MINUTES OF AN ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY 26 APRIL 2006

1. COMMENCEMENT

The President declared the meeting open at 11.00am.

2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Attendance

President	West Ward
Deputy President	South Ward
	South Ward
	South Ward
	West Ward
	West Ward
	North Ward
	North Ward
	North Ward
Deputy Chief	Executive Officer
	Secretary
	Deputy President

Apologies

Mr K. L. Byers Chief Executive Officer

Leave of Absence

Nil

3. PUBLIC QUESTION TIME

3.1 STANDPIPES

Mr Bob Reed addressed Council regarding his concerns over the use of standpipes within the townsite. In particular to members of the community not recording the amount of water they take.

Councillor Schilling advised that at present the Brooking Street standpipe is locked due to the tap being left on for two nights. Council will further discuss the issues of standpipes during the course of the meeting.

3.2 **HOSPITAL AUXILIARY – OPPORTUNITY SHOP**

Mrs Ann Szczecinski and Mrs Dawn Edwards, representing the Hospital Auxiliary, thanked Council for offering the Infant Health Centre, and asked for consideration for the use of the empty room at the Old School as a more appropriate venue for their opportunity shop.

USE OF OLD FIRE STATION 3.3

Mr John Saville-Wright and Lynette Vincenti voiced concerns regarding the Old Fire Station being used as a youth centre, given the building's closeness to the main road and the graffiti occurring in the area.

3.1 **STANDPIPES**

M1/0406 Moved Cr Alexander

Seconded Cr Bailey

That Council agree to lock all standpipes within the Shire from

Monday 1 May 2006.

CARRIED 9-0

4. CONDOLENCES

FLEAY Mr Gordon 25 March 2006

DRAPER Mona Dorothy 30 March 2006

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

CONFIRMATION OF MINUTES AND BUSINESS ARISING 6.

MINUTES OF THE COUNCIL MEETING HELD ON 28 MARCH 2006 6.1

M2/0406 **Moved Cr Roberts** Seconded Cr Szczecinski That the Minutes of the Ordinary Meeting of Council held on 28

March 2006, be confirmed subject to the following amendments:

- Motion 29/0306 that the words "subject to a satisfactory business plan being presented to Council" being added to the motion
- Motion 31/0306 that the words "with rental charge remaining at \$25 per week" being added to the motion.

6.2 MINUTES OF THE FINANCE AND AUDIT COMMITTEE MEETING HELD ON WEDNESDAY 6 APRIL 2006

Appendix 1

M3/0406 Moved Cr McLean

Seconded Cr Roberts

That the Finance and Audit Committee Meeting held on

Wednesday 6 April 2006, be received.

CARRIED 9-0

BUSINESS ARISING

6.2.1 BUDGET REVIEW

M4/0406 Moved Cr Roberts Seconded Cr Alexander

That Council adopt the Budget Review as presented.

CARRIED 9-0

6.3 MINUTES OF THE PLANT AND WORKS COMMITTEE MEETING

HELD ON WEDNESDAY 19 APRIL 2006

Appendix 2

M5/0406 Moved Cr Szczecinski Se

Seconded Cr Leonhardt

That the Plant and Works Committee Meeting held on Wednesday

19 April 2006, be received.

CARRIED 9-0

BUSINESS ARISING

6.3.1 FORREST STREET DRAIN

M6/0406 Moved Cr Szczecinski Seconded Cr Roberts

That Council meet BG&E Consulting Engineers to determine who is responsible for managing the storm water in their area and they be requested to supply an estimate on what the cost would be to

design a plan to rectify the problem.

CARRIED 9-0

6.4 PRESIDENT'S REPORT

Appendix 3

M7/0406 Moved Cr Foster Seconded Cr Alexander

That the President's Report as presented, be received.

Council adjourned for Lunch at 12.33pm.

Council reconvened from Lunch at 1.35pm.

Mr Russell Reid, Acting Town Planner, entered Council Chambers at 1.35pm.

Mr Frank Buise, Environmental Health Officer/Building Surveyor, entered Council Chambers at 1.35pm.

7. REPORTS OF COMMITTEES AND OFFICERS

7.1 TOWN PLANNING

ITEM NUMBER: 7.1.1

DATE: 11 April 2006

SUBJECT: REQUEST FOR THE WESTERN AUSTRALIAN

PLANNING COMMISSIONS RECONSIDERATION OF A SUBDIVISION APPLICATION FOR LOCATIONS 117, 120 AND LOT 1 MAITLAND ROAD, BEVERLEY (WAPC

REF: 128771)

OWNER: A & P Boyle FILE REFERENCE: PL 128771

AUTHOR: Acting Shire Planner – Russell Reid

BACKGROUND

The Shire of Beverley supported the abovementioned subdivision proposal, which was refused by the Commission on the 7 October 2005.

A request for the reconsideration of the Commissions refusal was lodged by the landowners.

COMMENT

Advice dated the 27 March 2006 has been received from the Western Australian Planning Commission that the previous decision by the Commission is re-iterated.

It was agreed that the information be received

ITEM NUMBER: 7.1.2

DATE: 11 April 2006

SUBJECT: PROPOSED SUBDIVISION OF LOT 2835 YORK-

WILLIAMS ROAD, DALE

OWNER: E F & F M Hankinson

FILE REFERENCE: PL 130757

AUTHOR: Acting Shire Planner – Russell Reid

Appendix 4

BACKGROUND

An application for subdivision has been forwarded by the Western Australian Planning Commission for consideration and comment by Council.

COMMENT

The application proposed the subdivision of Farming Zoned location 2835 which is bisected by the York-Williams Road into 2 lots of 29.73ha and 11.04ha respectively, either side of that road.

The smaller lot proposed would have frontage to the Dale River Reservation.

Under the provisions of Shire of Beverley Town Planning Scheme No.2, the present site is partly located within Policy Areas Be3 and Be4, within which a minimum lot size of 40ha is recommended.

Where a property is physically divided by a road, which adversely affects the farming management of the property, the minimum lot size recommended does not apply.

In this particular instance it is suggested that support for this subdivision will not set an undesirable precedent in the locality concerned.

M8/0406 Moved Cr Foster Seconded Cr Roberts

That Council recommend to the Western Australian Planning Commission that the subdivision as proposed be approved with nil conditions.

ITEM NUMBER: 7.1.3

DATE: 11 April 2006

SUBJECT: PROPOSED SUBDIVISION OF LOT 10 HUNT ROAD,

BEVERLEY

OWNER: F R Calzoni FILE REFERENCE: PL 130764

AUTHOR: Acting Shire Planner – Russell Reid

Appendix 5

BACKGROUND

An application for subdivision has been forwarded by the Western Australian Planning commission for consideration and comment by Council.

COMMENT

The application proposes the subdivision of the Residential R10 zoned lot into two (2) lots of 8,000m² and 1.8ha respectively.

Both lots proposed have frontage to the constructed Hutchinson Street and are serviced by the town's water and power networks.

Hutchinson Street is of basic gravel construction that is worthy of upgrading.

M9/0406

Moved Cr McLean Seconded Cr Leonhardt That Council recommend to the Western Australian Planning Commission that the subdivision as proposed be approved subject to:-

1. The Hutchinson Street gravel construction, fronting the two (2) lots proposed, being upgraded to a standard acceptable to the Shire's Works Supervisor.

ITEM NUMBER: 7.1.4

DATE: 11 April 2006

SUBJECT: PROPOSED SUBDIVISION – LOT 159 MAITLAND

ROAD, BEVERLEY

OWNER: I J & K M Watson

FILE REFERENCE: PL 130728

AUTHOR: Acting Shire Planner – Russell Reid

Appendix 6

BACKGROUND

An application for subdivision has been forwarded by the Western Australian Planning Commission for consideration and comment by Council.

COMMENT

The application proposes the subdivision of, farming zoned, lot 159 Maitland Road, Beverley, which has an area of 79.74ha, into two (2) lots with areas of 40.3ha and 39.4ha respectively.

Under the provisions of the Shire of Beverley Town Planning Scheme No.2, within Policy Area Be3, a minimum lot size of 40ha is recommended.

In this particular instance, since lots with areas of under 40ha exist in the general vicinity of the project site, it is considered that support for the subdivision, into lots of 40.3 and 39.4ha respectively, is valid.

M10/0406

Moved Cr Szczecinski Seconded Cr Roberts
That Council recommend to the Western Australian Planning
Commission that the subdivision as proposed be approved with
nil conditions.

ITEM NUMBER: 7.1.5

DATE: 19 April 2006

SUBJECT: PROPOSED ORGANIC MARKET GARDEN – LOT 133

VINCENT STREET, BEVERLEY

OWNER: A Mead

FILE REFERENCE:

AUTHOR: Acting Shire Planner – Russell Reid

Appendix 7

BACKGROUND

An application has been received from the abovementioned person who seeks Council's approval to the development of an Organic Market Garden Project on the abovementioned lot, which has an area of 13,633m² frontage to Vincent Street, and which is zoned Residential R5 under the provisions of Shire of Beverley Town Planning Scheme No.2.

COMMENT

- 1. In his submission, a copy of which is attached to this report, Mr Mead makes clear the following points:-
 - He is well qualified to develop and manage the project he proposes.
 - He proposes to run the <u>Wholesale</u>, not <u>Retail</u> Market Garden Project, which will service local business.
 - Materials used in the operation of the Market Garden are natural and non-toxic.
 - No heavy machinery will be used in the operation.
- The project area is zoned for Residential R5 purposes, under the provisions of Town Planning Scheme No.2, and Intensive Agriculture is listed as an "AA" use within that zone, which means that Council may, at its discretion, permit the use.

Intensive Agriculture is defined as:-

'The use of land for the purposes of trade, commercial reward or gain, including such buildings and earthworks normally associated with the following-

- a) The production of grapes, vegetables, flowers, exotic and native plants, fruit and nuts;
- b) The establishment and operation of plant and fruit nurseries;
- c) The development of land for irrigated fodder production and irrigated pasture (including turf farms);
- d) The development of land for irrigated tree production;

- e) The development of land for the keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat, or fur production), and other livestock in feedlots;
- f) Dairy milking sheds;
- g) The development of land for the keeping, rearing or fattening of other livestock above those stocking rates recommended by Agriculture Western Australia in consultation with surrounding farmers for the applicable pasture type;
- h) Aquaculture.'
- 3. It is suggested that the development, as proposed will, if developed and managed in the manner proposed, offer local business operators in Beverley the opportunity to purchase fresh produce at competitive rates.

M11/0406 **Moved Cr Foster**

subject to:-

Seconded Cr McDonald That Council resolve to advise the applicant that it grants its Planning consent to the Organic Market Garden Project proposed,

- 1. The operation being of a wholesale nature only, which does not attract the general public to lot 133 Vincent Street.
- 2. The operation, being developed and managed in the manner laid down in his submission and in a manner, which is at all times approved by the Shire's Environmental Officer.
- 3. No construction of any additional building is to be undertaken on lot 133 without the issue of the necessary **Building Licence.**
- 4. The integrity of the Shire drainage line through lot 133 is to be protected at all times.
- 5. Written approval to the proposed project is to be obtained from the owners of lots 132, 135, 136, 137 & 138 Vincent Street, Beverley and lodged with the Shire prior to any Market Garden operation commencing.

ITEM NUMBER: 7.1.6

DATE: 26 April 2006

SUBJECT: TENDER BY LANDMARK

OWNER: Mr Edwards

FILE REFERENCE:

AUTHOR: Acting Shire Planner – Russell Reid

BACKGROUND

Lots 12 and 800 Hunt road owned by Mr and Mrs Tom Edwards are being sold by Tender. Tenders close 11th May 2006.

M12/0406 Moved Cr Alexander Seconded Cr McLean

That Council agree to record its interest in Lots 12 and 800 Hunt Road, being offered for tender, should there be no successful

tenderer.

CARRIED 9-0

Mr Russell Reid, Acting Town Planner, left Council Chambers at 2.23pm.

7.2 HEALTH AND BUILDING

ITEM NUMBER: 7.2.1

DATE: 19 April 2006 SUBJECT: WORK ORDERS LOCATION: Beverley Townsite

FILE REFERENCE:

AUTHOR: Environmental Health Officer/Building Surveyor –

Frank Buise

BACKGROUND

Council at its meeting on 28 March 2006 dealt with the schedule of works which was placed on the Golf Club on 17 January 2005.

This report has been prepared in response to that schedule of works.

The following **commercial premises and sporting clubs** have had schedules placed on them:-

- Beverley Hotel Schedule placed on 4 April 2003, and completed on 20 October 2004.
- 2. Freemasons Hotel Schedule prepared not served, but voluntarily completed March 2006.
- 3. T Bone and sons Schedule placed on 6 October 2003 completed on 25 October 2004.
- 4. Hot Pot Café Schedule placed on 9 February 2006 Current.
- 5. Country Kitchen Schedule placed on 5 January 2006 Current.
- 6. Bowling Club- Schedule placed on 30 March 2005 Current.
- 7. Tennis Club- Schedule placed 30 March 2005 completed 15 April 2006.
- Golf Club- Schedule placed on 17 Jan 2005. Not yet commenced.
- Town Hall- Schedule placed 30 March 2005 -Not yet completed.
- 10. Amenities Building Schedule placed 30 March 2005 Not yet completed.
- 11. Football Club Schedule placed 27 January 2005 Not yet completed.
- 12. *Avon Valley Low Cost Foods placed on 22 December 2005 (now closed).

Housing:-

- 1. 49 Forrest Street 28 Jan 2006 House Unfit
- 2. Lot 29 Seabrook St 29 April 2005 pull down and remove

^{*} Denotes premises providing/selling food.

- 3. Lot 30 Seabrook St 29 April 2005 Pull down and remove
- 4. Loc 28868 Rigoll Rd 22 November 2005 Letter (pull down and remove)
- 5. 63 Lukin St 9 July 2004 House Unfit
- Lot 218 Lukin Street 18 August 2005 letter untidy property
- 7. Lot 1 Dempster Street 18 August 2005 Letter- untidy property
- 8. Lot 4 Great Southern Highway Various orders over the past 3 years dwelling now demolished. Complied
- 9. 78 Hunt Road 5 January 2006 Untidy property Complied
- Lot 54 Vincent Street 21 November 2005 Stop work -Complied
- 11. Beverley Horse and Pony Club ablution block 7 October 2005– Completed 16 April 2006

COMMENT

As Council can see the list of premises which have, or have completed schedules is extensive.

The aim of the schedules/orders is to have the commercial premises (food premises) bought up to a minimum standard. This minimum standard is reviewed each time the premise is inspected. Invariably, wear and tear has an effect on the fixtures and fittings. Owners have to be made aware of this, and it is their responsibility under the Health Act to maintain their premise, and it is not my responsibility to tell them what needs to be repaired or replaced. The order is usually the second last resort.

As indicated above there are those individuals who voluntarily carry out maintenance and realise that it is there responsibility to do so.

There are other dwellings that have had order and have complied which are not listed.

STATUTORY ENVIRONMENT

Local Government (Miscellaneous Provisions) Act 1960 Health Act 1911

It was agreed that this item be received.

Stephen Gollan declared an interest in the following item and left Council Chambers at 2.32pm.

7.2 HEALTH AND BUILDING

ITEM NUMBER: 7.2.2

DATE: 20 April 2006

SUBJECT: SCHEDULE OF WORKS – BEVERLEY GOLF CLUB

FILE REFERENCE:

AUTHOR: Environmental Health Officer/Building Surveyor –

Frank Buise

Appendix 8

BACKGROUND

Council at its meeting on 28th March 2006 resolved to close the kitchen at the Beverley Golf Club, if the management committee of the Golf Club failed to install a hand wash basin with a soap and towel dispenser by 17 April 2006. Further, the management committee is required to draft a proposal, which would ensure that all the works in the schedule are completed.

The hand washbasin will be installed by the local plumber shortly. The plumber has had discussions with me, and has confirmed that he will install it as soon as possible. It may be that it will not be done before the 17 April 2006.

An onsite meeting was held on Friday 31st March 2006 with the management committee to discuss what work had to be done.

COMMENT

It appears that there is renewed interest from the management committee to resolve the issue. An extension of twelve months to complete all the works is satisfactory, since it has been partly documented. Any time over twelve months is unacceptable, as my previous report has indicated, that most other food premises in the town have complied with work schedules in a reasonable time frame.

STATUTORY ENVIRONMENT

Health Act 1911 (as amended) Food Act

M13/0406 Moved Cr Foster

Seconded Cr Leonhardt

That Council grant an extension to the Beverley Golf Club until the

30 April 2007 to complete the schedule of works.

CARRIED 9-0

Stephen Gollan entered Council Chambers at 2.43pm.

Mr Frank Buise, Environmental Health Officer/Building Surveyor, left Council Chambers at 2.54pm.

Mr Steve Vincent, Works Supervisor, entered Council Chambers at 2.54pm.

7.3 PLANT, WORKS, TOURISM AND RECREATION

Nil

Cr Roberts left Council Chambers at 3.18pm.

Cr Roberts entered Council Chambers at 3.22pm.

Mr Steve Vincent, Works Supervisor, left Council Chambers at 3.25pm.

7.4 FINANCE

ITEM NUMBER: 7.4.1

DATE: 18 March 2006

SUBJECT: SCHEDULE OF ACCOUNTS

AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

Appendix 9

COMMENT

The Schedule of Accounts for the month of March 2006.

M14/0406 Moved Cr Leonhardt Seconded Cr Roberts

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

received.

7.4 FINANCE

ITEM NUMBER: 7.4.2

DATE: 18 FEBRUARY 2006

SUBJECT: FINANCIAL REPORT FOR THE PERIOD ENDING 31

MARCH 2006

AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

COMMENT

That the Financial Report for the period ending 31 March 2006 is under separate cover.

M15/0406 Moved Cr Leonhardt Seconded Cr McDonald

That the Financial Report for the month ending 31 March 2006, as

presented, be received.

7.4 FINANCE

ITEM: 7.4.3

DATE: 19 April 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 March 2006 with Esanda Investments.

 Office Equipment Reserve 	\$ 17,727.00
 Annual Leave Reserve 	\$ 89,369.00
Building Reserve	\$ 340,480.00
Leave and Gratuity Reserve	\$ 17,215.00
Plant Reserve	\$ 485,007.00
Recreation Ground Reserve	\$ 209,810.00
Bush Fire Fighters Reserve	\$ 56,463.00
 Avon River Development Reserve 	\$ 23,684.00
 Community Bus Reserve 	\$ 17,051.00
 Cropping Committee Reserve 	\$ 63,910.00
Municipal Fund	\$ 300,000.00

The Investment terms are as follows:

Certificate #	Term	Interest Rate	Amount	Expires
1137527010	60 Days	5.58%	\$1,320,716.00	12/05/06
1137321015	1 Month	5.35%	\$ 300,000.00	08/05/06

M16/0406 Moved Cr Szczecinski Seconded Cr Roberts
That Council receive the investments for the month of March 2006.
CARRIED 9-0

ITEM NUMBER: 7.5.1

DATE: 18 April 2006

SUBJECT: LEASING OF CROPPING COMMITTEE LAND

FILE REFERENCE: CP017

AUTHOR: Chief Executive Officer – Keith Byers

BACKGROUND

After discussions with members of the Cropping Committee it was agreed to call for submissions to lease the remaining portions of cropping committee land for grazing rights only for a period of three years.

COMMENT

An advertisement was placed in the Beverley Blarney with submissions closing at 4.00pm on Wednesday 12th April 2006.

The following submissions were received:

	Jamie & Jennie Hammond	CR & J Ridgway	Beverley Football Club	D. Barrett Lennard	Jeff Murray
Pt Reserve 5265					
(Sand Pit) (Lot B)			\$ 650.00		\$ 4,100.00
Reserve 25266					
(Bethany Farm)			\$ 800.00	\$ 3,456.02	\$ 4,200.00
Reserve 38798					
(Mount Kokeby Block)		\$1,141.80			
Reserve 2633					
(Old Aerodrome					
Opposite CBH)					
Lot 78 Waterhatch Road	\$ 666.67		\$ 220.00	\$ 456.45	

The leases are for a period of 3 years (15th April 2006 to 31st March 2009).

Council current lease payments to the Department of Planning and Infrastructure are shown below.

Reserve 25266	(Bethany Farm)	\$ 4	1,500.00 per annum
Reserve 38798	(Mount Kokeby)	\$	550.00 per annum

As the figures indicate the amount of money offered for the lease of Reserve 25266 (Bethany Farm) does not cover the annual lease payment and Reserve 38798 (Mount Kokeby) the sum offered for the lease covers the lease payment.

Councillors Schilling, McLean, Szczecinski and Bailey held a meeting to discuss the above submission on Thursday 13th April 2006.

The meeting has recommended:

- That Lot 78 Waterhatch Road is leased for one year only due to consideration being given to selling a portion of this lot.
- That Jamie Hammond is offered a one-year lease of Lot 78 Waterhatch Road for the sum of \$700.00 (GST Inclusive). The lease to terminate on 31st March 2007.
- That both Pt Reserve 5265 (Sand Pit) being (Lot B) and Reserve 25266 (Bethany Farm) be leased to Jeff Murray for three years ending 31st March 2009 for a price of \$4,100.00 and \$4,200.00 respectively per annum (GST Inclusive).
- That the price submitted from CR & J Ridgeway for Reserve 38798 (Mount Kokeby) not be accepted and this reserve be readvertised.
- o That Reserve 2633 (Old Aerodrome Opposite CBH) is readvertised.
- That the Reserve (Old Racecourse) be advertised for a Stock only lease for three years.

M17/0406 Moved Cr McLean Seconded Cr Bailey
That Council endorse the meeting recommendations as shown above.

CARRIED 9-0

M18/0406 Moved Cr Alexander Seconded Cr Leonhardt
That Council review the Cropping Committee leases at the
September 2006 Council Meeting. CARRIED 9-0

ITEM NUMBER: 7.5.2

DATE: 19 April 2006

SUBJECT: FINANCIAL ASSISTANCE – BEVERLEY HISTORICAL

SOCIETY

FILE REFERENCE:

AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

As Council would be aware The Historical Society forwarded a request seeking financial assistance to enable them to pay their Public Liability Insurance whilst remaining solvent. Council at their November meeting requested further information regarding the cost of the Public Liability Insurance.

COMMENT

The Beverley Historical Society has received a quote from Municipal Insurance Broking Services of WA (MIBS). The cost of this policy is \$587.40.

This policy does increase their cover from \$2,000,000.00 to \$10,000,000.00.

Council could consider making a donation of \$1,000.00 to the Beverley Historical Society with the proviso that the money be used on operational expenses such as paying insurances etc.

Council currently contributes towards the Beverley Telecentre (\$3,000.00), Beverley Tourist and Development Association (\$9,000.00) and Beverley Community Enterprises (\$1,000.00) with these funds also being used on operational costs.

As the Beverley Historical Society is finding it hard to attract funds to continue running the Dead Finish Museum it could be an opportune time for Council to assist them by making a donation that exceeds the cost of the Public Liability Insurance.

M19/0406 Moved Cr Foster Seconded Cr Roberts

That Council donate \$1,000.00 annually, to the Beverley Historical Society on the proviso that these funds are used for operational expenses.

ITEM NUMBER: 7.5.3

DATE: 18 April 2006

SUBJECT: RESERVE 2633 RECREATION (ACQUISITION)

FILE REFERENCE:

AUTHOR: Chief Executive Officer – Keith Byers

Appendix 10

BACKGROUND

For some time, Council has been endeavouring to acquire Reserve 2633 (Recreation) to enable it to provide land for industrial development.

It was originally offered for sale at a cost of \$35,000.00 + GST, however the matter could not proceed due to Native Title implications.

Enclosed is advice received from the Department of Planning and Infrastructure.

COMMENT

Should Council wish to proceed with the Industrial Land Development, the only option would be to purchase the land for \$210,000.00. Considering the price of land in Beverley this is probably a reasonable valuation, however other development costs are likely to make a subdivision, either industrial or residential, unavailable.

In the meantime it may be more realistic to lease the lot for an appropriate purpose even if a nominal rent of \$500.00 p.a. was applied if it can be demonstrated that the proceeds from sub-leasing are directed to a community facility.

It has also been brought to the attention of the Shire President that Cooperative Bulk Handling maybe looking for additional land in the vicinity of the existing installation and portion or all of Reserve 2633 might offer a solution.

M20/0406

Moved Cr Alexander Seconded Cr Szczecinski
That Council advised the Department of Planning and
Infrastructure that it wishes to lease Reserve 2633 at a nominal
annual rental of \$500.00 per anum on a year-to-year basis.

CARRIED 9-0

ITEM NUMBER: 7.5.4

DATE: 18 April 2006

SUBJECT: SALE OF LAND – PORTION OF BEVERLEY SUB LOT

127

FILE REFERENCE:

AUTHOR: Chief Executive Officer – Keith Byers

Appendix 11

BACKGROUND

An offer of \$15,000.00 for the purchase of portion of Beverley sub lot 127 has been received from the adjoining owner in Brooking Street, Craig Moynihan.

Mr. Moynihan has placed the following conditions upon his offer:

- 1. ANZ Bank finance being available.
- 2. Settlement agent being Shane Jacob.
- 3. The land titles can be made as one title, with no rate increase.
- 4. The land being resurveyed and pegged at Council's expense.
- 5. As is condition with no fencing and no services (although there are no services to the lot both power and water pass by on the opposite side of Brooking Street)

COMMENT

A local government can dispose of property, other than by auction or tender, if before agreeing to dispose of the property –

1. It gives local public notice of the proposal:

Describing the property,

Giving details of the proposed disposition; and Inviting submissions to be made before a date to be specified but not less than two weeks after the notice is first given; and

It considers any submissions received before the date specified in the notice and if its decision is made by the Council or a Committee, the decision and reasons for it are recorded in the Minutes of the meeting at which the decision was made.

The actual notice in the local newspaper shall contain –

- 1. The names of all other parties concerned;
- 2. The consideration to be received by the local government from the disposition; and
- 3. The market value of the disposition, ascertained by a valuation carried out not more than six months before the proposed disposition.

Licensed Valuer, Mr. Edward Mogridge has recently valued the property at \$50,000.00.

M21/0406 Moved Cr Leonhardt Seconded Cr Schilling

That Council, in accordance with the provision on the Local Government Act and Regulations, offer the property to Mr Moynihan for \$50,000.00 and he be responsible for survey and

pegging. CARRIED 8-1

Council adjourned at 4.00pm.

Council reconvened from Lunch at 4.16pm.

Mr Frank Buise, Environmental Health Officer/Building Surveyor, entered Council Chambers at 4.30pm.

ITEM NUMBER: 7.5.5

DATE: 18 April 2006

SUBJECT: USE OF OLD FIRE STATION

FILE REFERENCE:

AUTHOR: Chief Executive Officer – Keith Byers

Appendix 12

BACKGROUND

The Beverley Drug Action Group (L.D.A.G.) has issued a request to utilise the Old Fire Station as a venue for the youth of the Community.

Council has previously offered the Infant Health Centre to LDAG, however the Committee has deemed this building unsuitable.

COMMENT

Council originally offered the Fire Station to Lyn's Gym, however, this business is now operating from the Old Courthouse.

John Saville-Wright has also forwarded a formal interest in the Fire Station for the use of an office and has requested full lease details and whether it is available.

The LDAG Committee has also requested the opportunity to discuss with Council the future of the Fire Station and a Youth Development Plan, a copy of which is attached.

M22/0406

Moved Cr Foster Seconded Cr Roberts
That Council meet with the Beverley Local Drug Action Group to
discuss their Youth Development Plan and request to utilise the
Old Beverley Fire Station.

CARRIED 8-1

Mr Frank Buise, Environmental Health Officer/Building Surveyor, left Council Chambers at 4.44pm.

M23/0406 Moved Cr Alexander Seconded Cr Leonhardt

That Council agree that Councillors Szczecinski and McLean do

not have an interest in the following item.

CARRIED 7-0

7.5 ADMINISTRATION

ITEM NUMBER: 7.5.6

DATE: 18 April 2006

SUBJECT: ACCOMMODATION – BEVERLEY OPPORTUNITY

SHOP

FILE REFERENCE:

AUTHOR: Chief Executive Officer – Keith Byers

BACKGROUND

At the March meeting of Council, correspondence was tabled from the Beverley Hospital Auxiliary requesting Council to provide a venue to operate their Opportunity Shop, as the present accommodation at the Freemasons Hotel will be withdrawn at the end of June 2006.

In response to the request of the Auxiliary, Council resolved that the Hospital Auxiliary be offered the use of the flat component of the Infant Health Centre at no charge, to enable them to operate the Opportunity Shop.

COMMENT

The Auxiliary has responded, thanking Council for the offer, but after conducting an inspection, the Infant Health Centre is unsuitable for the following reasons:

- 1. 'To accommodate the vast quantity of clothing and other items that we sell we would need to use both of the main rooms in the flat with our service counter being in one of them. This would pose a problem with security, as it would be difficult to monitor the 'unsupervised' room. The rooms themselves are not of an adequate size to display and to allow easy movement amongst the goods, as well as to fit our long wooden counter.
- 2. The remainder of the flat kitchen, hall and toilet etc would be superfluous to our needs as there are only two helpers present in the shop for two hours at a time and only on a Friday. In fact, we would find that maintaining the flat and the carpeted floors in a clean condition would create extra work for our volunteers.
- 3. The fact that the rooms do not have Vincent Street frontage would also be disadvantageous. The Shop needs to have a prominent, highly visible access that impacts on the public and attracts the customers. The entrance on Dawson Street is 'hidden' from the passer-by on the main street.'

Council has been requested to consider making available portion of the old school in Vincent Street as it has the following benefits:

- 1. 'The School Room is a most adequate size. It is large, light and airy and would give us ample room to display our items for sale.
- 2. The rostered ladies would have no problems overseeing the customers even on a busy day.
- 3. The open plan space and the easily maintained lino floor covering would mean very little upkeep by our Committee. The spacious display of our goods would greatly enhance our sales.'

The Auxiliary indicated they would be attending question time at Councils meeting to clarify any queries Councillors may have.

M24/0406 Moved Cr Szczecinski Seconded Cr McLean
That Council offer the vacant room at the Old School for use as an
Opportunity shop by the Hospital Auxiliary for a period of two

years.

Carried 8-1

Mr Stephen Gollan declared an interest in the following item and left Council Chambers at 5.22pm.

ITEM NUMBER: 7.5.7

DATE: 20 April 2006

SUBJECT: **BEVERLEY GOLF CLUB – GRANT FUNDING FROM**

BEVERLEY CROPPING COMMITTEE

FILE REFERENCE:

AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

Council has received correspondence from the Beverley Golf Club seeking a grant from the Cropping Committee to assist them in completing the required kitchen renovations.

COMMENT

Below is a summary of the correspondence received from the Beverley Golf Club.

"As you a probably aware the Beverley Golf Club was issued with a work order from Council. The total of the work order is likely to be between \$15,000.00 and \$20,000.00.

The Beverley Golf Club is not currently in a financial position to have the works completed and with a bank balance of \$2,000.00 is unlikely to be able to borrow the funds.

It has been suggested that as the Beverley Cropping Committee was established to provide funding to local community / sporting groups for Capital upgrades that we may be able to access a grant from the Cropping Committee. As far as we are aware the Beverley Golf Club has not previously accessed any funding in this way.

Can you please advise if funding is available for these works".

The Cropping Committee has approximately \$96,000.00 in funds, with \$63,900.00 being on investment. Council has committed to allow the Beverley Bowling Club \$30,000.00 as a loan that will be repaid when funds have been received from their cropping program.

M25/0406 Moved Cr McLean

Seconded Cr Roberts That Council utilise the Cropping Committee funds to offer a grant to the Beverley Golf Club of \$4,000.00 and a \$10,000.00 interest free loan to be repaid by 30 June 2010.

Amendment

M25/0406 Moved Cr Alexander

Seconded Cr McDonald

That Council utilise the Cropping Committee funds to offer a grant to the Beverley Golf Club of \$4,000.00 and a \$10,000.00 interest free loan, with \$5,000.00 to be repaid by 30 June 2008 and the

remaining \$5,000.00 to be repaid by 30 June 2009.

CARRIED 8-1

The Amendment then becomes the Motion and was CARRIED 8-1.

Mr Stephen Gollan entered Council Chambers at 5.35pm.

7.5.8 **ITEM NUMBER:**

DATE: 20 April 2006

SUBJECT: **BEVERLEY AGRICULTURAL SOCIETY – FUNDING**

ASSISTANCE FROM BEVERLEY CROPPING

COMMITTEE

FILE REFERENCE:

AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

Council has received correspondence from the Beverley Agricultural Society seeking a contribution from the Cropping Committee to assist them fund the cost of the marquee hire.

COMMENT

Below is a summary of the correspondence received from the Agricultural Society.

"For the past four years the Beverley Agricultural Society has erected a large white marquee on the oval on show day. This showcases local agriculture, stock and agricultural based enterprises. The idea has been very successful and is now widely accepted as being an annual part of the show.

In the beginning the concept was to have the marguee self-funding with the exhibitors paying for it. However in reality the Beverley Agricultural Society now have to fundraise \$3,000.00 each year for the cost of the marquee hire.

We were wondering if the Beverley Cropping Committee would be able to help cover all or part of this cost. We understand there are many community groups needing assistance and would be grateful for any funding you may be able to give".

The Cropping Committee has approximately \$96,000.00 in funds, with \$63,900.00 being on investment. Council has committed to allow the Beverley Bowling Club \$30,000.00 as a loan that will be repaid when funds have been received from their cropping program.

M26/0406 Moved Cr McLean

Seconded Cr Foster That Council do not allocate funds from the Beverley Cropping Committee to the Beverley Agricultural Society to assist with the hire of a Marguee, as this does not meet the criteria as set out by the Cropping Committee for which funds are to be used.

ITEM NUMBER: 7.5.9

DATE: 26 April 2006

SHIRE PLANNER POSITION SUBJECT:

FILE REFERENCE:

AUTHOR: Chief Executive Officer – Keith Byers

BACKGROUND

With the resignation of Council's Planner an advertisement was placed calling for applications for this position.

An interview was held in Brookton to select a new Planner. Mr Warwick Carter was offered the position of Planner for the Shires of Beverley and Brookton and he has since accepted the position.

He will commence employment from the 6th June 2006.

M27/0406 **Moved Cr Roberts** **Seconded Cr Bailey**

That Council endorse the employment of Mr Warwick Carter as the

Shire of Beverley's Planner.

8. INFORMATION BULLETIN

8.1 CHIEF EXECUTIVE OFFICER

ITEM NUMBER: 8.1.3

DATE: 20 April 2006

SUBJECT: RURAL COMMUNITY LEGAL SERVICE INC.

FILE REFERENCE:

AUTHOR: Chief Executive Officer – Keith Byers

Appendix 13

BACKGROUND

The Rural Community Legal Service has requested Council to consider contributing \$1,300.00 so they may continue providing a service, when adopting the 2006/07 budget.

A copy of their objectives and other relevant information is attached.

The meeting agreed to consider this item when formulating their 2006/2007 budget.

8. INFORMATION BULLETIN

8.1 CHIEF EXECUTIVE OFFICER

ITEM NUMBER: 8.1.4

DATE: 20 April 2006

SUBJECT: YENYENING LAKES MANAGEMENT GROUP

FILE REFERENCE:

AUTHOR: Chief Executive Officer – Keith Byers

Appendix 14

BACKGROUND

Yenyening Lakes Management Group have written to request a representative from Council for their committee, to provide input and keep the Council informed on Yenyening Lakes Management Group issues.

Council's current representative is Neville McLean.

M28/0406 Moved Cr Schilling Seconded Cr Szczecinski

That Councillor McLean be Council's representative on the Yenyening Lakes Management Group Committee with Councillor

Bailey as his proxy.

9. TABLED CORRESPONDENCE

- Corruption and Crime Commission of Western Australia 'Report on misconduct handling procedures in the Western Australian public sector: Department of Local Government and Regional Development' – April 2006.
- Western Power 'Western power networks today and tomorrow'.
- Office of Water Strategy 'State Water Strategy News' March 2006.
- National Native Title Tribunal 'Talking Native Title' March 2006 (Issue 18).
- Department of Local Government and Regional Development –
 'Grants Directory Grants and assistance programs for regional and metropolitan communities, and local governments' March 2006.

10. OTHER BUSINESS

10.1 RESTORATION OF VAMPIRE

Cr Szczecinski was approached with a request for Council to source a grant for the restoration of the Vampire plane on Hunt Road as an Icon of the Beverley community.

M29/0406

Moved Cr Szczecinski Seconded Cr Roberts
That Council approach Laura Grey, seeking her expertise in relation to restoring the Vampire planes in Beverley.

CARRIED 9-0

10.2 ADMINISTRATION BUILDING FRONT DOOR

A quote has been received to replace the front door of the Administration building from DORMA. The cost to replace the door with an Automatic Double Sliding Door is \$6,873.00 (GST Exclusive).

As this item is not included in the 2005/2006 budget it will need to be carried by an "Absolute Majority".

M30/0406

Moved Cr Schilling Seconded Cr Foster
That Council accept the quote from DORMA to replace the front
doors of the Administration building with an Automatic Double
Sliding Door at a cost of \$6,873.00 (GST Exclusive).

CARRIED 9-0 ABSOLUTE MAJORITY

11. CLOSURE

There being no further business the meeting closed at 6.05pm.

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