MINUTES OF AN ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON TUESDAY 15 FEBRUARY 2005

1. COMMENCEMENT

The President declared the meeting open at 11.00am.

2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Attendance

Cr J.M. Schilling	President	West Ward
Cr N.J. McLean	Deputy President	South Ward
Cr V.A. Szczecinski		North Ward
Cr S Leonhardt		North Ward
Cr B.M. Foster		West Ward
Cr A.D. Bailey		West Ward
Cr M.G. Roberts		South Ward
Mr K.L. Byers	Chief	Executive Officer
Mr S.P. Gollan	Deputy Chief	Executive Officer
Miss C. Emanuel		Secretary

Apologies

Cr M.R. Alexander North Ward

3. PUBLIC QUESTION TIME

3.1 Ms Terri Watson approached Council with concerns about her increasing work with the Beverley Naturalist Club. She asked the likelihood of Council appointing her as a part-time Landcare Officer.

The Shire President responded by advising that Council has no allocation in budget this year for the employment of a Landcare Officer, but will consider such funding when formulating the 2005/6 budget. The President also congratulated Ms Watson for her work with the Naturalist Club.

3.2 Karl and Lisa Morrell addressed Council in relation to Item 7.2.5 as listed under the Town Planning section in the agenda.

Mr David Lodwick (Shire Planner) and Mr Frank Buise (Environmental Health Officer/Building Surveyor) were present throughout the discussion with Karl and Lisa Morrell.

- 3.3 Mr John Starling address Council on the following issues:
 - 1. The possibility of sealing the southern end of Hope Street
 - 2. Dust being emitted from Council's stockpiles in Council Road
 - 3. The possibility of placing a street light on the last Western Power pole in Council Road

Mr Starling was advised as follows:

- 1. That there is allocation in budget for Hope Street to be sealed.
- 2. That the materials stockpiled, at the end of Council Road will be removed.
- 3. Council will make application to Western Power for a street light to be installed in Council Road.
- Mr Peter Young reported to Council information in relation to the last Agricultural Protection Zone meeting he attended:
 - 1. 79 properties have been quarantined for Footrot 8 being in Shire of Beverley, and funding has decreased for the control of the disease.
 - 2. Skeleton Weed was reported on 30 properties in Northern Zone and it is the responsibility of land owners to manage it.
 - 3. Rainbow Lorikeets have been reported in York and surrounding areas although it has been recorded as a 'depleted' species. Mr Young will keep Council informed on this issue.
 - 4. After investigation of Doveweed, Mr Young advised Council would need to consider declaring it a pest weed in the Shire of Beverley. He reported that information found in a book called 'Western Weed' noted that Doveweed was common in Beverley and seeded all year round.

Mr Steve Milton, Principal, Beverley District High School, entered Council Chambers at 12.15pm

Mr Steve Milton addressed Council on a number of initiatives he plans to implement during his period as Principal.

Council adjourned for Lunch at 12.30pm

Council reconvened from Lunch at 1.30pm

4. CONDOLENCES

SMITH	Max	13 th December 2004
GEARY	Joan Meredith	21st December 2004
JACKSON	Alice Mary	30 th December 2004

CONGREVE	Peter	5 th January 2005
NORRIS	Alec	27 th January 2005
MOURISH	lvy	28 th January 2005
WHITE	David Norman	8 th February 2005

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. CONFIRMATION OF MINUTES AND BUSINESS ARISING

6.1 MINUTES OF THE COUNCIL MEETING HELD ON 21ST DECEMBER 2004

M1/0205 Moved Cr Leonhardt Seconded Cr Foster

That the Minutes of the Ordinary Meeting of Council held on the 21st December 2004,as printed, be confirmed subject to change in M17/1204 Waste Disposal Site Access, specifying that from the 1st January 2005 Rural landowners be permitted to deliver, free of charge, one (1) 240 litre bin or equivalent, *per week*, of household rubbish only, to the Beverley Refuse site.

CARRIED 7-0

6.2 PRESIDENT'S REPORT

Appendix 1

M2/0205 Moved Cr Foster Seconded Cr Szczecinski

That the President's Report be received

CARRIED 7-0

7. REPORTS OF COMMITTEES

7.1 FINANCE

7.1.1 SCHEDULE OF ACCOUNTS

Appendix 2

M3/0205 Moved Cr McLean Seconded Cr Roberts
That the Schedule of Accounts for the months of December 2004 and January 2005 be received.

December 2004:- Voucher No's Municipal Fund 011204.1 - 011204.1 22582 - 22595 22601 - 22613 061204.1 - 061204.3 081204.1 - 081204.2 101204.1 - 101204.10 171204.1 - 171204.97 211204.1 - 211204.2 241204.1 - 241204.1 311204.1 - 311204.5 TOTAL	Amount 31,270.21 5,534.82 30,958.48 3,157.00 515.00 22,041.69 271,845.14 24,937.00 16,406.50
Direct Debits Transport Licensing TOTAL	63,942.15 472,406.27
January 2005:- Voucher No's Municipal Fund 22614 – 22618 22620 – 22627	Amount 5,424.67 6,527.61
170105.1 - 170105.11 180105.1 - 180105.1 200105.1 - 200105.3 280105.1 - 280105.1 310105.1 - 310105.6 TOTAL	18,816.87 3,316.50 6,473.50 127.19 <u>7,021.86</u> 47,708.20
Direct Debits Transport Licensing TOTAL	41,715.35 89,423.55 CARRIED 7-0

7.1.2 FINANCIAL STATEMENTS FOR THE PERIODS ENDING 31ST DECEMBER 2004 AND 31 JANUARY 2005

M4/0205 Moved Cr Roberts Seconded Cr Leonhardt
That the financial statements for the months ending 31st December
2004 and 31st January 2005, as presented, be received.

CARRIED 7-0

7.1.3 INVESTMENT OF SURPLUS FUNDS

BACKGROUND

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

COMMENT

Listed below are surplus funds that have been invested during the month of January with Esanda Investments.

•	Municipal Account	\$1	,000,000.00
•	Office Equipment Reserve	\$	16,971.00
•	Annual Leave Reserve	\$	85,558.00
•	Building Reserve	\$	325,960.00
•	Leave and Gratuity Reserve	\$	16,481.00
•	Plant Reserve	\$	464,268.00
•	Recreation Ground Reserve	\$	200,862.00
•	Bush Fire Fighters Reserve	\$	54,055.00
•	Avon River Development Reserve	\$	22,688.00
•	Community Bus Reserve	\$	16,285.00
•	Cropping Committee Reserve	\$	61,175.00

The Investment terms are as follows:

Investment#	Term	Interest Rate	Amount	Expires
1708604005	1 Month	5.26%	\$1,264,303.00	21/02/05
1708605005	1 Month	5.26%	\$1,000,000.00	21/02/05

M5/0205

Moved Cr Szczecinski Seconded Cr Mclean That Council receive the investment report for the month of January 2005.

CARRIED 7-0

Mr David Lodwick, Town Planner, entered Council Chambers at 1.50pm

Mr Frank Buise, Environmental Health Officer/Building Surveyor, entered Council Chambers at 1.50pm

7.2 TOWN PLANNING

7.2.1 PROPOSED OPTUS TELECOMMUNICATIONS FACILITY

Appendix 3

BACKGROUND

Council is in receipt of a planning application from Consultancy firm Greg Rowe and Associates in respect of the above, an extract of which states as follows:

"Details of the proposed development

The proposal involves the construction of a 50m high guyed mast and associated operational equipment. The proposed guyed mast will be constructed within an existing cleared area.

Four (4) panel antennas (each measuring 2.67m in length), two (2) omnidirectional antennas (each measuring 3.3m in length) and one (1) radio communications dish (measuring 1800mm in diameter) will be attached to the proposed mast. An equipment cabinet will be installed at ground level adjoining the mast.

The proposed facility has been prepared to enable Optus to improve mobile phone coverage to the surrounding area. In order to achieve effective coverage and enable other telecommunications carriers to colocate on the facility, it is necessary to install a 50 metre high guyed mast at this location.

The proposed facility has been designed to reduce any potential visual impact on the landscape. The guyed mast and accompanying operational equipment can be constructed in non-reflective materials.

Copies of the site plan and elevation drawing are enclosed.

Need for the Facility

Optus regularly reviews its digital mobile telephone network in Western Australia with a view to expanding or improving its coverage. In this instance, it has been determined that there is a need for digital services in the Shire of Beverley to be upgraded, providing improved mobile phone coverage in the area.

Site Description

The site of the proposed telecommunications facility is described as estate in fee simple in portion of Avon Location 1 and is held in Certificate in Title volume 1908, folio 311. A copy of the Certificate of Title is enclosed.

The subject site is located in an agricultural area north of the Beverley town centre. The surrounding locality is generally comprised of cleared agricultural land typical of that associated with the district's farming activities.

An aerial photograph of the subject site is included with this Application as Attachment 1.

Site Selection Process

In selecting a suitable site for the location of a telecommunications facility to effectively service this area, the opportunity for co-locating on an existing telecommunications tower was examined. There is an existing tower located at the site, which is currently owned and occupied by Telstra. The existing Telstra tower which measures approximately 30m in height, currently contains omni-directional antennas and radio-communications dishes.

The possibility of co-locating on this existing Telstra tower was considered, however the tower's height and the location of existing antennas on the tower meant that Optus would not be able to achieve effective and efficient mobile phone coverage. For this reason, the existing Telstra tower is unsuitable for co-location in this instance and as such a new tower is required.

Operational Aspects

The Optus facility will operate within the Australian Standards with regard to signal strength. Optus is required to strictly comply with the Australian Standards and any breach of these standards is a breach of its Federal Carrier Licence. Details of the signal strengths specific to this proposal are detailed in Attachment 2 of this report.

With regard to the issue of interference by the Optus facility or other frequencies, it should be noted that the operation of the facility by Optus is governed by the Australian Communications Authority (ACA). This authority assigns Optus the allocated frequencies within which Optus may operate its network. These bands or frequencies are issued under Licence and Optus has an obligation to remain within these allotted frequencies. If Optus does not, the network will not operate correctly and Optus would be in breach of it's licence."

COMMENT

<u>Previous History of Approvals on the Subject Land</u>
Oct-97. Planning Approval granted for sand extraction.
June-98. Planning Approval granted for Telstra Mobile Base Station.

Current Application Site Specific Design and Layout

The tower is proposed to be situated at the end of an existing access track on the property. The submitted plans provide for the proposed Optus sub mains route approximately 125m in length from the existing

site main switchboard and Telstra compound. The site of the new tower is approximately 50m from the existing Telstra Tower. The proposed Optus lease area is identified as 8.6m x 8.9m. The area is to be enclosed by a security fence with provision also made for the proposed Optus phase 7.5 equipment shelter and generator. Each guy anchor is to be enclosed with 1100 high wire compound fence.

Shire of Beverley Town Planning Scheme No.2

The subject site is zoned 'farming' under the provisions of the Scheme. Telecommunications Infrastructure is not defined under the provisions of TPS No.2 nor is it identified as a use class within the Zoning Table of the Scheme.

Clause 3.5 of TPS No.2 states:

"In this zone the Council will support land use and subdivision proposals which are consistent with the continued viability of agricultural production, the establishment of uses ancillary to agricultural activity, or which are required to service the travelling public or tourists as well as the maintenance of rural character and amenity."

The proposed development is considered to accord with the provisions of Clause 3.5 on the basis that the facility will not affect the continued viability of agricultural production; it is a use that is ancillary to the predominant land use of the site; and it is required in order to service the communications needs of the travelling public and tourists.

In accordance with the Use Not Listed provisions of the scheme, the proposal was advertised for a period of 21 days by way of Council letter to the nearest 6 adjoining/neighbouring properties. No objections were received by the close of advertising on Friday 4 February 2005.

Given the above, conditional approval of the application is recommended.

M6/0205

Moved Cr Leonhardt Seconded Cr Roberts
That Council grant planning approval for proposed Optus
Telecommunications facility at Pt Avon Location 1 (off Spavens
Road) Beverley in accordance with application lodged by Greg
Rowe and Associates dated 7th December 2004 and accompanying
plans and subject to the following conditions:

- 1. A building licence to be obtained.
- 2. The guyed mast and accompanying operational equipment to be constructed in non-reflective materials.
- 3. Specific location of tower as per plan dated received 1st February 2005.

CARRIED 7-0

7.2.2 PROPOSED AVIARIES, CAGE, PERGOLA AND WINDMILL

Appendix 4

BACKGROUND

Council is in receipt of a planning application in respect of the above.

Letter from applicant states:

"In regards to your request I am submitting a plan for erecting an aviary and asking for you to give an approval. As you can see once they are up they will not be an eyesore because the road views will be coloured green and between them and the road we would like to put up an outside seating area under a shaded pergola. Following our discussion as you asked I'm also requesting permission to put up a windmill near to the corner of the front paddock, and ask you if the outside verge on Brooking Street will be cut down so that our fenceline is clear.

More trees will be planted between the front boundary and the aviaries so that in time they will be out of view. There will be according to plan a windmill and another cage on left side of drive.

Budgies	20	Finches DB	4
Finches	35	Finches BH	8
Eastern Kings	2	Galahs	8
Princess	2		
Weeros	20"		

COMMENT

Improvements to the land include an existing residence, driveway, shed towards the rear of the block, and fencing.

The subject land is zoned Residential 2.5 under the Shire of Beverley's Town Planning Scheme No.2. In this regard, aviaries may be considered as incidental development under the provisions of the Residential Design Codes of Western Australia.

Council can consider approving such incidental development if the Council is satisfied that the development is relatively small in area, relatively low in height, sited so as to preserve the use and amenity of open space, set back sufficiently from boundaries whilst also maintaining the visual amenity of neighbours and the streetscape.

The applicant's submitted plans provide for aviaries of dimension 9.6m x 11.9m and 2.5m in height, a 3.6m x 3.6m pergola, and a small cage all centrally located on the property. A proposed windmill is identified on the Brooking/Vincent Street corner of the property.

The subject land is 1.58ha in area. The main component, the aviaries, are to be setback over 30 metres from the front boundary and nearest side boundary.

Some stands of mature trees are evident between the proposed siting of aviaries and Vincent Street. The additional planting of screening vegetation would prove beneficial in reducing the visual impact of the development to the road.

Given the large sized nature of the block and considerable distance of the development from lot boundaries and nearest neighbouring dwelling houses, no adverse amenity impact can be expected. As such, it is recommended that the application be conditionally approved.

The pergola will need a building licence.

M7/0205

Moved Cr Leonhardt Seconded Cr Szczecinski
That Council grant approval to Mr Johnstone for proposed aviaries
and cage, pergola and windmill at Lot 126 Vincent Street, Beverley
in accordance with application dated 19th January 2005 and
accompanying plans dated received 18th January 2005 and subject
to the following conditions:

- 1. A building licence being obtained for pergola;
- 2. A small scale windmill only being approved by Council (minimum 3m from front boundary), subject to size, finish, design, and materials being to the satisfaction of Council's Shire Planner and Principal Building Surveyor;
- 3. Ongoing implementation of screening landscaping between the aviaries and Vincent Street to the specification and satisfaction of the Shire Planner

CARRIED 7-0

7.2.3 AVON ARC SUB REGIONAL STRATEGY: IMPLEMENTATION AND ONGOING REVIEW

Appendix 5

BACKGROUND

The Department for Planning and Infrastructure published the Avon Arc Sub-regional Strategy in January 2001. The Strategy provides a broad vision and regional framework to guide land use within the sub-region. It covers the local governments of Brookton, Beverley, York, Shire and Town of Northam, Toodyay, Chittering and the area east of the Brand Highway in Gingin.

COMMENT

The Department is now establishing a Steering Committee and a Technical Advisory Group to oversee the implementation and ongoing review of the Strategy.

The minutes of the last meeting are attached for Council to receive and note.

M8/0205 Moved Cr Foster

Seconded Cr Bailey

That Council receive and note the Minutes of the Avon Arc joint Steering Committee and Technical Advisory Group meeting held on 15 December 2004.

CARRIED 7-0

M9/0205 Moved Cr Schilling

Seconded Cr Foster

That Cr McLean represent Council on Avon Arc Steering

Committee.

CARRIED 7-0

7.2.4 PROPOSED HOME OCCUPATION - HANDYMAN

Appendix 6

BACKGROUND

Council is in receipt of a letter dated 1 February 2005 accompanying application, which states as follows:

"I am writing to make an application for approval of a home occupation. I wish this to be brought before Council for early consideration and approval.

I intend to start a small handyman business which may include some welding and carpentry work carried out from the location shown on the enclosed plan. Most of the work will be carried out from a trailer on site, however some tools that may be used at home are circular saw, electric planer, electric drills, welder and angle grinder.

I have also included letters of support from my adjoining neighbours.

It is my intention to provide a service to the local community for those who are unable to maintain their property themselves."

History of Previous Approval(s) on the subject land

New timber cladding and hardiplank dwelling approved June 1997.

Planning approval granted for a 66m2 and 31.5m2 steel framed sheds on 16 December 2003. Building licence for same issued on 22 December 2003 including verandah, swimming pool and pool isolation fence.

COMMENT

For a Home Occupation, Clause 4.9.1 of the Scheme text is applicable and is outlined below:

- 4.9.1 The Council shall not grant planning consent to a home occupation unless it is satisfied that the use:
 - (a) will not prejudicially affect the amenity of the neighbourhood by way of emissions of any nature;
 - (b) will not occupy an area greater than 20 square metres;
 - (c) does not require the provision of any essential service main of a greater capacity than normally required in the zone in which its location is located; and
 - (d) is compatible with the principal uses to which the land in the zone it is located may be put and will not in the opinion of the Council generate a volume of traffic that would prejudice the amenity of the area.
- 4.9.2 If an approval to conduct a home occupation is issued to a specific occupier of a particular parcel of land, it shall not be transferred or assigned to any other person, and shall not be transferred from the land in respect of which it was granted. Should there be a change of the occupier of the land in respect of which a home occupation approval is issued the approval is cancelled.
- 4.9.3 If, in the opinion of the Council, a home occupation is causing a nuisance or annoyance to owners or occupiers of land in the locality the Council may rescind the approval.
- 4.9.4 An approval to conduct a home occupation is issued subject to an annual permit which may be renewed by application to the Council for planning consent."

A Home Occupation is an 'AA' use in the Residential zone under the zoning table of the Shire of Beverley's Town Planning Scheme No.2, which means that the Council may, at its discretion, permit the use.

The subject land is zoned Residential 10.

The block is 6106m² in area with a lot frontage of 81m and depth approximately 100m.

The approved workshop (shed) for which the business is proposed to operate from is currently under construction but not yet complete. This

shed is located 8m from the front boundary and 15m from the side boundary.

The work area identified on the submitted plan is 19m2 directly adjacent to the existing garage. The area being less than 20m2 complies with the maximum area requirement specified for a home occupation business.

As part of the submitted application, the proponent has submitted two letters of no objection from the owner of nearby lots 91 and 92 George Street and adjoining lot 33 Smith Street.

In principle, approval of such a business on Residential zoned land is not preferred, however, given the relatively large nature of the block and its proximity on the edge of town, the prospect for adverse impact of the business on neighbouring land owners would likely be minimal.

Council is aware that there is currently a shortage of industrial land available in Beverley, due to Native Title constraints.

On this basis and with strict conditions imposed as recommended below, Council could approve the application. It should be noted that under the Scheme, Council may at any time, rescind it's approval under Clause 4.9.3, if in it's opinion, the business is causing a nuisance to residents in the locality.

M10/0205

Moved Cr McLean Seconded Cr Roberts

That Council grant approval to Mr Ron Reid for proposed home occupation – handyman business at Lot 122 Smith Street, Beverley in accordance with application dated 1st February 2005 and accompanying plans and subject to the following conditions:

- 1. This approval is a "temporary approval only" granted for a period of two years from the date of issue of approval; expiry of which will require a fresh application to be lodged with Council for consideration to continue the land use;
- 2. The approval shall not be transferred or assigned to any other person, and shall not be transferred from the land in respect of which it was granted. Should there be a change of the occupier of the land in respect of which a home occupation approval is issued the approval is cancelled;
- 3. If, in the opinion of the Council, a home occupation is causing a nuisance or annoyance to owners or occupiers of land in the locality the Council may rescind the approval;
- 4. An approval to conduct a home occupation is issued subject to an annual permit;
- 5. The business shall not:
 - (a) Prejudicially affect the amenity of the neighbourhood by way of emissions of any nature;
 - (b) Occupy an area greater than 20 square metres;

- (c) Require the provision of any essential service main of a greater capacity than normally required in the zone in which its location is located;
- (d) Generate a volume of traffic that would prejudice the amenity of the area;
- 6. The hours of operation are restricted to 8.30am to 5.30pm Monday to Saturday. The business shall not operate on Sundays;
- 7. The home occupation to comply with the Environmental Protection Act (Noise Regulation 1997) as amended from time to time.
- 8. Signage shall not exceed 0.2m2 in area;
- 9. Compliance with all other requirements of the Shire of Beverley Town Planning Scheme No.2;
- 10. No written objection to the home occupation being received from the owner(s) of lot 90 Corner Smith Street and George Street.
- 11. Construction of shed for home occupation to be completed prior to commencement of use.

CARRIED 7-0

7.2.5 PROPOSED ONSITE AND MOBILE SERVICES AND REPAIRS BUSINESS – RESERVE NO. 3378

Appendix 7

BACKGROUND

Council is in receipt of a facsimile transmission from Karl Morrell of "On Site Repairs and Services" which states as follows:

"Proposal for use of land situated on McKellar Road at the North Eastern end of the Beverley Race Course.

Set up a mobile self contained workshop and when necessary conduct heavy equipment repairs upon the premises this may and will include welding, sandblasting, painting and extensive mechanical repairs.

As our business has and will remain a mobile service most of our repairs will be conducted on the clients property and thus usage of the proposed property should be at a minimum.

Access from McKellar road will have to be widened for the entry of over sized loads and for pocket trains (2 trailer grain trucks). As a suggestion I would propose to put another entry closer to the creek so trucks could veer into the property rather than turn and this will limit road damage as the existing entrance is a very tight turn. Fencing and gating is to match existing fencing and the cost to be shared with On Site Repairs and Services as this entry will benefit Shire access as well.

Any additional maintenance grading to McKellar road to be funded by On Site Repairs and Services.

It is understood by On Site Repairs and Services that the Shire of Beverley uses this property to store materials and will assist in any way possible with the Shire's use of this property.

The fax also states:

Our aim is to set up and conduct a mobile heavy mechanical repair business within the Shire of Beverley servicing the farming community this will include trucks, tractors, farm equipment and earthmoving equipment.

We also aim to stock parts but as there are literally 100's of various types of equipment this may be limited to filters, bearings, belts etc.

We have 20 years experience in mobile heavy repairs and air conditioning and some of our customers have included the Shire of Nungarin, Rocla, Dragline Contractors, Davies International, Wellard Rural Exports and various farmers around the Central and Eastern Wheatbelt.

With the support of the local community we have every intention of employing an apprentice and discussions with some of the local people this may be sooner rather than later.

We have no aim to stock parts or carry out repairs to cars or 4WD's, but if the need arises 4WD's could be accommodated if it would not interfere with local trading houses currently carrying out these repairs.

Further to our discussion with Mr Steve Gollan and Mr Frank Buise On Site Repairs and Services would like to offer this proposal for discussion at the next Shire meeting on the 15 February 2005."

COMMENT

DOLA on 6 May 1994 advised as follows with respect to the land tenure of the racecourse:

- Approved the amendment of Reserve No 3378 (at Beverley)
 "Racecourse" to comprise Lot 397 on Diagram 91403 (enclosed)
 in lieu of Lot 401 and of its area being increased (recalculated)
 accordingly.
- 2. Approved the purpose of Reserve No 3378 (Beverley Lot 397) being changed from "Racecourse" to "Recreation".

3. Issued an order directing that Reserve No 3378 (Beverley Lot 397) shall vest in the Shire of Beverley for the designated purpose of "Recreation" with power, subject to the approval in writing of the Minister for Lands to each and ever lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease."

If in the future, Council sought to change the stated purpose of the Reserve to say 'light industry', the reserve would need to be cancelled and rezoned, the title obtained and then the question arises as to whether native title has been extinguished over the subject area of land.

Notwithstanding the above, the current request should be declined by Council as the proposed land use is clearly not consistent with and/or accord with the stated and intended purpose of Reserve No 3378, that being for "Recreation".

It was agreed that this matter be deferred to the March Council Meeting.

7.3 ENVIRONMENTAL HEALTH OFFICER / BUILDING SURVEYOR

7.3.1 RELOCATED DWELLING

BACKGROUND

An enquiry has been made if the dwelling located on Lot 2 Great Southern Highway can be relocated to Loc 1005 and 1652, York-Williams Road. The building, if relocated, would be subjected to the provisions of the Building Code of Australia.

The owners of the dwelling have had a new brick dwelling built which will be completed in the next two months. The transportable dwelling at the front of the new dwelling will be removed.

M11/0205 **Moved Cr Leonhardt**

Seconded Cr Schilling That Council resolve to allow the transportable dwelling located on Lot 2 Great Southern Highway to be relocated to Loc 904 York-Williams Road, subject to compliance with the Building Code of Australia, Health Act 1911. Council agree not to waive the \$5,000.00 bond.

CARRIED 5-2

7.3.2 ANIMAL DISPOSAL TRENCH

BACKGROUND

The owner of the property has made application to Council for approval to provide an animal disposal trench on his property at Loc 6444 and Loc 6447 Brookton Highway. This application is part of his Australian Quarantine and Inspection Service accreditation for his property.

M12/0205 Moved Cr Szczecinski

Seconded Cr Leonhardt That Council approve the animal disposal trench on Loc 6444 and Loc 6447 Brookton Highway subject to the provisions of the Health Act 1911, Environmental Protection Act, Agriculture Western Australia guidelines, and any other affected government legislation, in accordance with the letter from the applicant dated 7th February 2005.

CARRIED 7-0

7.3.3 **SMALL DWELLING POLICY**

BACKGROUND

There have been several smaller dwellings constructed in town over recent years. A policy may be desirable to address the suitability of this type of development in town. Such things to consider are size and external appearance (material type).

M13/0205

Seconded Cr Foster Moved Cr Schilling That Council Officers investigate the suitability of formulating a policy that addresses minimum size and design requirements for new dwellings in the Beverley townsite.

CARRIED 7-0

SHIRE OF BROOKTON - ENVIRONMENTAL HEALTH OFFICER / 7.3.4 **BUILDING SURVEYOR**

BACKGROUND

Traditionally, Council staff is required to fill positions on a temporary basis. Brookton Shire's Environmental Officer / Building Surveyor resigned. Frank Buise, Environmental Health Officer / Building Surveyor offered his services to assist the Shire of Brookton for one day per week for a period of six weeks.

Moved Cr Szczecinski M14/0205

Seconded Cr Roberts That approval be granted to the Shire of Brookton utilising Council's Environmental Health Officer / Building Surveyor for one

day per week for a period of six weeks.

CARRIED 7-0

Mr Tad Zalewski, Engineering Consultant for Tad Zalewski & Associates, entered Council Chambers at 3.00pm

> Mr Tad Zalewski presented Council with drawings for the upgrade of the Caravan Park and discussed its layout.

The meeting agreed that the matter of the Caravan Park upgrade be discussed at the March Council Meeting.

Mr David Lodwick, Town Planner, left Council Chambers at 3.25pm

Mr Frank Buise, Environmental Health Officer/Building Surveyor, left Council Chambers at 3.25pm

Mr Tad Zalewski, Engineering Consultant for Tad Zalewski & Associates, left Council Chambers at 3.25pm

Council adjourned at 3.25pm

Council reconvened at 4.15pm

Mr Frank Buise, Environmental Health Officer/Building Surveyor, entered Council Chambers at 4.15pm

CONSTRUCTION OF BEVERLEY FIRE STATION 7.3.5

BACKGROUND

Construction drawings arrived at the Shire of Beverley for the construction of the new Beverley Fire Station. Frank Buise. Environmental Health Officer / Building Surveyor; David Lodwick, Shire Planner; Steve Vincent, Works Supervisor and Keith Byers, Chief Executive Officer are to meet with Simon Dempster of Dempster Steel to update the progress of the building.

Colorbond colours and drawings of such were presented to Council for its consideration.

M15/0205 Moved Cr Foster

Seconded Cr Roberts

That Council accept the Colorbond colours as presented on plan three, namely: 'Sandbank' (roof and roller doors), 'Wilderness' (walls, roof flashings and roof vent), 'Surf Mist' (infill panel for southern end), and 'Argyle' (brickwork to office).

CARRIED 7-0

Mr Frank Buise, Environmental Health Officer/Building Surveyor, left Council Chambers at 4.30pm

7.4 ADMINISTRATION

7.4.1 SALE OF LAND

BACKGROUND

An offer of \$15,000.00 has been received from CR & PH Ashby of Gidgegannup to purchase lot 115 Barnsley Street, Beverley.

COMMENT

Council has listed two lots for sale in the Barnsley Street/Smith Street subdivision, at an anticipated income of \$16,000 each. Council was prepared to accept a similar offer in October 2004, subject to a residence being erected on the land within two years of settlement.

M16/0205

Moved Cr Foster Seconded Cr Bailey
That Council do not accept the offer of \$15,000.00 from CR & PH
Ashby for lot 115 Barnsley Street.

CARRIED 7-0

7.4.2 ORCHIDS

Appendix 8

BACKGROUND

The enclosed report on the occurrence of orchids on Reserves 15799 and 25625 has been received from Terry Robinson B.Sc, B.Ed. Mr Robinson is of the opinion that both Shire Reserves represent a valuable flora resource and every effort should be made to protect the area.

COMMENT

Currently the area is only fenced on two sides and not along Booking and Dempster Streets. The Works Supervisor has provided a cost to purchase and erect fencing materials, including a 3.6 metre gate, at approximately \$1650.00. This is not an amount included in this year's budget, but is an exercise that compliments Council's Conservation Policy.

M17/0205

Moved Cr Szczecinski Seconded Cr Foster
That Council forward a letter to Mr Robinson thanking him for his report on Orchids in Reserves 15799 and 25625.

CARRIED 7-0

7.4.3 ANNUAL REPORT

BACKGROUND

As Council would no doubt be aware, each year we are required to submit our Financial Statements to the Auditor. The Auditor then presents Council with an Audit Report and Management Report.

COMMENT

As in the past, we will combine the Audit Report and other reports with the completed Financial Statement to form the Annual Report for ratepayers to have at the Electors Meeting.

Council are required to set a date for the Electors Meeting that is no more than 56 days from the date of acceptance of the Annual Report (as per Section 5.27 of the Local Government Act). This means that Council must hold the Electors Meeting on or before Tuesday 12th April 2005.

M18/0205

Moved Cr McLean Seconded Cr Foster That the Audit Report for the 2003 / 2004 Financial Year be adopted, as presented.

That the Annual Report for the Year Ended 30th June 2004, as presented be adopted.

That Council hold the Electors Meeting in the Beverley Lesser Hall on Tuesday 8th March 2005 at 7.30pm as per Section 5.27 of the Local Government Act.

CARRIED 7-0

7.4.4 DOVE WEED IN BEVERLEY SHIRE

BACKGROUND

In January when Councillors Neville McLean, Tony Bailey and Judy Schilling were doing road inspection with the Works Supervisor we discovered a rather large outbreak of Dove Weed. This plant has spread over quite a large area on properties and road verges from Maitland Road to Bellrock Road and Smith Road. Until recently this plant was a declared species. If Council wish to control this weed in our shire Council can proclaim it as a Pest Weed. The Shire would then have some control over the spread of this plant in our District.

COMMENT

If this is the only outbreak in this Shire, Council should consider proclaiming Dove Weed as a Pest Plant in the Shire of Beverley.

The meeting agreed that Mr Peter Young be requested to have Dove Weed declared as a Pest Weed within the Shire of Beverley at the next Agricultural Protection Zone meeting to be held on the 1st March 2005.

8 INFORMATION BULLETIN

8.1 CHIEF EXECUTIVE OFFICER

8.1.1 CENTRAL ZONE WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

BACKGROUND

Council is advised that the next six monthly ordinary meeting of the Central Country Zone will be held at Wickepin on Friday 1st April 2005.

The meeting agreed that Councillor's Schilling and Foster be Council's delegates at the Central Country Zone meeting to be held in Wickepin on Friday 1st April 2005.

8.1.2 CENTRAL COUNTRY ZONE BOWLS DAY

BACKGROUND

The Central Country Zone Bowls Day is scheduled to be held in Wickepin on Friday 18th March 2005, commencing at 9.30am.

The meeting agreed that Councillor's Leonhardt, McLean, Schilling, Foster and Mr. Keith Byers, attend the Central Country Zone Bowls Day in Wickepin on Friday 18th March 2005.

8.1.3 BEVERLEY RAILWAY STATION

BACKGROUND

Mr Frank Schmitz of Scarborough has forwarded the attached proposal, offering to live in the Beverley Railway Station, caretaking and managing the buildings.

The meeting agreed that the Chief Executive Officer advise Mr. Schmitz that Council will defer their decision on how the Railway Station will be utilised, until the station restoration work is completed

8.1.4 PROPOSED NORTHAM SALEYARDS

Appendix 9

BACKGROUND

At Council's Forum prior to its meeting on the 21st December 2004, representatives from the Shire of Northam outlined an offer for the Shire of Beverley to be involved in the proposed Northam Saleyards project.

Unfortunately the subject was not discussed at the following meeting and as such is now listed for consideration.

A copy of the original letter from the Shire of Northam is enclosed.

The meeting agreed to advise the Shire of Northam that Council will support the saleyard project in principle.

8.1.5 ALEX'S GREEN CORNER

BACKGROUND

Correspondence was received from Mrs. Alexandra McDonald, proprietor of Alex's Green Corner Garden Centre, outlining concerns surrounding community business operations.

The meeting agreed that Council advise Mrs. Alexandra McDonald that Council are not able to intervene in business operations that establish themselves in Beverley.

8.1.6 WIDENING OF CULVERT ON COLLINS ROAD

BACKGROUND

Paul & Christine Schilling wrote to Council regarding a culvert on Collins Road which is considered hazardous, and request that it be widened.

The meeting agreed that Paul and Christine Schilling be advised that the culverts will be widen whilst the outside workforce is in the area.

8.1.7 **AUDIT MANAGEMENT REPORT**

BACKGROUND

Haines Norton, Chartered Accountants, presented the Shire of Beverley with an Audit Management Report.

M19/0205 **Moved Cr Roberts**

Seconded Cr Szczecinski That Council receive the Audit Management Report prepared by

Haines Norton.

CARRIED 7-0

Mr Steve Vincent, Works Supervisor, entered Council Chambers at 4.50pm

8.2 **WORKS SUPERVISOR**

8.2.1 **ROAD PROGRAM**

COMMENT

The Works Supervisor has proposed to reseal the Kokeby East Road from Great Southern Highway to Bremner Road (3.6 km) in lieu of the construction and sealing of town streets as budgeted this year.

M20/0205 **Moved Cr Leonhardt** **Seconded Cr Roberts**

That Council agree to the resealing of Kokeby East Road and Hope Street and that other town streets, originally scheduled to be constructed and sealed this year, be deferred to the 2005/6 financial year.

CARRIED 7-0

8.2.2 BBQ'S AT COUNTY PEAK

BACKGROUND

It was suggested on our recent road inspection that the three BBQ's at County Peak be removed and a suitable location be found to install a new one.

M21/0205 Moved Cr Foster Seconded Cr McLean
That Council agree to remove the three BBQ's at County Peak.

CARRIED 7-0

8.2.3 BANNER POLES

BACKGROUND

Quotes have been obtained on both single poles (\$1,394+GST) for the footpath or double poles (\$1,630) suitable for the centre of the road.

It was agreed that this matter be given to the Townscape Committee for their comments.

Mr Steve Vincent, Works Supervisor, left Council Chambers at 5.15pm

8.3 SWIMMING POOL MANAGER'S REPORT

ATTENDANCE FOR JANUARY

YEAR	SEASON	ADULT	CHILD	UNDER 5	SPECTATOR
2004/05	1251	355	439	217	640
2003/04	1422	314	443	170	288
2002/03	1329	344	496	251	208
2001/02	1513	448	774	302	256
2000/01	1141	614	755	262	214

AVERAGE WATER TEMPERATURE FOR DECEMBER

Water temperature has been approximately 25°C.

INJURIES AND INCIDENTS

We have had no major incidents, but we have had 13 bee stings, 2 of which were allergic and parents took these children to the hospital. A few minor abrasions were seen too, from children at free-play.

We had a theft of a mobile phone on the 22nd January, which was recovered two days later, the culprits were caught and subsequently banned for a month.

POOL AND PUMP ROOM EQUIPMENT

The soda ash/chlorine pump failed and had to be replaced (we had a spare pump which could be utilised).

POOL NEWS

Australia Day was a great success; it was the biggest so far with 333 people attending. The Clydesdale rides were a big hit. The Lions Club had ample food on the day and everyone was able to go back for seconds an thirds. There were lots of contestants for the bombie comp, which raised a few eyebrows. The inflatable slide that was kindly supplied by the Challenge Stadium was a big hit for one-an-all, with a small enclosure set up for the 3 and under on the lawn under a big shade, with toys kindly supplied by the Beverley Playgroup (we had a lot comments saying that this should be a permanent fixture). We had great support from the following and have sent thank you letters out to, Always Food, Peters & Brownes Group, Beverley Playgroup, Challenge Stadium, Avondale Clydesdales and Green Corp.

M22/0205

Moved Cr Szczecinski Seconded Cr Leonhardt That the Swimming Pool Manager's Report as presented, be received.

CARRIED 7-0

- 9. TABLED CORRESPONDENCE
- 10. OTHER BUSINESS
- 11. CLOSURE

There being no further business the meeting closed at 6.25pm

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

Presiding Member Date