boundaries of the property north-east along Cubbine Road.

It is planned to manage the poultry as small free range flocks housed in 6m x 7m eco-shelters that have a capacity of 200 birds for night roosts and allowed to range behind 1.2m high portable mesh electric fences to keep the chickens in and predators out. (Refer to photo's at Appendix 2.)

Currently the farming operations import poultry litter for fertilisation and it is proposed to replace that requirement with manure generated on site.

Consultation:

The application was advertised in accordance with the provisions of the York Town Planning Scheme No. 2. Letters were sent to adjoining land owners, the Department of Agriculture and the Department of Environment and Conservation. An internal referral was also given to Council's Environmental Health Officer.

Comments were received from the DEC and the EHO, both conditionally supporting the application. The comments have been considered in the assessment of this application and incorporated into conditions of consent where appropriate.

Statutory Environment:York Town Planning Scheme No. 2

The site is zoned General Agriculture under the provisions of the Scheme. Poultry Farms are permitted with consent in the zone.

Section 7.5 of the Scheme outlines the matters for consideration when assessing a planning application. These matters have been assessed as follows:

- (a) *The aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme area.*

The proposal is consistent with the objectives of the scheme, in that the amenity health and convenience of residents will not be detrimentally affected with proper management as outlined in the submitted Management Plan and through conditions of consent.

Section 4.15 of the Scheme outlines the objectives and development requirements for the General Agriculture zone.

The objectives of the zone are:

- (a) *"To ensure the continuation of broad-hectare agriculture as the principal land use in the district encouraging where appropriate the retention and expansion of agricultural activities.*
- (b) *To consider non-rural uses where they can be shown to be of benefit to the district and not detrimental to the natural resources or the environment.*
- (c) *To allow for facilities for tourists and travellers, and for recreation uses.*
- (d) *To have regard to residential use of adjoining land at the interface of the General Agricultural zone with other zones to avoid adverse effects on local amenities."*

The proposal is consistent with the objectives of the zone, particularly as it will result in the expansion of agricultural activities on the site.

Development in the zone is to have regard to scenic values of the district and the views from the roads. If a proposed development will have a detrimental effect on the rural character and amenities, the local government may refuse the application. It is not considered that this proposal will have a detrimental effect on the rural character or amenity of the locality, particularly the scenic views as it is not expected that the enclosures will be visible from the road or neighbouring properties.

The proposal complies with the site requirements for setbacks and will not involve the removal of any vegetation.

- (b) *The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, which has been granted consent for public submissions to be sought.*

There are no new schemes or amendments applicable to the site.

(c) *Any approved statement of planning policy of the Commission.*

There are no statements of planning policy applicable to this proposal.

(d) *Any approved environmental protection policy under the Environmental Protection Act 1986.*

There are no environmental protection policies applicable to this proposal.

(e) *Any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State.*

State Planning Policy No. 4.3 – Poultry Farms Policy

Clause 5.1 of the SPP states that new poultry farms should be located on rural zoned land and should avoid future residential areas and priority 1 surface and groundwater catchment areas. The proposal complies with this requirement.

The clause also sets out general buffer guidelines. The proposal complies with all buffer requirements.

The Policy recommends that a sign indicating the type of operation, hours of operation and possibility of undesirable environmental impacts on surrounding areas should be required as a condition of development approval. It is considered that a sign indicating the type of operation is sufficient given the low impact nature of the proposal.

Clause 5.3 of the SPP outlines the information required for new poultry farms to be submitted with a planning application as follows:

- *Site plan showing the location and extent of the site, the location and size of all existing and proposed buildings, a contour plan showing any significant drainage features.* Planning comment – Submitted.
- *Profile and materials of construction of all buildings.* No buildings to be constructed. Planning comment – Temporary, moveable enclosures proposed.
- *Development in the vicinity of the site, and where proposed developments is within 300 metres of existing/proposed rural-residential development and 500 metres of existing/proposed residential development, an assessment of the likely environmental impacts (odour, noise, dust, traffic movement and visual impact of the proposal on that development.* Planning comment – Detailed in management plan submitted with application.
- *Separation from existing or proposed residential, rural-residential and other incompatible development and zones.* Planning comment – No incompatibility identified. No rural-residential or residential existing or proposed within specified distances.
- *Vehicular access to the site and circulation within the site.* Planning comment – Existing vehicular access satisfactory.
- *A description of the type of farm operation including the maximum number of birds, effluent management and disposal methods, types of machinery and whether regular sales to the public will be made.* Planning comment – details submitted. Effluent management and disposal discussed later in this report.
- *Hours of operation and information on whether any night-time activities will be carried out.* Planning comment – it is proposed to operate 24 hours, 7 days per week in conjunction with other farming activities. It is considered appropriate due to distances to neighbours and low impact proposal. Deliveries will be carried out during daytime hours.

- *Proposed landscaping and screening including significant vegetation to be retained.* Planning comment – not applicable due to portable nature of enclosures.
- *Soil conditions.* Planning comment – details provided. It is proposed to manage the potential for soil erosion with low stocking densities and continual rotation of the enclosures. Rotation will also manage effluent disposal.
- *Existing uses on the site.* Planning comment – the proposal will complement the existing mixed farming activities on site.

The proposal is consistent with the provisions of the State Policy. There are no other State Planning Policies applicable to the proposal.

- (f) *Any Planning Policy adopted by the local government under clause 8.8, any policy for a designated heritage precinct adopted under clause 5.1.3, and any other plan or guideline adopted by the local government under the Scheme.*

There are no planning policies applicable to this proposal.

- (g) *In the case of land reserved under the Scheme, the ultimate purpose intended for the reserve.*

The land is not reserved or proposed to be reserved under the scheme.

- (h) *The conservation of any place that has been entered in the Register within the meaning of the Heritage of Western Australia Act 1990, or which is included in the Heritage List under clause 5.1.2, and the effect of the proposal on the character or appearance of a heritage precinct.*

The place is not heritage listed or within a heritage precinct.

- (i) *The compatibility or a use or development with its setting.*

It is considered with management in accordance with the submitted Management Plan that the proposal is compatible with the existing farm operations and the locality.

- (j) *Any social issues that have an effect on the amenity of the locality.*

There are no social issues identified with this proposal that could affect the amenity of the locality.

- (k) *The cultural significance of any place or area affected by the development.*

No place of cultural significance will be affected by the proposal.

- (l) *The likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment.*

It is considered with management in accordance with the submitted Management Plan that the proposal will not impact on the natural environment.

- (m) *Whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bushfire or any other risk.*

There are no natural constraints that prevent the approval of this application.

(n) *The preservation of the amenity of the locality.*

It is considered with management in accordance with the submitted Management Plan that the proposal is compatible with the existing farm operations and the locality.

(o) *The relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal.*

The proposed expansion of the farming activities complements the existing farming activities and is consistent with the objectives of the farming zone.

(p) *Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles.*

The existing access is sufficient to cater for any additional vehicle movements associated with the proposal.

(q) *The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.*

The traffic generated from the proposal is unlikely to impact on the local road system.

(r) *Whether public transport services are necessary and, if so, whether they are available and adequate for the proposal.*

Not applicable to the proposal.

(s) *Whether public utility services are available and adequate for the proposal.*

Existing utility services are adequate for the proposal.

(t) *Whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities).*

Not applicable to the proposal.

(u) *Whether adequate provision has been made for access by disabled persons.*

Not applicable to the proposal.

(v) *Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved.*

No vegetation will be affected by the proposal. The existing vegetation is sufficient to screen the portable structures from the roadway.

(w) *Whether the proposal is likely to cause soil erosion and degradation.*

Any potential for soil erosion will be managed through rotation of enclosures.

(x) *The potential loss of any community service or benefit resulting from the planning consent.*

No community services or benefits will be affected by the proposal.

(y) *Any relevant submissions received on the application.*

No submissions from the public were received.

(z) *The potential impacts of noise, dust, light, risk, and other pollutants on surrounding land uses.*

Odour is considered the main potential impact that may arise from the proposal. Odour will be managed primarily by low stocking densities and continual movement of the ranges in accordance with the submitted Management Plan.

(za) *The comments or submissions received from any authority consulted under clause 7.4.*

The Department of Environment and Conservation provided comments on the proposal and have advised that the assessment of the proposal has revealed that the location of the farm contains the following known significant conservation values:

- Lot 11744 has 74.5 hectares of remnant vegetation which contains a vary rare Beard Hopkins Vegetation Association (BHVA) no 551.2 (Shrublands: *Allocasuarina campestris* thicket).

The DEC does not object to the proposed development subject to the following conditions:

1. *“The proponent incorporates 15 and 20 metre setbacks from the remnant edge as a range boundary and for night roosts/feeding stations respectively. This will contribute towards focusing the impacts in certain areas and away from the edge of the remnant.*
2. *The proponent is welcome to contact the DEC Land for Wildlife Officer at the DEC Merredin office to discuss possible cost effective ways to integrate management of the native vegetation remnant on the farm with other farming practices. (A copy of the correspondence will be provided to the applicant.)*
3. *The proponent considers implementing the following best practice management guidelines for poultry farming:*
 - *Environmental Code of Practice for Poultry Farms in Western Australia (2004); and*
 - *Code of Practice for Poultry in Western Australia (2003).”*

The recommendations of the DEC have been incorporated into conditions and advisory notes in the recommendation at the end of this report.

(zb) *Any other planning consideration the local government considers relevant.*

Council’s Environmental Health Officer was requested to comment on the proposal to provide an assessment and any recommended conditions from an environmental health point of view.

The EHO has recommended that in accordance with the Department of Agriculture’s Farm Note 67/93 “Control of Infectious Diseases in Poultry” that carcasses are disposed of by regular incineration or by despatching carcasses to a rendering plant. A condition of approval has been draft in accordance with the recommendation.

Policy Implications:

The proposal is consistent with the York Town Planning Scheme No. 2 and relevant government policies.

Financial Implications:

The appropriate application and advertising fees have been paid by the applicant.

Strategic Implications:

The Local Planning Strategy identifies viable agricultural activity and diversification that will strengthen and broaden the economic base of the Shire and provide employment opportunities whilst minimising impacts on existing landowners as a key strategy for industrial and rural industries. This proposal is consistent with this strategy.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Yes

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

Agriculture is an important aspect of the regional economy and proposals that diversify and expand existing farming activities will result in the strengthening of the local rural economy and may result in additional employment opportunities.

Social Implications:

There are no adverse social implications associated with this proposal.

Environmental Implications:

As indicated in the DEC correspondence, the property contains remnant vegetation that will require proper management. Management will also be required to mitigate potential odour emissions and impacts on the soil and local water courses.

If the proposal is managed in accordance with the submitted Management Plan, recommendations from the DEC and Council's EHO and the conditions of consent, any potential environmental impacts will be minimised, or completely mitigated.

Comment:

The applicant states that the purpose of the farm diversification is designed to facilitate potential future organic certification and soil fertility improvement.

This assessment demonstrates that the proposal is unlikely to impact on the locality, environment or the identified remnant vegetation, and is consistent with the objectives of the Local Planning Scheme and Strategy.

It is recommended that the application be approved subject to the conditions of consent listed in the 'Officer Recommendation' below.

RESOLUTION

051111

Moved: Cr Boyle

Seconded: Cr Smythe

“That Council:

APPROVE the planning application to use Lot 11744 Cubbine Road, Kauring as a free range poultry farm for the production of eggs and meat in conjunction with other farming activities, subject to the following conditions:

- 1. Development must substantially commence within two (2) years from the date of this decision.***
- 2. Development must take place in accordance with the stamped approved plans and the Management Plan dated 8 January 2011.***
- 3. The maximum number of poultry permitted at any one time on site is 10,000 birds, including chickens, ducks, turkey, geese and/or guinea fowl.***
- 4. The proponent incorporates 15 and 20 metre setbacks from the remnant edge as a range boundary and for night roosts/feeding stations respectively.***
- 5. In accordance with the Department of Agriculture’s Farm Note 67/93 “Control of Infectious Diseases in Poultry” that carcasses are disposed of by regular incineration or by despatching carcasses to a rendering plant.***
- 6. No processing of meat birds may be undertaken on site.***
- 7. Development shall be managed in accordance with the Shire’s Health Local Laws and the Environmental Protection (Noise) Regulations 1997.***
- 8. A sign shall be erected on the entrance to the site advising of the use of the property as a free range poultry farm.***

Notes to consent:

Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of determination, the approval will lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development is to be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant is aggrieved by this determination there is a right of appeal under the Planning & Development Act 2005. An appeal must be lodged within 28 days of the determination.

Note 4: The proponent considers implementing the following best practice management guidelines for poultry farming Environmental Code of Practice for Poultry Farms in Western Australia (2004) and Code of Practice for Poultry in Western Australia (2003).”

CARRIED: 5/0

Item 9.1.1 - Appendices

9. OFFICER'S REPORTS

9.1 DEVELOPMENT REPORTS

9.1.2 Home Business At Lot 64 (5474) Great Southern Highway, Gwambygine

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:	GR2.1110, P725
COUNCIL DATE:	21 November 2011
REPORT DATE:	11 November 2011
LOCATION/ADDRESS:	Lot 64 (5475) Great Southern Highway, Gwambygine
APPLICANT:	L Macdonald
SENIOR OFFICER:	R Hooper, CEO
REPORTING OFFICER:	J Jurmann, MPS
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	1 – Locality Plan
DOCUMENTS TABLED:	Nil

Summary:

Council is in receipt of a planning application to conduct a home business for Shazmac Plumbing at Lot 64 (5475) Great Southern Highway, Gwambygine.

The application has been advertised in accordance with the provisions of the York Town Planning Scheme No. 2. At the time of the writing, no submissions had been received regarding the proposal.

It is recommended that the application be approved subject to conditions of consent.

Background:

As part of the review of all home businesses and occupations operating in the Shire of York, it was revealed that Shazmac Plumbing operating from Lot 64 (5475) Great Southern Highway, Gwambygine did not have an approval to operate a home business.

An application for the signage for the home business submitted to Council on 5 January 2007 was referred to Main Roads WA and was approved on 2 February 2007.

Discussions with the owner, has revealed that they were under the impression that the signage approval also included the operation of the home business as it was not raised during the assessment of the signage application and the business has been operating from their premises since this time.

The owners were requested to submit a planning application to formalise the operation of the home business. An application was received on 31 October 2011.

Consultation:

The application was advertised in accordance with the provisions of the York Town Planning Scheme No. 2. Letters were sent to adjoining landowners and an advertisement was placed in the Avon Valley Gazette.

At the time of writing, no submissions had been received regarding the proposal. However, it is anticipated that at least one submission will be received objecting to the proposal due to issues between neighbours that has been brought to Council's attention, hence the reason for this report.

A copy of any submissions received will be provided to all Councillors prior to the meeting for consideration.

This assessment has been carried out taking into consideration possible grounds of objection, such as noise and impacts on amenity.

Statutory Environment:

York Town Planning Scheme No. 2

The site is zoned Rural-Residential under the provisions of the Scheme.

The objectives of the zone are to provide for closer settlement for residential use in a rural environment and to make provision for retention of the rural landscape and amenity. The use of the property for a home business is not inconsistent with the objectives of the zone.

Home businesses are a use that is not permitted in the zone unless Council has exercised its discretion and by granted planning consent. In this case, Council has not issued planning consent prior to the commencement of the home business.

Clause 7.14 of the Scheme enables Council to grant planning consent to a use or a development already commenced or carried out if the development conforms to the provisions of the Scheme.

The application is to conduct a home business. Home businesses are defined under the Scheme as:

“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 Farming 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 Farming 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 or greater capacity than normally required in the zone.”*

The application proposes to gain approval to continue to conduct a home business that is consistent with the definition.

Section 7.5 of the Scheme outlines the matters for consideration when assessing development applications, which have been assessed as follows:

- (a) The aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme area.*

The York Town Planning Scheme No. 2 applies to the site and proposal. As discussed above, the proposed home business is permitted with consent under the provisions of the Scheme.

Section 4.7 of the Scheme stipulates that all approvals for home businesses and home occupations are valid for 12 months only, with a requirement to renew the approval annually. Therefore, if approved, consent can only be issued for a 12 month period.

As indicated in the Background section of this report, signage for the home business was approved by Council on 2 February 2007. The signage approved complies with section 5.3 of the Scheme.

Section 7.14 of the Scheme enables Council to grant planning consent to a use or a development already commenced or carried out if the development conforms to the provisions of the Scheme.

(b) *The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, which has been granted consent for public submissions to be sought.*

There are no new planning schemes or amendments known applicable to the site. However, the site is within the Mount Hardey future Rural-Residential area identified on Map 4 of the York Local Planning Strategy. The adjoining site is identified within Stage 3 and taking into consideration that Stage 1 is currently commencing, subdivision of the adjoining lot is envisaged a number of years into the future.

(c) *Any approved statement of planning policy of the Commission.*

There are no statements of planning policy of the Commission applicable to the site.

(d) *Any approved environmental protection policy under the Environmental Protection Act 1986.*

There are no environmental protection policies applicable to this proposal.

(e) *Any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State.*

There are no policies or strategies applicable to the proposal.

(f) *Any Planning Policy adopted by the local government under clause 8.8, any policy for a designated heritage precinct adopted under clause 5.1.3, and any other plan or guideline adopted by the local government under the Scheme.*

Local Planning Policy – Retrospective Planning Applications

Council at its Ordinary Meeting held on 18 July 2011 resolved to adopt the Local Planning Policy – Retrospective Planning Applications. The Policy provides guidelines on the assessment and determination of applications and fees.

This application is retrospective for a home business that has commenced without approval. The Policy states that the application is to be treated as if they were new proposals for planning approval.

The assessment of this application has been conducted in accordance with the Policy.

It is considered that additional application fees are not applicable as the owners genuinely thought that they had obtained approval for the home business in conjunction with the signage approval and the applicant has been fully cooperative in the consultations with Council's Compliance Officer.

(g) *In the case of land reserved under the Scheme, the ultimate purpose intended for the reserve.*

The land is not reserved under the Scheme.

- (h) *The conservation of any place that has been entered in the Register within the meaning of the Heritage of Western Australia Act 1990, or which is included in the Heritage List under clause 5.1.2, and the effect of the proposal on the character or appearance of a heritage precinct.*

The site is not heritage listed or within a heritage precinct.

- (i) *The compatibility or a use or development with its setting.*

It is considered, with the imposition of the recommended conditions of consent, that the home business will be compatible with the rural-residential setting.

- (j) *Any social issues that have an effect on the amenity of the locality.*

No social issues have been identified.

- (k) *The cultural significance of any place or area affected by the development.*

No place or area of cultural significance will be affected by the development.

- (l) *The likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment.*

The proposal is for use and is unlikely to impact on the natural environment.

- (m) *Whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bushfire or any other risk.*

No natural constraints affect the proposal.

- (n) *The preservation of the amenity of the locality.*

It is considered, with the imposition of the recommended conditions of consent, that the home business will be compatible with the amenity of the locality.

- (o) *The relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal.*

The proposed home business is considered in context with the rural residential setting, taking into consideration lot sizes and distances to neighbours.

- (p) *Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles.*

The existing access and egress from the site is adequate for use by the operator and occasional delivery vehicle.

- (q) *The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.*

The traffic generated from the development will not adversely impact on traffic flow and safety of the Great Southern Highway.

- (r) *Whether public transport services are necessary and, if so, whether they are available and adequate for the proposal.*

Not applicable to the proposal.

- (s) *Whether public utility services are available and adequate for the proposal.*

Existing services adequate for proposal.

- (t) *Whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities).*

Not applicable to the proposal.

- (u) *Whether adequate provision has been made for access by disabled persons.*

Not applicable to the proposal.

- (v) *Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved.*

Existing landscaping sufficient to provide residential appearance to property and area used for home business.

- (w) *Whether the proposal is likely to cause soil erosion and degradation.*

Vehicles using Rudall Road generally are likely to result in road degradation, which may cause soil erosion as it is a dirt road.

- (x) *The potential loss of any community service or benefit resulting from the planning consent.*

No loss identified.

- (y) *Any relevant submissions received on the application.*

The application was advertised in accordance with the provisions of the York Town Planning Scheme No. 2. Letters were sent to adjoining landowners and an advertisement was placed in the Avon Valley Gazette.

At the time of writing, no submissions had been received regarding the proposal. However, it is anticipated that at least one submission will be received objecting to the proposal due to issues between neighbours that has been brought to Council's attention, hence the reason for this report.

A copy of any submissions received will be provided to all Councillors prior to the meeting for consideration.

This assessment has been carried out taking into consideration possible grounds of objection, such as noise and impacts on amenity.

- (z) *The potential impacts of noise, dust, light, risk, and other pollutants on surrounding land uses.*

It is unlikely that the continued operation of the home business by the owner will result in any impacts on neighbouring properties. No complaints have been received to date by Council.

(aa) *The comments or submissions received from any authority consulted under clause 7.4.*

Not applicable to proposal.

(bb) *Any other planning consideration the local government considers relevant.*

The application has been assessed in accordance with Council's Policy for Retrospective Planning Applications and the applicant has paid the additional fees.

Policy Implications:

The application is consistent with the York Town Planning Scheme No. 2 and the Local Planning Policy – Retrospective Applications.

Financial Implications:

Application fees have been paid by the applicant. Renewal fees will be payable annually.

Strategic Implications:

The Mount Hardey locality has been identified as future rural-residential in the York Local Planning Strategy. The approval of this application is unlikely to affect the proposed development of the locality.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Yes

Triple bottom Line Assessment:

Economic Implications:

Local businesses are an important part of the York economy and should be encouraged where appropriate, particularly considering the lack of industrially-zone land available. It is considered that the approval of this home business is appropriate where any potential impacts can be managed through conditions and monitoring.

Social Implications:

There are no social implications associated with this proposal.

Environmental Implications:

There are no environmental implications associated with this proposal.

Comment:

It is considered that additional application fees are not applicable as the owners genuinely thought that they had obtained approval for the home business in conjunction with the signage approval and the applicant has been fully cooperative in the consultations with Council's Compliance Officer.

It is recommended that the application be approved subject to conditions.

RESOLUTION

061111

Moved: Cr Smythe

Seconded: Cr Hooper

“That Council:

APPROVE the retrospective planning application to conduct a home business at Lot 64 (5475) Great Southern Highway, Gwambygine, subject to the following conditions:

- 1. The development must take place in accordance with the approved plans.***
- 2. This consent is valid for 12 months from the date of determination and must be renewed annually by application in writing.***
- 3. The home business must be operated by the occupier of the dwelling and no more than 2 employees not members of the household are permitted to operate from the premises in conjunction with the home business.***
- 4. The area used for the home business shall not exceed 100m².***

Notes to Consent:

Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period specified in the approval, after the date of determination, the approval will lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development is to be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant is aggrieved by this determination, there is a right of appeal under the Planning and Development Act 2005. An appeal must be lodged within 28 days of the date of determination.

Note 4: An application for a renewal of a home business approval must be made in writing prior to the lapsing of the current approval. The operator of a home business is responsible for ensuring that an approval is current at all times.”

CARRIED: 5/0

Item 9.1.2 - Appendices

9. OFFICER'S REPORTS

9.1 DEVELOPMENT REPORTS

9.1.3 Proposed Open Bulkhead For Additional Grain Storage At CBH – Lot 51 Knotts Road, Balladong

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: KN2.611, P721
COUNCIL DATE: 21 November 2011
REPORT DATE: 15 November 2011
LOCATION/ADDRESS: Lot 51 (Proposed Lot 200) Knotts Road, Balladong
APPLICANT: Cooperative Bulk Handling Ltd
SENIOR OFFICER: R Hooper, CEO
REPORTING OFFICER: J Jurmann, MPS
DISCLOSURE OF INTEREST: Nil
APPENDICES: 1 – Locality Plan
2 – Site Plan

DOCUMENTS TABLED:

Summary:

Council is in receipt of a planning application for the construction of an open bulkhead for additional/emergency grain storage at the CBH (Cooperative Bulk Handling) facility at Lot 51 (Proposed Lot 200) Knotts Road, Balladong.

The application has been advertised in accordance with the provisions of the York Town Planning Scheme No.2. No submissions objecting to the proposal had been received at the time of writing this report.

It is recommended that the application be approved subject to the conditions listed at the end of this report.

Background:

A planning application was received by Council on 21 October 2011 for the construction of an open bulkhead for additional/emergency grain storage at the CBH facility located at Lot 51 Knotts Road, Balladong.

CBH have identified an urgent need for the installation of emergency grain storage at their York receival point. The proposed development includes a pad for and an open bulkhead on former Pt Lot 2, which is currently being amalgamated with Lots 51 to become Lot 200.

Consultation:

The application was advertised in accordance with the York Town Planning Scheme No.2. Letters were sent to adjoining landowners and an advertisement was placed in the Avon Valley Gazette. A courtesy notification was also forwarded to Main Roads WA due to the proximity of the facility to the Great Southern Highway.

No submissions objecting to the proposal had been received at the time of writing this report.

Main Roads WA have advised that as the land subject to the application does not have direct access to the MRWA road network, no objections are raised to the application and do not require any conditions placed.

Any submissions received after finalisation of this report will be forwarded to all Councillors for comment.

Statutory Environment:

York Town Planning Scheme No. 2

The area subject to the application is zoned General Agriculture under the provisions of the Scheme.

The proposed additional storage area is an expansion of the existing use on site and is therefore permissible with consent under the Scheme and is consistent with the zone objectives.

Advertising of the application has been carried out in accordance with clause 7.3 of the scheme. Main Roads WA was also invited to comment on the proposal in accordance with clause 7.4.

The matters of consideration listed in clause 7.5 have been assessed as follows:

- (a) *The aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme area.*

The proposal is consistent with the objectives of the scheme.

- (b) *The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, which has been granted consent for public submissions to be sought.*

There are no new schemes or amendments applicable to the site.

- (c) *Any approved statement of planning policy of the Commission.*

There are no statements applicable.

- (d) *Any approved environmental protection policy under the Environmental Protection Act 1986.*

There are no environmental protection policies applicable to the site.

- (e) *Any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State.*

Statement of Planning Policy No. 4.1 – State Industrial Buffer Policy

The proposed development will not affect or require expansion of the existing buffers applicable to the CBH facility.

- (f) *Any Planning Policy adopted by the local government under clause 8.8, any policy for a designated heritage precinct adopted under clause 5.1.3, and any other plan or guideline adopted by the local government under the Scheme.*

There are no local planning policies applicable to the proposal.

- (g) *In the case of land reserved under the Scheme, the ultimate purpose intended for the reserve.*

The land is not reserved under the Scheme.

- (h) *The conservation of any place that has been entered in the Register within the meaning of the Heritage of Western Australia Act 1990, or which is included in the Heritage List under clause 5.1.2, and the effect of the proposal on the character or appearance of a heritage precinct.*

The site is not heritage listed or within a heritage precinct.

- (i) *The compatibility or a use or development with its setting.*

The proposal is compatible with the overall use on site.

- (j) *Any social issues that have an effect on the amenity of the locality.*

There are no social issues associated with this proposal.

(k) *The cultural significance of any place or area affected by the development.*

There is no place of cultural significance affected by the proposal.

(l) *The likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment.*

Any environmental impacts can be mitigated through management measures.

(m) *Whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bushfire or any other risk.*

The land is not affected by any natural constraints that would constrain the development.

(n) *The preservation of the amenity of the locality.*

The proposal will not increase any impacts on the amenity of the locality.

(o) *The relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal.*

The proposal open bulkhead is consistent with the existing buildings on site.

(p) *Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles.*

The existing access from Knotts Road is adequate to cater for the proposal.

(q) *The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.*

The use of the emergency storage area is not expected to detrimentally impact on the traffic flows of the Great Southern Highway or the locality.

(r) *Whether public transport services are necessary and, if so, whether they are available and adequate for the proposal.*

Not applicable to this proposal.

(s) *Whether public utility services are available and adequate for the proposal.*

Existing services are adequate.

(t) *Whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities).*

Not applicable to the proposal.

(u) *Whether adequate provision has been made for access by disabled persons.*

Not applicable to the proposal.

(v) *Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved.*

Not applicable to the proposal.

(w) *Whether the proposal is likely to cause soil erosion and degradation.*

Sedimentation and erosion prevention measures may be required during construction.

(x) *The potential loss of any community service or benefit resulting from the planning consent.*

No community service or benefit will be affected by the proposal.

(y) *Any relevant submissions received on the application.*

No submissions had been received at the time of writing this report. Any submissions received will be forwarded to all Councillors for comment.

(z) *The potential impacts of noise, dust, light, risk, and other pollutants on surrounding land uses.*

The proposal is not expected to exacerbate any existing impacts arising from the operations of the grain receival facility, such as dust or noise.

(aa) *The comments or submissions received from any authority consulted under clause 7.4.*

Main Roads WA were notified of the proposal and invited to make comments. A response was received on 15 November 2011. No objections were raised and no conditions were recommended.

(bb) *Any other planning consideration the local government considers relevant.*

The proposed emergency storage area is considered to be a minor intensification of the existing use.

Policy Implications:

The proposal is consistent with the objectives and provisions of the York Town Planning Scheme No. 2. There are no Policy implications associated with this proposal.

Financial Implications:

The application and advertising fees have been paid by the applicant.

Strategic Implications:

The site is located within the Town Expansion Precinct identified in the Local Planning Strategy and is a key rural industry for York. The provision of the emergency grain storage facility is vital for the operation of the facility. There are no strategic implications associated with the proposal.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Yes

Triple bottom Line Assessment:

Economic Implications:

The CBH facility is a major employer in the York economy and is an important part of the economy. The efficiency and longevity of the industry is an important economic factory for the regional economy. Approval of the application will have positive economic implications.

Social Implications:

There are no social implications associated with this proposal.

Environmental Implications:

Any environmental issues, such as stormwater and dust can be adequately managed on site to mitigate any potential impacts on the locality.

Comment:

The proposed emergency grain storage area will enable CBH to better cater for the needs of grain farmers of York and regionally. It is consistent with the Strategy, Scheme and objectives for the area.

RESOLUTION

071111

Moved: Cr Scott

Seconded: Cr Hooper

“That Council:

APPROVE the planning application for the construction of an open bulkhead for additional/emergency grain storage at the CBH (Cooperative Bulk Handling) facility at Lot 51 (Proposed Lot 200) Knotts Road, Balladong, subject to the following conditions:

- 9. Development must substantially commence within two (2) years from the date of this decision.***
- 10. Development must take place in accordance with the stamped approved plans.***

Advice Notes:

Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period specified in the approval, after the date of determination, the approval will lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development is to be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant is aggrieved by this determination, there is a right of appeal under the Planning and Development Act 2005. An appeal must be lodged within 28 days of the date of determination.

Note 4: This approval is not a building licence. In accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1960, an application for a building licence must be submitted to, and approval granted by the local government prior to any change of classification or prior to the commencement of any structural works within the development hereby permitted.”

CARRIED: 5/0

Item 9.1.3 - Appendices

9.2 Administration Reports

9. OFFICER'S REPORTS
9.2 ADMINISTRATION REPORTS
9.2.1 Information Services

FILE NO: CS.LCS.8.1
COUNCIL DATE: 21 November, 2011
REPORT DATE: 10 November, 2011
LOCATION/ADDRESS: N/A
APPLICANT: Shire of York
SENIOR OFFICER: R Hooper, CEO
REPORTING OFFICER: P Law, Information Officer
DISCLOSURE OF INTEREST: Nil
APPENDICES: Appendix A, B & C
DOCUMENTS TABLED: Nil

Summary:

The following is a summary of items for York Information Services for the month of October 2011.

Visitor Numbers- October (Appendix A): As compared to the same period 2010, the number of visitors coming through the doors has increased considerably from 2041 to 2852. These numbers were gained without major annual town events for the month, such as the Spring Garden Festival.

Product Sales- October (Appendix B) Product sales are steady. Net sales for the month of November 2011 were \$1752.60. This figure is down on the same period last year by \$500. This is partly due to low volume souvenir stock, as our usual supplier is currently unable to produce many items that are currently out of stock. This includes items such as hat pins, which are always in high demand.

Sales figures include sale of stock items left from York Tourist Bureau, the prices of which have been heavily discounted.

York Information Services are in the process of obtaining quotes for products from York suppliers in an attempt to promote York businesses and keep income in town.

Rebranding- The Manager from the Shire Depot has been consulted in regards to ordering new roman "i" signs to replace the italic "i" signs on the roads coming into York. We are required to change these over now as we no longer operate as a Visitor Centre and are no longer registered under the Accreditation scheme. He is also arranging a new sign to replace the York Tourist Bureau sign currently hanging from a power pole on Avon Terrace outside to Town Hall.

Arrangements are currently being made to update the Tourist Information bay on Great Southern Highway.

Calendar of Events- This is emailed to a state wide data base on a fortnightly basis. The focus of this is events based in York. York Information Services staff are now receiving phone calls regularly, asking for further information on some events, Town Hall bookings and for the Calendar of Events to be emailed again due to accidental deletion. The comments coming through from other Visitor Centres are positive, with staff from these centres planning visits to York as a direct result of receiving the Calendar of Events.

Town hall booking enquiries- Due to the volume of enquiries regarding booking the Town Hall for events, York Information Services now has available Town Hall Condition of Hire forms and Application to Consume Alcohol on Council Property forms. All queries for bookings are directed to the Shire of York.

Town Hall Toilets- Visitor requests have been made for clearer signage for the Disabled toilet in the Town Hall.

Weekend Internet Access- Our computer currently out on loan has not yet been returned, however, another computer has become available to make this service available. Fees for this service are included in the Shire of York fees and chargers schedule. This services is due to be up and running by mid November.

Summer Trading Hours- (Appendix C) York Information Services Officers are in the process of approaching all local business asking for details of closing times over the summer period. In previous years many businesses close their doors completely for a period of anywhere from 2 weeks to 4 months.

We are still waiting for replies from some businesses, there are some that regularly do not provide any information to this office.

Lunchtime Closures- To cover the allocated staff lunch break each day, tourist maps and York information brochures are made available through the Shire of York office on weekdays. There are signs on the front and sliding glass doors to indicate this. As an added back up to this, Information Services officers have had offers from local businesses, close to the Town Hall, to make available tourist maps and York information brochures from within their place of business.

Please advise Information Officers if Tourist maps should be distributed to local businesses. These will be due for reprinting early in 2012, as supplies are running down.

Request for Services-

There are certain services that visitors ask for on a regular basis, these include; Laundromat, pay for use showers, access to Mt Bakewell.

Complaints-

There are four regular types of complaints that are received within this office. They are:
Lack of businesses open early in the week,
Lack of businesses open after 3pm each day,
Lack of restaurants available on a Monday night,
Issues relating to Bookeasy, it's bookings, confirmations and refunds.

Web Page Development- A quote has now been received to develop a web page which will belong to York Information Services. Staff at York Information Services are awaiting further instructions on this matter.

York Brochure- A brochure promoting York is currently under development. The Information Officer is to meet with advertising staff and artistic director early in November to seek further advice. Advertising opportunities will then be offered to local businesses. The aim is to make this brochure available to Visitor Centres throughout the state.

Free RV Parking- Having been advised by staff at SOY that there is now free 24 hr parking available at Avon Park for self contained RV's, staff are now able to promote this within the centre. This has been a very welcome service for many visitors and has encouraged many to stay the night instead of moving on to the next town. Another comment is that it frees up money to spend in the local shops.

Background:

There were large groups of RV travelers through York during the early part of the month on their way to meetings in Quairading and Kalgoorlie.

York Heritage Hotel Restaurant is no longer open. The accommodation is remaining open, at this stage until just before Christmas. The reopening is yet to be confirmed. No meals are available through the accommodation.

Imperial Hotel is no longer available for meals on a Monday or Tuesday.

Settlers House is no longer available for meals on a Monday.

Shire of York has been operating York Information Services since July 2010. Judging by the tourism numbers available, the peak tourist season, Spring, ended and the end of October and it is expected, coming into the warmer season, that there will now be a dramatic drop in visitor numbers. Historically, we also face difficult times for visitors over the Christmas and New Year periods due to the lack of attractions and businesses open.

Consultation:

Shire of York and local business proprietors

Statutory Environment:

Nil

Policy Implications:

Not Applicable

Financial Implications:

Nil

Strategic Implications:

Not Applicable

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Nil

Social Implications:

Nil

Environmental Implications:

Nil

Comment:

This report serves to keep the community informed of the activities in place.

RESOLUTION

081111

Moved: Cr Smythe

Seconded: Cr Scott

“That Council:

Receive the York Information Services report and commend the staff on the level of service provided to visitors and the community.”

CARRIED: 5/0

Item 9.2.1 - Appendices

9. OFFICER'S REPORTS
9.2 ADMINISTRATION REPORTS
9.2.2 Youth Report for October, 2011

FILE NO: CS.LCS.6
COUNCIL DATE: 21 November, 2011
REPORT DATE: 12 November, 2011
LOCATION/ADDRESS: N/A
APPLICANT: Shire of York
SENIOR OFFICER: R Hooper, CEO
REPORTING OFFICER: Lyn Kay, YDO
DISCLOSURE OF INTEREST: Nil
APPENDICES: Nil
DOCUMENTS TABLED: Nil

Summary:

The following is a summary of the activities undertaken by the Youth Development Officer since the last report submitted in October 2011.

• **Active After School Programme:**

The Youth Development Officer has 30 Pre-Primary, Years 1, 2 & 3 attending Term 4 for Basketball along with Mrs. Judy Davies and Brodie Reid. The children are learning basic skills and having lots of fun and a healthy afternoon tea.

• **School Holiday Programme:**

The Youth Development Officer will be organising a Programme plus times the Youth Centre will be open once the Youth Centre is completed with one excursion going to Rockingham for Paintballing and then the afternoon at Rockingham Beach.

• **Youth Centre:**

The Opening for the York Youth Centre will be on Thursday, 8th December, 2011 4pm-6pm, with the Minister for Youth Robin McSweeney officially opening the Centre at 4.30pm and 70 invited Youth and guests.

The Urban Artists works will be on the walls with Banners in the Terrace entry as well which will brighten up the area.

Youth Development Officer has been seeking further donations and has 6 Computers, 3 computer desks, CD/DVD player and a pool table the latest requisitions.

Youth Development Officer is looking for a fridge, dining room table and chairs and donations to finalise different areas.

• **Hang Out Centre:**

This is held every Thursday from 3pm-6pm and we average 15 Youth each week and also the local Police call in and are in contact with Youth Development Officer on developments around the Town with regards to Youth.

• **Salvation Army Breakfast Club:**

The Youth Development Officer is working along side the Salvation Army on Friday mornings at the Pavilion from 8am-8.30am for children and parents to come and have a healthy **free** breakfast.

At our last breakfast the children had pancakes, cereals, fresh juice, and toast and were given fruit to take to School. The breakfast only runs in School Terms.

• **Term 4 Christmas Disco:**

The Youth Development Officer is organising the Christmas Disco at the Town Hall on Friday 9th December, 2011 for the following times:

Kindy, Pre Primary, Years 1 & 2	3pm – 4.30pm
Years 3, 4 & 5	4.30pm – 6pm
Years 6, 7 & Youth	6pm – 10pm

Cool drinks, lollies, chips are sold on the day and the Entrance fee is \$2.50.
All profits go towards our Youth Centre funding.

Background:

Youth Development Officer is building strong relationships with the appropriate partners in all fields of youth development, including education, police and health partnerships. Trust and integrity is being developed with York youth and their parents/guardians as quality programs are being introduced and activated.

Consultation:

Youth
School
Police
Health
Councillors
Council Staff
Community Members

Statutory Environment:

Nil

Policy Implications:

Not Applicable

Financial Implications:

Activities and initiatives are funded in SOY budget and through grants, fundraising activities and 'user pays' arrangements.

Strategic Implications:

Key Result Area 4 - Youth - Objectives:

- 1. To facilitate an increase in the employment and education opportunities for the young people of the Shire.*
- 2. To enhance recreational and cultural opportunities for young people.*
- 3. To involve young people in decision-making and in taking a responsible role in our community.*
- 4. To develop strategic alliances with other organisations working with young people.*

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Nil

Social Implications:

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

Environmental Implications:

Not applicable

Comment:

This report serves to keep the community informed of the activities in place.

RESOLUTION

091111

Moved: Cr Duperouzel

Seconded: Cr Smythe

“That Council:

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

CARRIED: 5/0

9.3 Works Reports

9.4 Financial Reports

9. OFFICER'S REPORTS

9.4 FINANCE REPORTS

9.4.1 Unbudgeted Expenditure – CEO Appraisal

FILE NO: P1
COUNCIL DATE: 21 November 2011
REPORT DATE: 1 November 2011
LOCATION/ADDRESS: N/A
APPLICANT: Shire of York
SENIOR OFFICER: R Hooper, CEO
REPORTING OFFICER: T Cochrane, DCEO
DISCLOSURE OF INTEREST: R Hooper, CEO
APPENDICES: Nil
DOCUMENTS TABLED: Nil

Summary:

That Council authorise unbudgeted expenditure to engage WALGA Workplace Solutions to conduct the statutory appraisal of the CEO.

Background:

The process was carried out internally last year by the Acting Deputy Chief Executive Officer and the last time an external agency carried out a review was by WALGA Workplace Solutions in 2007.

Consultation:

WALGA Workplace Solutions; and
Department of Local Government.

Statutory Environment:

Local Government Act – Section s 5.38 and 5.39 (3)(b) and Regulation 18D.

Policy Implications:

Nil.

Financial Implications:

The cost of the assessment is \$3,300 (inc GST), however was not included in the 2011/12 Budget. Should this expenditure be approved it can be allocated to Consultancy Services.

Strategic Implications:

Nil.

Voting Requirements:

Absolute Majority Required: Yes

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Nil.

Social Implications:

Nil.

Environmental Implications:

Nil.

Comment:

The annual appraisal process reviews the past year and sets the performance indicators for the next years and as such it is a powerful management and accountability tool.

R Hooper, CEO declared an Interest Affecting Impartiality to this item and left the room at 3.54pm.

RESOLUTION

101111

Moved: Cr Smythe

Seconded: Cr Hooper

“That Council:

- 1. approves expenditure of \$3,300 (inc GST) from General Ledger Account No. 42169; and***
- 2. engage the Western Australian Local Government Association to conduct the Chief Executive Officer’s Performance in accordance with the Local Government Act – Sections 5.38 and 5.39 (3)(b) and Regulation 18D.***

Advice Note:

Once the review is completed Council will consider the report in accordance with Regulation 18D.”

CARRIED: 5/0

R Hooper, CEO returned to the room at 3.56pm.

9. OFFICER'S REPORTS

9.4 FINANCE REPORTS

9.4.2 Revaluation of Road Infrastructure Assets

FILE NO:	FI.ACC
COUNCIL DATE:	21 November 2011
REPORT DATE:	29 October 2011
LOCATION/ADDRESS:	Not Applicable
APPLICANT:	Not Applicable
SENIOR OFFICER:	Ray Hooper, Chief Executive Officer
REPORTING OFFICER:	Tabitha Bateman, Administration Officer
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Cardno Road Revaluation Report 30/6/2010

Summary:

It is necessary to update Council's asset register in line with RoMan data provided by Cardno Pty Ltd and adopt an asset revaluation effective 30 June 2011.

Background:

Following a full road inventory and condition rating audit during 2009-10 it was discovered that the value of Council's road infrastructure was severely understated as a result of over-depreciating road assets. To correct the situation the depreciation rates were changed to reflect more accurately the condition of Council's roads and a revaluation was adopted.

Changes made to the Australian Accounting Standards (AAS) required Local Governments in Western Australia to bring the value of infrastructure, including roads, to account in 1997 and to depreciate them on an annual basis.

Council's Significant Accounting Policy (as referred to in Council's Budget Notes) regarding the revaluation of assets states the following:

"Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. For infrastructure and other asset classes where no active market exists, fair value is determined to be the current replacement costs of an asset less, where applicable, accumulated depreciation calculated on a basis to reflect the already consumed or expired future economic benefits.

Those assets carried at a revalued amount, being their fair value at the date of revaluation less any subsequent accumulated depreciation and accumulated impairment losses, are to be revalued with sufficient regularity to ensure the carrying amount does not differ significantly from that determined using fair value at reporting date.

The "RoMan" Road Inventory System is the method used by Council to value its road network. The class of asset is valued at replacement cost and depreciated after taking into account the condition of the roads. Physical inspections of the road network are continually undertaken."

Consultation:

Dominic Carbone & Associates
Cardno BSD – managers of the RoMan Road Inventory System.

Statutory Environment:

Local Government Act 1995; Local Government (Financial Management) Regulations 1996; Australian Accounting Standards Board standards.

Policy Implications:

Nil

Financial Implications:

The actual revaluation will have no effect in terms of cash as it will be a book valuation and a change to depreciation values, however currently the over depreciation is understating the value of Council's road infrastructure assets in the balance sheet.

The change to depreciation values being proposed will give a fairer representation of the Council's financial health.

Strategic Implications:

Key Result Area 8 - Resource Management.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

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

Nil

Social Implications:

Nil

Environmental Implications:

Nil

Comment:

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets. Road assets are depreciated on a straight-line basis at 1%.

A regular road inventory and condition rating audit is required to make sure that the information about Council's roads in the RoMan road management system database is correct so that the replacement cost can be calculated correctly and the roads can be depreciated to the level that reflects the condition that they are in.

Council's records detail the following:

Infrastructure				
Year	Item	Historical Cost	Depreciation	Written Down Value
30 Jun 11	Roads	\$ 54,120,645.00	\$ 5,595,160.00	\$ 48,525,485.00

Report by Cardno Pty Ltd details the following:

Infrastructure				
Year	Item	Historical Cost	Depreciation	Written Down Value
30 Jun 11	Roads	\$ 73,752,361.00	\$ 6,801,372.00	\$ 66,950,989.00

RESOLUTION

111111

Moved: Cr Scott

Seconded: Cr Hooper

“That Council:

- 1. *endorse the revaluation of its road infrastructure assets in accordance with the Cardno Report as at the 30th June 2011; and***
- 2. *amends its asset register accordingly.”***

CARRIED: 5/0

9. OFFICER'S REPORTS

9.4 FINANCE REPORTS

9.4.3 York Family Playgroup 2011/2012 sponsorship

FILE NO:	FI.DON
COUNCIL DATE:	21 November 2011
REPORT DATE:	9 November 2011
LOCATION/ADDRESS:	Avon Terrace York
APPLICANT:	York Family Playgroup
SENIOR OFFICER:	Ray Hooper CEO
REPORTING OFFICER:	Gail Maziuk
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Nil

Summary:

Each year Council makes a number of contributions by way of donations to various community groups that operate within the York Shire.

The York Family Playgroup requests Council consider re allocating funds approved by Council in the 2011/2012 sponsorship round. The sponsorship approved was for \$3100 'in kind' for labour to dismantle and move the new pergola to other premises if the playgroup was relocated by the Shire for any reason. The Playgroup has requested the \$3100 'in kind' funding be converted to cash funding as the group does not have enough funds accrued to actually commission the building of the pergola.

The York Family Playgroup has managed to raise some additional funds/sponsorship from the Bendigo Bank as well as internal fundraising since their application to the Shire of York. If council agrees to reallocate their sponsorship they will have enough funds to install the pergola.

Background:

As part of Council's Annual Budget process, submissions for financial assistance with projects that benefit the community are called for from local community groups and organisations. Those applying provide details about their organisation and the project they are seeking funding for including a budget and quotations for the project and details of any other funding sources. This process was followed by the York Family Playgroup.

Consultation:

Councillors, Committee of the York Family Playgroup.

Statutory Environment:

Local Government Act 1995

Policy Implications:

Not applicable.

Financial Implications:

Nil, funds are already allocated for labour and can be reallocated to cash funding.

No impact to the budget.

Strategic Implications:

Council's support of local community organisations is of strategic importance to the District, as without this support these groups, who in many respects are the backbone of the community, become unviable from a financial perspective.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Local community organisations are a vital component of the local economy, as in many cases they provide the lifestyle type activities that attract individuals, families and businesses to a community, improving the overall diversification and market size of the local economy.

Social Implications:

Local community organisations provide the social framework of any community and without this type of financial support from the Council; many are not able to function effectively.

Environmental Implications:

Not applicable.

Comment:

The recommendation is put forward for Council's consideration

RESOLUTION

121111

Moved: Cr Duperouzel

Seconded: Cr Hooper

"That Council:

Agree to the reallocation of the 2011/2012 funds offered as an 'in kind' sponsorship to the York Family Playgroup and convert the same \$ value to a cash sponsorship subject to all the terms and conditions of expenditure and acquittal as all sponsorship offers."

CARRIED: 5/0

9. OFFICER'S REPORTS

9.4 FINANCE REPORTS

9.4.4 Monthly Financial Reports – October 2011

FILE NO:	FI.FRP
COUNCIL DATE:	21 November 2011
REPORT DATE:	7 November 2011
LOCATION/ADDRESS:	Not Applicable
APPLICANT:	Not Applicable
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Tabitha Bateman, Administration Officer
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Yes – Appendix A as detailed in Summary
DOCUMENTS TABLED:	Nil

Summary:

The Financial Report for the period ending 31 October 2011 is hereby presented for the consideration of the Council.

Appendix A includes the following:

- Monthly Statements for the period ended 31 October 2011
- Bank Account Reconciliations
- Cheque drawings on the Municipal Account
- EFT drawings on the Municipal Account
- Cheque drawings on the Trust Account
- Payroll Direct Debits Summary
- Corporate Credit Card Summary
- Fuel Card Summary

Consultation:

Dominic Carbone

Statutory Environment:

Local Government Act 1995 (As Amended).

Local Government (Financial Management) Regulations 1996 (As Amended).

Policy Implications:

Nil.

Financial Implications:

The following information provides balances for key financial areas for the Shire of York's financial position as at 31 October 2011;

Sundry Creditors as per General Ledger	\$118,893.25
Sundry Debtors as per General Ledger	\$336,337.32
Unpaid rates and services current year (paid in advance inc. ESL)	\$1,675,196.07
Unpaid rates and services previous years (inc. ESL)	\$476,971.04

Strategic Implications:

Nil

Voting Requirements:

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:

Not applicable

**RESOLUTION
131111**

Moved: Cr Scott

Seconded: Cr Boyle

“That Council:

Receive the Monthly Financial Report for October and ratify payments drawn from the Municipal and Trust accounts for the period ending 31 October 2011:

	<u>VOUCHER</u>	<u>AMOUNT</u>
MUNICIPAL FUND		
<i>Cheque Payments</i>	<i>25699 - 29761</i>	<i>\$ 149,479.15</i>
<i>Electronic Funds Payments</i>	<i>8495 - 8638</i>	<i>\$ 570,849.99</i>
<i>Direct Debits Payroll</i>		<i>\$ 137,688.56</i>
<i>Bank Fees</i>		<i>\$ 4,085.67</i>
<i>Corporate Cards</i>		<i>\$ 4,131.01</i>
<i>Shell Cards</i>		<i>\$ 189.09</i>
<i>TOTAL</i>		<i>\$ 858,161.45</i>
 TRUST FUND		
<i>Cheque Payments</i>	<i>3881 - 3893</i>	<i>\$ 3,248.15</i>
<i>Direct Debits Licensing</i>		<i>\$ 96,325.20</i>
<i>TOTAL</i>		<i>\$ 99,573.35</i>
 <i>TOTAL DISBURSEMENTS</i>		 <i>\$ 957,734.80”</i>

CARRIED: 5/0

Note to this item

The Chief Executive Officer has delegated authority under Delegation DE1 (Council Meeting 21 September 2009) to make payments from the Municipal and Trust accounts.

Item 9.4.4 - Appendices

9.5 Late Reports

9. OFFICER'S REPORTS

9.5 LATE REPORTS

9.5.1 York Adult Centre – Application to be Recognised as a Community Group

FILE NO: CS.CEV.1
COUNCIL DATE: 21 November 2011
REPORT DATE: 18 November 2011
LOCATION/ADDRESS: York Public Hospital
APPLICANT: Shelley Ashworth,
Co-Ordinator, York Adult Day Centre
SENIOR OFFICER: Ray Hooper, CEO
REPORTING OFFICER: Judith Anderson
DISCLOSURE OF INTEREST: Nil
APPENDICES: Nil
DOCUMENTS TABLED: Nil

Summary:

It is a requirement that York Adult Centre makes application to Council to be recognised as a Community Group in order to qualify to have fees and charges waived when conducting not for profit fund raising activities in public places and thoroughfares.

Background:

On 12 September 2011 Council received an application from Shelley Ashworth seeking Council recognition of York Adult Centre as a community group for the purpose of having Council fees and charges waived when conducting not for profit fund raising activities in public places and thoroughfares.

Consultation:

Nil

Statutory Environment:

Shire of York, Local Law – Trading in Thoroughfares and Public Places.

Policy Implications:

Nil

Financial Implications:

Council's fees waived.

Strategic Implications:

This will encourage community groups to undertake fund raising activities in public places and thoroughfares.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Certificate of Incorporation and Public Liability Insurance of \$10,000,000 is still required for Community groups to qualify as being recognised as a York Community Group.

Social Implications:

It is of benefit to enhance relationships between Council and Community Groups by waiving fees and charges for fundraising purposes of community benefit.

Environmental Implications:

Nil

Comment:

The York Adult Day Centre is a facility for the frail aged and younger disabled people within our community and is part of the York Health Service MPS.

The York Adult Day Centre receives limited funding and the Centre carries out fundraising activities once a year.

Current copies of Certificates of Incorporation and Public Liability Insurance of \$10,000,000 have been provided.

RESOLUTION

141111

Moved: Cr Hooper

Seconded: Cr Smythe

“That Council:

Recognise York Adult Day Centre as a Community Group for the purpose of waiving fees and charges related to trading in public places and thoroughfares for fundraising activities.”

CARRIED: 5/0

9.6 Confidential Reports

**RESOLUTION
151111**

Moved: Cr Hooper

Seconded: Cr Scott

“That Council:

Go ‘Into Committee’ to consider the Confidential Reports at 4.07pm.”

CARRIED: 5/0

9.6.1 Drainage Lot 51 Panmure Road

**RESOLUTION
161111**

Moved: Cr Hooper

Seconded: Cr Scott

“That Council:

Offer to acquire an area of land of 135.29m x 4m on the southern boundary of Lot 51 Panmure Road, York for drainage purposes at a maximum cost of \$25,000 inclusive of land value, fencing, survey, issue of title and other matters associated with the acquisition and the matter being approved and finalised at the State Administrative Tribunal Hearing on the 24th November, 2011.”

CARRIED: 5/0

9.6.2 Potential Purchase Offer – Old York School

RESOLUTION 171111

Moved: Cr Scott

Seconded: Cr Boyle

“That Council:

1. *Authorise formal investigation of the purchase opportunities to acquire the Old York School (Land and Buildings) to a maximum cost of \$800,000 for the purchase component and to make an offer up to this value after due diligence has been completed.*
2. *Authorise a revised business plan to be prepared to meet any legislated requirements if an offer is to be lodged.*
3. *Authorise applications to be lodged for grants from various bodies to fully or part fund any offer to purchase.*

Advise Note:

- (a) *Subject to items 1, 2 & 3 all efforts should be made for any payments by the Shire of York to come into effect on or after 1st July, 2012.”*

AMENDMENT

Moved: Cr Hooper

Seconded: Cr Scott

That Council Amend the Officer Recommendation to read:

“That Council:

1. ***Authorise formal investigation of the purchase opportunities to acquire the Old York School (Land and Buildings) to a maximum cost of \$800,000 for the purchase component and to make an offer up to this value after due diligence has been completed.***
2. ***Authorise a revised business plan to be prepared to meet any legislated requirements if an offer is to be lodged.***
3. ***Authorise applications to be lodged for grants from various bodies to fully or part fund any offer to purchase.***

Advise Note:

- (a) ***Subject to items 1, 2 & 3 all efforts should be made for any payments by the Shire of York to come into effect on or after 1st July, 2012.***
- (b) ***Any offer made by the Shire of York must be accepted within a 28 day period or the offer will be withdrawn.”***

CARRIED: 5/0

RESOLUTION 181111

The amendment became the motion.

CARRIED: 5/0

The Officer Recommendation was amended to include Advice Note (b).

RESOLUTION

191111

Moved: Cr Hooper

Seconded: Cr Smythe

“That Council:

Come ‘Out of Committee’ at 4.33pm.

CARRIED: 5/0

10. NEXT MEETING

RESOLUTION
201111

Moved: Cr Hooper

Seconded: Cr Smythe

“That Council:

hold the next Ordinary Meeting of the Council on December 19, 2011 at 3.00pm in the Lesser Hall, York.”

CARRIED: 5/0

11. CLOSURE

Cr Boyle thanked everyone for their attendance and declared the meeting closed at 4.34pm.