MINUTES OF AN ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON TUESDAY 24 OCTOBER 2006

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
Cr S Leonhardt		North Ward
Mr K. L. Byers	Chie	of Executive Officer
Miss C. Emanuel		Secretary

Apologies

Cr M. G. Roberts South Ward

Leave of Absence

Nil

Mr Warwick Carter, Town Planner, entered Council Chambers at 10.00am.

3. PUBLIC QUESTION TIME

3.1 RATEPAYERS PETITION

A number of members of the Beverley community attended Public Question Time with a petition signed by persons residing in Beverley, stating

'This Petition is to formally put on notice to the C.E.O., Town Planner and Health Inspector that there is a "NO CONFIDENCE VOTE" Pending as to the lack of foresight and future progress of <u>OUR</u> town.'

Mrs Alex McDonald, representing the petitioners, explained that Hon Jon Ford and Jackie Hornsby's offices had advised of the petition procedures.

Mrs McDonald outlined examples of why the petitioners felt that business in particular are not encouraged in the Shire of Beverley, this included:

- Conditions placed on a development application for a Hayshed on Potts Road in 1999.
- Caravan Park not having the size, or location to attract tourists.

Mr David Hardy enquired as to the number of bays that will be available in the Caravan Park following the upgrade. Upon Cr Schilling advising that there will be 19 bays available, Mr Hardy stated this to be a lack of future planning for Beverley as the number of tourists potentially using the Park would be well in excess of this figure.

Mr Corrie Egbert commented on the Beverley Airfield and its caravan park, expressing a concern for the inadequate charge to the Beverley Soaring Society for use of the airfield and alleged that Council business was conducted in a secretive manner.

Mr Harry Jones commented on the Shire of Beverley having a bad reputation in broader areas, giving the example of the recent Motorcycle event held in Westdale, where there were many persons not choosing to use the facilities of the Beverley Caravan Park due to it not being a satisfactory place to stay.

Cr Schilling outlined the future works proposed for the Caravan Park. The reason Council has opted to upgrade the Park rather than relocate was that the current site provided easy access to the main street. Although Council acknowledged that the Shire Works Depot did not enhance the aesthetics of the Caravan Park the cost to shift this facility was prohibitive and would place to large a burden on ratepayers. To improve the outlook for visitors a clean up of the general area was planned. Cr Schilling added that the Amenities/Oval carpark has been successfully used for Caravan Clubs for some time.

Cr Schilling assured those present that Council fully support development in Beverley, however State and Federal Government legislation can at times be inflexible, frustrating those whom simply want to get on with their proposals. Cr Schilling reinforced that the Shire was not immune to rules and regulations and the need to plan, citing the following examples:

- Beverley's industrial area having long-term Native Title issues.
- Prioritising the many annual projects with increasing costs for ongoing issues, such as maintenance of roads, plant equipment and old buildings.
- The cost and changing decisions of FESA involved in the collocated Fire Station together with a new fire tender,.
- Plans for the use of the Old Fire Station being delayed by ownership and possible Heritage issues.

Cr Schilling invited more public attendance at Council Meetings and was happy to see the Beverley community interested in issues. She hoped that her monthly report in the Blarney was viewed as beneficial.

Cr Alexander mentioned petitions that circulated in support of the Soaring Society bringing income to Beverley, and the countless hours Council had spent in discussions regarding the Beverley Airfield.

Mrs Alex McDonald and others present raised concerns regarding the general lack of communication from the Shire, relating to:

- Letters not consistently being addressed or acknowledged.
- Difficulties understanding procedures due to intimidating and unsatisfactory attitudes from the Shire Planner and Environmental Health Officer/Building Surveyor.

Cr Schilling thanked those attending and voicing their concerns and assured them that efforts to address these issues would be discussed.

3.2 RESTAURANT DEVELOPMENT – 145 VINCENT STREET

Mr John Saville-Wright addressed Council with the issue of residents' discontent over conditions he believed might have been placed on his application to develop a restaurant at 145 Vincent Street, which resulted in his decision to withdraw prior to Council's meeting. He stated that Frank Buise, Environmental Health Officer/Building Surveyor, advised him that the restaurant should be licensed for 90 patrons when in fact he only wanted to cater for 50 persons. To satisfy requirements for the additional number extensive plans were completed. Warwick Carter, Shire Planner, then informed Mr Saville-Wright that a change of use for the building would be needed along with an on-site bituminised carpark catering for 20 vehicles including 2 bays for disabled persons. As a consequence of frustrations over confusing regulations and a lack of communication from the Shire Planner and Environmental Health Officer/Building Surveyor, Mr Saville-Wright withdrew his application.

Mr Saville-Wright explained how this had been his third attempt at starting a business in Beverley and why he felt there is;

- A lack of support for businesses,
- A lack of communication from the Shire, including;
 - Unsatisfactory attitudes from Officers,
 - A lack of response to letters, and
 - Letters too complicated for the public to comprehend

An apology was also requested from a Councillor whom had stated that the public did not know what they were doing.

Mr Saville-Wright requested a Committee be formed to oversee Planning and Building issues and for consideration of a new application.

Cr Schilling voiced Council's disappointment at the withdrawal of the restaurant plans as the need for a bituminised carpark could have been discussed during the Council Meeting.

Cr Schilling read out her President's Report, then encouraged all communications be in writing to avoid misunderstandings that had been occurring. She also encouraged the community to use the Beverley Blarney as a source of gaining information on projects and for feedback to the Shire.

3.3 75 VINCENT STREET – MR STAN BROWN

Mr Stan Brown commented on, what he felt was unfair treatment by the Environmental Health Officer/Building Surveyor, who inspected Mr Brown's recently purchased house after complaints relating to the effluent disposal system. He was advised of several repairs that he would need to carry out even though the previous owners had allegedly stated that they would complete such repairs.

3.4 BEVERLEY DOCTORS – MR DAVID HARDY

Mr David Hardy asked if Council had any arrangements with the current Doctors as to when they would be on call, especially over weekends.

Cr Schilling advised Mr Hardy that no such arrangements had been made with the current Doctors as the Beverley Medical Centre is managed by them, but that she would endeavour to enquire about Doctor rosters, especially over weekends when special events are held in Beverley.

3.5 SELLING PLANTS IN CARPARK – MR KIM BIRD

Mr Kim Bird addressed Council regarding correspondence he had sent to the Shire questioning the selling of plants in the carpark of the premises on the corner of Hunt and Vincent Streets and asked if it was considered 'hawking'.

Keith Byers, Chief Executive Officer informed Mr Bird that hawking was a term no longer used. Without knowing details of arrangements between the owners and the seller of the plants, no comment could be made at this time as to whether an illegal stall was in operation.

3.6 LOT 18 GREAT SOUTHERN HIGHWAY, MT KOKEBY – MR & MRS GUNN

A letter was received from Mr and Mrs Gunn requesting that their vacant land at Lot 18 Great Southern Highway, Mt Kokeby be considered for a rate reduction due to services being minimal and not being permitted to build, although they noted that a 'holiday home' had been construct by neighbours.

Council requested that Mr and Mrs Gunn be advised of why building is not permitted in Mt Kokeby and that the offer to repurchase the land as Council had done previously remains valid. Further, that Mr and Mrs Gunn that the minimum rate for land was the same for all properties throughout the Shire of Beverley.

Mrs Alex McDonald tabled a copy of the Ratepayers Petition.

Public Question Time concluded at 12.00noon and all visitors left the Chamber.

Council resolved to discuss matters raised by the various visitors throughout Public Question Time.

Both Keith Byers, Chief Executive Officer, and Warwick Carter, Town Planner, declared an interest in the Petition presented to Council and left Council Chambers at 12.10pm.

M1/1006 Moved Cr McLean Seconded Cr Foster
That Council receive the petition as presented to Council.

CARRIED 8-0

Keith Byers, Chief Executive Officer and Warwick Carter, Town Planner, entered Council Chambers at 12.40pm.

M2/1006 Moved Cr Alexander Seconded Cr Leonhardt
That Council agree to make statement in the Blarney notifying the
public that items to be included for consideration by Council be
received one week prior to the Council meeting.

CARRIED 8-0

Mr Warwick Carter, Town Planner, left Council Chambers at 12.50pm.

Council adjourned for Lunch at 12.50pm.

Council reconvened from Lunch at 1.50pm.

Council adjourned for Citizenship Ceremony of Mrs Jan Howell at 2.00pm.

Council reconvened from Citizenship Ceremony at 2.25pm.

4. CONDOLENCES

Nil

APPLICATIONS FOR LEAVE OF ABSENCE 5.

Nil

M3/1006

Seconded Cr Szczecinski Moved Cr Schilling That in response to the petition relating to a vote of no confidence in the CEO, Shire Planner and Environmental Health Officer/Building Surveyor, the server of the petition be advised that,

- It is not the role of senior staff to make policy, but that of the Council.
- b) Council does endeavour to make decisions for the benefit of the community however, there are a number of competing demands or ratepayers funds, and
- c) That an instruction be given to staff to enhance communications with all sectors of the community.

CARRIED 8-0

It was agreed that the abovementioned resolution be placed in the Beverley Blarney.

M4/1006

Moved Cr Leonhardt

Seconded Cr Foster

That Council investigate issues raised during public question time.

CARRIED 8-0

Mr Warwick Carter, Town Planner, entered Council Chambers at 2.45pm.

6. CONFIRMATION OF MINUTES AND BUSINESS ARISING

6.1 MINUTES OF THE COUNCIL MEETING HELD IN COUNCIL CHAMBERS ON 26 SEPTEMBER 2006

M5/1006 Moved Cr Leonhardt Seconded Cr Foster

That the Minutes of the Ordinary Meeting of Council held in Council

Chambers on 26 September 2006, be confirmed.

CARRIED 8-0

Mr Steve Vincent, Works Supervisor, entered Council Chambers at 2.55pm.

6.2 MINUTES OF THE PLANT AND WORKS COMMITTEE MEETING HELD IN COUNCIL CHAMBERS ON WEDNESDAY 11 OCTOBER 2006

Appendix 1

M6/1006 Moved Cr Schilling

Seconded Cr Szczeninski

That the minutes of the Plant and Works Committee Meeting held in Council Chambers on Wednesday 11 October 2006, be received.

CARRIED 8-0

BUSINESS ARISING

6.2.1 VIBRATING ROLLER AND SIDE TIPPER TRUCK

Steve Vincent outlined costing and information gathered regarding the vibrating roller and side-tipper truck.

M7/1006 Moved Cr Alexander

Seconded Cr Leonhardt

That Council agree to advertise to invite tenders for the purchase of

vibrating roller and side-tipper truck.

CARRIED 8-0

6.2.2 BACKHOE

To be carried forward to next Council Meeting

6.2.3 ROADS TO RECOVERY

M8/1006 Moved Cr Szczecinski

Seconded Cr Foster

That the \$55,315.00 of Roads to Recovery funding, as identified in the

2006/07 budget, be utilised for the resealing of town streets.

CARRIED 8-0

8. INFORMATION BULLETIN

8.3 WORKS SUPERVISOR

8.3.1 DRAINAGE IN FORREST STREET

Steve Vincent, Works Supervisor reported on works being carried out throughout the Shire, including the drainage issue on Forrest Street, spraying, plant tenders and staff advertisements.

M9/1006 Moved Cr Alexander Seconded Cr Schilling

That the Works Supervisor carry out costing of materials required to undertake work either with pipes or drains, to assist the drainage on T.

Boyle and W. Sleep's properties in Forrest Street.

Mr Steve Vincent, Works Supervisor, left Council Chambers at 3.50pm.

6.3 PRESIDENT'S REPORT

Appendix 2

Moved Cr Foster Seconded Cr McLean M10/1006

That the President's Report for the month of October be received.

7. REPORTS OF COMMITTEES AND OFFICERS

7.1 **TOWN PLANNING**

ITEM NUMBER: 7.1.1

DATE: 17 October 2006

PROPOSED SINGLE RESIDENCE - LOT 3 BROOKTON SUBJECT:

HWY, WESTDALE

M Cameron OWNER: FILE REFERENCE: 3BRO 1344

AUTHOR: **Shire Planner – Warwick Carter**

Appendix 3

BACKGROUND

Address: Lot 3 Brookton Highway

Zoning: Farming Area: 55 ha

Use Class: Single Dwelling "AA"

COMMENT

The proposed dwelling is located a minimum of 130m from the boundary and complies with the relevant scheme provisions for a single dwelling. The proposed dwelling is the only house proposed on the lot.

M11/1006 **Moved Cr Leonhardt**

Seconded Cr Schilling That Council approve the application for single residence at Lot 3 Brookton Highway, subject to the following condition:

1. The development shall be in complete accordance with the approved plans numbered 211006, prepared by the applicant and endorsed by Council's Shire Planner.

ITEM NUMBER: 7.1.2

DATE: 17 October 2006

SUBJECT: PROPOSED SHED – LOT 1270 BENNETT RD, BEVERLEY

OWNER: A. Baxter FILE REFERENCE: BEN 617

AUTHOR: Shire Planner – Warwick Carter

Appendix 4

BACKGROUND

Address: Lot 1270 Bennett Road

Zoning: Farming
Area: 16.8ha
Use Class: Shed "AA"

COMMENT

The applicant has applied for a shed at the subject property of an area of 183m². The shed has a wall height of 4.2m and a roof height of 5m. The shed complies with the setback requirements for the Rural Zone. Given that the Shed complies with all policy requirements, it is recommended that the development be approved.

M12/1006 Moved Cr Foster

Seconded Cr McLean

That Council approve the application for a Shed at Lot 1270 Bennett Road, subject to the following condition:

1. The development shall be in complete accordance with the approved plans numbered 190906, prepared by the applicant and endorsed by Council's Shire Planner.

ITEM NUMBER: 7.1.3

DATE: 17 October 2006

SUBJECT: PROPOSED SHED – 26 HUNT RD, BEVERLEY

OWNER: C Gilbert FILE REFERENCE: HUN 965

AUTHOR: Shire Planner – Warwick Carter

Appendix 5

BACKGROUND

Address: 26 Hunt Road Beverley

Zoning: Residential R10

Area: 1136m²
Use Class Shed "AA"

Council refused an identical application at its meeting of 26 September 2006. Nothing about this application has changed, and as such the officer recommendation remains unchanged. A letter from the owners is attached.

COMMENT

The statutory provisions relating to this item are discussed below:

Τον	Town Planning Scheme No.2		
	Clause	Comment	
1.	Table 1 - A Shed is an "AA"	Council may approve or refuse the	
	use that is permitted at the	Shed.	
	discretion of Council.		
Town Planning Policy No.8 – Outbuildings			
	Clause	Comment	
2.	Table 2 – The maximum floor	The proposed shed is 73.2m ² and	
	area for zincalume and	is proposed to be constructed of	
		colorbond. As such it does not	
	zone is 55m ² .	comply with Council's policy.	

M13/1006

Moved Cr Leonhardt Seconded Cr Foster
That Council refuse the application for a Shed at 26 Hunt Road,
Beverley for the following reason:

1. Non-compliance with the Shire of Beverley's Outbuilding Policy.

CARRIED 5-3

ITEM NUMBER: 7.1.4

DATE: 18 October 2006

SUBJECT: PROPOSED SINGLE RESIDENCE – LOT 107 YORK-

WILLIAMS ROAD, BEVERLEY

OWNER: M. Ford FILE REFERENCE: YOR 50080

AUTHOR: Shire Planner – Warwick Carter

Appendix 6

BACKGROUND

Address: Lot 107 York Williams Road, Beverley

Zoning: Farming **Area:** 53 ha

Use Class: Single Dwelling "AA"

COMMENT

The proposed dwelling is located centrally on the property. Due to poor plans produced by the applicant, the exact location of the residence cannot be determined. The proposed dwelling is the only house proposed on the lot.

M14/1006 Moved Cr McLean

Seconded Cr Leonhardt

That:

A The applicant shall submit a site plan showing the setback distance to all boundaries to the satisfaction of the Shire Planner.

- B Subject to compliance with A above, that Council approve the application for single residence at Lot 107 York Williams Road, subject to the following condition:
 - 1. The development shall be in complete accordance with the approved plans numbered 061006, prepared by the applicant and endorsed by Council's Shire Planner.

CARRIED 7-1

ITEM NUMBER: 7.1.5

DATE: 18 October 2006

SUBJECT: PROPOSED SINGLE RESIDENCE – LOT 10120 SHEAHAN

ROAD, BEVERLEY

OWNER: J Saville-Wright & L Vincenti

FILE REFERENCE: MAI 1532

AUTHOR: Shire Planner – Warwick Carter

Appendix 7

BACKGROUND

Address: Lot 10120 Sheahan Road

Zoning: Farming **Area:** 81.0ha

Use Class: Single Dwelling "AA"

COMMENT

The subject property is land locked and has no frontage to a road. According to the applicant there is an access easement over the adjoining lot to allow entry the Sheahan Road.

According to the applicant, the house is setback over 100m from the fence line. The actual dimensions are not clear on the site plan and would need to be identified prior to approval. The proposed dwelling is the only house proposed on the lot.

M15/1006 Moved Cr Leonhardt

Seconded Cr Szczeciski

That:

- A The applicant shall submit a copy of the title showing details of easement and a site plan showing the setback distance to all boundaries to the satisfaction of the Shire Planner.
- B Subject to compliance with A above, that Council approve the application for single residence at Lot 10120 Sheahan Road, subject to the following condition:
 - 1. The development shall be in complete accordance with the approved plans numbered 051006, prepared by the applicant and endorsed by Council's Shire Planner.

ITEM NUMBER: 7.1.6

DATE: 18 October 2006

SUBJECT: PROPOSED SHED – LOT 8709 MAITLAND RD, BEVERLEY

OWNER: J Saville-Wright & L Vincenti

FILE REFERENCE: MAI 1532

AUTHOR: Shire Planner – Warwick Carter

Appendix 8

BACKGROUND

Address: Lot 8709 Maitland Road

Zoning: Farming
Area: 64.8ha
Use Class: Shed "AA"

COMMENT

The applicant has applied for a shed at the subject property of an area of 115.2m2. As the proposed shed is to have a flat roof, both wall and roof height is proposed to be 4.6m. The shed complies with the setback requirements for the Rural Zone. Given that the Shed complies with all policy requirements, it is recommended that the development be approved.

M16/1006

Moved Cr Schilling Seconded Cr Szczecinski
That Council approve the application for a Shed at Lot 8709 Maitland
Road, subject to the following condition:

1. The development shall be in complete accordance with the approved plans numbered 061007, prepared by the applicant and endorsed by Council's Shire Planner.

ITEM NUMBER: 7.1.7

DATE: 18 October 2006

SUBJECT: PROPOSED SHED – LOT 16721 EWERTS RD,

MORBINNING

OWNER: J. Stevenson FILE REFERENCE: EWE 50012

AUTHOR: Shire Planner – Warwick Carter

Appendix 9

BACKGROUND

Address: Lot 16721 Ewerts Road

Zoning: Farming
Area: 64.7ha
Use Class: Shed "AA"

COMMENT

The applicant has applied for a shed at the subject property of an area of 108m². As the proposed shed is to have a wall height of 3.4m and a roof height of 4.4 metres. The site plan supplied with the application gives no setback information, however setbacks should be able to be complied with.

M17/1006 Moved Cr McLean

Seconded Cr Szczecinski

That:

A The applicant shall submit a site plan showing the setback distance to all boundaries to the satisfaction of the Shire Planner.

- B Subject to compliance with A above, that Council approve the application for a Shed at Lot 16721 Ewerts Road, subject to the following condition:
 - 1. The development shall be in complete accordance with the approved plans numbered 070806, prepared by the applicant and endorsed by Council's Shire Planner.

ITEM NUMBER: 7.1.8

DATE: 18 October 2006

SUBJECT: PROPOSED COVERED AREA – LOT 48 DAWSON ST,

BEVERLEY

OWNER: M Blechynden FILE REFERENCE: DAW 1107

AUTHOR: Shire Planner – Warwick Carter

Appendix 10

BACKGROUND

Address: 48 Dawson Street Zoning: Town Centre 1.720m²

Use Class: Motor Vehicle Repair Station

COMMENT

The applicant seeks to install a new covered section as a tyre fitting area on the subject property.

Given that the development is central and only $33m^2$ in area, it is considered to be very minor. Setbacks in the town centre zone are to be determined by Council. The setbacks proposed are within the range of those already existing and are considered to be adequate. It is therefore recommended that the development be approved subject to conditions.

M18/1006 Moved Cr Foster

Moved Cr Foster Seconded Cr Bailey
That Council approve the application for Motor Vehicle Repair Station at 48 Dawson Street, subject to the following condition:

- 1. The development shall be in complete accordance with the approved plans numbered 290906, prepared by the applicant and endorsed by Council's Shire Planner.
- 2. All stormwater be retained on site.

ITEM NUMBER: 7.1.9

DATE: 18 October 2006

SUBJECT: PROPOSED SHED – LOT 47 WILLIAMS STREET, KOKEBY

OWNER: U. Trombetta FILE REFERENCE: WIL 1421

AUTHOR: Shire Planner – Warwick Carter

Appendix 11

BACKGROUND

Address: Lot 47 Williams Road, Kokeby

Zoning: Farming Area: 6 ha

Use Class: Shed "AA"

COMMENT

The subject property is located in the Kokeby Townsite. The proposed shed is located centrally on the property. Due to poor plans produced by the applicant, the exact location of the residence cannot be determined. The proposed Shed is to be 200m² in area and is 2.4m to the wall and 3.4m to the roof. This complies with the Shire's Outbuilding policy.

M19/1006 Moved Cr McLean

Seconded Cr McDonald

That:

A The applicant shall submit a site plan showing the setback distance to all boundaries to the satisfaction of the Shire Planner.

- B Subject to compliance with A above, that Council approve the application for a shed at Lot 47 Williams Road, subject to the following condition:
 - 1. The development shall be in complete accordance with the approved plans numbered 140906, prepared by the applicant and endorsed by Council's Shire Planner.

ITEM NUMBER: 7.1.10

DATE: 18 October 2006

SUBJECT: PROPOSED SHED (SEA CONTAINER) – LOT 802

SPRINGHILL RD, BEVERLEY

OWNER: E. Hill FILE REFERENCE: SPR 51108

AUTHOR: Shire Planner – Warwick Carter

Appendix 12

BACKGROUND

Address: Lot 802 Springhill Road, Beverley

Zoning: Farming
Area: 43.4ha
Use Class: Shed "AA"

COMMENT

The applicant wishes to retrospectively apply for a sea container on the subject property. Council has previously approved a transportable dwelling to the site. The Sea container is well hidden from the road, as it is screened by a dirt mount and at a lower ground level from the road.

The Sea Container itself is complies with the relevant setbacks required in the Shire's Town Planning Scheme and policies. As such it is recommended for approval.

Council has the option of prosecuting the owners for the original breach, however this would seem pointless if Council were to approve the development.

M20/1006

Moved Cr Alexander Seconded Cr Leonhardt
That Council, pursuant to Clause 6.5.1, retrospectively approve the application for a shed at Lot 802 Springhill Road, subject to the following condition:

1. The development shall be in complete accordance with the approved plans numbered 200906, prepared by the applicant and endorsed by Council's Shire Planner.

ITEM NUMBER: 7.1.11

DATE: 18 October 2006

SUBJECT: PROPOSED SHED – LOT 3622 KOKEBY EAST ROAD,

BEVERLEY

OWNER: A. Howse & K Brittain

FILE REFERENCE: YEN 1525

AUTHOR: Shire Planner – Warwick Carter

Appendix 13

BACKGROUND

Address: Lot 3622 Kokeby East Road, Beverley

Zoning: Farming
Area: 40.4 ha
Use Class: Shed "AA"

COMMENT

The applicant wishes to apply for a shed on the subject property. The Shed is setback a minimum of 70m from all boundaries. The shed is $108m^2$ in area and is 3m to the wall and approximately 4m in height.

As the shed complies with Council's policies and scheme, it is recommended for approval.

M21/1006 Moved Cr McLean

Seconded Cr McDonald

That Council approve the application for a shed at Lot 3622 Kokeby East Road, subject to the following condition:

1. The development shall be in complete accordance with the approved plans numbered 100906, prepared by the applicant and endorsed by Council's Shire Planner.

ITEM NUMBER: 7.1.12

DATE: 18 October 2006

SUBJECT: OUTBUILDINGS POLICY

FILE REFERENCE:

AUTHOR: Shire Planner – Warwick Carter

BACKGROUND

Cr Foster has requested that the outbuildings policy be reviewed and that the shed size allowable in the residential zone be increased to 73.2m². This item is referred to Council for comment and direction.

M22/1006 Moved Cr Alexander Seconded Cr Leonhardt

That Council review the allowable shed size in the Strategic Plan

review.

CARRIED 6-2

ITEM NUMBER: 7.1.13

DATE: 18 October 2006 SUBJECT: PLANNING FEES

FILE REFERENCE:

AUTHOR: Shire Planner – Warwick Carter

BACKGROUND

The CEO has stated that he believes the Planning Fees charged by the Shire are too high. The fees are required to come from the Town Planning (Local Government Fees) Regulations 2000. Council did have there own Town Planning Fees policy, however, the Policy does not appear to have been drafted in accordance with the regulations or the Scheme and fees are therefore taken from the regulations.

COMMENT

Council could refund a portion or all of Councils fees on development applications, effectively giving applicants a discount. This would mean, however, that rates income would be used to pay for staff time to complete applications.

M23/1006 Moved Cr Alexander Seconded Cr Foster

That Council consider a review of the Planning Fees in the Strategic

Plan review.

CARRIED 8-0

Mr Warwick Carter, Town Planner, left Council Chambers at 4.45pm.

7.2 HEALTH AND BUILDING

Nil

7.3 PLANT, WORKS, TOURISM AND RECREATION

Nil

7.4 FINANCE

ITEM NUMBER: 7.4.1

DATE: 18 October 2006

SUBJECT: SCHEDULE OF ACCOUNTS

AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

Appendix 14

COMMENT

The Schedule of Accounts for the month of September 2006.

M24/1006 Moved Cr McLean Seconded Cr Foster

That the Schedule of Accounts for the month of September 2006 be

received.

CARRIED 8-0

7.4 FINANCE

ITEM NUMBER: 7.4.2

DATE: 18 October 2006

SUBJECT: FINANCIAL REPORT FOR THE PERIOD ENDING 30

SEPTEMBER 2006

AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

COMMENT

That the Financial Report for the period ending 30 September 2006 is under separate cover.

M25/1006 Moved Cr Leonhardt Seconded Cr McDonald

That the Financial Report for the month ending 30 September 2006, as

presented, be received.

7.4 FINANCE

ITEM: 7.4.3

DATE: 18 October 2006

SUBJECT: INVESTMENT OF SURPLUS FUNDS

FILE REFERENCE: FM008

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 October 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	\$ 500,000.00
•	Municipal Fund	\$ 400,000.00
•	Municipal Fund	\$ 400,000.00
•	Municipal Fund	\$ 400,000.00

The Investment terms are as follows:

Certificate #	Term	Interest Rate	Amount	Expires
1412817001	90 Days	6.15%	\$1,320,716.00	08/11/2006
1412781003	1 Month	5.95%	\$ 500,000.00	11/11/2006
1412806001	3 Months	6.18%	\$ 400,000.00	15/01/2007
1412803002	2 Months	6.00%	\$ 400,000.00	14/11/2006
1412801002	3 Months	6.16%	\$ 400,000.00	14/12/2006

M26/1006 Moved Cr Szczecinski Seconded Cr Leonhardt
That the investment report for the month of October 2006 be received.

CARRIED 8-0

7.5 **ADMINISTRATION**

7.5.1 **ITEM NUMBER:**

DATE: 17 October 2006

SUBJECT: PROPORTIONAL PREFERENTIAL VOTING

FILE REFERENCE:

AUTHOR: Chief Executive Officer – Keith Byers

Appendix 15

BACKGROUND

As Council would be aware from the various articles in the Information Bulletin, the Minister for Local Government and Regional Development has introduced a Bill to the Parliament which will change the method of voting for Local Government elections from first past the post to proportional preferential system.

The Western Australian Local Government Association has raised serious concerns as it is of the opinion that the State Government is attempting to mandate Proportional Preferential Voting in Local Government elections without any consultation with Local Government. Such action clearly contravenes the State/Local Government partnership agreement. The Association has also passed a vote of no-confidence in Minister Ford.

COMMENT

Council is requested to write to the Premier, Minister for Local Government and Regional Development and Local Members of Parliament, expressing discontent with the Governments action, and adopting a no-confidence motion.

A copy of the Associations Info Page is attached.

M27/1006 **Moved Cr Foster**

no-confidence motion.

Seconded Cr Leonhardt That a letter be written to the Premier, Minister for Local Government and Regional Development and Local Members of Parliament expressing discontent with the Governments action and adopting a

8. INFORMATION BULLETIN

8.1 CHIEF EXECUTIVE OFFICER

ITEM NUMBER: 8.1.1

DATE: 18 October 2006

SUBJECT: LOCAL GOVERNMENT ACCOUNTABILITY

FILE REFERENCE:

AUTHOR: Chief Executive Officer – Keith Byers

BACKGROUND

An Infopage was received from WALGA outlining the Public Accounts Committee's findings and recommendations into Local Government Accountability.

M28/1006 Moved Cr Alexander Seconded Cr Leonhardt

That the CEO be instructed to make comment on the Public Accounts Committee's recommendation in relation to Local Government

Accountability.

8. INFORMATION BULLETIN

8.2 ENVIRONMENTAL HEALTH OFFICER / BUILDING SURVEYOR

Nil

8.4 SHIRE PLANNER

Nil

9. TABLED CORRESPONDENCE

- Avon Tourism Annual General Meeting held on Monday 25 September 2006.
- Department of Agriculture and Food 'Dry Season Advisory Committee 2006 update', 'Australian Plague Locusts' 2006.
- Department for Planning and Infrastructure 'Grain Freight Network Review'.
- CBH Operations 'Harvest Mass Management Scheme Balancing the Load'.
- State Road Funds to Local Government Advisory Committee Meeting Minutes held 30 August 2006.
- Office of Crime Prevention 'Community Safety & Crime Prevention Bulletin – October 2006'.
- Central Wheatbelt Division of General Practice, Inc 'Spring News Sept 06'.
- Avon Catchment Council E-news #31, #32, #33, #34.
- WALGA Local Government News Issue No. 36.06, 37.06, 38.06, 39.06.
- ALGA News 22 Sept 06, 29 Sept 06, 6 Oct 06.

10. OTHER BUSINESS

10.1 YENYENING LAKES MANAGEMENT COMMITTEE

Cr McLean notified Council of the Yenyening Lakes Management Committee to be held in Council Chambers on Wednesday 1 November at 3.00pm.

10.2 ROAD ASSESSMENT

That Main Roads be requested to assess the following roads to gauge their suitability for restricted access vehicles. The following roads were included on a list: Dobaderry, Kokedin, Edison Mill, Yenyening Lakes, Morbining, Greenhills South, York-Williams, Oakdale, Bally Bally, Dongerdilling, Talbot West, Bremner, Waterhatch, Barrington, Glencoe, Balkuling (section), and Kokeby East.

10.3 DRAINAGE ON FORREST STREET - MRS C. BOYLE

Cr Schilling received a letter from Mrs C. Boyle expressing her anger that the drainage adjacent to her property in Forrest Street was not being addressed correctly.

10.4 OLD COTTAGE - RESTAURANT - MR D. BARNSLEY

Cr Schilling received a letter from Mr D. Barnsley expressing his disappointment that the conversion of the Old Cottage at 145 Vincent Street into a restaurant was being hindered by regulations and that encouragement by Council should be being provided.

REQUEST FOR SUB-COMMITTEE – 145 VINCENT STREET 10.5 DEVELOPMENT

During Public Question Time, John Saville-Wright requested a sub-Committee of Council to meet with him, regarding the development of a Restaurant at 145 Vincent Street.

M29/1006 **Moved Cr Leonhardt**

Seconded Cr Bailey That a sub-committee comprising of the members of the Development Committee together with the Shire Planner and the Environmental Health Officer/Building Surveyor meet with Mr Saville-Wright on Friday 3 November to discuss further developments of 145 Vincent Street. **CARRIED 8-0**

10.6 FIRE TENDER

John Barrett-Lennard, Chief Fire Control Officer will select the new Beverley fire tender. FESA has advised that Shire will have to tender to retain the old vehicle.

M30/1006 **Moved Cr Alexander**

Seconded Cr McLean That Cr Schilling contact Mark Bowen at FESA to request a cost for the

CARRIED 8-0

10.7 **AVON CATCHMENT COUNCIL PROJECTS**

purchase of the old fire tender.

Request for project amounts as listed by the ACC in the Information Bulletin.

11. CLOSURE

There being no further business the meeting closed at 6.00pm.

I hereby certify these Minutes as being confirmed in account 1995.	rdance with Section 5.22 of the Local Government Act
Presiding Member	Date