

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	Chief Executive Officer	
Miss C. Emanuel		Secretary

Apologies

Cr M. G. Roberts	South Ward
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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 OUR 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.

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.
CARRIED 8-0

7.1 TOWN PLANNING

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

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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
That:

Seconded Cr Leonhardt

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

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

ITEM NUMBER:	7.5.1
DATE:	17 October 2006
SUBJECT:	PROPORTIONAL PREFERENTIAL VOTING
FILE REFERENCE:	
AUTHOR:	Chief Executive Officer – Keith Byers

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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 **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 no-confidence motion.

CARRIED 8-0

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. BARNESLEY

Cr Schilling received a letter from Mr D. Barnesley 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.

10.5 REQUEST FOR SUB-COMMITTEE – 145 VINCENT STREET 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 purchase of the old fire tender.
CARRIED 8-0

10.7 AVON CATCHMENT COUNCIL PROJECTS

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 accordance with Section 5.22 of the Local Government Act 1995.

Presiding Member

Date
