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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS:

The President, Cr Girando, welcomed those present and opened the meeting at 3.00 pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE/DECLARATION OF INTEREST:

Councillor M J Girando	President
Councillor A K Williams	Deputy President
Councillor M R Bothe	
Councillor G George	
Councillor D J McTaggart	
Councillor D R Rackemann	Entered the meeting at 3.04pm
Councillor J K Waite	
Mr M J Hook	Chief Executive Officer
Mr S D Billingham	Deputy Chief Executive Officer
Mr D R Hadden	Manager Regulatory Services
Mr P D Gillis	Manager Works and Services

Apologies

Councillor B J McDonald

Visitors

Mr Ian D'Arcy	Shire of Chapman Valley Planner
Ms Kirrilee Warr	Shire of Chapman Valley Planner

Declarations of Interest

Councillor/Officer	Item	Interest	Nature
D B McTaggart	10.1.1	Direct Financial	Being that he is a part owner of the lease being discussed.

Leave of Absence

As per Resolution 2008-145

Cr Williams Leave of Absence from 11 December 2008 to 17 February 2009.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:

Nil.

4. PUBLIC QUESTION TIME:

Nil.

5. APPLICATIONS FOR LEAVE OF ABSENCE:

1. Cr McTaggart requested Leave of Absence from 15 January 2009 to 2 February 2009.
2. Cr Williams requested Leave of Absence from 18 February 2009 to 7 March 2009

RESOLUTION: 2008-207

Moved: Cr Waite

Seconded: Cr Bothe

That Council grant:

1. *Cr McTaggart Leave of Absence from 15 January 2009 to 2 February 2009; and*
2. *Cr Williams Leave of Absence from 18 February 2009 to 7 March 2009.*

CARRIED 6/0

6. PETITIONS/DEPUTATIONS/PRESENTATIONS:

Nil.

7. CONFIRMATION OF MINUTES:

7.1 ORDINARY MEETING HELD WEDNESDAY 19 NOVEMBER 2008 AT THE COOROW DISTRICT HALL, COOROW

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	1 December 2008

COMMENT:

Nil

OFFICER RECOMMENDATION:

That the Minutes of the Ordinary Meeting held on Wednesday 19 November 2008 at the Coorow District Hall, Coorow, be confirmed as a true and correct record.

RESOLUTION: **2008-208**

Moved: Cr Bothe

Seconded: Cr McTaggart

That the Minutes of the Ordinary Meeting held on Wednesday 19 November 2008 at the Coorow District Hall, Coorow, be confirmed as a true and correct record.

CARRIED 6/0

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION:

At any meeting Council the person presiding may announce or raise any matter of interest or relevance to the business of Council or propose a change to the order of business.

Members may move that a change in order of business proposed by the person presiding not be accepted and if carried the change does not take place.

The President welcomed Mr Felix McQuistan and his wife Stacey to the Shire of Coorow. Felix has been employed as a full time Ranger based at Leeman.

9. MATTERS FOR WHICH MEETING MAY BE CLOSED:

For the convenience of members of the public Council may identify, by decision, early in the meeting any matter on the agenda to be discussed behind closed doors and that matter is to be deferred for consideration as the last item of the meeting.

Items for which the meeting will be closed include:

Nil.

Cr Rackemann entered the meeting at 3.04pm.

10. REPORTS:

10.1 CHIEF EXECUTIVE OFFICER:

Cr McTaggart declared a Direct Financial interest in Item 10.1.1 being that he is a part owner of the lease being discussed and left the meeting at 3.05pm.

Mr J Wann addressed Council regarding Item 10.1.1.

10.1.1 REDUCTION OF LEASE CHARGES FOR PORTION RESERVE 34516 (106 THOMAS STREET LEEMAN)

AUTHOR	Mark Hook
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	27 November 2008
FILE	Lot File

SUMMARY:

Council is being requested to reduce the Lease for Portion Reserve 34516 (106 Thomas Street, Leeman) that was increased by Council Resolution 2008-107 at the July 2008 Ordinary Meeting of Council.

BACKGROUND:

Council resolved the following at the July 2008 Ordinary Meeting:

RESOLUTION: 2008-107

Moved: Cr Rackemann Seconded: Cr George

1. That Council assign the existing lease of portion Reserve No 34516 (lot 53 Leeman) to R J and J D Wann, Davlon Pty Ltd and McTaggart Fisheries for purposes associated with the fishing industry at an annual rental of \$1,500 with an allowance to increase the fees by up to 25% per year notifiable on 1 July of each year for purposes associated with the fishing industry with the lessees being responsible for all legal and stamp duty fees associated with the preparation and assigning of the lease.
2. When the above lease expires the lease be given an extension of 5 years on an annual lease fee of \$3,000 with an allowance to increase the fees by up to 25% per year notifiable on 1 July of each year for purposes associated with the fishing industry with the lessees being responsible for all legal and stamp duty fees associated with the preparation and assigning of the lease.

CARRIED 6/0

Council has since received a request from Gerard Gilbertson, Jay Wann and Darren McTaggart requesting that the increased lease fees as set by Council in July 2008 be reduced. Following is the request:

Dear Mr Hook,

It has been brought to our attention that a land lease increase has been approved. We are writing to you in the hope that you will reconsider the Lease increase on 106 Thomas Street Leeman, the former Westar depot. As it is only used as a storage point and not a commercial enterprise such as with G.F.C and Kalis we believe our lease should not be increased. As I am sure you are aware, the rock lobster industry in serious decline with an estimated 4 years of bad seasons to come. We are merely 3 family based fishermen who are trying to offset our running costs by buying bait directly from the Southwest Salmon Fishery which is also a struggling fishery. Our savings are not that great that we could absorb any more increases and it would become unviable for us to continue to buy and store our own bait. That in turn would have dire consequences for the gentleman we buy our bait from as well. As primary producers we are turning to you for help and implore you to reconsider this matter.

Sincerely

Gerard Gilbertson

Jay Wann

Darren McTaggart

COMMENT:

Council has the power to lease the Portion of Reserve 34516 – 106 Thoma Street Leeman for purposes associated with the fishing industry or a period no greater than twenty one years.

If Council wish to not increase the lease on 106 Thomas Street Leeman, Resolution 2008-107 from the July 2008 Ordinary Meeting of Council will need to be rescinded.

STATUTORY ENVIRONMENT:

Local Government Act 1995.

Land Administration Act 1996.

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Council will forgo income if the lease charges for 106 Thomas Street is decreased.

PUBLIC CONSULTATION:

Nil.

VOTING REQUIREMENT

Simple Majority.

OFFICER RECOMMENDATION:

That Council does not change the Lease charges for Portion Reserve 34516 (106 Thomas Street, Leeman).

RESOLUTION: 2008-209

Moved: Cr Waite

Seconded: Cr Williams

That Council does not change the Lease charges for Portion Reserve 34516 (106 Thomas Street, Leeman).

CARRIED 6/0

Cr McTaggart returned to the meeting at 3.12 pm.

10.2 MANAGER REGULATORY SERVICES:

10.2.1 APPLICATION TO TEMPORARILY RESIDE IN A MOBILE HOME

APPLICANT	Terry Crake
LOCATION	Lot 850, 6 Pethick Loop Green Head
AUTHOR	Dave Hadden
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	25 November 2008
ATTACHMENTS	10.2.1 Undated correspondence seeking approval
FILE	G850

SUMMARY:

Council has received an application from Terry Crake seeking approval to live in a mobile home (bus) at Lot 850, 6 Pethick Loop, Green Head whilst he constructs a dwelling on the property.

BACKGROUND:

The building licence for the dwelling at Lot 850, 6 Pethick Loop Green Head was issued on 8 August 2008 and is currently being clad externally with wall sheeting. Included at Attachment 10.2.1 is the application Letter from Mr Crake.

COMMENT:

The Caravan Parks & Camping Grounds Regulations 1997, Regulation 11(2) allows Council to approve occupation of a caravan/mobile home for up to 12 months, subject to the owner constructing a building on the property.

STATUTORY ENVIRONMENT:

Compliance with the Caravan Parks and Camping Grounds Regulations 1997.

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Policy 9.4.13 Occupation of Class 10 Buildings (sheds) currently controls occupation of sheds/garages.

As mentioned above the Caravan Parks and Camping Grounds Regulations allows Council to approve occupation of a Caravan/mobile home for up to 12 months condition with the owner completing a building while a Building Licence is in force.

FINANCIAL IMPLICATIONS:

Nil.

PUBLIC CONSULTATION:

Nil.

VOTING REQUIREMENTS:

Simple majority

OFFICER RECOMMENDATION:

That Council approve the occupation of a mobile home (bus) at Lot 850, 6 Pethick Loop, Green Head subject to the following conditions :--

1. the period of occupation is for twelve (12) months only;
2. the occupation period is to commence on 10 December 2008, and
3. this approval is valid only if construction of the dwelling continues until completion without delays.

RESOLUTION: 2008-209

Moved: Cr Williams

Seconded: Cr George

That Council approve the occupation of a mobile home (bus) at Lot 850, 6 Pethick Loop, Green Head subject to the following conditions :--

1. *the period of occupation is for twelve (12) months only;*
2. *the occupation period is to commence on 10 December 2008, and*
3. *this approval is valid only if construction of the dwelling continues until completion without delays.*

CARRIED 7/0

To: Coorow Shire
Attention: Dave Madden,

As the house is near to lock-up stage we would like the Shire's permission to live on the property in our Motor-home. The reason for staying there is both, for security and convenience while building.
Thankyou.

Regards
Terry and Sue

Terry Craike
6 Pethick Loop
Greenhead

10.2.2 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM

AUTHOR	Dave Hadden
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	27 November 2008
ATTACHMENTS	10.2.2 Guidelines – Regional and Local Community Infrastructure Program
FILE	B5.10

SUMMARY:

Council's Manager Regulatory Services would like to present a number of building maintenance issues in order of priority in preparation for the Regional and Local Community Infrastructure Program (RLCIP).

BACKGROUND:

In early November the Prime Minister, the Hon Kevin Rudd MP, announced at the Australian Council of Local Government inaugural meeting on 18 November 2008 that the Australian Government will contribute \$300 million to local councils and shires and their communities in 2008-09 to stimulate growth and economic activity across Australia.

The funding will be available for new construction and major renovations or refurbishment of assets, ranging from access facilities such as walkways and boat ramps; through to social and cultural spaces; facilities for recreation, tourism, children, youth and seniors; and environmental initiatives.

The Regional and Local Community Infrastructure Program (RLCIP) will have two components.

The first component, known as the Regional and Local Community Infrastructure Program, will provide funding of \$250 million in 2008/09 which will be distributed to all local councils and shires on the basis of a methodology which includes relative need, population and growth.

These funds will be available for additional and ready-to-proceed community infrastructure projects, and for additional stages of projects that are currently underway.

The second component is known as the Regional and Local Community Infrastructure Program – Strategic Projects (RLCIP – Strategic Projects). The Australian Government is making up to \$50 million available in 2008-09 to local government on a nationally competitive basis.

Under the RLCIP – Strategic Projects funding will be available for large strategic projects seeking a minimum Commonwealth contribution of \$2 million.

Larger projects and projects which include partnership funding will be given preference.

Projects will be assessed by the Department of Infrastructure, Transport, Regional Development and Local Government (the Department) on a tight timetable.

All councils and groups of councils are eligible to apply for funds under RLCIP - Strategic Projects. Councils may also apply on behalf of not-for-profit organisations. Eligible projects must be 'ready-to-proceed' (the project must be ready to commence construction within six months of signing the Funding Agreement [contract]), or may be additional stages to projects that are currently underway.

The Shire of Coorow has been allocated \$100,000 under the RLCIP funding.

COMMENT:

The following list, in order of priority, is presented for Council's information:

Leeman Recreation Centre – Pump Pit recondition	\$ 20,000
Coorow Hall Roof – Re-roof	\$ 49,000
Pool filtration and store shed – Replace	\$ 30,000
Leeman Recreation Centre – Timber exit doors replacement	

Council staff have sought quotes for the first three projects listed, however have not received a quote for the fourth project.

The above listed projects are tabled to allow Council to determine and approve a priority list to enable staff to provide the Department of Infrastructure, Transport, Regional Development and Local Government details of projects that will be funded, before the deadline of 30 January 2009. A copy of the RLCIP Guidelines are included at Attachment 10.2.2 for Councillor's Information.

Councils will be required to enter into an agreement prior to the receipt of the payment.

Funding must be expended by 30 September 2009.

STATUTORY ENVIRONMENT:

Compliance with the RLCIP requirements as included at Attachment 10.2.2.

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

VOTING REQUIREMENTS:

Simple Majority.

OFFICER RECOMMENDATION:

That Council approve the following list of project priorities for implementation under the Regional and Local Government Community Infrastructure Program 2008/09:

1. Leeman Recreation Centre – pump pit recondition;
2. Coorow Hall Roof – re-roof;
3. Pool Filtration & Store shed – Replace; and
4. Leeman Recreation Centre – timber exit doors replacement.

Motion:

Moved: Cr Waite

Seconded: Cr Bothe

That Council approve the following list of project priorities for implementation under the Regional and Local Government Community Infrastructure Program 2008/09:

1. *Leeman Recreation Centre – pump pit recondition;*
2. *Coorow Hall Roof – re-roof;*
3. *Coorow Pool Filtration & Store shed – Replace;*
4. *Thomas Street Footpath; and*
5. *Leeman Recreation Centre – timber exit doors replacement*

LOST 3/4

RESOLUTION:

2008-210

Moved: Cr McTaggart

Seconded: Cr Bothe

That Council approve the following list of project priorities for implementation under the Regional and Local Government Community Infrastructure Program 2008/09:

- *Leeman Rec Centre-pump pit recondition \$20,000*
- *Coorow Pool Filtration & Store shed – Replace \$30,000*
- *Coorow Hall Roof – re-roof; \$40,000*
- *Green Head Sports Club Lights \$10,000*

NB: Final costing to take into account current budgeted amounts.

CARRIED 7/0

The meeting adjourned at 4.15pm

The meeting resumed at 4.29pm

Guidelines

Regional and Local Community Infrastructure Program 2008-09

1. INTRODUCTION

Under the Regional and Local Community Infrastructure Program (RLCIP) the Australian Government will provide one-off funding of \$250 million in 2008-09 to local councils to stimulate additional growth and economic activity in Australia as part of the Australian Government's contribution to address the global economic crisis.

These funds will be available for additional and ready-to-proceed community infrastructure projects and for additional stages of projects that are currently underway.

The funding will be provided directly to local governments as a one-off payment. The RLCIP will be administered by the Department of Infrastructure, Transport, Regional Development and Local Government (the Department).

2. PROJECT ELIGIBILITY

2.1 What can the funding be spent on?

The RLCIP will provide funding to local governments for community infrastructure including new construction and major renovations or refurbishments of assets such as:

- social and cultural infrastructure (e.g. art spaces, gardens);
- recreational facilities (e.g. swimming pools, sports stadiums);
- tourism infrastructure (e.g. walkways, tourism information centres);
- children, youth and seniors facilities (e.g. playgroup centres, senior citizens' centres);
- access facilities (e.g. boat ramps, footbridges); and
- environmental initiatives (e.g. drain and sewerage upgrades, recycling plants).

Projects that can be funded need to be consistent with the attached list at Annexure A.

Funding can be used for:

- construction or fit-out;
- preparatory work such as necessary engineering and geotechnical studies;
- land surveys and site investigations; and
- project management costs.

2.2 What will not be funded?

Funding will not be available for activities such as ongoing costs (e.g. operational costs and maintenance); transport infrastructure, such as roads; or related infrastructure covered by the Roads to Recovery or Black Spots programs.

3. FUNDING ARRANGEMENTS

Each Council or Shire will receive a base component of \$100,000 with the balance of the \$250 million to be distributed on a basis of a methodology which includes relative need, population and growth. Funding amounts for each Council are detailed at www.infrastructure.gov.au/local/index.aspx

Councils will be required to provide the Department with details of projects that will be funded by **30 January 2009**. Councils will be required to enter into an agreement prior to receipt of the payment. Funding must be expended by **30 September 2009**.

3.1 Payments

Requests for additional funding from the Australian Government will not be approved.

Payments will be structured to schedule the release of 100 per cent of funds to Councils on signing the agreement.

All funding must be expended by **30 September 2009**, unless an extension of time has been agreed by the Minister for Infrastructure, Transport, Regional Development and Local Government.

3.2 Progress reports

Once funding is confirmed the Council will be required to actively manage the project. It is recommended that Councils consider appropriate project management arrangements proportionate to the size and nature of the project.

The Department will monitor the project's progress and expenditure of the funding through reports received under the agreement and may conduct site visits.

By **30 May 2009**, Councils will be required to provide a progress report on these projects.

By **30 November 2009**, Councils will be required to provide details of progress on these projects; to provide a final report on the expenditure of Australian Government funding; and to demonstrate that they have spent the funding in accordance with the Guidelines. Action may be taken by the Department to recover funds where requirements have not been met.

Examples of Community Infrastructure

Social and cultural infrastructure

- Town halls
- Community centres
- Libraries
- Local heritage sites
- Museums
- Cultural centres
- Enhancement of main streets and public squares
- Theatre/music/art spaces
- Historic buildings
- Parks and gardens
- Internet kiosk infrastructure
- Kitchens for organisations
- Community market areas

Recreation facilities

- Sports grounds and facilities
- Sports stadiums
- Community recreation spaces
- Playgrounds
- Rail trails
- Swimming pools
- Walking tracks and bicycle paths
- Skate Parks
- BMX/Mountain Bike parks/trails
- Surf lifesaving clubs

Tourism infrastructure

- Convention or trade centres
- Memorial halls/walkways
- Tourism information centres
- Local infrastructure to support or provide access to tourist facilities
- Community public attractions
- Buildings for exhibits

Children, youth and seniors facilities

- Playgroup centres
- Youth centres
- Scout/guide halls
- Senior citizens' centres

Access facilities

- Disabled access infrastructure
- Footbridges
- Bus/rail terminal upgrade
- Jetties/wharves/piers/pontoons
- Foreshore development
- Boat ramps

Environmental Initiatives

- Water source and treatment
- Drain and sewerage upgrades
- Water conservation infrastructure
- Waste management and processing infrastructure
- Wastewater infrastructure
- Water recycling plants
- Water catchments
- Recycling plants

Guidelines

Regional and Local Community Infrastructure Program – Strategic Projects 2008-09

1. INTRODUCTION

Under the Regional and Local Community Infrastructure Program – Strategic Projects (RLCIP – Strategic Projects) the Australian Government is making up to \$50 million available in 2008-09 to local government to stimulate additional growth and economic activity across Australia as a part of the Australian Government's contribution to addressing the global economic crisis.

Under the RLCIP – Strategic Projects funding will be available to local government for a limited number of large strategic projects seeking a minimum Commonwealth contribution of \$2 million.

Larger projects and projects which include partnership funding will be given preference.

Projects will be allocated funding on a nationally competitive basis and will be assessed by the Department of Infrastructure, Transport, Regional Development and Local Government (the Department) on a tight timetable.

All local councils, or groups of councils, are eligible to apply for funds under RLCIP - Strategic Projects. Local councils may also apply on behalf of not-for-profit organisations. There is a limit of one application per Council or group of Councils.

Eligible projects must be additional and 'ready-to-proceed' (the project must be ready to commence construction within six months of signing the Funding Agreement [contract]), or be additional stages of projects that are currently underway.

2. PROJECT ELIGIBILITY

2.1 What can the funding be spent on?

RLCIP – Strategic Projects will provide funding for community infrastructure including new and major renovations or refurbishments such as:

- social and cultural infrastructure (e.g. art spaces, gardens);
- recreational facilities (e.g. swimming pools, sports stadiums);
- tourism infrastructure (e.g. walkways, tourism information centres);
- children, youth and seniors facilities (e.g. playgroup centres, senior citizens' centres);
- access facilities (e.g. boat ramps, footbridges); and
- environmental initiatives (e.g. drain and sewerage upgrades, recycling plants).

Projects that can be funded need to be consistent with the attached list at Annexure A.

Funding can be used for:

- construction or fit-out;
- preparatory work such as necessary engineering and geotechnical studies;
- land surveys and site preparation; and
- project management costs.

2.2 What will not be funded?

Funding will not be available for activities such as ongoing costs (e.g. operational costs and maintenance), transport infrastructure, such as roads, or related infrastructure covered by the Roads to Recovery or Black Spots programs.

2.3 How RLCIP - Strategic Projects proposals will be assessed

2.3.1 The application process

Local councils are required to complete the application form available from www.infrastructure.gov.au/local/index.aspx

Application forms can either be sent in hard copy to:

Regional and Local Community Infrastructure Program – Strategic Projects
Department of Infrastructure, Transport, Regional Development and Local Government.
GPO Box 594
CANBERRA ACT 2601

Or emailed to < RegionalGrants@infrastructure.gov.au > .

A final and complete application form including all supporting documentation must be received by the Department of Infrastructure, Transport, Regional Development and Local Government (the Department) by **4pm (Australian Eastern Daylight Saving Time) on 23 December 2008**.

Incomplete applications will not be considered for funding.

2.3.2 Obtaining information about the project

In order that RLCIP – Strategic Projects can be assessed for funding by the Department, each proponent will need to provide the following:

- details of the Council;
- details of the project funding including other contribution arrangements;
- financial information including quotations, cost estimates and budgets;
- project timeframes;
- project delivery information including project and business plans; and
- all statutory and other approvals required if relevant for the project .

Councils will also need to provide authorisation for the Department to undertake an Independent Viability Assessment if necessary.

2.3.3 Assessment of Applications

Based on the information provided, the Department will conduct a risk analysis of the Council undertaking the proposed project.

Proponent viability

In the risk analysis of the project, consideration will be given to the financial viability of the proponent.

Project viability

Project viability will be considered from two perspectives: whether the project can be completed on time and within budget; and whether the project will be sustainable.

Important aspects that may be considered in relation to the overall viability of the project include:

- evidence of the Council's expertise/skills to deliver the project in a timely manner and sustain it into the future;
- ownership and/or lease arrangements of equipment or facilities or other assets to be used in the delivery of the project;
- the level and status (e.g. contribution received; contribution committed but yet to be received; contribution in negotiation) of any of the funding contributions for the project and whether there are conditions attached to this funding;
- the budget and costings;
- feasibility studies or project plans;
- information on whether there is any need for planning approvals or licences and that these requirements have been met or fully considered;
- business and project plans and cash flow projections;
- ongoing maintenance and management strategies;
- funding that may be required for any future stages of the project;
- whether the project had previous stages, how it was funded in the past; and
- the results of any independent viability assessments if undertaken (copies of independent viability assessments undertaken by the Council should be provided).

Independent Viability Assessments

Where the Australian Government believes there are risks with the viability of the proponent or project that require further consideration, an Independent Viability Assessment (IVA) will be undertaken by a qualified external consultant engaged by the Department. The findings of the IVA will be considered in the project analysis.

Ranking applications

The Department will rank applications under three categories:

- recommended;
- not recommended; and
- non-compliant.

2.3.4 Consultation with the Australian Council of Local Government

Those applications ranked by the Department as recommended will be provided to the Australian Council of Local Government (ACLG) for its comment. These comments will be provided to the decision maker. ACLG members will need to sign a confidentiality agreement and declare any conflicts of interest.

2.4 Approval of Funding

Following the due diligence assessment and ranking of the project by the Department a decision on funding will be sought from the Minister for Infrastructure, Transport, Regional Development and Local Government.

The Minister will consider whether the project is consistent with the requirements of Commonwealth legislation and whether any risk treatments will need to be imposed as a condition of funding, based on risk assessments undertaken.

A letter will be sent to the Council advising whether funding has been approved and if there are any conditions attached to that funding.

Before any funding can be paid, the proponent will need to enter into a Funding Agreement (contract) with the Australian Government that will set out the terms and conditions under which the funding is provided.

Proponents should not make financial commitments based on notification of funding approval from the Australian Government until the Funding Agreement (contract) has been executed by both parties.

Requests for additional funding from the Australian Government will not be approved.

Changes to the partnership arrangements or requests to change the scope of the project that do not involve the provision of additional funding by the Australian Government will be considered.

The Minister for Infrastructure, Transport, Regional Development and Local Government expects to announce successful projects by **February 2009**.

3. Contracting and Funding

3.1 Accountability

The provision of funding for RLCIP- Strategic Projects will be conditional upon proponents entering into Funding Agreements (contracts) with the Commonwealth (represented by the Department of Infrastructure, Transport, Regional Development and Local Government). The Funding Agreement (contract) is a legally enforceable document which defines the obligations of both parties.

3.2 Funding Agreements and Payments

The Department will work with the proponent with the aim of finalising the Funding Agreement (contract) within **4 weeks of the letter of offer**. The offer of funding may be withdrawn if the proponent cannot meet this timeframe or has not obtained agreement from the Department to obtain an extension to this timeframe.

The executed Funding Agreement (contract) will define the obligations of both parties. It will describe the purpose for which Australian Government funding must be used and will provide a description of how, when and where the project must be delivered.

Construction must commence within six months of the Funding Agreement (contract) being signed. Funding Agreements (contracts) will be structured to schedule the release of 100 per cent of funds to proponents on signing of the Funding Agreement (contract) and confirmation of commencement date of construction.

Action may be taken by the Department to terminate Funding Agreements (contracts) where requirements have not been met.

3.3 Progress reports

Once funding is confirmed the proponent will be required to actively manage the project.

It is recommended that proponents consider appointing appropriate project management arrangements proportionate to the size and nature of the project.

The Department will monitor the project's progress through reports received under the Funding Agreement (contract) at agreed milestones and may conduct site visits.

Examples of Community Infrastructure

Social and cultural infrastructure

- Town halls
- Community centres
- Libraries
- Local heritage sites
- Museums
- Cultural centres
- Enhancement of main streets and public squares
- Theatre/music/art spaces
- Historic buildings
- Parks and gardens
- Internet kiosk infrastructure
- Kitchens for organisations
- Community market areas

Recreation facilities

- Sports grounds and facilities
- Sports stadiums
- Community recreation spaces
- Playgrounds
- Rail trails
- Swimming pools
- Walking tracks and bicycle paths
- Skate Parks
- BMX/Mountain Bike parks/trails
- Surf lifesaving clubs

Tourism infrastructure

- Convention or trade centres
- Memorial halls/walkways
- Tourism information centres
- Local infrastructure to support or provide access to tourist facilities
- Community public attractions
- Buildings for exhibits

Children, youth and seniors facilities

- Playgroup centres
- Youth centres
- Scout/guide halls
- Senior citizens' centres

Access facilities

- Disabled access infrastructure
- Footbridges
- Bus/rail terminal upgrade
- Jetties/wharves/piers/pontoons
- Foreshore development
- Boat ramps

Environmental Initiatives

- Water source and treatment
- Drain and sewerage upgrades
- Water conservation infrastructure
- Waste management and processing infrastructure
- Wastewater infrastructure
- Water recycling plants
- Water catchments
- Recycling plants

10.2.3 RINGLOCK BOUNDARY FENCE APPLICATION

APPLICANT	Noel Sharpe
LOCATION	Lot 99 (1) Thomas Street, Coorow
AUTHOR	Dave Hadden
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	27 November 2008
ATTACHMENTS	10.2.3a Correspondence regarding fencing between Mr Noel Sharpe and MRS
FILE	10.2.3b First Schedule – Local Laws C99 THO

SUMMARY:

Correspondence has been received from Mr Noel Sharpe seeking approval to construct a cyclone mesh fence using steel posts as boundary fencing around Lot 99 (1) Thomas Street Coorow.

BACKGROUND:

Staff has previously dealt with this application in November, as included at attachment 10.2.3a. The applicant is still requesting Council approval to erect a cyclone mesh fence using steel posts.

COMMENT:

The applicant has previously been advised that the materials he wishes to use to fence the property do not comply with Council's Local Laws relating to Fencing. The applicant also has been provided with a copy of the Local Laws with the relevant sections highlighted for his information along with a building application envelope within which to make application to Council for approval.

Council's Local Laws relating to Fencing requires fences on Residential zoned land to comply with the First Schedule as included at Attachment 10.2.3b.

STATUTORY ENVIRONMENT:

Compliance with Council's Local Laws relating to Fencing.

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

PUBLIC CONSULTATION:

Not required.

VOTING REQUIREMENTS:

Simple Majority.

OFFICER RECOMMENDATION:

That Council:

1. refuse the application to construct a cyclone mesh fence around the boundaries of Lot 99 (1) Thomas Street Coorow;
2. advise the applicant of the requirements of Council's Local Laws relating to Fencing; and
3. provide the applicant with a building application envelope and request that he submit his building application for his boundary fencing in accordance with Council's Local Laws relating to Fencing.

RESOLUTION: 2009-211

Moved: Cr Williams ***Seconded:*** Cr Waite

That Council:

1. *refuse the application to construct a cyclone mesh fence around the boundaries of Lot 99 (1) Thomas Street Coorow;*
2. *advise the applicant of the requirements of Council's Local Laws relating to Fencing; and*
3. *provide the applicant with a building application envelope and request that he submit his building application for his boundary fencing in accordance with Council's Local Laws relating to Fencing.*

CARRIED 7/0

Shire of Coorow
Main St
P.O. Box 42
Coorow
WA. 6515

SHIRE OF COOROW RECEIVED	
22 OCT 2008	
FILE	
CEO	
MEMO	
MAN	
MCD	
CEO	
FINANCE	
RANGER	
RATES	

Noel Sharp Esq
Rabbit Flats
14-13 Back Way
SPaldine WA 6530
18 Oct 2008

Dear Sir - Madam

Re Lot 99 Thomas and Station St Coorow -
To whom it may Concern. 'With out Prejudice.'
Portion of Lot 99 Adjoining Dividing Fence
Wire Netting and Supporting Strands & Posts.
The name of the Mining Company as Dated,

Block of my area with the original Fencing partly
removed to improve the entry of Service Vehicles.

Survey Posts and the Steel Posts
To erect a Fence with Cyclone Fencing New Mesh.
Service Hydrant Vins - Passion Prints - Chambers etc.

Security of the fence as a owner Builder?

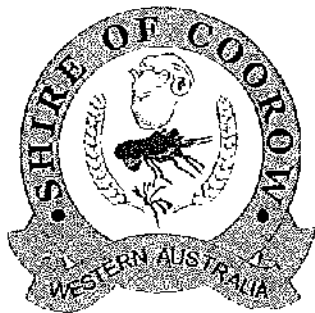
Area inside the Block, I say Ben used mesh Contrary to
the Details given to the Whispering Brigade -

A Price required for Truck Loads of gravel to extend the
Entrance to the Block from Thomas St

Service Vehicles and Tradesmen Quote the Problem of entry.

Also a owners Builders License has been granted.
Cost of a Builders Permit to operate under the above
'Jurisdiction & Clauses'
for Anticipation

Yours Sincerely
Noel Sharp Esq



Shire of Coorow

Morcombe Road
P.O. Box 238
LEEMAN WA 6514

Telephone: (08) 9953 1388

Facsimile: (08) 9953 1377

Email: leeman@coorow.wa.gov.au

Enquiries:

Your Ref:

Our Ref: B5.2/L99THO

Mr Noel Sharp
Rabbit Flats
14-13 Bogle Way
SPALDING WA 6530

Dear Sir,

Re: Lot 99 Thomas /Station Street Coorow-Residential Dividing Fence.

Thank you for your correspondence dated 18th October 2008 regarding the replacement of a boundary fence on the above mentioned property with a cyclone mesh fence. Please be advised that Councils current Local Laws Relating to Fencing require a specific standard of fence that can be used in a residential zoned area. Unfortunately a cyclone mesh fence is not listed in the First Schedule as a sufficient fence for a residential area and as such should not be used on your property as a dividing fence.

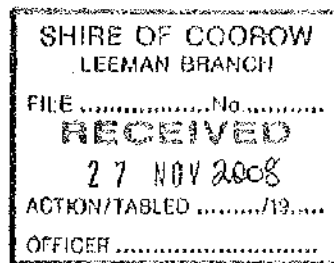
A copy of Councils Local Laws Relating to Fencing will be attached for your information with the relevant sections highlighted. Please also find enclosed, a building application envelope to enable you to apply for a building licence for any fencing you wish to construct on the abovementioned property. Council requires ratepayers to apply for a building licence for the construction of dividing fences. Please also be reminded that your building application should indicate that you wish to construct a fence that complies with the First Schedule (Specifications For A Sufficient Fence On A Residential Lot) as highlighted on the attached copy of Councils Fencing Local Laws.

If you have any further questions regarding the above please contact Councils Manager of Regulatory Services, Mr Dave Hadden on 08 99531388.

Yours faithfully

DAVE HADDEN
MANAGER, REGULATORY SERVICES

24th October, 2008



Shire of Coorow
P.O. Box 238
Leeman 6514
W.A. - Aust.

Neil Sharp-Sm
Rabbit Flats
14-B Bogle Way
S. Caldering WA 6430

Dear Sir-Madam,

To whom it may Concern. - With out Prejudice -

Shire of Coorow - Councillors 8 Aug 1999 T14-0 D14-01 -


Photos were explanatory of the Double Standards & Discrimination
Mandatory Infraction Compels a Person to Do a particular thing
Adjoining Properties

Writ of Mandamus requests a Public Authority to Perform its Duty.
Malice Done intentionally

Mala Prohibita - Wrong full by Law

Please Note - Wind Sheet - Lush or Wily Wily's with a
Colour Bond Fencing enclosing property causing Damage
with Sheeting or Human Damage your Council is liable -
which a chain wire Fencing allowing Passage of wind
one Cooks the grounds and acts as a Pattern for growth
in Land Scaping and Beautifies the Surrounds.

To name Councils requirements on a Insurance Policy
re your By Laws raises a Question of Legality.
I again request a Fencing for Security and a Vision
of a Better Landscaped Block

Yours Sincerely 
Neil Sharp-Sm

First Schedule

Clause 5(2)(a)

SPECIFICATIONS FOR A SUFFICIENT FENCE
ON A RESIDENTIAL LOT

Each of the following is a "sufficient fence" on a Residential Lot:

- A. A picket timber fence which satisfied the following specifications:
- (a) corner posts to be 125mm x 125mm x 2400mm and intermediate posts to be 125mm x 75mm x 2400mm spaced at 2400mm centres;
 - (b) corner posts to be struted two ways with 100mm x 50mm x 450mm sole plates and 75mm x 50mm struts;
 - (c) intermediate posts to be doubled yankee struted with 150mm x 25mm x 450mm struts;
 - (d) all posts to have tops with a 60mm weather cut and to be sunk at least 600mm into the ground;
 - (e) rails to be 75mm x 50mm with each rail spanning two bays of fencing double nailed or bolted to each post with joints staggered;
 - (f) the fence to be covered with 75mm x 20mm sawn pickets, 1500mm in height placed 75mm apart and double nailed to each rail; and
 - (g) the height of the fence to a minimum of 1500mm.
- B. A fence constructed of corrugated fibre reinforced pressed cement or steel sheeting which satisfies the following specifications:
- 1. Cement Sheeting
 - (a) a minimum in-ground length of 25 per cent of the total length of the sheet, but in any case shall have a minimum in-ground depth of 600mm;
 - (b) the total height and depth of the fence to consist of a single continuous fibre reinforced cement sheet;
 - (c) the sheets to be lapped and capped with extruded "snap-fit" type capping in accordance with the manufacturers written instructions; and
 - (d) the height of the fence to be a minimum of 1500mm.
 - 2. Steel Sheeting
 - (a) erected in accordance with manufacturers written instructions.
 - (b) The height of the fence to be a minimum of 1500mm.
- C. A fence constructed of brick, stone or concrete, which satisfies the following specifications:

- (a) footings of minimum 350mm x 200mm concrete 15MPa or 350mm x 245mm brick laid in cement mortar;
 - (b) fences to be offset a minimum of 200mm at maximum 3000mm centres or 225mm x 100mm engaged piers to be provided at maximum 3000mm centres;
 - (c) expansion joints in accordance with the manufacturer's written instructions; and
 - (d) the height of the fence to be a minimum of 1500mm.
- D. A composite fence which satisfies the following specifications for the brick construction:
- (1)
 - (a) brick piers of minimum 230mm x 230mm at 1800mm centres bonded to a minimum height base wall of 514mm;
 - (b) each pier shall be reinforced with one R10 galvanised starting rod 1500mm high with a 250mm horizontal leg bedded into a 500mm x 200mm concrete footing and set 65mm above the base of the footing. The top of the footing shall be 1 course (85mm) below ground level;
 - (c) the minimum ultimate strength of brickwork shall be 20MPa. Mortar shall be a mix of 1 part cement, 1 part lime and 6 parts sand;
 - (d) the ground under the footings is to be compacted to 6 blows per 300mm and checked with a standard falling weight penetrometer; and
 - (e) control joints in brickwork shall be provided with double piers at a maximum of 6 metre centres; or
 - (2)
 - (a) brick piers of a minimum 230mm x 350mm x 2700mm centres bonded to the base wall; and
 - (b) each pier shall be reinforced with two R10 galvanised starting rods as previously specified;

10.2.4 LIQUID WASTE DISPOSAL FEE – COASTAL TIP SITE

AUTHOR	Dave Hadden
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	28 November 2008
FILE	R21

SUMMARY:

Council is to set a fee for liquid waste disposal at Council's new disposal pond located at the Coastal Tip site for inclusion in Council's list of Fees and Charges.

COMMENT:

Staff hope to have the new Waste Disposal Pond completed prior to Christmas 2008 and as such would like to charge a disposal fee to cover the pond costs and future maintenance needs. A fee of three cents per litre is similar to fees charged by larger Councils and Regional Land Fill Operators.

STATUTORY ENVIRONMENT:

Local Government Act 1995
Sec 6.19 – Local Government to give notice of fees and charges

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

With time, this fee should cover the pond cost and future maintenance costs.

VOTING REQUIREMENTS:

Simple Majority.

OFFICER RECOMMENDATION:

That Council advertises, by Local Public Notice, the intention to set a disposal fee of three cents per litre for liquid waste disposal at Council's new disposal pond at the Coastal Tip Site for inclusion in Council's List of Fees and Charges effective from 1 January 2009.

RESOLUTION:

2008-212

Moved: Cr Bothe

Seconded: Cr Williams

That Council advertises, by Local Public Notice, the intention to set a disposal fee of three cents per litre for liquid waste disposal at Council's new disposal pond at the Coastal Tip Site for inclusion in Council's List of Fees and Charges effective from 1 January 2009.

CARRIED 7/0

10.2.5	DRAFT LOCAL PLANNING POLICY 6.6.12. – RESIDENTIAL DESIGN CODES – SETBACK VARIATIONS
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AUTHOR	Ian D’Arcy/Kirrilee Warr
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	6 November 2008
ATTACHMENT	10.2.5 Draft Policy 6.6.12 – Residential Design Codes Setback Variation
FILE	Policy Manual

SUMMARY:

Council is to consider draft Local Planning Policy 6.6.12 – Residential Design Codes – Setback Variations that has been modelled on similar Policy obtained from the City of Geraldton -Greenough to provide clarity and improved certainty over setback distances, particularly in relation to carports and patios as well as rear yard distances.

BACKGROUND:

Local Planning Policies are effectively guidelines used by local authorities to assist landowners/developers to understand the minimum requirements for development/land-use change, and assist the Council in determining applications on a consistent and equitable basis in accordance with the local Town Planning Scheme.

Following on from an agenda item at the November 2008 meeting that involved the presentation of four draft Local Planning Policies this item continues with another Local Planning Policy, 6.6.12 – Residential Design Codes – Setback Variations, being prepared to assist in clarifying (with some variations) the appropriate minimum boundary setback requirements for development in the Residential zone, mainly in consideration of carports and patio structures. The draft Policy also seeks to address the rigidity of the rear setback distance for development in the R10, R12.5 and R15 density areas as prescribed under the Residential Design Codes 2008.

A copy of the draft Local Planning Policy 6.6.12 is provided as Attachment 10.2.5 for Council’s consideration.

COMMENT:

By and large this Policy has been modelled on the City of Geraldton-Greenough Local Planning Policy for Setback Variations given the City is consistently receiving requests for variations to setback distances for carports and patios, and planning officers from the Batavia Regional Organisation of Council’s (BROC) are of the opinion that, where possible, a standard approach should be maintained to these matters.

As the Council will note a number of the planning items that follow this item are seeking concessions to boundary setback distances, mainly in relation to the rear boundary, and are therefore pending the outcome of the Council’s decision on this item. Accordingly, these items demonstrate the relevance and importance of this Policy to provide additional guidance for future residential development within the Shire of Coorow as growth continues to occur, mainly within Leeman and Greenhead.

Ordinarily, this Policy once adopted (with or without modification by the Council) will provide the minimum requirements and standards for Shire staff to apply in progressing development applications under delegation. Should an application not comply with the Policy standards then the proposal will be referred to Council for assessment and determination. As explained at the November 2008 meeting, even though a local planning policy has been adopted it is not necessarily binding on the Council in determining applications for planning consent, although it is strongly recommended the Council adhere to the policy where practical, or at the very least give due regard to the policy to maintain a level of consistency. Notably, should the policy conflict with a provision of the Town Planning Scheme the Scheme will invariably prevail, unless the Council has exercised discretion to vary a particular standard/s or requirement/s in accordance with Clause 5.5 of the Scheme.

STATUTORY ENVIRONMENT:

The ability to prepare a Local Planning Policy is afforded to the Council under Clauses 2.2 and 2.4 of the Shire of Coorow Town Planning No.2.

Additionally, State Planning Policy 3.1, Part 5, also permits a Local Planning Policy to be developed and used as a part of discretionary decisions of the Council in determining residential development.

STRATEGIC IMPLICATIONS:

In consideration of this Draft Policy it is imperative the Council understand the intended purpose and relevance of the Policy, and proceed to modify or change the policy to ensure it is comfortable with the direction/s being set, notwithstanding all of the policies being presented to the Council should continue to be reviewed on an annual basis.

It is intended that more Local Planning Policies will be prepared for the consideration of the Council at the February 2009 Ordinary Meeting.

POLICY IMPLICATIONS:

It is intended this Policy together with the other Local Planning Policies endorsed by the Council at the November 2008 meeting will be advertised in the new year, and if required based on type/nature of submissions, will be brought back to the Council for further consideration at the February 2009 meeting.

FINANCIAL IMPLICATIONS:

There is a cost for the preparation of subsequent advertising of Local Planning Policies which will be covered by Councils existing Planning budget allocation.

VOTING REQUIREMENT:

Simple Majority.

OFFICER RECOMMENDATION:

That Council resolve, pursuant to Clause 2.4.1 (a) and Clause 2.5 of the Shire of Coorow Town Planning Scheme to endorse the draft Local Planning Policy 6.6.12 – Residential Design Codes – Setback Variations as provided in Attachment 10.2.5 for the purpose of receiving comment from broader community.

RESOLUTION: 2008-213

Moved: Cr George

Seconded: Cr Williams

That Council resolve, pursuant to Clause 2.4.1 (a) and Clause 2.5 of the Shire of Coorow Town Planning Scheme to endorse the draft Local Planning Policy 6.6.12 – Residential Design Codes – Setback Variations as provided in Attachment 10.2.5 for the purpose of receiving comment from broader community.

CARRIED 7/0

POLICY – RESIDENTIAL DESIGN CODES, SETBACK VARIATIONS

Sub Section:	Town Planning and Regional Development
Policy Number:	6.6.12
Policy Subject:	Residential Design Codes- Setback Variations
Policy Statement:	1.0 Definitions

“Setback” is defined in the Residential Design Codes of WA as: *“The horizontal distance between the wall at any point and an adjacent lot boundary, measured at right angles (90 degrees) to the boundary.”*

“Patio” is defined in the Residential Design Codes of WA as: *“a water impermeable roofed open-sided area.”*

“Carport” is defined in the Residential Design Codes of WA as: *“a roofed structure designed to accommodate one or more motor vehicles unenclosed except to the extent that it abuts a dwelling or a property boundary on one side, and being without a door unless that door is visually permeable.”*

For the purposes of this policy both **“Patio”** and **“Carport”** must be attached to the dwelling. An open sided, roofed patio or carport completely detached from the dwelling is considered an outbuilding (refer to “Outbuildings” Local Planning Policy).

1.1 Standards for Patios

1.1.1 In addition to the Acceptable Development Criteria for Part 6.3.1 of the Residential Design Codes, the following shall apply:

- a) Residential densities R10 and lower – the setback to the side boundary may be reduced to 1.0m (subject to compliance with the BCA) provided affected neighbour consent is given.

Planning application required.

- b) Residential R12.5 and R15 – the setback to the side boundary can be reduced to 1.0m (subject to compliance with the BCA) provided affected neighbour consent is given.

No planning application required.

- c) Residential R17.5 and higher density – the setback to the side and/or rear boundary can be reduced to 1.0m (subject to compliance with the BCA) provided affected neighbour consent is given.

No planning application required.

- 1.1.2 A planning application is required for all Residential land where patios do not comply with the secondary street setback requirements of Table 1 of the Residential Design Codes.

1.2 Standards of Carports

- 1.2.1 In addition to the Acceptable Development Criteria for Parts 6.2.3 and 6.3.1 of the Residential Design Codes, the following shall apply:

- a) Residential densities R10 and lower – the setback to side boundary may be reduced to nil (subject to compliance with the BCA) provided affected neighbour consent is given.

Planning application required.

- b) Residential R12.5 and higher density – the setback to the side and/or rear boundary can be reduced to nil (subject to compliance with the BCA) provided affected neighbour consent is given.

No planning application required.

- c) All Residential land – carports may be built to within 1.5m of the primary street boundary where vehicles are either parked at right angles or parallel to the street alignment.

Planning application required.

- 1.2.2 A planning application is required for all Residential land where carports do not comply with the applicable secondary street setback requirements of Table 1 of the Residential Design Codes.

1.3 Rear Setbacks

In addition to the Acceptable Development Criteria for Part 6.3.1 of the Residential Design Codes, the following additional Acceptable Development Criteria shall apply:

Residential densities R10, R12.5 and R15 – the rear setback requirement of Table 1 of the Residential Design Codes can be reduced by up to 50%, and no closer than three (3) metres, provided affected neighbour consent is given.

In association with the above mentioned statement, in the case of all two storey or multi storey development, the provisions of Clause 6.8 - Privacy Requirements of the Residential Design Codes will be applied to assist with the determination of the rear boundary setback.

Planning application required.

1.4 Truncation Setbacks for Corner Lots

In addition to the Acceptable Development Criteria for Part 6.2.1 of the Residential Design Codes, the following additional Acceptable Development Criteria shall apply:

All Residential land – setbacks to corner truncations will be treated as if the lot was rectangular (ie. without the truncation), however the minimum setback from the truncation is required to be consistent with the applicable secondary street setback requirement of Table 1 of the Residential Design Codes.

No planning application is required.

Objectives:

1. To allow for a regional variation to the Residential Design Code for Design Element 6.2-Streetscape Requirements; specifically;
 - a) Part 6.2.1 Setback of Buildings Generally
 - b) Part 6.2.3 Setback of Garages and Carports
2. To allow for a regional variation to the Residential Design Code for Design Element 6.3-Boundary Setback requirements, specifically;
 - a) Buildings setback from the boundary

Additionally to provide acceptable development criteria under the Residential Design Codes for the following;

- a) Part 6.2.1- Setback of Buildings Generally
- b) Part 6.2.3- Setback of Garages and Carports; and
- c) Part 6.3.1- Building Setback from the Boundary

Guidelines:

Local Planning Policies are guidelines used to assist the local government in making decisions under the scheme. The scheme

prevails should there be any conflict between the policy and the Scheme.

The provision of Clause 5.3 of the Shire of Coorow Town Planning Scheme No.2, relating to special application of the Residential Design Codes allows for this policy to be prepared and implemented.

Resolution No:

Resolution Date:

Source: Shire of Chapman Valley Planning Department

Date of Review: As required

Review Responsibility: Chief Executive Officer

10.2.6	PLANNING APPLICATION- REQUEST FOR R CODE CONCESSION - SETBACK VARIATION - LOT 227 THOMAS STREET LEEMAN
--------	--

AUTHOR	Kirrilee Warr
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	28 th November 2008
FILE	L227THO

SUMMARY:

This application relates to request for a concession to a rear setback for an extension to a single house, at Lot 227 Thomas Street, Leeman. The applicant has submitted a site plan for the house and is requesting a reduction to the rear setback from 6m to 5.5m to accommodate future expansion of the house for a more comfortable living. A current building application has been assessed for the proposed dwelling and is awaiting the outcome of this request before processing the approval.

Effectively, this application hinges on the outcome of the proposed *Shire of Coorow Local Planning Policy 6.6.12- Residential Design Codes- Setbacks* as presented at Item 10.2.5 to this meeting.

Should Council support draft Policy 6.6.12 this proposal will need to be advertised with neighbouring landowners for 14 days.

On assessment it unlikely the proposed development will present any amenity issues and therefore it is recommended Council afford delegation to the CEO to grant planning consent should:

- 1. The Council endorsed the draft Local Planning Policy 6.6.12;**
- 2. There are no objections or concerns forthcoming from neighbouring landowners.**

BACKGROUND:

Council is in receipt of a building application to build an extension to a single dwelling on Lot 227 Thomas Street Leeman which is currently zoned R15 under the Shire of Coorow Town Planning Scheme No.2.

For ease of reference, Figure 1 provides an understanding of the location and nature of the subject property:



Figure 1- Location Plan (Sourced Landgate 2008)

Effectively the applicant is proposing to build an extension to the rear of an existing single house totalling 51.2m². The applicant is requesting a concession to the rear setback to accommodate the extension- refer to figure 2.

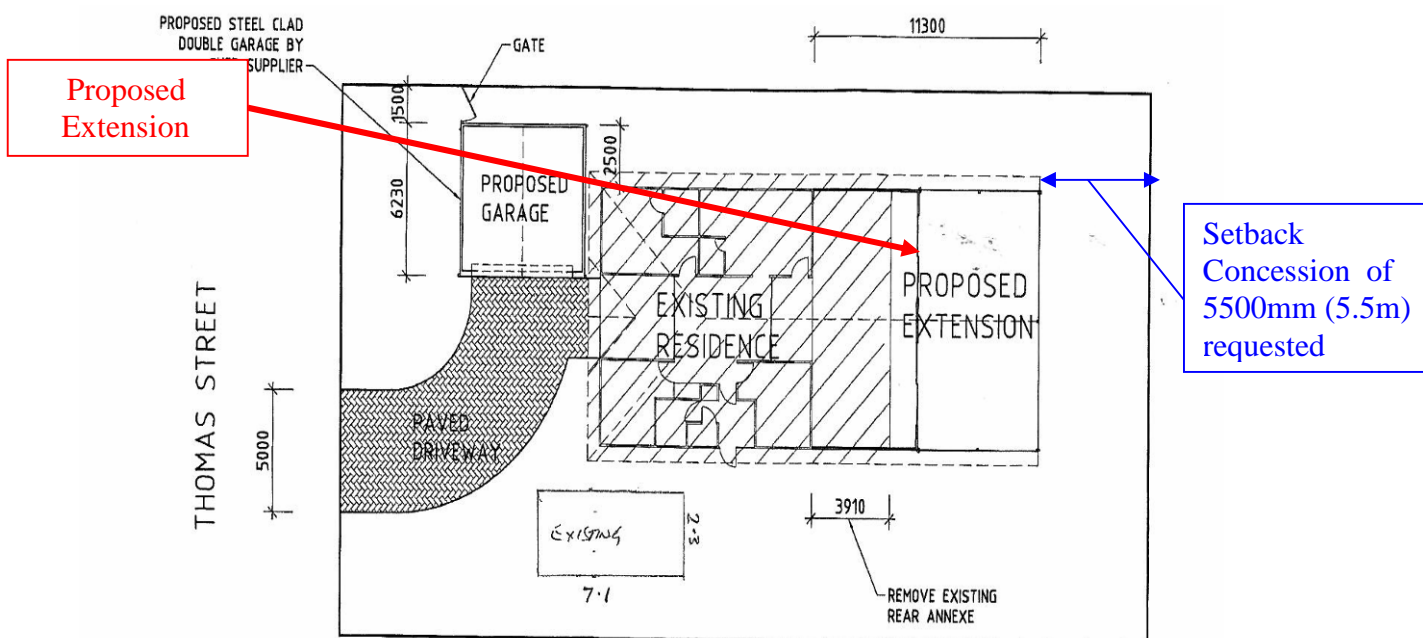


Figure 2- Site Plan

The Applicant's reasons for requesting a concession on the rear boundary setback is to expand the existing dwelling to accommodate comfortable living arrangements.

Based on an assessment of the current planning application it has been determined that the proposed rear setback of 5.5m does not comply with the prescribed criteria of 6.0m as outlined in the Residential Design Codes (R-Codes)- refer to statutory section below.

Therefore, the applicant is requesting a 0.5m concession for the rear boundary setback. Under the R-Codes, the prescribed rear setback as outlined in Table 1 of the Codes which can not be varied except where otherwise provided for in an adopted local planning policy, and neighbour consultation has been concluded.

COMMENT:

In recognising the previous agenda item 10.2.5 Local Planning Policy 6.6.12- Residential Design Codes-Setbacks, and endorsement of the Policy for advertising, the Council can effectively use this Policy's intent to provide a concession to the rear boundary on Residential R15 zoned property, following neighbour consultation in accordance with the R Code requirements.

In considering the merits of this application and minor nature of the variation from 6m to 5.5m from the rear boundary there are no apparent impacts on either the road, access to the site, fire hazard perceptions, or most importantly the neighbouring landholder's privacy and overall amenity. Therefore, it is recommended Council support the requested concession and grant delegated authority to the CEO to issue Planning Consent in the event:

1. Council endorses the draft Local Planning Policy 6.6.12 detailed in the previous Agenda Item;
2. There are no objections or concerns forthcoming from neighbouring landowners.

Should an objection or concern be raised then the application will be referred by to the Council for further consideration and determination at the February 2009 Council meeting.

STATUTORY ENVIRONMENT:

A Single Dwelling in the 'Residential' zone is a permitted development subject to compliance with the Residential Design Codes and the Shire of Coorow Town Planning Scheme No.2 provisions.

Specifically, Clause 5.1 of the Town Planning Scheme states, *"Any development of land is to comply with the provisions of the scheme and should be in accordance with planning policy."*

Further, Table 1 under Part 6 under the R-Codes prescribes the general site requirements including minimum property setbacks for residential development. Under the R15 density in the table the minimum rear boundary setback of 6.0 metres applies and can not be varied without a Local Planning Policy being prepared by the Council under Part 5 of the Codes.

With regards to consultation, Part 4 of the R-Codes specifically describes the 14 day consultation requirements with neighbouring landowners, which is also consistent with the Shire of Coorow Town Planning Scheme Clause 9.4.3.

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

As mentioned, the outcome of this application rests with the deliberations of the Council's in regard to draft Local Planning Policy 6.6.12.

FINANCIAL IMPLICATIONS:

Nil.

VOTING REQUIREMENT:

Simple Majority.

OFFICER RECOMMENDATIONS:

Recommendation 1:

That Council (subject to endorsement of draft Local Planning Policy 6.6.12) proceed with a 14 day consultation period with adjoining land owner/s to the rear of Lot 227 Thomas Street, Leeman to scope the sentiment to the reduced setback.

RESOLUTION: 2008-214

Moved: Cr Waite

Seconded: Cr Williams

That Council (subject to endorsement of draft Local Planning Policy 6.6.12) proceed with a 14 day consultation period with adjoining land owner/s to the rear of Lot 227 Thomas Street, Leeman to scope the sentiment to the reduced setback.

CARRIED 7/0

Recommendation 2:

That Council delegate to the CEO the capacity to grant formal Planning Consent (following a 14 day neighbour consultation period and no objections/concerns being raised) for a single dwelling addition to be constructed on Lot 227 Thomas Street Leeman, subject to the following:

Conditions

- (a) The development shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this

approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.

- (b) The extension shall be consist in materials and colours to the existing dwelling;
- (c) All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system such underground soak wells.

Notes

- This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period.
- Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.

RESOLUTION: 2008-215

Moved: Cr Waite

Seconded: Cr McTaggart

That Council delegate to the CEO the capacity to grant formal Planning Consent (following a 14 day neighbour consultation period and no objections/concerns being raised) for a single dwelling addition to be constructed on Lot 227 Thomas Street Leeman, subject to the following:

Conditions

- (a) *The development shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.*
- (b) *The extension shall be consist in materials and colours to the existing dwelling;*
- (c) *All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system such underground soak wells.*

Notes

- *This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period.*
- *Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.*

- *Should objections/concerns be raised during the neighbour consultation period, the matter be referred back to Council for further consideration and determination at the February 2009 Council meeting.*

CARRIED 7/0

10.2.7	PLANNING APPLICATION- REQUEST FOR R CODE CONCESSION - SETBACK VARIATION - LOT 737 (13) PETHICK LOOP GREEN HEAD
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AUTHOR	Kirrilee Warr
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	28 November 2008
ATTACHMENT	10.2.7 Building Plans
FILE	L737PET

SUMMARY:

This application relates to request for a concession to a rear setback for a single house, at Lot 737 (House No.13) Pethick Loop, Greenhead. The applicant has submitted a site plan for the house and is requesting a reduction to the rear setback from 6.0m to 3.45m through a planning application to accommodate a verandah at 1.8m wide, and portion of an alfresco deck. A current building application has been assessed for the proposed dwelling, and is awaiting the outcome of this request before processing the approval.

Effectively, this application hinges on the outcome of the proposed *Shire of Coorow Local Planning Policy 6.6.12- Residential Design Codes- Setbacks* as presented as another agenda item at this meeting.

Should the Council support draft Policy 6.6.12 this proposal will need to be advertised with neighbouring landowners for 14 days.

On assessment it is unlikely the proposed development will present any amenity issues and therefore it is recommended the Council afford delegation to the CEO to grant planning consent should:

1. The Council endorsed the draft Local Planning Policy 6.6.12;
2. There are no objections or concerns forthcoming from neighbouring landowners.

BACKGROUND:

Council is in receipt of a building application to build a single dwelling on Lot 737 - house 13 Pethick Loop, Green Head which is currently zoned Residential R15 under the Shire of Coorow Town Planning Scheme No.2.

A copy of the application is provided as Attachment 1 for the Council's information.

For ease of reference Figure 1 provides an understanding of the location and nature of the subject property:



Figure 1- Location Plan (Sourced Landgate 2008)

Effectively the applicant is proposing to build a framed, colourbond clad single dwelling, with a concrete floor totalling 339.2m². The applicant is requesting a concession to the rear setback to accommodate an 1800mm (1.8m) wide verandah and a portion of the under-roof alfresco deck area - refer to figure 2.

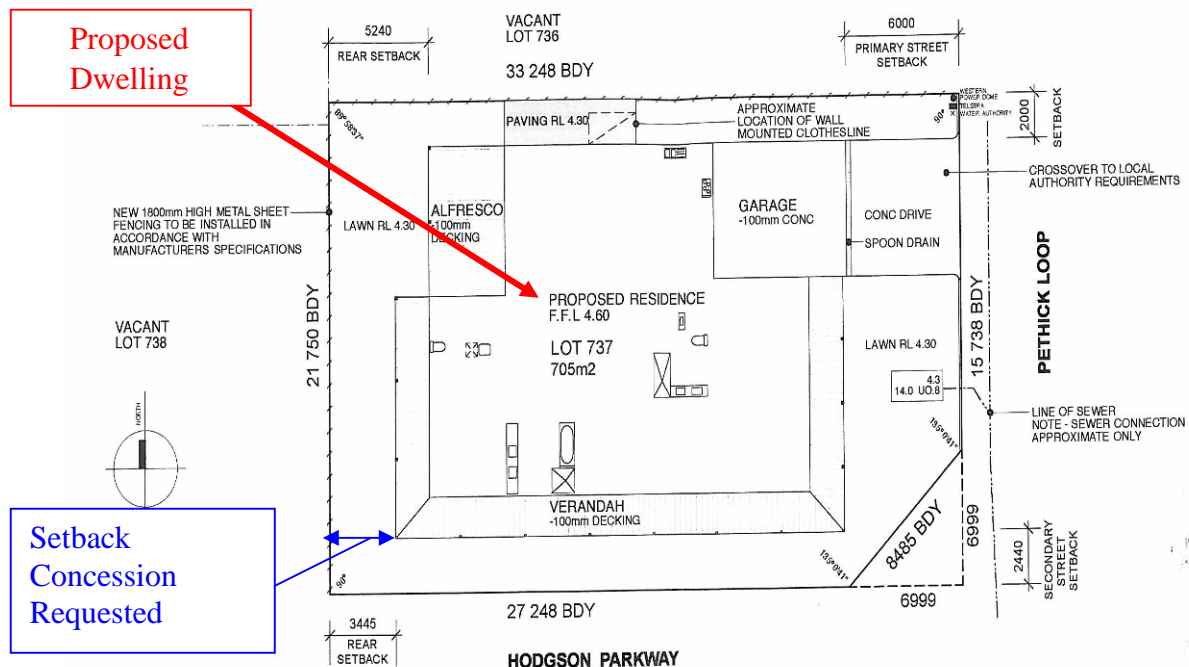


Figure 2- Site Plan

The Applicant's reasons for requesting a concession on the rear boundary setback are:

1. The continuation of the verandah that addresses amenity conditions to the secondary street- Hodgson Drive, as boundary fencing is only proposed for two (2) property boundaries (east and north) to allow for a streetscape outlook from the dwelling;
2. Address consistent overall amenity and appearance of the proposed dwelling;
3. To accommodate a verandah and alfresco area for outdoor lifestyle purposes; and
4. Provide adequate shelter to the rear/back door of the house.

Based on an assessment of the current planning application it has been determined that the proposed rear setback of 3,445mm (3.445m) does not comply with the prescribed criteria of 6,000mm (6m) as outlined in the Residential Design Codes (R-Codes)- refer to statutory section below. Therefore the applicant is requesting a 2,555mm (2.55m) concession for the rear boundary setback.

Under the R-Codes the prescribed rear setback as outlined in Table 1 can not be varied except where otherwise provided for in an adopted Local Planning Policy, and neighbour consultation has been concluded.

COMMENT:

In recognising the previous agenda item 10.2.5 Local Planning Policy 6.6.12- Residential Design Codes-Setbacks, and endorsement of the Policy for advertising, the Council can effectively use this Policy's intent to provide a concession to the rear boundary on Residential R15 zoned property, following neighbour consultation in accordance with the R Code requirements.

Considering this application complies with the draft Policy requirements and only involves encroachment of outdoor living areas within the prescribed 6.0m setback, it is assessed there are no apparent adverse effects that will limit private recreation, impact on fire hazard perceptions or impinge on neighbouring landholder's privacy and overall amenity. Therefore, it is recommended the Council support the requested concession and grant delegated authority to the CEO to issue Planning Consent in the event:

1. The Council endorses the draft Local Planning Policy 6.6.12 detailed in the previous Agenda Item;
2. There are no objections or concerns forthcoming from neighbouring landowners.

Should an objection or concern be raised then the application will be referred by to the Council for further consideration and determination at the February 2009 Council meeting.

STATUTORY ENVIRONMENT:

A Single Dwelling in the 'Residential' zone is a permitted development subject to compliance with the Residential Design Codes and the Shire of Coorow Town Planning Scheme No.2 provisions.

Specifically, Clause 5.1 of the Town Planning Scheme states, "*Any development of land is to comply with the provisions of the scheme and should be in accordance with planning policy.*"

Further, Table 1 under Part 6 under the R-Codes prescribes the general site requirements including minimum property setbacks for residential development. Under the R15 density in the table the minimum rear boundary setback of 6.0 metres applies and can not be varied without a Local Planning Policy being prepared by the Council under Part 5 of the Codes.

With regards to consultation, Part 4 of the R Codes specifically describes the 14 day consultation requirements with neighbouring landowners, which is also consistent with the Shire of Coorow Town Planning Scheme Clause 9.4.3.

Local Planning policy 6.6.6 *South Bay Development Guidelines* is also a consideration when assessing this application.

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

As mentioned, the outcome of this application rests with the deliberations of the Council's in regard to draft Local Planning Policy 6.6.12.

FINANCIAL IMPLICATIONS:

Nil.

VOTING REQUIREMENT:

Simple Majority.

OFFICER RECOMMENDATIONS:

Recommendation 1:

That the Council (subject to endorsement of draft Local Planning Policy 6.6.12) proceed with a 14 day consultation period with adjoining land owner/s to the rear of Lot 737 Pethick Loop Greenhead to scope the sentiment to the reduced setback..

RESOLUTION:**2008-216****Moved:** Cr George**Seconded:** Cr Williams

That the Council (subject to endorsement of draft Local Planning Policy 6.6.12) proceed with a 14 day consultation period with adjoining land owner/s to the rear of Lot 737 Pethick Loop Greenhead to scope the sentiment to the reduced setback.

CARRIED 7/0**Recommendation 2:**

That Council delegate to the CEO the capacity to grant formal Planning Consent (following a 14 day neighbour consultation period and no objections/concerns being raised) for a single dwelling addition to be constructed on Lot 737 Pethick Loop Greenhead, subject to the following:

Conditions

- (a) The development shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- (b) The roof cladding for the house shall be tiled or of a colourbond metal deck finish in a colour complimentary to the coastal environs. The use of zincalume cladding or similar is not permitted.
- (c) All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system such as underground soak wells.
- (d) The driveway/car-parking bays and access crossover from the street shall be consistent in material, colour and pattern, with the exception of an existing footpath.
- (e) All water tanks and clothes drying areas shall be positioned to the rear of the property or alternatively placed behind a privacy screen complimentary in material and colour with the house and boundary fencing.
- (f) The balance of the side and rear boundary fencing shall be no greater than 1.8 metres in height and complimentary in colour with the house. The use of bare zincalume metal, bare galvanized metal or unpainted hardi-fence or the like is not permitted.

Notes

- The applicant is reminded that all future development (ie sheds/carports, patio/verandah extensions, letterbox, and front boundary fencing) is to accord with the Policy Objectives of the *Green Head South Bay Development Guideline*, endorsed as the Shire of Coorow Local Planning Policy 6.6.6, that may be amended from time to time.
- This approval is valid for a period of two (2) years from the date of approval and will be deemed to have lapsed if the development has not substantially commenced before the expiration of this period.

- Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.

RESOLUTION: 2008-217

Moved: Rackemann

Seconded: Cr Bothe

That Council delegate to the CEO the capacity to grant formal Planning Consent (following a 14 day neighbour consultation period and no objections/concerns being raised) for a single dwelling addition to be constructed on Lot 737 Pethick Loop Greenhead, subject to the following:

Conditions

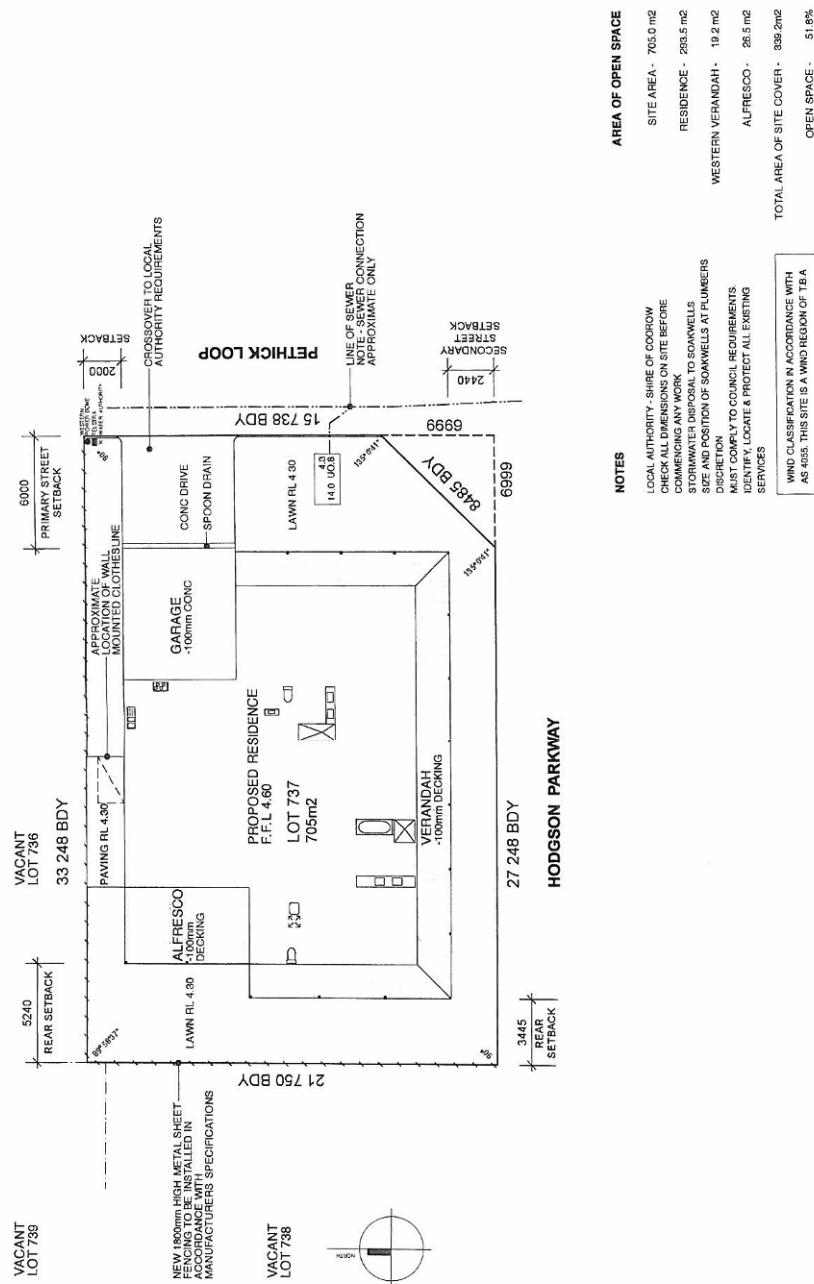
- (a) *The development shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.*
- (b) *The roof cladding for the house shall be tiled or of a colourbond metal deck finish in a colour complimentary to the coastal environs. The use of zincalume cladding or similar is not permitted.*
- (c) *All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system such underground soak wells.*
- (d) *The driveway/car-parking bays and access crossover from the street shall be consistent in material, colour and pattern, with the exception of an existing footpath.*
- (e) *All water tanks and clothes drying areas shall be positioned to the rear of the property or alternatively placed behind a privacy screen complimentary in material and colour with the house and boundary fencing.*
- (f) *The balance of the side and rear boundary fencing shall be no greater than 1.8 metres in height and complimentary in colour with the house. The use of bore zincalume metal, bare galvanized metal or unpainted hardi-fence or the like is not permitted.*

Notes

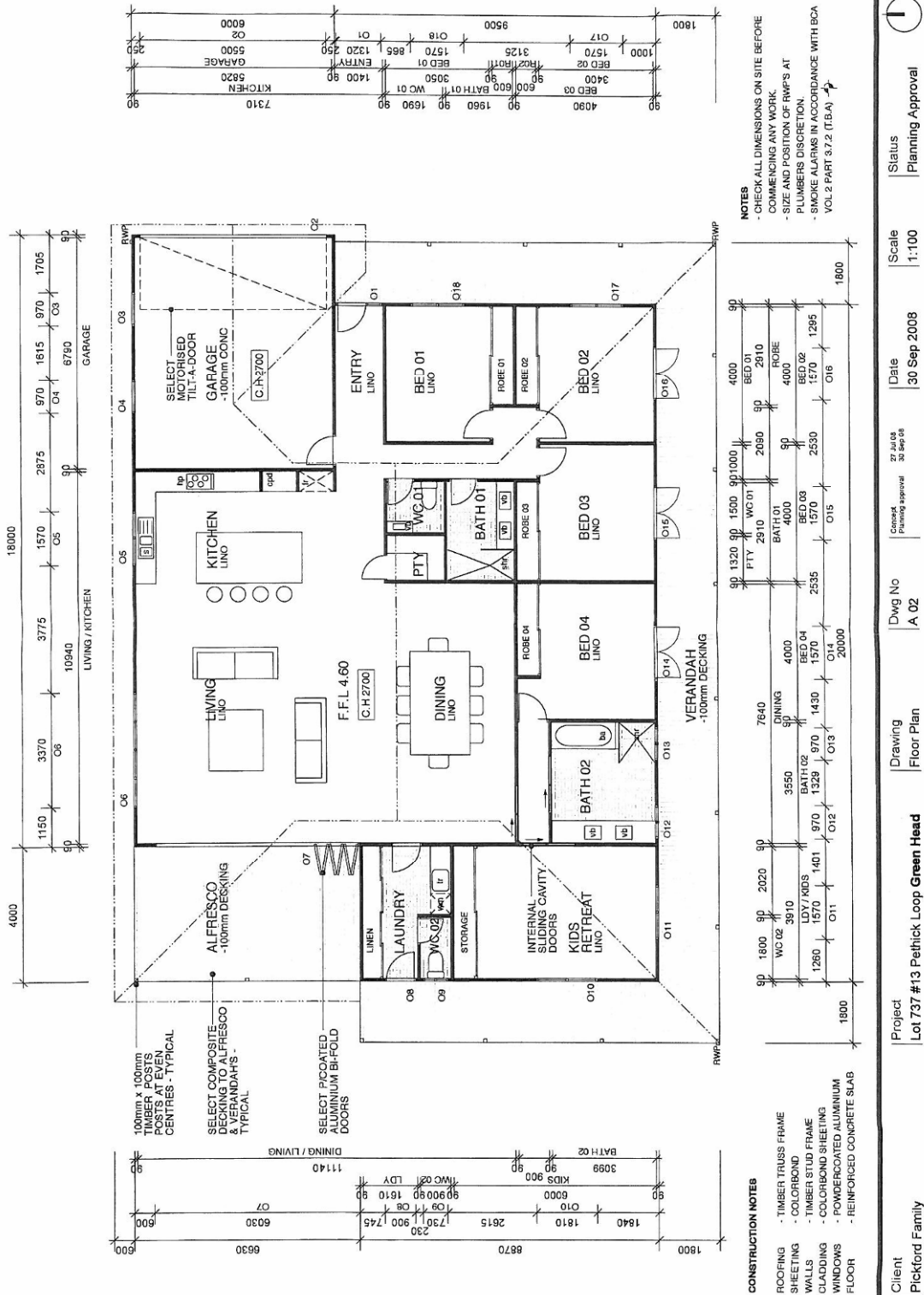
- *The applicant is reminded that all future development (ie sheds/carports, patio/verandah extensions, letterbox, and front boundary fencing) is to accord with the Policy Objectives of the Green Head South Bay Development Guideline, endorsed as the Shire of Coorow Local Planning Policy 6.6.6, that may be amended from time to time.*
- *This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period.*

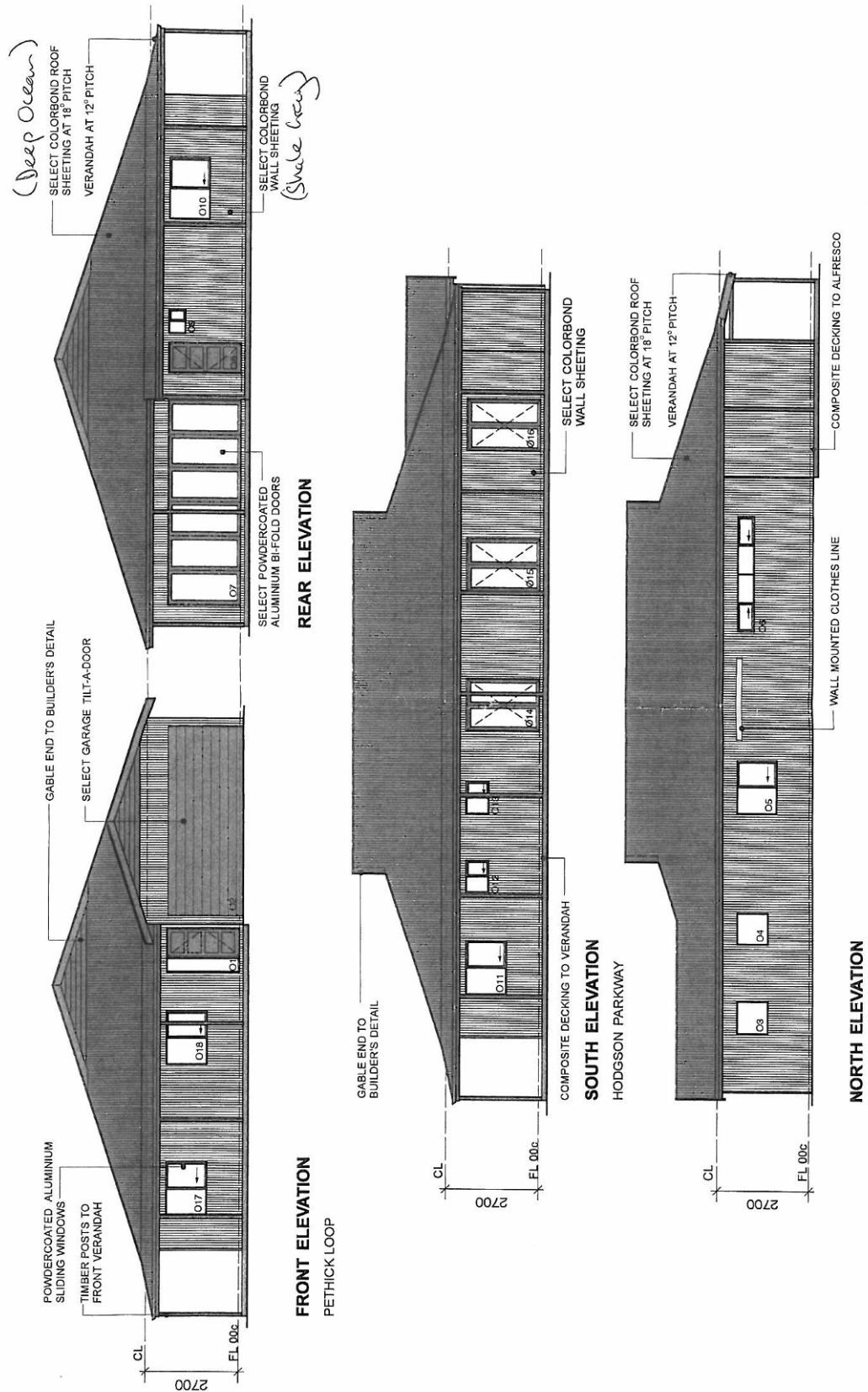
- *Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.*
- *Should any objections/concerns be raised during the neighbour consultation period, the matter be referred back to Council for further consideration and determination.*

CARRIED 7/0



Client	Project	Drawing	Dwg No	Date	Scale	Status
Pickford Family	Lot 737 #13 Pethick Loop Green Head	Site Plan	A 01	30 Sep 2008	1:200	Planning Approval





Client	Project	Dwg No	Date	Scale	Status
Pickford Family	Lot 737 #13 Pethick Loop Green Head	A 03	30 Sep 2008	1:100	Planning Approval

10.2.8	PLANNING APPLICATION- REQUEST FOR CONCESSION TO REAR SETBACK, AND TOTAL FLOOR AREA AT LOT 735/17 PETHICK LOOP GREEN HEAD
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AUTHOR	Kirrilee Warr
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	28 th November 2008
ATTACHMENT	10.2.8 Building Plans
FILE	L735PET

SUMMARY:

A building application has been received by officers for a 8m x 6m garage/shed with a 6m x 6m carport/lean-to, 4.04 m overall height that is indicated on the site plan to exceed the prescribed rear setback of 1.5 metres under the Residential Design Codes. The total floor area is also over the maximum prescribed measurement as specified by the Shire of Coorow Town Planning Scheme No.2 and recently adopted Outbuilding Policy. To this end the applicant is requesting a concession for both the rear building setback to 1.0 metre and a concession to increase the total floor area of the building from 75m² to 85m².

Pursuant to the Residential Design Codes a variation to the minimum boundary setback distance is required to be advertised with neighbouring landowners for 14 days, which is yet to be done. However, in order to expedite the process this proposal is being presented to Council in the first instance as the next Council Meeting is not until mid February 2009.

Given the concessions as assessed are effectively negligible and are unlikely to present any amenity issues it is recommended the Council afford delegation to the CEO to issue planning consent for the proposed development subject to no objections or concerns forthcoming from neighbouring landowners.

BACKGROUND:

Council is in receipt of an application for a building licence to erect a garage/ shed with an attached carport/lean-to on Lot 735/17 Pethick Loop, Green Head which is currently zoned Residential R15 under the Shire of Coorow Town Planning Scheme No.2.

A copy of the application is provided an Attachment 1.

For ease of reference Figure 1 provides an understanding of the location and nature of the subject property:

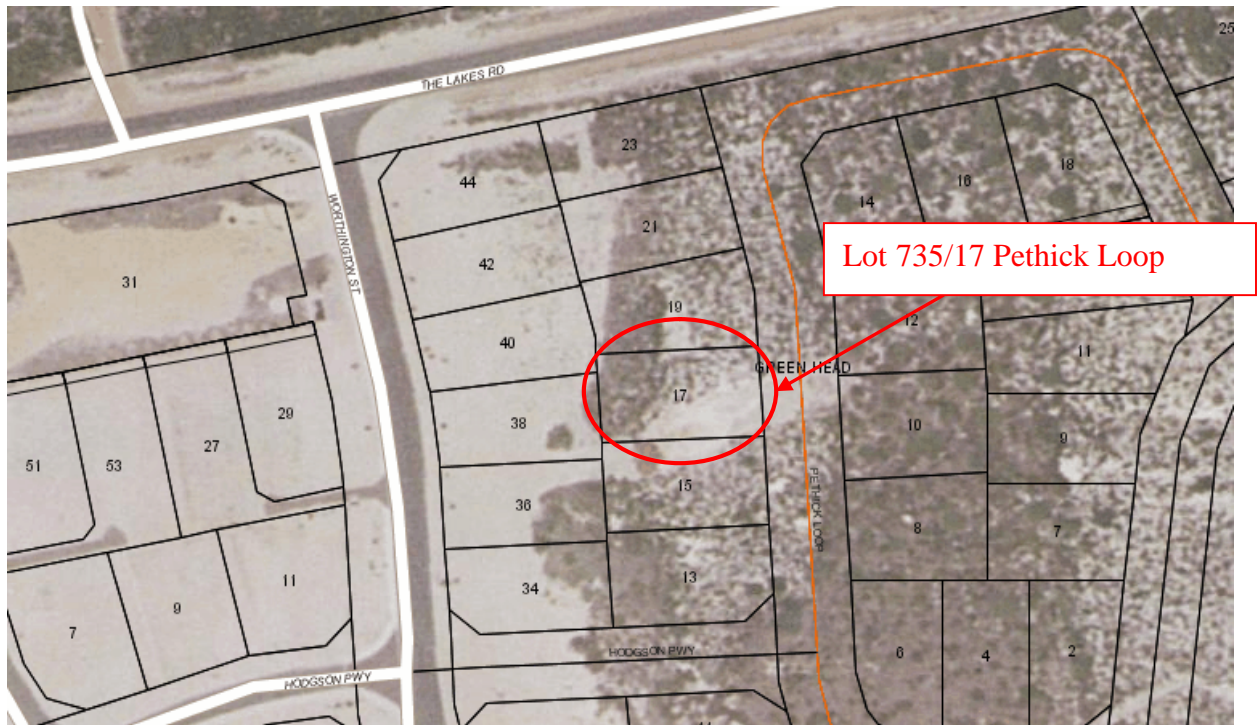


Figure 1- Location Plan (sourced Landgate 2008)

1. Effectively the applicant is proposing to build a shed 8000mm (8m) x 6000mm (6m) garage/ shed with a 6000mm (6m) x 6000mm (6m) carport/lean-to, 4004mm (4.04m) high, with a floor totalling 85m² - as shown in figure 2.

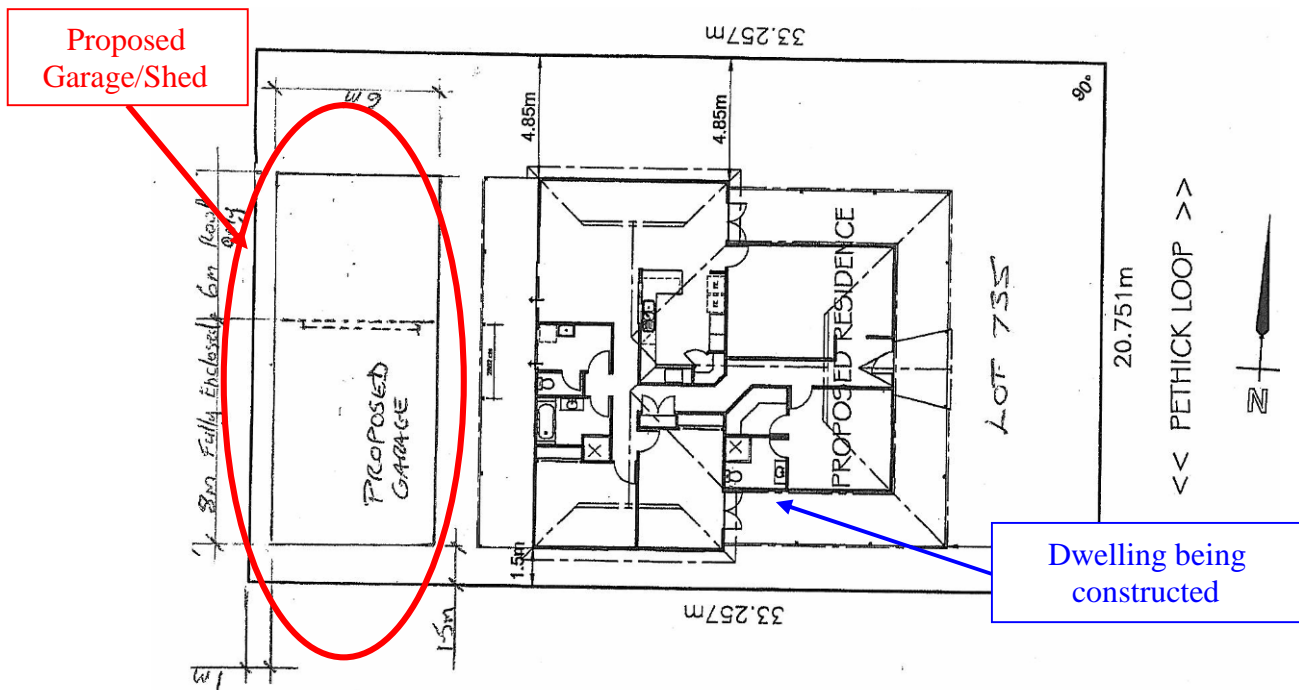


Figure 2- Site Plan

The Applicant's reasons for requesting concessions on the boundary setbacks, total floor area, and height are:

1. Locating the proposed garage/shed at the 1.5 metre setback as prescribed by the R-Codes, will encroach on existing developments;
2. The concession to allow a total floor area of 85m² will allow for the accommodation of vehicles, boat, and miscellaneous storage;
3. Existing boundary fencing will assist in screening the appearance of the 8m x 6m x 4.04m clad garage/shed wall and roof.

Based on an assessment of the current planning application it has been determined that the proposed rear setback of 1000mm (1m) does not comply with the prescribed criteria of 1500mm (1.5m) as outlined in the Residential Design Codes (R-Codes)- refer to statutory section below. Therefore, the applicant is requesting a 500mm (0.5m) concession for the rear boundary setback.

Furthermore, it is highlighted in the application that the overall floor area of the outbuilding does not to meet the Council's requirements under the Town Planning Scheme No.2 and Draft Local Planning Policy 6.6.8- Outbuildings.- refer to statutory section below, and therefore the applicant is also requesting a concession to the floor area from 75m² to 85m².

COMMENT:

In considering the merits of this application the following comments are offered:

1. With a rear boundary setback concession of 500mm (0.5m) from 1.5 metres to 1 metre at the rear there is no apparent impact on either road, access to the site, fire hazard perceptions, or neighbouring landholders. However, as per the R-Codes a 14 day neighbour consultation period will need to be conducted to accurately determine the sentiment of the neighbours;
2. In consideration of the proposed garage/shed with lean-to being 85m² floor area, there is no perception the development would generate any significant impact on the local residential amenity.

Therefore, in consideration of the reasons given by the applicant and based on the comments provided above, it is recommended the Council support the requested concessions and grant delegated authority to the CEO to issue Planning Consent in the event there are no objections or concerns raised by the neighbouring landowners during the required 14 day consultation period.

However, should an objection or concern be raised then the application will be referred by to the Council for further consideration and determination at the February 2009 meeting.

STATUTORY ENVIRONMENT:

Pursuant to the Residential Design Codes and the Shire of Coorow Town Planning Scheme No.2 (TPS) a Shed/Garage with lean-to is a permitted development in the 'Residential' zone subject to compliance with R Codes and the TPS.

Specifically, Clause 5.5.1 of the TPS grants the Council discretionary power to vary the prescribed total floor area pursuant to Clause 8.2.b.(v) of the TPS providing the proposal accords with:

- Stated purpose and aims of the Town Planning Scheme;
- Any relevant Local Planning Policy; and
- The proper and orderly planning of the locality.

Additionally, Clause 2.5.2 of the R Codes grants the Council discretionary power to vary the prescribed standards under Table 2b of the Codes (with the exception of minimum site areas) providing the Council is satisfied the proposal accords with the criteria stated above.

With regards to consultation, Part 4 of the R Codes specifically describes the 14 day consultation requirements with neighbouring landowners providing the Council has discretionary power to vary the prescribed setback, but should not do so without first having considered the neighbours comments/concerns.

Local Planning policy 6.6.6 *South Bay Development Guidelines* is also a consideration when assessing the application.

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

As mentioned above, the Council at its November 2008 meeting endorsed a draft Local Planning Policy 6.6.8 Outbuildings for advertising, which advocates an overall floor area of 75m² for outbuildings in a residential zone. Where possible the Council is required to give due regard to the Policy when determining applications that sit outside of the prescribed standards, yet the Council is not bound to adhere by its Policy.

In consideration of the merits of this application, including the requested increase of only 10m², it is not viewed that this proposal will not compromise the intent and objective of the Outbuildings Policy.

FINANCIAL IMPLICATIONS:

Nil.

VOTING REQUIREMENT:

Simple Majority.

OFFICER RECOMMENDATIONS:

Recommendation 1:

That Council conduct a 14 day consultation period with neighbouring land owners to Lot 735 Pethick Loop, Green Head to scope the sentiment to the reduced setbacks and oversize nature of the proposed shed.

RESOLUTION: 2008-218

Moved: Cr George

Seconded: Cr Williams

That Council conduct a 14 day consultation period with neighbouring land owners to Lot 735 Pethick Loop, Green Head to scope the sentiment to the reduced setbacks and oversize nature of the proposed shed.

CARRIED 7/0

Recommendation 2:

Delegate to the CEO the capacity to grant formal Planning Consent (following a 14 day neighbour consultation period and no objections/concerns being raised) for a garage/shed to be constructed on Lot 735 Pethick Loop, Green Head, subject to the following:

Conditions

- (a) The development shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- (b) The roof cladding for the shed shall be of a colourbond metal deck finish in a colour complimentary to the coastal environs. The use of zincalume cladding or similar is not permitted.
- (c) All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system such underground soak wells.
- (d) The driveway/car-parking bays to the street shall be consistent in material, colour and pattern, with the exception of an existing footpath.
- (e) A building license will not be issued for an outbuilding, or other stand alone ancillary structure, until the main dwelling has been constructed to slab height.

Notes

- The applicant is reminded that all future development (ie patio/verandah extensions, letterbox, tanks, and boundary fencing) is to accord with the Policy Objectives of the *Green Head South Bay Development Guideline*, endorsed as the Shire of Coorow Local Planning Policy 6.6.6, that may be amended from time to time.
- This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period.

- Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.

RESOLUTION: 2008-219

Moved: Cr Rackemann **Seconded:** Cr Waite

Delegate to the CEO the capacity to grant formal Planning Consent (following a 14 day neighbour consultation period and no objections/concerns being raised) for a garage/shed to be constructed on Lot 735 Pethick Loop, Green Head, subject to the following:

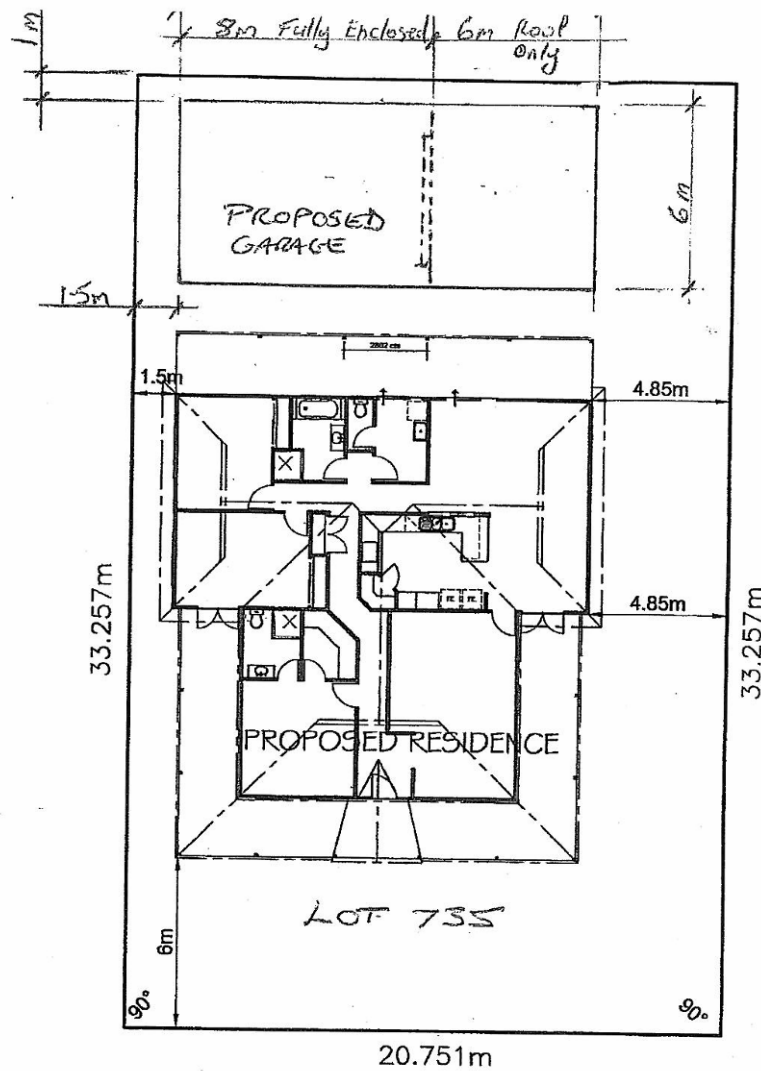
Conditions

- The development shall be in accordance with the attached approved plan(s) and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.*
- The roof cladding for the shed shall be of a colourbond metal deck finish in a colour complimentary to the coastal environs. The use of zincalume cladding or similar is not permitted.*
- All storm-water runoff from impervious surfaces (roof and paved areas) shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system such underground soak wells.*
- The driveway/car-parking bays to the street shall be consistent in material, colour and pattern, with the exception of an existing footpath.*
- A building license will not be issued for an outbuilding, or other stand alone ancillary structure, until the main dwelling has been constructed to slab height.*

Notes

- *The applicant is reminded that all future development (ie patio/verandah extensions, letterbox, tanks, and boundary fencing) is to accord with the Policy Objectives of the Green Head South Bay Development Guideline, endorsed as the Shire of Coorow Local Planning Policy 6.6.6, that may be amended from time to time.*
- *This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period.*
- *Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.*
- *Should objections/concerns be raised during the neighbour consultation period, the matter be referred back to Council for further consideration and determination.*

CARRIED 7/0



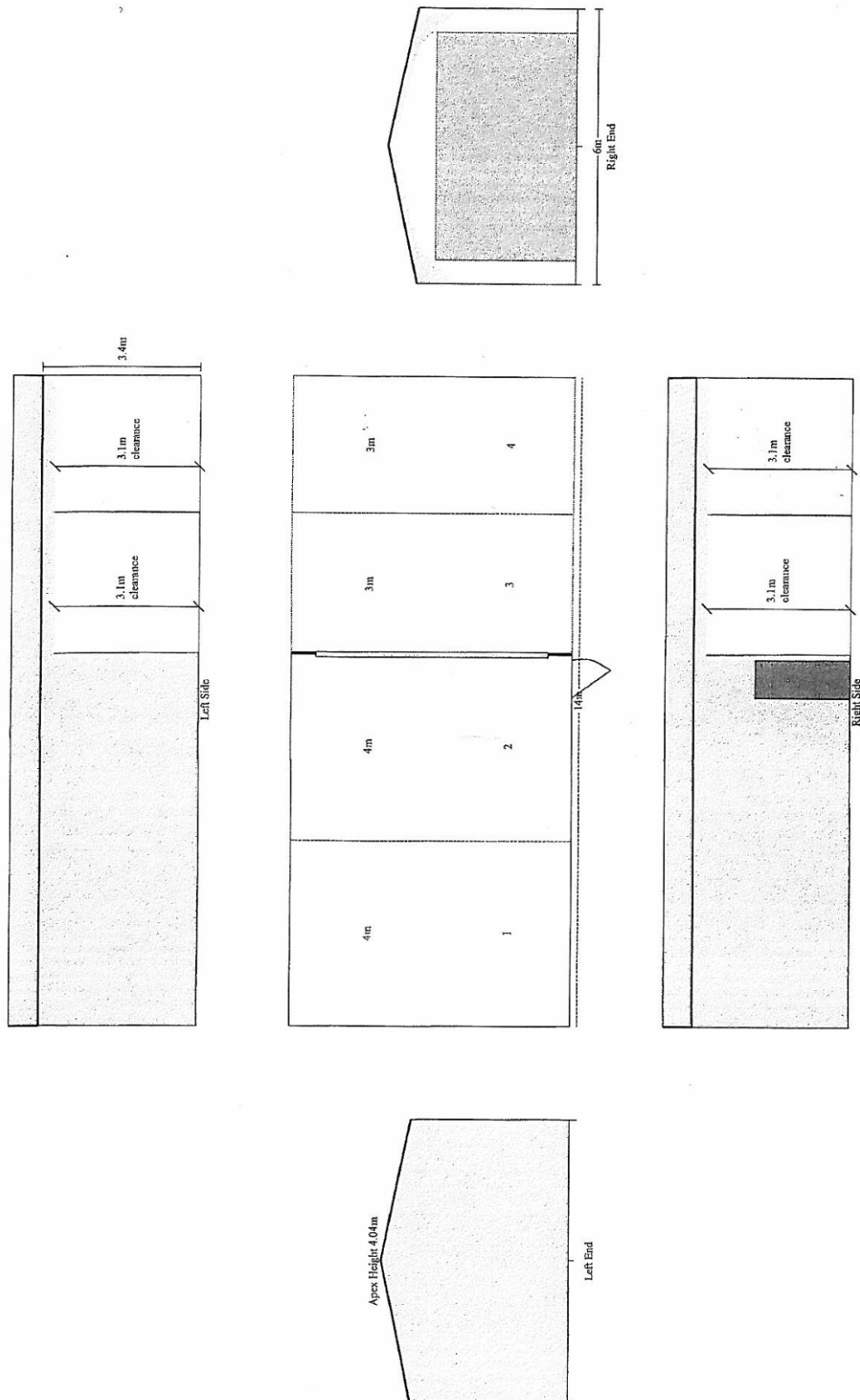
<< PETHICK LOOP >>



BLOCK PLAN

SCALE 1:200

TE	AMENDMENTS	HOUSE TYPE	MOD CAIRNS	PAGE No	SCALES	AS SHOWN	PROPOSED RESIDENCE FOR:
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				No. IN SET	JOB NUMBER	31690	
					DRAWN BY	ZK	TO BE CONSTRUCTED ON:
					CHECKED BY		Lot 735 F
							GREI
- DO NOT SCALE FROM DRAWING AS DISTORTION CAN OCCUR DURING COPYING				KFP1	31690P		



ANDREW MATTIUKOVITCH
 MIE Aust. CPEng (Registered NPER Structural & Civil) 341550
 Qld. : RPEQ No.4748 ; N.T. : 11473ES
 Practising Professional Structural & Civil Engineer

Signature: *[Signature]*

Wide Span Sheds
 Steel Pty Ltd
 Phone: (07) 5657 8888
 Fax: (07) 5518 7614
 Email: admin@sheds.com.au

Layout & Elevations

Purchaser Name: Ken & Sharon Puls

Site Address: Lot 735 Pethick Loop GREEN HEAD WA Australia 6514

Drawing # Job 82908 - 2 Print Date: 31/10/08

10.2.9	PLANNING APPLICATION- REQUEST FOR R CODE CONCESSION - SETBACK VARIATION - LOT 850 (6) PETHICK LOOP GREEN HEAD
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AUTHOR	Ian D'Arcy (Contract Planner)
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	28 November 2008
FILE	L850PET

SUMMARY:

An application has been lodged with the Council seeking planning consent and a building licence to erect a solid patio structure over the existing below ground swimming pool on the above-mentioned property.

From a planning perspective the proposal requires a concession for a nil setback and parapet wall on the eastern side boundary and a reduction in the minimum open space coverage for the site.

In consideration of the merits of the application, including support for the proposal from the Landcorp, being the neighbouring landowner, it is recommended the Council approve the development subject to conditions, including a 1.0 metre reduction in the length of the patio structure and the eastern face of the parapet wall being finished to a satisfactory standard.

BACKGROUND:

Council is in receipt of an application for a patio to be erected over an approved below ground swimming pool on Lot 850 (House No.6) Pethick Loop Green Head.

A location plan of the property is provided in Figure 1 below, while Figures 2 and 3 photographically illustrates the proposed location of the patio structure requiring a parapet wall to be erected on the eastern side boundary:



Figure 1 – Location Plan (Sourced from Landgate 2008)



Figure 2 – Photo of rear yard area looking south

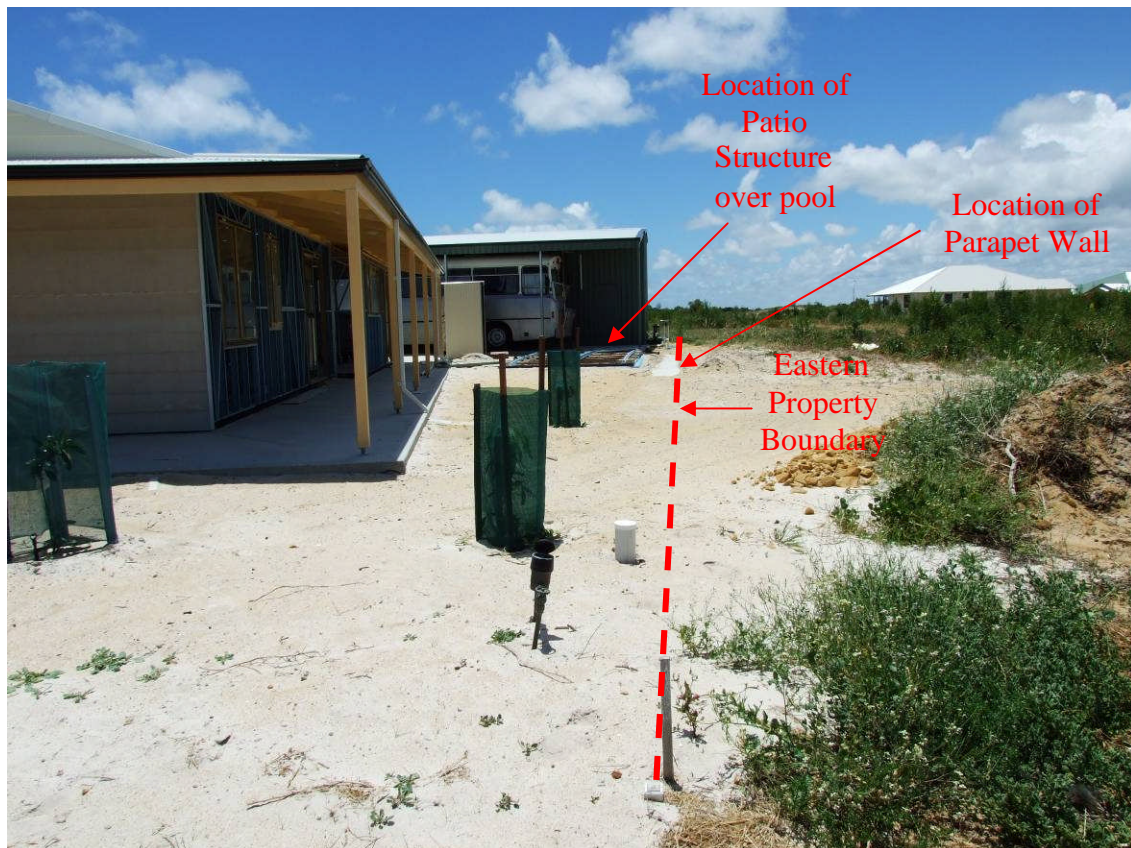


Figure 3 – Photo of rear yard area looking north

In summary the subject property is:

- located within the Green Head South Bay subdivision;
- 601 m² in area; and
- zoned 'Residential R15' under the Shire of Coorow Town Planning Scheme No.2.

In regard to the proposed development the patio structure consists of:

- A solid colourbond roof (approx. 15° pitch);
- South, west and north sides partially enclosed by solid colourbond fencing (assumed height of 1.2 metre to comply with swimming pool barrier fencing requirements);
- East side enclosed by a proposed 2.4 metre high/10 metre long masonry parapet wall on the property boundary.

As reflected by a red dashed line in Figure 4 below, the patio structure is situated between the existing shed patio and house verandah, and accordingly covers an area of 55 m².

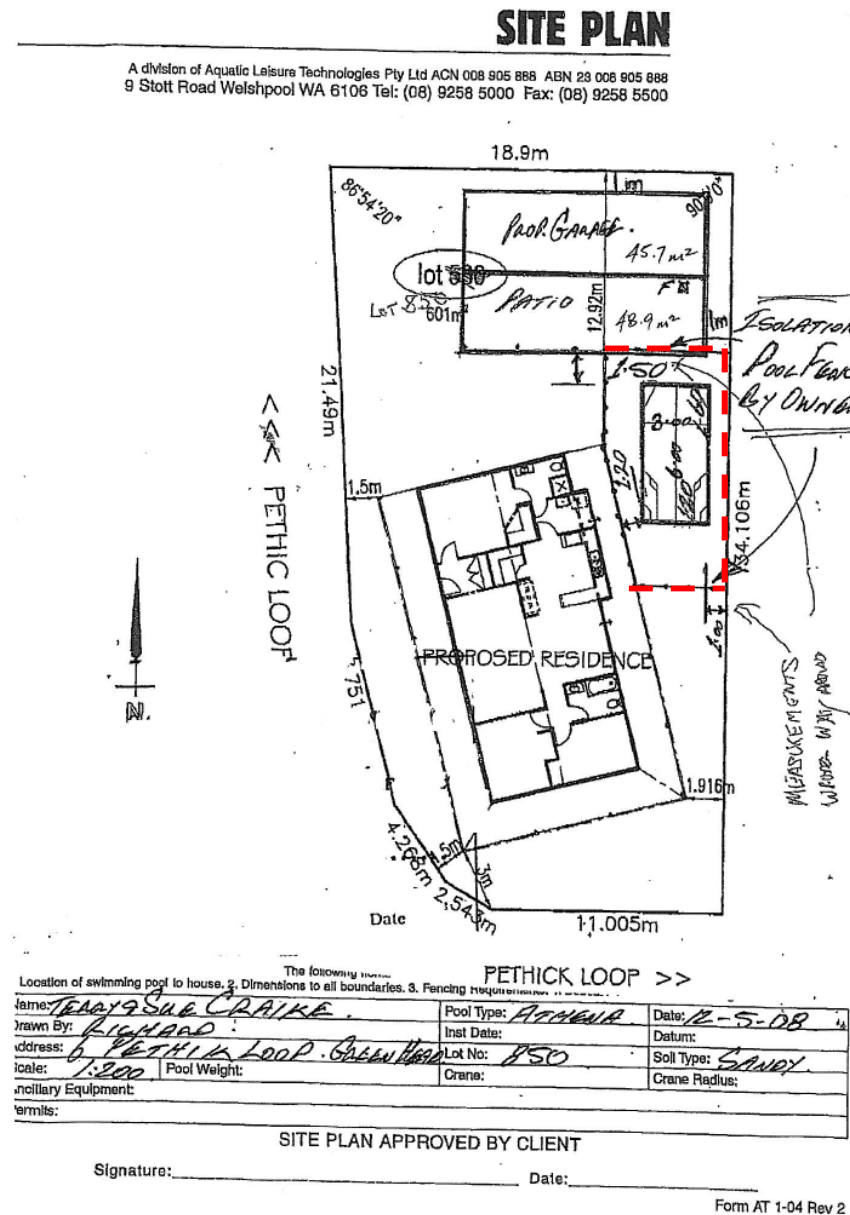


Figure 4 – Site Plan

Essentially this report is presented to the Council as the application seeks a concession against the Residential Design Codes (R Codes) standards to allow for the proposed 10 metre long parapet wall to be erected on the eastern side boundary, providing for a nil boundary setback distance, and reduction in the open space requirements assigned to the R15 residential density.

COMMENT:

As reflected above, there are two matters for the Council's consideration in varying the minimum standards of the R Codes.

1. The first is a need to reduce the eastern boundary setback from the prescribed 1.0 metre to a zero setback distance, with the erection of a masonry parapet wall 10.0 metres long to cover the entire length of the patio structure for privacy purposes. Clause 6.3.2 of the R Codes allows the Council the ability to vary the setback with a parapet wall on the boundary providing the basis the Council is satisfied the proposal will:
 - Make effective use of the space (that being the setback area);
 - Enhance privacy (for the subject and neighbouring property);
 - Otherwise enhance the amenity of the development (being the overall development on the property);
 - Not have any significant adverse effect on the amenity of the adjoining property; and
 - Ensure the direct sun to major openings to habitable rooms and outdoor living areas of adjoining properties is not restricted.

In assessing the reduced setback it is accepted at an officer level that the proposal accords with the criteria listed above, whilst acknowledging the adjoining property to the east is owned by Landcorp. In this regard, an agency representative has verbally expressed to Council's Manager or Regulatory Services that Landcorp has no objection to the reduced setback distance and parapet wall being erected on the boundary. Nevertheless, it is recommended that Council, should it proceed to approve the development, impose a condition requiring the eastern face of the wall be finished to a face brick or rendered standard ensure prospective purchasers of the neighbouring lot are presented with an aesthetically pleasing wall.

2. The second concession relates to a reduction in the open space site coverage, prescribed in Table 1 (General Site Requirements) of the R Codes to be a minimum of 50% of the overall lot area. This requirement is important as it seeks to preserve a minimum amount of yard area and natural sun light penetrating the property.

In assessing the proposed development the area for Lot 850 is 601m² resulting in a minimum open space area of 300.5m². With the existing shed/patio measuring 94.6m² and the house with verandahs equating to 164.2 m², the area currently provided as open space is 342.2 m². However, with the proposed patio addition measuring 55m² in area, if approved, the allocation of open space would be reduced to 287.2m², some 13m² below the minimum allowed.

One way to remedy this situation is to classify the proposed patio as open space and not building area, yet to achieve this, the patio structure needs to accord with the 'Open Space' definition under Appendix 1 of the R Codes. In part this definition states for a building to count as open space it must be *not more than 0.5*

metre above natural ground level, unenclosed on at least two sides and covering no more than 10% of the site (lot) area or 50 m², whichever is the lesser. This means to comply with the open space calculations the proposed patio must be 50m² or less. At present calculation the proposed structure at 55m² cannot be accepted as open space under the R Codes.

Council may however resolve to grant approval subject to the length of the patio being reduced to 9.0 metres as reflected by the red dashed line in Figure 5 below that will result in the patio area measuring 49.5m² and in turn qualify as open space.

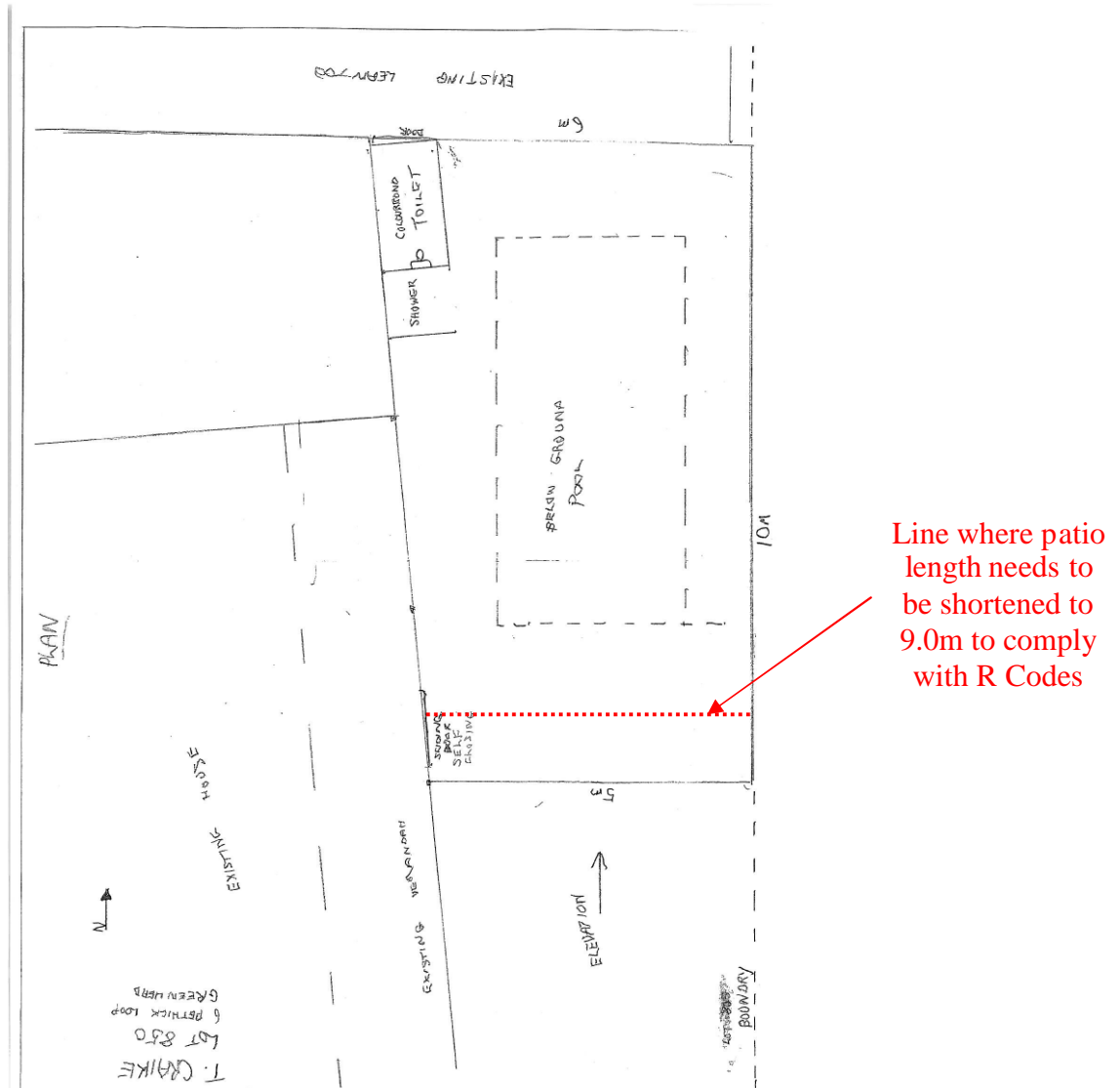


Figure 5 – Site Plan of Proposed Patio Structure extract from Application

STATUTORY ENVIRONMENT:

The Shire of Coorow Town Planning Scheme No.2 (TPS) prescribes under Clause 5.2.2 that all residential development is to conform to the R Codes.

In regard to the R Codes the Council may exercise discretion to vary the requirements applicable to this application under Parts 2 and 6 of the Codes.

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Should an appeal be lodged with the State Administrative Tribunal Council could incur a cost for representation pertinent to subsequent appeal proceedings.

VOTING REQUIREMENT:

Simple Majority.

OFFICER RECOMMENDATION:

That Council resolve to grant planning consent for a proposed patio structure with a nil setback distance to the eastern side boundary on Lot 850 Pethick Loop Greenhead, subject to the following conditions:

- (a) The development shall be in accordance with the attached approved plan(s) dated 10th December 2008 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- (b) The length of the patio shall be reduced to 9.0 metres with cover not to exceed 50m² in area.
- (c) The applicant is to submit revised building plans that accurately reflects the requirements detailed in condition (b) of this approval.
- (d) The roof cladding for the patio shall be of the same colour and profile as the existing dwelling.
- (e) All storm-water runoff from the patio roof and paved areas underneath shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system such as underground soak wells.
- (f) The parapet wall shall be of a masonry construction to a maximum length of 9.0 metres and finished to a smooth render or face brick standard.

Notes

- In relation to condition (c) a building licence will not be issued until revised plans have been submitted to the satisfaction of the Manager of Regulatory Services.

- The applicant is reminded that all future development (ie patio/verandah extensions, letterbox, tanks, and boundary fencing) is to accord with the Policy Objectives of the *Green Head South Bay Development Guideline*, endorsed as the Shire of Coorow Local Planning Policy 6.6.6, that may be amended from time to time.
- This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period.
- Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.

RESOLUTION: 2008-220

Moved: Cr Williams

Seconded: Cr Waite

That Council resolve to grant planning consent for a proposed patio structure with a nil setback distance to the eastern side boundary on Lot 850 Pethick Loop Greenhead, subject to the following conditions:

- The development shall be in accordance with the attached approved plan(s) dated 10th December 2008 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.*
- The roof cladding for the patio shall be of the same colour and profile as the existing dwelling.*
- All storm-water runoff from the patio roof and paved areas underneath shall be contained within the property boundaries, and re-used or disposed of through an acceptable drainage system such as underground soak wells.*
- The parapet wall shall be of a masonry construction to a maximum length of 10.0 metres and finished to a smooth render or face brick standard.*

That the applicant be advised that they have reached their maximum covered area limit and that Council is unlikely to consider any further approval.

Notes

- *In relation to condition (c) a building licence will not be issued until revised plans have been submitted to the satisfaction of the Manager of Regulatory Services.*
- *The applicant is reminded that all future development (ie patio/verandah extensions, letterbox, tanks, and boundary fencing) is to accord with the Policy Objectives of the Green Head South Bay Development Guideline,*

endorsed as the Shire of Coorow Local Planning Policy 6.6.6, that may be amended from time to time.

- *This approval is valid for a period of two (2) years from the date of approval and will be deemed to have lapsed if the development has not substantially commenced before the expiration of this period.*
- *Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.*

CARRIED 7/0

Council's Resolution differed from the Officers Recommendation in view of the neighbour consenting to the original plans submitted and that Council exercised its discretionary power.

10.3 MANAGER WORKS AND SERVICES:

Nil.

10.4 DEPUTY CHIEF EXECUTIVE OFFICER:

10.4.1 ACCOUNTS FOR PAYMENT

AUTHOR	Erika Clement
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	2 December 2008
ATTACHMENT	10.4.1 Accounts Due and Submitted To Council Meeting 10 December 2008

SUMMARY:

Council approval is required for payment of accounts made within the months of November 2008 and December 2008 and to approve payments of accounts due in December 2008

COMMENT:

Approval is sought for the following list of payments of accounts made since Council's last meeting on 19 November 2008 and of accounts that are now due.

A list of all payments submitted for approval is contained at Attachment 10.4.1 Accounts Due and Submitted to Council Meeting on 10 December 2008.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996

13 Lists of Accounts

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared:
 - (a) the payee's name;
 - (b) the amount of the payment;
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing:
 - (a) for each account which requires council authorization in that month:
 - (i) the payee's name;
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
 - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under subregulation (1) or (2) is to be:
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting;

STRATEGIC, POLICY & FINANCIAL IMPLICATIONS:

There are no financial, policy or strategic implications regarding this matter.

VOTING REQUIREMENT:

Simple Majority

OFFICER RECOMMENDATION:

That payments listed at Attachment 10.4.1 Accounts Due and Submitted to Council Meeting on 10 December 2008 including:

1. Vouchers 17866, 17894-17917, PR71011208 to PR72281108, EFT1533 to EFT1581 and 2 Payroll totalling \$255,123.60 from Council's Municipal Fund; and
 2. Vouchers 75-85 totalling \$6,819 from Council's Trust Fund;
- be authorised and passed for payment.

RESOLUTION: 2008-221

Moved: Cr George **Seconded:** Cr McTaggart

That payments listed at Attachment 10.4.1 Accounts Due and Submitted to Council Meeting on 10 December 2008 including:

1. *Vouchers 17866, 17894-17917, PR71011208 to PR72281108, EFT1533 to EFT1581 and 2 Payroll totalling \$255,123.60 from Council's Municipal Fund; and*
 2. *Vouchers 75-85 totalling \$6,819 from Council's Trust Fund;*
- be authorised and passed for payment.*

CARRIED 7/0

CHQ/EFT	DATE	NAME	DESCRIPTION	TRUST	MUNI
75	13/11/2008	BUILDING & CONST INDUSTRY TRAINING FUND	BCITF LEVY	\$4,333.60	
76	13/11/2008	SHIRE OF COOROW	BCTIF LEVY COMMISSION	\$ 92.40	
77	14/11/2008	SHIRE OF COOROW	BRB LEVY COMMISSION	\$ 203.50	
78	14/11/2008	BUILDERS' REGISTRATION BOARD OF WA	BRB LEVY	\$1,209.50	
79	17/11/2008	WILLIAMS AK & P	NOMINATION DEPOSIT REFUND	\$ 80.00	
80	17/11/2008	GIRANDO MJ	NOMINATION DEPOSIT REFUND	\$ 80.00	
81	17/11/2008	DA McTAGGERT	NOMINATION DEPOSIT REFUND	\$ 80.00	
82	17/11/2008	MICHAEL BOTHE	NOMINATION DEPOSIT REFUND	\$ 80.00	
83	17/11/2008	WAITE JAN	NOMINATION DEPOSIT REFUND	\$ 80.00	
84	17/11/2008	JEANIE CRAGO	NOMINATION DEPOSIT REFUND	\$ 80.00	
85	17/11/2008	GIRANDO SJ& MJ	KERBING DEPOSIT REFUND 123 COMMERCIAL STREET CW	\$ 500.00	
EFT1533	01/12/2008	ARROWSMITH COMPUTER COMPANY	MOBILE PHONES & SD CARDS		\$ 405.80
EFT1534	01/12/2008	AUSSIE TREE SERVICES	POWER LINE CLEARING GREEN HEAD & LEEMAN		\$ 1,512.50
EFT1535	01/12/2008	BOC GASES	GAS		\$ 188.11
EFT1536	01/12/2008	BINDOON TRACTORS	SPRINGS-COASTAL SLASHER		\$ 37.59
EFT1537	01/12/2008	BROADBANDNET PTY LTD	BROADBAND NET		\$ 69.95
EFT1538	01/12/2008	COOROW TELECENTRE	REFRESHMENTS - COUNCIL MEETING		\$ 442.00
EFT1539	01/12/2008	COVENTRY GROUP LTD	LAMP,WINDOW WASHER		\$ 1,661.46
EFT1540	01/12/2008	CUNNINGHAMS AG SERVICES	SPRAYER,FILTER,BATTERIES		\$ 1,227.70
EFT1541	01/12/2008	CLARKSON FREIGHTLINES	FREIGHT FOR POOL CHEMICALS		\$ 360.20
EFT1542	01/12/2008	COOROW AG PTY LTD	SILASTIC,ROPE,CLAMP,TIMER TAPS,PLASTIC,FLUROS,PLUMBING FITTINGS,		\$ 567.73
EFT1543	01/12/2008	CHEFMASTER	ORANGE LITTER BAGS FOR TIP CLEAN UPS		\$ 391.40
EFT1544	01/12/2008	CRAZZEL COVE CAFE	REFRESHMENTS - REMEMBERANCE DAY		\$ 329.00
EFT1545	01/12/2008	DERRICK'S AUTO-AG	BALL BEARINGS - CW0022		\$ 15.40
EFT1546	01/12/2008	DRUMMOND JOE ELECTRICS	BUILDING REPAIRS LOT 50 NAIRN ST & GAZEBO LIGHT DYNAMITE BAY		\$ 2,062.50
EFT1547	01/12/2008	FRANK GILMOUR PEST CONTROL	PEST CONTROL LEEMAN,COOROW & GREEN HEAD		\$ 5,503.00
EFT1548	01/12/2008	GERALDTON CARPET CHOICE	CARPET- L64 NAIRN ST LEEMAN		\$ 5,214.00
EFT1549	01/12/2008	GREEN HEAD PLUMBING & GAS	PLUMBING REPAIRS - L131 SPAIN ST MWS		\$ 2,015.72
EFT1550	01/12/2008	GH COUNTRY COURIERS	FREIGHT-GERALDTON MOWER		\$ 42.47

CHQ/EFT	DATE	NAME	DESCRIPTION	TRUST	MUNI
EFT1551	01/12/2008	GREEN HEAD COMMUNITY CENTRE MANAGEMENT	ELECTRICITY- GREEN HEAD COMMUNITY CENTRE		\$ 586.09
EFT1552	01/12/2008	GIRANDO MJ	TRAVEL & SITTING FEES		\$ 756.10
EFT1553	01/12/2008	HERSEY JR & A PTY LTD	MESH,TAPE,SHOVELS		\$ 1,049.18
EFT1554	01/12/2008	HITACHI CONST MACHINERY (AUST) P/L	LAMP		\$ 88.13
EFT1555	01/12/2008	HALF WAY MILL ROADHOUSE	REFRESHMENTS		\$ 193.70
EFT1556	01/12/2008	IMPACT SWEEPING	STREET SWEEPING LEEMAN & GREEN HEAD		\$ 7,611.00
EFT1557	01/12/2008	LEEMAN HARDWARE	BUILDING REPAIRS L50 NAIRN ST		\$ 882.75
EFT1558	01/12/2008	LANDMARK	SAFETY CLOTHING		\$ 544.75
EFT1559	01/12/2008	LAUNDY PLUMBING & GAS	REPLACE HOT WATER SYSTEM LOT 103 BRISTOL STREET		\$ 1,541.92
EFT1560	01/12/2008	ML COMMUNICATIONS	PHONE SYSTEM RENTAL- COAST		\$ 447.75
EFT1561	01/12/2008	MIDALIA STEEL PTY LTD	METAL - WORKSHOP DOOR		\$ 657.06
EFT1562	01/12/2008	MCINTOSH & SON	MASTER CYLINDER CW0027		\$ 2,616.31
EFT1563	01/12/2008	MARTINS TRAILER PARTS PTY LTD	COUPLING - CEMENT MIXER		\$ 24.95
EFT1564	01/12/2008	NORTH MIDLANDS MOTORS	PETROLEUM DELIVERY HOSE		\$ 675.00
EFT1565	01/12/2008	PAPER PLUS OFFICE NATIONAL	STATIONARY - FILES		\$ 246.68
EFT1566	01/12/2008	RNR CONTRACTING PTY LTD	EMULSION FOR ROAD PATCHING		\$ 5,137.00
EFT1567	01/12/2008	RBC-RURAL	METER PLAN CHARGES		\$ 1,485.63
EFT1568	01/12/2008	RICOH FINANCE	LEASING PHOTOCOPIERS		\$ 663.49
EFT1569	01/12/2008	SUNNY SIGN COMPANY PTY LTD	CLIFF PARK SIGN		\$ 539.00
EFT1570	01/12/2008	STAR TRACK EXPRESS	FREIGHT-WATTLEUP,BT EQUIPMENT,WESTRAC		\$ 306.86
EFT1571	01/12/2008	RELIANCE PETROLEUM	TRACTRAN TF10- PO#19340/19342		\$ 899.42
EFT1572	01/12/2008	TRUCKLINE	CAMSHAFT BUSHING- CW0034		\$ 473.35
EFT1573	01/12/2008	ROBERT VAUPOTIC	FINAL PAYMENT RANGERS HOUSE PAINTING		\$ 3,257.35
EFT1574	01/12/2008	WATTLEUP TRACTORS	MF TRACTOR PARTS		\$ 361.55
EFT1575	01/12/2008	WESTRAC EQUIPMENT	BRAKE LINING KITS -- CW0011		\$ 2,064.79
EFT1576	01/12/2008	WREN OIL	WASTE OIL DISPOSAL-GREEN HEAD		\$ 432.50
EFT1577	01/12/2008	WAITE JAN	MEMBER SITTING FEES		\$ 60.00
EFT1578	01/12/2008	RUMBOLD FORD	PURCHASE FORD RANGER UTE - WS		\$ 7,280.00
EFT1579	01/12/2008	RUMBOLD FORD	PURCHASE OF MRS VEHICLE - FORD XR6		\$ 11,295.00
EFT1580	01/12/2008	W A TREASURY CORPORATION	LOAN REPAYMENT #85 - MALEY PARK CHANGEROOMS		\$ 24,156.64

CHQ/EFT	DATE	NAME	DESCRIPTION	TRUST	MUNI
EFT1581	01/12/2008	W A TREASURY CORPORATION	LOAN REPAYMENT L#70		\$ 31,619.48
17866	12/11/2008	SHIRE OF COOROW - LOTTO	PAYROLL DEDUCTIONS		\$ 190.00
17894	27/11/2008	PAYROLL DEDUCTION - CSA	PAYROLL DEDUCTIONS		\$ 703.51
17895	27/11/2008	SHIRE OF COOROW - LOTTO	PAYROLL DEDUCTIONS		\$ 190.00
17896	01/12/2008	HOSTPLUS	SUPERANNUATION CONTRIBUTIONS		\$ 240.88
17897	02/12/2008	LEEMAN FUEL & LIQUOR	REFRESHMENTS- TRACTOR PARTS,KETTLE		\$ 3,639.13
17898	02/12/2008	A COASTAL CUT	GARDEN MAINTENANCE - L50 NAIRN ST		\$ 344.12
17899	02/12/2008	ALLOY & STAINLESS PRODUCTS PTY LTD	TORO MOWER BLADES 10 SETS		\$ 999.98
17900	02/12/2008	BAYSIDE BUTCHER	REFRESHMENTS - COUNCIL MEETING 15/10/2008		\$ 74.20
17901	02/12/2008	AUSTRALIAN TAXATION OFFICE	ATO CHARGES		\$ 440.00
17902	02/12/2008	DEPARTMENT OF THE ENVIRONMENT	LICENCE COOROW TOWN TIP		\$ 1,229.32
17903	02/12/2008	GARY GEORGE	MEMBER SITTING FEES		\$ 60.00
17904	02/12/2008	MCDONALD BJ	CR SITTING FEES		\$ 60.00
17905	02/12/2008	MOORA HEALTH CENTRE	DOCTOR - GARDENER		\$ 55.70
17906	02/12/2008	DA McTAGGERT	MEMBER SITTING FEES		\$ 360.00
17907	02/12/2008	MERCURE INN	STAFF TRAINING-RO		\$ 1,354.50
17908	02/12/2008	NOVUS GERALDTON	WINDSCREEN REPLACEMENT CW000		\$ 1,089.00
17909	02/12/2008	PERFECT COMPUTER SOLUTIONS	NETWORK APPRAISEL FOR COOROW & LEEMAN OFFICE COMPUTERS		\$ 1,887.00
17910	02/12/2008	PUREWATER POOL SERVICES	INSTALLATION OF POOL DISINFECTION CONTROLLER		\$ 4,814.70
17911	02/12/2008	RURAL HEALTH WEST	SUBSCRIPTION TO WACRRM		\$ 100.00
17912	02/12/2008	SYNERGY	ELECTRICITY ACCOUNTS OCT/NOV 08		\$ 3,632.00
17913	02/12/2008	LAURIE STEELE	MEDICAL LAURIE STEELE		\$ 14.00
17914	02/12/2008	SHIRE OF CHAPMAN VALLEY	TOWN PLANNING SERVICE - SEPT & OCT		\$ 4,975.10
17915	02/12/2008	TELSTRA	PHONE CHARGES – FIRE BAN SMS SERVICE		\$ 20.00
17916	02/12/2008	TOOLMART	REPLACEMENT SOCKETS		\$ 45.45
17917	02/12/2008	NONI WARD	REFUND FOR OVER PAYMENT DOG REGISTRATION PAYMENT		\$ 22.50
17918	02/12/2008	YARRA BUILDING SERVICES	BUILDING REPAIRS L11 SPAIN ST		\$ 3,920.00
17919	02/12/2008	FAMILY SHOPPING CENTRE	DONATION TO COOROW SUNDOWNER		\$ 100.00
71011208	01/12/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,990.05
71121108	12/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 577.70

CHQ/EFT	DATE	NAME	DESCRIPTION	TRUST	MUNI
71131108	13/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 670.35
71141108	14/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 332.40
71171108	17/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 97.80
71181108	18/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 832.80
71191108	20/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 134.70
71211108	20/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 3,144.55
71211108	21/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 720.35
71241108	24/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 310.60
71251108	25/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 529.50
71261108	26/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 286.60
71271108	27/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,513.95
72121108	12/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 36.60
72141108	14/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,032.30
72171108	17/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 111.95
72181108	18/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 257.85
72191108	19/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 137.75
72201108	20/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,306.50
72211108	21/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 163.60
72241108	24/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 506.45
72251108	25/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 1,423.25
72261108	26/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 276.50
72271108	27/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 611.70
72281108	28/11/2008	TRANSPORT DEPT OF	TRANS LICENSING		\$ 606.75
PAYROLL	12/11/2008	PAYROLL	PAYROLL		\$ 38,371.00
PAYROLL	26/11/2008	PAYROLL	PAYROLL		\$ 38,579.00
				\$6,819.00	\$ 255,123.60

10.4.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY – NOVEMBER 2008

AUTHOR	Stuart Billingham
DISCLOSURE OF INTEREST	Nil
DATE OF REPORT	2 December 2008
ATTACHMENT	10.4.2 Statement of Financial Activity to 31 October 2008
FILE	F8.07 – Finance – 2008/09

SUMMARY:

In accordance with the Local Government (Financial Management) Regulations 1996, regulation 34 stipulates that a local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month.

BACKGROUND:

The form of the Monthly Financial Statements presented to Council is a Statement of Financial Activity, which also includes supplementary information including an Operating Statement Function and Activity, Balance Sheet, Cash Flow Graph and Plant Cost Recovery Report. A copy of the Statement of Financial Activity for the month ended 30 November 2008 is included at Attachment 10.4.2 for Councillor's information.

COMMENT:

Council is required to prepare the Statement of Financial Activity as per Local Government (FM) Reg 36, but can resolve to have supplementary information included as required.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulations 1996.

34. Financial reports to be prepared — s. 6.4

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail -
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
 - (b) budget estimates to the end of the month to which the statement relates;
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing -
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;

- (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown -
- (a) according to nature and type classification;
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be -
- (a) presented to the council -
 - (i) at the next ordinary meeting of the council following the end of the month to which the statement relates; or
 - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.

STRATEGIC IMPLICATIONS:

Nil.

POLICY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

PUBLIC CONSULTATION:

Not required.

VOTING REQUIREMENTS:

Simple Majority

OFFICER RECOMMENDATION:

That Council accepts the Monthly Statement of Financial Activity as included at Attachment 10.4.2 for the period ended 30 November 2008.

RESOLUTION:

Moved: Cr Bothe

Seconded: Cr Williams

That Council accepts the Monthly Statement of Financial Activity as included at Attachment 10.4.2 for the period ended 30 November 2008.

CARRIED 7/0

11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN:

Nil.

12. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION:

12.1 LATE ITEMS – APPROVAL TO CONSIDER

AUTHOR
DISCLOSURE OF INTEREST
DATE OF REPORT
FILE:

Stuart Billingham
Nil
5 December 2008

SUMMARY:

Council is requested to consider a Late Agenda Item for the Information Technology and Server Upgrade 2008/09 Budget Reallocation.

COMMENT:

Staff are attempting to have the Agenda prepared at least a week before each Council Meeting. In completing this schedule, business of an urgent nature will arise from time to time in particular where commercial activities within the district would be delayed by Council not considering the item.

STATUTORY ENVIRONMENT:

Shire of Coorow – Standing Orders Local Law 1999

Section 2.10:

In cases of extreme urgency or other special circumstance, matters may, with the consent of the person presiding, or by decision of the members present, be raised without notice and decided by the meeting.

10.7 Council (or Committee) to Meet Behind Closed Doors - Effect of Motion

- (1) Subject to any deferral under clause 3.7 or other decision of the Council or committee, this motion, if carried, causes the general public and any officer or employee the Council or committee determines, to leave the room.
- (2) While a decision made under this clause is in force the operation of clause 9.5 limiting the number of speeches a member of the Council may make, is suspended unless the Council decides otherwise.
- (3) Upon the public again being admitted to the meeting the person presiding, unless the Council or committee decides otherwise, is to cause the motions passed by the Council or committee whilst it was proceeding behind closed doors to be read out including the vote of a member or members to be recorded in the minutes under section 5.21 of the Act.

- (4) A person who is a Council member, a committee member, or an employee is not to publish, or make public any of the discussion taking place on a matter discussed behind closed doors, but this prohibition does not extend to the actual decision made as a result of such discussion and other information properly recorded in the minutes. Penalty \$5,000

FINANCIAL, POLICY AND STRATEGIC IMPLICATIONS:

There appear to be no implications in this regard.

OFFICER RECOMMENDATION:

That the Late Agenda Item to consider the Information Technology and Server Upgrade 2008/09 Budget Reallocation.

RESOLUTION: 2008-222

Moved: Cr Williams

Seconded: Cr Bothe

That the Late Agenda Item to consider the Information Technology and Server Upgrade 2008/09 Budget Reallocation.

CARRIED 7/0

12.2 INFORMATION TECHNOLOGY AND SERVER UPGRADE 2008/09 BUDGET REALLOCATION

AUTHOR Stuart Billingham
DISCLOSURE OF INTEREST Nil
DATE OF REPORT 5 December 2008
FILE

SUMMARY:

Council is to consider the reallocation of 2008/09 Budget funds for server and information technology upgrade.

BACKGROUND:

The Shire of Coorow 2008/2009 budget provides for the following:

• Records Management Software	\$ 15,000 (COA 0354)
• Server Computer	\$ 6,000 (COA 0504)
• Office Computers	<u>\$ 5,000 (COA 0304)</u>
Total	<u>\$ 26,000</u>

Perfect Computer Solutions (PCS) were recently contracted to undertake an initial assessment of the Shire of Coorow IT systems. The assessment of the Main Server located at the Coorow Administration Centre revealed the following:

- PC Machine is not a Server Grade component computer, only a Pentium 4 PC configured to act as a server.
- Running out of hard drive space, currently has only 14GB of space left.
- PC is struggling to operate SynergySoft Version 5.1.77 and other applications with any level of speed or reliability. (NB: SynergySoft Version 6.1 is currently waiting to be upgraded and loaded onto the Shire of Coorow server, however slow performance issues postponing the installation.)
- Only 5 Terminal Server Licences more required. User not able to log on when required as all licenses are in use.
- No Uninterruptable Power Supply (UPS) hardware or software attached to server. Server just crashes with power fluctuations or power failures.
- Tape Backup Software expired no effective back up since August 2008.

The assessment of the laptop and desktop computers at the Coorow and Leeman offices revealed various configuration issues such as not correctly logging onto the Coorow Domain for optimum speed and performance with SynergySoft.

COMMENT:

A recent assessment of the Shire of Coorow main server has revealed that it lacks capacity for the upgrade to IT Vision's Records Management and Mapping modules. The server primarily lacks hard drive space and processor speed. To upgrade to Records and Mapping modules it is required that the server hardware and software be upgraded first.

An aerial photograph for the Shire of Coorow and the overlay of cadastre boundaries available from the Department of Planning and Infrastructure at an approx cost of \$75 which is approx 18Gb-20Gb in size. The server hard drive is lacking space to store this aerial photo file.

STATUTORY ENVIRONMENT:

Local Government Act 1995, Shire of Coorow 2008/09 Budget.

STRATEGIC IMPLICATIONS:

Implementation of IT Strategy.

POLICY IMPLICATIONS:

Shire of Coorow Accounting Policy.

FINANCIAL IMPLICATIONS:

Perfect Computer Solutions (PCS) have provided the Shire with a quote to upgrade the server to the required specifications to operate IT Vision SynergySoft as follows:

Hardware

- | | |
|---|---------|
| • Server for Synergy
Dual Intel Xeon 3GHz, 2Gb RAM, 4x73Gb SCSI HDD (2 system and 2 data – mirrored)
Pedestal chassis, Basic keyboard & mouse, No monitor | \$6,920 |
| • New Server Rack mount Cabinet | \$2,500 |
| • UPS, True on Line 1500VA, rack mount | \$1,950 |
| • KVM Switch, 4 port, can view up to 4 PS2 PCs and monitors | \$100 |
| • 80Gb (SATA) Backup unit, inc 10 tapes and a cleaning tape | \$2,190 |

Software

- | | |
|--|---------|
| • Small Business Server 2003, inc 15 CALs
Includes upgrade to Windows Server, Exchange Server (for Email) | \$2,440 |
| • Symantec Antivirus Enterprise edition, 15 users | \$625 |

Labour to build and install new server approx 40 hours @ \$150 per hour equates to \$6,000. Travelling 6hr @ \$66.00 equates to \$396.

Sub Total Cost Hardware	\$ 13,660
Sub Total cost Software	\$ 3,065
Sub Total labour and travelling	\$ 6,396
Total	<u>\$ 23,121</u>

VOTING REQUIREMENTS:

Absolute Majority.

OFFICER RECOMMENDATION:

That Council:

1. agrees to the postponement of the implementation and upgrade of the Records Management Software to be relisted on the 2009/10 Draft Budget;
2. approves the reallocation of funds listed under COA 0354 of \$15,000 for Records Management Software and COA 0304 \$5,000 Office Computers to COA 0504 Server Computer be utilised for the Server upgrade in 2008/09.

RESOLUTION: 2008-223

Moved: Cr McTaggart **Seconded:** Cr Rackemann

That Council:

1. *agrees to the postponement of the implementation and upgrade of the Records Management Software to be relisted on the 2009/10 Draft Budget;*
2. *approves the reallocation of funds listed under COA 0354 of \$15,000 for Records Management Software and COA 0304 \$5,000 Office Computers to COA 0504 Server Computer be utilised for the Server upgrade in 2008/09.*

**CARRIED 7/0
BY ABSOLUTE MAJORITY**

13. MATTERS BEHIND CLOSED DOORS:

Nil.

14. DATE OF NEXT MEETING:

14.1 COMMUNITY FORUM

2.00pm Wednesday 18 February 2009 at the Leeman Administration Centre, Leeman.

14.2 ORDINARY MEETING OF COUNCIL

3.00pm Wednesday 18 February 2009 at the Leeman Administration Centre, Leeman.

15. CLOSURE:

There being no further business the President, Cr Girando closed the meeting at 5.05pm.