# MINUTES OF AN ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL **CHAMBERS ON TUESDAY 20 SEPTEMBER 2005**

### 1. COMMENCEMENT

The President declared the meeting open at 11.00am.

### 2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

# Attendance

Cr J. M. Schilling	President	West Ward
Cr N. J. McLean	Deputy President	South Ward
Cr M. G. Roberts		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
Mr S. P. Gollan	Deputy Chief	Executive Officer
Miss C. Emanuel		Secretary

# Leave of Absence

Nil

### 3. **PUBLIC QUESTION TIME**

### **BEVERLEY AIRFIELD** 3.1

Alan Sattler and Gareth Lloyd (Blue Sky Aviation) raised concerns about the use of the Beverley Airfield, explaining the importance of runway 26 – needed for landing in particular weather conditions.

Council advised Alan Sattler and Gareth Lloyd that Council is not in a position to give permission for use of the runway 26 and that any negotiations should be with Mr Edwards.

### M1/0905 Moved Cr Szczecinski

known.

Seconded Cr Foster Prior to Council making any decisions relating to runway 26 at the Beverley Airfield, it will wait until the outcome of negotiations between the Edwards family and the Beverley Soaring Society are

# 3.2 AVONDALE RESEARCH STATION FEASIBILITY STUDY

Alan Sattler, Chairman of the Avondale Discovery Farm Committee, reported that their members are awaiting the recommendations from the feasibility study ('Review of Operations') which was to be available for public comment in April 2005, but was postponed due to issues needing attention before it went to public comment.

# 4. CONDOLENCES

Nil

# 5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

# 6. CONFIRMATION OF MINUTES AND BUSINESS ARISING

# 6.1 MINUTES OF THE COUNCIL MEETING HELD ON 16 AUGUST 2005

M2/0905 Moved Cr Leonhardt Seconded Cr Roberts
That the Minutes of the Ordinary Meeting of Council held on 16
August 2005, be confirmed.

agust 2005, be committee.

**CARRIED 9-0** 

6.2 MINUTES OF A SPECIAL MEETING OF COUNCIL TO DISCUSS THE 2005/2006 DRAFT BUDGET HELD IN THE COUNCIL CHAMBERS ON TUESDAY 23 AUGUST 2005

Appendix 1

M3/0905 Moved Cr Foster Seconded Cr McLean

That the Minutes of a Special Meeting of Council to discuss the 2005/2006 Draft Budget on Tuesday 23 August 2005, be received.

6.3 MINUTES OF A SPECIAL MEETING OF COUNCIL TO ADOPT THE 2005/2006 BUDGET HELD IN THE COUNCIL CHAMBERS ON

**THURSDAY 25 AUGUST 2005** 

Appendix 2

M4/0905 Moved Cr Leonhardt

**Seconded Cr Bailey** 

That the Minutes of a Special Meeting of Council to Adopt the 2005/2006 Budget, held on Thursday 25 August 2005, be received.

**CARRIED 9-0** 

**BUSINESS ARISING** 

6.3.1 RECREATION FACILITIES

M5/0905 Moved Cr Foster Seconded Cr Roberts

That the Development Services Committee meet with the Beverley Football Club to review the general usage/ownership conditions of various items and facilities at the Amenities Building and Oval.

**CARRIED 9-0** 

Council adjourned for Lunch at 12noon

Council reconvened from Lunch at 1.20pm

Mr Frank Buise, Environmental Health Officer/Building Surveyor, entered Council Chambers at 1.20pm

6.4 PRESIDENT'S REPORT

Appendix 3

M6/0905 Moved Cr Foster Second

Seconded Cr Roberts

That the President's Report be received.

CARRIED 9-0

**BUSINESS ARISING** 

6.4.1 BUDGET SUMMARY

M7/0905 Moved Cr Alexander Seconded Cr Leonhardt

That Council's Budget Summary be advertised in the Beverley Blarney, including expenditure at the town dam water supply for

use at the oval, and the costs associated with the airport.

**CARRIED 5-4** 

# 7. REPORTS OF COMMITTEES AND OFFICERS

# 7.1 TOWN PLANNING

Nil

# 7.2 HEALTH AND BUILDING

ITEM NUMBER: 7.2.1

DATE: 9 September 2005

SUBJECT: RELOCATED DWELLING

LOCATION: Lot 394 Queen Street, Beverley

PROPONENT: N. Carson FILE REFERENCE: QUE1 50010

AUTHOR: Environmental Health Officer/Building Surveyor –

**Frank Buise** 

### **BACKGROUND**

The owner of this property has made application to the Council for permission to relocate a dwelling from Yealering Townsite (Shire Wickepin) to their property, Lot 349 Queen Street, Beverley.

The dwelling was inspected on 7 September 2005, at its location in Baxter Street, Yealering. It is a steel base transportable built by Ogilvy Homes some 20 years ago. It has asbestos external cladding and may have asbestos internal cladding. A sample of the internal cladding has been sent to Perth for analysis.

The applicant is aware of what is required should the Council approve the application. He is also aware of the \$5,000 cash bond.

Council Town Planning Scheme Policy No 9 (Relocated Second-Hand Buildings) section 4.1 states;

Applications for the relocation of second hand buildings on property within the Shire of Beverley require Council planning approval prior to a Building Licence being issued and relocation taking place. All applications for the relocation of second-hand buildings will be assessed against this policy prior to a decision being made under the provisions of the Scheme.

In determining the application, Council may:

Approve the application;

Approve the application with conditions; or

Refuse the application.

# Section 5.3 states;

When giving consideration to an application for planning consent, Council shall give consideration to:

The building in its relocated position being rendered visually acceptable by the use of verandahs, screening and/or landscaping; and

The design, scale and bulk of the proposed building being compatible with the type of buildings that exist in the locality in which it is to be located.

Section 6 requires the applicant to pay a \$5,000 cash bond.

The Shire Planner has viewed the application and has no issues with the request as it complies with the amenity provision of the policy.

# **COMMENT**

The dwelling is in reasonable condition and certainly can be made to comply with the new requirements of the Building Code of Australia. The dwelling once relocated, and completed would be an improvement on the type of housing that already exists in that part of the street.

# STATUTORY ENVIRONMENT

Building Code of Australia Shire of Beverley Town Planning Scheme No.2

### M8/0905 Moved Cr Leonhardt

Seconded Cr Roberts Council resolve to grant planning approval to the owner of Lot 394

Queen Street subject to the following conditions;

- 1. The applicant pay a \$5,000 cash bond,
- 2. Compliance with the Building Code of Australia,
- 3. That a Building Licence be issued prior to the transportable being relocated, and
- 4. All asbestos cement sheeting be removed from the dwelling whilst it is located in Yealering.

### 7.2 HEALTH AND BUILDING

ITEM NUMBER: 7.2.2

DATE: 9 September 2005

SUBJECT: CHANGE OF CLASSIFICATION LOCATION: Lot 65 Kokendin Road, Beverley

PROPONENT: Sunspec Holdings Pty Ltd

FILE REFERENCE: KOK2 1543

AUTHOR: Environmental Health Officer/Building Surveyor –

**Frank Buise** 

### **BACKGROUND**

An application has been received from the owners of this property to use it as a dwelling. An inspection of the property on 31 May 2005 revealed that the shed had been converted to a dwelling, with the necessary sanitary fixtures.

Further, part of the shed had been converted into a commercial processing facility for olives. This conversion has no Health approval. As well, the facility adjoins the dwelling and needs to be fire rated. There are no records in the office for the fit out of the shed to a dwelling.

Council will need to approve the conversion of the shed to a dwelling as well as what action should be taken for the illegal works.

Section 144 of the Health Act requires Council to approve the conversion of the old church into a dwelling. Section 144 of the Health Act 1911 states;

No person shall convert into or adapt or use as a dwelling any building not originally constructed or erected as a dwelling-house, and no person shall let, or lease, or sublet, or sublease, or otherwise permit, whether for any consideration or gratuitously, the use of, the building as a dwelling, without having first obtained the consent of the local government of the district in which the building is situated, and complied (in the case conditional consent is given) with such conditions as the local government has seen fit to impose.

# COMMENT

Section 144 requires Council to approve the conversion of the shed to a dwelling. Council has previously approved similar applications. The proposal will need to be certified by a Structural Engineer to ensure the integrity of the external walls and ceiling is strengthened to take the extra loading of the gyprock.

Further, Council must decide what action if any, needs to be implemented against the owner for his illegal building activities.

# STATUTORY ENVIRONMENT

Health Act 1911, Section 144 Local Government (Miscellaneous Provisions) Act 1960 **Building Regulations 1989** 

M9/0905 **Moved Cr Leonhardt** 

**Seconded Cr Foster** That Council resolve to allow the owner of Lot 65 Kokendin Road, Beverley, to convert the shed into a dwelling subject to compliance with the Building Code of Australia, the Local Government (Miscellaneous provisions) Act 1960, and the Building Regulations 1989.

# 7.2 HEALTH AND BUILDING

ITEM NUMBER: 7.2.3

DATE: 20 September 2005 SUBJECT: EXTENSION TO HOUSE

LOCATION: Location 1652 York-Williams Road, Beverley

FILE REFERENCE:

AUTHOR: Environmental Health Officer/Building Surveyor –

Frank Buise

# **BACKGROUND**

An application has been received from the owners of Loc 1652 York-Williams Road to extend their existing dwelling by using a relocated dwelling, which is owned by the WA Meat Authority in Midland.

The relocated unit is some 15 years old and does not contain asbestos.

The owners were advised that a \$5,000.00 bond is required and the dwelling, once relocated, must comply with the BCA.

The original dwelling at their property was a relocated dwelling, owned by them and originally located in Mundaring.

# M10/0905 Moved

Moved Cr Leonhardt Seconded Cr Bailey
That Council resolve to allow the applicants to relocated the
dwelling to their property at Loc 1652 York-Williams Road, subject
to the following conditions:

- 1. That a cash bond of \$5,000.00 be paid prior to the unit being relocated.
- 2. That a building licence be obtained prior to the unit being relocated.
- 3. That once relocated the unit must comply with the provisions of the Building Code of Australia.

**CARRIED 9-0** 

Mr Frank Buise, Environmental Health Officer/Building Surveyor, left Council Chambers at 2.15pm

### 7.3 PLANT, WORKS, TOURISM AND RECREATION

**ITEM NUMBER:** 7.3.1

DATE: **12 September 2005** 

SUBJECT: **DAM WATER** 

**AUTHOR: Works Supervisor – Steve Vincent** 

# **BACKGROUND**

Both the Tennis and the Bowling Clubs have made an approach, to ascertain whether there would be sufficient water available at the Shire dam, for irrigating the playing arenas at both venues this summer.

### COMMENT

It is anticipated there will be a surplus supply of water than that needed to irrigate our oval this summer, however if water were to be supplied to both the Tennis and Bowling Clubs the amounts would need to be monitored on a regular basis. If at any stage the supply began to get too low it would have to be utilised for the oval only. In future years it may be advisable to connect the tank behind the Infant Health Centre to this water source also and do away with relying on scheme water for the lawn areas in Vincent Street.

# OFFICER'S RECOMMENDATION

Should Council allow water from the dam to be used by the Bowling Club and Tennis Club for this summer a meters needs to be installed at the delivery points to both venues at the cost of the clubs and the water is to be monitored on a regular basis. If the level of the dam gets to a stage where this water is required for the oval then it is to be saved for the oval. This arrangement should be reviewed each year.

Cr Bill McDonald left Council Chambers at 2.20pm

#### M11/0905 **Moved Cr Alexander**

Seconded Cr Szczecinski That Council allow water from the dam to be used by the Bowling and Tennis Clubs this summer and that a meter be installed at the delivery point to each venue. The water used is to be monitored on a regular basis and if the level of the dam gets to a stage where this water is required for the oval then it is to be saved for the oval. This arrangement is to be reviewed each year.

**LOST 6-2** 

Cr Bill McDonald entered Council Chambers at 2.24pm

M12/0905 Moved Cr Foster

Seconded Cr Leonhardt

That Council allow water from the dam to be used by the Bowling and Tennis Clubs this summer and that a meter be installed at the delivery point to each venue at the cost of the clubs. The water is to be monitored on a regular basis and if the level of the dam gets to a stage where this water is required for the oval then it is to be saved for the oval. This arrangement is to be reviewed each year.

**CARRIED 8-1** 

# 7.4 FINANCE

ITEM NUMBER: 7.4.1

DATE: 20 September 2005

SUBJECT: SCHEDULE OF ACCOUNTS

AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

Appendix 4

**COMMENT** 

The Schedule of Accounts for the month of August 2005.

M13/0905 Moved Cr Foster Seconded Cr Roberts

That the Schedule of Accounts for the month of August 2005,

totalling \$231,512.52, be received.

**CARRIED 9-0** 

ITEM NUMBER: 7.4.2

DATE: 20 September 2005

SUBJECT: FINANCIAL REPORT FOR THE PERIOD ENDING 31

**AUGUST 2005** 

AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

COMMENT

The Financial Report for the period ending 31 August 2005 is under separate cover.

M14/0905 Moved Cr Leonhardt Seconded Cr Bailey

That the Financial Report for the month ending 31 August 2005, as

presented, be received.

# 7.4 FINANCE

**AGENDA REFERENCE: 7.4.3** 

DATE: 15 September 2005

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 August with Esanda Investments.

<ul> <li>Office Equipment Reserve</li> </ul>	\$	17,727.00
<ul> <li>Annual Leave Reserve</li> </ul>	\$	89,369.00
<ul><li>Building Reserve</li></ul>	\$	340,480.00
<ul><li>Leave and Gratuity Reserve</li></ul>	\$	17,215.00
<ul> <li>Plant Reserve</li> </ul>		485,007.00
<ul> <li>Recreation Ground Reserve</li> </ul>	\$	209,810.00
<ul> <li>Bush Fire Fighters Reserve</li> </ul>		56,463.00
<ul> <li>Avon River Development Reserve</li> </ul>	\$	23,684.00
<ul> <li>Community Bus Reserve</li> </ul>	\$	17,051.00
<ul> <li>Cropping Committee Reserve</li> </ul>		63,910.00

The Investment terms are as follows:

Certificate# Term Interest Rate Amount Expires 1708604013 2 Months 5.60% \$1,320,716.00 22/11/05

M15/0905 Moved Cr Foster Seconded Cr Szczecinski

That the investment report for the month of August 2005 be received. CARRIED 9-0

# 7.5 ADMINISTRATION

Nil

### 8.1 CHIEF EXECUTIVE OFFICER

**ITEM NUMBER:** 8.1.1

DATE: 14 September 2005

**BEVERLEY MEDICAL PRACTICE** SUBJECT:

**FILE REFERENCE:** 

**AUTHOR: Chief Executive Officer – Keith Byers** 

### **BACKGROUND**

Since Councillor Schilling's last report concerning the announcement by Doctor Gogna that he would be leaving the Medical Practice on the 25 November 2005, both Doctors' Thavarasan and Gamage have also indicated that they too will not be continuing in Beverley.

At the time of writing, the President and myself have arranged an appointment with the Western Australian Centre for Remote and Rural Medicine in an endeavour to fill the vacancies with suitable Medical Practitioners. It is our intention to speak with the Australian Medical Association and possibly the Rivers Medical Service in the next few days.

Although the preferred option is to have the practice managed by an incoming Doctor, it appears at the moment, a more likely scenario that Council will need to be the Manager, employing Doctor(s) and associated staff. These issues will need to be negotiated and agreed to by Council.

M16/0905 **Moved Cr Alexander** Seconded Cr Roberts

> That a Sub-Committee comprising: Cr J Schilling, Cr N McLean, Cr B Foster, Cr V Szczecinski and the Chief Executive Officer, be formed to discuss recruiting matters prior to recommendations being presented to Council.

> > **CARRIED 9-0**

M17/0905 Moved Cr Szczecinski Seconded Cr Bailey

> That Council support the endorsement of the Chief Executive Officer, to request the AMA (Australian Medical Association) to

recruit Doctors for the Beverly Medical Practice.

**CARRIED 9-0** 

M18/0905 **Moved Cr Alexander** Seconded Cr Leonhardt

> That the Chief Executive Officer place advertisements twice in the Weekend West Australian newspaper and once in The Australian newspaper advertising for Doctors for the Beverley Medical

Practice.

### 8.1 CHIEF EXECUTIVE OFFICER

8.1.2 **ITEM NUMBER:** 

DATE: 14 September 2005 SUBJECT: **OLD FIRE STATION** 

**FILE REFERENCE:** 

**AUTHOR:** Chief Executive Officer – Keith Byers

### **BACKGROUND**

The Beverley Local Drug Action Group has reaffirmed the desire to occupy the old Fire Station upon the Co-located Station being completed.

Council has been requested to organise a public meeting to discuss youth issues and ways the old station might be utilised.

A letter has also been received from Lyn Kay, a fitness instructor who requested the use of a building for a growing fitness group.

M19/0905 Moved Cr Szczecinski

conditions with both parties.

**Seconded Cr Bailey** That Council offer the Old Fire Station to Lyn Kay for the establishment of a fitness group and the Local Drug Action Group the Infant Health Centre, subject to negotiating terms and

### 8.1 CHIEF EXECUTIVE OFFICER

8.1.3 **ITEM NUMBER:** 

DATE: 14 September 2005

SUBJECT: STREET LIGHT COUNCIL DRIVE

FILE REFERENCE:

**AUTHOR: Chief Executive Officer – Keith Byers** 

### **BACKGROUND**

Council may recall Mr John Starling requesting a street light be installed on the last power pole in Council Drive.

Western Power has advised that the old scheme, whereby the cost of the light was included with the monthly tariff, has been abolished. The up-front cost of the light is now to be \$1165.00 inclusive of GST.

### M20/0905 **Moved Cr Foster**

Seconded Cr Szczecinski That the Chief Executive Officer write to Western Power strongly objecting to the policy of requesting Councils to pay large sums of upfront money for the installation of street light as opposed to levying costs through monthly tariffs.

### 8.1 CHIEF EXECUTIVE OFFICER

8.1.4 **ITEM NUMBER:** 

DATE: 14 September 2005

SUBJECT: **REGIONAL ROAD GROUP** 

FILE REFERENCE:

**Chief Executive Officer – Keith Byers AUTHOR:** 

# Appendix 5

# **BACKGROUND**

The Wheatbelt North Regional Road Group is seeking a contribution of \$3,000.00 from all the Shires throughout the Wheatbelt North and South Regions for the purpose of commissioning a Consultant to prepare a submission outlining the road funding that is required to preserve the road asset within the areas.

The submission is to be forwarded to the Minister in an endeavour to explain why the current proportion of road funds to the Regional Road Groups is retained.

### **Moved Cr Mc Lean** M21/0905

Seconded Cr McDonald That the Chief Executive Officer advise the Wheatbelt North Regional Road Group that the Shire of Beverley is unwilling to contribute \$3,000.00 for the commissioning of a Consultant to prepare a submission on road funding.

### 8.1 CHIEF EXECUTIVE OFFICER

**ITEM NUMBER:** 8.1.5

DATE: 20 September 2005

SUBJECT: **BEVERLEY ART GALLERY COMMITTEE** 

FILE REFERENCE:

**AUTHOR: Chief Executive Officer – Keith Byers** 

### **BACKGROUND**

A letter was received from the Beverley Art Gallery requesting a show of interest from Council for their proposed amphitheatre proposal, presented to Council at the August 2005 Council Meeting. A request was also made for a representative from Council to be part of the Art Committee.

### M22/0905 **Moved Cr Alexander**

seeking their support.

Seconded Cr Foster That the Beverley Art Gallery Committee be advised that although Council support in principal the amphitheatre proposal, it does not have the capacity to promote this most worthwhile project at this stage, but strongly encourages the Committee to apply for any grant funding that might be available and write to local group

### 9. **TABLED CORRESPONDENCE**

Nil

### 10. OTHER BUSINESS

### 10.1 **CENTRAL COUNTRY ZONE BOWLING DAY**

That Council offer the Beverley Bowling Club for the proposed Central Country Zone Bowling Day in March/April 2006.

Mr Wayne Ashworth, Maintenance Supervisor, entered Council Chambers at 3.50pm

### 10.2 **RAILWAY WORK PROGRESS**

Mr Wayne Ashworth reported to Council the progress being made to the Beverley Railway Station, with painting almost complete, windows and security mesh fitted. It is estimated, weather permitting, that the completion date will be by the end of October. The suggestion was made to investigate the cost of security cameras.

#### Moved Cr McLean M23/0905

Seconded Cr Roberts That Council place an advertisement in the Beverley Blarney publication for expressions of interest for a live-in 'Caretaker' for

**CARRIED 9-0** 

Mr Wayne Ashworth, Maintenance Supervisor, left Council Chambers at 4.05pm

#### 10.3 PROPOSAL FOR YENYENING LAKES

the Beverley Railway Station.

During Council's morning forum, Mr Harvey Morrell presented a proposal for the management and future plans of Yenyening Lakes. The proposal outlined:

- Establishing a ski lake.
- > Dredging material and depositing into nearby lake.
- Constructing gates at the watercourse entry to control flushing and filling of the lake.
- Establish a bore in the Yilgarn aquifer to keep the lake full.
- Constructing an overflow mechanism to take saline water from the bottom of the lake.

M24/0905 Moved Cr Foster Seconded Cr Roberts

That Council give in principle support to Harvey Morrell's

proposals for Yenyening Lakes.

**CARRIED 9-0** 

# 11. CLOSURE

There being no further business the meeting closed at 4.20 pm.

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

Presiding Member Date