

MINUTES OF AN ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON TUESDAY 22 MAY 2007

1. COMMENCEMENT

The President declared the meeting open at 10.00am.

2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Attendance

Cr J M Schilling	President	West Ward
Cr N J McLean	Deputy President	South Ward
Cr W S McDonald		South Ward
Cr B M Foster		West Ward
Cr A D Bailey		West Ward
Cr V A Szczecinski		North Ward
Cr J D Alexander		North Ward
Mr K L Byers	Chief Executive Officer	
Mr S P Gollan	Deputy Chief Executive Officer	
Mrs S C Collins	Senior Administration Officer	

Apologies

Cr M G Roberts	South Ward
----------------	------------

Leave of Absence

Nil.

3. PUBLIC QUESTION TIME

3.1 York Williams Road – Grading

Mr Barrie Warner indicated that the York-Williams Road gets in a very rough state and asked whether it could be graded every 2 to 3 weeks.

Cr Schilling advised that as the York Williams Road has been included on the 2025 network strategic plan and therefore eligible to compete for funding from the Regional Road Group, Council will be considering an application for assistance to seal various sections of the road in the coming years. In the meantime Council will endeavour to maintain the road in a satisfactory condition.

Mr Warwick Carter, Shire Planner, entered the Chambers at 10.48am.

7.1 TOWN PLANNING

ITEM NUMBER:	7.1.1
DATE:	9 May 2007
SUBJECT:	PROPOSED DWELLING EXTENSIONS – LOT 888 WATERHATCH ROAD, BEVERLEY
OWNER:	M Whately
FILE REFERENCE:	WAT 1181
AUTHOR:	Shire Planner – Warwick Carter

Appendix 1

BACKGROUND

Address: Lot 888 Waterhatch Road, Beverley
Zoning: TPS2 - Farming
Use Class: Single House "AA"

COMMENT

The applicant has applied to create a retaining wall and extend the dwelling on the subject property.

The retaining wall is 2.4m at the highest point and will allow for a flat area to be created on site as well as aid in drainage of the site. The development is setback 100m from the nearest boundary.

Whilst the retaining wall is quite high, it is setback from the boundary a considerable distance and will allow the occupants to better use their dwelling. Given it complies with the setbacks, it is recommended that the application be approved.

M3/0507 **Moved Cr McDonald** **Seconded Cr Foster**
Council approve the application for a Single House (extensions) at Lot 888 Waterhatch Road, Beverley subject to the following conditions:

- 1. The development shall be in complete accordance with the approved plans numbered 020507, prepared by the applicant and endorsed by Council's Shire Planner.**

CARRIED 7-0

7.1 TOWN PLANNING

ITEM NUMBER:	7.1.2
DATE:	11 May 2007
SUBJECT:	PROPOSED SINGLE HOUSE AND SHED – LOT 102 STEVE EDWARDS DRIVE, BEVERLEY
OWNER:	W & L Sleep
FILE REFERENCE:	STE 51156
AUTHOR:	Shire Planner – Warwick Carter

Appendix 2

BACKGROUND

Address: Lot 102 Steve Edwards Drive
Zoning: TPS2 - Farming
Area: ~40ha
Use Class: Shed “AA” Single House “AA”

In November 2006 the applicant applied for a shed on the property, which was approved. The applicant now seeks to construct a residence and a second shed.

COMMENT

The applicant has applied to construct a 216m² shed at the subject property. The shed is to be relocated from a property in town.

The shed is setback over 40m from the boundary. The dwelling has a similar setback and complies with the Council’s Town Planning Scheme requirements.

Given that the application complies with the Shire’s Scheme and Policies, it is recommended that the application be approved.

M4/0507 Moved Cr McDonald Seconded Cr Foster
Council approve the application for a single house and shed at Lot 102 Steve Edwards Drive, Beverley subject to the following conditions:

- 1. The development shall be in complete accordance with the approved plans numbered 090507, prepared by the applicant and endorsed by Council’s Shire Planner.**

CARRIED 7-0

7.1 TOWN PLANNING

ITEM NUMBER:	7.1.3
DATE:	8 May 2007
SUBJECT:	PROPOSED SINGLE DWELLING – LOT 50 BETHANY ROAD, BEVERLEY
OWNER:	S Ramm
FILE REFERENCE:	BET 1482
AUTHOR:	Shire Planner – Warwick Carter

Appendix 3

BACKGROUND

Address: Lot 50 Bethany Road, Beverley
Zoning: TPS2 - Rural Residential
Use Class: Single House "AA"

The applicant proposes to construct a transportable dwelling on the property as well as relocate and construct new outbuildings on the site.

COMMENT

The dwelling is brand new and will be relocated onto the property. It shall be setback a minimum of 52m from the boundary.

The sheds are located a minimum of 30m from the boundary. The combined total area of the outbuildings is ~75m² and therefore complies with all policy provisions.

Given that the application complies with the Shire requirements, it is recommended that the application be approved.

M5/0507 **Moved Cr McDonald** **Seconded Cr Foster**
Council approve the application for single house and sheds at Lot 50 Bethany Road, Beverley subject to the following conditions:

- 1. The development shall be in complete accordance with the approved plans numbered 170407, prepared by the applicant and endorsed by Council's Shire Planner.**

CARRIED 7-0

Mr Frank Buise, Environmental Health Officer/Building Surveyor, entered the Chambers at 10.46am

7.1 TOWN PLANNING

ITEM NUMBER:	7.1.4
DATE:	11 May 2007
SUBJECT:	PROPOSED SEA CONTAINERS - 55 (LOT 25) FORREST STREET, BEVERLEY
OWNER:	R Jas
FILE REFERENCE:	FOR 170
AUTHOR:	Shire Planner – Warwick Carter

Appendix 4

BACKGROUND

Address: Lot 25 Forrest Street, Beverley
Zoning: TPS2 - Town Centre
Use Class: Shed "AA"

The applicant has two existing sea containers on the property. There is no record of approval for these containers. The application relates to retrospective approval for the containers as well as the construction of a covered area between them.

COMMENT

The Shire's Outbuilding Policy makes no reference to the 'Town Centre' zone and as such, Council guidance is required. The use class of 'Shed' is discretionary in the zone.

In the Town Centre zone, setbacks are at the discretion of Council.

Clause 4.8.5 of the Scheme states:

In considering application for planning consent for a proposed development (including additions and alterations to existing development) in the Town Centre Design Control Area Council shall have regard to the following:

- a) *the colour and texture of external building materials;*
- b) *building size, height, bulk, roof pitch;*
- c) *setback and location of the building on its lot;*
- d) *architectural style and design details of the building;*
- e) *function of the building;*
- f) *relationship to surrounding development; and;*
- g) *other characteristics considered by the Council to be relevant.*

The proposed development has no discernable architectural style and makes no contribution to the amenity of the area. On the other hand it is setback well away from the boundaries and functional.

Given that the development is well screened, setback away from the road and is not on Vincent Street, it is recommended that the development be retained and enhanced.

M6/0507 Moved Cr McLean Seconded Cr Szczecinski
Council approve the application for a Shed at Lot 25 Forrest Street, Beverley subject to the following conditions:

- 1. The development shall be in complete accordance with the approved plans numbered 080507, prepared by the applicant and endorsed by Council's Shire Planner.**

CARRIED 7-0

B Ongoing Conditions

- 3. The development shall be in complete accordance with the revised plans required under conditions 1 & 2, prepared by the applicant and endorsed by Council's Shire Planner.**

CARRIED 7-0

7.1 TOWN PLANNING

ITEM NUMBER:	7.1.7
DATE:	9 May 2007
SUBJECT:	PROPOSED SHED – LOT 13151 BILLABONG ROAD, WESTDALE
OWNER:	M Delborrello
FILE REFERENCE:	BIL 51177
AUTHOR:	Shire Planner – Warwick Carter

Appendix 7

BACKGROUND

Address: Lot 13151 Billabong Road, Westdale
Zoning: TPS2 - Farming
Use Class: Shed "AA"

COMMENT

The applicant has applied to construct a 540m² shed at the subject property.

The shed is 5.1m to the ridgeline. It is recommended that the application be approved.

M9/0507 **Moved Cr McDonald** **Seconded Cr Szczecinski**
Council approve the application for a shed at Lot 13151 Billabong Road, Westdale subject to the following conditions:

- 1. The development shall be in complete accordance with the approved plans numbered 040507, prepared by the applicant and endorsed by Council's Shire Planner.**

CARRIED 7-0

7.1 TOWN PLANNING

ITEM NUMBER:	7.1.10
DATE:	11 May 2007
SUBJECT:	PROPOSED SUBDIVISION – LOTS 801, 101, 10273, 50, 2552, 2928, 3662, 3233, 3234 Westdale Road, Beverley
OWNER:	Giebeler Australia Pty Ltd & P Giebeler
FILE REFERENCE:	SUBDIVI 134452
AUTHOR:	Shire Planner – Warwick Carter

Appendix 10

BACKGROUND

Address: Lots 801, 101, 10273, 50, 2552, 2928, 3662, 3233, 3234 Westdale Road, Beverley
Zoning: TPS2 - Farming

COMMENT

The WAPC has requested comment on the proposed subdivision of the above-mentioned lot into 10 titles. The property is currently made up of 10 titles. Whilst the application would appear to be a boundary realignment, and the applicant has stated that the purpose of the subdivision is for cropping and grazing, staff is concerned that the realignment may lead to fragmentation of farming land.

The property is located predominantly in the Be 4 area (proposed lot 1 is in Be 3a). It is noted in the Shire's rural strategy that there is a general presumption against subdivision in this area. There is also the ability to request caveats be placed on titles the result of subdivisions where farm management is the purpose of the subdivisions. These caveats are to restrict the construction of dwellings on the property.

The concern is, that whilst the Shire could request this condition, the applicant could also just sell off the lots in their current state on title. Neither scenario is conducive to the continued use of the properties for agricultural purposes, as required by the strategy. It is therefore recommended that the Shire should either recommend refusal of the subdivision or approval with a condition stopping the construction of dwellings on the land.

**M12/0507 Moved Szczecinski Seconded Cr McLean
Council recommend to the Western Australian Planning
Commission that application 134452 be approved subject to the
following condition:**

1. All crossovers be installed to the satisfaction of Council.

CARRIED 7-0

8. INFORMATION BULLETIN

8.4 SHIRE PLANNER

Nil.

Mr Warwick Carter, Shire Planner, left the Chambers at 11.18am.

7.2 HEALTH AND BUILDING

ITEM NUMBER:	7.2.1
DATE:	8 May 2007
SUBJECT:	PROPOSED PROSECUTION – LOT 1 BARTRAM STREET, BEVERLEY
FILE REFERENCE:	BAR4 173
AUTHOR:	Environmental Health Officer / Building Surveyor – Frank Buise

Appendix 11

BACKGROUND

Following up on a complaint concerning the dumping of building material at the end of Bartram Street (dirt track along the river) in early February of this year, I undertook a site inspection of the property next to where the material was dumped and noted that various building activities had commenced.

The owner was contacted and he advised me that he was in the process of undertaking modifications to the dwelling to the value of \$60,000.

A search of Shire records indicated that no building licences had been issued for the works to be carried out.

Undated plans have been submitted by the owner in April, which shows the original floor plan and the proposed alterations. The works are extensive.

Council at its meeting on 24 April 2007 requested a report on the matter.

Section 13 of the Building Regulations 1989 states:

13 (1) A builder shall not commence to construct, alter, add to or underpin any building and shall not commence any earthworks, necessary for, or incidental to, that construction, alteration, addition or underpinning until –

- (a) the plans, drawings and specifications have been approved,
- (b) the building surveyor has stamped the plans, drawings and specifications with the official stamp showing the number of the approval and the date of approval,

- (c) the builder has paid the appropriate fee prescribed in the Table to regulation 24, and
- (d) a license has been issued in the form of Form 4 or 5.

The penalty for the offence is a fine not exceeding \$5,000.

COMMENT

The owner has undertaken building works on the dwelling without the necessary approvals. The owner stated that the works would cost about \$60,000.

At the time of writing this report the works are nearly completed.

STATUTORY ENVIRONMENT

Building Regulations 1989. Section 13

M13/0507 Moved Cr McLean Seconded Cr Bailey
Council prosecute the owner of Lot 1 Bartram Street, for illegal building works under Section 13 of the Building Regulation 1989, and further, Council authorise the Principal Environmental Health Officer/Building Surveyor to instigate legal action.

CARRIED 7-0

7.2 HEALTH AND BUILDING

ITEM NUMBER:	7.2.2
DATE:	8 May 2007
SUBJECT:	NEGLECTED BUILDING – LOT 152 VINCENT STREET, BEVERLEY
FILE REFERENCE:	VIN 172
AUTHOR:	Environmental Health Officer / Building Surveyor – Frank Buise

BACKGROUND

The history of this building dates back to 1912. Council discussed the state of the building at its July 1992 meeting and resolved as follows:

‘due to the age of the building and its current use, an inspection with Council’s Building Surveyor is requested to discuss appropriate measures of repair to ensure the buildings structural soundness.’

Council further discussed the state of the building at its 21 June 2005 meeting.

An application for Planning Approval was dealt with by Council at its December 2005 meeting. The application for a new shed was approved subjected to 16 conditions.

A building licence was issued on 29 July 2006 for a new colourbond shed at the rear of the property.

A letter from Avon Trading dated 1 December 2005 states that the old shed would be demolished on completion of the new shed.

A demolition licence was issued on 23 December 2005, valid for twelve months.

As yet the building has not been demolished.

Regulation 407 states:

“neglected building” means a building which is ruinous, or so dilapidated as to be unfit for use or occupation, or which is from neglect or otherwise in a structural condition prejudicial to property in, or to inhabitants of, the neighbourhood in which it is situated.

Regulation 408 states:

(1) Where a local government is of the opinion that a building in its district is a neglected building it may cause written notice to be served on the owner or occupier of the building requiring him immediately –

- (a) to put the building or part into such state of repair and good condition as is to the satisfaction of the local government,
- (b) deleted, and
- (c) to take the building down.

The owner has the right of appeal.

The owner must respond in 35 days, if he fails to do so, a court of petty sessions may order him to carry out the works.

COMMENT

The owner has been contacted on numerous occasions and has stated that the shed would be demolished.

The matter was first raised in 1992 with Council and still remains unresolved.

The new shed has been erected for some time now, and the old shed is still standing, contrary to the owner's written and verbal intentions of demolishing it.

The demolition licence has now expired, and no new application has been received.

Council has no choice but to issue an order under section 408 of the Miscellaneous provisions Act for the shed to be demolished in 30 days.

STATUTORY ENVIRONMENT

Local Government (Miscellaneous Provisions) Act 1960 Section 407 & 408 1 I

**M14/0507 Moved Cr Szczecinski Seconded Cr Alexander
Council issue an order under Section 408 1(c) the Local
Government (Miscellaneous Provisions) Act 1960, for the owner of
Lot 152 Vincent Street, Beverley, to pull down and remove the old
timber framed shed from the property within 90 days.**

CARRIED 7-0

7.2 HEALTH AND BUILDING

ITEM NUMBER:	7.2.3
DATE:	15 May 2007
SUBJECT:	PROPOSED SHED – RESERVE 231 NICHOLAS STREET, BEVERLEY
FILE REFERENCE:	NIC 231
AUTHOR:	Environmental Health Officer / Building Surveyor – Frank Buise

BACKGROUND

The Beverley District Motorcycle Club has the use of the land (Ulinga Park). The Secretary has written seeking permission to erect a 6m x 3m shed on the Reserve to be used as a motorcycle scrutineering facility.

As the property is a Reserve, Council approval is required for the shed to be erected on the property.

COMMENT

There are a number of buildings on the property now. The property is used periodically for motorcycling events. The Secretary stated that a scrutineering shed was required to inspect machines prior to them taking part in events.

The property is secluded from residential properties and has been in use for some years without any complaints.

M15/0507 Moved Cr Foster **Seconded Cr Bailey**
Council allow the Beverley Districts Motorcycle Club to erect a 6m x 3m steel shed on Reserve 231 subject to compliance with the Building Code of Australia, and further the building licence fee be waived.

CARRIED 7-0

8. INFORMATION BULLETIN

8.2 ENVIRONMENTAL HEALTH OFFICER / BUILDING SURVEYOR

8.2.1 General Correspondence, duties and communications for EHO/Building issues; General duties with complaints, building activities follow-ups, food recalls, Building returns, water sampling, Builders Registration Board returns.

8.2.2 BUILDING LICENSES ISSUED:

Building licenses issued up to 15 May 2007

Lic No	77 06/07	Lic No	79 06/07
Lot No	28 Railway Street	Lot No	116 Simmons Road
Building	Relocated Dwelling	Building	Shed
Value	\$85,000	Value	\$11,000
Lic No	80 06/07	Lic No	81 06/07
Lot No	193 Langsford Street	Lot No	100 Barnsley Street
Building	Shed	Building	Patio
Value	\$19,157	Value	\$5,000
Lic No	83 06/07	Lic No	84 06/07
Lot No	19 York Williams Road	Lot No	303 Harper Street
Building	Addition	Building	Patio
Value	\$5,000	Value	\$2,000
Lic No	85 06/07	Lic No	86 06/07
Lot No	50 Forrest Street	Lot No	1 Vincent Street
Building	Patio	Building	Fit out/Dwelling
Value	\$11,000	Value	\$80,000
Lic No	87 06/07	Lic No	88 06/07
Lot No	7145 Brookton Highway	Lot No	340 Richardson St
Building	Enclose Verandah	Building	Garage
Value	\$11,000	Value	\$11,200
Lic No	89 06/07	Lic No	90 06/07
Lot No	115 Simmons Road	Lot No	59 Forrest
Building	Patio	Building	Reloc Transportable
Value	\$5,000	Value	\$100,000

Council agreed to receive the Environmental Health Officer/Building Surveyor's Report.

8.2 ENVIRONMENTAL HEALTH OFFICER / BUILDING SURVEYOR

ITEM NUMBER: 8.2.3
SUBJECT: LOT 28 RAILWAY STREET, BEVERLEY
FILE REFERENCE: RAI2 51183

BACKGROUND

The Environmental Health Officer/Building Surveyor gave Council the following report:

The relocated transportable dwelling which was placed on site by Susan Schmidt has now been sold, in an as is condition. In other words the dwelling has not been completed. I contacted the new owner who advised me that he was to relocate the dwelling to his bed and breakfast property in York.

I advised him to notify me in writing of the move and he also indicated that the \$5,000 cash bond has to be returned to him, as he had paid the owner the extra \$5,000. He was also advised that he would have to seek approval from Shire of York for the building to be placed on his property.

This is a most unusual set of circumstances, and there appears to be no precedent. I therefore recommend that Council should seek a legal opinion as to what to do about the bond monies.

M17/0507 Moved Cr Schilling Seconded Cr Foster
Council authorise the Environmental Health Officer/Building Surveyor to liaise with the solicitors McLeods to provide an opinion in regard to the bond on the application from Susan Schmidt in regard to the second-hand transportable building.
CARRIED 7-0

Mr Steve Vincent entered the Chambers at 11.29am.

Mr Frank Buise, Environmental Health Officer/Building Surveyor left the Chambers at 11.34am.

7.3 PLANT, WORKS, RECREATION AND TOURISM

ITEM NUMBER: 7.3.1
DATE: 10 May 2007
SUBJECT: EMERGENCY REPAIRS TO BRIDGE 3200
FILE REFERENCE: CP 019P
AUTHOR: Works Supervisor – Steve Vincent

BACKGROUND

Council has received a letter from Main Roads requesting the emergency repairs are carried out on the abutment and wing walls of bridge 3200. This is the bridge on York Williams Road at Boyadine.

COMMENT

Quotes have been received from Jomar Construction and C Cutri to carry out these repairs. Possible "Emergency Repairs" through Main Roads WA will cover the cost of the pile repairs once the work is completed. The access stairs will be covered by Main Roads and the sheeting by the Shire.

This is a breakdown from Main Roads of the quotes received:

Work Required	Jomar Construction rate	Jomar Construction total	C Cutri total
x4 Wingwall pile repairs	\$6,650.00	\$26,600.00	\$ 26,000.00
x1 Abutment pile repair	\$7,120.00	\$ 7,120.00	
Abutment Sheeting repair	\$2,250.00	\$ 2,250.00	\$ 400.00
Access Stairs	\$3,740.00	\$ 7,480.00	\$ 8,950.00
Total inc GST		\$47,795.00	\$ 38,885.00
Total ex GST		\$43,450.00	\$ 35,350.00

Notes		+ Traffic Management
Shire Emergency Repair (piles only no sheeting repair.)	\$33,720.00	\$ 26,000.00
Main Roads – Access Stairs	\$ 7,480.00	\$ 8,950.00

7.3 PLANT, WORKS, RECREATION AND TOURISM

ITEM NUMBER:	7.3.2
DATE:	13 June 2007
SUBJECT:	REWIRE OF RETICULATION ON THE OVAL
FILE REFERENCE:	FOR 1623
AUTHOR:	Works Supervisor – Steve Vincent

BACKGROUND

There is an allocation of \$7,000 to rewire the reticulation on the oval.

A quote has been received from Waterman Irrigation to rewire and install a new controller using a two-wire system for \$ 8,346

or

Rewire using a two-wire system and existing controller for \$ 6,249.

Both options don't include trenching, cable connectors or conduit.

Approx.	\$ 700	trencher
	\$ 1,260	cable
	\$ 183	connectors
	\$ 700	conduit
	=====	
Total	\$ 2,843	
	=====	

COMMENT

With the new technology that the Waterman controllers use, only two wires to operate all the existing 19 solenoids on the oval. This system when connected to the Waterman Controller will provide so many extra features that our existing controller cannot.

For example it would be able to group any of the station together and monitor the pressure so that the system is running more effectively. If there is a fault during watering times, a change in water pressure is noticed and will automatically go to the next station, then notify the gardener via SMS and stored on the controller where the fault is. It can monitor the salt content in the water. The controller once it is set it cannot be accidentally changed or turned off without using a PIN number. Manual testing is simple without having to change anything on the controller.

A decoder can be fitted to our existing controller and still use the two wire system but none of the other features would be available.

8. INFORMATION BULLETIN

8.3 WORKS SUPERVISOR

8.3.1 GENERAL – PLANT AND WORKS

8.3.1.1 Road Audits

Keith Dickerson from RSA has carried out road audits on two intersections, this information will be sent to Main Roads for Black Spot Funding consideration for 2008 / 2009.

The intersections audited were Waterhatch Rd, Kokendin Rd and Talbot West Road that includes the two-kilometer narrow section of bitumen on Talbot West Rd.

Yenyening Lakes - Qualandary Road Intersection.

8.3.1.2 Oval

The Oval has been scheduled to be verti drained and spread with gypsum on Wednesday 16 May 2007.

Samples will also be taken for testing

8.3.1.3 CAT 926E Loader (tip loader)

The main hydraulic pump failed and required rebuilding. While this was apart the steering pump was also rebuilt.

8.3.1.4 Roads Graded

The grader has been working on the following roads Balkuling, Draper, Gors, McDonald, McKellar, Murray, Talbot West, York Williams, Butchers, and Hobbs.

The conditions are still dry and not suitable for building the rural roads up. We are currently cleaning up the off shoots and grading the corrugated sections.

8.3.1.5 Tree Lopping

In Hope Street contractors have lopped trees that are too high for our equipment to reach. They are to due return this week to lop more trees at Apex Park, Bartram Street, Hamersley Street and at the Oval.

8.3.1.6 Forrest Street Drain

After discussions with the CEO regarding the proposal for draining storm water through lots 37 & 38 Forrest Street, it is to be determined what will the requirements be if Railway Street and Taylor Street are developed in the future.

I'm to seek further information from BG & E Consulting Engineers as the calculations and recommendations have already been carried out, at cost of \$8,382 to the Shire.

The proposal they are currently recommending is to install an open drain along these blocks and pipe under the Forrest Street with 600mm diameter reinforced concrete pipes.

The information we require is what pipe size would be required if at some stage in the future this open drain was to be filled in and piped.

8.3.1.7 Toilet Sign

Symbolic signs have been ordered for the public toilets at the Memorial Park and behind the Town Hall.

8.3.1.8 Plant Report

Appendix 12: Compiled by Mr Jim Evans, Shire Mechanic.

8.3.2 CONSTRUCTION

8.3.2.1 Greenhills South

Gravel has been laid from Barrington Rd to the York Shire Boundary

8.3.2.2 Bitumen Footpaths

The bitumen footpaths have been completed along Monger Street and Dawson Street. Extra gravel had to be carted in for both areas, as there were problems with the foundations.

8.3.2.3 Reseals

Boral have completed all of the reseals.

Council adjourned for lunch at 12.30pm.

Mr Steve Vincent left the Chambers at 12.30pm and returned when the meeting reconvened at 1.54pm.

Council reconvened at 1.54pm.

8.3.2.4 Kerbside Collection – Beverley Townsite

An advertisement will be placed in the Blarney notifying residents that Council will collecting rubbish left on the verge on Monday 25 June 07.

i.e. It may include - whitegoods, furniture, electrical appliances and scrap metal. Rubble, asbestos, and car bodies will not be collected.

A Green Waste collection will be held at a later date.

8.3.2.5

Backhoe

Awaiting values and delivery from Hitachi in about a weeks time.

Council agreed to receive the Works Supervisor's Report.

Mr Steve Vincent, Works Supervisor, left the Chambers at 1.04pm.

7.4 FINANCE

ITEM NUMBER: 7.4.1
DATE: 15 May 2007
SUBJECT: SCHEDULE OF ACCOUNTS
AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

Appendix 13

M20/0507 Moved Cr McLean Seconded Cr Szczecinski
The Schedule of Accounts for the month of April 2007 be received.
CARRIED 7-0

7.4 FINANCE

ITEM NUMBER: 7.4.2
DATE: 15 May 2007
SUBJECT: FINANCIAL REPORT FOR THE PERIOD ENDED 30
APRIL 2007
AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

M21/0507 Moved Cr Foster Seconded Cr Bailey
The Financial Report, as presented, for the period ended 30 April
2007 be presented.
CARRIED 7-0

7.4 FINANCE

ITEM: 7.4.3
DATE: 14 May 2007
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 May 2007 with Esanda Investments.

▪ Office Equipment Reserve	\$ 18,681.00
▪ Annual Leave Reserve	\$ 94,179.00
▪ Building Reserve	\$ 358,803.00
▪ Leave and Gratuity Reserve	\$ 18,142.00
▪ Plant Reserve	\$ 511,109.00
▪ Recreation Ground Reserve	\$ 221,101.00
▪ Bush Fire Fighters Reserve	\$ 59,501.00
▪ Avon River Development Reserve	\$ 24,972.00
▪ Community Bus Reserve	\$ 17,978.00
▪ Cropping Committee Reserve	\$ 67,350.00
▪ Municipal Fund	\$ 400,000.00
▪ Municipal Fund	\$ 400,000.00

The Investment terms are as follows:

Certificate#	Term	Interest Rate	Amount	Expires
1412817005	63 Days	6.35%	\$ 1,391,816.00	12/06/2007
1412801008	33 Days	6.35%	\$ 400,000.00	16/05/2007
1412803010	30 Days	6.35%	\$ 400,000.00	16/05/2007

M22/0507 Moved Cr Foster **Seconded Cr Alexander**
The investment report for the month of May 2007 be received.
CARRIED 7-0

7.4 FINANCE

ITEM NUMBER:	7.4.4
DATE:	14 May 2007
SUBJECT:	BAD DEBTS TO BE WRITTEN OFF
FILE REFERENCE:	FM 002
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

Council has bad debts that remain outstanding despite a number of account reminders and Council's debt collectors attempting to retain the outstanding amounts. The debts are as follows:

- D Rye \$ 44.00 for standpipe charges relating back to May 2006.
- S Ugle \$ 57.75 for Amenities Hire relating to a wake held February 2005.
- T Wheeler \$ 86.85 for legal fees relating back to March 2005.

COMMENT

D Rye

This account relates to water taken from the standpipes during 2005 / 2006. Statements have been forwarded but no correspondence has been received from the debtor.

S Ugle

This account relates to Amenities building hire for the wake of the late Ivy Mourish in February 2005. Statements have been forwarded but once again no correspondence has been received from the debtor.

T Wheeler

This account relates to legal fees that were raised in relation to outstanding rates back in March 2005. This property was sold in January 2006 and unfortunately these fees were overlooked when advising the settlement agent of the outstanding debts on the property. Council's rates officer has attempted to locate Mr Wheeler but has been unsuccessful. As this has been an oversight by staff I believe this should be written off.

VOTING REQUIREMENT

Absolute Majority.

M23/0507 Moved Cr Alexander Seconded Cr Bailey
Council write off the unpaid accounts of D Rye \$44.00, S Ugle
\$57.75 and T Wheater \$86.85.

CARRIED 7-0

7.4 FINANCE

ITEM NUMBER:	7.4.5
DATE:	15 May 2007
SUBJECT:	FINANCIAL ASSISTANCE – COUNTRY MEDICAL FOUNDATION
FILE REFERENCE:	FM 011 & PH 023
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

Appendix 14

BACKGROUND

The President has received a letter from the Chairman of the Country Medical Foundation asking if Council would consider making an annual donation towards the foundation.

COMMENT

The Country Medical Foundation commenced 18 years ago as an initiative of Local Government aiming to solve the shortage of doctors and nurses in Rural and Remote WA.

A copy of the letter from the Chairman Mr Ken Pech is attached.

M24/0507 **Moved Cr Alexander** **Seconded Cr Bailey**
Council donate \$500.00 to the Country Medical Foundation.
CARRIED 7-0

7.5 ADMINISTRATION

ITEM NUMBER:	7.5.1
DATE:	15 May 2007
SUBJECT:	GATE PERMIT APPLICATION – LOT 179 BENNETTS ROAD, BEVERLEY
FILE REFERENCE:	WO BEN
AUTHOR:	Chief Executive Officer – Keith Byers

BACKGROUND

This matter was deferred at the April meeting of Council to allow the majority of Councillors to inspect the road.

Councillors carried out a road inspection on Tuesday 1 May 2007.

Permission is being sought by the owner of Lot 179 Bennetts Road, Beverley to place a gate at the northern boundary of his property on Bennetts Road.

COMMENT

Clause 9 of the Local Government (Uniform Provisions) Regulation 1996 states:

“9. (1) A person may apply to the local government for permission to have across a public thoroughfare under the control or management of the local government a gate or other device that enables motor traffic to pass across the public thoroughfare and prevents livestock from straying.

(2) The local government may, before dealing with the application, require the applicant to publish notice of the application in such manner as the local government thinks fit.

(3) Permission granted by the local government under this regulation is required to specify the period for which it is granted and may be renewed from time to time.

(4) The local government may impose such conditions as it thinks fit on the construction, placement and maintenance of the gate or other device across the public thoroughfare and may, when renewing the permission or at any other time, vary any condition.

(5) The local government may at any time withdraw permission granted under this regulation and request the person responsible for the gate or other device to; remove it within a time specified in the request.

(6) A person to whom a request is made under subregulation (5) commits an offence if the person fails to comply with the request.

(7) The penalty for an offence under subregulation (6) is \$1,000.

(8) A local government is required to keep a register of gates and other devices constructed under this regulation.

M25/0507 Moved Cr Szczecinski Seconded Cr Alexander
Council request the applicant to publish in the Beverley Blarney notice of his intent to seek permission to place a gate across Bennetts Road adjoining the northern boundary of Lot 179. If no objections are received he be permitted to proceed to install the gate, being a 14 foot steel swinging gate with an access sign advising that it is public thoroughfare and the gate is to be closed at all times. This will be valid for a period of twelve months from the date of approval and he will be required to submit a further application at such time that the license expires.

CARRIED 7-0

7.5 ADMINISTRATION

ITEM NUMBER: 7.5.4
DATE: 14 May 2007
SUBJECT: OLD FIRE STATION – USE
FILE REFERENCE: VIN 1114
AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

Appendix 16

BACKGROUND

Council is aware in the near future they will be the custodians of the Old Fire Station and have received requests from parties to use this building.

COMMENT

The Beverley Local Drug Action Group has once again reaffirmed their desire to occupy the Old Fire Station as their headquarters.

In April 2006 Mr John Saville-Wright and Lynette Vincenti voiced concerns on allowing this building to be used as a Youth Centre, given the building’s closeness to the main road and the graffiti that could occur in the area. Isobel also approached Council in May 2006 enquiring about hiring the station for a “gallery” to display illustrations from her book “Nanbaree”.

Council has in the past have discussed allowing the building to be used as a Youth Centre due to its location and the open space surrounding the building that could be developed to establish recreational facilities (i.e. skate park, ½ court basketball etc).

If Council does consider allowing the Beverley Local Drug Action Group to use this building there may be requirements to be met under the Health (Public Buildings) Regulations 1992.

M28/0507 Moved Cr Foster Seconded Cr Schilling
Council advise the Beverley Local Drug Action Group that Council is unable to offer them the use of the Old Fire Station, but are able to offer them the use of the Exhibition Shed at the Oval for use as their Headquarters, subject to negotiating terms and conditions with Council.

CARRIED 7-0

7.5 ADMINISTRATION

ITEM NUMBER:	7.5.5
DATE:	14 May 2007
SUBJECT:	UNNAMED ROAD
FILE REFERENCE:	RO 014
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

Appendix 17

BACKGROUND

Mr S Richards has sold Avon Location 16914 and was required to construct a road to access this location from Clulows Road.

COMMENT

This road has now been constructed to Council's satisfaction and I require a road name from Council that can be recommended to the Geographic Names Committee.

I am not sure of any particular feature, previous owner, or whether the area or historical prominence might assist with a suitable name.

M29/0507 **Moved Cr McLean** **Seconded Cr Foster**
Council recommend to the Geographic Names Committee that a suggested name for the road would be "Blechynden Road".
CARRIED 7-0

7.5 ADMINISTRATION

ITEM NUMBER:	7.5.6
DATE:	15 May 2007
SUBJECT:	ROAD SIGNAGE – DALE KOKEBY ROAD
FILE REFERENCE:	TT 011 & WO DAL1
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

A request has been made that speed restriction signs be placed on the Dale Kokeby Road.

COMMENT

Councillor Roberts has received a letter from Mr John English regarding placing traffic control signs on the Dale Kokeby Road the letter reads;

"I am writing to let you know that Melissa Ugle and her children are now living at lot 1878 Dale Kokeby Road. The reason I think that a road sign should be placed, near the bend, as many trucks and cars use the road. The drivers of cars use this road as a speed track. "A slow down" sign might help keep them to a normal speed on this road. I hope something can be done about this."

Whilst I can understand Mr English's concerns relation to the speed of traffic, it is the responsibility of Main Roads Western Australia to place regulatory signs on roads. I would suggest that Main Roads would not place regulatory signs on gravel roads due to the road conditions that can change at any time.

M30/0507 Moved Cr Foster **Seconded Cr Schilling**
Council advise Mr John English that it is unable to place regulatory signs on the Dale Kokeby Road, as this is the responsibility of Main Roads Western Australia.

CARRIED 7-0

7.5 ADMINISTRATION

ITEM NUMBER:	7.5.7
DATE:	22 May 2007
SUBJECT:	VINCENT STREET – TRAFFIC SPEED LIMIT
FILE REFERENCE:	WO VIN, TT 003, TT 011

BACKGROUND

Cr Szczecinski expressed concern that vehicles travelling along Vincent Street were doing so at a speed, which placed the safety of other persons within the area, at risk.

M31/0507 **Moved Cr Szczecinski** **Seconded Cr McDonald**
Council request Main Roads Western Australia to place 40kph
speed restriction signs to slow road traffic in Vincent Street,
between Dawson Street and Bartram Street.

CARRIED 7-0

8. INFORMATION BULLETIN

8.1 CHIEF EXECUTIVE OFFICER

ITEM NUMBER:	8.1.1
DATE:	15 May 2007
SUBJECT:	DEFERMENT OF EXTRA ORDINARY ELECTION
FILE REFERENCE:	GOV 008
AUTHOR:	Chief Executive Officer – Keith Byers

BACKGROUND

At the April Council Meeting it was resolved that a request be made to the Electoral Commissioner to defer the Extra Ordinary Election to fill the vacancy in the North Ward until the date of the Ordinary Elections on 20 October 2007.

Advice has been received back from the Electoral Commissioner who has granted approval to defer the election under section 4.16(4) of the Local Government Act 1995.

The matter is noted and Council hold a farewell function for Councillor Scott Leonhardt in the Council Chambers within the near future.

8.1 CHIEF EXECUTIVE OFFICER

ITEM NUMBER:	8.1.2
DATE:	15 May 2007
SUBJECT:	SEAVROC MEMORANDUM OF UNDERSTANDING
FILE REFERENCE:	GR 018
AUTHOR:	Chief Executive Officer – Keith Byers

BACKGROUND

Ljiljana Ravlich MLC Minister for Local Government will be attending the signing of SEAVROC Memorandum of Understanding, which is to be held on Friday 22 June 2007 at the Shire of York commencing at 10.15am.

The matter be noted.

The President reminded Councillors that the next SEAVROC meeting will be hosted by the Shire of Beverley and held in Council Chambers on Wednesday 6 June commencing at 9am.

8.1 CHIEF EXECUTIVE OFFICER

ITEM NUMBER:	8.1.3
DATE:	15 May 2007
SUBJECT:	BEVERLEY COMMUNITY DEVELOPMENT ASSOCIATION
FILE REFERENCE:	ED 007
AUTHOR:	Chief Executive Officer – Keith Byers

Appendix 18

BACKGROUND

The Beverley Community Development Association has written regarding several items that are relevant to Council namely:

- Community Notice Board
- Budget Allocation
- Lotterywest Grant
- Caravan Park
- Town Map

Council agreed that in relation to the Community Notice Board Budget Allocation and the updating of the Town Map these items will be considered when formulating the 2007 / 2008 budget.

8.1 CHIEF EXECUTIVE OFFICER

ITEM NUMBER:	8.1.4
DATE:	15 May 2007
SUBJECT:	FORREST STREET DRAINAGE
FILE REFERENCE:	WO FOR & RO 020
AUTHOR:	Chief Executive Officer – Keith Byers

Appendix 19

BACKGROUND

Correspondence has been received from Paul and Cheryl Casserly who are the owners of Lot 38 Forrest Street and have advised that they approve of Council installing an underground drainage pipe adjacent to the fence line between their block and that of Trevor & Carol Boyle.

At the April Council meeting Council agreed to obtain quotes to prepare a drainage design for the entire Railway Street, Horley Street and Taylor Street catchment area. The Works Supervisor reporting on this during the meeting.

Council agreed to advise Paul and Cheryl Casserly of the intention to obtain quotes to prepare a drainage plan for the entire catchment area affecting their property.

8.1 CHIEF EXECUTIVE OFFICER

ITEM NUMBER:	8.1.5
DATE:	15 May 2007
SUBJECT:	CBH GROUP'S BEVERLEY RECEIVAL POINT
FILE REFERENCE:	ED 004
AUTHOR:	Chief Executive Officer – Keith Byers

Appendix 20

BACKGROUND

Mr. Trevor McLean will be attending a workshop on 23 May 2007 to discuss the future of grain receival points within the shire.

A copy of correspondence received by Mr. McLean from Co-Operative Bulk Handling is attached.

The matter be noted.

8.1 CHIEF EXECUTIVE OFFICER

ITEM NUMBER:	8.1.6
DATE:	15 May 2007
SUBJECT:	LOCAL GOVERNMENT CONVENTION 2007
FILE REFERENCE:	GR 002
AUTHOR:	Chief Executive Officer – Keith Byers

BACKGROUND

The West Australian Local Government Association have written requesting the name of two (2) voting delegates who are entitled to vote on behalf of Council at the 2007 Annual General Meeting. Voting delegates can either be elected members or serving officers.

Local Government Convention 2007 is schedule for Saturday 4 August to Monday 6 August 2007. Accommodation reservations have been made at the Holiday Inn Burswood.

Council agreed that Councillors Schilling, McLean, Alexander, and Szczecinski along with Stephen Gollan, Deputy Chief Executive Officer attend the WALGA convention in August. WALGA be advised that the Shire President and the Deputy Shire President will be the Shire of Beverley delegates entitled to vote on behalf of Council at the 2007 Annual General Meeting.

8.1 CHIEF EXECUTIVE OFFICER

ITEM NUMBER:	8.1.7
DATE:	15 May 2007
SUBJECT:	RENAMING OF BROOKTON HIGHWAY
FILE REFERENCE:	RO 014
AUTHOR:	Chief Executive Officer – Keith Byers

Appendix 21

BACKGROUND

The Shire of Kondinin has written requesting Council support to have Brookton Highway renamed to Wheatbelt Highway. The Shire of Kondinin advise that the reason for this is that a number of people are surprised when they come to the Kondinin Shire area that the road is still referred to as the Brookton Highway. A number of people believe that the Brookton Highway exists between Perth and Brookton only.

Wheatbelt Highway was chosen because all the shires this road crosses, grows wheat and is more reflective of the entire area.

The matter be noted.

8.1 CHIEF EXECUTIVE OFFICER

ITEM NUMBER:	8.1.8
DATE:	15 May 2007
SUBJECT:	CENTRAL COUNTRY ZONE WALGA
FILE REFERENCE:	GR 003
AUTHOR:	Chief Executive Officer – Keith Byers

BACKGROUND

Advice has been received from the Executive Officer of the Central Country Zone of WALGA, Mr. Niel Mitchell, that he has accepted the position of Chief Executive Officer at the Shire of Yalgoo and has resigned from the Executive Officer position taking effect from 15 June 2007.

The matter be noted.

8. INFORMATION BULLETIN

8.5 POOL MANAGER

Nil.

9. TABLED CORRESPONDENCE

- The West Australian “The Wheatbelt” liftout Friday May 11, 2007
- Department of the Premier & Cabinet 2007 – State Water Plan 2007
- CBH Group – Pick of the Crop 07 – April News Update
- Department of Housing and Works – Streamlining Building Control
- Minister for Environment and Water Resources – Round 3 of Australian Government Community Water Grants.
- Landcorp – Developmental Regional – Autumn 2007
- WA Government Association – Tourism WA Visitor Service Guide Part 1 & 2 – Local Government Options Kit
- Avon Catchment Council – Annual Report 2005 – 2006
- Department of Housing and Works – Project Update – March 2007
- City of Perth – City Vitality – Summer 2007
- FPA Australia – Fire Australia – Autumn 2007
- RoadWise – Regional Round-Up – April 2007

10. OTHER BUSINESS

ITEM NUMBER:	10.1
SUBJECT:	BEVERLEY AIRFIELD
FILE REFERENCE:	BRE 32745

BACKGROUND

The Chief Executive Officer further clarified the intent of correspondence from the solicitors Freehills in regard to the Beverley Soaring Society, which matter went before Council at the April meeting (item 8.1.3) when it was decided that the status quo remain.

Council agreed to advise Freehills, the solicitors acting on behalf of the Beverley Soaring Society, that at this stage Council has no comment to make in relation to the proposed offer being considered to be put to the Edwards family.

ITEM NUMBER: 10.2
SUBJECT: LYN'S GYM
FILE REFERENCE: VIN 1620

BACKGROUND

Correspondence has been received from Lyn's Gym seeking Council approval to lift and store The Courthouse stage.

Council agreed to inspect the stage at the Courthouse at the time of the building inspection on 12 June 2007 and report back to the next meeting of Council.

ITEM NUMBER: 10.3
SUBJECT: LEASING OF CROPPING COMMITTEE LAND –
MOUNT KOKEBY BLOCK (RESERVE 38798)
FILE REFERENCE: CP 017

BACKGROUND

Correspondence from Department of Planning & Infrastructure advising that Council's lease from them of the Mount Kokeby Block (Reserve 38798) is for \$1,800 per annum for 5 years with a review in 2010.

Council agreed to accept the terms of the lease as set out in the correspondence from the Department for Planning and Infrastructure.

ITEM NUMBER: 10.4
SUBJECT: SPECIAL YEARLY DAY FOR A BEVERLEY EVENT
FILE REFERENCE: RC 019

Cr McDonald advised that a person who wished to commence holding an annual event specifically for Beverley had contacted him. The organiser's speciality is in the theme of rock and roll and the Old Race Course had been suggested as the venue.

It was agreed that Cr McDonald extends an invitation to the person organising the event to address Council at one of their meetings.

ITEM NUMBER: 10.5
SUBJECT: BEVERLEY EMERGENCY SERVICES CADETS
BI ANNUAL CAMP
FILE REFERENCE: FOR 1623

BACKGROUND

Further to item 8.1.4 of the March Meeting of Council when Council resolved to support the Beverley Emergency services Cadets Bi Annual Camp to be held at the town oval from 8 to 11 October 2007 and to provide any thoughts of projects for the cadets.

Cr Schilling advised that a meeting was held with Leesa Morrell and it was decided that Leesa contact the Avondale Discovery Farm.

ITEM NUMBER: 10.6
SUBJECT: EXPRESSION OF THANKS – MR S GOLLAN

Steve Gollan, Deputy Chief Executive Officer, expressed thanks to Councillors for support given to his family and himself since the recent fire.

ITEM NUMBER: 10.7
SUBJECT: BEVERLEY DANCE GROUP – HALL HIRE
FILE REFERENCE: CP 009

BACKGROUND

The matter of consideration of waiver of hall hire charge for the Beverley Dance Group was considered at the March meeting of Council and Motion 12/0307 resolved to advise that the Group come within the private use category and therefore the hall hire fees would not be waived.

Cr Schilling advised today's meeting that Anne Woods had approached her advising that the Group may have to close but, after further consideration, advised that \$35.00 was an amount that she could meet.

Cr Schilling put the matter to Council for consideration.

M32/0507 Moved Cr Schilling Seconded Cr McLean
Council advise Anne Woods that the Beverley Dance Group can use the Town Hall to hold weekly dance lessons, when required, subject to availability of time, at a cost of \$35.00 (inclusive of GST) per use, with the amount being reviewed at the end of the calendar year.

CARRIED 7-0

ITEM NUMBER: 10.8
SUBJECT: MEETINGS

Cr Schilling reminded Councillors to meet in Council Chambers for the following meetings:

Thursday 31 May 2007	9am	WAAMI Asset Management Meeting
Wednesday 6 June	9am	SEAVROC Meeting
Tuesday 12 June 2007	9am	Building Inspection

11. CLOSURE

There being no further business the meeting closed at 4.26pm.

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

Presiding Member

Date