



ORDINARY COUNCIL MEETING

MINUTES

Ordinary Meeting of the Council held at
Frost Park Pavilion, McDonald Avenue, Mount Barker
2:45pm Tuesday 11 October 2005

Rob Stewart
CHIEF EXECUTIVE OFFICER

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	1
2	RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED).....	1
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	1
4	PUBLIC QUESTION TIME.....	1
5	PETITIONS / DEPUTATIONS / PRESENTATIONS.....	1
6	APPLICATIONS FOR LEAVE OF ABSENCE.....	1
7	CONFIRMATION OF MINUTES.....	1
8	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION.....	1
9	REPORTS OF COMMITTEES AND OFFICERS.....	2
9.1	EXECUTIVE SERVICES REPORTS.....	2
9.1.1	FRANKLAND BELOW GORDON LAND CONSERVATION DISTRICT COMMITTEE - COUNCIL REPRESENTATIVE.....	2
9.2	TECHNICAL SERVICES REPORTS.....	4
9.2.1	PROPOSED ROAD CLOSURE - PORONGURUP NATIONAL PARK AND PLANTAGENET LOCATION 138.....	4
9.3	DEVELOPMENT SERVICES REPORTS.....	7
9.3.1	LOT 1, 47 LOWOOD ROAD, MOUNT BARKER - APPLICATION FOR A PERMIT TO CONDUCT AN OUTDOOR EATING FACILITY ON A PUBLIC THOROUGHFARE.....	7
9.3.2	LOT 2062 TURPIN ROAD, ROCKY GULLY - PROPOSED COMMERCIAL TREE PLANTATION.....	10
9.3.3	LOT 26 WANSBOROUGH WALK, PORONGURUP - APPLICATION FOR TEMPORARY ACCOMMODATION.....	13
10	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	15

11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY
DECISION OF THE MEETING..... 15

12 CONFIDENTIAL..... 15

13 CLOSURE OF MEETING..... 15

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2:50pm The Presiding Member declared the meeting open.

The Chief Executive Officer, Mr Rob Stewart, read aloud the following disclaimer:

'No responsibility whatsoever is implied or accepted by the Shire of Plantagenet for any act, omission or statement or intimation occurring during Council / Committee meetings or during formal / informal conversations with staff.

The Shire of Plantagenet disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, or statement of intimation occurring during Council / Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation or approval made by a member or officer of the Shire of Plantagenet during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Plantagenet. The Shire of Plantagenet warns that anyone who has an application with the Shire of Plantagenet must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Plantagenet in respect of the application.'

2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Present

Cr K Forbes	Shire President - Rocky Gully / West Ward
Cr D Williss	Deputy Shire President - East Ward
Cr M Skinner	East Ward
Cr J Cameron	Rocky Gully / West Ward
Cr K Hart	Kendunup Ward
Cr J Moir	South Ward
Cr K Clements	Town Ward
Cr B Hollingworth	Town Ward
Cr J Mark	Town Ward
Mr R Stewart	Chief Executive Officer
Mr J Byrne	Executive Director Corporate and Community Services
Ms D Baesjou	Manager Development Services
Miss C Delmage	Administration Assistant

No members of the public were present.

No members of the media were present.

Guests

The Shire President welcomed Inspector David Picton-King of the Great Southern District Police Office to the meeting.

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTES

Moved Cr J Cameron, seconded Cr D Williss:

That the Minutes of the Ordinary Meeting of the Council held 27 September 2005 be confirmed subject to:

Page 13: In Resolution No. 293/05, the words 'at entrances to' being replaced with the word 'in'.

CARRIED (9/0)

No. 294/05

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

- 5 October 2005 – The Shire President attended the Western Australian Local Government Association (WALGA) State Council meeting in Perth.
- 6 October 2005 – The Shire President and Chief Executive Officer met with Shadow Ministers Castrilli, Snook and Hodson-Thomas (Local Government, Planning and Environment respectively) for two (2) hours.
- 6 October 2005 – The Shire President, Deputy Shire President and Chief Executive Officer attended a dinner at the Le Grande Motel in Albany with the Liberal Party Shadow Cabinet.
- 7 October 2005 – The Shire President and Cr Cameron along with their partners attended a very successful Qantas Wine Show Dinner at the Town Hall.
- 13 October 2005 – The Shire President and Deputy Shire President will be attending a One Community, One College meeting at the Mount Barker Senior High School at 3.45pm.
- 15 October 2005 – The Shire President has asked for the Deputy Shire President to attend the Mount Barker Fire Brigade Annual Presentation night on his behalf.
- 17 October 2005 – The Shire President, Deputy Shire President and Executive Director Technical and Development Services will attend the Regional Roads Group (RRG) meeting in Katanning.
- 19 October 2005 – The Shire President, Deputy Shire President and Executive Director Technical and Development Services will attend the Timber Industry Road Evaluation Strategy (TIRES) meeting in Albany.
- The Shire President recommended that a workshop take place prior to the second Council meeting in November to formulate a submission, develop policies and identify the direction of the Shire of Plantagenet on structural reform and electoral issues in Local Government.
- The Shire President suggested a workshop be held to discuss the Mount Barker Turf Club and the Council's role in the future direction for equine development in the Great Southern.
- Cr B Hollingworth will give a short presentation after the meeting regarding his attendance at the recent WA State NRM Conference.

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 EXECUTIVE SERVICES REPORTS

9.1.1 FRANKLAND BELOW GORDON LAND CONSERVATION DISTRICT COMMITTEE - COUNCIL REPRESENTATIVE

Location / Address:	N / A
Name of Applicant:	N / A
File Reference:	GR/97/36
Author:	Nicole Selesnew - Administration Assistant
Authorised By:	Rob Stewart - Chief Executive Officer
Date of Report:	4 October 2005

Purpose

The purpose of this report is to renominate Cr Joan Cameron to the Frankland Below Gordon Land Conservation District Committee (LCDC).

Background

The term of appointment for the members of the Frankland LCDC expires on 30 November 2005. LCDC's are statutory bodies formed under Section 23 of the *Soil and Land Conservation Act 1945*. Membership of an LCDC must include one (1) or more persons appointed by the Commissioner of Soil and Land Conservation on the nomination of the local government of each district that is wholly or in part comprised within the land conservation district.

The Council's previous nomination was Cr Cameron.

Statutory Environment

Soil and Land Conservation Act 1945

Consultation

Consultation has occurred with Cr Cameron to determine her willingness to renominate for the Frankland LCDC.

Policy Implications

There are no policy implications for this report.

Financial Implications

There are no financial implications for this report.

Strategic Implications

There are no strategic implications for this report.

Officer Comment

Local government representation on the LCDC is mandatory. The nominee does not have to be a Councillor or employee of the Shire: it may be any person that a local government wishes to have represent it at the LCDC meetings. Cr Cameron has indicated her willingness to continue as the Council's representative.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr D Williss, seconded Cr K Hart:

That Cr Joan Cameron be nominated as the Council's representative on the Frankland Below Gordon Land Conservation District Committee.

CARRIED (9/0)

No. 295/05

9.2 TECHNICAL SERVICES REPORTS

9.2.1 PROPOSED ROAD CLOSURE - PORONGURUP NATIONAL PARK AND PLANTAGENET LOCATION 138

Location / Address:	Location 138, Porongurup
Name of Applicant:	Department Of Conservation and Land Management
File Reference:	RO/144/4
Author:	Jim Robertson - Engineering Technical Officer
Authorised By:	Stephen Bell - Executive Director Technical and Development Services
Date of Report:	20 September 2005

Purpose

The purpose of this report is to consider a request by the Department of Conservation and Land Management (CALM) to close an unconstructed road through Plantagenet Location 138.

Background

A report was tabled at the Council's Ordinary Meeting of 22 June 1999, regarding a proposal to close an unconstructed road through Plantagenet Location 138. At that meeting the Council resolved:

'That Council advertise its intention to seek Ministerial approval to close the unconstructed road which traverses parts of Porongurup National Park and Plantagenet Location 138, and abuts the north-eastern corner of Plantagenet Location 93 as required under Section 288A of the Local Government (Miscellaneous Provisions) Act 1960.'

On 3 November 1999, a facsimile was forwarded to the Albany Advertiser and Plantagenet News regarding the placement of an advertisement to enable public submissions to be received for the road closure. The submission period closed on 14 December 1999.

On 3 November 1999, letters were sent to Western Power, Telstra and the Water Corporation inviting comments on the road closure. Letters were also sent to land owners whose properties would be affected by the road closure.

Submissions were received and all of the respondents indicated that there was 'no objection' to the planned road closure by CALM.

Sometime after the close of submissions, the process was deferred as alternative access to Plantagenet Location 93 had not been resolved. CALM has advised that the access difficulties have been resolved and that the Department for Planning and Infrastructure (DPI) has agreed that an easement granted under Section 144 of the Land Administration Act will satisfy the requirements for legal access. In addition, the DPI advised that the consultation undertaken during 1999 will be acceptable for meeting the statutory advertising requirements.

Statutory Environment

Section 288A (Permanent Closure of Streets) of the Local Government (Miscellaneous Provisions) Act 1960 requires the Council to:

- (2) *Advertise the proposed road closure in a newspaper circulating in the district and consider any objections received. A period of thirty five (35) days to elapse prior to the motion of proposed road closure being considered.*
- (3) *Request the Minister of Lands to declare the road to be closed.*

In regards to Point 2, this was undertaken in 1999 and is deemed to be acceptable by the DPI as 'meeting the advertisement requirements'.

Section 288A of the Local Government (Miscellaneous Provisions) Act 1960 does not provide any advice about the length of time that may elapse between advertising and completing a permanent road closure. In the case of the road closure through Plantagenet Location 138, the proposal was advertised in 1999 and it has taken until now to resolve alternative access issues for the adjoining parcels of land. Therefore, it could be argued that further advertising should be undertaken due to the length of time elapsed and to ensure that the road closure still meets with the approval of the adjoining landowners.

Consultation

Consultation has occurred between Officers of CALM and the Council.

Policy Implications

There are no policy implications for this report.

Financial Implications

All associated costs with regards to the road closure will be met by the Department of Conservation and Land Management. However, if the Council resolves to readvertise the proposal due to the length of time elapsed since the last consultation period, then this cost would be borne by the Shire.

Strategic Implications

There are no strategic implications for this report.

Officer Comments

The Council considered the proposed road closure at its meeting held 22 June 1999. At that time, the Council supported the road closure provided all statutory obligations (ie: advertising and public consultation) and costs were met by the proponent.

It is highly unlikely that a formed road would ever be constructed through Location 138 and Location 93 due to the close proximity to the Porongurup National Park and prohibitive road construction costs. Both Location 138 and Location 93 have been provided with legal access by CALM in lieu of the road traversing both properties, therefore there would appear to be no reason why the Council should retain the existing road reservation unless circumstances changed for the affected landowners.

Due to the length of time that has elapsed since the matter was first considered by the Council, wider community, and affected landowners (ie: 6 years), it is considered appropriate that road closure be readvertised to determine the communities acceptance of the proposal. Once the input has been received, a further report will be brought back to the Council for consideration.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr J Mark, seconded Cr B Hollingworth:

THAT:

- (1) The proposal by the Department of Conservation and Land Management to permanently close an unformed road through Plantagenet Location 138 be publicly advertised for a period of thirty five (35) days in accordance with Section 288A (2) of the Local Government (Miscellaneous Provisions) Act 1960; and
- (2) A further report be prepared for consideration by the Council at its meeting to be held 13 December 2005.

CARRIED (9/0)

No. 296/05

9.3 DEVELOPMENT SERVICES REPORTS

9.3.1 LOT 1, 47 LOWOOD ROAD, MOUNT BARKER - APPLICATION FOR A PERMIT TO CONDUCT AN OUTDOOR EATING FACILITY ON A PUBLIC THOROUGHFARE

Location / Address:	Lot 1, 47 Lowood Road, Mount Barker
Attachments: (1)	Site Plan
Name of Applicant:	Ian Preece
File Reference:	RV/182/1339
Author:	Eric Howard - Environmental Health Officer
Authorised By:	Stephen Bell - Executive Director Technical and Development Services
Date of Report:	27 September 2005

Purpose

The purpose of this report is to consider an application for a permit to conduct an Outdoor Eating Facility (Alfresco Dining) on a Public Thoroughfare adjacent to Lot 1, 47 Lowood Road, Mount Barker.

Background

The operators of The Grocery Store wish to locate two (2) x three (3) seat tables on the footpath directly in front of their store to enable customers to consume produce purchased from the store. Alfresco dining will be available during normal business hours from 8.00am to 5.30pm Monday to Saturday and 9.00am to 1.00pm Sundays.

The alfresco dining area will occupy a floor area of approximately 1.3 metres wide and 3 metres long (4² metres), leaving a 2 metre wide unobstructed accessible path for pedestrian access along the footpath between the tables and Lowood road kerbside.

Statutory Environment

- Shire of Plantagenet Activities in Thoroughfares and Public Places and Trading Local Law 2001 (Local Law) - Part 6 Division 3 – Outdoor eating facilities on public places
- Western Australian Health Act 1911
- Health (Food Hygiene) Regulations 1993
- Australia New Zealand Food Safety Standards 2000

Consultation

This application has been discussed with Mr Joe O'Keefe, Town Planner and Mr Alan Watkins, Principal Building Surveyor.

Policy Implications

The Council may consider the development and implementation of a policy for the application and approval of Outdoor Eating Facilities in Public Places, in accordance with the provisions of the Shire of Plantagenet, Activities in Thoroughfares and Public Places and Trading – Local Law 2001.

Lot 1, 47 Lowood Road, Mount Barker – Application For A Permit To Conduct An Outdoor Eating Facility On A Public Thoroughfare (Cont.)

Financial Implications

There are no financial implications for this report.

Strategic Implications

There are no strategic implications for this report.

Officer Comment

In determining this application, the Council may consider the following:

- (1) The operation of an outdoor eating facility does not conflict with or act prejudicially towards Plantagenet's retail base within the town centre, and
- (2) The users of the facility will have access to suitable sanitary facilities. Public toilets will be available and within 60 metres of the facility.
- (3) The facility will not obstruct visibility or clear sight lines at the nearest road intersection.
- (4) The facility will not unreasonably impede pedestrian access if conducted in accordance with the site plans as provided by the applicant.

Should the Council grant approval for a permit to operate an outdoor eating facility on a public thoroughfare, the following conditions may be imposed:

- (1) The permit is valid for a period of twelve (12) months or part thereof, effective from 1 July till 30 June the following year.
- (2) The permit holder shall apply in writing prior to expiry of the permit, for renewal for a further twelve (12) month period.
- (3) The permit is transferable, subject to approval by the Council.
- (4) The applicant providing proof of public risk insurance for the proposed trading area.
- (5) A statement of indemnity from the permit holder indemnifying the Local Government in respect to any injury to persons or damage to property which may occur in connection with the use of the public thoroughfare by the permit holder.
- (6) The permit holder shall temporarily remove the outdoor eating facility when instructed by a police officer or authorised person for a period as specified by that person.
- (7) The permit may be cancelled if the permit holder does not comply with any conditions of the permit or any other written law related to activities regulated by the permit.

Voting Requirements

Simple Majority

Lot 1, 47 Lowood Road, Mount Barker – Application For A Permit To Conduct An Outdoor Eating Facility
On A Public Thoroughfare (Cont.)

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr J Moir, seconded Cr B Hollingworth:

That pursuant to Part 7 of the Shire of Plantagenet - Activities in Thoroughfares and Public Places and Trading Local Law 2001 (Local Law), a permit be issued to I Preece to conduct an outdoor eating facility on a public thoroughfare adjacent to The Grocery Store, Lot 1, 47 Lowood Road, Mount Barker subject to:

- (1) The outdoor eating facility occupying a maximum of 4m² of public thoroughfare directly adjacent to 'The Grocery Store' in accordance with the site plan dated 8 September 2005.**
- (2) The facility being operated in accordance with the provisions of Western Australian Health (Food Hygiene) Regulations 1993.**
- (3) The facility being maintained in a clean and tidy condition.**

Advice Notes:

- (i) The permit is valid for a period of twelve (12) months or part thereof, effective from 1 July till 30 June the following year.**
- (ii) The permit holder shall apply in writing prior to expiry of the permit, for renewal for a further twelve (12) month period.**
- (iii) The permit is transferable, subject to approval by the Council.**
- (iv) The applicant must provide proof of public liability insurance to the value of \$5,000,000.00 for the proposed trading area.**
- (v) A statement of indemnity from the permit holder indemnifying the Local Government in respect to any injury to persons or damage to property which may occur in connection with the use of the public thoroughfare by the permit holder.**
- (vi) The permit holder shall temporarily remove the outdoor eating facility when instructed by a police officer or authorised person, for a period as specified by that person.**
- (vii) The permit may be cancelled if the permit holder does not comply with any conditions of the permit or any other written law related to activities regulated by the permit.**

CARRIED (9/0)

No. 297/05

9.3.2 LOT 2062 TURPIN ROAD, ROCKY GULLY - PROPOSED COMMERCIAL TREE PLANTATION

A Financial Interest was declared by Cr B Hollingworth.

Extent Of Interest: Supplier of seeds to Great Southern Plantations.

A Financial Interest was declared by Cr J Cameron.

Extent Of Interest: Part Owner of shares in Great Southern Plantations.

3.15pm Cr B Hollingworth and Cr J Cameron withdrew from the meeting.

Location / Address:	Lot 2062 Turpin Road, Rocky Gully
Attachments: (4)	Site Plans (2) Locality Plan Extract from Annual Firebreak Notice 2005/2006
Name of Applicant:	Great Southern Plantations on behalf of Gulmarg Holdings
File Reference:	RV/182/946
Author:	Delma Baesjou – Manager Development Services
Authorised By:	Rob Stewart – Chief Executive Officer
Date of Report:	21 September 2005

Purpose

The purpose of this report is to consider an application for a commercial tree plantation at Lot 2062 Turpin Road, Rocky Gully.

Background

The Council records show the owners of Lot 2062 Turpin Road, Rocky Gully to be Gulmarg Holdings.

This 378.8136ha lot is zoned Rural under Town Planning Scheme No. 3. It contains some remnant vegetation. There is currently no residence on this lot. The proposal is for four (4) compartments of tree plantation (Eucalyptus Globulus) totalling 218ha.

Statutory Environment

Town Planning and Development Act, effected by Town Planning Scheme No. 3.

Bushfires Act 1954, effected by the Council's Annual Firebreak Notice 2005 / 2006: Firebreaks and fire management for all plantations.

Consultation

There has been consultation with the legal representatives for Great Southern Plantations in Perth and the area manager for the company, Mr Wayne Burton. The company was advised on 21 September 2005 that the proposed compartments exceeded the 30ha nominated in the Shire of Plantagenet Annual Firebreak Notice.

Policy Implications

There are no policy implications for this report.

Financial Implications

There are no financial implications for this report.

Strategic Implications

Land uses which have buffer requirements to residences and townsites have strategic implications for the Rural Strategy and future Town Planning Schemes.

Officer Comment

The proposed plantation appears to meet all 'Code of Practice for Timber Plantations in Western Australia' requirements.

The application does not identify residences on adjoining lots. Aerial photography indicates there are no houses on adjoining lots within the 100 metre minimum setback requirement.

The proposed compartments of 47.5ha, 62.6ha, 46.9ha and 60.9ha are larger than the 30ha (approximate) requirement of the Council's Annual Firebreak Notice 2005 / 2006.

Subsequent to the preparation of this report, revised plans have been received showing compartment sizes of not more than 30ha.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr J Moir, seconded Cr D Williss:

That planning consent be granted in respect of Application No. 32/05 for Lot 2062 Turpin Road, Rocky Gully to be developed for the purpose of Rural Use (218ha of Eucalyptus Globulus Plantation) in accordance with the proposal dated 30 September 2005 subject to the following conditions:

- (1) A detailed plan showing final compartment sizes, fire access and water points being submitted to the Council.**
- (2) The applicant being responsible for any undue damage to local roads caused by the harvesting operation.**
- (3) A separate harvesting plan being submitted to the Council two (2) years prior to harvesting of the subject land.**

Advice Notes:

- (i) If the development, the subject of this approval, is not substantially commenced within a period of 24 months, the approval shall lapse and be of no further effect.**
- (ii) There is an obligation to comply with relevant statutes including:**
 - The Environmental Protection Act 1986**
 - The Code of Practice for Plantations**
 - The Shire of Plantagenet Annual Fire Break Notice**

- (iii) It is in the applicant's interest to investigate and possibly set aside areas of land to access road building materials in the event that gravel is required to repair the local road system should it be damaged during harvesting operations.

CARRIED (7/0)

No. 298/05

3.16pm Cr B Hollingworth and Cr J Cameron returned to the meeting.

9.3.3 LOT 26 WANSBOROUGH WALK, PORONGURUP - APPLICATION FOR TEMPORARY ACCOMMODATION

Location / Address:	Lot 26 Wansborough Walk, Porongurup
Name of Applicant:	Ozzie and Cindy Clapperton
File Reference:	RV/182/3793
Author:	Eric Howard - Environmental Health Officer
Authorised By:	Stephen Bell - Executive Director Technical and Development Services
Date of Report:	27 September 2005

Purpose

The purpose of this report is to consider an application for Temporary Accommodation at Lot 26 Wansborough Walk, Porongurup.

Background

An application has been received from the owners of Lot 26 Wansborough Walk, Porongurup seeking approval to occupy a caravan located on Lot 26 Wansborough Walk, Porongurup for a period of twelve (12) months during the construction of their Class 1a dwelling, also located at Lot 26 Wansborough Walk.

A Building Licence has been issued for a Class 10 Outbuilding (Building Licence 2474) incorporating toilet and ablution facilities for the temporary accommodation. The applicant intends to submit an application for a building licence for a Class 1a dwelling once building plans have been finalised. The applicants are further assessing suitable wastewater treatment systems compatible for connection to both the temporary sanitary facilities and the proposed dwelling.

Statutory Environment

Caravan Parks and Camping Ground Regulations 1997 Section (11) (2) states as follows:

- (2) Written approval may be given for a person to camp on land referred to in sub regulation (1)(a) for a period specified in the approval which is longer than 3 nights —
- (a) by the local government of the district where the land is situated, if such approval will not result in the land being camped on for longer than 3 months in any period of 12 months;
 - (b) by the Minister, if such approval will result in the land being camped on for longer than 3 months in any period of 12 months; or
 - (c) despite paragraph (b), by the local government of the district where the land is situated —
 - (i) if such approval will not result in the land being camped on for longer than 12 consecutive months; and
 - (ii) if the person owns or has a legal right to occupy the land and is to camp in a caravan on the land while a building licence issued to that person in respect of the land is in force.
-

Consultation

This application has been discussed with Council Officers Mr Alan Watkins, Principal Building Surveyor and Mr Joe O'Keefe, Town Planner.

Policy Implications

There are no policy implications for this report.

Financial Implications

There are no financial implications for this report.

Strategic Implications

There are no strategic implications for this report.

Officer Comment

The applicants have formally agreed to comply with the provisions and conditions expressed in the Councils 'Application for Temporary Accommodation' document.

The applicants wish to reside on site during the construction of their dwelling to maintain site security and to assist with the building project.

An inspection of the completed ablution facilities and certification of the wastewater disposal system will be required prior to occupation of the temporary accommodation.

It is expected that the temporary accommodation will be required for a period of between six (6) and twelve (12) months. The Council may revoke the temporary accommodation approval at any time during this approval period .

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION / COUNCIL DECISION

Moved Cr D Williss, seconded Cr J Mark:

That approval be granted to O and C Clapperton to occupy temporary accommodation at Lot 26 Wansborough Walk, Porongurup for a maximum period of twelve (12) months from the 11 October 2005 subject to:

- (1) A building licence being issued for the construction of a Class 1a dwelling at Lot 26 Wansborough Walk, Porongurup.**
- (2) Approval to commence occupation of the temporary accommodation is subject to inspection and certification by the Council's Environmental Health Officer that the facility meets all health and safety standards.**
- (3) Satisfactory progress being achieved with the construction of the Class 1a dwelling.**
- (4) The approval to occupy temporary accommodation may be revoked at any time within the twelve (12) month approval period.**

CARRIED (9/0)

No. 299/05

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil

12 CONFIDENTIAL

Nil

13 CLOSURE OF MEETING

The Shire President invited Cr B Hollingworth to give his presentation on his recent attendance at the Inaugural WA State Natural Resource Management Conference that was recently held in Denmark over the period 3-6 October 2005.

Moved Cr M Skinner, seconded Cr J Mark:

That the presentation given to Councillors by Cr B Hollingworth on his attendance at the 3-6 October 2005 Inaugural WA State Natural Resource Management Conference in Denmark, be received.

CARRIED (9/0)

No. 300/05

3.46pm The Presiding Member declared the meeting closed.

CONFIRMED: CHAIRPERSON_____ DATE: .../.../...