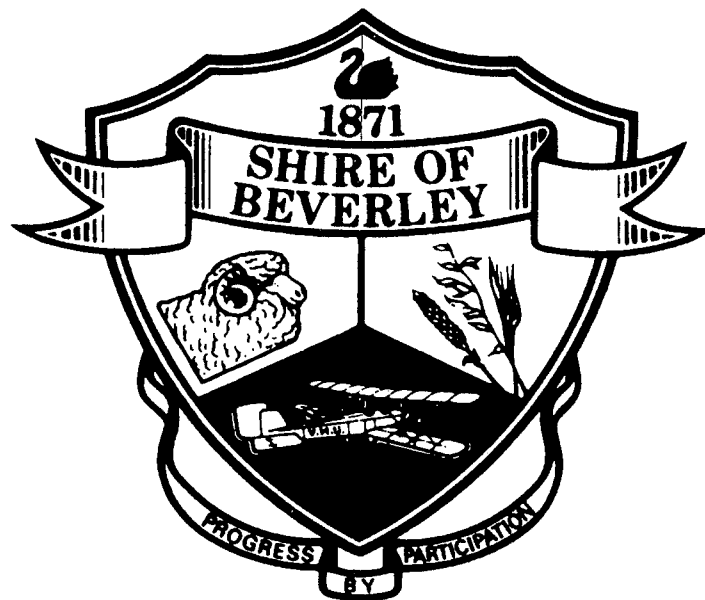


ORDINARY COUNCIL MEETING

MINUTES



23 FEBRUARY 2010

MINUTES - CONTENTS
23 FEBRUARY 2010

ITEM NO	SUBJECT	PAGE
1	MEETING COMMENCEMENT	1
2	ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE	1
3	PUBLIC QUESTION TIME	1
3.1	Mrs S Aynsley & Mrs F Bowden: Beverley Toy Library	1
4	CONDOLENCES: W Beazley	2
5	APPLICATIONS FOR LEAVE OF ABSENCE:	2
	Cr KM Murray for the month of March 2010	
6	CONFIRMATION OF MINUTES AND BUSINESS ARISING	3 - 5
6.1	Minutes of the Council Meeting held on Tuesday 19 January 2010	3
	Business Arising - Nil	
6.2	Minutes of the Independent Living Units Project Team Meeting held on Monday 18 January 2010	Appendix 1 3
	Business Arising - Nil	
6.3	Minutes of the Cropping Committee Meeting held on Tuesday 19 January 2010	Appendix 2 4
	Business Arising - Nil	
6.4	Minutes of the Recreation Ground Committee Meeting held on Wednesday 3 February 2010	Appendix 3 4
	Business Arising - Nil	
6.5	Minutes of the Special Meeting of Council to endorse the Independent Living Units Business Plan held on Thursday 4 February 2010	Appendix 4 5
	Business Arising - Nil	
6.6	Minutes of the Plant & Works Committee Meeting held on Friday 5 February 2010	Appendix 5 5
	Business Arising - Nil	
7	PRESIDENT AND COUNCILLOR REPORTS	6 - 7
7.1	PRESIDENT'S REPORT:	
	Structural Reform; Avondale; Wheatbelt Aviation Ministerial Taskforce; Relocation of Telecentre and Affected Groups; Strategic Planning; Youth; Caravan Park; Perth Royal Show	
7.2	COUNCILLOR REPORTS:	7
	Cr Gogol: Avondale Project Committee Meeting	
8	OFFICERS' REPORTS	
8.1.1	TOWN PLANNING ITEMS	8 - 24
8.1.1.1	Initial Adoption - Patio Policy	Appendix 6 8 - 9
8.1.1.2	Review of Planning Fees Policy	Appendix 7 10 - 11
8.1.1.3	Initiation of Amendment 17 to Town Planning Scheme No. 2	Appendix 8 12 - 17
8.1.1.4	Modification to Council's Tree Cropping Policy	Appendix 9 18 - 19
8.1.1.5	Development Application - Outbuilding - 203 (Lot 72) Hamersley Street, Beverley	Appendix 10 21 - 22
8.1.1.6	Initial Adoption - Anglo Estates Policy	Appendix 11 23 - 24
8.1.2	INFORMATION BULLETIN REPORT - SHIRE PLANNER - Nil	25
8.2.1	HEALTH & BUILDING SERVICES ITEMS - Nil	25
8.2.2	INFORMATION BULLETIN REPORT - HEALTH & BUILDING SERVICES	25
8.2.2.1	General	
8.2.2.2	Building Licenses Issued	
8.3.1	PLANT, WORKS, RECREATION AND TOURISM ITEMS	26 - 27
8.3.1.1	Contract Work for York-Williams Road	

MINUTES - CONTENTS
23 FEBRUARY 2010

ITEM NO	SUBJECT	PAGE
8.3.2	INFORMATION BULLETIN REPORT - WORKS SUPERVISOR	28 - 29
8.3.2.1	GENERAL - PLANT AND WORKS	28
8.3.2.1.1	Oval Water	
8.3.2.1.2	Tree Lopping	
8.3.2.1.3	Summer Grading	
8.3.2.1.4	Drainage Works	
8.3.2	INFORMATION BULLETIN REPORT - WORKS SUPERVISOR	
8.3.2.2	CONSTRUCTION	28 - 29
8.3.2.2.1	Westdale Road	
8.3.2.2.2	Footpath Construction	
8.4.1	FINANCE ITEMS	
8.4.1.1	Schedule of Accounts for the month of January 2010	<i>Appendix 12</i> 30
8.4.1.2	Financial Statement for the period ending 31 January 2010	30
8.4.1.3	Investment of Surplus Funds	31
8.5.1	ADMINISTRATION ITEMS	32 - 40
8.5.1.1	Eight Year Local Laws Review	32 - 37
8.5.1.2	Unallocated Crown Land	<i>Appendix 13</i> 38
8.5.1.3	Sitting Fees and Allowanmces/Expenses	<i>Appendix 14</i> 39 - 40
8.5.2	INFORMATION BULLETIN REPORT - CHIEF EXECUTIVE OFFICER	41
9	INFORMATION BULLETIN REPORT - PARTS ONE AND TWO - GENERAL SECTIONS	41
10	TABLED CORRESPONDENCE	41
11	OTHER BUSINESS	41
11.1	Beverley Town Hall	41
12	CLOSURE	42

**MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS ON TUESDAY 23 February 2010**

1. COMMENCEMENT

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

2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Attendance

Cr DJ Ridgway	President	South Ward
Cr LC Shaw	Deputy President	West Ward
Cr C Egberts		South Ward
Cr MG Roberts		South Ward
Cr BM Foster		West Ward
Cr CJ Pepper		West Ward
Cr P Gogol		North Ward
Cr KM Murray		North Ward
Mr KL Byers	Chief Executive Officer	
Mr SP Gollan	Deputy Chief Executive Officer	

Apologies

Nil

Leave of Absence

Cr JD Alexander North Ward

3. PUBLIC QUESTION TIME

Beverley Toy Library

Sarah Aynsley and Fiona Bowden from the Beverley Playgroup enquired to Council why there was a lack of community consultation in regards to the Telecentre being permitted to use the "Old School Building".

The President advised that following a request by the Beverley Telecentre, who wrote to Council in December seeking a building to move to as their current lease would expire on 31st July 2010 and the owners had advised an option to extend would not be granted, Council had decided to undertake a review of the use of Shire buildings by community groups, with the intent of rationalizing the use of these buildings.

**3. PUBLIC QUESTION TIME
(CONTINUED)**

The President also advised that each of the affected parties were considered worthwhile groups in the community and whilst the Telecentre had been granted permission to relocate to the "Old School Building", consultation was still occurring with the affected parties and a request had been made for a "needs" list from each group.

4. CONDOLENCES

BEAZLEY	William (Bill)	17 January 2010
---------	----------------	-----------------

5. APPLICATIONS FOR LEAVE OF ABSENCE

Cr KM Murray (North Ward) requested Leave of Absence from Council meetings during the month of March 2010.

RESOLVED that Cr Murray's request for Leave of Absence from Council meetings during the month of March 2010, be approved.

6. CONFIRMATION OF MINUTES AND BUSINESS ARISING

- 6.1 Minutes of the Ordinary Meeting of Council held in the Council Chambers on Tuesday 19 January 2010**

COUNCIL RESOLUTION

- M01/0210 Moved Cr Foster Seconded Cr Roberts**
That the Minutes of the Ordinary Meeting of Council held in the Council Chambers on Tuesday 19 January 2010, as printed, be confirmed.

CARRIED 8-0

BUSINESS ARISING

Nil.

- 6.2 Minutes of the Independent Living Units Project Team Meeting held in the Council Chambers on Monday 18 January 2010**

Appendix 1

COUNCIL RESOLUTION

- M2/0210 Moved Cr Roberts Seconded Cr Egberts**
That the Minutes of the Independent Living Units Project Team Meeting held in the Council Chambers on Monday 18 January 2010, as printed, be received, and the recommendation be endorsed.

CARRIED 8-0

BUSINESS ARISING

Nil.

**6. CONFIRMATION OF MINUTES AND BUSINESS ARISING
(Continued)**

**6.3 Minutes of the Cropping Committee Meeting held in the Council
Chambers on Tuesday 19 January 2010**

Appendix 2

COUNCIL RESOLUTION

M3/0210 Moved Cr Murray Seconded Cr Roberts
That the Minutes of the Cropping Committee Meeting held in the
Council Chambers on Tuesday 19 January 2010, as printed, be
received, and the recommendation be endorsed.

CARRIED 8-0

BUSINESS ARISING

Nil.

**6.4 Minutes of the Recreation Ground Committee Meeting held in the
Council Chambers on Wednesday 3 February 2010**

Appendix 3

COUNCIL RESOLUTION

M4/0210 Moved Cr Egberts Seconded Cr Gogol
That the Minutes of the Recreation Ground Committee Meeting
held in the Council Chambers on Wednesday 3 February 2010, as
printed, be received.

CARRIED 8-0

BUSINESS ARISING

Nil.

**6. CONFIRMATION OF MINUTES AND BUSINESS ARISING
(Continued)**

6.5 Minutes of the Special Meeting of Council to endorse the Independent Living Units Business Plan held in the Council Chambers on Thursday 4 February 2010

Appendix 4

COUNCIL RESOLUTION

**M5/0210 Moved Cr Foster Seconded Cr Pepper
That the Minutes of the Special Meeting of Council to endorse the Independent Living Units Business Plan held in the Council Chambers on Thursday 4 February 2010, as printed, be confirmed.
CARRIED 8-0**

BUSINESS ARISING

Nil.

6.6 Minutes of the Plant & Works Committee Meeting held in the Council Chambers on Friday 5 February 2010

Appendix 5

COUNCIL RESOLUTION

**M6/0210 Moved Cr Gogol Seconded Cr Roberts
That the Minutes of the Plant & Works Committee Meeting held in the Council Chambers on Friday 5 February 2010, as printed, be received, and the recommendations endorsed.
CARRIED 8-0**

BUSINESS ARISING

Nil.

7. PRESIDENT AND COUNCILLOR REPORTS

7.1 PRESIDENT'S REPORTS

Structural Reform

Minister Castrilli attended the SEAVROC meeting on 4th February. Councils are requested to give consideration to joining a Regional Transition Group and submit a "Letter of Intent" to the Department by 26 March. This is a voluntary process and those participating would have access to funding to undertake a regional business plan. Following the business plan process, further community consultation is to be undertaken, prior to working toward a 2013 amalgamation. The community may decide not to proceed if they are unhappy with the business plan.

A workshop session for Councillors to discuss structural reform and Regional Transition Groups would be worthwhile and the Chairperson of SEAVROC is available to attend.

Avondale

A letter of support was provided to the Avondale Project Committee who, with the assistance of the National Trust, has submitted a Regional Grants Application to develop a master plan to integrate current Avondale conservation and interpretation plans with business, landscape and facilities planning.

Wheatbelt Aviation Ministerial Taskforce

Chaired by Max Trenordan MLC, the Wheatbelt Aviation Ministerial Taskforce recently visited Beverley as part of a study relating to aviation in the Wheatbelt.

Relocation of Telecentre and Affected Groups

A meeting has been held with groups affected by Council's decision to rationalize the use of Shire buildings by community groups and approval to permit the Telecentre to relocate to the Old School Building. The groups have been requested to submit a "needs" list to assist in providing a favourable outcome for affected parties, which is also agreeable to Council.

Strategic Planning

It is important Council continue with the strategic planning work commenced last year and I hope a date in April can be set aside for this purpose.

7. PRESIDENT AND COUNCILLOR REPORTS (Continued)

Youth

It is two years since the youth centre opened and it appears to have been very successful. I think it is timely that a review be undertaken to ensure Council has a good understanding of how the position of Youth Co-ordinator has evolved and what is required to support the Centre. The original seven hours per week has increased to fifteen, the agreement relating to gym usage is no longer relevant and the Crime Prevention Grant used to support the position has been acquitted so consideration will be required in the forthcoming budget. Guidelines are also needed that reflect Councils' expectations. I have requested staff develop a report for Council's consideration.

Caravan Park

The current ablution facility may be suitable to retain and renovate rather than require replacing, as previously advised. This would be a substantial saving and enable an improvement to be implemented comfortably within a budget year. A report is being developed for Council.

Perth Royal Show

Avon Tourism has been successful in their application for the Avon Valley to be the guest region at this years' Perth Royal Show. I plan to attend an information meeting in Northam on 8th March in relation to the project.

COUNCIL RESOLUTION

M7/0210 Moved Cr Roberts
That the President's Report, be received. **Seconded Cr Pepper**
CARRIED 8-0

7.2 COUNCILLOR REPORT

AVONDALE PROJECT COMMITTEE MEETING

Cr Gogol reported on the Avondale Project Committee Meeting he had attended.

COUNCIL RESOLUTION

M8/0210 Moved Cr Roberts
That the Councillor's Report, be received. **Seconded Cr Pepper**
CARRIED 8-0

At 11:30am Mr Peter Wright, Shire Planner, entered the Chambers.

8. OFFICERS' REPORTS

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	February Council Meeting 23 February 2010
AGENDA ITEM:	8.1.1.1
REPORT DATE:	15 January 2010
SUBJECT:	INITIAL ADOPTION - PATIO POLICY
FILE REFERENCE:	LUP 004
AUTHOR:	Shire Planner – Peter Wright

Appendix 6

BACKGROUND

Council has previously expressed concern over the requirement for planning approval for minor structures associated with existing dwellings. In zones where a single dwelling is designated as a "P" use under the Shire of Beverley's Town Planning Scheme No. 2 (TPS 2) it is unclear if development approval is required for minor ancillary structures such as patios, verandahs, rain water tanks and carports. In all other zones approval is required regardless of how minor the development is.

To address this matter at its September 2008 meeting Council passed the following resolution:

"All patios, verandas, carports and other structures proposed to be attached to an existing dwelling, which comply with Town Planning Scheme No. 2, are considered ancillary to that dwelling and therefore do not require Planning Approval."

The purpose of the proposed policy is to formalise Council's resolution and intention.

COMMENT

Apart from staff directly involved few persons know of Council's resolution to remove the requirement for planning approval for some minor structures associated with dwellings. A policy will provide the information in an easily accessible document to members of the public, staff and Councillors.

A further advantage of a policy is that members of the community have the option of providing comment on the formulation of the document. This is anticipated to produce a more robust, transparent document that is accepted by the community.

8.1.1 TOWN PLANNING ITEMS
ITEM 8.1.1.1
INITIAL ADOPTION - PATIO POLICY
(Continued)

Producing a policy that removes the requirement for planning approval for some minor structures associated existing dwellings is anticipated to generate benefits for the community and the Shire. The community will gain a benefit through not having to pay for a planning approval and then waiting for the approval to be processed. The Shire benefits through not expending resources on the processing of applications that add little value to planning outcomes.

To allow Council's intentions to be fulfilled in an open and transparent manner and to provide benefit to both the community and Shire, it will be recommended Council adopt the attached draft Patio Policy.

STATUTORY ENVIRONMENT

Policies are formulated under Clause 7.6 of the Shire of Beverley's Town Planning Scheme No. 2.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M9/0210 Moved Cr Foster **Seconded Cr Shaw**
That Council adopt the proposed draft Town Planning Scheme
Patio Policy and instruct the Shire Planner to advertise the policy
in compliance with Clause 7.6.2(a) of the Shire of Beverley's Town
Planning Scheme No. 2.

CARRIED 8-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	February Council Meeting 23 February 2010
AGENDA ITEM:	8.1.1.2
REPORT DATE:	29 January 2010
SUBJECT:	REVIEW OF PLANNING FEES POLICY
FILE REFERENCE:	LUP 004
AUTHOR:	Shire Planner – Peter Wright

Appendix 7

BACKGROUND

Council adopted the Shire of Beverley Town Planning Fees Policy on 18 December 2001. The policy was due for review in June 2003. The policy has now been revised and is being presented to Council for adoption of the revision.

COMMENT

There is no substantial change proposed for the adopted policy. In the interest of accuracy staff have removed references to Acts that no longer exist and incorrect fees.

As the revised policy will provide more accurate information with no change to Council's intent, it will be recommended the revision be adopted.

STATUTORY ENVIRONMENT

Revising the policy complies with the Shire of Beverley's Town Planning Scheme No. 2.

OFFICER'S RECOMMENDATION

That Council resolve to adopt the revised Shire of Beverley Town Planning Fees Policy.

8.1.1 TOWN PLANNING ITEMS
ITEM 8.1.1.2
REVIEW OF PLANNING FEES POLICY
(Continued)

COUNCIL RESOLUTION

M10/0210 Moved Cr Egberts **Seconded Cr Shaw**
That Council resolve to incorporate the following clauses into the
Town Planning Scheme Fees Policy:

- *Single Dwelling Applications*
- Where a Planning Application is made in any zone for a single dwelling and no advertising or referral is required, the fee payable shall be the minimum prescribed under the current Town Planning Fees Regulations.

CARRIED 8-0

COUNCIL RESOLUTION

M11/0210 Moved Cr Foster **Seconded Cr Roberts**
That Council resolve to adopt the modified Shire of Beverley Town
Planning Fees Policy incorporating the above clause as outlined in
Motion M10/0210.

CARRIED 8-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	February Council Meeting 23 February 2010
AGENDA ITEM:	8.1.1.3
REPORT DATE:	29 January 2010
SUBJECT:	INITIATION OF AMENDMENT 17 TO TOWN PLANNING SCHEME NO. 2
FILE REFERENCE:	LUP010 17
AUTHOR:	Shire Planner – Peter Wright

Appendix 8

BACKGROUND

It is proposed to amend the Shire of Beverley's Town Planning Scheme No. 2 (TPS 2) by:

- Increasing the boundary setback distances on some Farming zoned properties;
- Requiring planning approval for dwellings on Residential zoned land that vary design control policy; and
- Rezoning three lots contained within the Showgrounds subdivision/amalgamation.

The proposed amendments are:

1. Altering the Farming zone requirements in Table 2 to read:

Zone	Street	Rear	Side
Farming within a declared townsite.	15.0m	10.0m	10.0m
Farming outside a declared townsite.	35.0m	15.0m	15.0m

2. Clause 4.1.2(g) of TPS 2 provides the criteria under which Planning Approval is required for a single dwelling in a Residential zone. It is proposed to add criteria (viii) which will state:

“(viii) The single house does not comply with the relevant Shire of Beverley Local Planning Policy.”

3. Rezoning Lot 30 Wright Street, Beverley, from Residential R10 to Recreation and Open Space and rezoning Lots 12 & 19 Bartram Street, Beverley, from Town Centre to Recreation and Open Space.

4. Amending the Scheme Map accordingly.

8.1.1 TOWN PLANNING ITEMS
ITEM 8.1.1.3
INITIATION OF AMENDMENT 17 TO TOWN PLANNING SCHEME
NO. 2
(Continued)

The purpose of the proposed amendments is to improve the amenity and character of Farming zoned areas, allow Council to set minimum design standards in Residential zoned areas through policy and comply with Western Australian Planning Commission (WAPC) directions. The amendments are considered minor.

COMMENT

Rezoning

The Shire is rationalizing the boundaries of the showground precinct to accommodate the ongoing development of facilities. As a component of this process lot boundaries are being realigned through subdivision/amalgamation. The subdivision approval from the WAPC contained instructions to the Shire to rezone any Residential and Town Centre zoned lots within the application area to Recreation and Open Space.

There are three lots affected by the WAPC's instruction. Lot 30 Wright Street, is zoned Residential and Lots 12 and 19 Bartram Street, are zoned Town Centre. The rezoning will make the zoning of the showground's consistent and allow appropriate development without zoning constrictions. In the opinion of staff the rezoning will have no external negative impacts and will aid in the provision of recreational opportunities in the Shire of Beverley.

Residential Design Standards

Currently there are no minimum design standards for dwellings in Residential zones within the Shire of Beverley. Provided a single dwelling proposal in a Residential zone meets the requirements of TPS 2 and the Residential Design Codes 2008 (Rcodes), no planning approval is required. Should Council desire to impose minimum design standards in relation to minimum size, style or building material, there is no statutory mechanism to achieve such an outcome.

As an example, should a one bedroom "donga" clad in zincalume be proposed in a prominent residential location, provided the dwelling complied with the Rcodes no planning approval is required. Therefore Council would have no oversight role in building design or planning outcomes in residential areas.

8.1.1

TOWN PLANNING ITEMS

ITEM 8.1.1.3

INITIATION OF AMENDMENT 17 TO TOWN PLANNING SCHEME

NO. 2

(Continued)

Farming Zone Setbacks

With regard to the proposed increase in minimum setback requirements for Farming zoned areas, the primary purpose is to address amenity for landowners and members of the travelling public.

Generally in Farming zoned areas structures are set well back from roads, which improves visual amenity and adds to the rural character of the area. On large rural properties providing a large setback provides privacy for landowners and less disturbance to farm operations through the intrusion of traffic impact. Residents of the area and members of the travelling public (tourists) will be presented with a more pleasant rural aspect and improved rural ambience when traversing the Farming zoned areas of Beverley.

However, currently, it is potentially possible for dwellings, outbuildings and other structures to be built within 15 metres of a road boundary. In the opinion of staff it is likely refusal of such applications would not be supported by the State Administrative Tribunal.

Increasing the setback will improve the amenity of the landowners. There will be less impact from road traffic, particularly during times of high volume traffic such as harvesting. There will be fewer disturbances from noise, the impact on visual amenity will be decreased, and where the road is not sealed there will be less intrusion from dust.

Should there be a need to reduce the setback for farm management purposes or any other acceptable reason, Council may approve such a variation under Clause 4.2.2 of TPS 2.

It should be noted that under the Residential Design Codes 2008 (Rcodes) the setback in some Residential zones is the same as or greater than the current setback for large Farming zoned properties. This may be seen as an inequity in TPS 2.

Conclusion

As the amendment will allow Council to comply with WAPC instructions, determine minimum design standards for Residential areas and improve amenity in Farming zoned areas, it will be recommended the amendment be initiated.

8.1.1 TOWN PLANNING ITEMS
ITEM 8.1.1.3
INITIATION OF AMENDMENT 17 TO TOWN PLANNING SCHEME
NO. 2
(Continued)

STATUTORY ENVIRONMENT

The Shire of Beverley's Town Planning Scheme No. 2 may be amended under Section 75 of the *Planning and Development Act 2005* in compliance with the *Town Planning Regulations 1967*.

OFFICER'S RECOMMENDATION

That Council resolve:

1. To initiate Amendment 17 to the Shire of Beverley's Town Planning Scheme No. 2 for the purpose of:

Modifying the minimum setback requirements for the Farming zone contained in Table 2 to read:

Zone	Street	Rear	Side
Farming within a declared townsite.	15.0m	10.0m	10.0m
Farming outside a declared townsite.	35.0m	15.0m	15.0m

Adding criteria (viii) to Clause 4.1.2(g) which states:

- (viii) The single house does not comply with the relevant Shire of Beverley Local Planning Policy.

Rezoning Lot 30 Wright Street, Beverley, from Residential R10 to Recreation and Open Space and rezoning Lots 12 & 19 Bartram Street, Beverley, from Town Centre to Recreation and Open Space.

Amending the Scheme Map accordingly.

2. To instruct the Shire Planner to prepare the amendment documentation and once prepared forward the amendment documentation to the Environmental Protection Authority for approval and the Western Australian Planning Commission for information.

8.1.1 TOWN PLANNING ITEMS

ITEM 8.1.1.3

INITIATION OF AMENDMENT 17 TO TOWN PLANNING SCHEME

NO. 2

(Continued)

3. Upon receipt of approval of the amendment documentation from the Environmental Protection Authority the Shire Planner is to advertise the amendment for comment in compliance with the Town Planning Regulations 1967.

COUNCIL RESOLUTION

M12/0210 Moved Cr Roberts

Seconded Cr Egberts

That Council resolve:

1. To initiate Amendment 17 to the Shire of Beverley's Town Planning Scheme No. 2 for the purpose of:

Modifying the minimum setback requirements for the Farming zone contained in Table 2 to read:

Zone	Street	Rear	Side
Farming within a declared townsite.	15.0m	10.0m	10.0m
Farming outside a declared townsite.	35.0m	15.0m	15.0m

Adding criteria (viii) to Clause 4.1.2(g) which states:

- (viii) The single house does not comply with the relevant Shire of Beverley Local Planning Policy.

Rezoning Lot 30 Wright Street, Beverley, from Residential R10 to Recreation and Open Space and rezoning Lots 12 & 19 Bartram Street, Beverley, from Town Centre to Recreation and Open Space.

Amending the Scheme Map accordingly.

2. To instruct the Shire Planner to prepare the amendment documentation and once prepared forward the amendment documentation to the Environmental Protection Authority for approval and the Western Australian Planning Commission for information.

8.1.1

TOWN PLANNING ITEMS

ITEM 8.1.1.3

INITIATION OF AMENDMENT 17 TO TOWN PLANNING SCHEME

NO. 2

(Continued)

3. Upon receipt of approval of the amendment documentation from the Environmental Protection Authority the Shire Planner is to advertise the amendment for comment in compliance with the Town Planning Regulations 1967.
4. The Shire Shire Planner is instructed to further amend Town Planning Scheme No. 2 for the purpose of removing the requirement for Planning Approval for single dwellings in the Farming zone that comply with Scheme and Policy provisions.

CARRIED 8-0

Cr Shaw declared an impartiality interest in Item 8.1.1.4, as he owns a Pine Plantation.

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	February Council Meeting 23 February 2010
AGENDA ITEM:	8.1.1.4
REPORT DATE:	29 January 2010
SUBJECT:	MODIFICATION TO COUNCIL'S TREE CROPPING POLICY
FILE REFERENCE:	LUP 004
AUTHOR:	Shire Planner – Peter Wright

Appendix 9

BACKGROUND

There has been a significant increase in the concern expressed in relation to bush fires throughout Australia. Catastrophic fires have occurred resulting in substantial loss of life and/or property. An important concern with Council's Tree Cropping Policy is fire prevention in a potentially highly combustible crop.

The Fire and Emergency Services Authority of Western Australia (FESA) has produced guidelines for plantation fire protection. In the guidelines a tree crop plantation in a rural area is defined as "Any area of planted trees, other than a windbreak...exceeding 10 hectares"

Currently any area of tree crop with an aggregate area of less than 40 hectares does not require Planning Approval. It is proposed to modify Council's Tree Cropping Policy to require Planning Approval for areas of 10 hectares or greater, to match FESA's guidelines. It is further proposed to incorporate FESA's Plantation Fire Protection Guidelines into the modified policy by reference.

COMMENT

Although bushfires have always been a concern in rural areas, recent loss of life and property in fires, such as the bushfire in Toodyay, has heightened these concerns. This is reflected in the new alert level of "catastrophic". Reducing the size of the area of tree crops allowed before requiring planning approval will allow Council and Fire Control Officers to maintain improved fire management over a potentially highly inflammable crop.

8.1.1

TOWN PLANNING ITEMS

ITEM 8.1.1.4

**MODIFICATION TO COUNCIL'S TREE CROPPING POLICY
(Continued)**

Incorporating FESA's Guidelines for Plantation Fire Protection into the policy by reference will provide applicants with a clear, generally accepted set of standards. Therefore the applicants will know what is expected in any fire management plan when submitting an application for planning approval for tree crops.

In relation to this matter it should be noted that in January approximately 30 acres of Sandalwood plantation was burnt out on a lot on the Caroling – Bally Bally Road. The efficient action of the Shire's Fire Control Officers prevented further damage.

As the proposed modification to Council's policy will enhance fire management within the Shire of Beverley, it will be recommended Council adopt the draft modified policy.

STATUTORY ENVIRONMENT

Policies are modified under Clause 7.6 of the Shire of Beverley's Town Planning Scheme No. 2.

OFFICER'S RECOMMENDATION

That Council resolve to adopt the draft Tree Cropping Policy and instruct the Shire Planner to advertise the policy in compliance with Clause 7.6.1(a) of the Shire of Beverley's Town Planning Scheme No. 2.

COUNCIL RESOLUTION

M13/0210

Moved Cr Foster

Seconded Cr Gogol

That Council resolve to adopt the draft Tree Cropping Policy and instruct the Shire Planner to advertise the policy in compliance with Clause 7.6.1(a) of the Shire of Beverley's Town Planning Scheme No. 2.

That the policy be further modified to require Planning Approval only where there is more than 10 hectares of contiguous crop or more than 40 hectares in total.

CARRIED 8-0

At 12:00 pm the meeting adjourned for lunch.

At 1:30pm Councillors returned to the Chambers and the Shire President performed Citizenship Ceremonies for the Charles J Brokenbrow, David C Brokenbrow, Julie B Brokenbrow and Thomas W Brokenbrow and Orla G Mowlds.

At 2:00pm the meeting resumed with Mr Peter Wright, Shire Planner, in attendance.

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	February Council Meeting 23 February 2010
AGENDA ITEM:	8.1.1.5
REPORT DATE:	6 January 2010
SUBJECT:	DEVELOPMENT APPLICATION – OUTBUILDING – 203 (LOT 72) HAMERSLEY STREET, BEVERLEY
APPLICANTS:	P Gurney
FILE REFERENCE:	HAM 134
AUTHOR:	Shire Planner – Peter Wright

Appendix 10

BACKGROUND

It is proposed to construct a 6 metre by 6 metre zincalume clad outbuilding at 203 (Lot 72) Hamersley Street, Beverley. The application is being referred to Council because it requires a variation to policy.

The variation to Council's Outbuilding Policy is the request to clad the exterior of the outbuilding in zincalume.

The subject site is 3415m² in area, zoned Residential R5 and contains a single dwelling with ancillary outbuilding. It should be noted the applicant owns adjoining lots 73 and 74 and has approval to amalgamate.

COMMENT

Under Council's Outbuilding Policy zincalume is specifically excluded from use as a wall or roof cladding in Residential zones. However under Clause 7.6.4 of the Shire of Beverley's Town Planning Scheme No. 2 (TPS 2) Council is not bound by policy. Therefore should acceptable justification be provided, Council may vary the requirements of the policy.

All outbuildings in the vicinity, including that of adjoining Lot 400, are clad in zincalume. Both dwellings in proximity to the outbuilding have zincalume roofs. Consequently a zincalume clad outbuilding would match the existing built form in the area. It is unlikely the only immediate neighbour would be negatively impacted, since viewing of the proposed outbuilding would require looking past their own zincalume clad outbuilding and the applicant's dwelling.

The location of the outbuilding is partially obscured from the road by vegetation and given the substantial setback, it is the opinion of staff that approval of the application would produce no negative external impact. Therefore staff will recommend the application be approved.

8.1.1 TOWN PLANNING ITEMS
ITEM 8.1.1.5
DEVELOPMENT APPLICATION – OUTBUILDING – 203 (LOT 72)
HAMERSLEY STREET, BEVERLEY
(Continued)

STATUTORY ENVIRONMENT

The application complies with the Shire of Beverley's Town Planning Scheme No. 2. However a variation to Council's Outbuilding Policy is required.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M14/0210 Moved Cr Roberts **Seconded Cr Egberts**
That Council grant Planning Approval for the construction of an outbuilding at 203 (Lot 72) Hamersley Street, Beverley, subject to the following conditions and advice notes:

Conditions:

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

Advice Notes:

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

CARRIED 8-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	February Council Meeting 23 February 2010
AGENDA ITEM:	8.1.1.6
REPORT DATE:	10 February 2010
SUBJECT:	INITIAL ADOPTION – ANGLO ESTATES POLICY
FILE REFERENCE:	LUP 004
AUTHOR:	Shire Planner – Peter Wright

Appendix 11

BACKGROUND

Anglo Estates is a small Farming zoned development outside the Mount Kokeby townsite. The development consists of small undevelopable, generally 1,000m², unserviced lots. The Shire has consistently refused any form of development on these lots and has sought to obtain ownership of the land to prevent development.

Currently the Shire provides an information sheet outlining constraints and the Shire's position, to interested parties. It is proposed to convert the information sheet to a policy to provide greater statutory backing for Council's intent.

COMMENT

Council has consistently refused development approval on the lots for the following reasons:

1. The lots are zoned Farming, therefore residential development should be ancillary to a farming use on the lot. For the lots to be used for residential purposes only, they should be rezoned.
2. The setback requirements for a Farming zone make residential development inappropriate.
3. The lots are outside the Mount Kokeby townsite.
4. A number of lots have no access to a constructed public road. Those lots that do front a constructed public road, directly access the Great Southern Highway in an 110kph zone. Such access from a large number of 1,000m² lots is considered inappropriate.
5. The existing soil types and water table would make on-site effluent disposal difficult, costly and potentially ineffective. Ultimately the only effective means of effluent disposal is the provision of a sewerage scheme.
6. Due to Point 5 and the close proximity of the Avon River, there is the potential for more intense residential development to create substantial environmental harm.

8.1.1

TOWN PLANNING ITEMS

ITEM 8.1.1.6

INITIAL ADOPTION – ANGLO ESTATES POLICY

(Continued)

7. There is no potable water supply and it is unlikely that a scheme water supply will be provided in the future.
8. Residential development could have a negative impact on the rural amenity of the area.
9. Single residential (urban) development is considered inconsistent with the orderly and proper planning in the Mount Kokeby locality.

Recently the Western Australian Planning Commission (WAPC) has granted planning approval for the amalgamation of some lots against the advice of Council. This has unrealistically raised the expectations of landowners and developers. Such lack of support from the WAPC has placed greater pressure on the Shire in relation to maintaining orderly and proper planning in the Mount Kokeby locality.

To reinforce Council's intent and provide greater statutory emphasis, it will be recommended Council initiate a policy on the Anglo Estates area, instead of relying on an information sheet and past practices.

The structure of the policy is to provide the reasons for Council's position and state that only farming development will be supported as a land use. Residential development will not be supported under any circumstances. It is anticipated such a policy will result in more realistic developer expectations.

It is further proposed to include in the policy a financial incentive for landowners to surrender the lots. Should a landowner surrender the lot(s) then the current and previous years rates would be refunded if paid or expunged if unpaid. The Shire would then pay all transfer of ownership costs. As the lots are potentially undevelopable it is anticipated the cost of the rates would be equal to or greater than the value of the land.

STATUTORY ENVIRONMENT

Policies are formulated under Clause 7.6 of the Shire of Beverley's Town Planning Scheme No. 2.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M15/0210

Moved Cr Foster

Seconded Cr Gogol

That Council adopt the proposed draft Town Planning Scheme Anglo Estates Policy and instruct the Shire Planner to advertise the policy in compliance with Clause 7.6.2(a) of the Shire of Beverley's Town Planning Scheme No. 2.

CARRIED 8-0

8.1.2 INFORMATION BULLETIN REPORT – SHIRE PLANNER

Nil.

At 2:05pm Mr Peter Wright, Shire Planner, left the Chambers.

8.2.1 HEALTH & BUILDING SERVICES ITEMS

Nil.

8.2.2 INFORMATION BULLETIN REPORT – HEALTH & BUILDING SERVICES

8.2.2.1 GENERAL

General correspondence, duties and communications for Environmental Health Officer/Building issues.

8.2.2.2 BUILDING LICENSES ISSUED

Building licenses issued up to February 2010: -

Lic No: 45 09/ 10	Lic No: 46 09/ 10
No: Lot 1004 York Williams Rd	No: 120 Simmons Rd
Beverley	Beverley
Building: Carport/Patio	Building: Patio
Value: \$5000	Value: \$8600
Lic No: 47 09/ 10	Lic No: 48 09/ 10
No: 31 Queen St	No: 39 Nicholas St
Beverley	Beverley
Building: Patio	Building: Shed
Value: \$8000	Value: \$25000
Lic No: 49 09/ 10	Lic No: 50 09/ 10
No: 94 Harper St	No: 168 Vincent St
Beverley	Beverley
Building: New Residence	Building: Carport/Patio
Value: \$120000	Value: \$5300

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M16/0210 Moved Cr Foster
That the Health & Building Services Information Bulletin Report,
be received.

Seconded Cr Roberts

CARRIED 8-0

At 2:11pm Mr Steve Vincent, Works Supervisor, entered the Chambers.

8.3.1 PLANT, WORKS, RECREATION AND TOURISM ITEMS

SUBMISSION TO:	February Council Meeting 23 February 2010
AGENDA ITEM:	8.3.1.1
REPORT DATE:	16 February 2010
SUBJECT:	CONTRACT WORK FOR YORK-WILLIAMS ROAD
FILE REFERENCE:	WO YOR2 3
AUTHOR:	Works Supervisor – Steve Vincent

BACKGROUND

There is an allocation in the 2009/2010 budget to seal the first four kilometres of the York Williams road from the great southern Highway to Waterhatch Road. A further three kilometres is to be gravel sheeted in preparation for bitumen next year.

Due to the larger than normal road programme and delays experienced on other jobs, it has been suggested that contractors be used to ensure this work is completed. This section of road must be completed to receive the funding from Roads to Recovery.

COMMENT

A quote has been received for \$75,460.00 to undertake all earthworks and prepare this four kilometre section ready for bitumen. This includes set out and marking out, the use of a shire roller and water truck.

As a comparison these rates are cheaper than a quote received in June from another company. Using their rates over the four kilometres it is estimated at \$90 000 to \$100 000.

To offset part of this amount these are approximate savings from other areas of the Roads to Recovery Funding;

Reseals	\$15 000
Bitumen primer seal 95/5 price (Budget price \$1.20 - tender \$ 0.91 per litre)	\$13 800

OFFICER'S RECOMMENDATION

For Councils consideration.

8.3.1 PLANT, WORKS, RECREATION AND TOURISM ITEMS
ITEM 8.3.1.1
CONTRACT WORK FOR YORK-WILLIAMS ROAD
(Continued)

COUNCIL RESOLUTION

M17/0210 Moved Cr Pepper **Seconded Cr Egberts**
That Council engage the use of Contractors to be used on the
York-Williams Road.

CARRIED 8-0

8.3.2 INFORMATION BULLETIN REPORT – WORKS SUPERVISOR

8.3.2.1 GENERAL – PLANT AND WORKS

8.3.2.1.1 Oval water

Being such a dry summer, and not having any summer storms the town dam is getting low. It is at the same level now as what it was at the end of March last year. This water can be supplemented with a low flow of scheme water.

8.3.2.1.2 Tree Lopping

Tree lopping is about to begin on the rural roads identified in the budget.

There were discussions at a previous meeting regarding removing all of the large trees on the North side of Vincent Street, from the police station west. If this is still the case the cost to remove these trees would come from the tree lopping allocation and would reduce the number of trees to be lopped in the rural.

8.3.2.1.3 Summer Grading

The maintenance grader is continually grading patches of corrugations on various roads. Drains are also cleared where possible. The York Williams, Edison Mill and Dale Kokeby roads continually require maintenance.

8.3.2.1.4 Drainage Works

There are three major culverts that are to be replaced before winter. These were to be completed by utilising the Shire backhoe and maintenance crew. However as we are one person down on our construction crew, our backhoe operator is currently with the construction crew.

I am currently looking at using local operators to install these culverts. These culverts are on Deep Pool Road (2 X 600Ø RCP), Top Beverley Road (1 X 1200Ø RCP) and Morbining Road (1 X 450 RCBC).

8.3.2.2 CONSTRUCTION

8.3.2.2.1 Westdale Road

Both sections are almost complete with the bitumen booked for the 17th February. Extra materials had to be carted to improve the sub base in the sand areas and to correct the chambers in other areas.

8.3.2 INFORMATION BULLETIN REPORT – WORKS SUPERVISOR
ITEM 8.3.2.2
CONSTRUCTION
8.3.2.2.1 Westdale Road
(Continued)

The extra effort put in by Alec Ferguson, Paul MacTaggart and Lance Salkilld was much appreciated. They have been working 10 to 12 hour days over the last week, including Saturday and Sunday.

This section of the Westdale Road is now 7 meters wide, from the York Williams Road to Hobbs Road (8km).

8.3.2.2.2 Footpath Construction

Quotes have been received for the construction of new concrete footpaths to be constructed along Queen Street and two sections of Forrest Street.

The quote from Dawson's Concrete and Reinforcing has been accepted.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M18/0210	Moved Cr Roberts	Seconded Cr Egberts
	That the Works Supervisor's Information Bulletin Report, be received.	

CARRIED 8-0

At 2:40pm Mr Steve Vincent, Works Supervisor, left the Chambers.

8.4.1 FINANCE ITEMS

SUBMISSION TO: February Council Meeting 23 February 2010
AGENDA ITEM: 8.4.1.1
REPORT DATE: 16 February 2010
SUBJECT: SCHEDULE OF ACCOUNTS
AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

Appendix 12

COMMENT

The Schedule of Accounts for the month of January 2010 is the appendix to this item.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M19/0210 Moved Cr Foster **Seconded Cr Roberts**
That the Schedule of Accounts for the month of January 2010, be received.

CARRIED 8-0

SUBMISSION TO: February Council Meeting 23 February 2010
AGENDA ITEM: 8.4.1.2
REPORT DATE: 16 February 2010
SUBJECT: FINANCIAL STATEMENT FOR THE PERIOD ENDED 31 JANUARY 2010
AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

COMMENT

The Financial Statement for the period ended 31 January 2010 was provided under separate cover.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M20/0210 Moved Cr Foster **Seconded Cr Roberts**
That the Financial Statement for the period ended 31 January 2010, as presented, be received.

CARRIED 8-0

8.4.1 FINANCE ITEMS

SUBMISSION TO:	February Council Meeting 23 February 2010
AGENDA ITEM:	8.4.1.3
REPORT DATE:	16 February 2010
SUBJECT:	INVESTMENT OF SURPLUS FUNDS
FILE REFERENCE:	FM 008
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

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

COMMENT

Listed below are surplus funds that have been invested during the month of January 2010 with the ANZ Bank.

Office Equipment Reserve	\$ 22,728.00
Annual Leave Reserve	\$ 112,997.00
Building Reserve	\$ 985,299.00
Plant Reserve	\$ 423,955.00
Recreation Ground Reserve	\$ 265,262.00
Bush Fire Fighters Reserve	\$ 87,295.00
Avon River Development Reserve	\$ 17,618.00
Community Bus Reserve	\$ 21,859.00
Cropping Committee Reserve	\$ 112,900.00
Road Construction Reserve	\$ 190,091.00
Municipal Fund	\$ 500,000.00
Municipal Fund	\$ 500,000.00

The Investment terms are as follows:

Certificate#	Term	Interest Rate	Amount	Expires
9669-41335	91 Days	4.35%	\$ 985,299.00	29/01/2010
9669-41335	3 Months	5.00%	\$ 985,299.00	29/04/2010
9669-40287	1 Month	4.60%	\$ 423,955.00	28/02/2010
9669-41167	1 Month	4.60%	\$ 378,259.00	28/02/2010
9669-41538	4 Months	4.75%	\$ 452,491.00	30/03/2010
ANZ Bank	1 Months	4.60%	\$ 500,000.00	09/02/2010
ANZ Bank	3 Months	4.50%	\$ 500,000.00	09/02/2010

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M21/0210 Moved Cr Shaw **Seconded Cr Murray**
That the Investment Report for the month of January 2010, be received.

CARRIED 8-0

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	February Council Meeting 23 February 2010
AGENDA ITEM:	8.5.1.1
REPORT DATE:	15 February 2010
SUBJECT:	EIGHT YEAR LOCAL LAWS REVIEW
FILE REFERENCE:	LE 010
AUTHOR:	Chief Executive Officer – Keith Byers

BACKGROUND

Discussion Papers for each local law being reviewed provided at the January Council Meeting.

The Act requires that the Shire of Beverley (the Council) must, every eight years after adoption or review of any local law conduct a review of the local law to ensure that it still retains currency. DL Consulting was engaged to conduct the review.

The Council at its meeting on the 27 October 2009 resolved as follows:

“That Council:-

- 1. Resolves to undertake a review of its existing local laws; and*
- 2. in accordance with section 3.16 (2) of the Local Government Act 1995, give public notice of its intention to undertake a review of its local laws.”*

Following the formal adoption by the Council of the outcome of the review, any amendments to the local laws under review must be processed in accordance with Section 3.12 of the Act.

This means that two distinct processes must be followed. In order to separate the processes and avoid any confusion it was determined at the outset of the review process that the review would be undertaken first, with any amendments to the local laws to be undertaken as a separate process.

COMMENT

At the close of the submission period, no submissions had been received.

As a result of the review conducted by DL Consulting and Council Officers, it is proposed that the actions outlined in the table below be taken in relation to each local law.

8.5.1 ADMINISTRATION ITEMS
ITEM 8.5.1.1
EIGHT YEAR LOCAL LAWS REVIEW
(Continued)

This item was deferred from the January 2010 meeting. The proposed Health and Pest Plant Local Laws are located in the January 2010 Agenda.

It should be noted that the only two local laws that have been amended are those relating to Pest Plants and Health. In each case DELETIONS have been struck through and INSERTIONS highlighted.

By-Law/Local Law Title	Proposed Action	Reason
Cemeteries – Control and Management of Beverley	Repeal	Obsolete – Repeal and replace with more contemporary local law.
Pest Plants	Amend	Update with new provisions outlined in the discussion paper.
Health Local Laws 1997	Amend	Update with new provisions outlined in the discussion paper.
Trading in Public Places	Repeal	Repeal and replace with more contemporary local law.
Standing Orders	Repeal	It is proposed that this local law be repealed as it is believed that a local law to regulate Council meetings is not required.
Fencing	Repeal	Many of the provisions required under this local law are imposed as conditions on a Development Application. It is proposed to repeal this local law and regulate fencing matters as part of the Development Approval process.
By-Law Relating to Dogs	Repeal	Repeal and replace with more contemporary local law.

8.5.1 ADMINISTRATION ITEMS
ITEM 8.5.1.1
EIGHT YEAR LOCAL LAWS REVIEW
(Continued)

By-Law/Local Law Title	Proposed Action	Reason
Clearing and Removal of Rubbish or Disused Material from Land	Repeal	Obsolete
Buildings – Management, use and Letting of Halls	Repeal	Obsolete – repeal and replace with more contemporary Local Government Property Local Law
Appointment of Employees	Repeal	Obsolete
Swimming Pool – Pioneer Memorial	Repeal	Obsolete – repeal and replace with more contemporary Local Government Property Local Law
Vehicles Driven on Land under Control of Council	Repeal	Obsolete.
Storage of Inflammable Liquids	Repeal	Obsolete – now regulated by the Dangerous Goods Act.
Petrol Pump – Draft Model BY Law No. 10	Repeal	Obsolete.
Hawkers and Stalls	Repeal	Obsolete.
Extractive Industries	Repeal	Obsolete – repeal and replace with more contemporary local law.
Old Refrigerators and Cabinets	Repeal	Obsolete.
Obstructing Animals and Vehicles Model By-Laws	Repeal	Obsolete.
Prevention of Damage to Streets	Repeal	Obsolete
Street lawns and Gardens Model By-Law	Repeal	Obsolete –Repeal and replace with a more contemporary Thoroughfares Local Law
Buildings	Repeal	Obsolete

8.5.1 ADMINISTRATION ITEMS
ITEM 8.5.1.1
EIGHT YEAR LOCAL LAWS REVIEW
(Continued)

It should be noted that the issues that have been identified in the initial Discussion Paper and through comments received as part of the advertising and submission period, whilst included in the report for consideration as a possible amendment to the respective Local Law, have not been formally assessed from a legal perspective. This would be more effectively undertaken as part of the second phase; that is development of the amendments to the various Local Laws.

CONSULTATION

As required by the Act the community was invited to comment on the review of the Council's Local Laws. The review was advertised on 14 November 2009 with a closing date for submissions of 6 January 2010. At the close of submissions no community comments had been received.

Council's Officers were invited to comment on the Local Laws and their suggestions were incorporated into the Discussion papers, where appropriate.

POLICY IMPLICATIONS

There is no policy implications associated with this item at this point in time.

However as a result of the review process and amendments made to local laws, amendments to specific Council policies may be required. Policy amendments, (if any), will be addressed during the drafting of the local law amendments.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 3.16 of the Act requires the Council to carry out a formal review of its Local Laws every 8 years. The Act provides that after the last day for submissions the Council is to consider any submissions received and cause a report of the review to be prepared and considered by the Council. The Council must adopt the report on the review at which time it determines whether the Local Laws should be repealed or amended.

8.5.1 ADMINISTRATION ITEMS
ITEM 8.5.1.1
EIGHT YEAR LOCAL LAWS REVIEW
(Continued)

Agriculture and Related Resources Protection Act 1976
Cemeteries Act 1986
Dog Act 1976
Health Act 1911

STRATEGIC IMPLICATIONS

Up to date and relevant local laws are an important cornerstone of good governance. Local Government has a statutory and moral obligation to ensure that the regulation of local matters is conducted in a fair, efficient and reasonable manner.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M22/0210 Moved Cr Roberts **Seconded Cr Murray**
That Council -

1. **NOTE that no community submissions were received by the close of the submission period on 6 January 2010 following advertising the review of the following local laws:**
 - **Control and Management of Beverley Cemeteries**
 - **By-Laws relating to Pest Plants**
 - **Trading in Public Places Bylaws**
 - **By-Laws relating to Clearing and Removal of Rubbish or Disused Material from Land**
 - **Buildings – By-Laws relating to the Management, Use and Letting of halls**
 - **BY-Laws relating to the appointment of Employees**
 - **By-Laws relating to Extractive Industries**
 - **By-Laws relating to the Management of the Pioneer Memorial Swimming Pool**
 - **By- Laws relating Vehicles Driven on Land under Control of Council**
 - **By-Laws relating to Storage of Flammable Liquids**
 - **Petrol Pumps – Draft Model By-Law No. 10**
 - **By-Laws relating to Hawkers and Stalls**
 - **By-Laws relating to Old Refrigerators and Cabinets**
 - **By-Laws Relating to Dogs**
 - **Local Laws relating to Fencing**
 - **By-Laws relating to the Prevention of Damage to Streets**
 - **By-Laws relating to Obstructing Animals and Vehicles**
 - **By-Laws relating to Street Lawns and Gardens**
 - **By-Laws relating to Buildings**
 - **Local Laws relating to Standing Orders**
 - **Health Local Laws**

8.5.1 ADMINISTRATION ITEMS
ITEM 8.5.1.1
EIGHT YEAR LOCAL LAWS REVIEW
(Continued)

2. **DETERMINE BY ABSOLUTE MAJORITY to accept the review report and to take the following action for each local law:**
- **Control and Management of Beverley Cemeteries** **Repeal**
 - **By-Laws relating to Pest Plants** **Amend**
 - **Trading in Public Places Bylaws** **Repeal**
 - **By-Laws relating to Clearing and Removal of Rubbish or Disused Disused Material from Land** **Repeal**
 - **Buildings – By-Laws relating to the Management, Use and Letting of Halls** **Repeal**
 - **BY-Laws relating to the appointment of Employees** **Repeal**
 - **By-Laws relating to Extractive Industries** **Repeal**
 - **By-Laws relating to the Management of the Pioneer Memorial Swimming Pool** **Repeal**
 - **By- Laws relating Vehicles Driven on Land under Control of Council** **Repeal**
 - **By-Laws relating to Storage of Flammable Liquids** **Repeal**
 - **Petrol Pumps – Draft Model By-Law No. 10** **Repeal**
 - **By-Laws relating to Hawkers and Stalls** **Repeal**
 - **By-Laws relating to Old Refrigerators and Cabinets** **Repeal**
 - **By-Laws Relating to Dogs** **Repeal**
 - **Local Laws relating to Fencing** **Repeal**
 - **By-Laws relating to the Prevention of Damage to Streets** **Repeal**
 - **By-Laws relating to Obstructing Animals and Vehicles** **Repeal**
 - **By-Laws relating to Street Lawns and Gardens** **Repeal**
 - **By-Laws relating to Buildings** **Repeal**
 - **Local Laws relating to Standing Orders** **Repeal**
 - **Health Local Laws** **Amend**
3. **DETERMINE BY ABSOLUTE MAJORITY to commence the process under Section 3.12 of the Local Government Act 1995 of amending or repealing the Local Laws as per (2) above.**

CARRIED 8-0

8.5.2 ADMINISTRATION ITEMS

SUBMISSION TO:	February Council Meeting 23 February 2010
AGENDA ITEM:	8.5.1.2
REPORT DATE:	15 February 2010
SUBJECT:	UNALLOCATED CROWN LAND
FILE REFERENCE:	GR 015
AUTHOR:	Chief Executive Officer – Keith Byers

Appendix 13

BACKGROUND

The Department of Regional Development and Lands has advised they are considering the release or disposal of the following lots for the purposes described on the attached letter:

- Lots 53 and 56 Railway Street
- Lots 372 & 374 Railway Street
- Lot 373 Forrest Street
- Lot 356 Bartram Street
- Lot 349 Bartram Street
- Lots 1 and 2 Bartram Street
- Lot 357 Monger Street
- Lots 422, 423 & 424 Hope Street
- Lot 316 Lukin Street
- Lot 155 Dempster Street

COMMENT

As Lots 53 and 56 Railway Street have only minimal access Council may be placed under some pressure to upgrade this street if sold.

It is noted that Lot 155 Dempster Street is being proposed for the purposes of "Protection of Natural Landscape" under management of the Shire. I am unsure whether Council has the resources to adequately manage this location.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M23/0210	Moved Cr Egberts	Seconded Cr Murray
	That the Department of Regional Development and Lands be advised that Council does not wish to take over the Management of Lot 155 Dempster Street, Beverley.	

CARRIED 8-0

At 2:55pm Cr Roberts left the meeting.

8.5.2 ADMINISTRATION ITEMS

SUBMISSION TO:	February Council Meeting 23 February 2010
AGENDA ITEM:	8.5.1.3
REPORT DATE:	17 February 2010
SUBJECT:	SITTING FEES AND ALLOWANCES/EXPENSES
FILE REFERENCE:	GOV 001
AUTHOR:	Chief Executive Officer – Keith Byers

Appendix 14

BACKGROUND

At the 2001/2002 budget meeting the Council of the day resolved to not pay sitting fees for monthly Council and Committee meetings and adopt an annual fee paid in six monthly installments.

It was further agreed by that Council that the increase that was made overall would compensate for all other out of pocket expenses except travelling.

This situation has continued to this day, however it does not have any legal status and should not prevent Councillors from claiming allowances/expenses along with the sitting fee.

COMMENT

I have listed below allowances and expenses that Councillors are entitled to:

Sitting Fees:

Council Meeting: (other than the President) a range of between \$60.00 and \$140.00 per Councillor per meeting. For the President the range is \$120.00 to \$280.00

Committee Meeting: a range of \$30.00 and \$70.00 per Councillor per meeting.

Alternatively Council can opt to pay an annual meeting fee rather than the singular meeting fees.

In this instance the range for Councillors is \$2400 to \$7000 and \$6000 to \$14000 for the President.

Whatever the absolute majority resolution that adopted, it applies to all Councillors.

8.5.1 ADMINISTRATION ITEMS
ITEM 8.5.1.3
SITTING FEES AND ALLOWANCES/EXPENSES
(Continued)

President and Deputy President

The President of a Council can claim a Presidential allowance between \$600 and \$12000 per annum. The Deputy President is entitled to 25% of that paid to the President.

The allowance paid is again subject to an absolute majority.

Other Expenses and Allowances

Travelling Allowance: this is to be a reimbursement of cost or at Councils discretion at the public services rate. I believe this to be in the vicinity of \$0.74 per km.

Child Care: the actual cost of the child care up to a maximum of \$20 per hour.

Telecommunications: the actual cost of the rental of one telephone and one facsimile machine. If other telecommunications are used for Council purposes a maximum amount of \$2400 per annum must be approved by absolute majority.

Information Technology: when required by Council the actual cost incurred should be compensated up to a figure not exceeding \$1000 per annum.

OFFICER'S RECOMMENDATION

For Councils Consideration.

COUNCIL RESOLUTION

M24/0210 Moved Cr Pepper **Seconded Cr Gogol**
That the Information Technology Allowance if requested be a one
off allowance of \$1,000.00 per annum.

CARRIED 7-0

8.5.2 INFORMATION BULLETIN REPORT – CHIEF EXECUTIVE OFFICER

Nil.

9. INFORMATION BULLETIN – GENERAL SECTION

The February Information Bulletin was provided under separate cover.

COUNCIL RESOLUTION

M25/0210 Moved Cr Foster Seconded Cr Egberts
That the February Information Bulletin, be received.
CARRIED 7-0

10. TABLED CORRESPONDENCE

- **WALGA**
 - February 2010 State Council Summary Minutes
 - Western Councillor Issue 35
 - Climate Change and Sustainability Annual Review
- **FESA**
 - Northam District Operations Advisory Committee Minutes
- **DEPARTMENT OF ENVIRONMENT AND CONSERVATION**
 - Fire and Biodiversity Guidelines for the Avon Basin
- **WA ROVERS**
 - 2009 WA Rover Council Yearbook
- **DEPARTMENT OF WATER**
 - Nutrient Management for the Avon River Basin

11. OTHER BUSINESS

11.1 Beverley Town Hall

COUNCIL RESOLUTION

M26/0210 Moved Cr Foster Seconded Cr Egberts
That Council proceed with the Beverley Town Hall frontage
upgrade.
CARRIED 7-0

11.2 Dog Complaint

Correspondence has been received regarding the recent spate of dog attacks in Beverley.

It was agreed that the comments made be noted.

12. CLOSURE

There being no further business the meeting closed at 4:45pm.

I hereby certify these Minutes as being confirmed in accordance with Section 5.22 of the Local Government Act 1995.

Presiding Member

Date

APPENDIX LIST

23 FEBRUARY 2010

		Commencement Page of Appendix Item
Appendix 1	Item 6.2 – Minutes of the Independent Living Units Project Team Meeting held on Monday 18 January 2010	1
Appendix 2	Item 6.3 – Minutes of the Cropping Committee Meeting held on Tuesday 19 January 2010	2
Appendix 3	Item 6.4 – Minutes of the Recreation Ground Committee Meeting held on Wednesday 3 February 2010	3
Appendix 4	Item 6.5 – Minutes of the Special Meeting of Council to endorse the Independent Living Units Business Plan held on Thursday 4 February 2010	7
Appendix 5	Item 6.6 – Minutes of the Plant & Works Committee Meeting held on Friday 5 February 2010	8
Appendix 6	Item 8.1.1.1 – Initial Adoption – Patio Policy	10
Appendix 7	Item 8.1.1.2 – Review of Planning Fees Policy	12
Appendix 8	Item 8.1.1.3 – Modification to Council’s Tree Cropping Policy	16
Appendix 9	Item 8.1.1.4 – Review of Planning Fees Policy	17
Appendix 10	Item 8.1.1.5 – Development Application - Outbuilding - 203 (Lot 72) Hamersley Street, Beverley	34
Appendix 11	Item 8.1.1.6 – Initial Adoption - Anglo Estates Policy	37
Appendix 12	Item 8.4.1.1 – Schedule of Accounts for the month of January 2010	42
Appendix 13	Item 8.5.1.2 – Unallocated Crown Land	49
Appendix 14	Item 8.5.1.3 – Sitting Fees and Allowances/ Expenses	54

**MINUTES OF THE CROPPING COMMITTEE MEETING
HELD IN THE COUNCIL CHAMBERS
ON TUESDAY 19 JANUARY 2010 COMMENCING AT 8.35am**

ATTENDANCE AND APOLOGIES

Cr DJ Ridgway	Shire President
Cr LC Shaw	Deputy Shire President (Chairman)
Cr KM Murray	
Mr KL Byers	Chief Executive Officer

APOLOGIES

Nil

GENERAL BUSINESS

Election of Chairman

Moved: Cr Ridgway

Seconded: Cr Murray

That Cr Shaw be elected chairman of the cropping committee

Carried 3/0

CONFIRMATION OF MINUTES 16 OCTOBER 2009

Moved Cr L Shaw

Seconded Cr K Murray

That the minutes of the Cropping Committee meeting held on Friday 16th October 2009, as printed, be confirmed.

CARRIED 3/0

Assignment of Leases

Correspondence was received by T & A Hosking advising that Messrs David Adams and David Fleay were prepared to accept the leases of cropping land currently let to the Hoskings

Moved Cr Ridgway

Seconded Cr Murray

That it be recommended to Council that current leases without amendment of Reserves 5265A, 5265B and 5265C be assigned to Mr David Adams and reserve 2633 and Lot 78 Waterhatch Road to Mr David Fleay for the period 1st April 2010 to 31st March 2011 subject to Messr's Adams and Fleay accepting such assignment

CARRIED 3/0

CLOSURE

There being no further business the Chairman closed the meeting at 8.50am.

I hereby certify these Minutes as being confirmed in accordance with Section 5.22 of the Local Government Act 1995.

Presiding Member

Date

MINUTES OF THE RECREATION GROUND COMMITTEE MEETING HELD IN THE COUNCIL
CHAMBERS ON WEDNESDAY 3 FEBRUARY 2010

MEETING COMMENCEMENT

The President declared the meeting opened at 10.30am.

ATTENDANCE AND APOLOGIES

Cr D J Ridgway	Shire President (Acting Chairperson)
Cr L C Shaw	Deputy Shire President
Cr K M Murray	
Mr K L Byers	Chief Executive Officer
Mr S P Gollan	Deputy Chief Executive Officer
Mr D Vaughan	Special Projects Officer
Mr Brian Adcroft	Architect
Ms Chelsea Gillard	Department of Sport and Recreation

APOLOGIES

Cr J D Alexander
Cr B M Foster

OBSERVER

Cr C Pepper

DECLARATION OF INTERESTS

Nil

**CONFIRMATION OF PREVIOUS MINUTES 16 SEPTEMBER 2009 & 11
DECEMBER 2009**

Moved Cr Shaw *Seconded Cr Murray*
*That the Minutes of the Recreation Ground Committee meetings held in the
Council Chambers on Wednesday 16 September and Friday 11 December, be
confirmed.*

CARRIED

REPORTS

Architect - Brian Adcroft

The architect tabled and discussed updated concept plans for the recreation grounds. The plans included an overall concept for the "super" block including ideas for long term options and a detailed design for the proposed multi use Community Recreation Facility. This facility will be located on the land which currently houses the change rooms and amenities building.

The latest version of the plan has been formed from committee discussions with the architect and a brief which aims to replace the obsolete toilets/change rooms, and amenities building. The new facility will co-locate community and recreation activities and provide modern facilities to meet current and future needs. It will integrate with other activities and bring a major recreation and community focus on the site.

The concept plan is a visionary document which provides a footprint to meet the immediate community needs and to suggest how future and longer needs may be accommodated.

The committee has previously supported reorientation of the oval to facilitate and take maximum advantage of the proposed new development and to provide the optimum use of the main oval area.

In order to meet the first priority of the Council and the community which is to provide a Community Recreation Facility, the architect has provided a floor plan, and sketches within a budget of about 3 million dollars. This facility is designed to allow for a staged development if necessary.

The concept plan shows how the proposed building can accommodate an aspiration of the committee to relocate the netball courts to a new location near the proposed building as part of the overall concept plan.

The revised building plans showed changes to the internal layout to reflect the earlier decisions of the committee.

The committee supported the modified plans subject to

- Rationalising the design of the disabled toilets into a single unisex facility.
- Reviewing internal storage space.
- Reviewing the gymnasium floor area.
- Showing two netball courts in proximately to the proposed new building.
- Increasing to width of the viewing veranda.
- Making provision for an additional playground.

It was noted by the Architect that a full review of the ground drainage system and electrical service will be required. This is likely to have noticeable financial implications. Rationalisation of internal boundaries which includes a number of planning pre conditions is proceeding in accordance with Council requirements.

Project Costs

In response to comments and advice from the architect, it was agreed that the architect obtain a quote and subject to approval by the CEO proceed to appoint a Quantity Surveyor to provide costs for the Community Recreation Centre.

Project funding.

Ms Chelsea Gellard advised the committee on grants from the Ministry for Sport and Recreation and the Lotteries Commission.

Applications for major grants are received by the Ministry on an annual basis in October of each year, following prior consideration and ranking by the Local Government. Other levels of grants are available on a different timetable.

Some elements of the project, such as the bar area and a dedicated crèche are not priorities for DSR funding. Other recreation aspects such as lighting may be dealt with through separate, post project grant applications

Lotteries Commission grants may also be pursued by the Council, and may be a source of funds for community facilities such as crèche/play areas.

At the time of submitting an application to DSR for funding assistance the Council must resolve to allocate sufficient funding to complete the project. In kind funding by the Council may form a part of the Council contribution, up to a maximum of 50% of the Council contribution.

A part of the funding application process includes;

- A Feasibility Study
- A Recreation Plan
- A Business Plan

Community consultation also forms a part of the process.

Staff will investigate the availability of recent documents from other rural Local Governments which may serve as a template and documentation guide.

Ms Gellard agreed to provide a reference point to the architect on the Ministry website for a Life Cycle Costing which is now required by the Ministry. Ms Gellard also agreed to provide a contact list for Local Government recreation projects.

OTHER MATTERS

Nil

CLOSURE

There being no further business the President declared the meeting closed at 12.30pm.

I hereby certify these Minutes as being confirmed in accordance with Section 5.22 of the Local Government Act 1995.

Presiding Member

Date

**MINUTES OF THE SPECIAL MEETING OF COUNCIL TO
ENDORSE THE INDEPENDENT LIVING UNITS BUSINESS
PLAN**

**HELD IN THE COUNCIL CHAMBERS
ON 4 FEBRUARY 2010 COMMENCING AT 3.55pm**

ATTENDANCE AND APOLOGIES

Cr DJ Ridgway	Shire President
Cr JD Alexander	
Cr BM Foster	
Cr KM Murray	
Cr CJ Pepper	
Mr KL Byers	Chief Executive Officer
Mr SP Gollan	Deputy Chief Executive Officer
Mr DE Vaughan	
Mr D Carbone	
Mr M Cogniglio	

APOLOGIES

Cr LC Shaw	Deputy Shire President
Cr P Gogol	
Cr MG Roberts	
Cr C Egberts	

PLANS AND SPECIFICATIONS

The plans and specifications of the proposed eight unit development for the Independent Living Units were tabled by architect Matthew Cogniglio.

It was noted that a transformer was required for the units as the power supply for the development was inadequate. The nearest transformer to the site is in Forrest Street and the additional cost has been estimated at \$135000.

BUSINESS PLAN

The Business Plan for the Independent Living Units was tabled and explained by Mr Dominic Carbone. Some minor adjustments were made to the draft including details of the monthly cash maintenance contribution.

Moved Cr Alexander seconded Cr Pepper that the amended draft business plan for the Independent Living Units be endorsed for advertising for public comment over a period of six weeks.

CARRIED 5 - 0

There being no further business the meeting closed at 5.25pm.

MINUTES OF THE PLANT & WORKS COMMITTEE MEETING HELD IN THE
COUNCIL CHAMBERS ON FRIDAY 5th FEBRUARY 2010
COMMENCING AT 9:00AM

1. **ATTENDANCE AND APOLOGIES**

Attendance

Cr JD Alexander	Chairman
Cr KM Murray	
Cr CJ Pepper	
Cr P Gogol	
Mr SP Gollan	Deputy Chief Executive Officer
Mr SP Vincent	Works Supervisor

Apologies

Cr DJ Ridgway
Cr LC Shaw

2. **CONFIRMATION OF MINUTES**

Moved Cr Murray *Seconded Cr Gogol*
That the Minutes of the Meeting of the Plant and Works Committee,
held on Wednesday 23rd December 2009, as printed, be confirmed.
CARRIED 4/0

BUSINESS ARISING

Nil.

3. **GENERAL BUSINESS**

Road Questionnaire

Discussion was held in relation to what questions are to be included in the Road questionnaire which is to be distributed to Rural Landholders to determine the likely grain routes that will be utilised when the Beverley Grain Reveal Bin is closed.

Moved Cr Gogol *Seconded Cr Pepper*
That it be recommended to Council that the Road Questionnaire be
sent to all Rural Landholders.

CARRIED 4/0

Road Inspection

The meeting discussed the report produced by the Works Supervisor on comments made during the road inspection held on Friday 29th January 2010.

Old Footpath Slabs

Discussion was held regarding Council selling the old concrete footpath slabs when they are replaced with a solid concrete footpath.

It was agreed that it be recommended to Council that the Old Footpath Slabs be sold for \$2.20 each (GST Inclusive).

York – Williams Road

The meeting discussed the use of contractors to assist Council staff in completing the scheduled works on the York – Williams Road.

Moved Cr Gogol

Seconded Cr Pepper

That it be recommended to Council that the Works Supervisor prepare a report for the February Council Meeting on using contractors to assist with the roadwork's scheduled for the York – Williams Road.

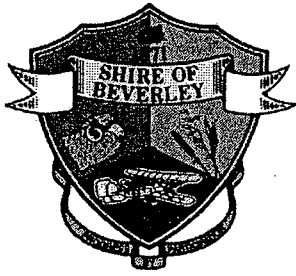
CARRIED 4/0

4. NEXT MEETING

It was agreed that the next meeting be scheduled for Wednesday 17th March 2010, at 9.00am.

5. CLOSURE

There being no further business the Chairman declared the meeting closed at 11:30am.



DRAFT PATIO AND CARPORT POLICY

PURPOSE

To provide guidance for the Planning requirements for patios, verandas, carports and similar structures in the Residential, Rural Residential and Farming zones.

1.0 AUTHORITY TO PREPARE AND ADOPT A PLANNING POLICY

The Shire of Beverley, pursuant to Clause 7.6 of the Shire of Beverley Town Planning Scheme No.2, hereby makes this Town Planning Scheme Policy regarding patios, carports and similar structures associated with a dwelling, throughout the Shire of Beverley. This policy will be incorporated into future schemes when Town Planning Scheme No.2, or greater, is revoked.

2.0 BACKGROUND

Under the Shire of Beverley's Town Planning Scheme No. 2 Planning Approval is not required for single dwellings that meet specific criteria. There is an implied but no specific exemption to the requirement for Planning Approval for minor structures attached or associated with dwellings.

In order to resolve the matter, at its September 2008 meeting Council passed the following resolution:

"All patios, verandas, carports and other structures proposed to be attached to an existing dwelling, which comply with Town Planning Scheme No. 2, are considered ancillary to that dwelling and therefore do not require Planning Approval."

The Shire's Town Planning Scheme has no criteria under which such applications are to be determined. As such, this policy is required to provide certainty in relation to approval requirements for minor structures associated with previously approved dwellings.

3.0 DETERMINATION

Council's Town Planning Scheme No.2 allows Council to grant discretionary consent to single dwellings on all Town Centre, Rural Townsite and Farming zoned land within the Shire. Single dwellings in Residential and Rural Residential zones that comply with scheme and Residential Design Code requirements do not require Planning Approval. Grouped dwellings may only be granted approval in a Residential zone.

4.0 POLICY

As Planning Approval has already been granted for the dwelling where required, it is considered such approval encompasses minor attached and/or associated structures that comply with scheme and Residential Design Code requirements.

Where development ancillary to an existing single dwelling, such as patios, verandahs and carports is proposed, no Planning Approval is required provided the proposed development complies with:

1. The Shire of Beverley's Town Planning Scheme No. 2 and its successors;
2. The Residential Design Codes 2008 and its successors; and
3. All other relevant Council policies.
4. The structures shall not be finished with zincalume and/or untreated or unpainted timber or metal.

If in the opinion of Council or the Shire Planner under delegated authority, the structure is of such a scale, bulk or style that it is likely to disturb the amenity and/or character of the area, then the structure will not be considered minor and Planning Approval will be required.

All Building License applications for the construction of patios, verandas, carports and other structures proposed to be attached to, or associated with an existing dwelling, will be assessed against this policy. Should Planning Approval be required, determination will be made under the appropriate provisions of the Scheme.

In determining an application, Council or the Shire Planner under delegated authority may:

- Approve the application with or without conditions; or
- Refuse the application.

Notwithstanding that Planning Consent may not be required, a Building Licence is required to be sought and issued by Council's Building Surveyor prior to construction commencing.



CURRENT SHIRE OF BEVERLEY TOWN PLANNING FEES POLICY

Introduction

Council has adopted this Town Planning Fees Policy as a guide to the setting and administering of fees for a variety of planning functions.

Fee Schedule

Fees are set in accordance with the Schedule of Fees contained in Schedule 1 of the Town Planning (Local Government Planning Fees) Regulations 2000 of the Town Planning and Development Act 1928. This schedule reflects the maximum fees that can be charged by a local government for a variety of planning functions.

The Schedule of Fees and Charges is included in Council's Budget document. The Schedule as printed in the Budget Document has been modified for the purposes of determining development applications in the Shire of Beverley as follows:

- Determination of development application (other than for an extractive industry) where the estimated cost of the development is not more than \$10,000 will be \$50; and
- Determination of development application (other than for an extractive industry) where the estimated cost of the development is more than \$10,000 but not more than \$50,000 will be \$100.

Payment of Development Application Fees

All planning fees that are payable for the determination of a development application are payable at the time of lodgment of an Application for Planning Consent. Council reserves the right to not determine an application until such time a payment of fees has been received and deposited into its account.

Refund of Development Application Fees

Where Council has resolved to refuse to grant Planning Consent, any fees that have been paid to Council are not refundable. The applicant is to be made aware that the fee is for the determination of an application, not its approval.

Where a development application has been lodged and is subsequently withdrawn by an applicant and a request for refund of the planning fees made, the following refund guidelines will apply:

- Where Council has determined an application – **no refund**.
- Where a request for withdrawal is made within one (1) week of the Ordinary Council Meeting where the application will be determined – **no refund**.
- At any stage prior to one (1) week before the Ordinary Council Meeting where the application will be determined – **50% refund**.

Payment of Subdivision Clearance Fees

Where Council receives a request for the clearance of conditions on a subdivision approval, it will not clear any conditions until the appropriate fee has been received and deposited into its account.

The clearance fee will be determined in accordance with the number of lots proposed, regardless of the number of existing lots that are being amalgamated and re-subdivided.

Payment of Home Occupation Fees

Home occupation application fees will be subject to the same measures as development application fees in terms of timing of payment and refund policy.

Renewal of Home Occupation Permits will occur annually from the date of the first approval, with payment of the renewal fee payable prior to issue of the new permit.

Other Matters

Council will have regard to the Town Planning (Local Government Planning Fees) Regulations 2000 and subsequent amendments for matters not covered by this Policy

Development Application Fees 2001-2002

The following fees apply for Applications for Planning Consent to develop land in the Shire:

Estimated Cost of Development (Exc. GST)	Planning Fee	Calculation
Not more than \$10,000	\$50	
\$10,001 - \$50,000	\$100	
\$50,001 - \$500,000	0.23% of Estimated Cost	Cost x 0.0023
\$500,001 - \$2,500,000	\$1150 plus 0.18% for every \$1 over \$500,000	((Cost - \$500,000) x 0.0018) + \$1150
\$2,500,001 - \$5,000,000	\$4750 plus 0.15% for every \$1 over \$2.5 million	((Cost - \$2,500,000) X 0.0015) + \$4750
Home Occupation – Initial Application	\$150	
Home Occupation Annual Renewal	\$50	
Extractive Industry	\$500	

Note: Calculations for planning fees for costs greater than \$5 million provided on application.

Special fees for applications made Town Planning Scheme Policy No.8 - Outbuildings

- Carports and Garages with a floor area less than 36 m² - **\$25.00**
- Sheds with a floor area less than 50 m² AND a value less than \$10,000 - **\$25.00**
- Sheds with a floor area of more than 50 m² - **See Development Application Table above.**

*Policy effected by Council Resolution on 18 December 2001.
Due for revision June 2003.*

REVISED SHIRE OF BEVERLEY TOWN PLANNING FEES POLICY

Introduction

Council has adopted this Town Planning Fees Policy as a guide to the setting and administering of fees for a variety of planning functions.

Fee Schedule

Fees are set in accordance with the Schedule of Fees contained in Schedule 1 of the Town Planning (Local Government Planning Fees) regulations 2000 of the Planning and Development Act 2005. This schedule reflects the maximum fees that can be charged by a local government for a variety of planning functions.

The Schedule of Fees and Charges is included in Council's Budget document. The Schedule as printed in the Budget Document has been modified for the purpose of determining development applications in the Shire of Beverley.

Payment of Development Application Fees

All planning fees that are payable for the determination of a development application are payable at the time of lodgement of an Application for Planning consent. Council reserves the right to not determine an application until such time as a payment of fees has been received and deposited into its account.

Refund of Development Application Fees

Where Council has refused to grant Planning Consent, any fees that have been paid to Council are not refundable. The applicant is to be made aware that the fee is for the determination of an application, not its approval.

Where a development application has been lodged and is subsequently withdrawn by an applicant and a request for refund of the planning fees made, the following refund guidelines will apply:

- Where Council has determined an application – **no refund**
- Where a request for withdrawal is made within one (1) week of the Ordinary Council Meeting where the application will be determined – **no refund**.
- At any stage prior to one (1) week before the Ordinary Council Meeting where the application will be determined – **50% refund**.

Payment of Subdivision Clearance Fees

Where Council received a request for the clearance of conditions on a subdivision approval, it will not clear any conditions until the appropriate fee has been received and deposited into its account.

The clearance fee will be determined in accordance with the number of lots proposed regardless of the number of existing lots that are amalgamated and re-subdivided.

Payment of Home Occupation Fees

Home occupation application fees will be subject to the same measures as development application fees in terms of timing of payment and refund policy.

Other Matters

Council will have regard to the Town Planning (Local Government Planning Fees) Regulations 2000 and subsequent amendments for matters not covered by this Policy.

For more information contact:

Shire Planner

Available Tuesdays, Wednesdays and Fridays at the Shire Office
136 Vincent Street Beverley

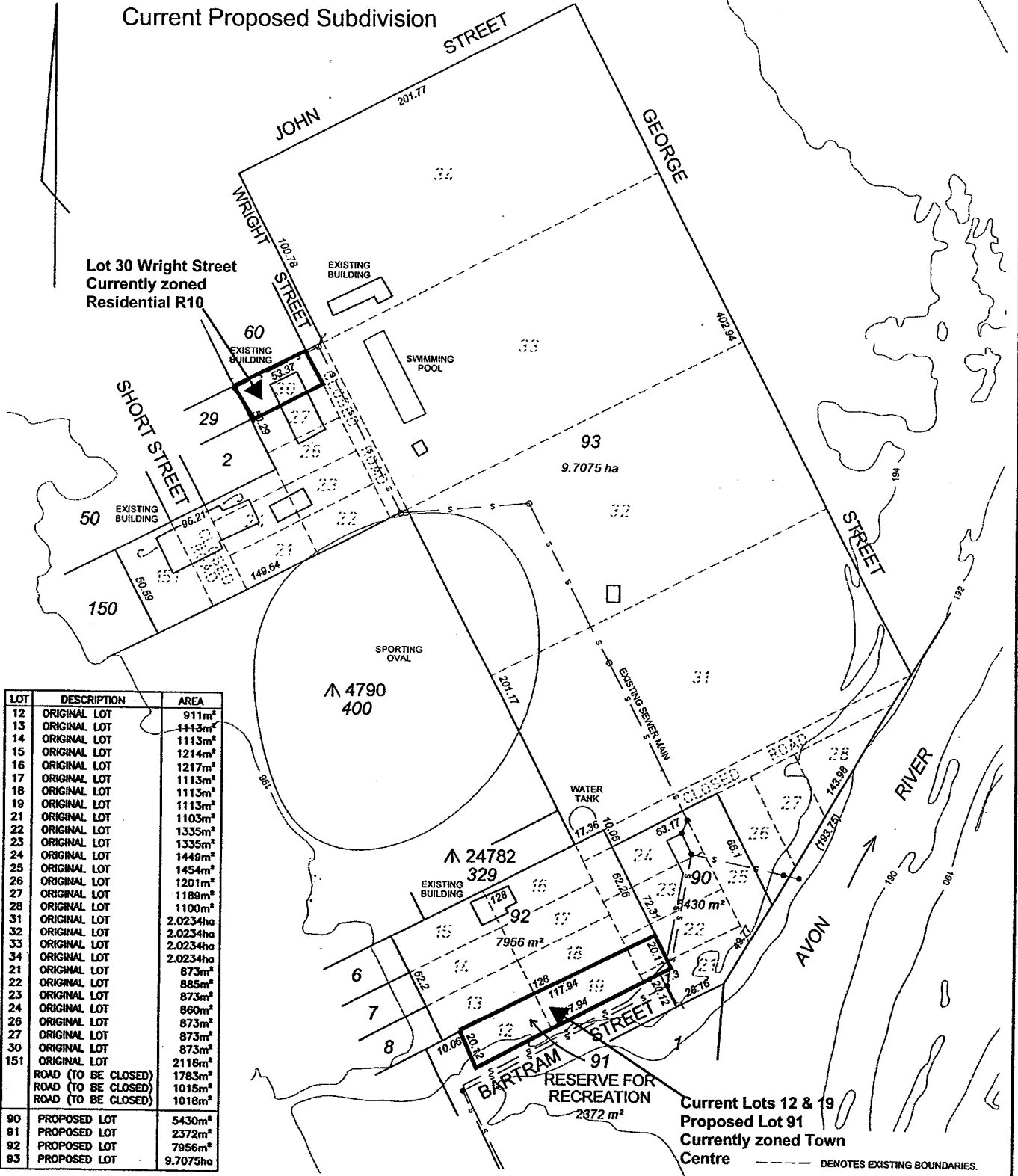
Ph: 9646 1200

Fax: 9646 1409

Email: planner@beverley.wa.gov.au

LOCAL AUTHORITY: SHIRE OF BEVERLEY
 LOCALITY: BEVERLEY

Current Proposed Subdivision



LOT	DESCRIPTION	AREA
12	ORIGINAL LOT	911m ²
13	ORIGINAL LOT	1113m ²
14	ORIGINAL LOT	1113m ²
15	ORIGINAL LOT	1214m ²
16	ORIGINAL LOT	1217m ²
17	ORIGINAL LOT	1113m ²
18	ORIGINAL LOT	1113m ²
19	ORIGINAL LOT	1113m ²
21	ORIGINAL LOT	1103m ²
22	ORIGINAL LOT	1335m ²
23	ORIGINAL LOT	1335m ²
24	ORIGINAL LOT	1449m ²
25	ORIGINAL LOT	1454m ²
26	ORIGINAL LOT	1201m ²
27	ORIGINAL LOT	1189m ²
28	ORIGINAL LOT	1100m ²
31	ORIGINAL LOT	2.0234ha
32	ORIGINAL LOT	2.0234ha
33	ORIGINAL LOT	2.0234ha
34	ORIGINAL LOT	2.0234ha
21	ORIGINAL LOT	873m ²
22	ORIGINAL LOT	885m ²
23	ORIGINAL LOT	873m ²
24	ORIGINAL LOT	860m ²
26	ORIGINAL LOT	873m ²
27	ORIGINAL LOT	873m ²
30	ORIGINAL LOT	873m ²
151	ORIGINAL LOT	2116m ²
	ROAD (TO BE CLOSED)	1783m ²
	ROAD (TO BE CLOSED)	1015m ²
	ROAD (TO BE CLOSED)	1018m ²
90	PROPOSED LOT	5430m ²
91	PROPOSED LOT	2372m ²
92	PROPOSED LOT	7956m ²
93	PROPOSED LOT	9.7075ha

Current Lots 12 & 19
 Proposed Lot 91
 Currently zoned Town
 Centre

--- DENOTES EXISTING BOUNDARIES.

REV	DESCRIPTION	BY	DATE	WARNINGS:

Shire of Brookton Town Planning Scheme No. 3

Tree Cropping Policy

Objective:

The objectives of this Local Planning Policy are to:

- Achieve a consistent, efficient and equitable system for assessing and approving tree crop applications, in particular ensuring consistency across the five Shires;
- Allow local governments to keep track of tree crop developments, which will assist in promoting the region to potential processors;
- Demonstrate that SEAVROC local governments support and promote tree crops as a land use in the General Agriculture Zone;
- Encourage tree crop developers to adhere to industry guidelines and standards as specified in relevant codes of practice and other documents; and
- Identify specific issues that local governments wish to see addressed in the planning and development of tree crops.

Any tree crop development shall not be justification for an application for subdivision nor any proposed tree cropping or an approved application for tree cropping on any land be deemed a precursor to subdivision

A body of legislation, policy and guidelines relevant to tree crops already exists and a range of government agencies and other stakeholders are involved in regulating and managing tree crop issues.

This policy aims to be consistent and complementary with existing regulations and not to place additional undue burden on landowners and investors wishing to pursue tree crop development.

Policy:

1. Background

Tree crops have the potential to become an important land use in medium to low rainfall agricultural areas in Western Australia (WA). Landholders and private investors are looking to capitalise on emerging opportunities for farm forestry in these regions, diversify income streams and to gain the on-farm environmental benefits that integrated tree crops can provide. Given the increasing opportunities and interest in tree crop development, it is timely for local governments to ensure that these developments are adequately supported and addressed in local planning.

The South East Avon Voluntary Regional Organisation of Councils (SEAVROC) member local governments, which are the Shires of Brookton, Beverley, York, Quairading and Cunderdin, wish to maximise the benefits and opportunities associated with tree crops, such as new industry development and regional investment, while minimising any potential negative impacts. They also recognise that having consistent policy across the region can facilitate planning approvals and provide landowner and investor confidence.

Background information relating to tree crops is provided in the report, Opportunities and Issues Associated with Farm Forestry in the South East Avon Low Rainfall Region.

2. Definitions

Applicant

An Applicant is defined as the person or entity (e.g. company or organisation) responsible for management of the tree crop. The Applicant does not have to be the owner of the trees or the land on which trees are planted (e.g. the Applicant could be a third party management agency). The Applicant is responsible for ensuring adherence to this policy and other relevant legislation and regulations.

Tree crop

For the purpose of application of this policy a tree crop is defined as:

- Trees planted with the intent of producing commercial products. Commercial products include all wood and non-wood products that can be sold to a third party. Wood products are produced when trees are harvested, such as woodchips or sawlogs, while non-wood products include products such as environmental services; and
- Trees under the management of one Applicant with an aggregate area greater than 40 hectares in any one Shire in the Shires of Brookton and York and an aggregate area greater than 10 hectares in the Shires of **Beverley** Cunderdin and Quairading.

Landowner

A Landowner is defined as the person or entity that holds the title to the land.

Management Plan

Provides details of the way in which a tree crop will be developed and managed, and aims to demonstrate the means by which the principles of environmental care, cultural and fire management objectives are achieved.

A Management Plan includes the following components:

- Establishment plan;
- Plantation Management plan; and
- Fire Management plan.

Code of Practice

Code of Practice for Timber Plantations in Western Australia 2006, produced by Forest Industries Federation WA, Forest Products Commission Australian Forest Growers, or as revised.

Guidelines for Plantation Fire Protection

Guidelines for Plantation Fire Protection 2001, produced by Fire and Emergency Services Authority WA, or as revised.

3. Areas of application

This policy applies to land zoned 'General Agricultural' or "Farming" in the Local Planning Schemes of the Shires of Brookton, Beverley, York, Quairading and Cunderdin.

4. Application and approval requirements

4.1. When is an application required?

A Tree Crop Development Application must be submitted and approved prior to the commencement of a tree crop development.

In the Shires of Brookton and York an application is required for all tree crop developments greater than 40 hectares in size. If an Applicant has tree crops with an aggregate area of less than 40 hectares within any one Shire an application is not required. However, the Applicant is required to submit a Tree Crop Development Application when new tree crop developments will result in the total aggregate area exceeding 40 hectares.

In the Shires of **Beverley**, Cunderdin and Quairading a Development Application is required when an applicant has an aggregate area of tree crops which is 10 hectares or greater.

A Tree Crop Development Application can cover multiple tree crop developments, which may be on different titles, provided they are under the management of one Applicant.

4.2. Tree Crop Development Application requirements

In addition to Shire requirements for Development Applications, a Tree Crop Development Application is to contain the following three parts:

1) Registration; which must contain the following information:

- Title details of the subject land;
- Name of the Landowner(s);
- Name of the Applicant (tree crop manager);
- Address and contact details of the Applicant;
- Area (hectares) to be planted and species to be planted; and
- Signatures of the Applicant and the Landowner(s).

2) Management Plan.

- A checklist of information that should be included in a Management Plan is provided in Attachment 2. The checklist is based on the guidelines in the Code of Practice.
- The Management Plan must address the policy measures described in Section 6 of this Policy.

3) Map; which should show the following:

- Location of tree crops;
- Access roads;
- Structures and buildings;
- Natural features including native vegetation and water courses; and
- Other relevant information such as hazards or significant features.

4.2.1. Modification to Tree Crop Development Application

An Applicant with an existing Tree Crop Development Application approval may modify the existing application, including the addition of new tree crops or expansion of existing tree crops. Additional areas of tree crops may therefore be managed under existing Management Plans, without the need for the Applicant to prepare a new Management Plan for every new tree crop development. However the Applicant must ensure that the management measures in an existing Management Plan are relevant to new tree crops and the sites on which they will be developed, and meet the requirements of this policy.

If this is not the case the Applicant is required to submit a modified or new Management Plan.

If an Applicant transfers management responsibilities to another organisation they are required to notify the Shire and provide details of the new managing entity.

4.3. Assessment of applications

Tree Crop Development Applications should be submitted to the Shire in which the development will occur.

Assessment of Tree Crop Development Applications is to have regard to the application requirements and policy measures described in Sections 5.2 and 6 of this Policy.

5. Additional policy measures

The following policy measures must be addressed in the Management Plan.

5.1. General tree crop management

The Shires encourage all tree crop developments to be undertaken with appropriate consideration to the specifications and guidelines in the Code of Practice and Guidelines for Plantation Fire Protection.

The Code of Practice provides management goals and operational guidelines to tree managers to "ensure tree crop operations in WA are conducted in a manner that is in accordance with accepted principles for good plantation management, while recognising that a primary aim of tree crops is to be economically competitive and sustainable".

5.2. Access and roading

When planning tree crop developments, Applicant's should consider how tree crops will be accessed for management, harvesting and removal of products (if applicable). Potential access roads should be identified on the Map.

The harvest and haulage of tree crop products results in 'wear and tear' of roads and other transport infrastructure and the Shires are seeking to minimise adverse affects on local roads within their control.

The future locations of processing facilities in or near the SEAVROC region are currently unknown, and it is therefore difficult to prepare a transport strategy prior to commencement of tree crop development.

5.3. Fire management

A fire management plan must be included as part of the overall Management Plan (see Attachment 2).

Any Fire Management Plan must be consistent with Guidelines for Plantation Fire Protection 2001, produced by Fire and Emergency Services Authority WA, or as revised. Should the Fire Management Plan not be consistent with the guidelines then the application will normally be refused.

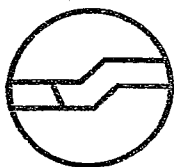


Guidelines *for* Plantation Fire Protection

Guidelines for Plantation Fire Protection

2nd Edition

© 2001 Fire and Emergency Services Authority of Western Australia.



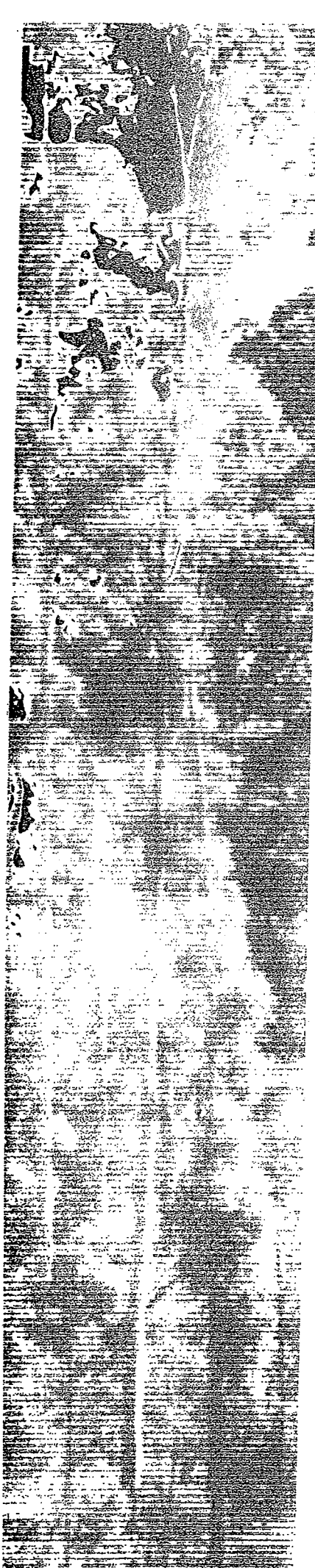
CALM



FESA

Fire & Emergency
Services Authority of
Western Australia

The Bush Fire Service of WA and the Fire & Rescue Service of Western Australia together form the Fire Services division of the Fire and Emergency Services Authority of Western Australia.



Guidelines *for* Plantation Fire Protection

Contents

Foreword	2
1. Introduction	3
2. Glossary of Terms	3
3. Planning the Location of Plantations	4
3.1 Prior to Establishment	4
3.2 Close to Local Development	4
3.3 Close to Structures	5
3.4 Plantation Influence Area	5
3.5 Management Plans	5
3.6 Endorsement	5
3.7 Implementation	5
4. Fire Protection Specifications	6
4.1 Compartment Size and Layout	6
4.2 Minimum Fire Break Standards	6
4.3 Firefighting Water Supplies	7
4.4 Sign Posting/Maps	7
4.5 Equipment Standards	7
Appendix 1: Model Fire Management Plan	8
Appendix 2: Water Supply Standards	9

Guidelines for Plantation Fire Protection

Foreword

The conservation and economic benefits associated with tree planting in the South West of Western Australia have been widely presented and publicised. Not so well presented are the special fire protection issues associated with large scale planting, particularly of high value exotic species which are located in a rural landscape.

The Fire and Emergency Services Authority of Western Australia (FESA) Fire Services division promotes that potential fire protection should be recognised in the early stages of plantation development and that appropriate action is taken to reduce possible hazards. It is widely recognised that attention to fire protection early in the life of a plantation can dramatically reduce future risks and costly fire protection measures.

These guidelines have been developed by the Regional Plantation Fire Advisory Committee in co-operation with the Department of Conservation and Land Management, the Australian Forests Growers, Agriculture WA, Local Government bush fire control and the Ministry for Planning as an informative town planning resource and to encourage tree plantation fire protection planning.

It is recommended these guidelines be used as part of the overall land use planning process in the South West of Western Australia by plantation developers, Local and State Government decision-making Authorities and fire control personnel.

These guidelines should be read in conjunction with the *West Australian Planning Commission Rural Land Use Planning Policy* and accompanying *Guidelines for the Preparation of a Local Rural Strategy - Planning for Better Bushfire Protection*, in addition to the *Land Capability Assessment for Local Rural Strategies*. At the time of printing, the Commission is in the process of revising its *Rural Land Use Planning Policy* and also preparing a new *Bush Fire Planning Policy*. The new Western Australian Planning Commission policies will include reference to the *Guidelines for Plantation Fire Protection* so that they can be integrated with other relevant rural planning considerations.

It should be noted that these guidelines are not a definitive reference for local fire break requirements and/or standards. Plantation developers should consult with the relevant Local Government Authority with regard to current fire protection requirements within that district.

1. Introduction

Tree planting on a large scale is being promoted and is occurring in many of the higher rainfall areas of the South West of Western Australia.

The FESA's Fire Services division recognises that plantations are a legitimate land use within agricultural areas. At certain times during the life of these plantations, fire hazards may reach significantly higher levels than are normally experienced in these areas. In the majority of cases, these high hazard levels are unavoidable and traditional hazard reduction methods by controlled burning may not be appropriate.

It is in the interest of the whole community to ensure that proper fire protection measures are planned and implemented from a very early stage.

Naturally, these measures represent the protection of a considerable interest that continues to be addressed by the plantation owners in conjunction with the relevant Local Government Authorities.

Management of plantations and indeed all rural land use requires proper planning. In general, specifications of fire protection measures and fire break standards are a Local Government responsibility. It is therefore important that standards are agreed to and accepted by both Local Government and plantation developers so that long term safety and management requirements can be properly met and incorporated in Fire Management Plans to be approved by the Local Government Authority.

It is important that each case be considered on its merits due to the large number of variables in every instance. It is not possible therefore, to adopt a totally uniform approach.

Tree planting should be recognised as a legitimate rural land use activity when assessing planting proposals and when working on plantation design so that these benefits can be realised without compromising fire safety of the local community.

These guidelines are to be incorporated in the *Western Australian Plantation Code of Practice*.

2. Glossary of Terms

Compartment

A subdivision of a plantation area for fire control or management purposes. (Refer 4.1).

Fire Break

An area on which flammable material has been removed or modified/reduced. (Refer 4.2).

Low Fuel Areas

Any area where fuels have been modified/reduced to the satisfaction of the Local Government Authority by chemical, mechanical, grazing or fuel reduction burning operations.

Local Development

All land contained within Urban, Special Residential, Residential Development, Special Rural, Light/General/Special/Noxious/Services Industry and Local Shopping Zones in addition to land identified with forward planning strategies where such development is likely.

Plantation

Any area of planted trees, other than a windbreak, within gazetted townships exceeding 3 hectares and elsewhere exceeding 10 hectares.

Plantation Influence Area

An area up to 3 km distance from local development or gazetted township boundaries in which graded responses to fuel reduction measures for plantations are required.

Plantation Owner

Person or entity responsible for management of the plantation. This may include the owner, lease holder or manager.

Windbreaks/Shelter belts

Planted area of trees not exceeding 100 metres in depth and 1 kilometre in length. Separation between wind breaks must be 50 metres (sides) and 15 metres (ends) to provide for vehicle access.

3. Planning the Location of Plantations

As with other land uses, during various stages of the life of tree plantations, fuels accumulate to levels that pose a fire hazard. In these circumstances, particularly during the severe fire weather conditions frequently experienced in the South West of Western Australia during summer, fires will be very difficult to contain within a plantation area and intense 'spotting' activity can be anticipated.

This potential threat to life and property must be recognised and planning controls implemented to avoid plantation development in areas where this potential may be realised.

It is recommended that 'plantation influence' areas be recognised. These areas provide a buffer between plantation areas and local development. The extent of plantation influence areas will vary according to local conditions and factors such as the flammability of the plantation, topography and prevailing fire weather conditions.

In addition, local development, life and property values of the surrounding community should be taken into consideration.

3.1 Prior to Establishment

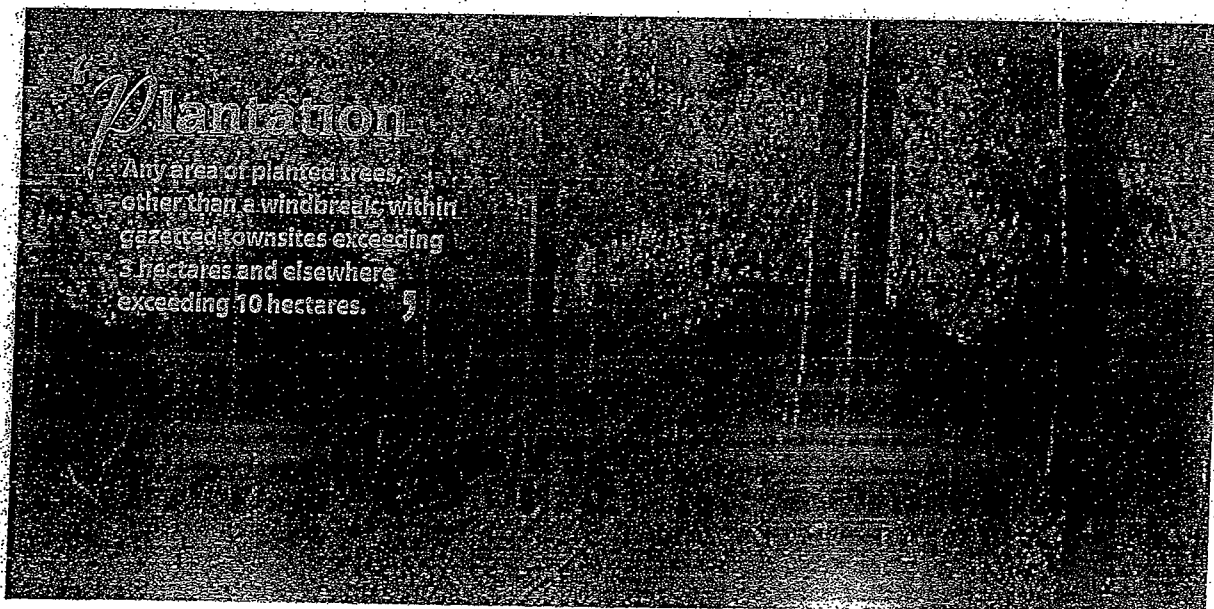
Any decision to plant either broad scale plantations, wind breaks or shelter belts must consider factors such as:

- Presence of existing heavy vegetation in streams and wetlands.
- The ability to provide access for fire control whilst integrating into other plantation management activities.
- Topography, slope and aspect as they relate to fire control, harvesting and soil conservation.
- Proximity to local development.

3.2 Close to Local Development

As a general guide, broad scale plantations established within 1 km of the boundary of any local development shall provide additional fire protection measures as determined and approved by the Local Government Authority. These additional fire protection measures shall be documented in a fire management plan for the plantation/local development.

Low fuel buffers must be established between any plantation and local development. These buffers shall be maintained by respective owners.



3.3 Close to Structures

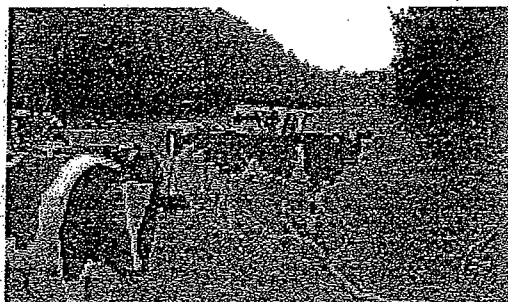
No plantation trees shall be planted within 50 metres of any existing or proposed structure (i.e. house, shed, etc) and a further 50 metres of plantation should be pruned and have ground fuels reduced so as to provide a minimum of a 100 metre low fuel area immediately surrounding the structure.

3.4 Plantation Influence Area

In addition to measures employed close to local development, fuel reduction should also be an objective for defined plantation areas located up to 1 km from any local development. Such fuel reduction is the responsibility of the plantation manager.

Fuel reduction measures to minimise fire hazards in such areas can include:

- Low and high pruning of pines.
- Removal of pruning debris.
- Strictly controlled grazing.
- Application of special harvesting methods.
(e.g. remove the whole tree including branches to a point outside the plantation rather than leaving debris within the planted area).
- Broad scale fuel reduction burning.
- Herbicide spray weed control.



Grazing, when strictly controlled, can provide an effective means of fuel reduction

3.5 Management Plans

(To be presented to Local Government Authorities.)

Plantation management is essentially a long term process and accordingly, it is strongly recommended that prior to establishment, Local Government Authorities require developers to submit a Fire Management Plan for Council's approval.

The Fire Management Plan should include fire protection measures designed in accordance with these guidelines. A draft Fire Management Plan format is included in *Appendix 1*.

3.6 Endorsement

The Fire and Emergency Services Authority of Western Australia and the Western Australian Planning Commission endorse these guidelines and encourage local authorities experiencing demand or the potential for tree plantations to adopt these guidelines either by statutory or non-statutory means.

3.7 Implementation

A statutory ability for Local Government Authorities to consider plantations and implement provisions of these guidelines may be achieved by their inclusion within a town planning scheme. This may be by the use of a policy statement and/or by the consideration of tree plantation as a development requiring Local Government determination through town planning scheme provisions.

4. Fire Protection Specifications

4.1 Compartment Size and Layout

There is a need for access within a plantation so that firefighters are able to concentrate their efforts on containing fires to a relatively small area rather than waiting for the fire to reach the boundary fire break.

If potential losses are to be minimised, there must be an emphasis on safe internal access for firefighters. The recommended maximum compartment size for both pine and eucalyptus species plantations is 30 hectare compartments. Up to 100 hectares may be considered depending on prevailing conditions such as local climate, terrain, topography and proximity to local development.

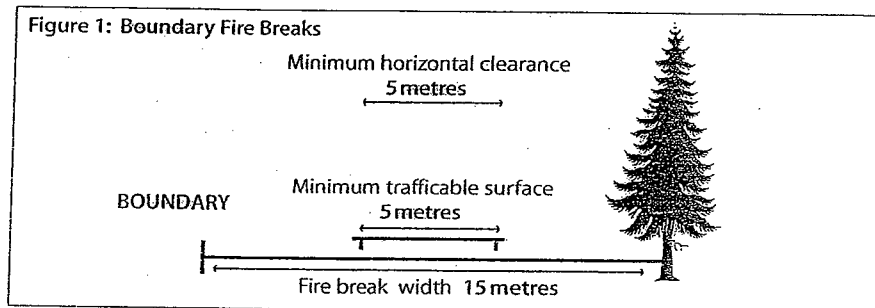
Compartment boundaries should as far as possible, follow existing roads or natural features and avoid situations where soil erosion problems may be aggravated.

4.2 Minimum Fire Break Standards

The following fire break standards are recommended for plantations:

Boundary Breaks

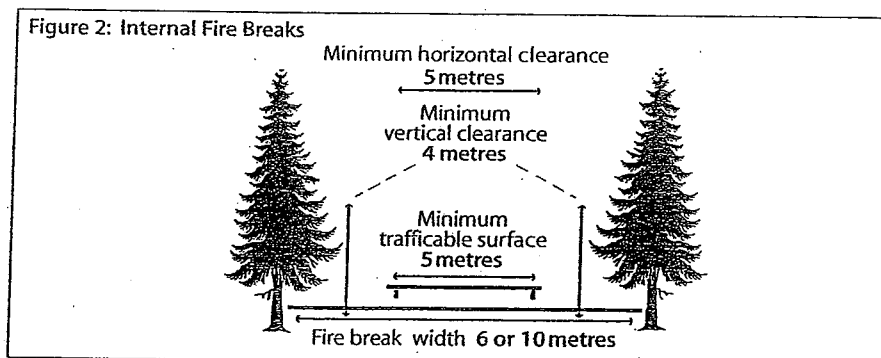
Fire breaks constructed 15 metres wide on the boundaries of plantations or on such alternative locations as may be agreed between the Local Government Authority and the plantation owner. (See Figure 1.)



Compartment Break

Internal fire breaks between compartments of up to 30 hectares must be a minimum of 6 metres wide and for compartments over 30 hectares, a minimum of 10 metres wide. In all cases a 5 metre running surface should be maintained to allow access by firefighting appliances. (See Figure 2.)

Note: For all fire breaks it may be necessary for trees on both sides of fire breaks to be progressively pruned to a minimum height of 4 metres to allow unrestricted access for maintenance and firefighting equipment and so as to maintain an effective width of fire break.



NOTE: For compartments up to 30 hectares internal fire break width should be 6 metres.
For compartments over 30 hectares internal fire break width should be 10 metres.

* Fire Breaks Along Public Roads

Fire breaks adjoining public roads must be constructed to a width of 15 metres.

Fire Breaks Along Power Lines

Where power lines pass through plantation areas, fire breaks and clearing corridors must be in accordance with Western Power specifications. Contact Western Power for current standards. (See 'For Further Information' on back cover.)

Note: For all of these fire breaks, vegetation overhanging fire breaks must be pruned back so that fire breaks have a minimum 5 metre horizontal clearance between tree canopies. (See Figures 1 and 2, on previous page.)

4.3 Firefighting Water Supplies

Plantation firefighting water supply facilities must be designed and constructed so that heavy duty firefighting equipment, built to Bush Fire Service or CALM specifications, is able to access the supply. (See Appendix 2 for standards.)

4.4 Sign Posting/Maps

Sign posting must be established to indicate:

- **Compartment boundaries** (consistent with plantation map and by name or number).
- **Water supplies.**
- **Emergency access/egress.**
- **Structures** (houses, sheds, etc).
- **Significant features** (creek crossings, dead ends, etc).

Note: Plantation maps showing above details must be provided to the Local Government Authority for distribution to the Fire Services.

4.5 Equipment Standards

It is generally recognised that the establishment of plantations in a brigade area may increase the local need for firefighting equipment.

Plantation growers must meet this increased need for firefighting equipment, either by providing the minimum equipment standards listed below, or by contributing to community-based equipment through an agreement with their Local Government (such as detailed in the *Code of Practice for Timber Plantations in Western Australia*).

Recommended Minimum Equipment Standards

Plantation Area (hectares)	Fast Attack	2.4 (M/Duty)	3.4 (H/Duty)
Less than 100 hectares	1		
100 to 1000 hectares		1	
More than 1000 hectares			1

Definition: *Fast Attack* relates to a 1 tonne 4x4 vehicle carrying a minimum of 450 litres of water.
2.4 (Medium Duty) relates to a 4x4 vehicle carrying 2000 litres of water.
3.4 (Heavy Duty) relates to a 4x4 vehicle carrying 3000 litres of water.

Performance Specifications for Fast Attack

Pump and Motor (Petrol/Diesel)

- 200 litres/min at 700 kPa and at no flow 1000 kPa.

Ancillary Equipment

- 1 x 30 metre length (38 mm) and 1 x 10 metre length (38 mm) PVC/Nitrile extruded hose (or equivalent).
- 1 controlled branch.

Performance Specifications for 2.4 (Medium Duty) & 3.4 (Heavy Duty) Appliances

Pump and Motor (Petrol/Diesel)

- 450 litres/min at 700 kPa and at no flow 1500 kPa.

Ancillary Equipment

- 10 x 30 metre and 2 x 10 metre (38 mm) lengths of PVC/Nitrile extruded hose (or equivalent).
- Dividing breeching controlled.
- 2 x branches controlled.

All vehicles shall be 4 wheel drive and preferably have diesel engines.

APPENDIX 1

Model Fire Management Plan

(To be prepared in accordance with the guidelines.)

1. Basic Data

- Land-holder's name.
- Address.
- Telephone number.
- Location number where plantation is to be established.
- Species of tree to be planted.
- Total area to be planted.
- Previous land use and condition (i.e. pasture or ex-bush site).

2. Fire Protection

Risk of Ignition

Comment on adjacent land clearing, power lines, high visitor use, picnic areas, fire lighting, deliberate lighting, etc.

Detection of fires

What existing fire detection and reporting system is in place?

Will this be sufficient? If not, what measures are proposed?

List call out response procedures including names of personnel to be contacted and telephone numbers.

Initial Attack on Fires

How will the initial attack on fires be mounted?

What is the existing equipment in the area?

What equipment does the landholder propose to provide?

Who will form the crew?

Where will the equipment be located?

Have any formal fire suppression agreements been entered into with other agencies or organisations?

Access in and Around the Plantation

What internal access will be provided?

What pruning is planned?

Will access be conventional or 4 wheel drive?

Will roads be through roads?

Are slopes greater than 1 in 4 to be traversed?

Sign posts on access roads?

Water Supplies

What is proposed to ensure an adequate, permanent water supply is available within a 20 minute turn around time?

Surrounding Fuels

What are the surrounding fuels?

- Predominantly grazed farmland?
- Bush area regularly prescribed burnt?
- Can fuel reduction be carried out on adjoining land without restriction?

Fire Breaks

Fire breaks to be provided in accordance with guidelines.

3. Area at Risk

Existing Plantations in the Area

Does the area adjoin existing plantations?

If the total plantation area exceeds 500 hectares what fuel modification or other precautions will be taken to restrict the potential for major fire development?

Surrounding Values

Are there any values at risk on surrounding lands that may be affected by development of the plantation?

If there are, what protection is to be provided?

Proximity to Townsites

If the plantation is proposed within 1 km radius of a townsite, what special protective measures are proposed and guaranteed to provide for safety of life and property?

Note: A map indicating areas to be planted, fire breaks, water points, initial access and other protective measures must accompany the plan.

APPENDIX 2

Water Supply Standards

Dams or Water Points

Location

Water points should generally be located adjacent to primary or secondary roads for:

- **Safety:** Reliably open escape route(s) in an emergency situation. These roads are generally well sign-posted.
- **Maintenance and easy location:** Water points hidden on little used tracks are difficult to locate, especially for incoming crews at night. They are also more likely to be forgotten and therefore deteriorate from lack of maintenance.
- **Response time:** A well-constructed and maintained road can mean a substantial saving in turn around time when compared to rough surface tracks.

Ultimately however, water points should be established at the best possible permanent water source available.

Site Selection

The following points should be considered when selecting the location for a water point:

- **Permanency:** To be effective, water should be available year round.
- **Soil Type:** Choose clay type soils to prevent loss by seepage.
- **Entry/Egress:** Avoid construction of water points on blind corners
- **Manoeuvring room:** Sufficient room for trucks to manoeuvre, especially at night, should be available.

Site-Construction

A minimum area of 40 metres x 20 metres should be cleared or retained unplanted to allow sufficient room in which to excavate the hole and to manoeuvre trucks. The area should be left smooth enough to create a hardstanding area for heavy duty fire appliances.

Due to limitations on suction hose lengths, access to water must be within 6 metres of the pump of any fire appliance.

Bed logs (up to 45cm crown diameter) should be arranged at the site as safety barriers so as to ensure vehicles cannot accidentally fall or roll into the water point.

To ensure animals are not trapped within the water hole, at least one side should have a slope not exceeding 1 in 6.

Standpipe

Where static water supplies are provided through a standpipe the following standards are recommended:

Location

Standpipes shall be located so as to allow any vehicle using the standpipe to leave the carriageway completely and not restrict traffic flow and visibility.

Standpipe Construction

Standpipes shall be of sound construction, made from galvanised steel and shall withstand a load of 150 kg at the pipe outlet without visible deformation of the structure.

Standpipes shall be equipped with a metal stop valve at 1.5 metres above surrounding surface level. 2 metres of flexible hose of appropriate diameter shall be fitted to the discharge pipe outlet.

Capacity

The minimum discharge shall be 450 litres/minute.

The minimum discharge pipe diameter shall be 75mm.

Access

A vehicle hardstanding area shall be constructed between the edge of the carriageway (road) and the standpipe to a minimum length of 25 metres. Such hardstanding areas shall be made to the same standard as the adjoining roadway, recommended to have a minimum compacted thickness of 200 mm at a compaction rate of 95% MDD.

Hydrants

If a reticulated water supply is available, a hydrant to Water Corporation specifications can be installed to satisfy this standard. The minimum flow required is 450 litres per minute.

Note: The document *Planning for Fire* contains comprehensive Performance Criteria and Standards for Water Supply.

For further information contact:

Fire and Emergency Services Authority of WA

Community Safety Division
480 Hay Street
PERTH WA 6000

Postal Address:
PO Box P1174
Perth WA 6844

Phone: (08) 9323 9300

Western Power

Vegetation Control Officer
(for Albany and Bunbury areas).
Phone 13 13 53 (local call charge).

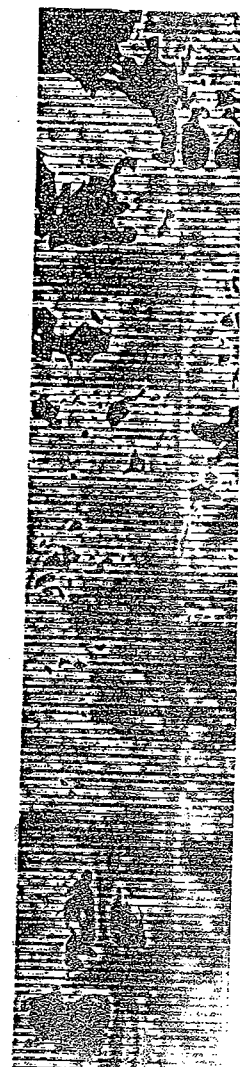
Local Government Authority

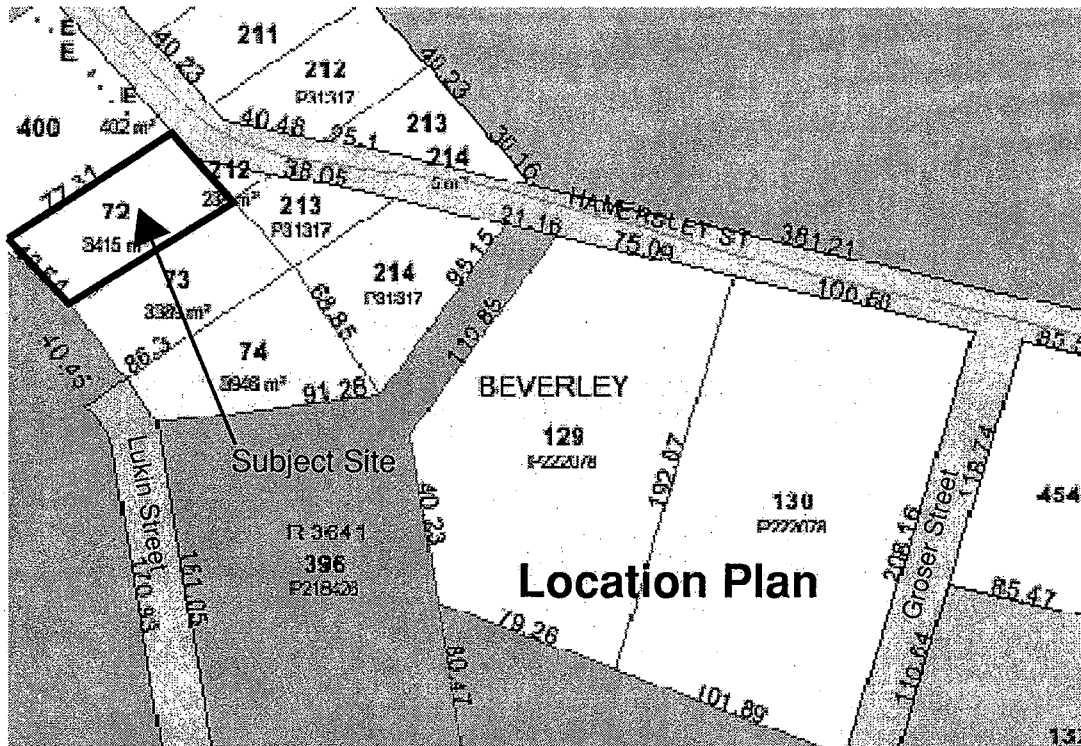
Contact your nearest Local Government Authority.

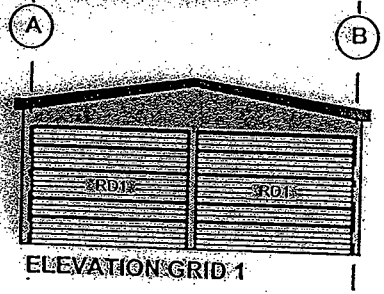
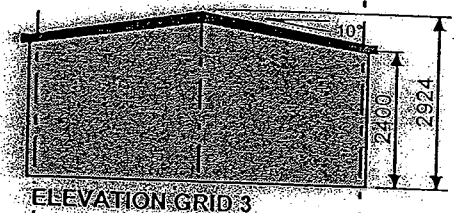
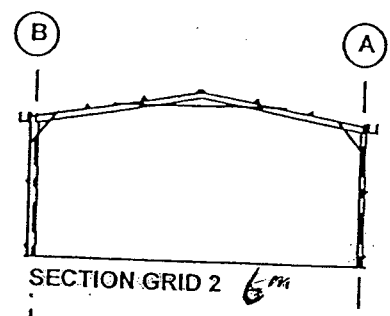
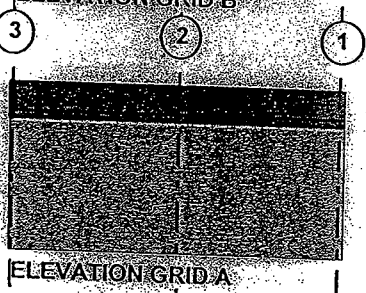
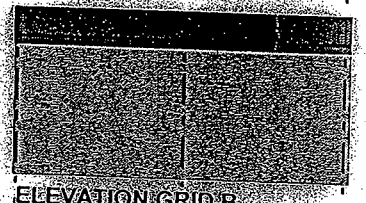
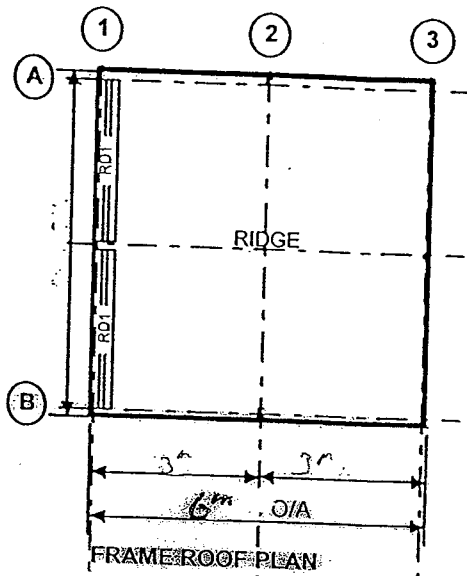
CALM

Department of Conservation and Land Management
Technology Park Western Precinct
Dick Perry Avenue
KENSINGTON WA 6151

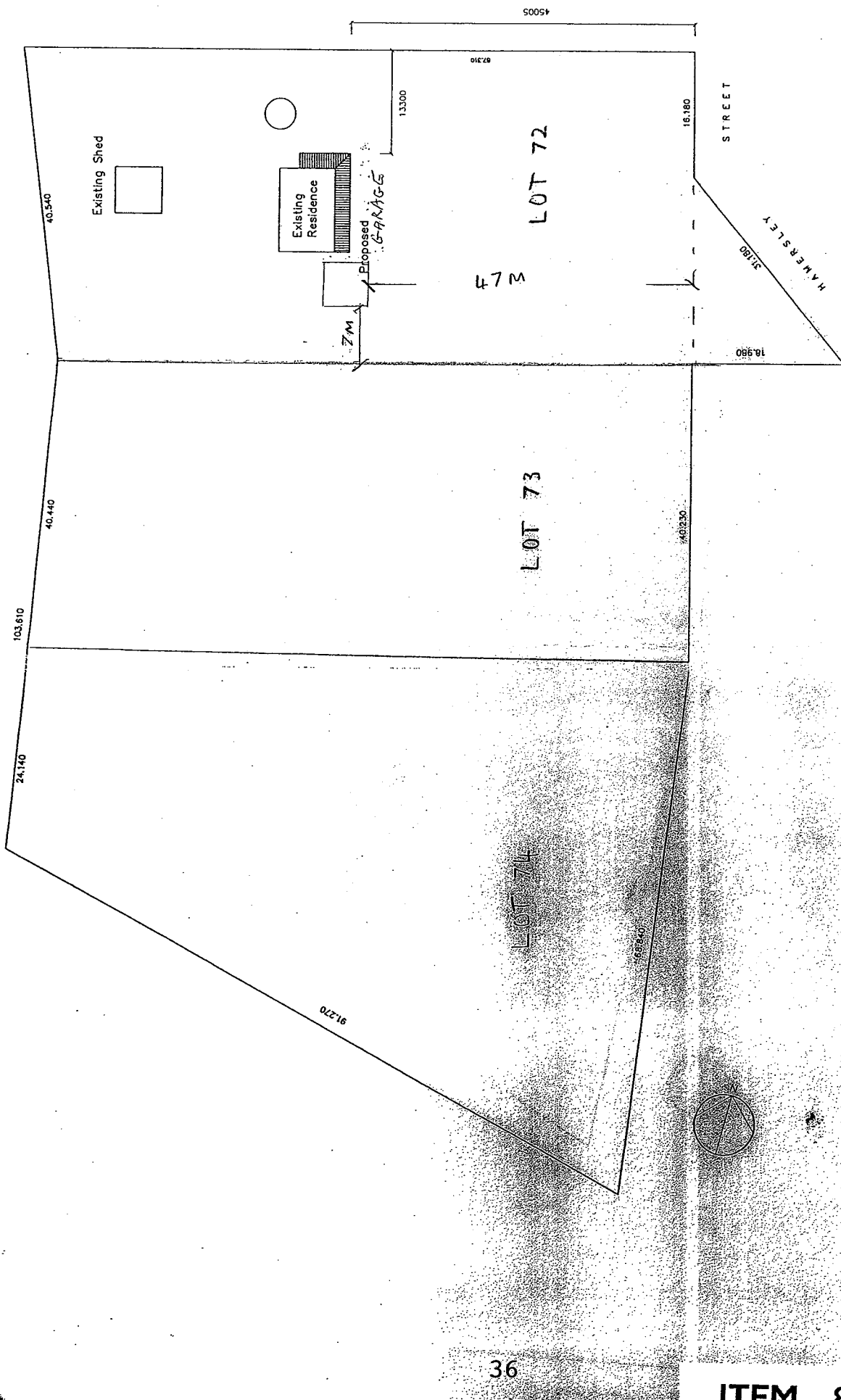
Postal Address:
Locked Bag 104
Bentley Delivery Centre
Bentley WA 6983
Phone: (08) 9334 0333







PROPOSED GARAGE FOR PHIL GURNEY LOT 203 HAMERSL

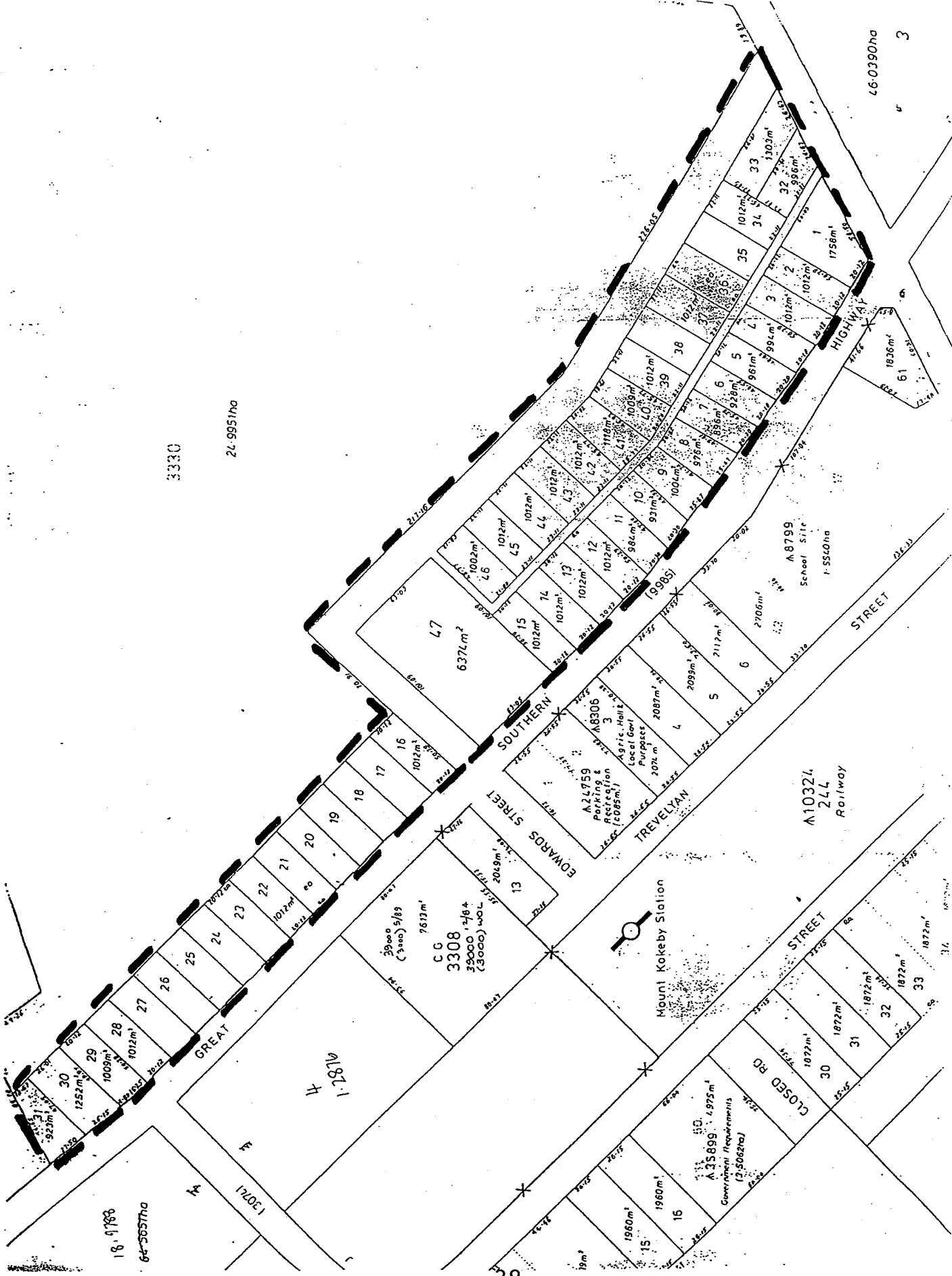


CLIENT	Philip Gurney Lot 203 Hamersley Street Beverley	JOB	Proposed GARAGE SITE PLAN		A3
			SCALE	1:500	Sht No. 01
			DRAWN	albert jackson	DATE
					Rev. AA

**SHIRE OF BEVERLEY
INFORMATION SHEET**

**VARIOUS LOTS SOLD BY ANGLO ESTATES
MOUNT KOKEBY LOCALITY**

1. Lots referred to are included within the heavy broken black line on the attached plan.
2. All lots are zoned "FARMING" under the provisions of Shire of Beverley Town Planning Scheme No. 2.
3. A number of the lots concerned do not have frontage to a public road, therefore, access to the same will only be possible through adjoining private property, if the adjoining land owners agree.
4. The building setback provisions within the "Farming" zone of the Shire require that all buildings have the following minimum setback to lot boundaries:
 - To street: 15.0m
 - To rear boundary: 10.0m
 - To side boundaries: 10.0m
5. No reticulated scheme water supply exists in the locality at this time, and due to the distance to existing water mains at Beverley and Brookton, it is unlikely that a scheme water supply will be provided in the future.
6. The existing soil type in the locality suggests that the provision of on-site effluent disposal could be difficult and costly, and that the only long term solution for the disposal of effluent would be via the installation of a sewerage scheme.
7. Due to points 4. and 5. above, the Shire of Beverley has actively resisted the development of the lots concerned for any purpose other than farming.
8. Council's action with regard to the development and/or amalgamation of Anglo Estates owned lots at Mount Kokeby has consistently been one of non-support, and this action has been the subject of an Appeal by Anglo Estates to the Town Planning Appeal Tribunal of Western Australia, who dismissed that Appeal, due to doubts regarding:
 - Effluent disposal capability of the land area as a whole.
 - The provision of an adequate potable water supply to each lot.
 - The effect that residential development could have on the rural amenity of the locality.
 - The environmental harms that may be caused to persons occupying residences.
 - The effect which single residential development could have on the orderly and proper planning of the Mount Kokeby Locality.
9. In conclusion, the Beverley Shire Council has consistently considered that support for the development of the small, generally unserviced, "Farming" zoned lots in the farming locality of Mount Kokeby, for purposes of a single residential nature, would be irresponsible from the Local Authority point of view.

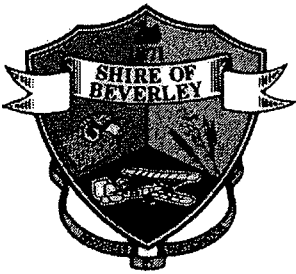


3330
24-9951ha

18-9788
64-5637ha

26-0390ha
3

ITEM 8.1.1.6



DRAFT ANGLO ESTATE POLICY (MOUNT KOKEBY)

PURPOSE

To inform potential landowners on the lack of development potential for lots in the area known as Anglo Estates, confirm Council's position on development and provide guidance on surrendering the lots.

1.0 AUTHORITY TO PREPARE AND ADOPT A PLANNING POLICY

The Shire of Beverley, pursuant to Clause 7.6 of the Shire of Beverley Town Planning Scheme No.2, hereby makes this Town Planning Scheme Policy regarding the area known as Anglo Estates. The subject area is located outside the Mount Kokeby townsite. This policy will be incorporated into future schemes when Town Planning Scheme No.2, or greater, is revoked.

2.0 BACKGROUND

The area known as Anglo Estates was subdivided in 1906 to provide housing lots for an urban settlement centred on the Mount Kokeby train station. The train station no longer exists and apart from a few isolated dwellings there is no remaining urban development. Anglo Estates Pty Ltd purchased the lots in 1995 and in 1996 a test case concerning Council's refusal to grant Planning Approval for a single dwelling was heard by the Town Planning Appeals Tribunal. Council's decision to refuse the application was upheld.

Council has consistently refused to grant Planning Approval for the following reasons:

1. All lots are zoned "FARMING" under the provisions of Shire of Beverley Town Planning Scheme No. 2.
2. A number of the lots concerned do not have frontage to a public road, therefore, access to the same will only be possible through adjoining private property, if the adjoining land owners agree.
3. The building setback provisions within the "Farming" zone of the Shire require that all buildings have the following minimum setback to lot boundaries:

To street:	15.0m
To rear boundary:	10.0m
To side boundaries:	10.0m
4. No reticulated scheme water supply exists in the locality at this time, and due to the distance to existing water mains at Beverley and Brookton, it is unlikely that a scheme water supply will be provided in the future.
5. The existing soil type in the locality suggests that the provision of on-site effluent disposal could be difficult and costly, and that the only long term solution for the disposal of effluent would be via the installation of a sewerage scheme.

6. Due to points 3, 4. and 5. above, the Shire of Beverley has actively resisted the development of the lots concerned for any purpose other than farming.
7. Council's action with regard to the development and/or amalgamation of Anglo Estates lots at Mount Kokeby has consistently been one of non-support, and this action has been the subject of an Appeal by Anglo Estates to the Town Planning Appeal Tribunal of Western Australia, who dismissed that Appeal, due to doubts regarding:
 - Effluent disposal capability of the land area as a whole.
 - The provision of an adequate potable water supply to each lot.
 - The effect that residential development could have on the rural amenity of the locality.
 - The environmental harms that may be caused to persons occupying residences.
 - The effect which single residential development could have on the orderly and proper planning of the Mount Kokeby Locality.
8. In conclusion, the Beverley Shire Council has consistently considered that support for the development of the small, generally unserviced, "Farming" zoned lots in the farming locality of Mount Kokeby, for purposes of a single residential nature, would be irresponsible from the Local Authority point of view.

3.0 DETERMINATION

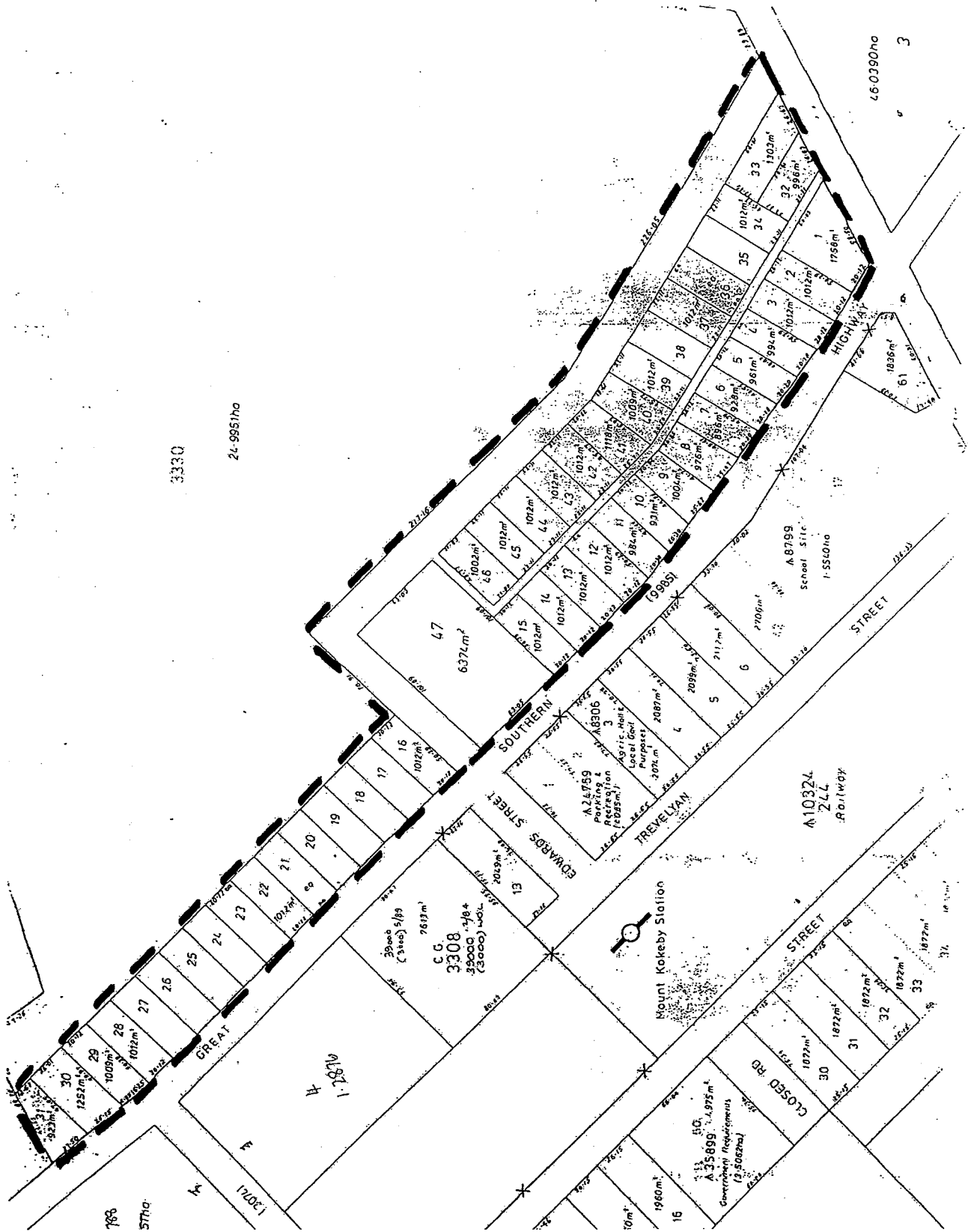
Under the Shire of Beverley's Town Planning Scheme No. 2 Planning Approval is required for all development in Farming zones except for Rural Pursuit and compliant outbuildings. Under Clause 6.3.2 of TPS 2 Council may refuse an application if it is not consistent with the orderly and proper planning for an area.

Therefore Council has consistently refused Planning Approval for any development on the Anglo Estates lots that is not consistent with Farming purposes. Such refusal to grant Planning Consent includes single dwellings.

4.0 POLICY

1. The lots referred to are included within the heavy broken black line on the attached plan.
2. Development proposals that are inconsistent with viable agricultural production will not be approved.
3. Residential development including single dwellings will not be supported.

To provide a financial incentive for landowners to surrender the lots. Should a landowner surrender the lot(s) then the current and previous years rates would be refunded if paid, or expunged if unpaid. The Shire would then pay all transfer of ownership costs. As the lots are potentially undevelopable it is anticipated the cost of the rates would be equal to or greater than the value of the land.



3330

24-9951/ho

260390ho
3

CHEQUE DETAIL - Municipal and Trust Accounts - JANUARY 2010

TYPE	NUM	DATE	NAME	DETAILS	AMT PAID	TOTALS
Liability Chq		07/01/2010	CSRF - CATHOLIC SUPER & RETIREMENT FUND	SUPER CONTRIB: FE 07 JAN 10	0.00	0.00
Liability Chq		07/01/2010	WALGSP - SUPER	SUPER CONTRIB: FE 07 JAN 10	0.00	0.00
EFT Payment		08/01/2010	CSRF - CATHOLIC SUPER & RETIREMENT FUND	SUPER CONTRIB: FE 06 JAN 10	-130.03	
EFT Payment		08/01/2010	FUEL DISTRIBUTORS OF WA P/L	3,000L DIESEL & 2,400L ULP	-6,625.32	
EFT Payment		08/01/2010	LEONHARDT Karina	JAN 10 BLARNEY ISSUE	-700.00	
EFT Payment		08/01/2010	NATWAY FURNITURE & CONSTRUCTIONS	DEC 09 BLARNEY ISSUE	-220.00	
EFT Payment		08/01/2010	RSEA	REJECTED EFT FROM 17 DEC 09. TO BE REISSUED.	-371.25	
EFT Payment		08/01/2010	T-QUIP	VARIOUS PARTS	-1,884.00	
EFT Payment		08/01/2010	WALGSP - SUPER	SUPER CONTRIB: FE 06 JAN 10	-5,566.36	-15,496.96
EFT Payment		15/01/2010	BUNT WHITING SERVICE CENTRE	HC LICENSING - TRAVEL COSTS	-100.00	
EFT Payment		15/01/2010	FUEL DISTRIBUTORS OF WA P/L	4,000L DIESEL	-4,932.80	
EFT Payment		15/01/2010	HITACHI CONSTRUCTION MACHINERY (AUST) P BE036 - 2009 JD 544K PL WHEEL LOADER		-160,710.00	
EFT Payment		15/01/2010	VINCENT Stephen	S VINCENT - UPGRADE TO HC DRIVERS LICENSE	-184.70	-165,927.50
EFT Payment		21/01/2010	ADVANCED AUTO LOGIC P/L	20L SUPER WASH	-98.00	
EFT Payment		21/01/2010	AITS	FUEL TAX CREDIT: NOV-DEC 09	-404.47	
EFT Payment		21/01/2010	ALL-WAYS WROUGHT IRON	RWY STN CLOCK GATES: FINAL PYMT	-5,005.00	
EFT Payment		21/01/2010	ALLIRA HILL	GRAVEL ROYALTIES: JUL-DEC 2009	-5,135.90	
EFT Payment		21/01/2010	ALLPACK SIGNS	TALBOT WEST RD: ROAD SIGNAGE	-125.40	
EFT Payment		21/01/2010	AUSSIE IT	PRINTER TONERS	-667.15	
EFT Payment		21/01/2010	AVON EXPRESS - STANFIELD Cobb	FREIGHT CHARGES - DEC 2009	-99.00	
EFT Payment		21/01/2010	AVON TRACTOR & IMPLEMENT NORTHAM	SUNDRY PLANT PARTS	-508.63	
EFT Payment		21/01/2010	AVON WASTE	RUBBISH COLLECTIONS for 24 DEC 09, 01, 08, 15 JAN 2010	-4,027.44	

ITEM 8.4.1.1

CHEQUE DETAIL - Municipal and Trust Accounts - JANUARY 2010

TYPE	NUM	DATE	NAME	DETAILS	AMT PAID	TOTALS
EFT Payment		21/01/2010	BASSHAM JE & PG (BUTCHERS)	2009 XMAS PARTY MEAT	-396.42	
EFT Payment		21/01/2010	BEV GAS & PLUMBING	WORKS AT RLWY STN, CARAVAN PARK, L35 WRIGHT ST	-7,128.96	
EFT Payment		21/01/2010	BEV NEWS - Barry & Pauline	DEC 2009 ACCOUNT	-155.40	
EFT Payment		21/01/2010	BLACKWOOD J & SON LTD	SUNDRY PLANT PARTS	-692.99	
EFT Payment		21/01/2010	BOC LIMITED	DEC 2009: CYLINDER RENTAL & AGROSHIELD PURCHASE	-186.96	
EFT Payment		21/01/2010	BRAYCO	RLWY STN: STEEL BENCHES	-3,316.00	
EFT Payment		21/01/2010	BT EQUIPMENT	BE033: PARTS	-555.53	
EFT Payment		21/01/2010	COLONIAL FIRST STATE-MOULTON Clare	SUPER CONTRIB: FE 20 JAN 10	-43.44	
EFT Payment		21/01/2010	COURIER AUSTRALIA	FREIGHT CHARGES: 17 DEC 09 - 04 JAN 10	-179.25	
EFT Payment		21/01/2010	CSRF - CATHOLIC SUPER & RETIREMENT FUND	SUPER CONTRIB: FE 20 JAN 10	-130.03	
EFT Payment		21/01/2010	DPT REG DEV & LANDS	VARIOUS RESERVE LEASES to 30 JUN 10	-6,546.37	
EFT Payment		21/01/2010	EASTERN HILLS SAWS & MOWERS	VARIOUS PARTS	-121.95	
EFT Payment		21/01/2010	HOWARD PORTER	BE010, BE013 : MUDFLAPS	-184.14	
EFT Payment		21/01/2010	JAS Richard	VARIOUS MECHANICAL PARTS	-370.08	
EFT Payment		21/01/2010	JASOL AUSTRALIA	VARIOUS CLEANING PRODUCTS	-640.53	
EFT Payment		21/01/2010	JASON SIGNMAKERS	500 REFLECTIVE ROAD FLAPS	-495.00	
EFT Payment		21/01/2010	KLEENHEAT GAS (WESFARMERS KLEENHEAT G/2009/10 GAS CYLINDER RENTAL		-112.00	
EFT Payment		21/01/2010	LANDGATE (DOLA)	VARIOUS TITLE SEARCHES	-72.00	
EFT Payment		21/01/2010	LANDGATE (VGO)	VALUATION FEES: 10 NOV to 19 DEC 09	-219.77	
EFT Payment		21/01/2010	LGRCEU	JAN 10 UNION FEES	-98.40	
EFT Payment		21/01/2010	MINCHIN, BM & SONS	GRAVEL ROYALTIES: JUL-DEC 2009	-11,687.50	
EFT Payment		21/01/2010	MSA CONSTRUCTION	RELIEF "BUILDING INSPECTOR"	-6,930.00	

CHEQUE DETAIL - Municipal and Trust Accounts - JANUARY 2010

TYPE	NUM	DATE	NAME	DETAILS	AMT PAID	TOTALS
EFT Payment		21/01/2010	NORTHAM CARPETS	RLWY STN: VINYL (KITCHEN)	-1,900.00	
EFT Payment		21/01/2010	ORICA/SPECTRUM	DEC 2009 CHLORINE CYLINDER RENTAL (ORICA)	-168.04	
EFT Payment		21/01/2010	PARKFIELD FARMS PTY LTD	GRAVEL ROYALTIES: JUL-DEC 2009	-5,198.60	
EFT Payment		21/01/2010	PHIL DEMPSEY DESIGN & CONSTRUCTION	RLWY STN UPGRADE: CONSULTANT FEES	-4,159.62	
EFT Payment		21/01/2010	RADIOWEST BROADCASTERS P/L	DEC 09 FIRE MESSAGE BROADCASTS	-143.00	
EFT Payment		21/01/2010	REPEAT PLASTICS (WA)	MAIN STREET: 3 x HERITAGE BOLLARDS	-299.97	
EFT Payment		21/01/2010	SHIRE OF YORK	RANGER SERVICES - DOG CONTROL	-169.92	
EFT Payment		21/01/2010	SIMS DB & JT & CO	GRAVEL ROYALTIES: JUL-DEC 2009	-2,187.90	
EFT Payment		21/01/2010	TESTEL	CERTIFICATES of COMPLIANCE ELECTRICAL	-1,742.40	
EFT Payment		21/01/2010	WALGA - WA LOCAL GOVERNMENT ASSOCIATI	ADVERTISING: "THE WEST" (EARLY PYMT DISCOUNT APPLIED)	-427.00	
EFT Payment		21/01/2010	WALGSP - SUPER	SUPER CONTRIB: FE 20 JAN 10	-6,448.93	
EFT Payment		21/01/2010	WESTRAC	BE004 (LOADER) - PARTS	-356.26	
EFT Payment		21/01/2010	WHATELY Mark	GRAVEL ROYALTIES: JUL-DEC 2009	-2,601.00	
EFT Payment		21/01/2010	YARNELL CIVIL & MINING	KOKEBY EAST RD: 395T ROCK	-15,215.20	-97,351.55
EFT Payment		25/01/2010	DAWSONS CONCRETE & REINFORCING	PROGRESS PYMT: REPAIRS TO FLOOD DAMAGE CULVERTS	-22,814.00	
EFT Payment		25/01/2010	KAY Lyn	YOUTH COORDINATOR: 04 - 15 JAN 10	-900.00	-23,714.00
EFT Payment		28/01/2010	MIDLAND TIMBER CO P/L	RLWY STATION: VARIOUS TIMBER	-6,128.67	-6,128.67
Liability Chq		29/01/2010	ATO - AUSTRALIAN TAX OFFICE	PAYG TAX: JAN 10	0.00	0.00
Liability Chq		29/01/2010	COLONIAL FIRST STATE-MOULTON Clare	SUPER CONTRIB: FE 20 JAN 10	0.00	0.00
Liability Chq		29/01/2010	CSRF - CATHOLIC SUPER & RETIREMENT FUND	SUPER CONTRIB: FE 20 JAN 10	0.00	0.00
Liability Chq		29/01/2010	LGRCEU	UNION FEES: JAN 10	0.00	0.00
Liability Chq		29/01/2010	SHIRE OF BEVERLEY	JAN 10 SAL DEDUCTIONS	0.00	0.00

CHEQUE DETAIL - Municipal and Trust Accounts - JANUARY 2010

TYPE	NUM	DATE	NAME	DETAILS	AMT PAID	TOTALS
Liability Chq		29/01/2010	WALGSP - SUPER	SUPER CONTRIB: 20 JAN 10	0.00	0.00
D/DEBIT		29/01/2010	DPI - LICENSING SERVICES	DEC 09/JAN10 LICENSING PAYMENTS	-62,465.55	-62,465.55
D/DEBIT		29/01/2010	CBA - MERCHANT BANKING	DEC 2009 TRANSACTION FEES	-64.69	-64.69
D/DEBIT		29/01/2010	CBA - MERCHANT BANKING	DEC 2009 ACCESS FEE	-30.78	-30.78
D/DEBIT		29/01/2010	ANZ- ONLINE BANKING/BANK FEES	FEES for DEC 2009	-78.95	-78.95
D/DEBIT		29/01/2010	ANZ- ONLINE BANKING/BANK FEES	ANZ ADJ re DEPOSIT 16 OCT 09	-50.00	-50.00
EFT Payment		29/01/2010	WESTNET PTY LTD	JAN 2010 INTERNET ACCESS & HOSTING EMAIL PROTECTION	-185.00	-185.00
Gen Journal	1214	12/01/2010	ANZ - CREDIT CARD PAYMENT	DEC 09 # - CREDIT CARD	-272.25	-272.25
Cheque #	673	08/01/2010	JOHNSTONE Lorna	REJECTED EFT FROM 17 DEC 09. TO BE REISSUED.	-23.84	-23.84
Cheque #	674	12/01/2010	SYNERGY	STREET LIGHTS: 24 NOV - 22 DEC 09	-1,310.06	-1,310.06
Cheque #	675	21/01/2010	ATO - AUSTRALIAN TAX OFFICE	DEC 2009 BAS RETURN	-12,038.00	-12,038.00
Cheque #	676	21/01/2010	AUST POST	DEC 2009 POSTAGE	-557.93	-557.93
Cheque #	677	21/01/2010	BEV MED PRACTICE - ADEBAYO	PRE-EMPLOYMENT MEDICAL	-90.00	-90.00
Cheque #	678	21/01/2010	EE TIANG HENG	ASS 513237 - REFUND	-49.59	-49.59
Cheque #	679	21/01/2010	ROZEMA John	ASS 773 - REFUND	-643.00	-643.00
Cheque #	680	21/01/2010	RYAN R D FAMILY TRUST	GRAVEL ROYALTIES: JUL-DEC 2009	-2,771.00	-2,771.00
Cheque #	681	21/01/2010	SMITH PH & CO	GRAVEL ROYALTIES: JUL-DEC 2009	-6,619.80	-6,619.80
Cheque #	682	21/01/2010	TELSTRA	JAN 10 TELEPHONE ACCOUNTS	-1,300.05	-1,300.05
Cheque #	683	21/01/2010	WATER CORPORATION	VARIOUS WATER ACCOUNTS	-10,939.65	-10,939.65
					-408,108.82	-408,108.82

CHEQUE DETAIL - Municipal and Trust Accounts - JANUARY 2010

TYPE	NUM	DATE	NAME	DETAILS	AMT PAID	TOTALS
WAGES & SALARIES						
EFT Payment		7/01/2010	WAGES & SALARIES	FE - 06 JAN 10	-34,260.68	
EFT Payment		21/01/2010	WAGES & SALARIES	FE - 20 JAN 10	-33,870.60	
				WAGES & SALARIES	-68,131.28	-68,131.28
TRANSFERS to TRUST						
Gen Journal	1220	28/01/2010		ASS 356 (BUTTERWORTH JR) TFR of CR BAL to TRUST	-16.14	
Gen Journal	1221	28/01/2010		ASS 54 (FORDHAM FM) TFR of CR BAL to TRUST	-88.53	
Gen Journal	1222	28/01/2010		ASS 144 (HAWKSLEY DH) TFR of CR BAL to TRUST	-10.75	
Gen Journal	1223	28/01/2010		ASS 1521 (GREENFIELD EM) TFR of CR BAL to TRUST	-54.70	
Gen Journal	1224	28/01/2010		WAGES DEDUCTS: ADV RATE PYMTS (JAN 10)	-270.00	
				TRANSFERS to TRUST	-440.12	-440.12
UNPRESENTED PAYMENTS for CURRENT BANK STATEMENT						
Cheque #	677	21/01/2010	BEV MED PRACTICE - ADEBAYO	PRE-EMPLOYMENT MEDICAL	90.00	
Cheque #	680	21/01/2010	RYAN R D FAMILY TRUST	GRAVEL ROYALTIES: JUL-DEC 2009	2,771.00	
				UNPRESENTED PAYMENTS for CURRENT BANK STATEMENT	2,861.00	2,861.00

46

CHEQUE DETAIL - Municipal and Trust Accounts - JANUARY 2010

TYPE	NUM	DATE	NAME	DETAILS	AMT PAID	TOTALS
PAYMENTS PRESENTED IN CURRENT BANK # RELATING to PRIOR MONTHS' TRANSACTIONS						
Cheque #	648	09/12/2009	BEECROFT K & N	ASS 380 - REFUND	-10.75	
Cheque #	655	09/12/2009	WATT Don	ASS 771 - REFUND	-229.05	
Cheque #	658	17/12/2009	BEV HEALTH SERVICES	2009 GOPHER PARADE	-150.00	
Cheque #	662	17/12/2009	RALE HOLDINGS P/L	CROSSOVER REBATE - 13 HOPE ST	-225.00	
Cheque #	665	17/12/2009	TESTERINK Elizabeth & Jan	ASS 69 - REFUND	-171.72	
PAYMENTS PRESENTED IN CURRENT BANK # RELATING to PRIOR MONTHS' TRANSACTIONS					-786.52	-786.52

OTHER AMENDMENTS/GENERAL JOURNALS

47 OTHER AMENDMENTS/GENERAL JOURNALS 0.00 0.00

INVESTMENTS

INVESTMENTS 0.00 0.00

TOTAL EXPENDITURE for MUNICIPAL ACCOUNT
-474,605.74

ITEM 8.4.1.1

CHEQUE DETAIL - Municipal and Trust Accounts - JANUARY 2010

TYPE	NUM	DATE	NAME	DETAILS	AMT PAID	TOTALS
TRUST ACCOUNT DETAILS						
EFT Pymt		12/01/2010	WATTS DP & MA	REFUND: RELOC HOUSE BOND - 24 BROCKMAN ST BEVERLEY	-5,000.00	
EFT Pymt		18/01/2010	WATTS DP & MA	ADJ for INCORRECT ACCT DETAILS INPUTTED. MONIES REISSUED.	-5,000.00	
EFT Pymt		21/01/2010	ALEXANDER Jim	REFUND: 2009 LOCAL ELECTION NOMINATION FEE	-80.00	
EFT Pymt		21/01/2010	EGBERTS Corrie	REFUND: 2009 LOCAL ELECTION NOMINATION FEE	-80.00	
EFT Pymt		21/01/2010	FOSTER Belinda	REFUND: 2009 LOCAL ELECTION NOMINATION FEE	-80.00	
EFT Pymt		21/01/2010	GOGOL Peter	REFUND: 2009 LOCAL ELECTION NOMINATION FEE	-80.00	
EFT Pymt		21/01/2010	McDONALD Bill	REFUND: 2009 LOCAL ELECTION NOMINATION FEE	-80.00	
CHEQUE #	1410	21/01/2010	PEPPER Chris	REFUND: 2009 LOCAL ELECTION NOMINATION FEE	-80.00	
					-10,480.00	-10,480.00

4 PAYMENTS PRESENTED IN CURRENT BANK # RELATING TO PRIOR MONTHS' TRANSACTIONS

CHEQUE #	1406	05/10/2009	PASCOE Michelle Florence	REFUND OF RATES, ASS 50021	-514.63	
					-514.63	-514.63

PAYMENTS PRESENTED IN CURRENT BANK # RELATING TO PRIOR MONTHS' TRANSACTIONS

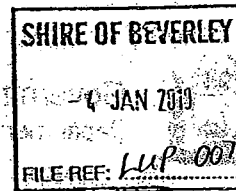
TOTAL EXPENDITURE for TRUST ACCOUNT

-10,994.63

TOTAL EXPENDITURE as reconciled to the JANUARY 2010 BANK RECONCILIATIONS

ITEM 8.4.1.1

Municipal Account Expenditure -474,605.74
 Trust Account Expenditure -10,994.63
Total Expenditure for JANUARY 2010 -485,600.37



Your ref:
Our ref: 01108-1905-04RO. Job 094037
Enquiries: Greg Martensen
Ph: (08) 9347 5053 Fax (08) 9347 5002
Email: greg.martensen@lands.rdl.wa.gov.au

29 December, 2009

Chief Executive Officer
Shire of Beverley
PO Box 20
BEVERLEY WA 6304

Re: Unallocated Crown Land in Beverley.

The following Crown lots in Beverley are being considered for release or disposal for the purposes described below.

The Shire's comments on the following items are invited.

For most of the items, the Native Title future act process will need to be employed.

The lands are marked on enclosed sketches.

1. **Lot 53 and 56, Railway Street.** Proposal: Residential with sewer, however no constructed road frontage. For transfer over next three years depending on native title negotiations. Upon clearance of Native Title, the lots could be made available in 'as is' condition for transfer to third party.
2. **Lots 372, 374, Railway Street, Lot 373 Forrest Street.** No action at present. The lots are at rear of the commercial area, and are generally below road level. Unless there is an application from an adjoining owner, the lots are to remain unallocated Crown land.
3. **Lot 356 Bartram Street.** Proposal: Residential with sewer and gravel road, however will likely require fill to get above 100 year flood level. Could be considered for transfer over the next three years depending on Native Title negotiations. Upon clearance of Native Title, Lot 356 could be made available for transfer to a third party in an 'as is' condition.
4. **Lot 349, Bartram Street.** Proposal: Sale via conditional purchase lease for residential. Sewered lot on a bitumen road. Some fill will be required to build above the 100 year flood level. Conversion to freehold after construction of a residence by lessee.

4037gm01

Postal Address: PO Box 1575, Midland, Western Australia 6201
Tel: (08) 9347 5000 <http://lands.rdl.wa.gov.au> ABN 28 807 112 111



5. Lots and 2 Bartram Street, and un-numbered UCL on both sides of Avon River. Proposal to be reserved for drainage or recreation. Land is flood-prone. To be reserved with management order to Shire.

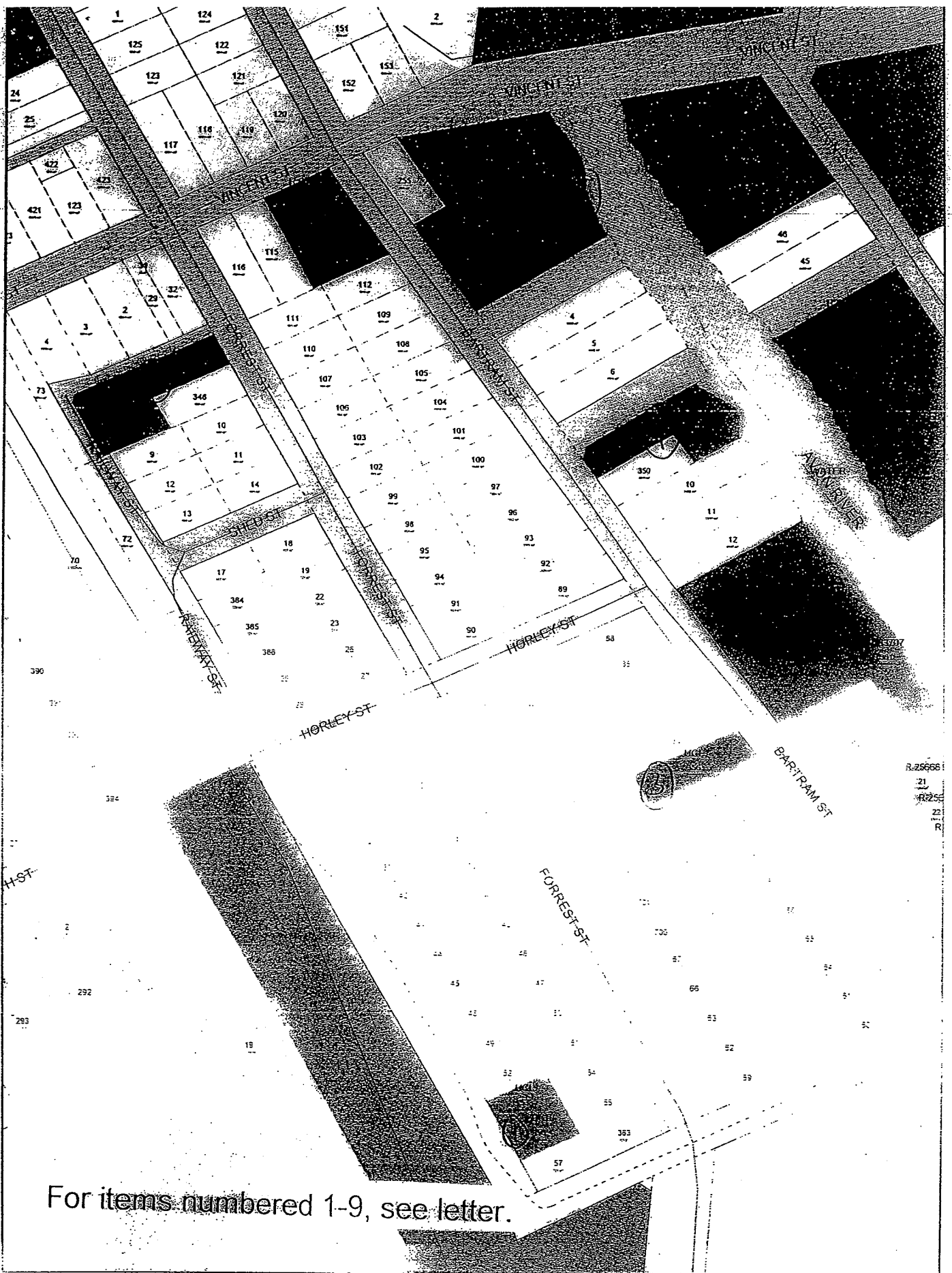
6. Lot 357, Monger Street. Sale via conditional purchase lease for residential. Sewered lot on a bitumen road with all services. Conversion to freehold after construction of a residence.

7. Lots 422, 423, 424, Hope Street. No action at this time. Lots are out of the way, and would need road construction and some services. Remain as UCL until demand rises in years ahead.

8. Lot 316, Lukin Street. Proposal: requires considerable fill to reach road level. Not economical to develop now, but has potential. Lot will be subject to native title future act processes now with other lots, with intent of sale by conditional purchase lease for residential purposes.

9. Lot 155, Dempster Street. Proposal Lot to be reserved for 'Protection of Natural Landscape' under management of the Shire.

Greg Martiensen
Assistant State Land Officer
State Lands Wheatbelt
Lands Division



For items numbered 1-9, see letter.

Scale : 1:2500 (Geographical)
 MGA : SW=493053.2E,6446951.1N Zone 50 / NE=493053.2E,6446951.1N Zone 50
 Lat/Long : 116°55'34.907", -32°06'49.579" / 116°55'34.107", -32°06'49.579"

Printed : 13:04 T...
 © Western Australia... Authority 2009

This product is for information purposes only and is not to be used as a substitute for the original documents. Where the information is being provided for information purposes only, the information may be out of date and should not be relied upon. For verification from the original documents, then the original documents must be searched for all relevant information.



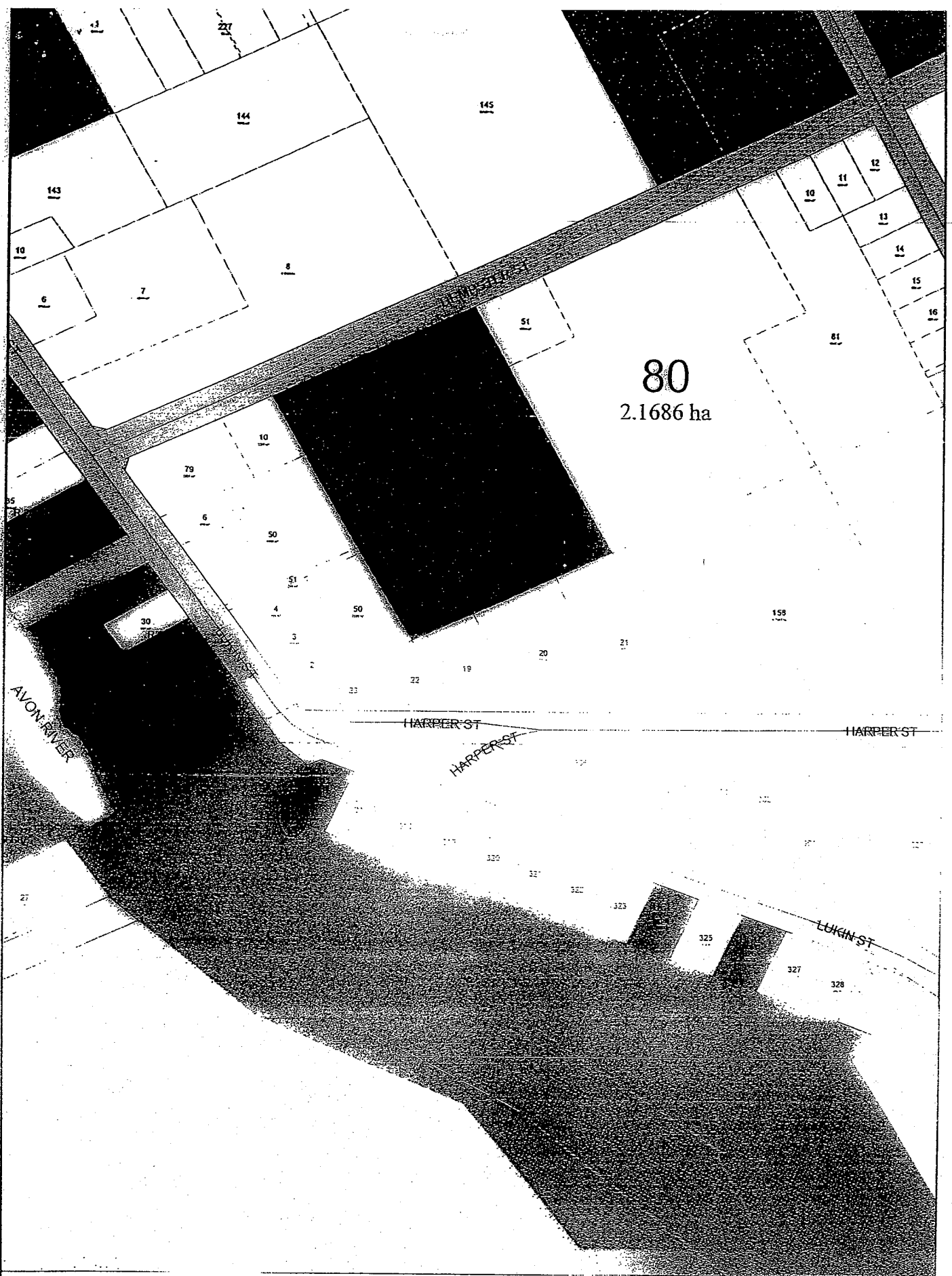
Scale : 1:2500 (Geographical)
 MGA : SW=492454, SE, 6447499.1N Zone 50 / NT
 Lat/Long : 116°55'12.076", -32°06'31.767" / 116°55'3"

Zone 50
 H 263mm by W 202mm

Printed : 12:58 Tue
 © Western Australian Planning Authority 2009

This product is for information purposes only and is not intended to be used as a substitute for the original documents. Where the information is believed to be incorrect, the original documents must be searched for all information. Information may be out of date and should not be relied upon without verification from the original documents.

ITEM 8.5.1.2



Scale : 1:2500 (Geometric)
 MGA : SW=493585.58
 Lat/Long : 116°55'55.218"

59 : NE=494088.6E,6447700.8N Zone 50
 116°56'14.434", -32°06'25.249" H 263mm by W 202mm

Printed: 13:00 Tue 29/Dec/2009
 © Western Australian Land Information Authority 2009

This product is for information only. It is not guaranteed. The information may be out of date. It should not be relied upon without further verification from the original documents. Where it is being used for legal purposes then the original documents should be searched for all legal requirements.

This product is for information only. It is not guaranteed. The information may be out of date. It should not be relied upon without further verification from the original documents. Where it is being used for legal purposes then the original documents should be searched for all legal requirements.

This product is for information only. It is not guaranteed. The information may be out of date. It should not be relied upon without further verification from the original documents. Where it is being used for legal purposes then the original documents should be searched for all legal requirements.

Meeting Fees, Allowances and Expenses for Elected Members

Local Government Operational Guidelines - Number 15 September 2006



Department of Local Government
and Regional Development
Government of Western Australia

www.dlgrd.wa.gov.au

Meeting Fees, Allowances and Expenses for Elected Members

1. Introduction

1. This guideline is to assist elected members and council staff, in understanding entitlements to meeting fees, allowances and expenses for elected members.
2. The payment of meeting fees, allowances and expenses compensates members for the costs they incur in performing their duties. These include a combination of payments that members have a right to receive and those that are payable at the discretion of each local government.
3. There are minimum and, in some cases, maximum amounts that apply for payments a member is entitled to receive. Where the reimbursement of expenses is not specifically identified in legislation, each local government has the discretion to determine whether to reimburse the expense and the level of payment that it considers is appropriate.
4. It is appropriate for local governments to develop policies relating to the payment of meeting fees, allowances and expenses where discretion is available. Such policies will provide guidance for elected members and employees and members of the community about this issue. It also assists with budgeting and financial management, and promotes transparency and accountability.

1.1 Legislation

5. The provisions regarding meeting fees, allowances and expenses are contained in sections 5.98 to 5.102 of the *Local Government Act 1995* (the Act) and regulations 30 to 34AB of the *Local Government (Administration) Regulations 1996* (the regulations).
6. Section 5.98 of the Act provides that an elected member is entitled to be paid a fee for attending a council or committee meeting. A council meeting referred to in s.98 includes ordinary and special council meetings as described in s.3. The entitlement for an elected member to be paid an attendance fee does not include attending an annual electors or special electors meeting.

7. Further, a local government can provide elected members with local government owned resources including computers, fax machines, meals and in-kind support such as secretarial or administrative services to enable them to carry out their duties. It is able to do this through the 'general function' power of the Act.
8. Meeting fees, allowances and expenses paid to elected members may have implications in relation to income tax, fringe benefits tax and social security benefits. The Department has not addressed these matters within this guideline. It would be appropriate for elected members to seek independent advice on this matter in relation to the individual's specific circumstances. Elected members should consult an accountant or direct their inquiries to the relevant Commonwealth agencies.

1.2 Financial Interest exemption

9. An elected member who has an interest in a matter to be discussed at a council or committee meeting must disclose that interest. However, under s5.63(1)(c) a member is exempted from disclosing an interest relating to an attendance fee, allowance or reimbursement of an expense, to which s5.98, 5.98A, 5.99, 5.99A, 5.100 and 5.101(2) refer.

2. Meeting Attendance Fees

2.1 Right to receive meeting fees

10. Under section 5.98(1) of the Act each elected member has the right to decide whether he or she wishes to be paid meeting attendance fees. Each elected member must have the freedom to make their own decision on this matter without influence or pressure from other members.
11. If a member wishes to receive meeting fees, he or she is entitled to the prescribed minimum fee under the regulations or to a higher fee set by the council. The fee cannot exceed the maximum prescribed in the regulations.

12 While it is the right of individual members to decide whether they wish to be paid an attendance fee, it is the responsibility of the council to decide:

- whether fees are to be paid on the basis of meetings attended, and if applicable, the level of the fees to be paid; and
- whether an annual fee will be paid in lieu of a fee per meeting, and if applicable, the level of that annual fee up to the prescribed maximum and whether paid in advance or arrears.

13 A member elected at an extraordinary election is not bound by any decision of their immediate predecessor and can claim meeting attendance fees as soon as they take office. However, the member is bound by any previous decision of the council to pay fees on an annual or individual meeting basis.

2.2 Procedure for claiming meeting fees

14 It is appropriate for elected members to be asked whether they intend to claim meeting fees to ensure that adequate budget provision can be made. The CEO should handle this matter. Misunderstanding can be avoided by providing each member with a form on which they can indicate their intentions.

15 Even if a member initially decides not to claim meeting fees, they have the right to change their decision during the year and claim fees for that current year and any previous years.

2.3 Meeting attendance fees – councillors

2.3.1 Payment on a per meeting basis

16 Elected members are entitled to be paid on a per meeting basis at the minimum rate prescribed in the regulations unless the council decides otherwise. If a local government proposes to pay an amount greater than the minimum, it must resolve to do so by setting the fee within the statutory minimum and maximum amounts. The minimum and maximum amounts prescribed in regulation 30(1) and (2) are:

- Council meetings – minimum \$60, maximum \$140
- Committee meetings – minimum \$30, maximum \$70

17 Regulation 30 (3) provides that the total fees that can be paid on a per meeting basis to a councillor in each year is not to exceed \$7,000. Note the reference to a councillor in this instance does not include the entitlement of payment of meeting attendance fees for a mayor or president, which is covered in item 2.4.

18 An elected member is not able to claim meeting fees for attending a committee meeting unless he or she is a member of that committee. Members appointed as deputies on committees may only be paid the meeting fee when they attend on behalf of the person for whom they are deputising. In addition members are not entitled to claim fees for attending meetings outside of the formal council meeting framework such as agenda, briefing and concept forums

2.3.2 Payment on an annual basis

19 Under regulation 34, a local government can decide to pay elected members an annual fee of between \$2,400 and \$7,000. This amount is paid irrespective of the number of council and committee meetings attended by an individual member.

Meeting attendance versus annual attendance fees

20 The Department often receives questions and comments with regard to which method of fee payment is the best; a fee for each meeting attended or an annual fee. It is appropriate that each local government makes its own decision on the method that best suits its circumstances.

21 One argument in favour of the payment of an annual fee is its simplicity compared to a claim being made for payment for each meeting attended.

22 However, the benefit of the payment per meeting method is that elected members are only paid for the number of meetings they attend. Under an annual fee system, an elected member who misses a significant number of meetings will be paid the same amount as a member who attends every meeting. This could be seen as inequitable by the other members and the community.

23 A downside of paying fees per meeting is that the fees prescribed in the legislation may be considered as relatively low compensation. For example, in the situation where a local government conducts 24 ordinary council meetings per year (2 per month), the annual payment for a councillor paid the maximum per-meeting fee is \$3360 (24 x \$140), excluding any committee meetings, as compared to the maximum annual fee of \$7,000 when an annual attendance fee is paid.

2.3.3 Period covered by annual fees and frequency of payment

24 Sections 5.98(5) 5.99 and 5.99A of the Act use the terms 'annual allowances' and 'annual fees' but do not provide whether the period covered is a calendar year, a financial year or a year of the elected member's term of office. Also, it does not prescribe how or when an annual allowance or fee should be paid. Payment can be made in advance or in arrears. It could be paid as a one-off annual payment, it could be quarterly or it could be on a monthly basis or on any other basis as council resolves.

25 Administration of payments would be more efficient and convenient if the frequency of payment were the same for all elected members. The council may set a policy on this.

26 The Department is of the view it is preferable for such payments to be in arrears. The principle of public accountability for public monies also supports that payment be in arrears.

27 In making this decision or adopting a policy on annual or periodic payments in arrears, elected members may wish to consider the implications of the following payment options-

- If payments are made in advance on an annual basis at the beginning of every calendar year, and an elected member is not re-elected at the ordinary elections, that member would receive payment for a period when they are no longer a member. In this case another issue arises in that a member elected at an extraordinary election may

receive payment for the whole calendar year, even though they are only elected for say 4 months of the year.

- If payments are made on an annual basis, either each year from the month in which the ordinary elections are held or at the start of every financial year and an elected member resigns during the year, that member will have received a payment for meeting attendances when they are no longer a member.

28 Accordingly, it is preferable that payment be made after the period to which it relates. In this way the problems associated with payments in advance will not arise.

What level of attendance fees is appropriate?

29 How does a local government determine what level of fees should be paid and whether this should be on an annual or on a per meeting basis?

30 The Act has been structured to provide flexibility and autonomy for local governments to determine the level of fees that are appropriate for its circumstances. When considering what level is appropriate, a local government may wish to consider issues such as-

- (i) The workload of the members. This would include the number of council and committee meetings that take place, the length of these meetings, the size of the agenda and the time required to adequately prepare for the meetings including, for example, time required for consultation with members of the community and site visits on agenda items.
- (ii) Local governments may also wish to compare what councils of similar size (in terms of population, budgets, economic activity) are currently paying their elected members.

2.4 Meeting attendance fees – Mayors and Presidents and Regional Local Government Chairpersons

2.4.1 Payment on a per meeting basis

31 Mayors and presidents are entitled to be paid on a per meeting basis at the minimum rate prescribed in the regulations unless the council decides otherwise. If a local government proposes to pay an amount greater

than the minimum, it must by resolution set the fee within the statutory minimum and maximum amounts. The minimum and maximum fees payable to a mayor or president for attending individual meetings prescribed in regulation 30 (4) are:

- Council meetings – minimum \$120, maximum \$280
- Committee meetings – minimum \$30, maximum \$70

32 Regulation 30 (5) provides that the total fees that can be paid to a mayor or president for attending council and committee meetings in each year is not to exceed \$14,000.

33 As for councillors, a mayor or president cannot claim fees for attending committee meetings unless he or she is appointed as a member of that committee.

2.4.2 Payment on an annual basis

34 Alternatively, under regulation 34, the local government can decide to pay the mayor or president an annual meeting attendance fee of between \$6,000 and \$14,000.

35 The issues highlighted in item 2.3.3 in relation to the period covered by annual fees and frequency of payment also apply to this item.

Why do Mayors and Presidents receive a higher level of fees?

36 Mayors and presidents are entitled to receive a higher meeting attendance fee as they are required to conduct the ordinary and special meetings of council and the annual and special meetings of electors. This requires greater preparation for and greater responsibility at meetings when compared to attendance by other elected members.

2.5 Eligibility of non-elected members for meeting fees

37 Section 5.9 of the Act allows for local government committees to include members who are not elected members. This includes employees of the local government, employees of other organisations or members of the community.

38 Meeting attendance fees can only be claimed by and paid to elected members. However, s5.98(7) of the Act prevents payment to an elected member if persons other than elected members or employees are members of the committee.

39 Section 5.100 of the Act specifically states that a committee member who is not an elected member or employee is "not to be paid a fee for attending any committee meeting." Section 5.101 of the Act has similar requirements in that a meeting attendance fee is not to be paid to an employee of the local government.

40 However, s5.100(2) and 5.101(2) provide that a local government may reimburse an employee or a person who is not an elected member but is a committee member for an expense incurred by the employee or person in relation to a matter affecting the local government i.e. such as attending the committee meeting.

2.6 Disclosure of fees to the public

41 Regulation 44 of the *Local Government (Financial Management) Regulations 1996* requires the annual report of a local government to include the fees, expenses or allowances paid to the elected members and the mayor or president. The details to be included are-

- the nature of the fee, expense or allowance; and
- the total amount or value of each class of fee, expense or allowance paid to elected members.

42 This disclosure is to enable the public to be informed of the fees, expenses and allowances paid to elected members.

2.7 Regional local governments

43 The Act and regulations relating to meeting fees for elected members apply equally to regional local government council members. In addition, the provisions of the regulations relating to meeting fees for mayors and presidents also apply to a regional local government chairperson.

- 44 It should be noted that-
- the payments for meeting fees are made by the regional/local government, not the participating local governments; and
 - the regional/local government has the right to make the same type of decisions for the purpose of its operation as are made by the participating local governments for their operations.

45 A local government must not pay a sitting fee to a member of its council for attendance at a meeting of the regional council. An annual meeting fee paid by a local government to its members is unrelated to meeting fees paid by a regional/local government.

46 It may well occur that a regional/local government will pay sitting fees per meeting attended while the participating local governments pay an annual attendance fee to its council members. In addition, a regional/local government could pay its members the maximum prescribed fee even though the participating local governments were paying only the minimum prescribed fee.

47 It would also be possible for an elected member appointed to two regional/local governments to receive three sets of fees: one from the member's own local government and one from each of the regional/local governments.

3 Expenses

3.1 Expenses that must be reimbursed

48 The kinds of expenses that must be reimbursed by a local government or regional/local government to its council members are:

- telephone and facsimile machine rental charges;
- child care expenses; and
- travel costs for attending council and committee meetings.

49 The regulations require that claims for these expenses must relate to the actual cost incurred and be supported

by appropriate documentation. Claims are for reimbursement of costs and are not an allowance. The onus is on the elected member to provide documentary evidence of the expenses to satisfy payment of the reimbursement by the local government.

50 It is good practice for each local government to have a fees, allowances and expenses policy. This would establish what is appropriate documentation and also establish the procedure to be followed by elected members for the making of a claim.

3.1.1 Telephone and facsimile services

51 Each elected member is entitled, under regulation 31 to be reimbursed for-

- the rental charges for one telephone; and
 - the rental charges for one facsimile machine.
- The reimbursement under this provision is limited to the actual amount of the rental charge.

52 It is important to note that this legislative provision relates only to the rental costs, not to other associated expenses such as the costs of making phone calls, sending fax messages or the insurance, repair and maintenance of the equipment. *(Items 3.2 Expenses that may be reimbursed and 4.3.1 Telecommunications Allowance also refer.)*

3.1.2 Child care expenses

53 (regulation 31(1)(b) entitles all elected members, regardless of their gender, to claim child care expenses incurred when attending council or committee meetings of which they are appointed members. It is intended that a child care claim is to relate to a child and the time from when the child is handed over for care to the time the child is picked up from care, not just the duration of the meeting or the time the child is under care.

54 Like all reimbursements, the cost must be actually incurred by the elected member before a claim may be lodged and is limited to the actual cost of the care of the child, or \$20.00 per hour, whichever is the lesser.

3.1.3 Travel costs

- 55 Regulation 31(1)(b) entitles elected members to claim travel costs for attending council and committee meetings (to which they are appointed members). Travel costs are the costs actually incurred and can include taxi fares. There is no entitlement to claim for time, lost wages or any inconvenience involved.
- 56 Rates for determining a claim for private vehicle usage are discussed in item 4.3.3 below.
- 57 An elected member who travels to a meeting as a passenger in another elected member's vehicle has incurred no travel costs. Therefore, that member cannot lodge a claim for travel expenses.
- 58 If an elected member lives or works in their own local government district or an adjoining local government district, they are to be reimbursed the travel costs from either of those locations (reg 31(4)(a)).
- 59 The extent that such costs can be reimbursed are-
- if the elected member travelled directly from their place of residence or workplace to the meeting and back, then that is the travel cost incurred that is to be claimed;
 - if the elected member travelled from the workplace to their place of residence and then to the meeting, the cost of travel from their place of residence to the meeting and back can be claimed; or
 - if the elected member travelled from work to the meeting and then home after the meeting, then that is the travel cost to be claimed.
- 60 If an elected member either lives or works in a location that is neither in the district nor in an adjoining district then-
- if the round trip journey is less than 100km, with any of the above three scenarios applying, they may claim the actual cost; or
 - if the round trip journey is more than 100km, the cost of travel is from the outer boundary of the adjoining district to the meeting and back to that boundary irrespective of the distance travelled.

- 61 If a council member works in an outlying area or an adjoining district but lives within the district (or vice-versa), it would be possible to claim either-
- en-route from work, from the outer boundary of the adjoining district to the meeting; and returning home; or
 - the reverse combination of these.

3.2 Expenses that may be reimbursed

- 62 Expenses that the council may reimburse are covered by regulation 32. Council approval is either through an approved documented policy or by specific resolution. Details on the various expenses that may be reimbursed are discussed in the following paragraphs.
- 63 It is for the council through policy or on a case-by-case basis and not the individual member to decide-
- what is a reasonable expense; and
 - if a full or partial reimbursement is to be made.
- 64 The provisions of regulation 32 may be used to supplement those things prescribed in regulation 31. For example, regulation 31 gives the council member the right to be reimbursed the cost of a telephone rental. However, regulation 32(1) may be used by the council to reimburse telephone call charges if the council does not set a telecommunication allowance under regulation 34A (item 4.3.1 refers). Where a council pays a telecommunications allowance and an elected member exceeds the allowance the council can approve reimbursement of costs exceeding the allowance. Further, details of expenses that may be approved are discussed in item 3.2.3
- #### 3.2.1 Additional people who may be reimbursed
- 65 As indicated in item 3.2.5 a person who is a committee member but is not a council member does not have a right to be paid a prescribed attendance fee for attending a committee meeting – s5.100 and s5.101 refer.

66 However, a council may approve reimbursing the expenses of-

- any non elected members (s.5.100); and
 - any employee (s.5.101);
- who are members of a committee for attending meetings of that committee. The expense of a non-elected member could include an account for services given such as by a consultant or a claim based on an employee's salary.

3.2.2 Advance payments may be made

67 Some elected members may not be able or willing to incur significant expenses on behalf of the local government and await reimbursement. Consequently, s5.102 allows the council to authorise the payment of cash advances. These can be made to any person, such as an elected member or employee, to whom the council can authorise a reimbursement of an expense. Alternatively the local government may pay a travelling and accommodation allowance to meet expenses incurred. This is discussed in paragraph 4.3.4.

3.2.3 Council members performing functions

68 If a local government approves an elected member carrying out a function on its behalf, then under regulation 32{1}{a} the local government is to reimburse him or her for an expense incurred subject to the level of costs set by the council and the member providing documentary evidence of the expense to satisfy the payment.

69 An example of this type of reimbursement would be where a council appoints a member to be its representative on the committee of another agency or attend a training course and the member in attending incurs child minding and travel costs. Reimbursement of these costs by the member is not as of right but may be approved by the council under regulation 32.

70 However, elected members cannot take it upon themselves to perform a function, such as attending a meeting, without the express authority of the council and expect to be reimbursed for any expenses incurred. In this situation the express authority of the council would need to exist prior to the function being performed or an expense being incurred. Should a member incur an expense in performing a function without express authority it is discretionary on the local government as to whether it approves a claim for payment.

3.2.4 Persons accompanying a council member

71 A local government may under regulation 32{1}{b} approve reimbursement of an expense incurred by an elected member who is accompanied by no more than one other person while performing a function of the local government. For example, council may approve a member to be accompanied by his or her partner at the Local Government Week Conference and pay for accommodation costs and conference registration fees. It would be appropriate for council to set a limit on the expenses to be reimbursed. This is discussed further in item 3.2.5.

72 It is important for the council to decide if it is appropriate for the other person to accompany the elected member. That decision would need to be based upon the *"nature of the function"* and whether *"it is appropriate for the council member to be accompanied by that other person"*.

3.2.5 Other expenses

73 Reimbursements of other expenses incurred by an elected member in performing a function in his or her capacity as an elected member are covered by regulation 32{1}{c}. The types of expenses or the functions performed are not specified in the regulation. This provides local governments with discretion to reimburse elected members for a wide range of expenses incurred by the member in performing a function. Local governments that have identified expenses under this category should set them in a policy so that it is clear to members and future members that claims for certain types of expenses are acceptable subject to submission of satisfactory documentary evidence of the expense.

4. Allowances

4.1 Additional Allowance for Mayors and Presidents

74 Mayors and presidents are entitled to a prescribed minimum annual local government allowance. Section 5.98(5) of the Act states that this allowance is in addition to the meeting fees and expenses as provided for in s5.98 (1) and (2). These fees and allowances were described in parts 2 and 3 of this Guideline.

75 It is also expressly stated in s5.98 (5) that the allowance is "to be paid" to the Mayor or President. The intent of the Act and regulations is that expenses are not to be charged to the local government and debited against an account titled "mayor's/president's allowance".

76 As is the case with meeting attendance fees-

- the mayor or president has the right to claim this allowance and it cannot be refused by the council;
- the regulations prescribe the minimum and maximum annual amount that the local government is to set for payment;
- the council sets the amount above the minimum to be paid provided it is within the limits set by the regulations; and
- if the council makes no decision on the amount, the mayor or president may claim the minimum prescribed by regulation and the local government must pay that sum.

77 Regulation 33 sets the minimum annual allowance at \$600. The maximum is prescribed as being either \$12,000 or 0.002% of the local government's operating revenue whichever is the greater amount, but it cannot be greater than \$60,000.

78 The issues highlighted in item 2.3.3 in relation to the period covered by annual fees and frequency of payment are of relevance to this item

4.2 Additional allowances for Deputy Mayors and Presidents

79 Section 5.98A provides local government may pay the deputy mayor or deputy president an allowance in addition to any other fee or allowance to which the council member is entitled.

80 Where the council decides to pay the deputy mayor/president an allowance under this section then the amount is to be as a percentage of the annual local government allowance payable to the mayor or president. Regulation 33A prescribes that the maximum allowance for deputies is 25% of what is paid to the mayor or president.

81 If the mayor or president decides to take no allowance the deputy mayor, with council approval, is still entitled to 25% of what the council sets as the allowance or of the minimum if council has not set an amount.

4.3 Telecommunications Allowance

4.3.1 Allowance to cover telecommunications expenses

82 A local government may decide to pay an annual allowance for telecommunication expenses, instead of reimbursing council members for rental charges for one telephone and one facsimile machine.

83 The maximum total annual allowance for telephone and facsimile machine rental charges (as referred to in regulation 31(1)(a)) and any other telecommunications expenses that might otherwise have been approved for reimbursement under regulation 32 is \$2,400.

84 If a local government has decided to pay an annual allowance s5.99A enables reimbursement to the member for expenses in excess of the amount of the allowance. However, the elected member would need to provide documentary evidence of the total expense being claimed that includes details of costs up to and over the \$2,400 allowance amount.

4.3.2 Allowance for information technology

85 Regulation 34AA allows a local government to pay elected members an annual information technology allowance to a maximum of \$1000. This is intended to cover expenses such as an internet service provider's fee and computer maintenance and overcome the need for processing reimbursements that can be time consuming.

4.3.3 Payment of actual expenses in lieu of allowances

86 A local government may, instead of paying an annual allowance to cover telecommunications and information technology expenses, provide its elected members with local government owned equipment and meet the actual expenses incurred by the members in using that equipment.

4.3.4 Allowance for travelling and accommodation

87 Regulation 34AB allows the council of a local government to pay elected members an allowance to cover the member's travelling and accommodation expenses at the rates and amounts specified in the Public Service Award. The relevant details are contained in clauses 47 (Motor Vehicle Allowance) and 54 (Travelling Allowance) of the Award. The rates and amounts can be viewed on the Western Australian Industrial Relations Commission website, www.wairc.wa.gov.au for that Award.

88 A local government may set its own rates or use those contained in the Local Government Officers Award but whatever rates it sets they cannot exceed those contained in the Public Service Award

Appendix

List of fees and Allowances

MEETING FEES	Min \$	Max \$
Ordinary and Special Council meeting:		
<ul style="list-style-type: none"> ■ Councillors (Total payments are not to exceed \$7,000 in 1 year) 	60	140
<ul style="list-style-type: none"> ■ Mayors, Presidents and Regional Council Chairmen (Total payments are not to exceed \$14,000 in 1 year) 	120	280
Committee meeting		
<ul style="list-style-type: none"> ■ Mayors, Presidents, Chairmen and Councillors 	30	70
Alternatively, the annual attendance fee for council and committee meetings are:		
<ul style="list-style-type: none"> ■ Councillors 	2,400	7,000
<ul style="list-style-type: none"> ■ Mayors, Presidents, Chairmen 	6,000	14,000
ANNUAL ALLOWANCE		
<ul style="list-style-type: none"> ■ Mayors and Presidents 	600	12,000
	or 0.002% of the operating revenue of the local government, whichever is the greater amount, but in any case is not to exceed \$60,000 per annum	
<ul style="list-style-type: none"> ■ Deputy Mayor and Deputy President The local government may decide to pay the deputy Mayor/President up to 25% of the allowance paid to the Mayor and President 		
OTHER ALLOWANCES		
Allowance in lieu of reimbursement of telephone, facsimile and telecommunications charges and expenses		
The maximum total annual allowance for telephone and facsimile machine rental charges and any other telecommunications expenses		2,400
Allowance in lieu of reimbursement of information technology expenses		
The maximum total annual allowance for information technology expenses		1,000



Department of Local Government
and Regional Development
Government of Western Australia

www.dlgrd.wa.gov.au

FURTHER INFORMATION

For more information about this and other guidelines, contact the Local Government Support and Development Branch of the Department of Local Government and Regional Development on:

Tel: (08) 9217 1500

Fax: (08) 9217 1555

Freecall: 1800 620 511 (Country Only)

These guidelines are also available on the Department's website at www.dlgrd.wa.gov.au

ABOUT THE GUIDELINE SERIES

This document and others in the series are intended as a guide to good practice and should not be taken as a compliance requirement. The content is based on Departmental officers' knowledge, understanding, observation of, and appropriate consultation on contemporary good practice in local government.

Guidelines may also involve the Department's views on the intent and interpretation of relevant legislation.

All guidelines are subject to review, amendment and re-publishing as required. Therefore, comments on any aspect of the guideline are welcome. Advice of methods of improvement in the area of the guideline topic that can be reported to other local governments will be especially beneficial.

