

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON TUESDAY 26 MAY 2009

1. COMMENCEMENT

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

2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Attendance

Cr JD Alexander	President	North Ward
Cr DJ Ridgway	Deputy President	South Ward
Cr WS McDonald		South Ward
Cr MG Roberts		South Ward
Cr P Gogol		North Ward
Cr KM Murray		North Ward
Cr BM Foster		West Ward
Cr LC Shaw		West Ward
Mr KL Byers	Chief Executive Officer	
Mr SP Gollan	Deputy Chief Executive Officer	

Apologies

Nil.

Leave of Absence

Nil.

The President read a thankyou card that was received from Mrs Bev Flood. The President requested a minute silence to remember the Late Neil Flood.

3. PUBLIC QUESTION TIME

3.1 Marion Alexander and Beryl Gors – Road Petition

(File Reference: RO 003 & CR 012)

Mrs Marion Alexander presented a Petition to the Shire President. The Petition read as follows:

We;

- Thank you for sealing part of Greenhills South Road and the Talbot West Road.

3. PUBLIC QUESTION TIME

**3.1 Marion Alexander and Beryl Gors – Road Petition
(Continued)**

- Applaud your decision for sealing the lead up to the sealed road intersections.
- Wish for the remaining of Greenhills South Road in the Beverley Shire to be sealed as soon as possible.
- Would like major secondary roads within the Shire to be identified and a progressive sealing programme be instigated.

COUNCIL RESOLUTION

M1/0509 Moved Cr Roberts **Seconded Cr McDonald**
That the Petition presented by Marion Alexander regarding roads
within the Shire, be received.

CARRIED 7-1

4. CONDOLENCES

McLEAN	Colin George	8 May 2009
FLOOD	Neil Francis	13 May 2009
WOODS	James Forbes (Forbie)	15 May 2009

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

5.1 Elected Member Vacancy (File Reference: GOV 008)

COUNCIL RESOLUTION

M2/0509 Moved Cr Gogol **Seconded Cr Foster**
That Council request the Minister for Local Government and
Regional Development to postpone the filling of the vacancy left
by the Late Cr Flood until the October Elections.

CARRIED 8-0

6. CONFIRMATION OF MINUTES AND BUSINESS ARISING

6.1 Minutes of the Council Meeting held in the Council Chambers on Tuesday 28 April 2009.

COUNCIL RESOLUTION

M3/0509 Moved Cr Roberts Seconded Cr Gogol
That the Minutes of the Ordinary Meeting of Council held in Council Chambers on Tuesday 28 April 2009, as printed, be confirmed.

CARRIED 8-0

BUSINESS ARISING

Nil

6.2 Notes of the Public Meeting – Structural Reform held in the Shire of Beverley Lesser Hall on Thursday 23 April 2009.

Appendix 1

COUNCIL RESOLUTION

M4/0509 Moved Cr Gogol Seconded Cr Foster
That the Notes of the Public Meeting – Structural Reform held in the Shire of Beverley Lesser Hall on Thursday 23 April 2009, as printed, be received.

CARRIED 8-0

BUSINESS ARISING

6.2.1 Structural Reform Model (File Reference: CM 010 & GR 018G)

COUNCIL RESOLUTION

M5/0509 Moved Cr Foster Seconded Cr Roberts
That South East Avon Voluntary Regional Organisation of Councils (SEAVROC) endeavour to form a subsidiary local entity as opposed to a Regional Organisation of Councils (ROC) be put to the Minister for Local Government and Regional Development to amend the Local Government Act 1995 for this to take place.

CARRIED 8-0

6.3 Notes of the Public Meeting – Avondale Historical Precinct held in the Shire of Beverley Lesser Hall on Monday 27 April 2009.

Appendix 2

COUNCIL RESOLUTION

M6/0509 Moved Cr Murray Seconded Cr Gogol
That the Notes of the Public Meeting – Avondale Historical Precinct held in the Shire of Beverley Lesser Hall on Monday 27 April 2009, as printed, be received.

CARRIED 8-0

BUSINESS ARISING

6.3.1 Avondale Historical Precinct and Machinery Display
(File Reference: RC 005)

COUNCIL RESOLUTION

M7/0509 Moved Cr Gogol Seconded Cr Murray
That Council agree to be the custodians of the Historical Precinct and machinery display at Avondale Discovery Farm.

CARRIED 8-0

6.4 Minutes of the Meeting of the Fire Control Officers held in the Council Chambers on Monday 18 May 2009.

Appendix 3

COUNCIL RESOLUTION

M8/0509 Moved Cr Shaw Seconded Cr Roberts
That the Minutes of the Meeting of the Fire Control Officers held in the Council Chambers on Monday 18 May 2008, as printed, be received.

CARRIED 8-0

BUSINESS ARISING

6.4.1 Bushfire Firebreak Notice (File Reference: ES 003)

RESOLVED that Cr Shaw and Cr Murray review the Bushfire Firebreak Notice and report back to the June Council meeting.

7. PRESIDENT'S REPORT

The President gave a verbal report.

RESOLVED that the President's Report, be received.

Mr Peter Wright, Shire Planner, entered the meeting at 11:25am.

8. OFFICERS' REPORTS

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	May Council Meeting 26 May 2009
AGENDA ITEM:	8.1.1.1
REPORT DATE:	1 May 2009
SUBJECT:	PROPOSED DEVELOPMENT APPLICATION – WHOLESALE NURSERY – 1245 (LOT 780) YORK-WILLIAMS ROAD, DALE
APPLICANTS:	Talbot Native Valley Produce
FILE REFERENCE:	YOR2 1540
AUTHOR:	Shire Planner – Peter Wright

Appendix 4

BACKGROUND

It is proposed to operate a Wholesale Nursery for the production of revegetation and Sandalwood host seedlings at 1245 (Lot 780) York–Williams Road, Dale. An ancillary shade house is proposed to be constructed.

The subject lot is zoned Farming, approximately 40ha in area and contains an existing dwelling with ancillary outbuilding. Access is via an easement to York-Williams Road.

The application is determined to be Intensive Agriculture under the Shire of Beverley's Town Planning Scheme No. 2 (TPS 2).

COMMENT

It is the opinion of staff that the proposal is consistent with the Planning intent for the area as well as complying with TPS 2. Given the isolated location and relatively small scale of the operation, it is considered unlikely there will be any negative external impact on the amenity of the area.

As the business is proposed to be for the wholesale production of seedlings it is considered any increase in traffic will be minimal. To ensure traffic does not upset the amenity of the area, should Council approve the application, it will be recommended the hours vehicles associated with the nursery may access the site be restricted, as a condition of approval.

8.1.1 TOWN PLANNING ITEMS
8.1.1.1 PROPOSED DEVELOPMENT APPLICATION
– WHOLESALE NURSERY
– 1245 (LOT 780) YORK-WILLIAMS ROAD, DALE
(Continued)

Due to the business being located in proximity to Christopher Brook there may be potential for chemicals associated with the nursery to leach into the waterway. Should Council approve the application it will be recommended chemicals associated with the nursery not be allowed to enter Christopher Brook, as a condition of approval.

The production of seedlings for revegetation or as host plants for Sandalwood is thought to provide significant environmental and economic benefits for the area. Economic development is enhanced through the diversification of business activities and the potential production of Sandalwood. The environment is enhanced through the facilitation of revegetation. As such it is considered the business will facilitate improved amenity and development in the area.

The application to operate a Wholesale Nursery at 1245 (Lot 780) York-Williams Road, Dale, is supported due to:

- The application complies with TPS 2 and the Planning intent for the area;
- It is unlikely there will be any negative external amenity impact;
- Environmental considerations may be addressed through conditions of approval; and
- It is considered community environmental and economic benefits will result from this proposal.

Therefore it will be recommended the application be approved.

STATUTORY ENVIRONMENT

The application complies with the Shire of Beverley's Town Planning Scheme No.2.

OFFICER'S RECOMMENDATION

That Council grant Planning Approval for a Wholesale Nursery at 1245 (Lot 780) York-Williams Road, Dale, subject to the following conditions and advice notes: -

8.1.1 TOWN PLANNING ITEMS
8.1.1.1 PROPOSED DEVELOPMENT APPLICATION
– WHOLESALE NURSERY
– 1245 (LOT 780) YORK-WILLIAMS ROAD, DALE
(Continued)

Conditions:

1. If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan, prepared by the applicant and endorsed by Council's Shire Planner.
3. The nursery shall produce plants for wholesale only. No retail sales of plants shall occur on site without the prior written permission of the Shire.
4. No chemicals emanating from the nursery shall enter Christopher Brook (see advice note 3).
5. Vehicles associated with the nursery shall not access or egress the site between the hours of 7.00pm and 7.00am without the prior written permission of the Shire.
6. The applicant shall only remove those trees and/or clear native vegetation as required for the construction with the nursery and any associated access (see Advice Note 4).

Advice Notes:

1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
2. The applicant is advised a building licence may be required prior to commencement of any building works.
3. With regard to Condition 4, chemicals shall not enter Christopher Brook either through direct runoff and/or leaching through the soil.

8.1.1 TOWN PLANNING ITEMS
8.1.1.1 PROPOSED DEVELOPMENT APPLICATION
– WHOLESALE NURSERY
– 1245 (LOT 780) YORK-WILLIAMS ROAD, DALE
(Continued)

4. With regard to Condition 6, the applicant is advised approval may be required from the Department of Environment and Conservation prior to the removal of trees and/or clearing of vegetation.

COUNCIL RESOLUTION

M9/0509 Moved Cr McDonald Seconded Cr Roberts
That Council grant Planning Approval for a Wholesale Nursery at 1245 (Lot 780) York–Williams Road, Dale, subject to the following conditions and advice notes: -

Conditions:

1. If the development, the subject of this approval, is not **SUBSTANTIALLY COMMENCED** within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan, prepared by the applicant and endorsed by Council's Shire Planner.
3. The nursery shall produce plants for wholesale only. No retail sales of plants shall occur on site without the prior written permission of the Shire.
4. No chemicals emanating from the nursery shall enter Christopher Brook (see advice note 3).
5. The applicant shall only remove those trees and/or clear native vegetation as required for the construction with the nursery and any associated access (see Advice Note 4).

8.1.1 TOWN PLANNING ITEMS
8.1.1.1 PROPOSED DEVELOPMENT APPLICATION
– WHOLESALE NURSERY
– 1245 (LOT 780) YORK-WILLIAMS ROAD, DALE
(Continued)

Advice Notes:

- 1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.**
- 2. The applicant is advised a building licence may be required prior to commencement of any building works.**
- 3. With regard to Condition 4, chemicals shall not enter Christopher Brook either through direct runoff and/or leaching through the soil.**
- 4. With regard to Condition 6, the applicant is advised approval may be required from the Department of Environment and Conservation prior to the removal of trees and/or clearing of vegetation.**

CARRIED 8-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	May Council Meeting 26 May 2009
AGENDA ITEM:	8.1.1.2
REPORT DATE:	6 May 2009
SUBJECT:	PROPOSED DEVELOPMENT APPLICATION – SANDALWOOD PLANTATION – LOT 3366 BERGINER ROAD, MORBINING
APPLICANTS:	ITC Forestry
FILE REFERENCE:	BER 57
AUTHOR:	Shire Planner – Peter Wright

Appendix 5

BACKGROUND

It is proposed to establish a Sandalwood Plantation at Lot 3366 Beringer Road, Morbining. The subject site is approximately 1218ha in area, zoned Farming and vacant.

COMMENT

The proposal may be regarded as intensive agriculture under the Shire of Beverley's Town Planning Scheme No.2 and as such complies with the planning intent and objectives of the area. However whilst the application generally complies with the Shire of Beverley's Tree Crop Local Policy some concerns remain relating to the Fire Management Plan and the absence of details regarding access and roads.

Under the heading "Fire Management" in the proposal, are details of a Fire Management Plan to be prepared prior to the first fire season. The Shire's Tree Crop Policy has specific requirements for a Fire Management Plan and in the opinion of staff such a plan should be submitted for approval within a specific timeframe. Should Council approve the application, it will be recommended a Fire Management Plan that complies with the Shire's Tree Crop Policy be submitted for approval within 90 days, as a condition of approval.

The Shire's Tree Crop Policy identifies potential wear and tear on Shire roads that may occur as a result of access and harvesting of tree crops. To address potential damage to the Shire's roads should Council approve the application, it will be recommended an Access Plan be submitted and approved 12 months prior to harvesting, as a condition of approval.

8.1.1 TOWN PLANNING ITEMS
8.1.1.2 PROPOSED DEVELOPMENT APPLICATION
– SANDALWOOD PLANTATION
– LOT 3366 BERINGER ROAD, MORBINING
(Continued)

It may be considered that Sandalwood Plantations add to the agricultural and economic diversification within the Shire of Beverley. In addition there is the possibility of downstream processing, potentially further enhancing economic development in the Shire. Therefore it may be considered that the establishment of Sandalwood Plantations are of benefit to the wider community.

The application to establish a Sandalwood Plantation at Lot 3366 Beringer Road, Morbining is supported due to:

- The application complies with the planning intent and objectives for the area and generally complies with the Shire's Tree Crop Policy;
- Any concerns may be addressed through conditions of approval; and
- The proposal may be considered to enhance agricultural and economic development for the area.

Therefore it will be recommended the application be approved.

STATUTORY ENVIRONMENT

The application complies with the Shire of Beverley's Town Planning Scheme No. 2.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M10/0509 Moved Cr Ridgway Seconded Cr McDonald
That Council grant Planning Approval for a Sandalwood Plantation
at Lot 3366 Beringer Road, Morbining, subject to the following
conditions and advice notes: -

Conditions:

1. If the development, the subject of this approval, is not **SUBSTANTIALLY COMMENCED** within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.

8.1.1 TOWN PLANNING ITEMS
8.1.1.2 PROPOSED DEVELOPMENT APPLICATION
– SANDALWOOD PLANTATION
– LOT 3366 BERINGER ROAD, MORBINING
(Continued)

2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan, prepared by the applicant and endorsed by Council's Shire Planner.
3. Within 90 days of the date of this approval the applicant is to submit Fire Management Plan to the Shire for approval (see Advice Note 3).
4. Development shall not commence prior to the approval of a Fire Management Plan by the Shire.
5. The applicant shall only remove those trees and/or clear native vegetation as required for the establishment of the Sandalwood Plantation and any associated access (see Advice Note 3).
6. No later than twelve months prior to harvesting, an Access Plan is to be submitted and approved, to the satisfaction of the Shire of Beverley.

Advice Notes:

1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
2. With regard to Condition 3, the applicant is advised the Fire Management Plan is to comply with the Guidelines contained in Attachment 2 of the Shire of Beverley's Tree Crop Policy.
3. With regard to Condition 5, the applicant is advised approval may be required from the Department of Environment and Conservation prior to the removal of trees and/or clearing of vegetation.

CARRIED 8-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	May Council Meeting 26 May 2009
AGENDA ITEM:	8.1.1.3
REPORT DATE:	13 May 2009
SUBJECT:	SUBDIVISION APPLICATION – ALTERATION OF ROAD RESERVE – LOTS 15 & 4 BUTCHERS ROAD, DALE AND DELEGATION OF AUTHORITY FOR SUBDIVISION APPLICATIONS RELATING TO ROADS
APPLICANTS:	Scanlan Surveys Pty Ltd
FILE REFERENCE:	PL 139859 & GOV 003
AUTHOR:	Shire Planner – Peter Wright

Appendix 6

BACKGROUND

As a component of the road construction for Billabong Road, Dale, the road was constructed parallel to the road reserve to preserve a stand of mature trees. The purpose of this subdivision proposal is to match the cadastral boundaries with the “as constructed” road.

Lots 15 & 4 Butchers Road are zoned Farming and approximately 79ha and 11ha in area respectively. The area of road reserve proposed to be moved is 9982m² in area.

Both of the subject lots are owned by Mr Grant Hobbs.

COMMENT

The proposal will complete the process of construction of this section of Billabong Road. It is anticipated there will be no negative impacts and the safety and convenience of the travelling public will be enhanced, as well as a mature stand of trees being preserved. Therefore it will be recommended the application be supported.

As this and other subdivision applications relating to roads generally involve the formalisation of “as constructed” roads and as such require little consideration by Council, it will be recommended the authority for such approvals be delegated to the Shire Planner.

STATUTORY ENVIRONMENT

The application complies with the Shire of Beverley’s Town Planning Scheme No. 2.

8.1.1 TOWN PLANNING ITEMS
8.1.1.3 SUBDIVISION APPLICATION
– ALTERATION OF ROAD RESERVE
– LOTS 15 & 4 BUTCHERS ROAD, DALE
AND
DELEGATION OF AUTHORITY FOR
SUBDIVISION APPLICATIONS RELATING TO ROADS
(Continued)

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

- M11/0509** **Moved Cr Gogol** **Seconded Cr Roberts**
- 1. That Council recommend to the Western Australian Planning Commission that application WAPC No. 139859 for the subdivision of Lots 15 & 4 Butchers Road, Dale, be approved, subject to no conditions.**
 - 2. That Council delegate to the Shire Planner, through the Chief Executive Officer, the authority to determine and respond to subdivision referrals from the Western Australian Planning Commission, which relate to the alignment of roads.**

CARRIED 8-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	May Council Meeting 26 May 2009
AGENDA ITEM:	8.1.1.4
REPORT DATE:	13 May 2009
SUBJECT:	SUBDIVISION APPLICATION – ROAD WIDENING – LOTS 5437 & 5439 WESTDALE ROAD, DALE
APPLICANTS:	Scanlan Surveys Pty Ltd
FILE REFERENCE:	PL 139852
AUTHOR:	Shire Planner – Peter Wright

Appendix 7

BACKGROUND

As a component of the road widening process small sections of Lots 5437 & 5439 Westdale Road, Dale, are required to be incorporated into the road reserve.

Lots 5437 & 5439 Westdale Road are zoned Farming and approximately 217ha and 121ha in area respectively. The combined sections proposed to be removed from the subject sites and added to the road reserve are 1.5427ha in area.

COMMENT

The proposal will complete the process of widening this section of Westdale Road. It is anticipated there will be no negative impacts and the safety and convenience of the travelling public will be enhanced. Therefore it will be recommended the application be supported.

STATUTORY ENVIRONMENT

The application complies with the Shire of Beverley's Town Planning Scheme No. 2.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M12/0509 **Moved Cr Foster** **Seconded Cr McDonald**
That Council recommend to the Western Australian Planning Commission that application WAPC No. 139852 for the subdivision of Lots 5437 & 5439 Westdale Road, Dale, be approved, subject to no conditions.

CARRIED 8-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	May Council Meeting 26 May 2009
AGENDA ITEM:	8.1.1.5
REPORT DATE:	12 May 2009
SUBJECT:	TOWN PLANNING SCHEME POLICY NO. 9 – RELOCATED SECOND-HAND BUILDINGS – AMENDMENT INITIATION
APPLICANTS:	Shire of Beverley
FILE REFERENCE:	PL 139859
AUTHOR:	Shire Planner – Peter Wright

Appendix 8

BACKGROUND

At its 28 April 2009 meeting Council resolved:

“That Council seek to amend Town Planning Scheme Policy No. 9 – “Relocated Second-Hand Buildings” to reflect the true costs of the Building Surveyor inspecting these buildings prior to them entering Beverley, and this amended policy be presented to the May meeting.”

To comply with Council’s resolution and correct a typographical error Sections 1.1, 2, 4.5 and 7 of the policy have been amended. The amended Policy is being presented to Council for consideration and initiation in compliance with Clause 7.6 of the Shire of Beverley’s Town Planning Scheme No. 2 (TPS 2).

COMMENT

Under TPS 2 to alter a policy requires the preparation and final adoption of a new policy specifically worded to supersede the existing policy. Therefore in Section 1.1 of the policy the words:

“This policy supersedes Town Planning Policy No. 7 – Relocation of Second Hand Dwelling/Building, which is hereby revoked.”

are to be replaced by:

“This policy supersedes Town Planning Policy No. 9 – Relocated Second-Hand Buildings, which is hereby revoked.”

Section 2 is amended to correct a typographical error through the insertion of the word “not” with the last sentence now reading:

8.1.1

TOWN PLANNING ITEMS

8.1.1.5 TOWN PLANNING SCHEME POLICY NO. 9

- RELOCATED SECOND-HAND BUILDINGS

- AMENDMENT INITIATION

(Continued)

*“This policy does not apply to new pre-fabricated buildings or other new transportable buildings that have **not** been previously installed in any other location.”*

To ensure the payment of the Building Inspection fee incurred under Section 7 of this Policy it is suggested the following wording is added to Section 4.5:

“No Planning Approval shall be granted prior to the lodgement by the Building Surveyor and assessment by the Shire Planner, of the Relocated Second-Hand Building Inspection Report.”

In compliance with the intent of Council’s resolution, the wording contained in the second dot point in Section 7 of the Policy is altered to read:

“Building Inspection Fee (prior to relocation)

- 1. The applicant is to pay all reasonable costs, including travel and the time incurred by the Building Surveyor, for the production of the Relocated Second-Hand Building Inspection Report.*
- 2. The Building Inspection Fee is to be payed prior to the lodgement of the Relocated Second-Hand Building Inspection Report by the Building Surveyor.*
- 3. If requested the applicant may be provided with a non-binding estimation of the Building Inspection Fee.”*

It is the opinion of staff the preceding changes to the wording of Policy No. 9, Relocated Second-Hand Buildings, allows the Policy to be altered in compliance with Council’s resolution and the provisions of TPS 2. Therefore it will be recommended the amended Policy be initiated.

STATUTORY ENVIRONMENT

Town Planning Scheme Policies are amended in compliance with the provisions of Clause 7.6 of the Shire of Beverley’s Town Planning Scheme No. 2.

8.1.1 TOWN PLANNING ITEMS
8.1.1.5 TOWN PLANNING SCHEME POLICY NO. 9
- RELOCATED SECOND-HAND BUILDINGS
- AMENDMENT INITIATION
(Continued)

OFFICER'S RECOMMENDATION

1. That Council initiate a new Relocated Second-Hand Buildings Policy for the purpose of amending Town Planning Scheme Policy No. 9 Relocated Second-Hand Buildings.
2. That the Shire Planner be instructed to advertise the amended Policy in compliance with the provisions of Clause 7.6 of the Shire of Beverley's Town Planning Scheme No. 2.

COUNCIL RESOLUTION

- M13/0509 Moved Cr Roberts** **Seconded Cr McDonald**
1. That Council initiate a new Relocated Second-Hand Buildings Policy for the purpose of amending Town Planning Scheme Policy No. 9 Relocated Second-Hand Buildings.
 2. That the Shire Planner be instructed to advertise the amended Policy in compliance with the provisions of Clause 7.6 of the Shire of Beverley's Town Planning Scheme No. 2.
 3. That Council include an additional provision to part 7 of the Policy which reads:

Should the development have commenced prior to the granting of Planning Approval, including the relocation of the building into the Shire and/or onto the site, the Planning Fee penalty prescribed in the current Town Planning Fees Regulations, shall apply.

CARRIED 8-0

8.2.1 HEALTH & BUILDING SERVICES ITEMS

Nil.

8.2.2 INFORMATION BULLETIN REPORTS – HEALTH & BUILDING SERVICES

8.2.2.1 GENERAL

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

8.2.2.2 BUILDING LICENSES ISSUED

Building licenses issued up to 14 May 2009: -

Lic No: 65 08/ 09
No: 22A Dawson St
Building: Patio
Value: \$5,485

Lic No: 67 08/ 09
No: 119-125 Vincent St
Building: Repair Front Verandah
Value: \$18,000

Lic No: 68 08/ 09
No: 10-12 Edwards St
Building: Swimming Pool
Value: \$1,000

Lic No: 69 08/ 09
No: 289 Dalebin North Rd
Westdale
Building: Barn & Garage
Value: \$68,500

Lic No: 70 08/ 09
No: L87 Dobaderry Rd
Building: Shed
Value: \$1,000

Lic No: 71 08/ 09
No: L103 Cattle Station Rd
Building: Storage Shed
Value: \$50,000

Lic No: 72 08/ 09
No: 489 Northbourne Rd
Building: Shed
Value: \$10,000

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M15/0509

Moved Cr Foster
That the Health & Building Services Information Bulletin Reports,
be received.

Seconded Cr Roberts

CARRIED 8-0

Mr Steve Vincent, Works Supervisor, entered the meeting at 12:08pm.

8.3.1 PLANT, WORKS, RECREATION AND TOURISM ITEMS

SUBMISSION TO:	May Council Meeting 26 May 2009
AGENDA ITEM:	8.3.1.1
REPORT DATE:	20 May 2009
SUBJECT:	DALE KOKEBY ROAD
FILE REFERENCE:	WO DAL1 10
AUTHOR:	Works Supervisor – Steve Vincent

Appendix 9

BACKGROUND

A letter has been received from Mr John English regarding the condition of Dale Kokeby Road - in particular the first section from Great Southern Highway to Carrs Road.

COMMENT

This section of road was in the budget to be gravel sheeted but we are having great difficulty sourcing gravel within 20km.

We are looking at trialling a new product which stabilises the existing material. if this is successful this will reduce the overall costs by not having to cart gravel.

We propose to conduct a trial of 300 to 500 metres over the next few weeks.

OFFICER'S RECOMMENDATION

That Council trial a section of Dale Kokeby Road using a stabilising product and include in the 2009 / 2010 budget an allocation for the remaining section of gravel to be treated to Carrs Road.

COUNCIL RESOLUTION

M16/0509 Moved Cr Roberts **Seconded Cr Gogol**
That Council conduct a trial using a stabilising product on a section of Dale Kokeby Road this year and if successful include an amount in the 2009 / 2010 Draft Budget.

CARRIED 8-0

8.3.2 INFORMATION BULLETIN REPORTS – WORKS SUPERVISOR

8.3.2.1 GENERAL – PLANT AND WORKS

8.3.2.1.1 Kokeby East Rd Bridge 6256

The waterways report for the replacement of Bridge 6256 has been received from Main Roads WA. In brief the details are as follows:

Existing structure which is to be replaced, 4 barrels of Ø 1800 reinforced concrete pipes to a length of 11 metres.

5 replacement options for Culvert No. 6256, two for 20 year Average Recurrence Interval (ARI) wet serviceability and three for 50 year ARI wet serviceability.

20 Year ARI Wet Serviceability

- **Option 1: 3x 1650 Reinforced Concrete Pipes**

The optimised pipe culvert option for 20 year ARI wet serviceability is 3x 1650 RCP, which will also marginally satisfy 50 year ARI wet serviceability.

- **Option 2: 3x 1800x1200 Reinforced Concrete Boxed Culverts**

The optimised boxed culvert option for 20 year ARI wet serviceability is 3x 1800x1200 RCBC, which will also marginally satisfy 50 year ARI wet serviceability.

50 Year ARI Wet Serviceability

- **Option 1: 4x 1800 Reinforced Concrete Pipes**

This option is exactly the same as the existing culvert structure.

- **Option 2: 4x 1800x1500 Reinforced Concrete Boxed Culverts**

Another option for 50 year ARI wet serviceability is 4x 1800x1500 RCBC.

- **Option 3: 4x 1800x1800 Reinforced Concrete Boxed Culverts**

Alternatively 4x 1800x1500 RCBC will also satisfy 50 year ARI wet serviceability.

Conclusion and Recommendations

It is recommended that the 50 year ARI wet serviceability Option 2: 4x 1800x1500 RCBC be adopted to replace Culvert No. 6256. This option is recommended for the following reasons:

8.3.2 INFORMATION BULLETIN REPORTS – WORKS SUPERVISOR

8.3.2.1 GENERAL – PLANT AND WORKS

8.3.2.1.1 Kokeby East Rd Bridge 6256

(Continued)

- Even though this is an over design for minor rural roads it is believed that this option will minimise changes to the current road alignment and vertical road profile, thus significantly avoiding expensive road-works costs.
- Related to the previous reason, lower serviceability structures will require expensive fill over the culverts.
- This option is preferred over the 50 year ARI Option 3 because it requires smaller boxed culverts for almost the same level of serviceability.

The existing culvert angle to flow is optimised and no further skew is required. The replacement sets of culverts are to be simply placed over where the existing ones used to be.

In order to avoid a repeat of pavement and culvert failure it is recommended that a high level of attention and supervision is given to ensure that all voids and scour prone areas are completely eliminated through compaction and grouting.

Cost comparisons are currently being obtained to determine what size RCBC and the number of barrels. The most likely option will be three rows of 1800 X 1800 linked by two rows of link lids giving the new culvert a total of five barrels at 1800 X 1800 to a length of 12 metres. The Shire will then have to obtain a full set of drawings so that this work can be tendered out to contract.

8.3.2.1.2 2009 / 2010 Road Budget 1st draft Total \$2,051,122.00

Note due to pending quotes some material and contract prices may change.

Westdale Road \$245,666.00

Cement stabilise and widen to 7m from slk 19 to 21 & 14.66 to 16.
Final seal from 17 to 19.

Mawson Road \$87,658.00

Cement Stabilise 500m failed section near Woods Road and address drainage issues.

8.3.2 INFORMATION BULLETIN REPORTS – WORKS SUPERVISOR
8.3.2.1 GENERAL – PLANT AND WORKS
8.3.2.1.2 2009 / 2010 Road Budget 1st draft Total \$2,051,122.00
(Continued)

Flood Damaged Roads \$222,382.00

Repairs to the following roads and culverts :Top Beverley, Woods, Greenhills South, Northbourne, Wyalgima, Potts, Barrington, Glencoe, Bally Bally Caroling, Beringer, Jacobs Well, Batty, Wansbrough, Petchells, Clulows, Yenyening Lakes, Athol, K1, Morbining, Ewarts, Mawson, Balkuling, McDonald, Manuels.

Dobaderry Road \$28,998.00

Gravel sheet and extend seal 600m, to cover rocks and fix camber on corner. (bitumen component \$10 913)

Kokeby East Road \$51,732.00

Reconstruct shoulders from K1 rd to Kilpatrick's (4.5km) in preparation for reseal.

Corberding Road \$59,837.00

Gravel sheet full length and widen crest.(If gravel is supplied by Austral Brick).

Talbot West Road \$79,792.00

Black spot funding to improve safety at the intersection Kokendin Rd, widen narrow sections.(final seal to be completed 10-11).

Yenyening Lakes Road \$40,178.00

Black spot funding to improve safety at the intersection Qualandary Road.

York-Williams Road \$148,998.00

Bituminise from great Southern Highway to Waterhatch Road (4 km). Gravel Sheet 3km south of Waterhatch Road.

Nicholas Street \$73,354.00

Gravel sheet and seal to the rubbish tip 2km. (To gravel sheet only ≈ \$29,000).

Morbining Road \$65,328.00

Reconstruct Shoulders from Mawson road to Aiken Road (6.6km).

Greenhills South Road \$191,160.00

Realign two corners and seal 3 km to 6 metres. Final seal for 08/09 primer seal (2.8km).

8.3.2 INFORMATION BULLETIN REPORTS – WORKS SUPERVISOR
8.3.2.1 GENERAL – PLANT AND WORKS
8.3.2.1.2 2009 / 2010 Road Budget 1st draft Total \$2,051,122.00
(Continued)

Dale Kokeby Road \$38,112.00

Gravel sheet from highway to Carrs Road. (2.5 km carried forward).

Kokeby East Road Culvert replacement \$362 965

Culvert replacement (contract), and road reinstatement.

Hamersley Street \$20,000.00

Allocation for survey and design to address drainage issues.

Wright Street \$12,761.00

Construct and seal and kerb, 100 metres.

Bartram Street \$24,526.00

Construct and seal north of Vincent Street (250m), kerb both sides for 120mts from Vincent Street.

Courtney, Langsford and Chipper Street \$51,751.00

Construct and seal.

Top Beverley Road \$9,870.00

Replace wooden culvert with Ø 1200 concrete pipes.

Reseals \$80,360.00

Talbot West (1.3km), Waterhatch (1 km) Shed (110m), Railway (260m) Bridge 731 (200m).

Footpaths \$79,252.00

Replace slabs with a concrete path on Forrest Street between Vincent and Taylor Streets (610m), between Ernest and Edwards (100mts), and Queen Street between Vincent and Elizabeth Street (280mts).

Lopping \$76,440.00

Remove trees west end of Vincent Street and next to the Bowling Club. Rural lopping (\$60,000): Waterhatch Rd, Morbining Rd, Yenyening Lakes Road east of Bally Bally Road, Qualendary Road, Jacobs Well Road, and Clulows Road.

8.3.2.1.3 Shoulder Maintenance

Westdale Road has been shoulder graded. Other bitumen roads are to be done once the weather conditions change.

8.3.2 INFORMATION BULLETIN REPORTS – WORKS SUPERVISOR
8.3.2.1 GENERAL – PLANT AND WORKS
(Continued)

8.3.2.1.4 Cemetery Kerbing

Back filling of the kerbs at the cemeteries has been completed.

8.3.2.1.5 Oval

The oval has been verti-drained, spread with 24 tonne of gypsum and fertilised.

8.3.2.1.6 Plant Report

The Works Supervisor provided a Plant Report.

8.3.2.2 CONSTRUCTION

8.3.2.2.1 York-Williams Road

Gravel sheeting is currently under way. We are having to cart water from town, as there is no water available nearby. It is important that enough water is incorporated to obtain good compaction.

8.3.2.2.2 Kerbing

New kerbing has been laid on Lukin Street, Shed Street, Railway Street, the Caravan Park road and repairs on Smith Street.

8.3.2.2.3 Concrete Footpath

A new footpath has been laid on Edward Street, between Forrest Street and Lennard Street.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M17/0509 Moved Cr Roberts

That the Works Supervisor's Information Bulletin Reports, be received.

Seconded Cr Murray

CARRIED 8-0

Mr Steve Vincent, Works Supervisor, left the meeting at 12:30pm.

Council adjourned for Lunch at 12:30pm.

Council reconvened from Lunch at 1:30pm.

8.4.1 FINANCE ITEMS

SUBMISSION TO: May Council Meeting 26 May 2009
AGENDA ITEM: 8.4.1.3
REPORT DATE: 18 May 2009
SUBJECT: INVESTMENT OF SURPLUS FUNDS
FILE REFERENCE: FM 008
AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

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

COMMENT

Listed below are surplus funds that have been invested during the month of April 2009 with Esanda and the ANZ Bank.

▪ Office Equipment Reserve	\$ 22,299.00
▪ Annual Leave Reserve	\$ 107,083.00
▪ Building Reserve	\$ 370,033.00
▪ Plant Reserve	\$ 441,292.00
▪ Recreation Ground Reserve	\$ 251,379.00
▪ Bush Fire Fighters Reserve	\$ 85,647.00
▪ Avon River Development Reserve	\$ 17,284.00
▪ Community Bus Reserve	\$ 21,445.00
▪ Cropping Committee Reserve	\$ 86,262.00
▪ Road Construction Reserve	\$ 186,526.00
▪ Municipal Fund	\$ 350,000.00
▪ Municipal Fund	\$ 350,000.00

The Investment terms are as follows:

Certificate#	Term	Interest Rate	Amount	Expires
1357709011	2 Months	3.39%	\$ 441,292.00	02/06/2009
ANZ Bank	3 Months	4.80%	\$ 370,033.00	27/05/2009
ANZ Bank	45 Days	3.50%	\$ 369,082.00	15/06/2009
ANZ Bank	62 Days	3.55%	\$ 419,463.00	08/06/2009
ANZ Bank	60 Days	3.50%	\$ 350,000.00	29/06/2009
ANZ Bank	46 Days	3.50%	\$ 350,000.00	15/06/2009

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M20/0509 Moved Cr Foster **Seconded Cr Gogol**
That the Investment Report for the month of April 2009, be received.

CARRIED 8-0

8.4.1 FINANCE ITEMS

SUBMISSION TO:	May Council Meeting 26 May 2009
AGENDA ITEM:	8.4.1.4
REPORT DATE:	19 May 2009
SUBJECT:	DALE RIVER TENNIS CLUB – FUNDING REQUEST
FILE REFERENCE:	FM 011
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

Appendix 11

BACKGROUND

Council has received a request from the Dale River Tennis Club, seeking financial assistance to resurface their courts.

COMMENT

The Dale River Tennis Club requires approximately \$15,000.00 to resurface the courts.

They are seeking \$5,000.00 from Council to assist in the project. I believe that contact has also been made to the Shire of Brookton seeking a similar contribution.

If Council considers that a contribution is warranted towards the cost of resurfacing the courts there are Cropping Committee funds available or a contribution can be made from operating revenue.

OFFICER'S RECOMMENDATION

That Council places an amount of \$5,000.00 in the 2009 / 2010 draft Budget for the resurfacing of the Dale River Tennis Club courts.

COUNCIL RESOLUTION

M21/0509 **Moved Cr Shaw** **Seconded Cr Roberts**
That Council places an amount of \$5,000.00 in the 2009 / 2010 Draft Budget for the resurfacing of the Dale River Tennis Club courts and also request membership numbers and the anticipated usage of the courts.

CARRIED 8-0

8.4.1 FINANCE ITEMS

SUBMISSION TO:	May Council Meeting 26 May 2009
AGENDA ITEM:	8.4.1.5
REPORT DATE:	18 May 2009
SUBJECT:	AVON VALLEY TOURISM INC - MEMBERSHIP
FILE REFERENCE:	ED 003 & FM 011
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

Appendix 12

BACKGROUND

Avon Valley Tourism Inc has forwarded their 2009 / 2010 Marketing Plan for Council comment.

COMMENT

Council in June 2005 agreed to commit to the Avon Valley Tourism Business and Marketing Plan for three years. This commitment ceases at the 30th June 2008.

The Marketing Plan indicates that Council's commitment in 2009 / 2010 will be \$3,500.00. Council's commitment in 2008 / 2009 was \$3,000.00.

Wendy Williams the Chairperson of Avon Valley Tourism would like to present a power point presentation on the outcomes achieved by Avon Tourism over the past twelve months.

I believe this is a good opportunity to discuss Council's attitude and commitment towards tourism within the region and more specifically, Beverley.

OFFICER'S RECOMMENDTION/COUNCIL RESOLUTION

M22/0509 **Moved Cr Foster** **Seconded Cr Roberts**
That Council make an allowance of \$3,500.00 in the 2009 / 2010 Draft Budget for the continued membership of Avon Valley Tourism Inc. and that Wendy Williams be invited to attend Council's June workshop to discuss the outcomes achieved by Avon Valley Tourism.

CARRIED 8-0

8.4.1 FINANCE ITEMS

SUBMISSION TO:	May Council Meeting 26 May 2009
AGENDA ITEM:	8.4.1.6
REPORT DATE:	19 May 2009
SUBJECT:	ROYAL FLYING DOCTOR SERVICE – FUNDING REQUEST
FILE REFERENCE:	FM 011
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

Council has received a request from Dr Frank Kotai and Mr Tony Rees, seeking a donation to support their entry in the 2009 Outback Air Race that raises funds for the Royal Flying Doctors Service.

COMMENT

In the correspondence received from Dr Kotai and Mr Rees they have advised:

“That they will be flying a Mooney M20J in the event at their own expense.

The RFDS plays a vital life saving role in remotes communities and its services are needed in good times and bad. Goodwill from the community representatives such as ourselves particularly in the present financial downturn, which is adversely affecting their fundraising in the corporate sphere – it is imperative to the continuance of the invaluable operation. Local Government has been very supportive in the past, and they hope that this will continue.

They are seeking donations of \$100.00, but any amount will be welcomed.

Donations will be distributed to the branch of the RFDS which serves our State.

Since the first Outback Air Race in 1996, participants have raised more than \$1 million, which has helped in the purchase of new aircraft and the provision of specialist medical equipment. This year’s event is planned to start in Broome and finish in Airlie Beach, Queensland, and take about twelve days.

There are now 23 entrants from Australia and New Zealand. Each individual in each aircraft must guarantee a minimum of \$1,500.00 to meet the entry requirements. The aim is to raise more than \$200,000.00 this year and they would greatly appreciate our support”.

8.4.1 FINANCE ITEMS
Item 8.4.1.6 ROYAL FLYING DOCTOR SERVICE – FUNDING
REQUEST
(Continued)

If Council wishes to support this request there would be funds available under the Governance section of the budget.

OFFICER'S RECOMMENDATION

That Council donates an amount of \$300.00 to Dr Frank Kotai and Mr Tony Rees to support their entry in the 2009 Outback Air Race.

COUNCIL RESOLUTION

M23/0509 Moved Cr Ridgway **Seconded Cr Gogol**
That Council donate an amount of \$100.00 to Dr Frank Kotai and
Mr Tony Rees to support their entry in the 2009 Outback Air Race.
CARRIED 8-0

Cr Roberts declared an Interest in item 8.4.1.7, because is the Manager of Beverley Community Services, and withdrew from the Council Chambers at 1:45pm.

Mr Keith Byers, Chief Executive Officer, withdrew from the meeting at 1:45pm.

8.4.1 FINANCE ITEMS

SUBMISSION TO:	May Council Meeting 26 May 2009
AGENDA ITEM:	8.4.1.7
REPORT DATE:	19 May 2009
SUBJECT:	BEVERLEY COMMUNITY SERVICES – FUNDING REQUEST
FILE REFERENCE:	CS 021 & FM 011
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

Appendix 13

BACKGROUND

Council has received a request from the Mr Mal Roberts, Manager of Beverley Community Services (BCS) seeking a donation to assist with the running costs of this community service.

COMMENT

As Council would be aware Mr Roberts has been granted a small office near the meeting room in the Hall complex to run this operation.

In the past Council has contributed financially to assist with costs associated to this service.

In the 2008 / 2009 budget an allocation was initially placed in the draft budget but was removed during budget deliberations when Mr Roberts advised that he would be ceasing this service.

Mr Roberts has advised that due to community requests he has not ceased the service and wants to continue this service for the Beverley community.

Mr Roberts has requested that Council consider making a donation of \$1,500.00 to assist with the running costs.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M24/0509 Moved Cr Foster **Seconded Cr Shaw**
That Council places an amount of \$1,500.00 in the 2009 / 2010
Draft Budget being a donation to Beverley Community Services.
CARRIED 7-0

Cr Roberts and Mr Keith Byers, Chief Executive Officer, returned to the meeting at 1:52pm.

8.4.1 FINANCE ITEMS

SUBMISSION TO:	May Council Meeting 26 May 2009
AGENDA ITEM:	8.4.1.8
REPORT DATE:	19 May 2009
SUBJECT:	FEES AND CHARGES 2009 / 2010
FILE REFERENCE:	FM 001
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

Council has requested that the Fees and Charges for the forthcoming year be reviewed prior to the budget.

COMMENT

Attached is the list of Fees and Charges for Council's comments.

I have placed an increase of 5% on items that Council can alter, as there are some fees and charges that are set by other regulations and acts which cannot be altered.

OFFICER'S RECOMMENDATION

That Council adopt the Fees and Charges for the 2009 / 2010 year as amended.

COUNCIL RESOLUTION

M25/0509 Moved Cr Gogol **Seconded Cr Roberts**
That the Finance and Audit Committee investigate fees and
charges and report back to next meeting of Council.
CARRIED 8-0

8.4.1 FINANCE ITEMS

SUBMISSION TO: May Council Meeting 26 May 2009
AGENDA ITEM: 8.4.1.9
REPORT DATE: 20 May 2009
SUBJECT: RATING BOUNDARIES – LOT 304 TALBOT WEST ROAD, BEVERLEY
FILE REFERENCE: TAL2 51226
AUTHOR: Rates Officer – Natalie Ashworth

Appendix 14

BACKGROUND

This assessment has outstanding rates of \$1,395.11 as at 27 March 2009.

This Lot was created because it was formally a road just inside the Shire of Beverley boundary. The remaining area of the holding is within the Shire of York.

The property was previously owned by SD & JA Moulton and as they owned other property within the Shire of Beverley this was group rated with other assessments. This Lot was sold to RG Lister & FR Gregory and as these people do not own any other land within the Shire of Beverley they are being charged the minimum rates on this very small amount of land.

COMMENT

There are a number of options that Council can take being –

1. Realign the Shire Boundary to incorporate this 1.2ha of land within the Shire of York.
2. Make this assessment Not Rateable and discontinue to charge any rates.

On advice from the Valuer General’s Department these are our only two options.

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION

M26/0509 Moved Cr Ridgway Seconded Cr Gogol
That Council approach the Shire of York with a view of having Lot 304, an old road reserve, included within that Shire, and that the outstanding rates of \$1,395.11, plus those proposed to be set in 2009 / 10 be waived.

CARRIED 8-0

8.4.1 FINANCE ITEMS

SUBMISSION TO:	May Council Meeting 26 May 2009
AGENDA ITEM:	8.4.1.10
REPORT DATE:	20 May 2009
SUBJECT:	MINOR BOUNDARY CHANGE - SHIRE OF QUAIRADING
FILE REFERENCE:	QUA1 51326
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

Appendix 15

BACKGROUND

The owners of Lot 5, on the Mawson - Doodenanning Road, have approached the Shire of Quairading advising that the Lot is split by the Shire of Beverley and Quairading boundary. The total area of the Lot is 24.3191ha of which 11.4821ha is within the Shire of Beverley.

As the remainder of their property, L Carpenter and T Britten, would like both Councils to consider amending the boundary so that the entire area of Lot 5 is within the Shire of Quairading.

COMMENT

The Shire of Quairading has discussed this item and resolved -

“That Council:

Acknowledge the correspondence from L Carpenter and T Britten seeking variation to the common boundary between the Shires of Beverley and Quairading;

Provide “in principle” support to the proposal; and

Proceed to formally enter into discussions with the Shire of Beverley with a view to achieving consensus on a joint boundary adjustment proposal.”

Council currently rate the 11.4821ha within the Shire of Beverley at the minimum rate of \$600.00 and would lose this source of revenue should the proposal take place.

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION

M27/0509 **Moved Cr Ridgway** **Seconded Cr Roberts**
That Council join forces with the Shire of Quairading to seek an amendment, via Schedule 2.1 of the Local Government Act, to have all of Lot 5, on the Mawson – Doodenanning Road, included within the Shire of Quairading.

CARRIED 8-0

8.4.1 FINANCE ITEMS

SUBMISSION TO:	May Council Meeting 26 May 2009
AGENDA ITEM:	8.4.1.11
REPORT DATE:	20 May 2009
SUBJECT:	PENALTY INTEREST – LOT 122 SMITH ROAD, BEVERLEY
FILE REFERENCE:	SMI1 1306
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

We received an e-mail from Mr John Knowles regarding the Penalty Interest raised on his property at Smith Road. The rates for the 2007 / 2008 year were paid in full, and in December 2007 we were advised of a sale going from Knowles to Cook. We processed this sale and the 2008 / 2009 rates were sent to Panelope Jean Cook at the property address. The 2008/09 Rate Notice and Overdue Notices were returned marked Insufficient Address and Out of Street Delivery Area.

On 16 April 2009 a title search was done and it revealed that the Knowles were still owners of this property. We then reversed the ownership details and sent the Notices to Mr Knowles. Mr Knowles has paid the amount of \$1,783.33, being the amount of \$1,678.74 plus \$104.59 penalty interest. As this payment was received after the due date of the notice an extra \$6.07 has accrued on this account.

Mr Knowles is requested due to “a failed property settlement” and “other delays either with the Settlement Agent or elsewhere” that the Council be willing to consider a full or partial waiver of the Penalty Interest on this assessment.

COMMENT

Unfortunately a lot of Settlement Agents do not advise us when sales fall through and it is only when either rates go to the wrong person or people don't receive their Rates Notice that this problem is picked up. In Mr Knowles' favour he did pay his rates as soon as he received them.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M28/0509	Moved Cr Roberts	Seconded Cr Foster
	That Council reverse all the Penalty Interest applied to Assessment #1306.	

CARRIED 8-0

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	May Council Meeting 26 May 2009
AGENDA ITEM:	8.5.1.1
REPORT DATE:	18 May 2009
SUBJECT:	SEAVROC – FEBRUARY 2009 STRATEGIC PLAN
FILE REFERENCE:	GR 018G & GOV 013
AUTHOR:	Chief Executive Officer – Keith Byers

Appendix 16

BACKGROUND

The original Strategic Plan was adopted by SEAVROC and its Member Councils on 1 August 2007. This document has been updated after a workshop on 17 February 2009, involving the Executive Officer of SEAVROC, Elected Members and staff of the Member Councils, along with representatives of the Department of Local Government and the Western Australian Local Government Association.

COMMENT

The February 2009 version of the SEAVROC Strategic Plan provides a regional vision for the future and with its timeframe provides for measurable achievement at the individual Council and SEAVROC levels.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M30/0509 **Moved Cr Murray** **Seconded Cr Shaw**
That Council endorse the South East Avon Voluntary Regional Organisation of Councils (SEAVROC) February 2009 Strategic Plan.

CARRIED 8-0

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	May Council Meeting 26 May 2009
AGENDA ITEM:	8.5.1.2
REPORT DATE:	18 May 2009
SUBJECT:	MINING EXPLORATION LICENSE 70/3633
FILE REFERENCE:	EM 024
AUTHOR:	Chief Executive Officer – Keith Byers

Appendix 17

BACKGROUND

The following Notice of an Application for a Mining Exploration License has been received for Council's comment to the Mining Registrar:

Darling Range Pty Ltd

70/3633

A copy of the area to be explored is attached.

COMMENT

Council has previously granted these licenses subject to conditions.

At the July 2008 Council meeting the following conditions were agreed to.

1. All service holes filled for the purpose of exploration are to be capped, filled or otherwise made safe after completion.
2. All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the district mining engineer. Backfilling and rehabilitation being required no later than six months after excavation unless approved by the district mining engineer.
3. Abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of the exploration program.
4. No activities taking place to the detriment of any roads, streets or verges.
5. Minimum disturbances being made to the natural vegetation.
6. Adequate suppression control methods and practices being used.
7. Except with the approval of the Shire of Beverley, all mining excavations or drilling operations being backfilled and the ground reinstated and revegetated to the satisfaction of the Shire of Beverley's Works Supervisor.

8.5.1

ADMINISTRATION ITEMS

Item 8.5.1.2 MINING EXPLORATION LICENSE 70/3633

(Continued)

8. All works comply with the Environmental Protection (Noise) Regulations 1997.
9. All waste materials, rubbish and plastic sample bags to be removed within 60 days of placement.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M31/0509

Moved Cr Ridgway

Seconded Cr Roberts

That Council advise the Mining Registrar that Council has no objection to the Application for a Mining Exploration License from Darling Range Pty Ltd, subject to the following conditions:

1. All service holes filled for the purpose of exploration are to be capped, filled or otherwise made safe after completion.
2. All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the district mining engineer. Backfilling and rehabilitation being required no later than six months after excavation unless approved by the district mining engineer.
3. Abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of the exploration program.
4. No activities taking place to the detriment of any roads, streets or verges.
5. Minimum disturbances being made to the natural vegetation.
6. Adequate suppression control methods and practices being used.
7. Except with the approval of the Shire of Beverley, all mining excavations or drilling operations being backfilled and the ground reinstated and revegetated to the satisfaction of the Shire of Beverley's Works Supervisor.
8. All works comply with the Environmental Protection (Noise) Regulations 1997.
9. All waste materials, rubbish and plastic sample bags to be removed within 60 days of placement.

CARRIED 8-0

**10. TABLED CORRESPONDENCE
(Continued)**

- WHEATBELT SOUTH REGIONAL ROAD GROUP
 - Minutes of Meeting 27 October 2008 &
Agenda for Meeting 13 May 2009

11. OTHER BUSINESS

ITEM NUMBER:	11.1
SUBJECT:	STRATEGIC PLAN
FILE REFERENCE:	CM 003

RESOLVED that the Strategic Plan report prepared by Helen Hardcastle be reviewed by individual Councillors and their responses be brought back to a meeting to be held on Wednesday 1st July 2009, commencing at 9:00pm.

ITEM NUMBER:	11.2
SUBJECT:	MEETINGS

It was agreed that the following meetings be scheduled for June 2009:

Valuer General Meeting	3 rd June 2009	Commencing at 10:00am
SEAVROC Meeting	4 th June 2009	Commencing at 9:00am
Finance & Audit Committee Meeting	9 th June 2009	Commencing at 12:00pm
Recreation Ground Committee Meeting	9 th June 2009	Commencing at 1:00pm
Plant & Works Committee Meeting	17 th June 2009	Commencing at 9:00am

ITEM NUMBER:	11.3
SUBJECT:	INDEPENDENT LIVING UNITS – AGED CARE
FILE REFERENCE:	LUP 011

COUNCIL RESOLUTION

M35/0509 Moved Cr Foster **Seconded Cr Roberts**
That Council hold a Public meeting for those persons interested in utilising the Independent Living Units on Wednesday 10th June 2009, commencing at 10:00am.

CARRIED 8-0

**11. OTHER BUSINESS
(Continued)**

ITEM NUMBER: 11.4
SUBJECT: CEMETERY – NICHE WALL VASES
FILE REFERENCE: PH 017B

Councillor Gogol advised that he has been approached by family members wishing to place flowers on the Niche Walls. As there are no holders on the walls he was asked if families purchased holders, could these be placed on the walls next to the ashes.

COUNCIL RESOLUTION

M36/0509 Moved Cr Gogol Seconded Cr Foster
That Council allow flower holders to be placed on the Niche Walls with the cost to purchase the holders being met by the applicant(s).

CARRIED 8-0

ITEM NUMBER: 11.5
**SUBJECT: APPLICATION TO CLEAR NATIVE
VEGETATION – LOT 29285 ON PLAN 91069**
FILE REFERENCE: BRE 32745 & EM 025

Correspondence has been received from Department of Environment and Conservation seeking further comments regarding Councils application to clear 4 hectares of native vegetation on Lot 29285 on Plan 91069 for the purpose of a runway extension.

COUNCIL RESOLUTION

M37/0509 Moved Cr Ridgway Seconded Cr Roberts
That Council advised the Department of Environment and Conservation that it wishes to withdraw Clearing Permit Application CPS 3035/1.

CARRIED 6-2

ITEM NUMBER: 11.6
SUBJECT: TELSTRA – EXPANDING OF NETWORK
FILE REFERENCE: ED 018

Correspondence has been received from Mr Lloyd Morley, Telstra's Area General Manager for the Central WA Region, seeking support from Local Governments to enable Telstra to further expand their Wireless West 2 proposal to the state government.

11. OTHER BUSINESS
11.6 TELSTRA – EXPANDING OF NETWORK
(Continued)

COUNCIL RESOLUTION

M38/0509 Moved Cr Ridgway Seconded Cr Roberts
That Council advise Telstra that it supports Telstra’s application to
expand the existing mobile coverage and wireless broadband
availability in regional and rural Western Australia.
CARRIED 8-0

Mr Keith Byers, Chief Executive Officer, withdrew from the meeting at 4:20pm.

ITEM NUMBER:	11.7
SUBJECT:	SEAVROC – SHIRE OF TAMMIN
FILE REFERENCE:	GR 018G

Mr Dominic Carbone, Executive Officer of SEAVROC, has written requesting Council consider the inclusion of the Shire of Tammin into this group.

COUNCIL RESOLUTION

M39/0509 Moved Cr Shaw Seconded Cr Gogol
That Council rejects the application from the Shire of Tammin to
enter into SEAVROC.
CARRIED 7-1

Mr Keith Byers, Chief Executive Officer, returned to the meeting at 4:25pm.

12. CLOSURE

There being no further business the meeting closed at 4:26pm.

I hereby certify these Minutes as being confirmed in accordance with Section 5.26 of the Local Government Act 2695.

Presiding Member

Date