



27 AUGUST 2013

ORDINARY MEETING

MINUTES

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1. OPENING

The Chairperson declared the meeting open at 2:06pm

2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 Members Present

Cr DJ Ridgway	President	South Ward
Cr CJ Pepper	Deputy President	West Ward
Cr JD Alexander		North Ward
Cr BM Foster		West Ward
Cr KM Murray		North Ward
Cr LC Shaw		West Ward
Cr DC White		South Ward

2.2 Staff In Attendance

Mr SP Gollan	Chief Executive Officer
Mr SK Marshall	Deputy Chief Executive Officer
Mr BS de Beer	Shire Planner (from 2:11pm to 2:28pm)
Mrs A Lewis	Executive Assistant

2.3 Observers And Visitors

Nil

2.4 Apologies and Approved Leave of Absence

Approved Leave of Absence:

Cr P Gogol	North Ward
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2.5 Condolences

The Shire of Beverley offers its condolences to the family of:

COLE	Rufus
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3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. DECLARATIONS OF INTEREST

6.1 Cr Shaw

Cr Shaw declared a proximity interest in Item 9.1, Subdivision Application Lot 24 and Lot 28 Negus Road.

7. CONFIRMATION OF MINUTES

7.1 Minutes Of The Ordinary Council Meeting Held 23 July 2013

OFFICER'S RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held Tuesday 23 July 2013 be confirmed.

COUNCIL RESOLUTION

M1/0813

Moved Cr Pepper

Seconded Cr Murray

That the Minutes of the Ordinary Council Meeting held Tuesday 23 July 2013 be confirmed.

CARRIED 7/0

7.2 Minutes Of The Audit and Administration Meeting Held 12 August 2013

1. OPENING

The Chairperson declared the meeting open at 1:12pm

2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 Members Present

Cr DJ Ridgway	President	South Ward
Cr KM Murray		North Ward
Cr LC Shaw		West Ward
Cr DC White		South Ward

2.2 Staff In Attendance

Mr SP Gollan	Chief Executive Officer
Mr SK Marshall	Deputy Chief Executive Officer
Mrs A Lewis	Executive Assistant

2.3 Observers And Visitors

Cr BM Foster	West Ward
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2.4 Apologies and Approved Leave of Absence

Cr CJ Pepper	Deputy President	West Ward
Mr SP Vincent	Manager Of Works	

3. DECLARATIONS OF INTEREST

Nil

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Audit and Administration Committee Meeting 19 June 2013

OFFICER'S RECOMMENDATION

That the Minutes of the Audit and Administration Committee Meeting held 19 June 2013 be confirmed.

COMMITTEE'S RESOLUTION

MAA/0108

Moved Cr Shaw

Seconded Cr Murray

That the Minutes of the Audit and Administration Committee Meeting held 19 June 2013 be confirmed.

CARRIED 4/0

5. OFFICER REPORTS

5.1 2013/14 FEES AND CHARGES

SUBMISSION TO: Audit & Administration Committee 12 August 2013
REPORT DATE: 6 August 2013
APPLICANT: N/A
FILE REFERENCE: ADM 0275
AUTHOR: SK Marshall, Deputy Chief Executive Officer
ATTACHMENTS: 2013/14 Schedule of Fees and Charges

SUMMARY

The Audit & Administration Committee to consider recommending additional Fees and Charges be adopted, which were not presented at the June 2013 Ordinary Council Meeting.

BACKGROUND

A Fees and Charges review is conducted annually by comparing 2012/13 Fees and Charges against a CPI increase and/or other selected percentages.

The Fees and Charges review is a statutory requirement, but also reflects good management practice.

The proposed Fees and Charges Schedule for 2013/14 was adopted by Council at the 23 June 2013 Ordinary Council Meeting.

COMMENT

Since the June 2013 Ordinary Council Meeting new information has come to hand regarding changes to fees and charges set by legislation and several Council charges require further review (highlighted in yellow in attachment).

Fees and Charges set by Legislation which require consideration include:

- Increases to Planning Service Fees (*Planning and Development Regulations 2009*);
- Inclusion of Building Fees (*Building Act 2011*);
- Inclusion of Development Assessment Panel (DAP) Fees (*Planning and Development (Development Assessment Panels) Amendment Regulations 2013*);
- Inclusion of Cat Registration Fees (*Cat Act 2011*); and
- Update of Dog Registration Fees (*Dog Act 1976*).

Council Fees and Charges which require further review include:

- Charge for Beverley History Book including postage.

STATUTORY ENVIRONMENT

Section 6.17 of the *Local Government Act 1995* provides that:

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —
 - (a) the cost to the local government of providing the service or goods; and
 - (b) the importance of the service or goods to the community; and
 - (c) the price at which the service or goods could be provided by an alternative provider.
- (2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —
 - (a) under section 5.96; or
 - (b) under section 6.16(2)(d); or
 - (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.
- (4) Regulations may —
 - (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
 - (b) limit the amount of a fee or charge in prescribed circumstances.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit & Administration Committee recommend to Council that the revised 2013/14 Fees and Charges be included in the draft 2013/14 Budget for adoption at the 27 August 2013 Ordinary Council Meeting.

COMMITTEE'S RESOLUTION

MAA/0208

Moved Cr Murray

Seconded Cr White

That the Audit & Administration Committee recommend to Council that the revised 2013/14 Fees and Charges be included in the draft 2013/14 Budget for adoption at the 27 August 2013 Ordinary Council Meeting.

CARRIED 4/0

5.2 2013/14 Material Variances

SUBMISSION TO: Audit & Administration Committee 12 August 2013
REPORT DATE: 6 August 2013
APPLICANT: N/A
FILE REFERENCE: N/A
AUTHOR: SK Marshall, Deputy Chief Executive Officer
ATTACHMENTS: Nil

SUMMARY

The Audit & Administration Committee to consider recommending the material variance reporting parameters for 2013/14.

BACKGROUND

Council is required under the *Local Government (Financial Management) Regulations 1996* to set material variance (Budget versus Actual) reporting parameters for the forthcoming financial year.

Council adopted a budget variance reporting parameter of 10% on budgeted items of \$10,000 or greater at the August 2012 Ordinary Meeting.

COMMENT

If the Committee is satisfied with the current level of reporting, there would be no reason to recommend that Council change the reporting parameters.

STATUTORY ENVIRONMENT

Regulation 34 (5) of the *Local Government (Financial Management) Regulations 1996* provides that each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit & Administration Committee recommend to Council that a budget variance reporting parameter of 10% on budgeted items of \$10,000 or greater be adopted.

COMMITTEE'S RESOLUTION

MAA/0308

Moved Cr Shaw

Seconded Cr Murray

That the Audit & Administration Committee recommend to Council that a budget variance reporting parameter of 10% on budgeted items of \$10,000 or greater be adopted.

CARRIED 4/0

5.3 Draft 2013/14 Budget – Rates

SUBMISSION TO: Audit & Administration Committee 12 August 2013
REPORT DATE: 8 August 2013
APPLICANT: N/A
FILE REFERENCE: N/A
AUTHOR: SK Marshall, Deputy Chief Executive Officer
ATTACHMENTS: 2013/14 Rate Models (included in Draft 2013/14 Document)

SUMMARY

The Audit & Administration Committee to recommend to Council an adequate rate increase for 2013/14.

BACKGROUND

When adopting the Annual Budget in August 2012, Council resolved to increase rate revenue by 4%.

COMMENT

With the current focus on Local Government sustainability, it is the view of staff that a strong rate base will enhance Council's ability to continue providing quality services to the Beverley community.

Council is relying heavily on its carried forward surpluses and grant funding to sustain its Capital program.

Council is faced with two options, which is to:

1. Decrease Capital expenditure, ultimately reducing the works undertaken (which may mean lower staff requirements) and service quality; or
2. Increase revenue by building on the Rate base.

As the population of Beverley increases, service demands will also increase and therefore the need to upgrade and maintain fixed assets will also increase.

Consequently, in the draft 2013/14 Budget, an increase in Rate revenue of 6% has been included, leaving a deficit of \$75,518. In preparing the draft Budget several additional steps have been taken to reduce the deficit including pushing out the planned renewal of the John Deere 670D Grader for twelve months in consultation with the Manager of Works and \$400,000 of Reserve funds are to be used to fund several Capital and Community projects.

The proposed increase (6%) in Rate in the Dollar values and minimums (with a comparison to 2012/13 figures) are as follows:

	<u>2012/13</u>	<u>2013/14</u>
Gross Rental Value	\$0.091652	\$0.097151
Gross Rental Value Minimum	\$670.00	\$710.00
Unimproved Value	\$0.006928	\$0.008293
Unimproved Value Minimum	\$670.00	\$710.00

Please note that a percentage increase in total Rate revenue does not translate to the same percentage increase in the rate-in-dollar amount. This is due to changes in UV and GRV valuations which are affected by a number of factors throughout the year including revaluations by the Valuer General (Landgate), land amalgamations and subdivisions and changes to minimum rates will also change the number of properties which attract the minimum rate and therefore alter the number of UV and GRV properties which make up the total valuation pool.

A 1% increase in Rates translates to a \$21,987 increase in revenue.

The recent raising of \$1 million loan to partially fund the construction of the Beverley Function and Recreation Centre and Netball Courts has seen an increase of \$79,857 per annum in debt servicing (principal and interest) expenses, which is equal to a 3.63% Rate increase.

In addition, it is proposed that the administration charge on Rate instalments be increased to \$10 (from \$8), this is a reflection of increased staff costs and to encourage rate payers to pay rates in full and that the Rate discount of 10% for payments received within 35 days for issue of Rates notice remain.

STATUTORY ENVIRONMENT

Section 6.32 of the *Local Government Act 1995*, in reference to Rates and service charges, provides that:

- (1) When adopting the annual budget, a local government —
 - (a) in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either —
 - (i) uniformly; or
 - (ii) differentially; and
 - (b) may impose* on rateable land within its district —
 - (i) a specified area rate; or
 - (ii) a minimum payment; and
 - (c) may impose* a service charge on land within its district.
- (2) Where a local government resolves to impose a rate it is required to —
 - (a) set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value; and

- (b) set a rate which is expressed as a rate in the dollar of the unimproved value of rateable land within its district to be rated on unimproved value.

Section 6.34 of the Act provides that unless the Minister otherwise approves, the amount shown in the annual budget as being the amount it is estimated will be yielded by the general rate is not to —

- (a) be more than 110% of the amount of the budget deficiency; or
- (b) be less than 90% of the amount of the budget deficiency.

Section 6.35 of the Act provides:

- (1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
- (2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
- (3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —
 - (a) 50% of the total number of separately rated properties in the district; or
 - (b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.
- (4) A minimum payment is not to be imposed on more than the prescribed percentage of —
 - (a) the number of separately rated properties in the district; or
 - (b) the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.
- (5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.
- (6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —
 - (a) to land rated on gross rental value;
 - (b) to land rated on unimproved value; and
 - (c) to each differential rating category where a differential general rate is imposed.

Section 6.45 of the Act provides options for payment of rates or service charges (instalments) as follows:

- (1) A rate or service charge is ordinarily payable to a local government by a single payment but the person liable for the payment of a rate or service charge may elect to make that payment to a local government, subject to subsection (3), by —
 - (a) 4 equal or nearly equal instalments; or

- (b) such other method of payment by instalments as is set forth in the local government's annual budget.
- (2) Where, during a financial year, a rate notice is given after a reassessment of rates under section 6.40 the person to whom the notice is given may pay the rate or service charge —
 - (a) by a single payment; or
 - (b) by such instalments as are remaining under subsection (1)(a) or (b) for the remainder of that financial year.
- (3) A local government may impose an additional charge (including an amount by way of interest) where payment of a rate or service charge is made by instalments and that additional charge is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.
- (4) Regulations may —
 - (a) provide for the manner of making an election to pay by instalments under subsection (1) or (2); and
 - (b) prescribe circumstances in which payments may or may not be made by instalments; and
 - (c) prohibit or regulate any matters relating to payments by instalments; and
 - (d) provide for the time when, and manner in which, instalments are to be paid; and
 - (e) prescribe the maximum amount (including the maximum interest component) which may be imposed under subsection (3) by way of an additional charge; and
 - (f) provide for any other matter relating to the payment of rates or service charges.

Section 6.46 of the Act allows for the discounting of rates providing, subject to the *Rates and Charges (Rebates and Deferrals) Act 1992*, a local government may, when imposing a rate or service charge, resolve* to grant a discount or other incentive for the early payment of any rate or service charge.

* *Absolute majority required.*

Section 6.47 of the Act provides that subject to the *Rates and Charges (Rebates and Deferrals) Act*, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

Section 6.51 of the Act provides that interest on overdue rates or service charges may be applied to rates as follows;

- (1) A local government may at the time of imposing a rate or service charge resolve* to impose interest (at the rate set in its annual budget) on —
 - (a) a rate or service charge (or any instalment of a rate or service charge); and

- (b) any costs of proceedings to recover any such charge, that remains unpaid after becoming due and payable.

* *Absolute majority required.*

Regulation 19A of the Local Government (Financial Management) Regulations 1996 prescribes that the maximum rate of interest to be imposed under section 6.13(1) is 11%.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That the Audit & Administration Committee recommend to Council that:

1. In accordance with s6.32 of the *Local Government Act 1995* the rates and minimums to be levied on all rateable property within the Shire of Beverley for the financial year ending 30 June 2014 be as follows:

Gross Rental Value	\$0.097151
Gross Rental Value Minimum	\$710.00
Unimproved Value	\$0.008293
Unimproved Value Minimum	\$710.00

2. In accordance with s6.46 of the *Local Government Act 1995*, a 10% rate discount be allowed for rates paid in full within thirty five (35) days of the service of rates notice, 9 September 2013.
3. In accordance with s6.51 of the *Local Government Act 1995*, an 11% interest charge be levied on all overdue rate instalments and on rates outstanding whether subject to either a formal or informal instalment program or not, excluding deferred pensioner rates.
4. In accordance with s6.45 of the *Local Government Act 1995*, an administration charge of \$10 and an interest component of 5.50% per annum calculated daily, for the second and each of the subsequent rates instalments be levied in connection with each formal rate instalment program.
5. That in accordance with s6.50 of the *Local Government Act 1995*, the due dates of instalments under the formal rate instalment program be;

1 st Instalment	14 October 2013
2 nd Instalment	16 December 2013
3 rd Instalment	17 February 2014
4 th Instalment	14 April 2014

COMMITTEE'S RESOLUTION

MAA/0408

Moved Cr Shaw

Seconded Cr Murray

That the Audit & Administration Committee recommend to Council that:

- 1. In accordance with s6.32 of the *Local Government Act 1995* the rates and minimums to be levied on all rateable property within the Shire of Beverley for the financial year ending 30 June 2014 be as follows:**

Gross Rental Value	\$0.095318
Gross Rental Value Minimum	\$697.00
Unimproved Value	\$0.008136
Unimproved Value Minimum	\$697.00
- 2. In accordance with s6.46 of the *Local Government Act 1995*, a 10% rate discount be allowed for rates paid in full within thirty five (35) days of the service of rates notice, 9 September 2013.**
- 3. In accordance with s6.51 of the *Local Government Act 1995*, an 11% interest charge be levied on all overdue rate instalments and on rates outstanding whether subject to either a formal or informal instalment program or not, excluding deferred pensioner rates.**
- 4. In accordance with s6.45 of the *Local Government Act 1995*, an administration charge of \$10 and an interest component of 5.50% per annum calculated daily, for the second and each of the subsequent rates instalments be levied in connection with each formal rate instalment program.**
- 5. That in accordance with s6.50 of the *Local Government Act 1995*, the due dates of instalments under the formal rate instalment program be;**

1st Instalment	14 October 2013
2nd Instalment	16 December 2013
3rd Instalment	17 February 2014
4th Instalment	14 April 2014

CARRIED 4/0

COMMITTEE'S RECOMMENDATION

That the Minutes of the Audit and Administration Committee Meeting held Monday 12 August 2013 be confirmed.

COUNCIL RESOLUTION

M2/0813

Moved Cr Shaw

Seconded Cr Pepper

That the Minutes of the Audit and Administration Committee Meeting held Monday 12 August 2013 be confirmed.

CARRIED 7/0

7.3 Minutes of the Local Emergency Management Committee 20 August 2013

1. MEETING COMMENCEMENT

The Chairperson declared the meeting opened at 3:35pm.

2. ATTENDANCE AND APOLOGIES

Attendance

Cr Dee Ridgway	Shire President (Chairperson)
Mr Noel Ferguson	DFES
Ms Michelle Bauer	Beverley Hospital
Mr Justin Corrigan	Community Emergency Services Manager
Mr Steve Gollan	Shire of Beverley Chief Executive Officer
Ms Karen Berry	Beverley Police
Mr Bruce Kilpatrick	Chief Fire Control Officer
Mr Robert Fisher	Deputy Chief Fire Control Officer
Mrs Ali Lewis	Executive Assistant

Apologies

Nil

Observer

Nil

3. CONFIRMATION OF MINUTES OF MEETING HELD 12 FEBRUARY 2013

Moved: Justin Corrigan

Seconded: Stephen Gollan

That the Minutes of the Local Emergency Management Advisory Committee Meeting held in the Council Chambers on Tuesday 14 May 2013, as printed, be confirmed.

CARRIED 8/0

4. MATTERS ARISING (AND UPDATE)

Local Emergency Plans are to be forwarded to Bruce Kilpatrick and Robert Fisher. St John's Beverley yet to be organised as an identified ISG

5. BUSINESS OF THE MEETING

LEMC Membership – Justin Corrigan welcomed the new members to the Local Emergency Management Committee and gave a small brief of when the group meets and explains that the main purpose is to be prepared for a Disaster-Evacuation-Recovery scenario.

Yvette Griggs role has changed from a local to district perspective and there for will only be able to attend exercises rather than meetings.

Annual Exercise – It was discussed that Beverley is very good at response, however the last exercise was a table top exercise. After a group discussion it was decided that Justin Corrigan to ask Beverley District High School if they would be prepared to do a full evacuation, and in the process also open up an evacuation centre. The Annual Exercise will be planned for March 2014.

6. DOCUMENTATION

Justin has completed the LEMC Annual Report and it has been signed off by the CEO and Shire President. Hard copies and electronic copies are available.

7. AGENCY UPDATES

Noel Ferguson has replaced Sven Anderson as the DFES representative.

8. GENERAL BUSINESS

Nil

9. MEETING EXERCISE

This month's desk top exercise was focused on recovery after an earthquake.

10. NEXT MEETING

Tuesday 12 November at 3:30pm

11. CLOSURE

There being no further business the chairperson declared the meeting closed at 4:40pm

COMMITTEE'S RECOMMENDATION

That the Minutes of the Local Emergency Management Committee held Tuesday 21 August 2013 be received.

COUNCIL RESOLUTION

M3/0813

Moved Cr Foster

Seconded Cr Pepper

That the Minutes of the Local Emergency Management Committee held Tuesday 21 August 2013 be received.

CARRIED 7/0

8. TECHNICAL SERVICES

Nil

2:11pm – Shire Planner, Stefan de Beer entered the chambers and joined the meeting.

9. PLANNING SERVICES

2.11pm – Prior to any consideration of Item 9.1, Cr Shaw declared a proximity interest and left the Chambers.

9.1 Subdivision Application – Lot 24 and 28 Negus Road, Kokeby

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 12 August 2013
APPLICANT: PH & KE Gow
FILE REFERENCE: PL 148108
AUTHOR: B S de Beer, Shire Planner
ATTACHMENTS: Contextual Map, Application Letter, Subdivision Plan, Beverley Census Data

SUMMARY

An application has been received to subdivide lots 24 & 28 Negus Road, Kokeby in order to create a Homestead lot. The application will be recommended for approval.

BACKGROUND

The properties are zoned 'Farming' and contains agricultural related infrastructure and land uses, and a dwelling with outbuildings.

COMMENT

(Kindly consider this section by referring to the attached Contextual Locality Map and Subdivision Plan).

The proposal is to create a Homestead lot around the existing house and outbuildings in order to retain them while the remaining farm portions can still be used for broad acre farming purposes.

The application was assessed against the prescriptions of the Shire of Beverley Town Planning Scheme No. 2 (TPS 2), the Shire of Brookton & Beverley Local Planning Strategy (LPS), and the Western Australian Planning Commission (WAPC) Development Control Policy 3.4 (DC 3.4) – *Subdivision of Rural Land*.

Amongst others, TPS No. 2 states that:

3.5 Farming Zone:

3.5.1 Objectives:

- a) To protect the potential of agricultural land for primary production and to preserve the landscape and character of the rural areas;*
- b) To provide for a range of rural pursuits such as broadacre and diversified farming which are compatible with the capability of the land and retain the rural character and amenity of the locality;*
- c) To retain farming land in large landholdings, to support primary production and prevent the creation of additional lots.*

The recently Council Adopted Shire of Brookton & Beverley Local Planning Strategy in Section 10.3 proposes as follows:

General Agricultural Subdivision Strategy

The Council's strategy is to:

Support rural land being retained for primary production and highlight there is a general presumption against the subdivision of land designated General Agriculture, to create additional lots...

Homestead Lots Strategy

The Council's strategy is to not support homestead lots, through the creation of additional titles, given the population in the municipality is growing and is expected to continue to grow in the Strategy period.

WAPC *Development Control Policy 3.4 – Subdivision of Rural Land*, states as follows:

4.9 Homestead Lots

Homestead lots may be created to enable an existing house on a farm to continue to be occupied provided that:

- (a) The land is in the Wheatbelt agricultural policy area;*
- (b) The population in the locality is declining or relatively static;*
- (c) The homestead lot has an area between 1 and 4 ha, or up to 20 ha where it is desirable to respond to the landform or to include existing outbuildings or water sources;*
- (d) There is an adequate water supply for domestic, land management and fire management purposes;*
- (e) The homestead lot fronts a constructed public road;*
- (f) The homestead lot contains an existing residence; and*
- (g) A homestead lot has not been excised from the farm in the past.*

In the opinion of staff the proposal can be regarded as consistent with the aims of the TPS 2, Clause 3.5 which objectives require the protection of agricultural land for primary production and to preserve the landscape and character of the rural areas.

The proposal is also regarded as consistent with the requirements of *Development Control Policy 3.4 – Subdivision of Rural Land* (in so far as it relates specifically to Homestead Lots, as quoted above).

The proposal is at present inconsistent with the Shire of Beverley Local Planning Strategy (LPS) which states that Council's strategy is to ***'not support homestead lots, through the creation of additional titles, given the population in the municipality is growing and is expected to continue to grow in the Strategy period.'***

It is submitted that the strategy to not support Homestead Lot subdivision hinges on the longer term aspirational population growth for the Shire for the period of operation of the LPS (i.e. 10 to 15 years). Recent population statistics obtained through the Australian Bureau of Statistics indicate a decline though in population

numbers from 2007 to 2011 for the Beverley Local Government Area (please refer to attachment). Taken the latter population decline into consideration, the proposal fits all requisites for a homestead lot subdivision as per WAPC Development Control Policy 3.4, and will therefore be recommended for approval.

CONSULTATION

No consultation was deemed required for this application.

STATUTORY ENVIRONMENT

Subdivision is determined by the Western Australian Planning Commission in compliance with state policies and the Shire of Beverley's planning framework. Council's recommendation is considered when determining the application.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The subdivision is inconsistent with the Local Planning Strategy.

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council resolve to recommend to the Western Australian Planning Commission that application WAPC No. 148108 for the subdivision of Lots 24 & 28 Negus Road, Kokeby be approved subject to the following advice note:

Advice Note:

The Commission's approval should not be construed as an approval for development on any of the lots proposed.

COUNCIL RESOLUTION

M4/0813

Moved Cr Murray

Seconded Cr Foster

That Council resolve to recommend to the Western Australian Planning Commission that application WAPC No. 148108 for the subdivision of Lots 24 & 28 Negus Road, Kokeby be approved subject to the following advice note:

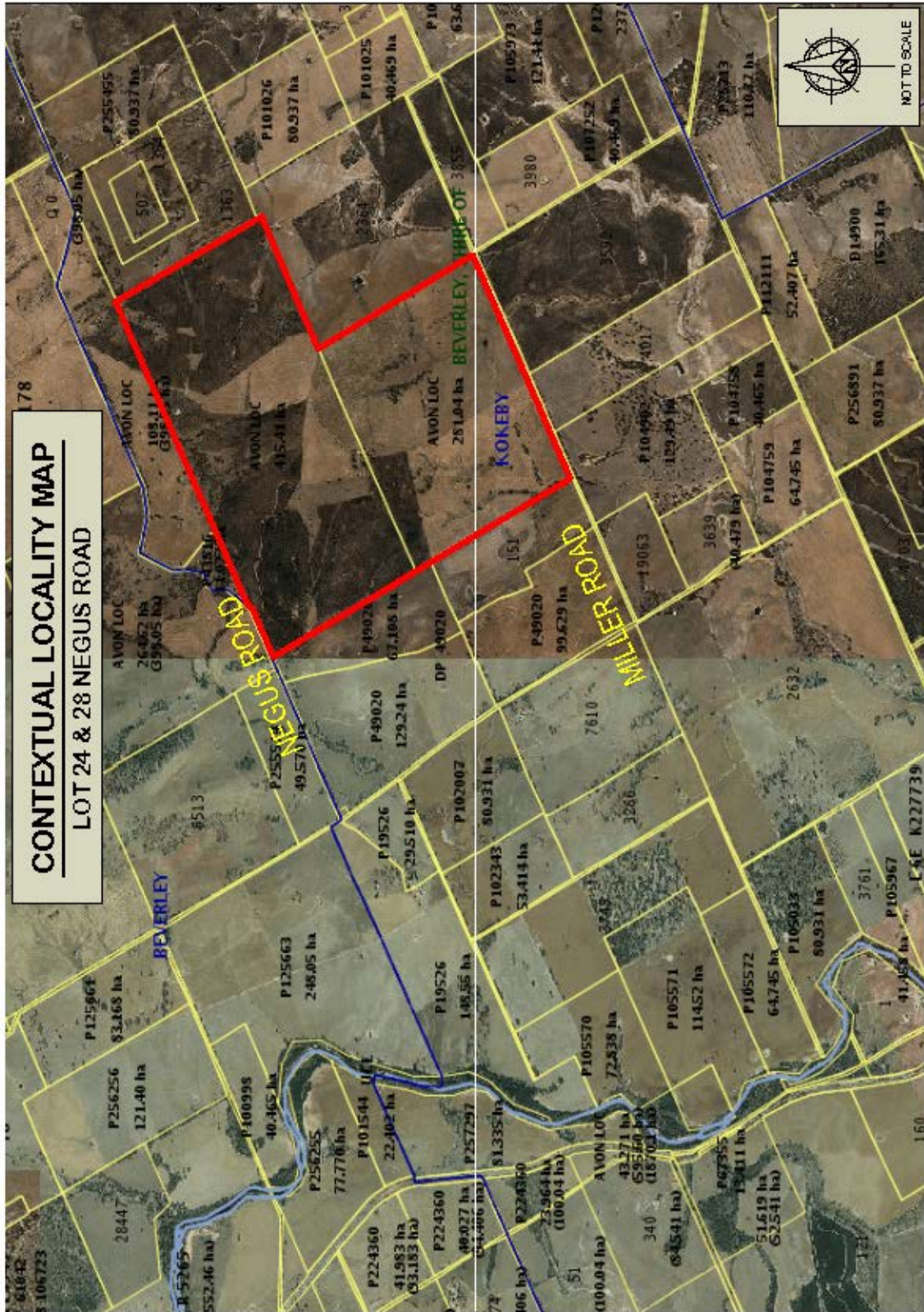
Advice Note:

The Commission's approval should not be construed as an approval for development on any of the lots proposed.

CARRIED 6/0

At 2.14pm – Cr Shaw re-entered the Chambers and joined the meeting.

(Attachment 9.1)



(Attachment 9.1)

PH and KE GOW (Licensed Surveyors)
PO Box 580 Narrogin WA 6312
98815140 0428250962 fax 98815575

The Secretary
Western Australian Planning Commission
140 William St
PERTH WA 6000

08/06/13

RE: Proposed Subdivision Loc 24 and Lot 28, Kokeby, Shire of Beverley
WAPC ref:

Dear Sir,
I wish to submit the attached application for a subdivision of the above lots on behalf of the owners P and L Curtin.

The proposal is to create a 18.38ha homestead lot around the existing house and sheds so that they can be retained, whilst the rest of the farm can be sold.

The proposed homestead lot will front a constructed road via a 20m battleaxe leg. The proposed lot is over the recommended 1 – 4 ha range for the reason that there is a water catchment and proposed dam area included in the homestead lot.

The proposed boundaries will follow existing fencelines.

I request that the proposed subdivision get approved as submitted.

Any questions do not hesitate to contact me.

Regards



Peter Gow



(Attachment 9.1)



National Regional Profile: Beverley (S) (Local Government Area)

Latest ISSUE Released at 11:30 AM (CANBERRA TIME) 27/05/2013 CLASSIFICATIONS CODE: LGA50560



POPULATION/PEOPLE

	2007	2008	2009	2010	2011
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ESTIMATED RESIDENT POPULATION - at 30 June

Population by Sex

Males	no.	877	860	855	832	808
Females	no.	795	792	796	787	785
Persons	no.	1 672	1 652	1 651	1 619	1 593

Population by Age group

Persons - 0 to 14 years	%	17.6	18.0	18.0	17.7	18.1
Persons - 15 years to 24 years	%	7.0	6.8	7.1	6.9	6.3
Persons - 25 years to 34 years	%	8.1	7.7	7.1	6.2	6.3
Persons - 35 years to 44 years	%	11.8	11.5	12.0	12.3	11.9
Persons - 45 years to 54 years	%	15.9	16.0	16.0	15.9	15.4
Persons - 55 years to 64 years	%	18.6	18.5	17.3	17.7	18.3
Persons - 65 years to 74 years	%	13.0	12.8	14.2	14.1	14.8
Persons - 75 years to 84 years	%	6.1	6.7	6.3	7.0	6.5
Persons - 85 years and over	%	1.9	1.9	2.1	2.2	2.4

ESTIMATED RESIDENT POPULATION BY AGE AND SEX - at 30 June

Working Age Population (15-64 years)	%	61.5	60.5	59.5	59.0	58.3
Median Age - Usual Residents, ERP at June 30	years	49.1	49.4	49.4	49.9	50.0

BIRTHS AND DEATHS - year ended 31 December

Births	no.	17	28	15	13	14
Total fertility rate	rate	2.7	3.8	3.8	3.8	2.7
Deaths	no.	15	10	12	14	10
Standardised death rate	rate	4.5	4.3	5.0	4.7	4.6

POPULATION DENSITY (ESTIMATED RESIDENT POPULATION) - at 30 June

9.2 Subdivision Application – Lot 5664, 4094 et al Qualandry Rd, Bally Bally

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 12 August 2013
APPLICANT: AJ Marsh
FILE REFERENCE: PL 148168
AUTHOR: B S de Beer, Shire Planner
ATTACHMENTS: Locality Map, Proposed Layout, Subdivision Plan and Aerial Photo

SUMMARY

An application has been received to subdivide Lot 5664 and others on Qualandry Road. The application will be recommended for approval.

BACKGROUND

The general subdivision area is located cross boundary between the Shire of Beverley and the Shire of Brookton. The Shire of Brookton at its Council Meeting of July 2013 recommended the application for approval. The WAPC has however requested a recommendation from the Shire of Beverley as well because of aforementioned cross-boundary location.

The properties are zoned 'Farming' and contains agricultural related infrastructure and land uses.

COMMENT

(Kindly consider this section by referring to the attachments).

The submission received indicates that the intention is to create 10 lots through farm boundary rationalization from the original 10 parent lots.

The application was considered against the prescriptions of the Shire of Beverley Town Planning Scheme No. 2 (TPS No. 2), and the Western Australian Planning Commission (WAPC) Development Control Policy 3.4 (DC 3.4) – Subdivision of Rural Land.

TPS No. 2 states that:

Farming Zone:

3.5.1 Objectives

- a) To protect the potential of agricultural land for primary production and to preserve the landscape and character of the rural areas;*
- b) To provide for a range of rural pursuits such as broadacre and diversified farming which are compatible with the capability of the land and retain the rural character and amenity of the locality;*
- c) To retain farming land in large landholdings, to support primary production and prevent the creation of additional lots;*

3.5.5 Property Rationalization

Council may support proposals for boundary redistribution to consolidate primary production land into one lot and the creation of smaller balance lots if:

- a) No additional lots are created;*
- b) The new lot boundaries reflect good environmental and land management practice and are appropriate for the intended land use.*

TPS No. 2 emulates WAPC Development Control Policy 3.4 – Subdivision of Agricultural Land, which states as follows:

4.1 Retention of rural character and agricultural land holdings

The following forms of subdivision are not fragmentation, do not result in loss of rural character and may be permitted:

- a) To realign lot boundaries for farming purposes...with no increase in the number of lots.*

4.6 Farm Rationalization

Multiple Lots in one ownership may be rationalized through boundary realignments to improve farm management and/or to provide access to landlocked lots provided that;

- (a) The new lot pattern is consistent with the objectives of the policy;*
- (b) No additional lots are created;*
- (c) The new boundaries reflect good environmental and land management practice and are appropriate for the intended land uses;*

In the opinion of staff the proposal is consistent with the aims of the abovementioned land use planning instruments. It will be recommended that the application be approved.

CONSULTATION

No consultation was deemed required for this application.

STATUTORY ENVIRONMENT

Subdivision is determined by the Western Australian Planning Commission in compliance with state policies and the Shire of Beverley's planning framework. Council's recommendation is considered when determining the application.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council resolve to recommend to the Western Australian Planning Commission that application WAPC No. 148168 for the subdivision of Lot 4094 on DP107254, Lot 4095 on DP107255, Lot 4236 on DP107430, Lot 4299 on DP108929, Lot 4508 on DP109412, Lot 4830 on DP224814, Lot 5205 on DP112946, Lot 5258 on DP112952, Lot 5664 on DP112947 & Lot 8657 on DP122085, be approved subject to the following advice note:

Advice Note:

The Commission's approval should not be construed as an approval for development on any of the lots proposed.

COUNCIL RESOLUTION

M5/0813

Moved Cr Pepper

Seconded Cr Shaw

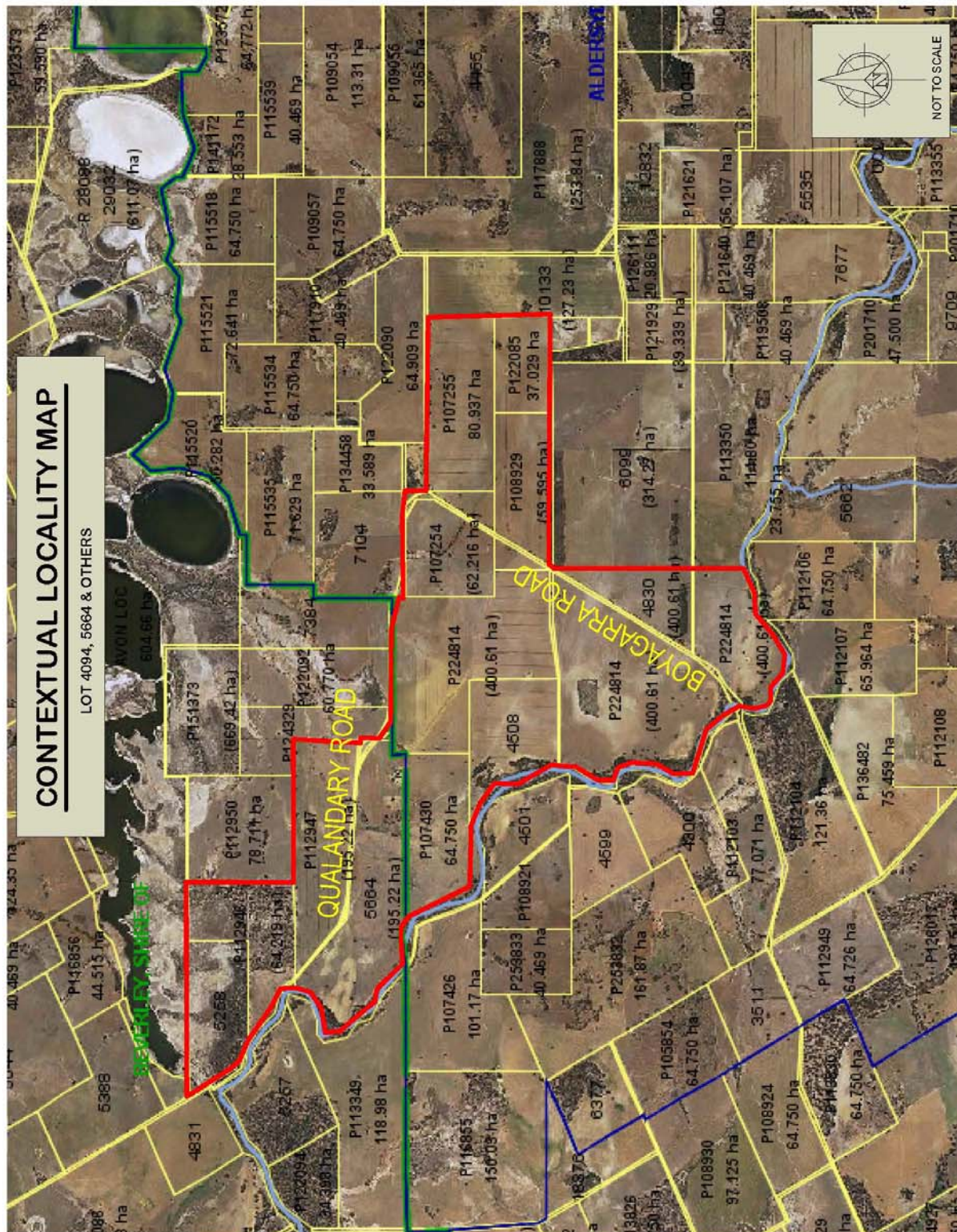
That Council resolve to recommend to the Western Australian Planning Commission that application WAPC No. 148168 for the subdivision of Lot 4094 on DP107254, Lot 4095 on DP107255, Lot 4236 on DP107430, Lot 4299 on DP108929, Lot 4508 on DP109412, Lot 4830 on DP224814, Lot 5205 on DP112946, Lot 5258 on DP112952, Lot 5664 on DP112947 & Lot 8657 on DP122085, be approved subject to the following advice note:

Advice Note:

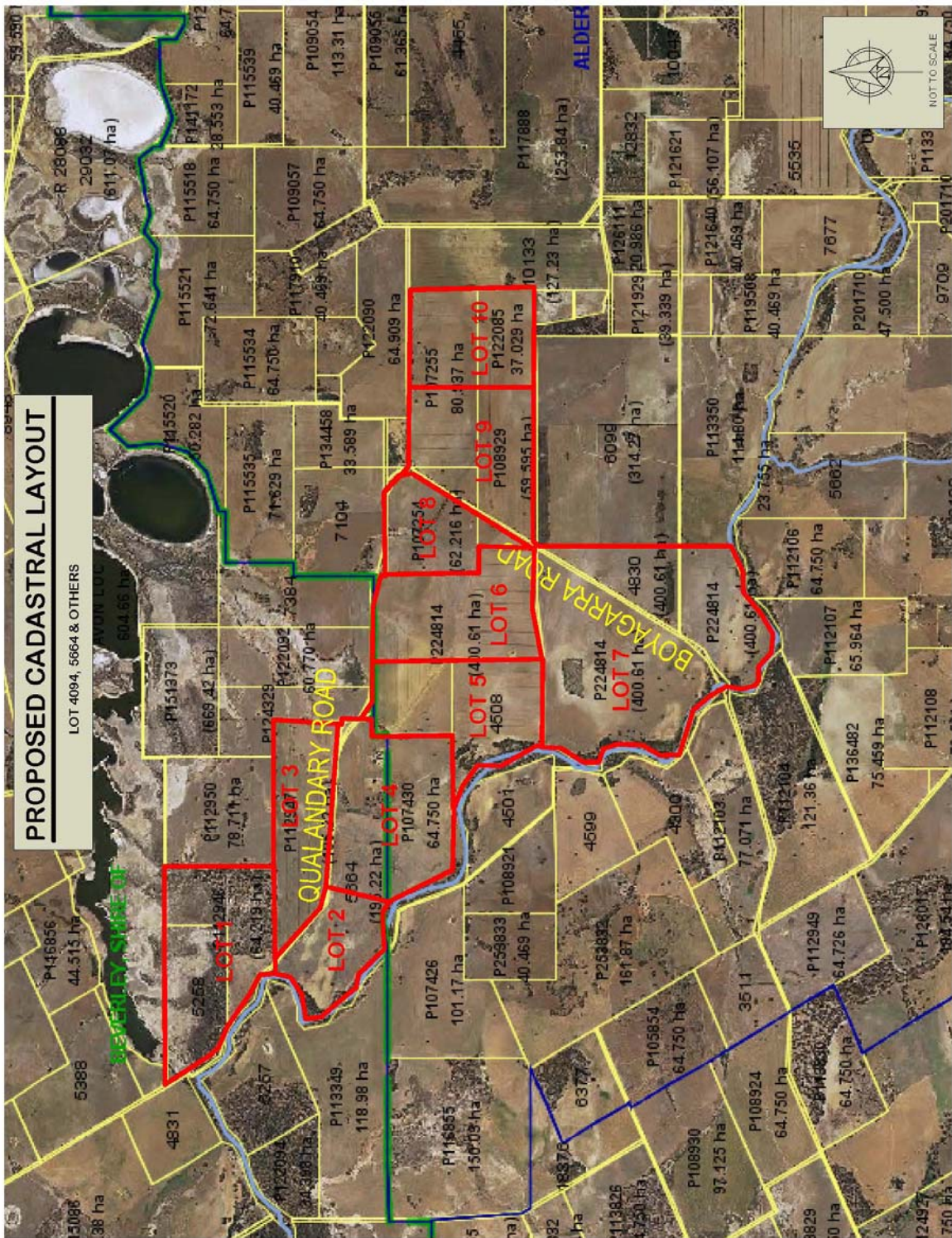
The Commission's approval should not be construed as an approval for development on any of the lots proposed.

CARRIED 7/0

(Attachment 9.2)

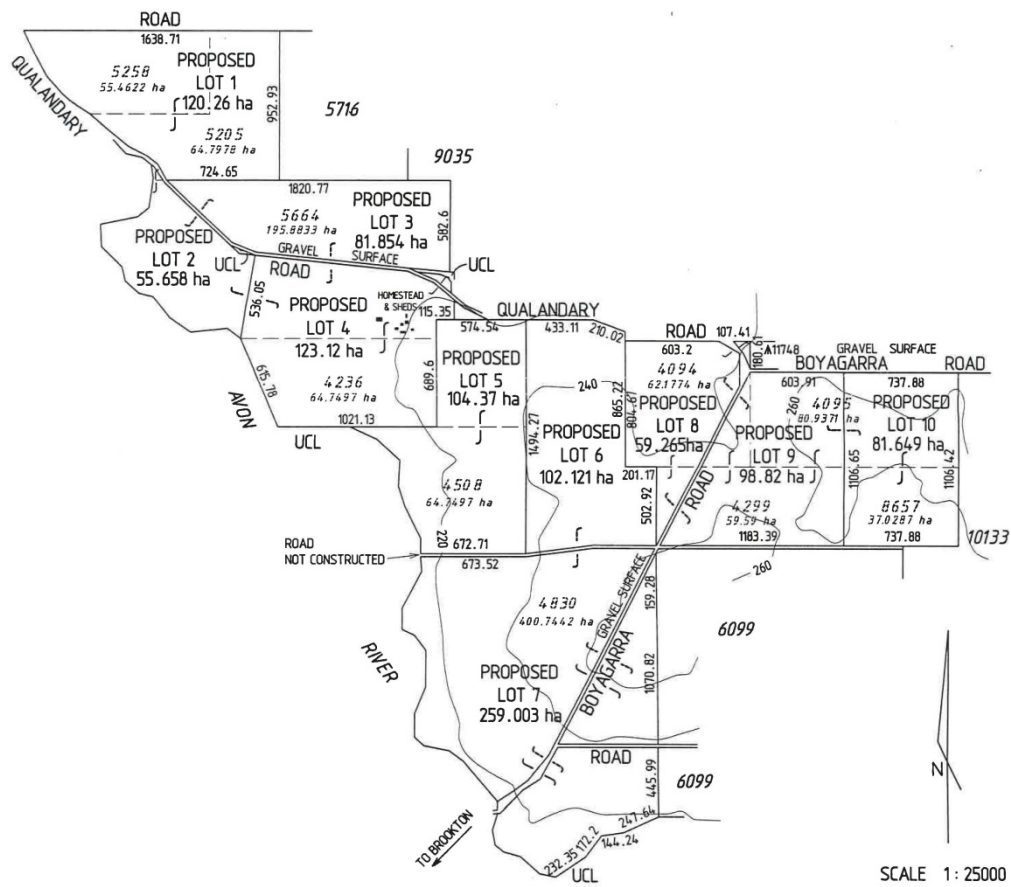


(Attachment 9.2)



(Attachment 9.2)

PROPOSED FARM RATIONALIZATION
LOT 4094 ON DP107254, 4095 ON DP107255,
4236 ON DP107430, 4299 ON DP108929,
4508 ON DP109412, 4830 ON DP224814,
5205 ON DP112946, 5258 ON DP112952,
5664 ON DP112947 & 8657 ON DP122085



DATE : 22-5-2013
CONTOUR INTERVAL : 20 METRES
DATUM : AHD
NOTE : ALL DIMENSIONS AND AREAS ARE SUBJECT TO SURVEY

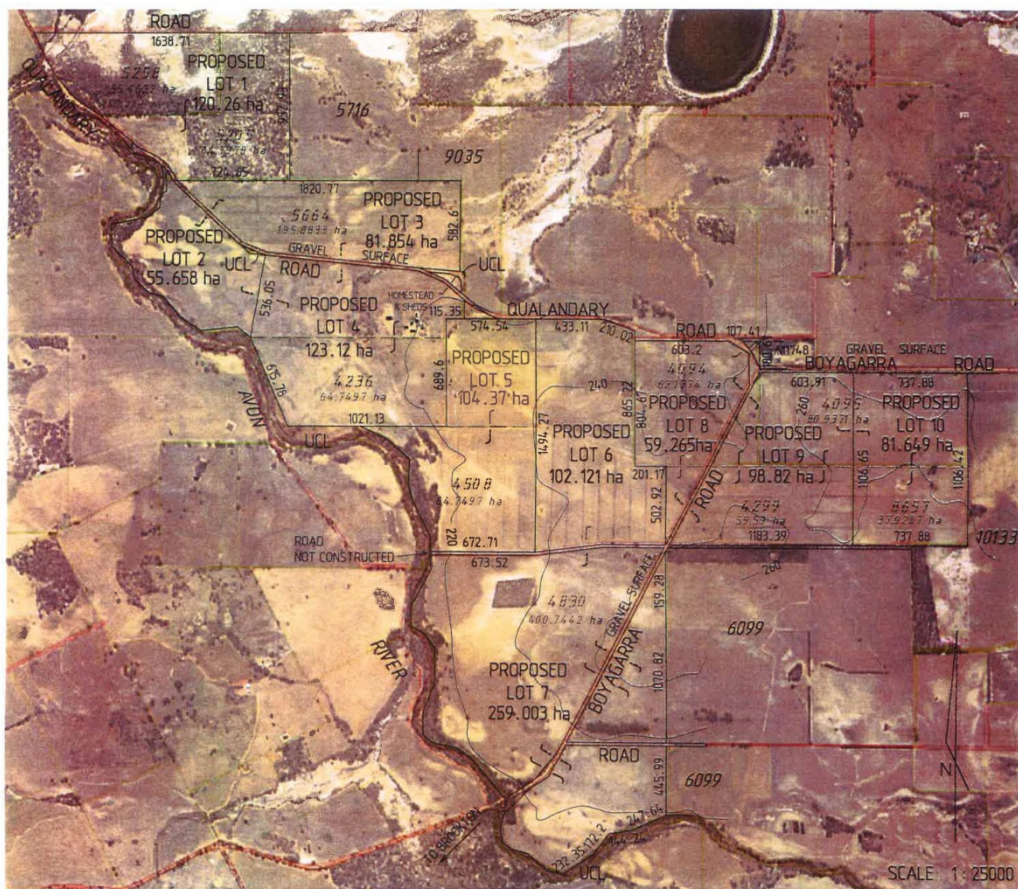
DEPARTMENT OF PLANNING	
DATE	FILE
20 JUN 2013	148168

25 Wheatley Street GOSNELLS WA 6110 Post Office Box 355 GOSNELLS WA 6990
Mobile : 0438 582 441 A.Marsh (Residence) 9398 7881 Email : aj.marsh@westnet.com.au

t: 130543

(Attachment 9.2)

PROPOSED FARM RATIONALIZATION
LOT 4094 ON DP107254, 4095 ON DP107255,
4236 ON DP107430, 4299 ON DP108929,
4508 ON DP109412, 4830 ON DP224814,
5205 ON DP112946, 5258 ON DP112952,
5664 ON DP112947 & 8657 ON DP122085



DATE : 22-5-2013
CONTOUR INTERVAL : 20 METRES
DATUM : AHD
NOTE : ALL DIMENSIONS AND AREAS ARE SUBJECT TO SURVEY

DEPARTMENT OF PLANNING	
DATE	FILE
20 JUN 2013	14 8 16 8

25 Wheatley Street GOSNELLS WA 6110 Post Office Box 355 GOSNELLS WA 6990
Mobile : 0438 582 441 A.Marsh (Residence) 9398 7881 Email : aj.marsh@westnet.com.au

t: 130543

9.3 Development Application – Restaurant, 115 Vincent Street, Beverley

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 5 August 2013
APPLICANT: Charmaine Holmes
FILE REFERENCE: VIN 774
AUTHOR: B S de Beer, Shire Planner
ATTACHMENTS: Application Letter, Locality Map, Site Plan, Street Elevation Sketch

SUMMARY

It is proposed to establish a Restaurant at 115 (Lot 3) Vincent Street. It will be recommended the application be approved.

BACKGROUND

The subject site is located in the main street of Beverley, zoned 'Town Centre' and contains an existing building to be converted to accommodate the proposed development.

COMMENT

(Kindly consider this section by referring to the attached Application Letter, Locality Map, Site Plan & Street Elevation Sketch).

A 'Restaurant' land use is not specifically listed within Zoning Table 1 of the Shire of Beverley Town Planning Scheme No. 2 (TPS 2).

Section 3.2.5 of TPS 2 stipulates that:

If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the uses the Council may:

- a) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted; or*
- b) determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of clause 6.2 in considering an application for planning consent, following which Council may, at its discretion, permit the use.*

The subject lot is located within an area that can be regarded as the Central Business District of the town of Beverley. It is considered that any type of business, inclusive of a Restaurant Establishment fits in perfectly with the intent and purpose of this Zone.

Anecdotal evidence would suggest that the number of existing car parking spaces in close proximity to the proposed development should suffice to meet the expected marginal increased demand.

It is considered that a Restaurant Establishment at this locality with alfresco dining facilities, as proposed, will invigorate this part of the main street, will bring further

economic benefits and much needed activity to the Town Centre, and should be encouraged from an Economic Development and Tourism perspective. Pertinent to the above, the recent Council Adopted Local Planning Strategy mentions the following as an approach towards development of the Town Centre:

'Enhance the town centre which includes encouraging development such as alfresco dining...'

In compliance with Clause 6.2 of TPS 2 the application was advertised for a period of 21 days. A number of submissions were received. Should Councillors so wish, copies of the submissions can be made available on request. A summary of the submissions received and officer's responses are detailed in the table below:

	Respondent	Property	Comment	Planner's Response
1	Chris & Pat Pepper	122 Vincent Street, Beverley	No objection to proposal.	Noted.
2	JA Rayner	PO Box 120 Beverley	<p>Tenants of an established business: Beverley Country Kitchen;</p> <p>Employs 6 senior local staff on a weekly casual basis with 6 local juniors;</p> <p>Strongly objects to the proposal for the following reasons:</p> <ul style="list-style-type: none"> - There are 5 eating houses in Beverley, each business working hard to survive in a small community; - The proposed business will undoubtedly reduce our livelihood, with being right next door to an established business; - Make it difficult for us to sell our business which has already been on the market for 3 years; - There are various venues in town that have commercial kitchens that can cater for dining (Golf Club, Bowling Club, RSL and the new Sports Complex); - We have limited passing traffic as we are not on a cross road or major highway cross road as is Brookton or York; - The population of our Shire is small and only sustainable for a small number of food outlets. We understand that records show that the 	<p>Noted.</p> <p>Noted.</p> <p>The objections are noted but Shire Staff would respectfully submit that the majority of the objections raised represent either trade or commercial objections which are not considered to be planning considerations, and which Council should not take into account when making a decision on a planning matter, or do not bear any relevance to the application at hand.</p> <p>Additional information on the proposal had been made readily available at the Shire Offices during the advertising period.</p>

			<p>population has been static for a number of years;</p> <ul style="list-style-type: none"> - History has shown a limited ability to sustain more eating places than it has at present; - With raising this objection, there is no mention in the proposal of opening hours and whether it be only dine-in/Al Fresco. These are extra concerns I have for the establishment of the new business and our survival; - Isabelle alongside the Chemist is now offering tea & coffee; - Station Arts Gallery have morning & afternoon tea on weekend and food vans when they have a function organised; - Community Groups of which there are a number who also fund raise by catering for local events impede on the existing businesses. <p>Whilst we welcome competition but a new business right next door we believe our town is not big enough for all these food outlets as it is without another new one (<i>sic</i>).</p>	
3	Peter Jenkin	113 Vincent Street	<ul style="list-style-type: none"> - Unknown effect on existing deli/restaurant next door to new restaurant; - Could affect viability of Beverley Country Kitchen & flow onto rental of Property; - I would want to know more about new restaurant i.e. opening times and type of service proposed. 	<p>The objections are noted but Shire Staff would respectfully submit that the objections raised represent trade or commercial objections which are not considered to be planning considerations, and which Council should not take into account when making a decision on a planning matter.</p> <p>Additional information on the proposal had been made readily available at the Shire Offices during the advertising period.</p>

CONSULTATION

Consultation was conducted as described above.

STATUTORY ENVIRONMENT

Subject to Council determination by absolute majority, as discussed above, the application may be considered consistent with the Shire of Beverley's Town Planning Scheme No. 2.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

There are no strategic implications relative to this application.

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

That Council resolve:

- a) By absolute majority that the proposed use is consistent with the planning objectives and purpose of the Town Centre zone.
- b) To grant planning approval for the establishment of a Restaurant at 115 (Lot 3) Vincent Street, Beverley, subject to the following conditions and advice notes:

Conditions:

1. If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan, prepared by the applicant and endorsed by Council's Shire Planner.
3. All activity associated with this approval must be conducted within the approved areas on the endorsed plan.

Advice Notes:

1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
2. The applicant is advised a building permit is required prior to commencement of any building works.
3. The applicant is advised a separate planning approval might be required for any advertising of the proposed development.

COUNCIL RESOLUTION

M6/0813

Moved Cr Pepper

Seconded Cr Alexander

That Council resolve:

- a) **By absolute majority that the proposed use is consistent with the planning objectives and purpose of the Town Centre zone.**
- b) **To grant planning approval for the establishment of a Restaurant at 115 (Lot 3) Vincent Street, Beverley, subject to the following conditions and advice notes:**

Conditions:

1. **If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.**
2. **Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan, prepared by the applicant and endorsed by Council's Shire Planner.**
3. **All activity associated with this approval must be conducted within the approved areas on the endorsed plan.**

Advice Notes:

1. **Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.**
2. **The applicant is advised a building permit is required prior to commencement of any building works.**
3. **The applicant is advised a separate planning approval might be required for any advertising of the proposed development.**

CARRIED 7/0

(Attachment 9.3)



Charmaine Holmes
PO Box 415
Beverley WA
6304
05/06/13

Beverley Shire Council
PO Box 20
Beverley WA
6304

To whom it may concern,

I wish to introduce the Business plans for 'The Red Vault' Restaurant. Alfresco inspired dining at 115 Vincent St Beverley. Our Vision is to develop an affordable upmarket dining that caters for lunch and evening meals including weekend breakfasts. This establishment will be unlike any pre-existing dining or catering experience within the shire, as we wish to introduce a modern take of restaurant dining in Beverley. Ways we intend to do so include offering dining from our decked alfresco area, as we aspire to create an open plan establishment overlooking the main St. Our focus is purely to offer an exceptional dining experience for families and individual's seeking a comfortable place to enjoy quality meals at affordable prices. This establishment will be valuable for local tourism, local employment opportunities, our newly designed street scape, supporting local produce and our local clubs. In regards to customer and employee parking we wish to supply employee and delivery truck parking on our premises but believe due to our hours of trade there is plenty of public parking within walking distance of our establishment that our customers will use.

Our long term ambitions are to obtain a liquor licence so patrons are able to purchase alcoholic beverages with their meals, also provide entertainment evenings, specials for sporting clubs & other local organisations and pensioner discount.
We wish to commence our developments as soon as possible with our estimated completion date for Mid December 2013.

I am overjoyed to be starting this exciting chapter in such a beautiful town. I wish to extend a warm invitation to the councillors to be a part of this experience. Please feel welcomed to call and pop in or extend any input throughout the building process as this is an exciting time for me and also all of those involved.

Looking forward to hearing from you.

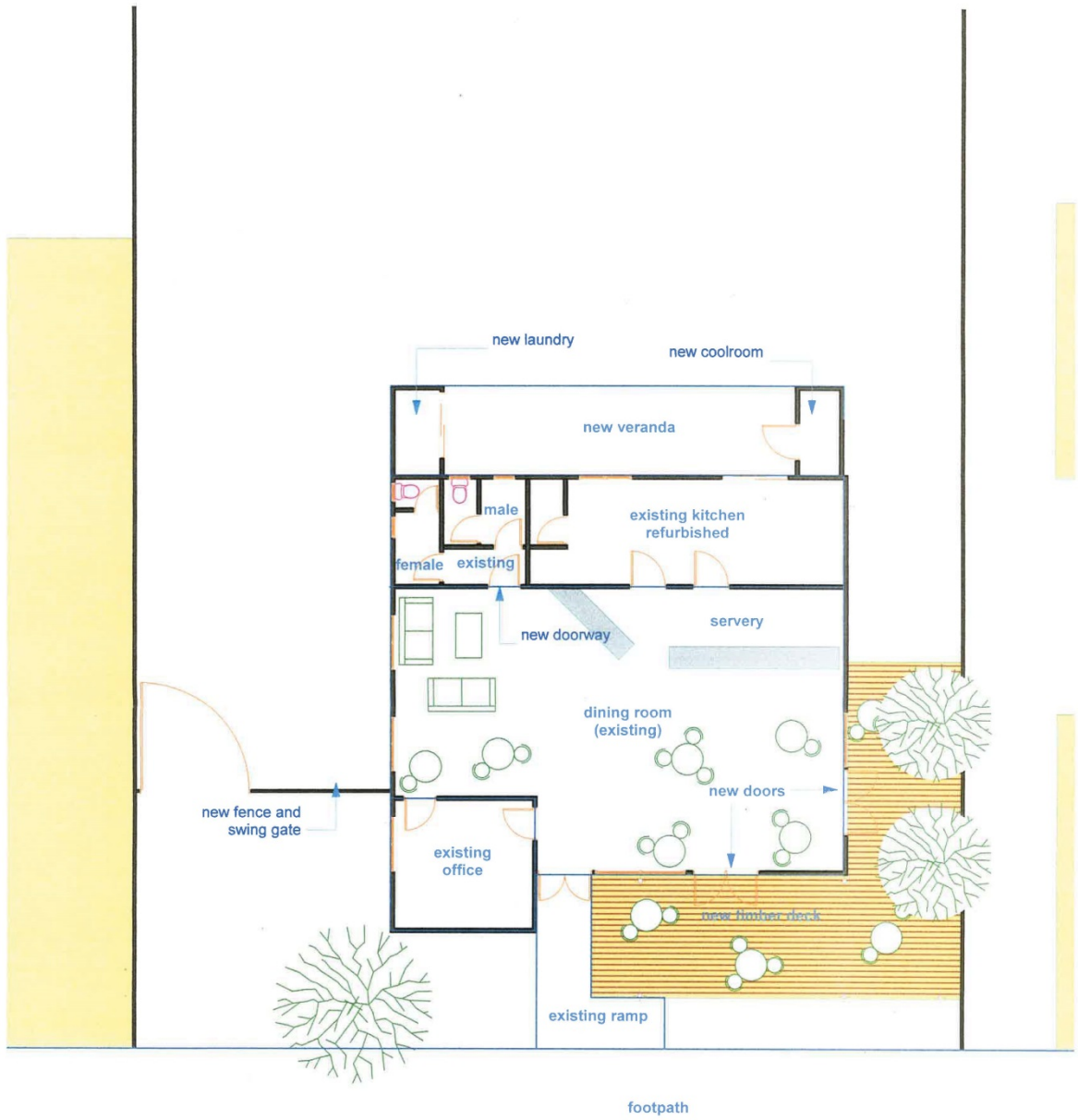
Kind Regards,

Charmaine Holmes 0488565235

(Attachment 9.3)



(Attachment 9.3)

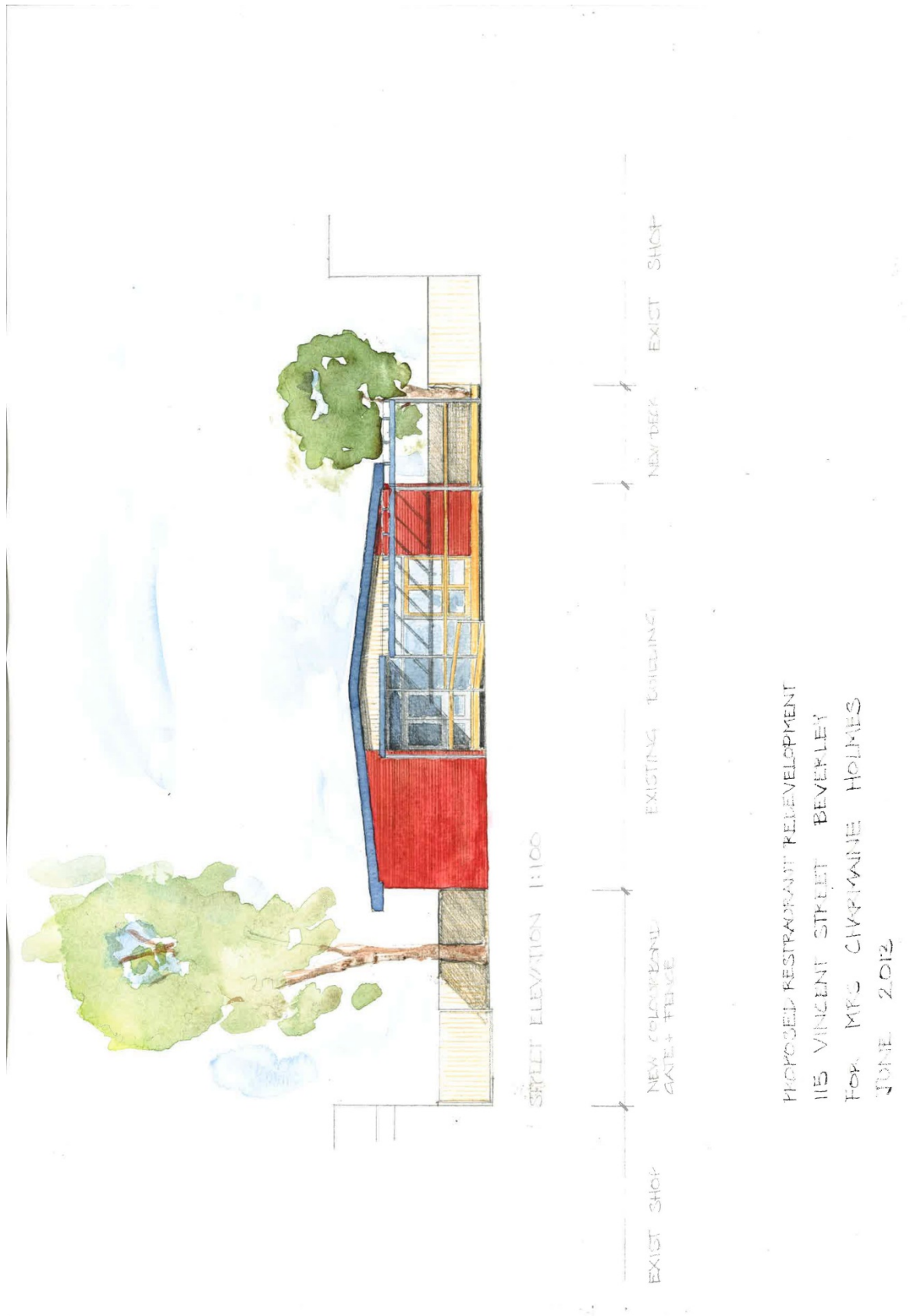


115 VINCENT STREET

Proposed restaurant redevelopment
115 Vincent Street Beverley
for Mrs Charmaine Holmes June 2013

Site Plan 1:100

(Attachment 9.3)



9.4 Advertising Signage Renewal – Lot 11 Great Southern Highway, Kokeby

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 13 August 2013
APPLICANT: Pinnacle Planning
FILE REFERENCE: GRE 1382
AUTHOR: B S de Beer, Shire Planner
ATTACHMENTS: Application Letter, Location Plan, Site Plan, Elevation Plan

SUMMARY

An application was received to renew the planning approval for the roadside sign at Kokeby. It will be recommended the application be approved.

BACKGROUND

Conditional Planning Approval for the signage was granted by the Shire of Beverley Council on 28 June 2011, with a condition stating that the approval is granted for a period of 2 years from the date of approval, and that further approval shall be sought after expiry of this 2 year period.

A letter was sent by the shire planner in April 2013 reminding the original consultants, Greg Rowe and Associates of the obligation to apply for renewal before the approval lapses on 28 June 2013. The new consultant for the client, Pinnacle Planning, in their letter of submission, dated 2 August 2013, remarked as follows:

'We confirm that in the course of the approval being implemented, our client has changed Planning Consultants, and as such, did not receive the advice from the Shire issued 8 April 2013, requesting a renewal application be submitted. To this end, our client, through our Office, expresses their sincerest apologies for not submitting the requested renewal application prior to the expiry of the current approval. In addition, we thank the Shire of Beverley for not taking enforcement action following the expiry of approval, and wish to work with the Shire towards an expeditious renewal of the approval, ideally at the August Ordinary Council Meeting.'

COMMENT

The advertising sign had been in operation since 2011 and no adverse comments or objections were found in Shire records. A concern was raised though as to the specific permissible advertising content, specifically in regards to advertising alcoholic beverages, and how this is reconcilable with the '*predominant display of the Office of Road Safety campaign messages*', which at the time of the original application, was being presented as a main objective for the advertising in the first instance.

To this end staff would comment that, since the present application is silent on this matter, and the fact that it will be challenging to enforce specific preferred advertising content and products, that the previously imposed condition dealing with offending advertising should rather be reaffirmed. It will also be recommended that an advice note be added indicating the Shire's preferences in terms of advertising content.

It is not anticipated that the granting of conditional planning approval for the advertising sign for a period of 5 years, as requested by the applicant, will have any negative effect on the amenity or character of the locality. Further consultation with neighbouring land owners was not deemed required.

STATUTORY ENVIRONMENT

The application is considered under the requirements of the Shire of Beverley's Town Planning Scheme No. 2.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council resolve to grant planning approval for the renewal of advertising signage at Lot 11 Great Southern Highway, Kokeby subject to the following conditions and advice notes:

Conditions:

1. Approval is granted for a period of 5 years from the date of this approval. At the completion of 5 years the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
2. Should no further approval be granted and the approval lapse, within one month of the approval expiring the development shall be removed and the land rehabilitated to the satisfaction of the local government.
3. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan, prepared by the applicant and endorsed by Council's Shire Planner.
4. Approved signage shall not contain flashing lights or any form of illumination.
5. The sign shall be setback a minimum 7 metres from the front boundary of Lot 11.
6. The sign shall be setback a minimum 9 metres from the side and rear boundaries.
7. The sign shall be maintained in good order and appearance at all times to the satisfaction of the local government.

8. Should the sign not be in good order and appearance, the applicant shall take remedial action as directed, within five working days of written notification from the Shire (see Advice Note 2).
9. If, in the opinion of the local government an advertisement is deemed offensive and/or inappropriate, the applicant shall remove the advertisement within five working days of written notification from the Shire (see Advice Note 2).
10. All signage must comply with Austroads Guide to Traffic Management Part 10.

Advice Notes:

1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
2. With regard to Conditions 8 & 9, correspondence via email is considered sufficient written notification.
3. The applicant is advised it is the Shire's preference to not have advertising of alcoholic beverages and that any advertisement has a rural theme to match the character of the area.

OFFICER'S RECOMMENDATION

M7/0813

Moved Cr Foster

Seconded Cr Pepper

That Council resolve to grant planning approval for the renewal of advertising signage at lot 11 Great Southern Highway, Kokeby subject to the following conditions and advice notes:

Conditions:

- 1. Approval is granted for a period of 5 years from the date of this approval. At the completion of 5 years the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.**
- 2. Should no further approval be granted and the approval lapse, within one month of the approval expiring the development shall be removed and the land rehabilitated to the satisfaction of the local government.**
- 3. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan, prepared by the applicant and endorsed by Council's Shire Planner.**
- 4. Approved signage shall not contain flashing lights or any form of illumination.**
- 5. The sign shall be setback a minimum 7 metres from the front boundary of Lot 11.**
- 6. The sign shall be setback a minimum 9 metres from the side and rear boundaries.**
- 7. The sign shall be maintained in good order and appearance at all times to the satisfaction of the local government.**
- 8. Should the sign not be in good order and appearance, the applicant shall take remedial action as directed, within five working days of written notification from the Shire (see Advice Note 2).**
- 9. If, in the opinion of the local government an advertisement is deemed offensive and/or inappropriate, the applicant shall remove the advertisement within five working days of written notification from the Shire (see Advice Note 2).**
- 10. All signage must comply with Austroads Guide to Traffic Management Part 10.**

Advice Notes:

- 1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.**
- 2. With regard to Conditions 8 & 9, correspondence via email is considered sufficient written notification.**
- 3. The applicant is advised it is the Shire's preference to not have advertising of alcoholic beverages and that any advertisement has a rural theme to match the character of the area.**

CARRIED 6/1

Cr Ridgway voted against the motion.

(Attachment 9.4)



2 August 2013

Chief Executive Officer
Shire of Beverley
PO Box 20
BEVERLEY WA 6304

Attention: Mr Stefan De Beer - Shire Planner

Dear Sir

**Development Approval Renewal
Advertising Sign
Lot 11 Great Southern Highway, Kokeby**

Pinnacle Planning act on behalf of Paramount Australia, who work in conjunction with Matzin Capital Pty Ltd, the owners of Lot 11 Great Southern Highway, Kokeby (subject site).

We hereby lodge a Development Application for the renewal of the existing Approval issued for the erection of an Advertising Sign on the subject site, in close proximity to Great Southern Highway. To assist with progressing the Application, please find the following enclosed:

- A completed and signed Development Application form;
- A cheque for \$139.00, being the relevant application fee; and
- A copy of the Certificate of Title.

We confirm Paramount Australia and the owners of the subject site have entered into an agreement with regards to this application. Paramount Australia obtained development approval for the erection of the sign on site on 29 June 2011, which was issued as a time limited approval for a two (2) year initial period.

We confirm that in the course of the approval being implemented, our Client has changed Planning Consultants, and as such, did not receive the advice from the Shire issued on 8 April 2013, requesting a renewal Application be submitted. To this end, our Client, through our Office, expresses their sincerest apologies for not submitting the requisite renewal Application prior to the expiry of the current Approval.

In addition, we thank the Shire of Beverley (Shire) for not taking enforcement action following the expiry of the Approval, and wish to work with the Shire towards an expeditious renewal of the Approval, ideally at the August Ordinary Council Meeting.

We confirm that the Application for Renewal does not include any changes to the current Advertising Sign located out on site. That is to say, there is no requirement to submit additional or

(Attachment 9.4)

amended drawings, as all details are the same as the plans that have already been approved, and have been certified by the Shires Building Department.

As it appears that there have been no changes to the development of the Kokeby locality as a formal townsite since the original approval, we now seek an approval that is valid for a period of five (5) years. This can be reviewed again in five years, to ascertain if any developments have been made on the townsite formalisation, or if in fact the sign is suitable to stay in place for a longer period.

At this juncture, we request that the Shire of Beverley support the proposal by granting Planning Approval for a further five (5) years for the existing signage. Should you require any further information or clarification in relation to this matter, please do not hesitate to contact the undersigned.

Yours faithfully

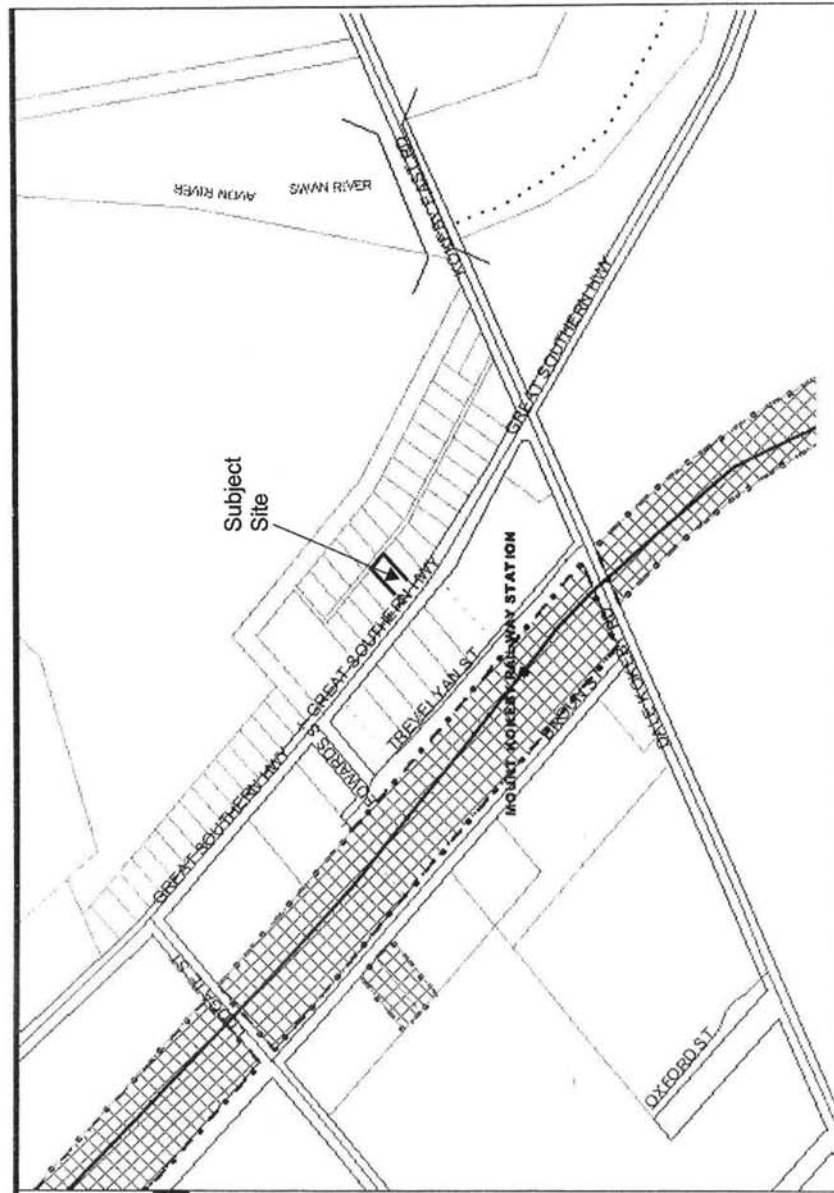
PINNACLE PLANNING



BEN CARTER

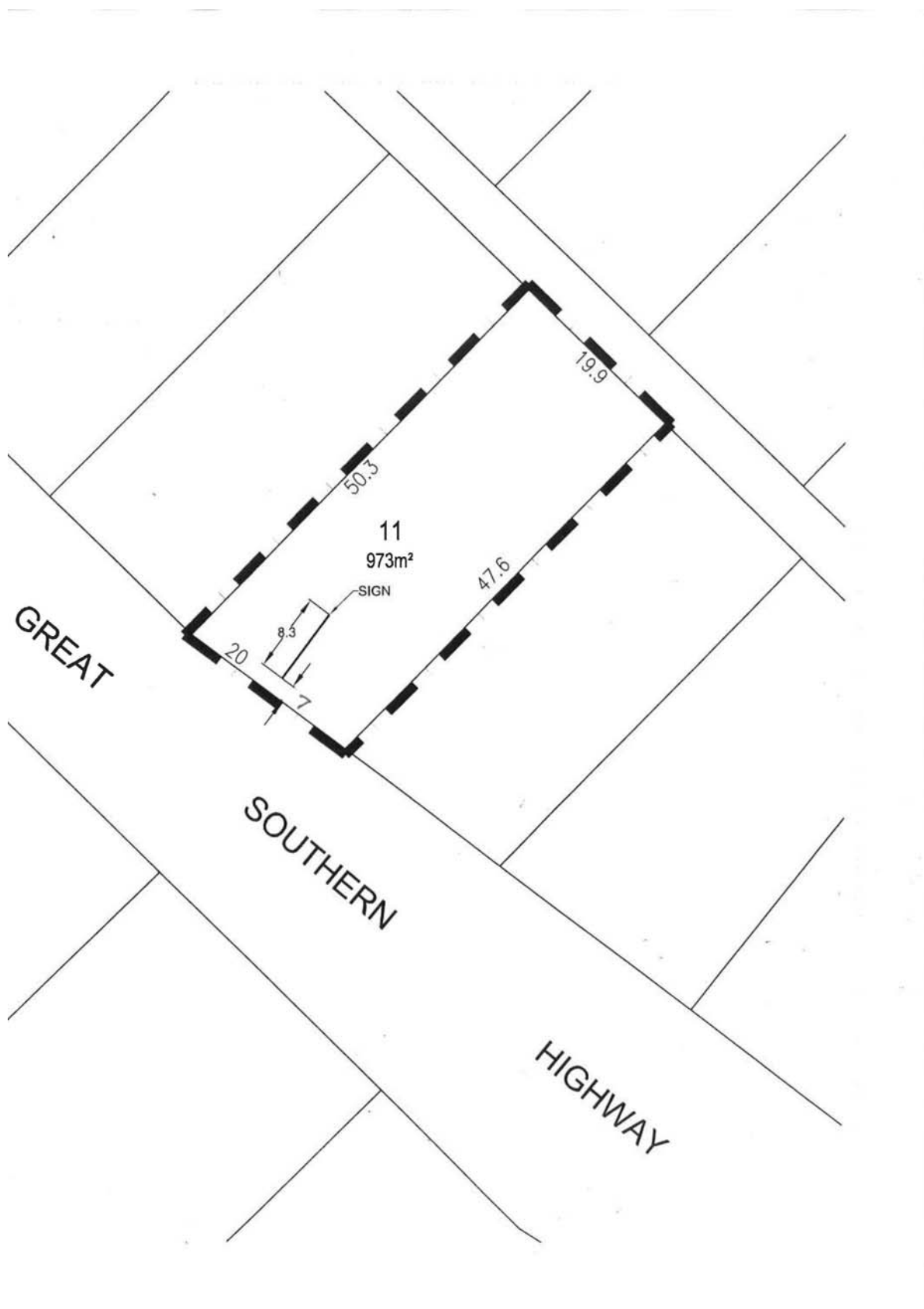
Encl.

(Attachment 9.4)

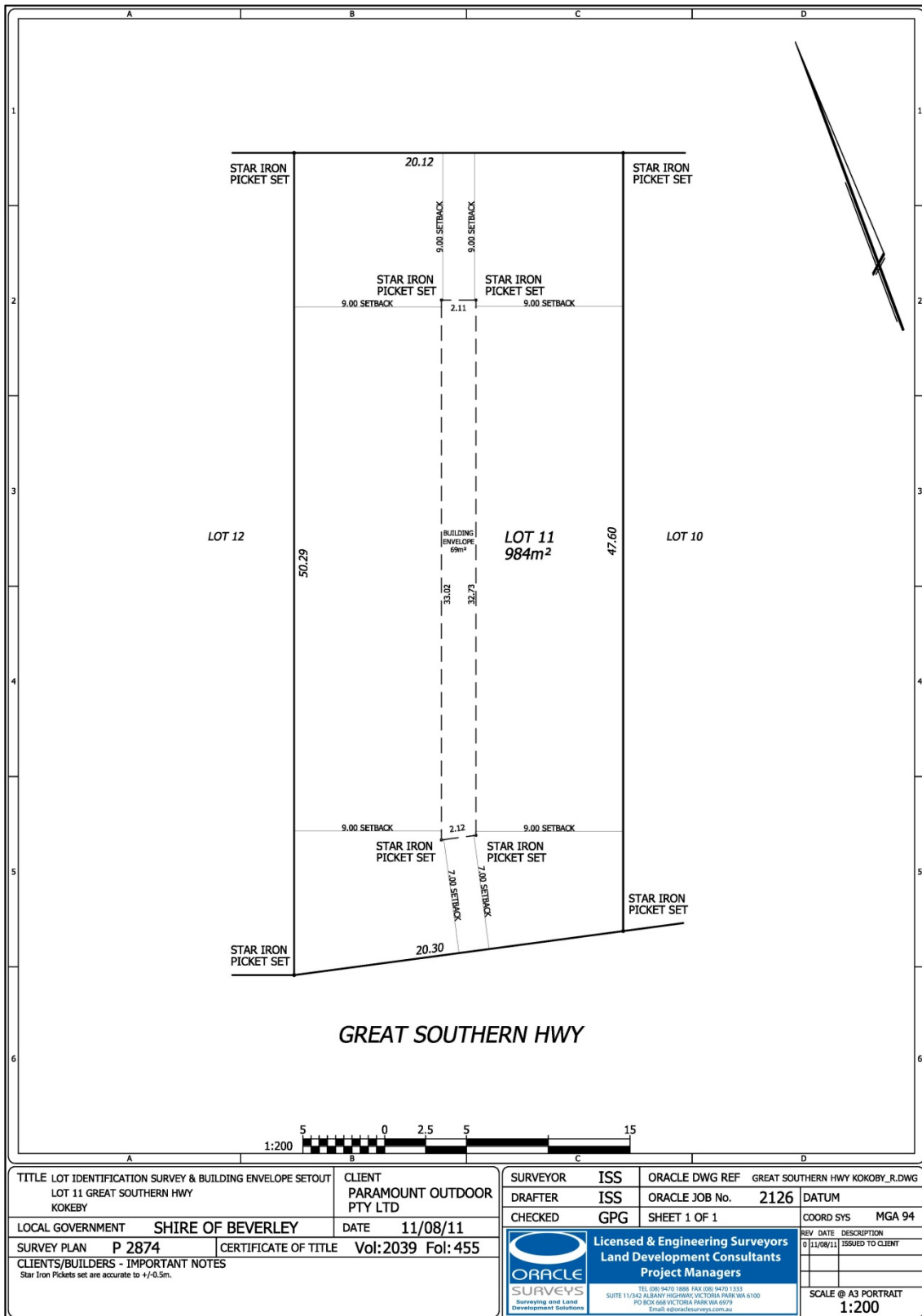


Location Plan

(Attachment 9.4)

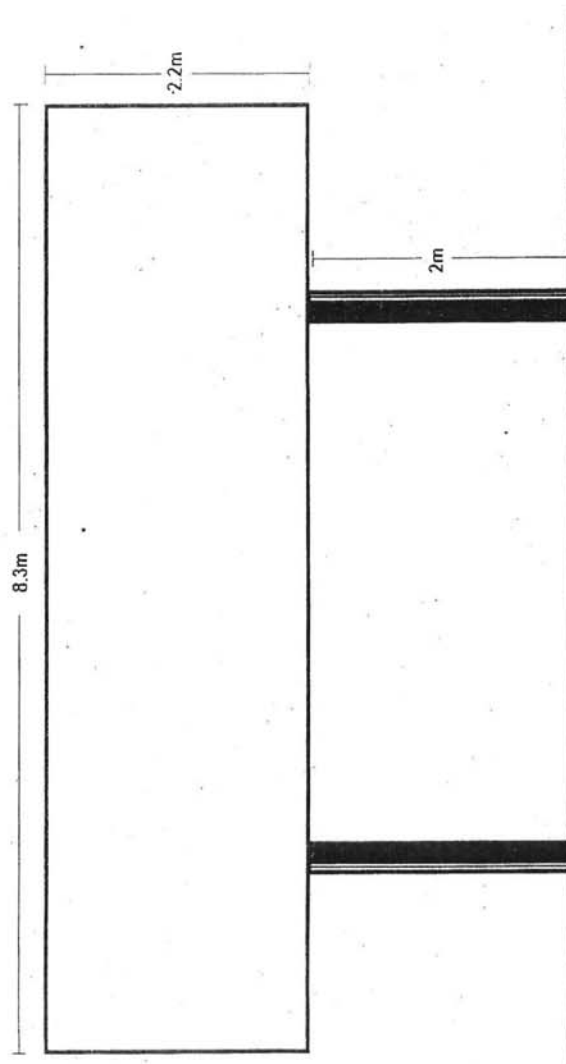


(Attachment 9.4)



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(Attachment 9.4)



9.5 Outbuilding (Sea Container) Application 28 Brooking Street Beverley

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 13 August 2013
APPLICANT: Mr G Slingerland
FILE REFERENCE: BRO 366
AUTHOR: B S de Beer, Shire Planner
ATTACHMENTS: Locality Map and Site Plan

SUMMARY

An application has been received to use a Sea Container as an Outbuilding at 28 (Lot 152) Brooking Street. It will be recommended the application be approved.

BACKGROUND

Following a complaint Shire Staff investigated the presence of a Sea Container at the above location. In terms of the Shire's Outbuilding Policy, the preference is to not have Sea Containers as Outbuildings in the Shire.

The subject site is located at 28 Brooking Street, is 2.18ha in extent and zoned Residential R 2.5. It contains a single dwelling unit and another existing outbuilding.

COMMENT

Sea Containers are excluded from structures to be used as Outbuildings in Shire's Outbuilding Policy. Although the Outbuilding Policy is silent on the reason for this exclusion, it is presumably related to, amongst others, aesthetic concerns.

When considering aesthetic aspects of a proposed development involving Sea Containers as Outbuildings, Shire Staff is of the opinion that the following aspects of the development should be taken into consideration:

- a) The specific siting of the sea container on the property;
- b) The colour scheme of the sea container;
- c) The use of landscaping features and other measures to screen the container.

It is the opinion that the existing siting of the sea container on the subject property is such that it does not have any negative impact on the amenity of the property. Existing natural vegetation and landscaping and other structures on the property also effectively screen the sea container. Should Council decide to approve this application, it will be recommended that the sea container be painted in a colour that is in harmony with the naturals surrounds so as to blend in even further.

Given the above considerations it is not anticipated that the granting of Planning Approval for this application will create an undesirable precedent.

CONSULTATION

Consultation was conducted with an affected neighbour, whom telephonically advised no objection to the proposal.

STATUTORY ENVIRONMENT

The application may be considered under the Shire of Beverley's Town Planning Scheme No. 2.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

The proposal is inconsistent with the Shire's Outbuilding Policy.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council resolve to grant planning approval for an Outbuilding (Sea Container) at 28 (Lot 152) Brooking Street, Beverley, subject to the following conditions and advice notes:

Conditions:

1. If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan, prepared by the applicant and endorsed by Council's Shire Planner.
3. The outbuilding shall not be used for commercial or industrial activity or human habitation.
4. The Sea Container shall be painted in a colour which is in harmony with the surrounds to the satisfaction of the Shire Planner.

Advice Notes:

1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
2. The applicant is advised a building permit might be required prior to commencement of development.

COUNCIL RESOLUTION

M8/0813

Moved Cr Pepper

Seconded Cr Shaw

That Council resolve to grant planning approval for an Outbuilding (Sea Container) at 28 (Lot 152) Brooking Street, Beverley, subject to the following conditions and advice notes:

Conditions:

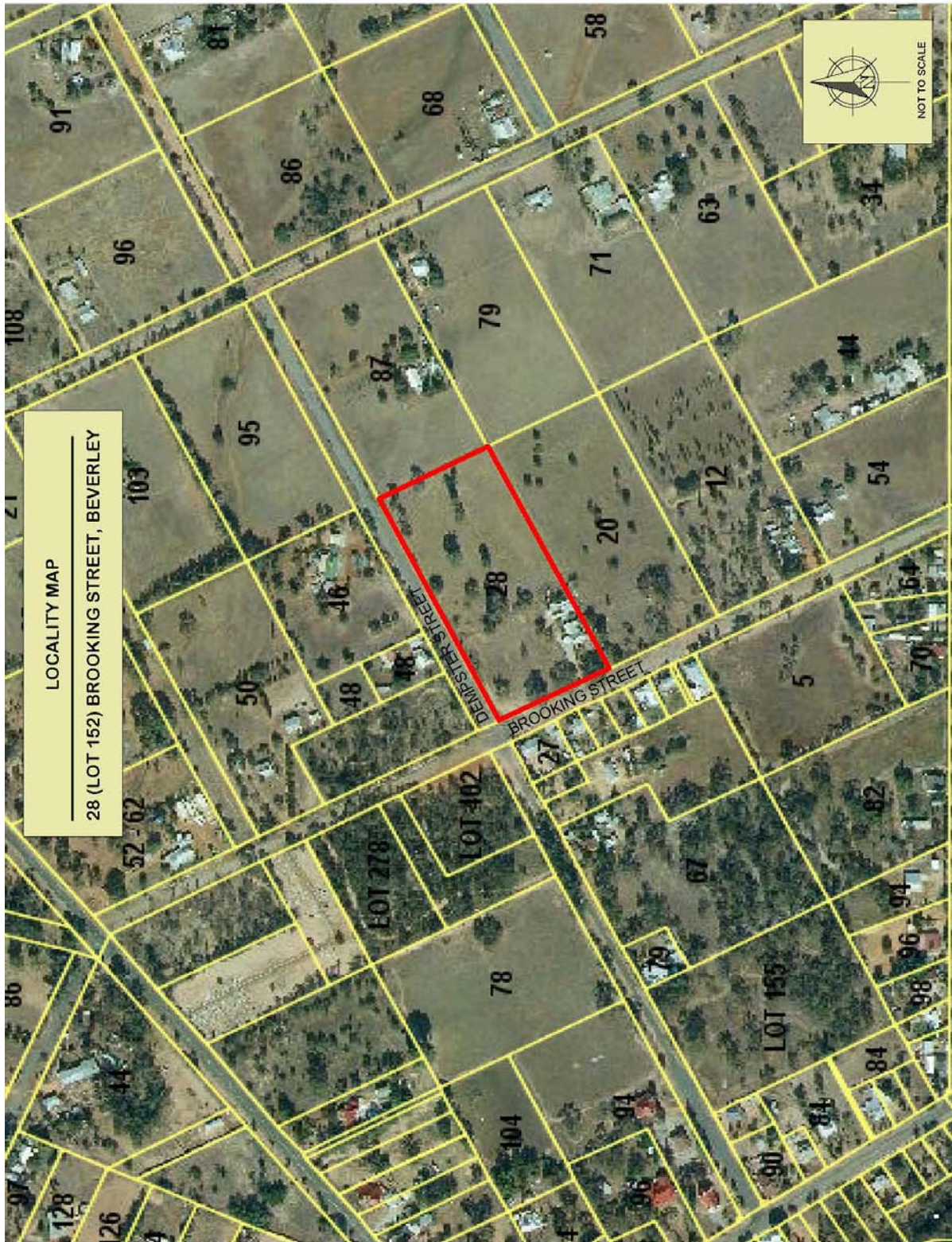
- 1. If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.**
- 2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan, prepared by the applicant and endorsed by Council's Shire Planner.**
- 3. The outbuilding shall not be used for commercial or industrial activity or human habitation.**
- 4. The Sea Container shall be painted in a colour which is in harmony with the surrounds to the satisfaction of the Shire Planner.**

Advice Notes:

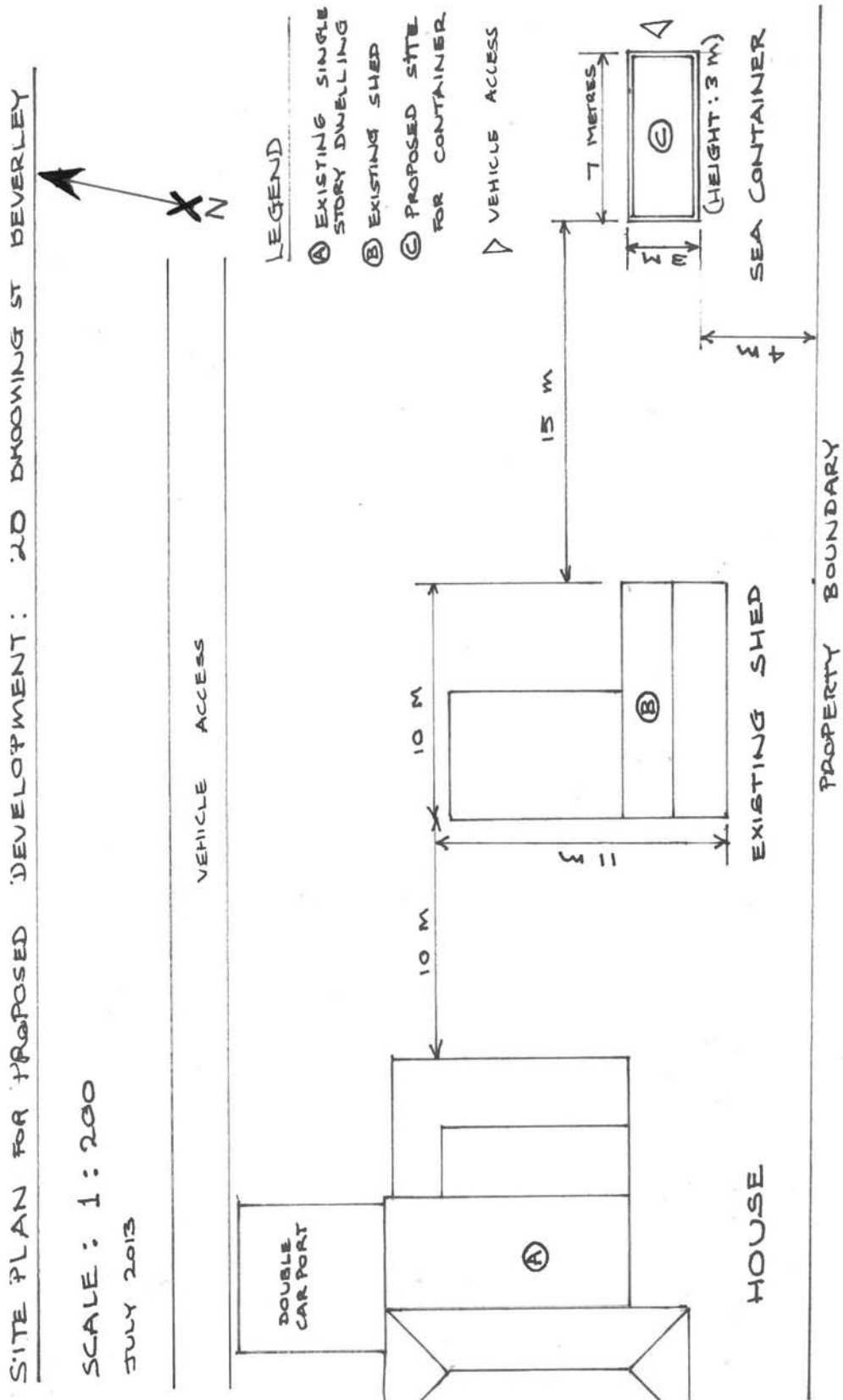
- 1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.**
- 2. The applicant is advised a building permit might be required prior to commencement of development.**

CARRIED 6/1

(Attachment 9.5)



(Attachment 9.5)



9.6 Development Application – Outbuilding (Garage) Lot 2 Forrest Street

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 20 August 2013
APPLICANT: Areta Ellis
FILE REFERENCE: FOR 284
AUTHOR: B S de Beer, Shire Planner
ATTACHMENTS: Locality Map, Site Plan, Garage Plans

SUMMARY

An application has been received to construct a Zincalume Outbuilding (Garage) at 71 (Lot 2) Forrest Street. It will be recommended the application be approved.

BACKGROUND

In terms of the Shire's Outbuilding Policy, the preference is to not have Zincalume Outbuildings in the Residential Zone.

The subject site is located at 71 (Lot 2) Forrest Street, is 2,226 m² in extent and zoned Residential R10. It contains a single dwelling unit and other existing outbuildings.

COMMENT

Zincalume cladding for walls and roofs are excluded from material to be used in Outbuilding Construction in the Shire's Outbuilding Policy. Although the Outbuilding Policy is silent on the reason for this exclusion, it is presumably related to, amongst others, aesthetic concerns.

The Shire of Beverley Town Planning Scheme No. 2 (TPS 2) in Clause 4.13.1 states as follows:

'No person shall without first having obtained the approval of the Council erect or commence to erect a building which by virtue of colour or type of materials, architectural style, height, bulk or ornamental or general appearance has in the opinion of the Council an exterior design which is out of harmony with the exterior designs of existing buildings or is likely to injure the amenity of the locality.'

When considering the aesthetic aspects of a proposed development involving Zincalume cladding, Shire Staff is of the opinion that the following aspects of the development should be taken into consideration:

- a) The specific siting of the Outbuilding on the property;
- b) The general character of the immediate area;
- c) The use of landscaping features to screen the development.

It is the opinion that the proposed siting of the Outbuilding at the subject property is such that it will not have any negative impact on the amenity of the property. Existing natural vegetation and landscaping and other structures on the property will also effectively screen the Outbuilding. There is an existing Zincalume water tank and outbuildings on an adjoining property, and it can thus be argued that the proposed development may be considered to be in harmony with the surrounds.

Given the above considerations it is not anticipated that the granting of Planning Approval for this application will create an undesirable precedent.

CONSULTATION

No consultation was deemed required.

STATUTORY ENVIRONMENT

The application may be approved under the Shire of Beverley's Town Planning Scheme No. 2.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council resolve to grant planning approval for an Outbuilding (Garage) at 71 (Lot 2) Forrest Street, Beverley, subject to the following conditions and advice notes:

Conditions:

1. If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan, prepared by the applicant and endorsed by Council's Shire Planner.
3. The outbuilding shall not be used for human habitation, commercial or industrial purposes.

Advice Notes:

1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
2. The applicant is advised a building permit is required prior to commencement of any building works.

COUNCIL RESOLUTION

M9/0813

Moved Cr Foster

Seconded Cr Pepper

That Council resolve to grant planning approval for an Outbuilding (Garage) at 71 (Lot 2) Forrest Street, Beverley, subject to the following conditions and advice notes:

Conditions:

- 1. If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.**
- 2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan, prepared by the applicant and endorsed by Council's Shire Planner.**
- 3. The outbuilding shall not be used for human habitation, commercial or industrial purposes.**

Advice Notes:

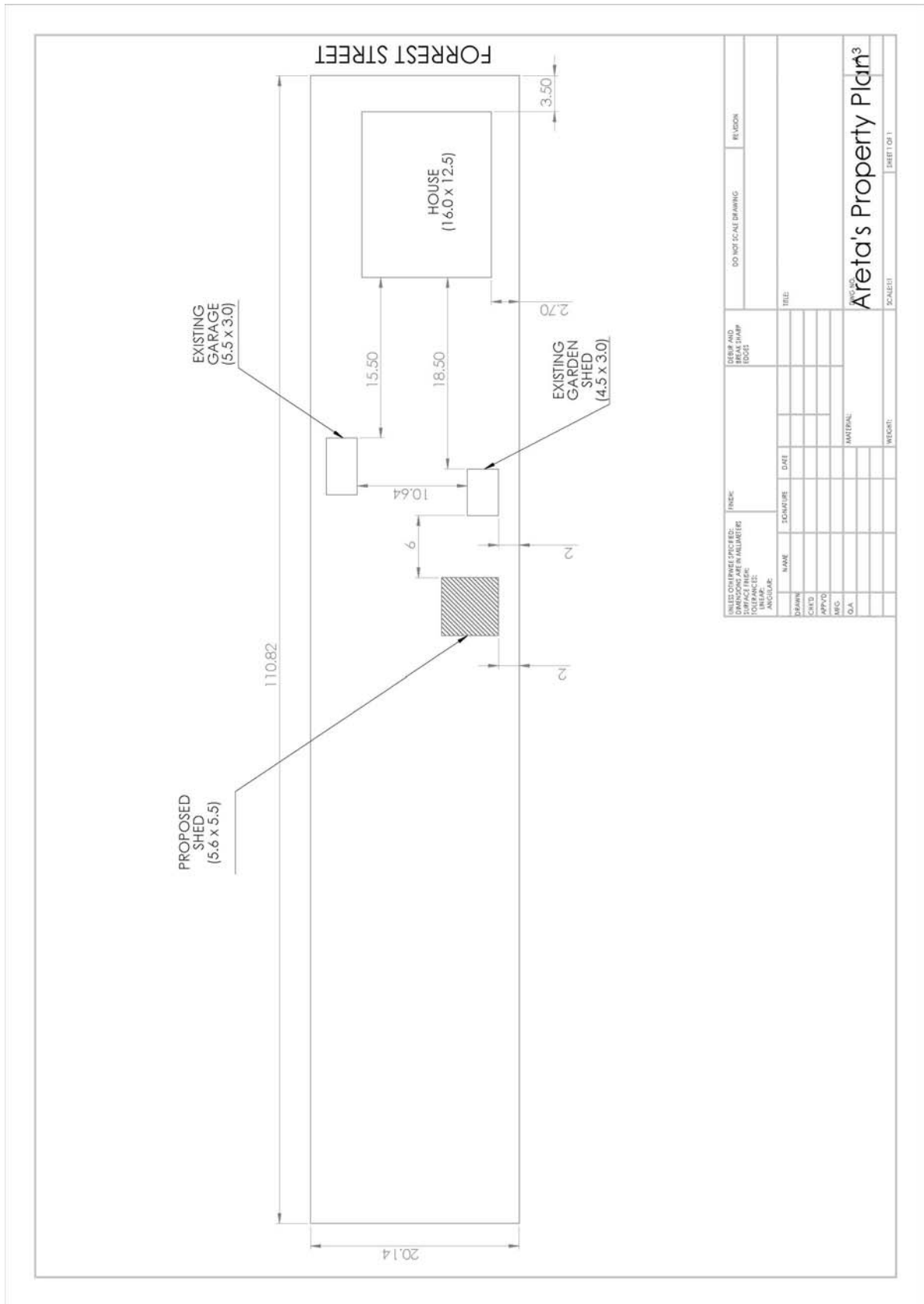
- 1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.**
- 2. The applicant is advised a building permit is required prior to commencement of any building works.**

CARRIED 7/0

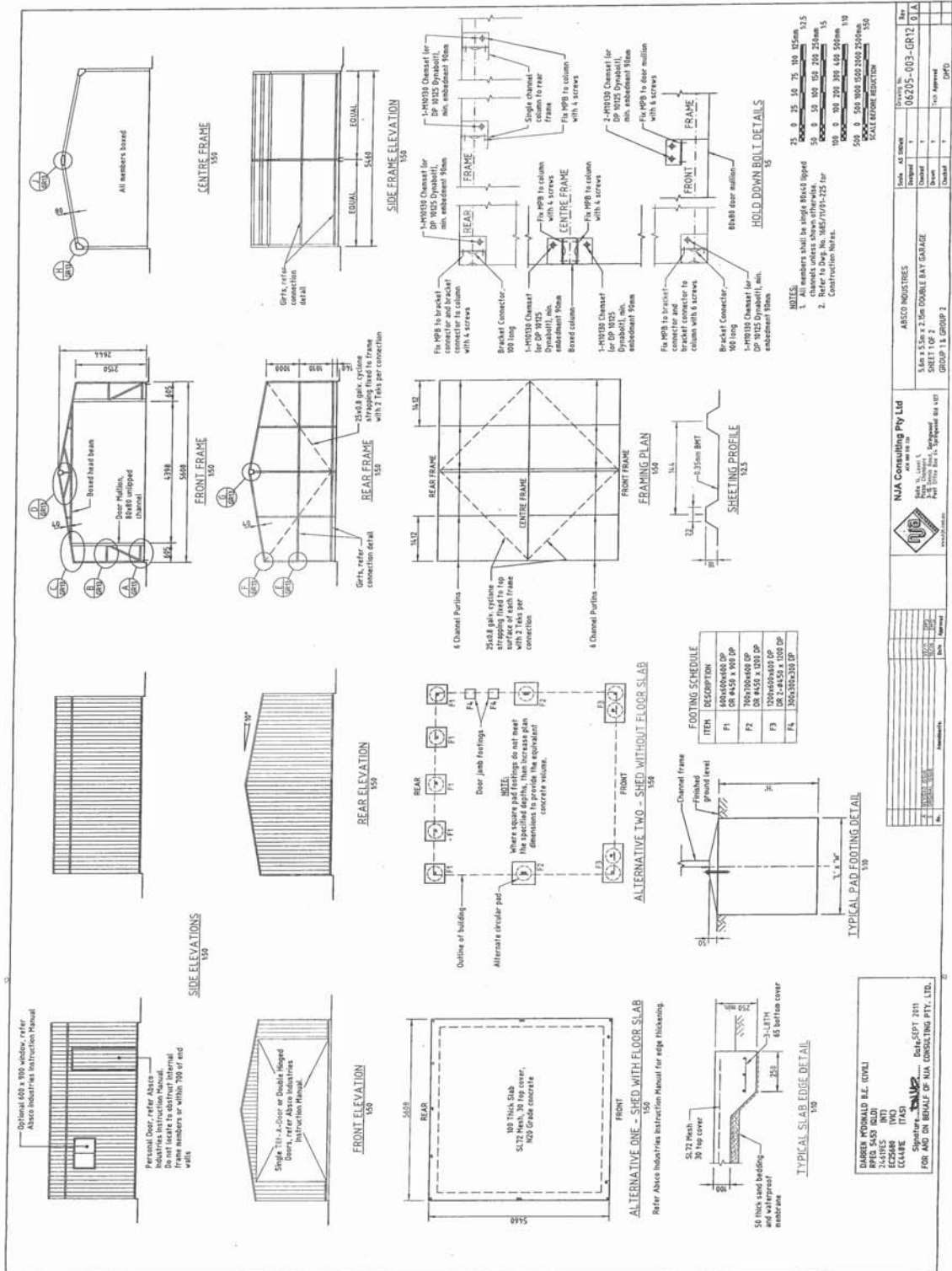
(Attachment 9.6)



(Attachment 9.6)



(Attachment 9.6)



9.7 Enforcement of Zoning Breach – 43 (Lot 137) Vincent Street

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 20 August 2013
APPLICANT: Corrie Luk
FILE REFERENCE: VIN 490
AUTHOR: B S de Beer, Shire Planner
ATTACHMENTS: Locality Map, Applicant Letter

SUMMARY

Council is requested to consider an enforcement matter in relation to the Shire of Beverley Town Planning Scheme No. 2. It will be recommended that no enforcement action be taken.

BACKGROUND

The owner of 43 (lot 137) Vincent Street keeps horses on his property. The use is considered to be a '*Rural Pursuit*' in terms of the Shire of Beverley Town Planning Scheme No. 2 (TPS 2).

The subject lot is zoned '*Residential R2.5*'. In this zone a '*Rural Pursuit*' land use is not permitted in terms of Table 1 – Zoning Table, in TPS 2.

Following a written complaint regarding the '*Rural Pursuit*' land use on the subject property, the Shire Planner informed the owner of 43 Vincent Street, in writing, that he might be in breach of the Zoning Scheme, and that he should cease the activities or apply for Planning Approval. He has subsequently submitted the attached letter in response.

The original complainant, in a meeting with the CEO and Shire Planner, put it to the Shire that we have a legal obligation to enforce the Town Planning Scheme and should have the '*Rural Pursuit*' land use removed.

COMMENT

The Shire of Beverley Council, during their 28 May 2013 meeting initiated Amendment Scheme 21 to TPS 2, for the purposes of, amongst others, acknowledging an existing '*Rural Pursuit*' land use trend within certain precincts of the town site.

Should this Amendment be finally adopted by Council and endorsed by the Western Australian Planning Commission, it would imply that the existing '*Rural Pursuit*' land use on the subject property, may be conditionally approved after Council's consideration.

Following confirmation from the Environmental Protection Authority that the proposed Scheme Amendment 21 should not be assessed under Part IV Division 3 of the Environmental Protection Act 1986, public advertising commenced for the Scheme Amendment. The advertising period will conclude on the 27 of September 2013.

This proposed Scheme Amendment is therefore considered to be a '*seriously entertained planning proposal*'.

Shire Staff sought legal advice on the matter and can report as follows (a copy of the written advice can be provided to Councillors, should they so wish):

Discretion to prosecute:

The legal advice indicate that it is a well established principle of law that a public authority does have discretion as to whether to issue an infringement or bring a prosecution in respect of any particular contravention of a law. The advice does indicate that the discretion is however, not absolute in nature.

The advice mentions that:

'Having regard to the principles set out above (as per the original written advice), it would be open to the Shire to exercise its discretion so as not to issue infringement notices or commence prosecution proceedings in respect of contraventions of its Scheme that related to the keeping of horses on Residential or Rural Residential zoned land, on the basis that such use may shortly be capable of approval in the event that the Scheme Amendment received final approval and is gazetted.

'Given that the Scheme Amendment would already constitute a 'seriously entertained planning proposal', by virtue of consent to advertise having been granted by the WAPC, I consider this would be a reasonable position for the Shire to adopt, which would satisfy the reasonableness test referred to above (as per the original written advice). Moreover, this would only mean deferring potential enforcement action pending determination of the Scheme Amendment. If the Scheme Amendment were not approved, it would still be open to the Shire to commence enforcement action in respect of non-compliant properties.'

Discretion to issue a direction:

As the keeping of horses on Lot 137 has been undertaken in contravention of the Scheme, the other enforcement option available to the Shire would be to issue a **direction** under section 214(2) of the *Planning and Development Act 2005* to stop and not recommence the development.

The Legal advice quotes the matter of ***Drake v City of South Perth and Anor*** [2005] WASAT 271, where the Tribunal determined that the local government has a discretion as to whether or not to give a direction to a person who has undertaken a development in contravention of a town planning scheme. The SAT said there are a range of factors which might be relevant to the exercise of that discretion including:

- a) First, it is in the public interest of the proper and orderly development and use of land that planning laws should generally be complied with, and it is expected that normally those who carry out development or the use of land should comply with the planning laws;
- b) Second, the impact of the contravention of the Scheme on the affected locality and the environment must be considered. This includes a consideration of whether the breach complained of is a purely technical breach which may be unnoticeable other than to a person well versed in the relevant law, or whether the impact of the breach is more tangible;
- c) Third, the factual circumstances in which the contravention of the Scheme took place will be relevant. For example, if a development was commenced after the developer took advice from the local government and was assured that the

development was permissible without approval that will go in the developers favour;

- d) Fourth, the time which has elapsed since the development was undertaken in contravention of the Scheme will be relevant. The longer a development or use has been in place, the less reasonable it may be to issue a direction to acquire the development or use to cease; and
- e) Fifth, the expense and inconvenience which would be involved in remedying the contravention of the Scheme should be taken into account.

The SAT decision is consistent with the legal position that although a local government has a general obligation to enforce its Scheme, that obligation is not absolute. There may be factors in a particular case which lead to the conclusion it is not appropriate to take immediate enforcement steps.

In the present case, the pending Scheme Amendment would be a relevant consideration in the exercise of the Shire's discretion, as to whether to issue a direction under Section 214 of the *Planning and Development Act, 2005*. Given the pending amendment to the Scheme provisions, there would be little point in the Shire incurring expense and inconvenience by issuing and attempting to enforce a direction, which would most likely result in proceedings in the State Administrative Tribunal for review of the direction.

CONSULTATION

The Shire engaged McLeods Solicitors in the matter.

STATUTORY ENVIRONMENT

The Planning and Development Act, 2005 & the Shire of Beverley's Town Planning Scheme No. 2.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1) Resolve to not pursue any enforcement action against the owner of 43 (Lot 137) Vincent Street, in regards to the existing Rural Pursuit land use on the property, in the light of the pending Scheme Amendment 21;
- 2) Resolve to not issue a direction in terms of Section 214(2) of the Planning and Development Act, 2005, in the light of the pending Scheme Amendment 21;
- 3) Inform the complainant and the owner of 43 (Lot 137) Vincent Street of Council's decision in this regard.

COUNCIL RESOLUTION

M10/0813

Moved Cr Shaw

Seconded Cr Murray

That Council:

- 1) Resolve to not pursue any enforcement action against the owner of 43 (Lot 137) Vincent Street, in regards to the existing Rural Pursuit land use on the property, in the light of the pending Scheme Amendment 21;**
- 2) Resolve to not issue a direction in terms of Section 214(2) of the Planning and Development Act, 2005, in the light of the pending Scheme Amendment 21;**
- 3) Inform the complainant and the owner of 43 (Lot 137) Vincent Street of Council's decision in this regard.**

CARRIED 7/0

(Attachment 9.7)



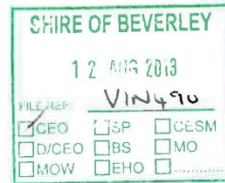
(Attachment 9.7)

C.E.O. Mr Stephen Gollan

Beverley Shire

Vincent Street

BEVERLEY



What a great way to have your lifestyle turned upside down, when you receive notification that you are doing and have done something wrong that comes with a \$50,000 fine.

I shifted here from Perth in 2003 and for the past 9 years have kept horses on my property.

Whilst working for Max Hunter, I became acquainted with most of the Shire staff including the previous C.E.O – I often talked about the horses with these people – mentioning that they all had different personalities and got up to some antics from time to time. All through that period of time and since, no one has ever indicated that I was doing something that was not permitted, also most of the Councillors were aware that I kept horses on the property. I have received calls from Council staff from time to time, when they have been notified that there is a horse or horses on the loose out and about, I have always obliged them by going out looking for them.

When I purchased the property, the previous owner Sgt. David Briggs kept horses – there was also horses, goats, sheep and lots of turkeys on surrounding properties.

THIS IS MY INTERPRETATION OF “LIVING IN THE COUNTRY”

Local children have been riding the horses ever since I first had them including Alexis Daly daughter of Beverleys’ Policeman of the year. At present there are 2 local girls who are competing at the Beverley Show on my horses. They spend hours, riding, grooming and dressing their mounts, one of these young ladies is Angela Stanfield who in November 2012 had 2 complete knee reconstructions, five months later she was back on her horse. Her P.M.H surgeon named her “Miracle Girl”.

I am hoping for a monitorium until the Rural Pursuit amendments are proclaimed.

Is this just a possible vexatious report to Council because I made an enquiry to Dept. of Waters regarding the legality of filling in McLeans creek.

My wife Kerry is still riding her pony at the age of 74.

FROM KERRY- A little bit of nostalgia When the Beverley property was purchased I was elated to be living in the country town where I had spent a lot of my younger years on the property of my aunt and uncle Elsie and Bert Turner who had taken over the property of my great grandmother Sarah Moulton (nee Strange). Sarah Moulton kindly donated the land in the Dale for the construction of St. Johns in the Wilderness Church and the Dale Hall now stands. Elsie and Bert Turner continued to farm on the property for a number of years, later they sold and moved into the township, residing in Forrest Street.

One of my vivid memories of the town – was the shopping day once a week, it was a special day, when everyone had to dress in their best clothes. Aunty Elsie would spend most of her time in the

(Attachment 9.7)

Co-op doing her weekly shopping – Uncle Bert had a better idea and spent his time holding up the bar in the Railway Hotel.

The drive home early in the evening on the gravel road in the little old Morris Minor – was quite an event.

A handwritten signature in blue ink, appearing to read 'Corrie Luk', with a stylized flourish at the end.

CORRIE LUK

9.8 Development – Outbuilding & Drainage Works Lot 138 Brooking Street

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 21 August 2013
APPLICANT: RJ Shannon
FILE REFERENCE: BRO 491
AUTHOR: B S de Beer, Shire Planner
ATTACHMENTS: Locality Map, Site Plan, Map from Objector, Department of Water Response

SUMMARY

An application has been received to construct an Outbuilding and to perform Land Drainage Works at 52-56 (Lot 138) Brooking Street. It will be recommended the application be approved.

BACKGROUND

Following an anonymous complaint Shire Staff investigated the presence of Sea Containers at the above location. In terms of the Shire's Outbuilding Policy, the preference is to not have Sea Containers as Outbuildings in the Shire. The land owner was notified in writing and subsequently lodged an application for an Outbuilding in which the Sea Containers will be kept. The applicant, in the same application, is also requesting development approval for *Land Drainage Works* as shown on the accompanying Site Development Plan.

The subject site is located at 52-56 Brooking Street, is 1.41 ha in extent and zoned Residential R 2.5. It contains a single dwelling and other existing outbuildings.

COMMENT

The application is referred to Council as a result of the following:

- *Land Drainage Works* are an 'AA' use in the Residential Zone in terms of Table 1 – Zoning Table in the Shire of Beverley Town Planning Scheme No. 2 (TPS 2), which means that Council's discretion is required when considering the use;
- The proposed Outbuilding will result in the total footprint area of all outbuildings on the property to be beyond the maximum permitted footprint area. The maximum permitted footprint area for all outbuildings in this Zone, as per the Outbuilding Policy, is 100 m², whereas the addition of the proposed outbuilding will bring the total area to 248 m². A variation to the Outbuilding Policy will thus be required.

The applicant requested the approval of the *Land Drainage Works* to enable the water runoff to be absorbed into the underlying aquifer, and to manage water flow containing weeds and other contaminants.

In relation to the proposed *Land Drainage Works*, Shire Staff consulted with the Department of Water (DoW), being the lead Authority in this regard. A site visit was convened with a Wheatbelt NRM representative whom gave advice to the DoW regarding the proposal. A positive response was received from the Department (please refer to attachment).

The DoW advises that the proposed works are to occur in a proclaimed surface water area, and that a bed and banks permit might be required under the *Rights in Water and Irrigation Act 1915*. Should Council resolve to approve this application, it will be recommended that an appropriate condition be imposed to address this requirement.

As a result of the size of the property (being 1.4 ha in extent), and the specific placement of the existing outbuildings and the proposed outbuilding, no adverse impact on the amenity of the locality as a result of the development is anticipated, specifically in relation to the increased total footprint area beyond that permitted by the Outbuilding Policy. It will be recommended for approval.

CONSULTATION

The *Land Drainage Works* component of the application had been advertised to neighbours and their comments and staff's responses are presented in the following table:

	Respondent	Property	Comment	Planner's Response
1	OC & EA Thomas	105 Richardson Street, Beverley	<p>We do not approve of the proposed drainage works on lot 138 as there is no evidence to suggest that it will be of any benefit to adjoining properties. And taking into consideration that any infrequent drainage issues were not present prior to the natural winter creek being altered and/or filled in on lot 138.</p> <p><i>The Objection in relation to the proposed outbuilding is not quoted as comments were only invited in relation to the proposed Land Drainage Works.</i></p>	<p>The Shire consulted with the lead authority (DoW) in this regard and the Department, having taken due regard of the relevant issues, are supportive of the proposal. A bed and banks permit might be required for the proposed works as elaborated upon in the report, and will be conditioned as such, if planning approval is granted.</p>
2	G Sazanov	36 Vincent Street, Beverley	<p>I have concern that water flowing from above property will not be directed to large square culvert on corner of property which was designed to handle water flow, hence flooding north on Vincent Street to smaller pipes under road resulting in water entering and flooding my property encroaching on my house, as previously happened in the past.</p>	<p>Staff would respectfully submit that, in all probability, the presence of the land drainage works, as proposed, will actually mitigate possible flooding on Mr Sazanovs property as a result of the energy of the water flow being dissipated through the application of the proposed earth bunding and soak.</p> <p>The Shire consulted with the lead authority (DoW) in this regard and the Department, having taken due regard of the relevant issues, are supportive of the proposal. A bed and banks permit might be required for the proposed works as elaborated upon in the report, and will be conditioned as such, if planning approval is</p>

				granted.
3	C Luk (Please also refer to the attached map as submitted by Mr Luk)	Lot 137 Vincent Street	<p>Lack of detail on proposed map. No actual size of the proposed soak and no height of the proposed earth bunding.</p> <p>Main objection is that creek has been filled 80 percent. Representatives from Water Dept have been on site 3 or 4 times and have advised what was done is unlawful.</p> <p>Building the proposed earth bunding will cause banking up of water – cause further problems in my property and adjoining property.</p> <p>It is essential that the creek be re-opened at its lowest point adjoining the two properties, to ensure excess water is diverted to the Vincent Street/Brooking street culvert which is a large oblong culvert, the water then flows under Vincent Street and makes its way towards Hammersley Street and winds its way to the Avon River.</p> <p>In February 2012 we had 26 mm of rain in approximately 1.5 hours. Water dispersed half into the culvert underneath Vincent Street and half across the front of subject property and unto mine which caused flooding of my driveway and proceeded to cause flooding on Mr Sazanovs property.</p>	<p>Map as submitted drawn to scale and provides sufficient info to enable consideration by the Shire.</p> <p>No evidence could be found of any enforcement action from the Dept of Water against the applicant in relation to supposed works.</p> <p>Staff would respectfully submit that, in all probability, the presence of the land drainage works, as proposed, will actually mitigate possible flooding on neighbouring properties as a result of the energy of the water flow being dissipated through the application of the proposed earth bunding and soak.</p> <p>The Shire consulted with the lead authority (DoW) in this regard and the Department, having taken due regard of the relevant issues, presumably inclusive of the possibility of the banking up of water, are supportive of the proposal. A bed and banks permit might be required for the proposed works as elaborated upon in the report, and will be conditioned as such, if planning approval is granted.</p>

It is the opinion of staff that the proposal meets the requirements of the Town Planning Scheme in so far as Planning considerations are concerned, and despite concerns from interested parties, the advice from the lead authority (Department of Water) suffices to warrant a recommendation for approval.

CONSULTATION

Consultation was conducted with neighbours, as recorded in the above table.

STATUTORY ENVIRONMENT

The application may be considered under the Shire of Beverley's Town Planning Scheme No. 2.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

The proposal requires a variation of the Shire's Outbuilding Policy.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council resolve to grant planning approval for an Outbuilding and Land Drainage Works at 52-56 (Lot 138) Brooking Street, Beverley, subject to the following conditions and advice notes:

Conditions:

1. If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan, prepared by the applicant and endorsed by Council's Shire Planner.
3. The outbuilding shall not be used for commercial or industrial activity or human habitation.
4. The outbuilding shall be constructed of such material and be of a colour that is in harmony with the surrounding area to the satisfaction of the Shire planner.
5. Prior to commencement of construction of the Land Drainage Works, the applicant shall provide a copy to the Shire of the *Bed and Banks Permit* in terms of the *Rights in Water and Irrigation Act 1915*, if deemed required by the Department of Water (See advice note 3).
6. Should the banking up of water across cadastral boundaries as a result of the Land Drainage Works occur, the applicant shall take immediate remedial steps to rectify the situation.

Advice Notes:

1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
2. The applicant is advised a building permit is required prior to commencement of development of the Outbuilding.
3. The applicant is advised to contact the Department of Water for assistance to obtain a Bed and Banks Permit on 6250 8000.

COUNCIL RESOLUTION

M11/0813

Moved Cr Foster

Seconded Cr Pepper

That Council resolve to grant planning approval for an Outbuilding and Land Drainage Works at 52-56 (Lot 138) Brooking Street, Beverley, subject to the following conditions and advice notes:

Conditions:

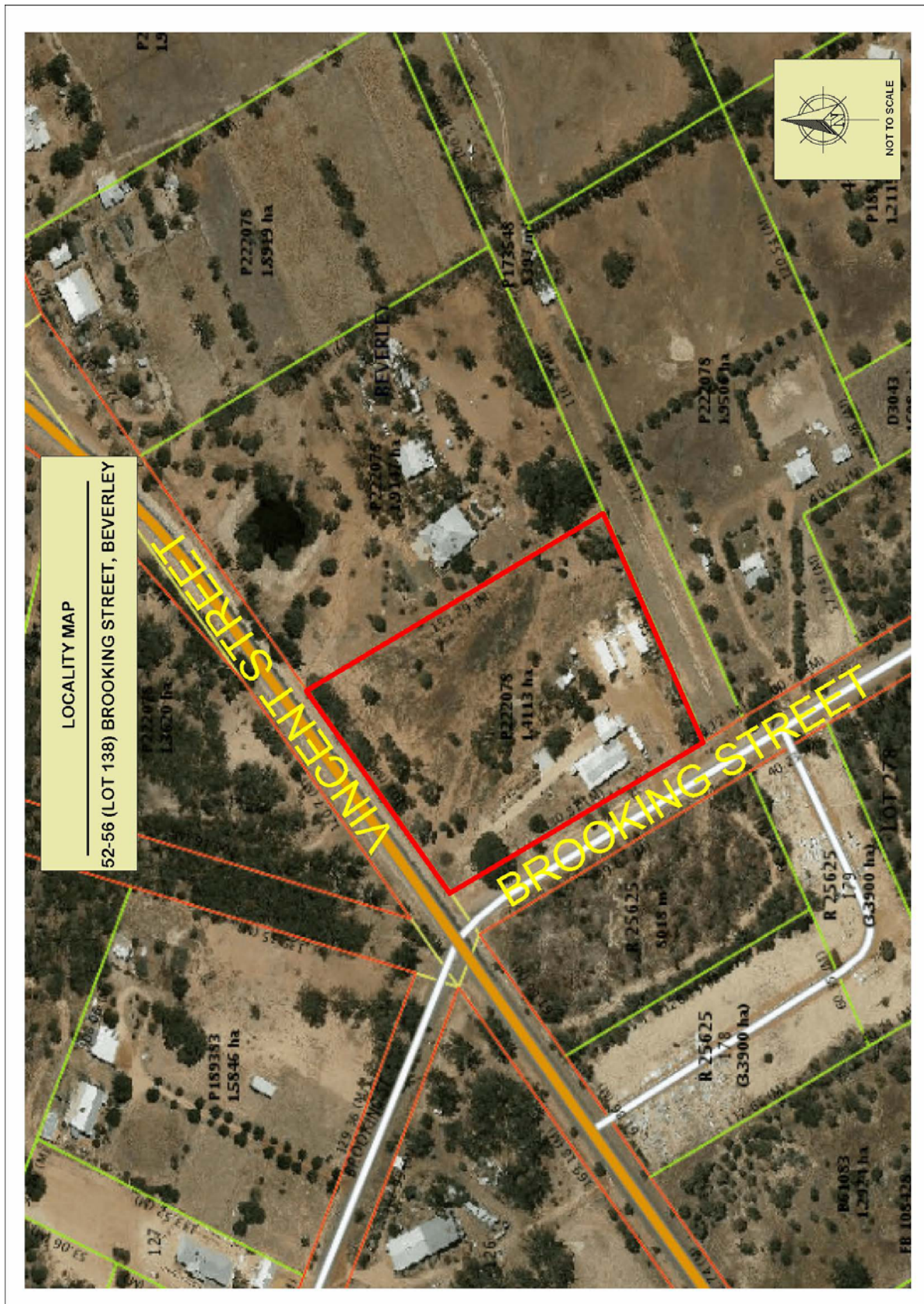
- 1. If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.**
- 2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan, prepared by the applicant and endorsed by Council's Shire Planner.**
- 3. The outbuilding shall not be used for commercial or industrial activity or human habitation.**
- 4. The outbuilding shall be constructed of such material and be of a colour that is in harmony with the surrounding area to the satisfaction of the Shire planner.**
- 5. Prior to commencement of construction of the Land Drainage Works, the applicant shall provide a copy to the Shire of the *Bed and Banks Permit* in terms of the *Rights in Water and Irrigation Act 1915*, if deemed required by the Department of Water (See advice note 3).**
- 6. Should the banking up of water across cadastral boundaries as a result of the Land Drainage Works occur, the applicant shall take immediate remedial steps to rectify the situation.**

Advice Notes:

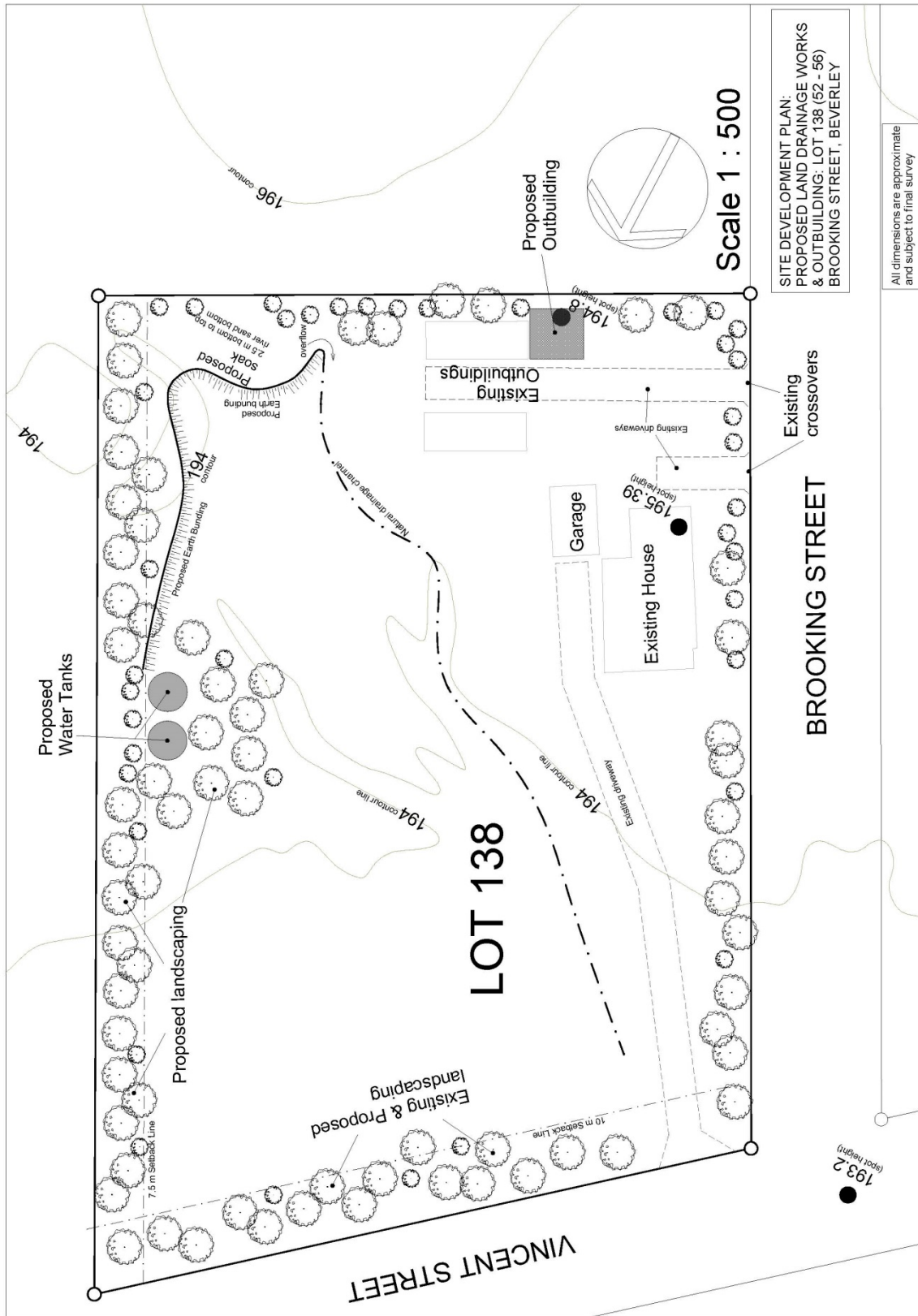
- 1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.**
- 2. The applicant is advised a building permit is required prior to commencement of development of the Outbuilding.**
- 3. The applicant is advised to contact the Department of Water for assistance to obtain a Bed and Banks Permit on 6250 8000.**

CARRIED 7/0

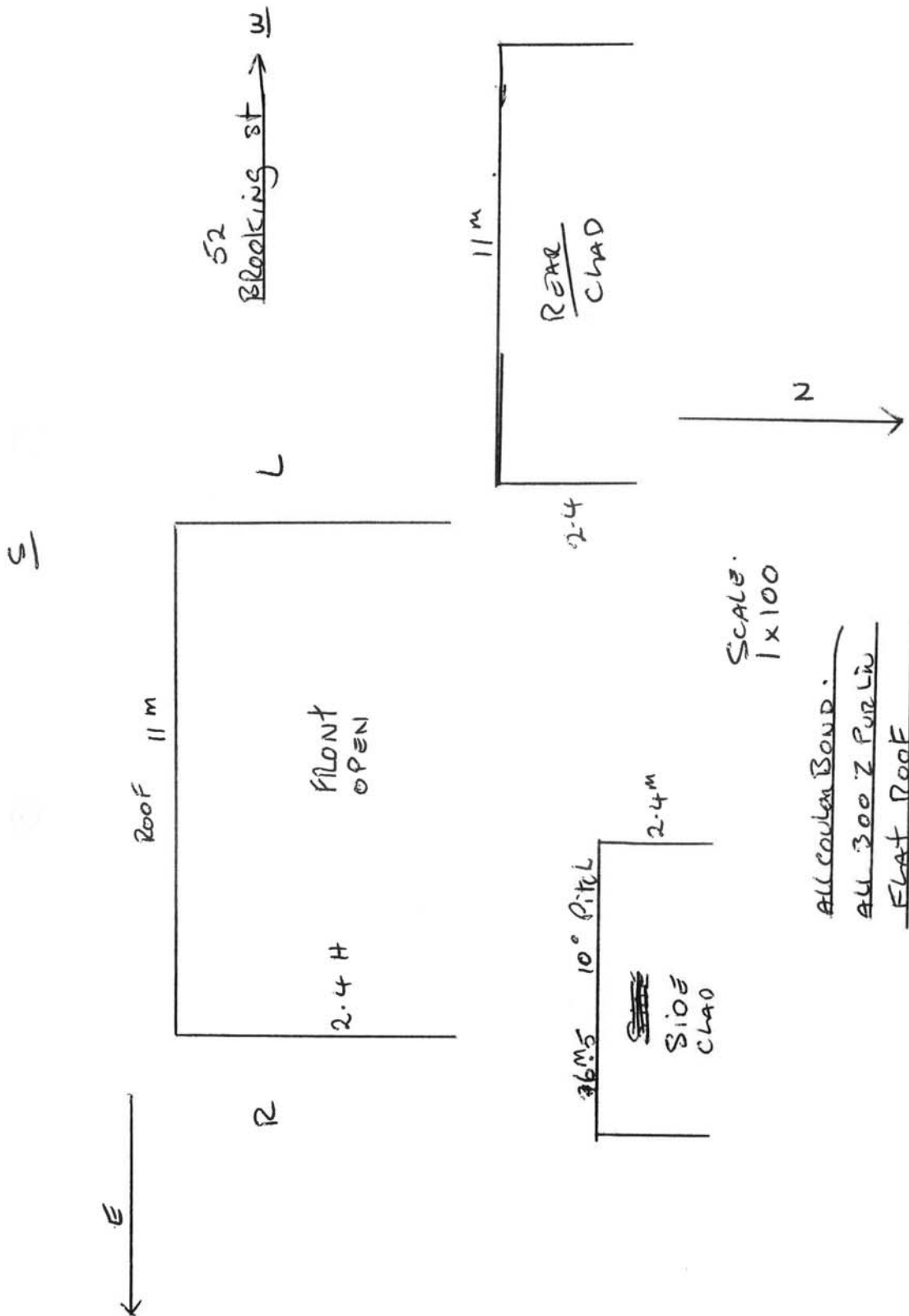
(Attachment 9.8)



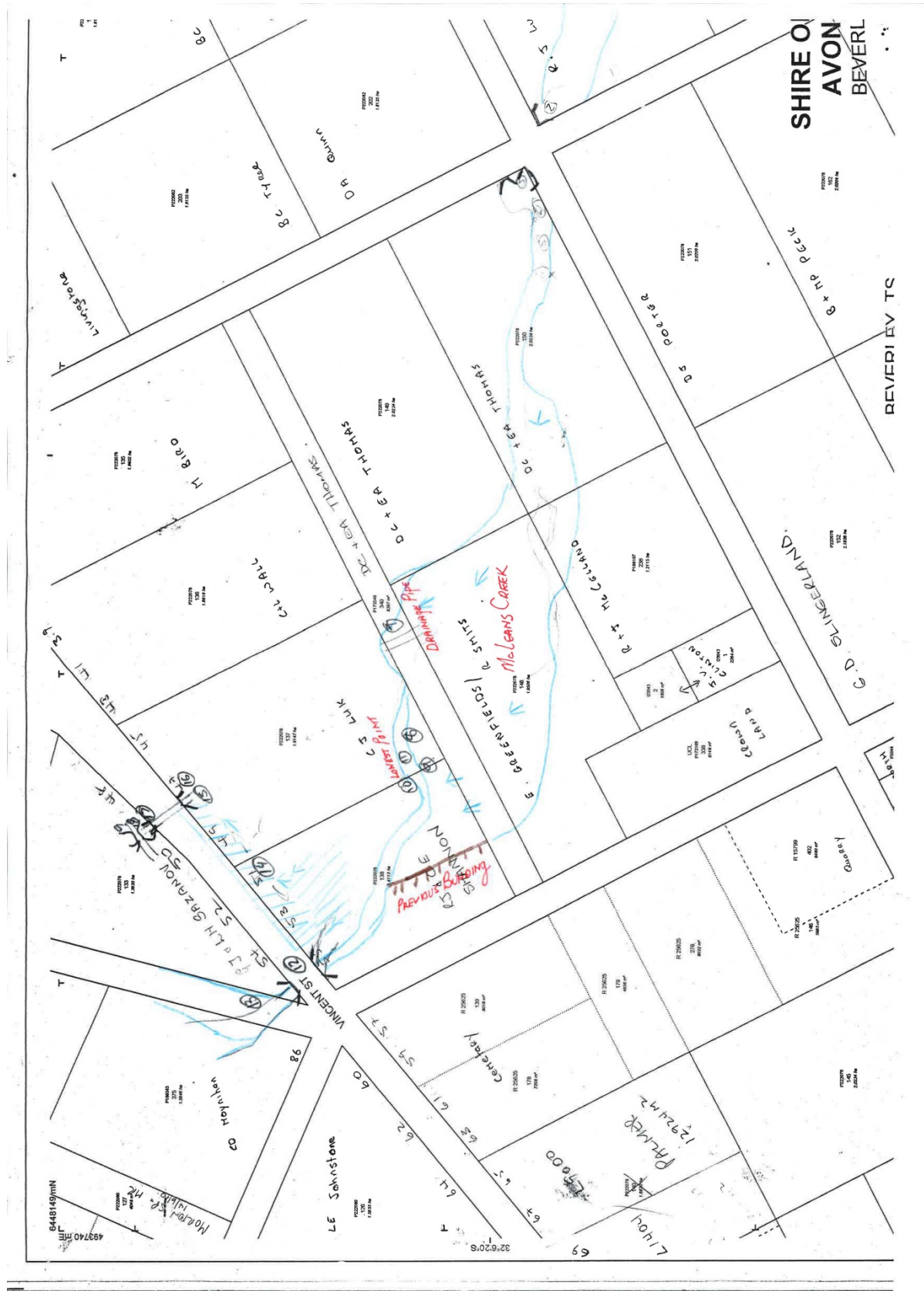
(Attachment 9.8)



(Attachment 9.8)



(Attachment 9.8)



(Attachment 9.8)



Government of **Western Australia**
Department of **Water**



looking after all our water needs
Your ref: 2013/015

File ref: RF10107

Enquiries: Bree Lyons

Tel: 6250 8035

SHIRE OF BEVERLEY
15 AUG 2013
FILE REF: BRO 491
 CEG LSP CLSM
 D/CEO BS MO
 MOW EHO

Shire of Beverley
PO Box 20
BEVERLEY WA 6304

Attention: Stefan de Beer

Dear Mr de Beer,

Re: Development Application – Land Drainage Works: 52-56 (Lot 138) Brooking Street, Beverley (R SHANNON)

Thank you for the above the additional information received 31 July 2013.

The Department of Water (DoW) has assessed the additional information and has no objections to the drainage works.

It has been noted that the proposed works are to occur in a proclaimed surface water area. Under the *Rights in Water and Irrigation Act 1914*, a bed and banks permit may be required for activities that may damage the banks of watercourses. This can be obtained from the department. Please contact reception on 6250 8000 for assistance with Bed and Banks permits.

If you wish to discuss the matter further, please contact Bree Lyons on 6250 8035 or via email – briony.lyons@water.wa.gov.au.

Yours sincerely,

James Mackintosh
Program Manager
Land Use Planning
Swan Avon Region

13 August 2013

Swan Avon Region
7 Ellam Street Victoria Park Western Australia 6100
Telephone (08) 6250 8000 Facsimile (08) 6250 8050
www.water.wa.gov.au

X02WAL014

9.9 Application for Exploration Licence: 70/4535

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 21 August 2013
APPLICANT: Raven Resources Pty Ltd
FILE REFERENCE: ADM 0071
AUTHOR: B S de Beer, Shire Planner
ATTACHMENTS: Application Documentation

SUMMARY

Raven Resources Pty Ltd have advised that they have made application for a mineral exploration license.

BACKGROUND

The following Notice of Application for a Mineral Exploration License has been received for Council's information:

Raven Resources Pty Ltd

70/4535, Gwambygine

A copy of the map of the areas to be explored is attached.

COMMENT

Section 120(1) of the Mining Act, 1978 reads as follows:

'In considering any application for the grant of a mining tenement the Minister, warden or mining registrar, as the case requires, shall take into account the provisions of any planning scheme in force under the Planning and Development Act 2005 affecting the use of the land concerned, but the provisions of any such scheme shall not operate to prohibit or affect the granting of a mining tenement or the carrying out of any mining operations authorised by this Act.'

As a result of the above it will be recommended that Council resolve to give appropriate advice notes in relation to their desired intended outcomes for exploration activities within the Shire of Beverley.

STATUTORY ENVIRONMENT

Exploration licences are dealt with under the Mining Act, 1978.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council resolve to inform Raven Resources Pty Ltd that they take note of the mineral exploration licence application 70/4535 Gwambygine and further advise as follows: –

1. All service holes drilled for the purpose of exploration are to be capped, filled or otherwise made safe after completion.
2. All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the district mining engineer. Backfilling and rehabilitation being required no later than six months after excavation unless approved by the district mining engineer.
3. Abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of the exploration program.
4. No activities taking place to the detriment of any roads, streets or verges.
5. Minimum disturbances being made to the natural vegetation.
6. Adequate suppression control methods and practices being used.
7. Except with the approval of the Shire of Beverley, all mining excavations or drilling operations being backfilled and the ground reinstated and revegetated to the satisfaction of the Shire of Beverley's Works Supervisor.
8. All works comply with the Environmental Protection (Noise) Regulations 1997.
9. All waste materials, rubbish and plastic sample bags to be removed within 60 days of placement.

COUNCIL RESOLUTION

M12/0813

Moved Cr Pepper

Seconded Cr Murray

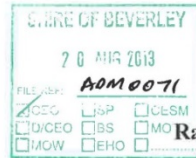
That Council resolve to inform Raven Resources Pty Ltd that they take note of the mineral exploration licence application 70/4535 Gwambygine and further advise as follows: –

- 1. All service holes drilled for the purpose of exploration are to be capped, filled or otherwise made safe after completion.**
- 2. All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the district mining engineer. Backfilling and rehabilitation being required no later than six months after excavation unless approved by the district mining engineer.**
- 3. Abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of the exploration program.**
- 4. No activities taking place to the detriment of any roads, streets or verges.**
- 5. Minimum disturbances being made to the natural vegetation.**
- 6. Adequate suppression control methods and practices being used.**
- 7. Except with the approval of the Shire of Beverley, all mining excavations or drilling operations being backfilled and the ground reinstated and revegetated to the satisfaction of the Shire of Beverley's Works Supervisor.**
- 8. All works comply with the Environmental Protection (Noise) Regulations 1997.**
- 9. All waste materials, rubbish and plastic sample bags to be removed within 60 days of placement.**

CARRIED 7/0

2:28pm – Shire Planner, Stefan de Beer left the meeting and did not return.

(Attachment 9.9)



Raven Resources Pty Ltd
ACN 124 107 268

**40 Stanley St
Nedlands
WA 6909**

Phone 0448 088 068

15 August 2013

**Clerk of the Council
Shire of Beverley
PO Box 20
Beverley
WA 6304**

Dear Sir/Madam,

Re: Exploration Licence Application – 70/4535, Gwambygine

Raven Resources Pty Ltd has recently applied for a mineral exploration licence, as above. Part of the application area lies within the Shire of Beverley. I have attached a copy of Form 21 – Application including the relevant map of the area applied for, as required by the Mining Act 1978.

Please note the application has been recently amended to seek only subsurface rights on private land, obviating the requirement to notify all private land owner occupiers/mortgagees.

Yours faithfully,

Stephen Shelton

Raven Resources Pty Ltd

Mob – 0448 088 068

(Attachment 9.9)

Form 21 WESTERN AUSTRALIA
Mining Act 1978
(Secs. 41, 58, 70C, 74, 86, 91, Reg. 64)

APPLICATION FOR MINING TENEMENT

(a) Type of tenement	(a) Exploration Licence (For Iron)		No. E 70/4535-I
(b) Time & Date marked out (where applicable)	(b) a.m./p.m. / /		(c) SOUTH WEST
(c) Mineral Field			
For each applicant: (d) Full Name and ACN/ABN	(d) and (e) RAVEN RESOURCES PTY LTD (ACN: 124 107 268) 40 STANLEY STREET, NEDLANDS, WA, 6009		(f) Shares 100
(e) Address			(g) Total 100
(f) No. of shares			
(g) Total No. of shares			
DESCRIPTION OF GROUND APPLIED FOR: (For Exploration Licences see Note 1. For other Licences see Note 2. For all Licences see Note 3.)	(h) GWAMBYGINE (i) (j) This application affects Private Property.		
(h) Locality			
(i) Datum Peg			
(j) Boundaries			
(k) Area (ha or km ²)	(k) 15 BL		
(l) Signature of applicant or agent (if agent state full name and address)	(l) Steve Shelton 40 STANLEY ST, NEDLANDS, WA, 6009		Date: 13/08/2013

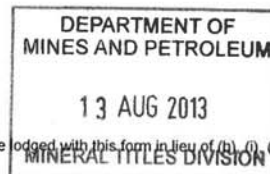
OFFICIAL USE

A NOTICE OF OBJECTION may be lodged at any mining registrar's office on or before the 17th day of September 2013 (See Note 4).

Where an objection to this application is lodged the hearing will take place on a date to be set.

Received at	09:57:17	on	13 August	2013	with fees of
Application	\$1,257.55				
Rent	\$1,785.00				
TOTAL	\$3,042.55				
Receipt No:	322511045836				

Mining Registrar



NOTES

Note 1: EXPLORATION LICENCE

- (i) Attachments 1 and 2 form part of every application for an exploration licence and must be lodged with this form in lieu of (h), (i), (j) and (k) above.
- (ii) An application for an Exploration Licence shall be accompanied by a statement specifying method of exploration, details of the proposed work programme, estimated cost of exploration and technical and financial ability of the applicant(s).

Note 2: PROSPECTING/MISCELLANEOUS LICENCE AND MINING/GENERAL PURPOSE LEASE

- (i) This application form shall be accompanied by a map on which are clearly delineated the boundaries of the area applied for.

Note 3: GROUND AVAILABILITY

- (i) The onus is on the applicant to ensure that ground is available to be marked out and/or applied for.
- (ii) The following action should be taken to ascertain ground availability:
 - (a) public plan search;
 - (b) register search;
 - (c) ground inspection.

Note 4: ALL APPLICATIONS OVER PRIVATE LAND

The period for lodgement of an objection is within 21 days of service of this notice, or the date noted above for lodging objections, whichever is the longer period.

(Attachment 9.9)



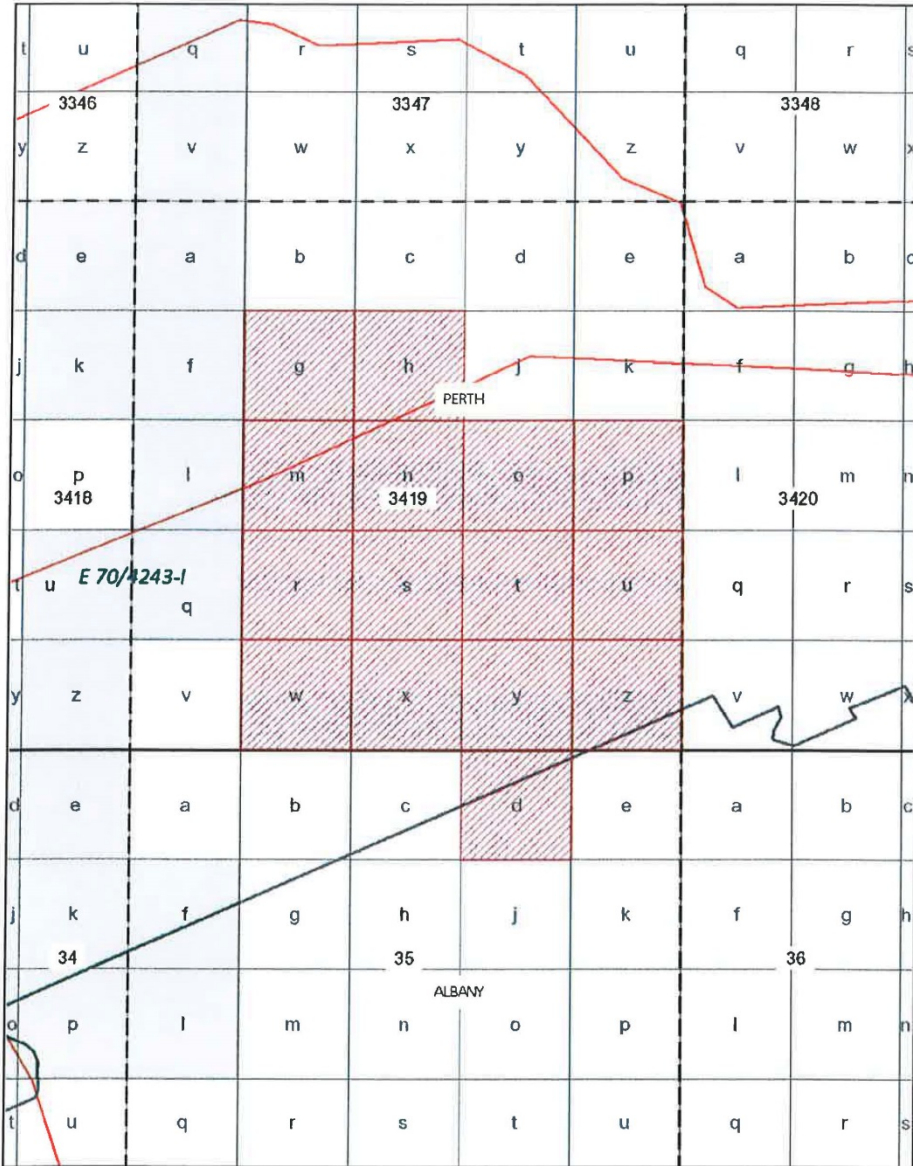
Government of Western Australia
Department of Mines and Petroleum



Mining Act 1978
Sec. 58; Reg. 64

FORM 21 - ATTACHMENT 2
Plan Name(s) - PERTH, ALBANY

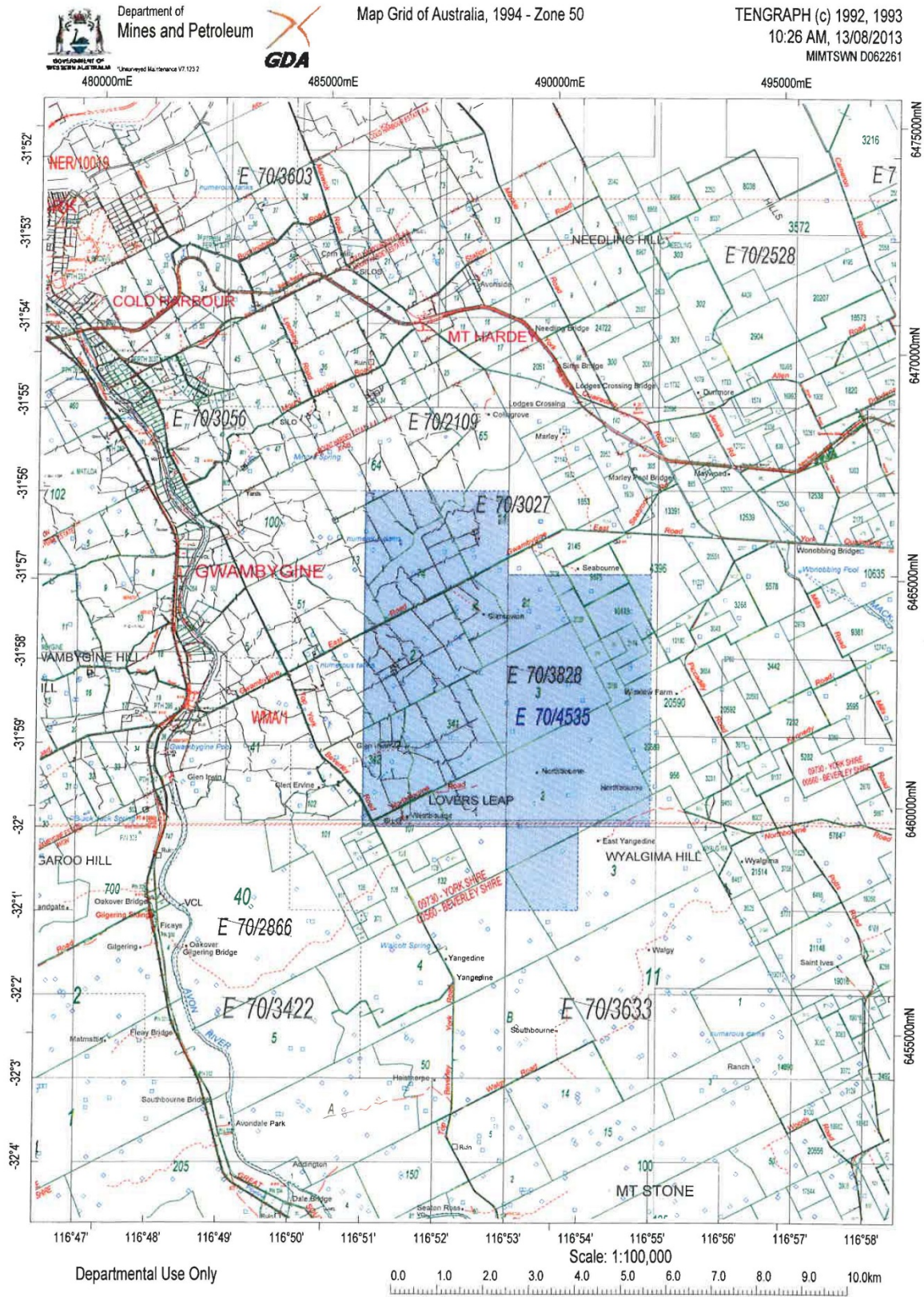
Time Officially Received : 13/08/2013 09:57:17
User Id : ex34563



MAP SHOWING BLOCKS APPLIED FOR IN
EXPLORATION LICENCE NO. 70/4535

Graticular Section Applied For

(Attachment 9.9)



10. BUILDING SERVICES & ENVIRONMENTAL HEALTH SERVICES

Nil

11. FINANCE

11.1 Monthly Financial Report

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 20 August 2013
APPLICANT: N/A
FILE REFERENCE: N/A
AUTHOR: S K Marshall, Deputy Chief Executive Officer
ATTACHMENTS: July 2013 Financial Reports

SUMMARY

Council to consider accepting the financial reports for the period ending 31 July 2013.

BACKGROUND

There is a statutory requirement that the Local Government is to prepare, each month, a statement of financial activity reporting on sources and applications of its funds and to present the statement to Council.

COMMENT

The monthly financial report for the period ending 31 July 2013 has been provided and includes:

- Financial Activity Statement;
- Statement of Net Current Assets;
- Statement of Financial Position; and
- Supplementary information, including;
 - Road Maintenance Report; and
 - Investment of Surplus Funds Report.

Please note that the 2013/14 Budget is being adopted at this meeting consequently no Budget figures and therefore, variance reporting, has been included.

STATUTORY ENVIRONMENT

Section 6.4(1) of the *Local Government Act* provides that a local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.

Regulation 34 of the *Local Government (Financial Management) Regulations* requires a Statement of Financial Activity to be prepared each month which is to contain the following details:

- (a) annual budget estimates;
- (b) budget estimates to the end of the month;
- (c) actual amount of expenditure and revenue;
- (d) material variances between comparable amounts in (b) and (c) above; and
- (e) the net current assets at the end of the month to which the statement relates (i.e. surplus / (deficit) position).

The Statement is to be accompanied by:

- (a) explanation of the composition of net current assets, less committed assets and restricted assets;
- (b) explanation of the material variances; and
- (c) such other information considered relevant by the local government.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Investing Surplus Funds – That the Shire of Beverley only invests any surplus funds with the ANZ bank.

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATION

That the monthly financial report for the month of July 2013 be accepted.

COUNCIL RESOLUTION

M13/0813

Moved Cr Foster

Seconded Cr Pepper

That the monthly financial report for the month of July 2013 be accepted.

CARRIED 7/0

SHIRE OF BEVERLEY FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 JULY 2013	
2013/14	
JULY	
ACTUAL	
\$	
OPERATING REVENUE	
General Purpose Funding	5,827
Governance	44
Law, Order Public Safety	30,018
Health	0
Education and Welfare	620
Housing	6,328
Community Amenities	2,146
Recreation and Culture	336,132
Transport	3,634
Economic Services	1,941
Other Property and Services	91
	\$386,781
LESS OPERATING EXPENDITURE	
General Purpose Funding	(1,263)
Governance	(43,529)
Law, Order, Public Safety	(25,636)
Health	(12,320)
Education and Welfare	(5,806)
Housing	(18,931)
Community Amenities	(56,062)
Recreation and Culture	(109,565)
Transport	(140,511)
Economic Services	(22,078)
Other Property & Services	(69,434)
	(\$505,134)
<i>Increase(Decrease)</i>	(\$118,353)

SHIRE OF BEVERLEY	
FINANCIAL ACTIVITY STATEMENT	
FOR THE PERIOD ENDED 31 JULY 2013	
	2013/14
	JULY
	ACTUAL
	\$
ADD	
Principal Repayment Received -Loans	0
Provision for Long Service Leave	0
Profit/ Loss on the disposal of assets	0
Depreciation Written Back	99,560
Book Value of Assets Sold Written Back	0
	\$99,560
<i>Sub Total</i>	(\$18,793)
LESS CAPITAL PROGRAMME	
Purchase Tools	0
Purchase Land & Buildings	0
Infrastructure Assets - Roads	(350)
Infrastructure Assets - Recreation Facilities	(3,309)
Infrastructure Assets - Other	0
Purchase Plant and Equipment	0
Purchase Furniture and Equipment	0
Repayment of Debt - Loan Principal	0
Transfer to Reserves	0
	(\$3,659)
ABNORMAL ITEMS	
Prior Years Adjustment	0
Prior Years Doubtful Debts Provision	0
Prior Years Trust Receipts Transferred	0
Bad Debts - Written Off	0
	0
Plus Rounding	0
	(\$3,659)
<i>Sub Total</i>	(\$22,452)
LESS FUNDING FROM	
Reserves	0
Loans Raised	0
Closing Funds	2,250,615
	\$2,250,615
NET (SURPLUS) DEFICIT	\$2,228,163

SHIRE OF BEVERLEY	
SUMMARY OF CURRENT ASSETS AND LIABILITIES	
FOR THE PERIOD ENDING 31 JULY 2013	
CURRENT ASSET	ACTUAL
Cash at Bank	
- Cash Advance	300.00
- Cash at Bank	3,934,827.98
- Investments Unrestricted	0.00
- Investments Reserves	0.00
Sundry Debtors General	291,163.87
Stock on Hand	7,289.90
Self Supporting Loans	0.00
GST	0.00
Total Current Assets	4,233,581.75
LESS CURRENT LIABILITIES	
Sundry Creditors	314,323.36
Interest Bearing Loans and Borrowings	0.00
Provisions for Annual and Long Service Leave	303,601.47
Total Current Liabilities	617,924.83
ADJUSTMENTS	
Less Cash Backed Reserves	(1,578,688.75)
Plus Interest Bearing Loans and Borrowings	0.00
Plus Annual Leave Cash Backed Reserves as at 30/06/2013	136,520.41
Plus LSL and Gratuity Cash Backed Reserves as at 30/06/2013	105,147.00
Less Deferred Pensioner Rates Non-Current as at 30/06/2013	(61,778.00)
Plus Reimbursement - Current Asset Portion of S/Supporting loan 117 2013-14	11,306.00
Total Adjustments	(1,387,493.34)
SURPLUS OF CURRENT ASSETS OVER CURRENT LIABILITIES	\$2,228,163.58

**SHIRE OF BEVERLEY
STATEMENT OF FINANCIAL POSITION
AS AT 31 JULY 2013**

Note: This section analyses the movements in assets, liabilities and equity between 2012/13 and 2013/14.	Actual 2012/13	Actual 2013/14	Variance
	\$	\$	\$
Current assets			
Cash and cash equivalents	3,607,179	3,935,128	327,949
Trade and other receivables	351,794	291,164	(60,630)
Inventories	11,478	7,290	(4,188)
Other assets	0	0	0
Total Current Assets	3,970,451	4,233,582	263,131
Non-Current Assets			
Trade and other receivables	172,448	121,976	(50,472)
Property, plant and equipment	9,409,659	47,181,397	37,771,738
Infrastructure	37,867,639		(37,867,639)
Total Non-Current Assets	47,449,746	47,303,372	(146,374)
Total Assets	51,420,197	51,536,954	116,757
Current liabilities			
Trade and other payables	79,213	314,323	(235,110)
Interest-bearing loans and borrowings	0	0	0
Provisions	303,601	303,601	(0)
Total Current Liabilities	382,814	617,925	(235,111)
Non-current liabilities			
Interest-bearing loans and borrowings	1,208,251	1,208,251	0
Provisions	36,620	36,620	(0)
Total non-current liabilities	1,244,871	1,244,871	0
Total liabilities	1,627,685	1,862,796	(235,111)
Net Assets	49,792,512	49,674,158	(118,354)
Equity			
Accumulated surplus	44,734,730	44,734,729	(1)
Change in net assets resulting from operations	0	(118,353)	(118,353)
Asset revaluation reserve	3,479,093	3,479,093	0
Other reserves	1,578,689	1,578,689	(0)
Total Equity	49,792,512	49,674,158	(118,354)

**SHIRE OF BEVERLEY
ROAD MAINTENANCE REPORT
FOR THE PERIOD ENDED 31 JULY 2013**

	POC (Alloc)	PWOH (Alloc)	Wages (Alloc)	Total Alloc (Exp)	Total Exp
MISC					
MS7-Private Works - Stockpile Gravel	2,375.00	1,088.54	1,289.21	4,752.75	4,752.75
Total MISC	2,375.00	1,088.54	1,289.21	4,752.75	4,752.75
ROAD					
0001 MORBINING RD	3,115.00	1,549.36	1,831.32	6,495.68	6,495.68
0002 WATERHATCH RD	2,480.00	1,237.64	1,456.01	5,173.65	5,173.65
0003 YORK-WILLIAMS RD	1,640.00	718.88	854.31	3,213.19	3,213.19
0005 EDISON MILL RD	1,500.00	455.82	536.26	2,492.08	2,492.08
0007 YENYENING LAKES RD	67.50	91.90	108.10	267.50	267.50
0010 DALE KOKEBY RD	45.00	37.28	43.86	126.14	126.14
0011 KOKENDIN RD	3,432.50	1,278.36	1,537.78	6,248.64	6,248.64
0012 TALBOT WEST RD	885.00	561.35	660.41	2,106.76	2,106.76
0014 POTTS RD	1,005.00	385.18	453.16	1,843.34	1,843.34
0022 LUPTONS RD	1,160.00	351.98	414.09	1,926.07	1,926.07
0024 DALEBIN NORTH RD	1,050.00	314.00	369.41	1,733.41	1,733.41
0036 GREENHILLS SOUTH RD	315.00	290.00	341.17	946.17	946.17
0040 HOBBS RD	337.50	84.97	99.96	522.43	522.43
0043 CORBERDING RD	500.00	141.61	166.61	808.22	808.22
0055 KIEARA RD	495.00	174.44	225.23	894.67	894.67
0064 FERGUSONS RD	437.50	120.06	141.25	698.81	698.81
0072 SMITH RD	300.00	84.97	99.96	484.93	484.93
0076 HILLS RD	300.00	75.53	88.86	464.39	464.39
0100 MAWSON RD	90.00	118.78	139.73	348.51	348.51
0101 SIMMONS RD	12.50	44.94	52.88	110.32	110.32
0102 DOBADERRY RD	150.00	46.18	54.33	250.51	250.51
0103 FORREST ST	165.00	319.83	376.27	861.10	861.10
0104 LUKIN ST	225.00	126.99	149.41	501.40	501.40
0105 JOHN ST	88.75	243.62	286.62	618.99	618.99
0106 DAWSON ST	90.00	36.47	42.90	169.37	169.37
0108 SMITH ST	45.00	37.28	43.86	126.14	126.14
0109 HARPER ST	112.50	64.92	76.39	253.81	253.81
0110 QUEEN ST	45.00	36.21	42.60	123.81	123.81
0111 DEMPSTER ST	87.50	215.73	253.81	557.04	557.04
0115 HOPE ST	0.00	27.97	32.90	60.87	60.87
0123 NICHOLAS ST	525.00	187.87	221.03	933.90	933.90
0124 RICHARDSON ST	507.50	191.44	225.23	924.17	924.17
0125 VINCENT ST	33.75	27.43	32.28	93.46	93.46
0131 ELIZABETH ST	22.50	18.64	21.94	63.08	63.08
0135 ERNEST DR	90.00	74.56	87.72	252.28	252.28
0149 COUNCIL RD	45.00	36.21	42.60	123.81	123.81
0166 WESTDALE RD	1,530.00	1,868.17	2,252.44	5,650.61	5,650.61

**SHIRE OF BEVERLEY
ROAD MAINTENANCE REPORT
FOR THE PERIOD ENDED 31 JULY 2013**

	POC (Alloc)	PWOH (Alloc)	Wages (Alloc)	Total Alloc (Exp)	Total Exp
8888 TREE LOPPING	1,230.00	2,201.40	2,597.60	6,029.00	6,029.00
9999 ROADS VARIOUS	846.25	598.04	703.58	2,147.87	2,147.87
Total ROAD	25,006.25	14,476.01	17,163.87	56,646.13	56,646.13
TOTAL	27,381.25	15,564.55	18,453.08	61,398.88	61,398.88

**SHIRE OF BEVERLEY
INVESTMENT OF SURPLUS FUNDS
AS AT 31 JULY 2013**

Account #	Account Name	Amount Invested (\$)	Total	Term	Interest Rate	Maturation
9701-42341	Reserve Funds					
	Long Service Leave	105,147.02				
	Plant	79,169.45				
	Bush Fire Fighters	105,974.40				
	Building	325,542.22				
	Recreation Ground	320,749.00				
	Cropping Committee	221,697.66				
	Avon River					
	Development	21,300.22				
	Annual Leave	136,520.41				
	Community Bus	31,916.46				
	Road Construction	230,671.91	1,578,688.75	94 days	4.20%	30/09/2013
2092-96973	Online Saver	822,239.57	822,239.57	Ongoing	2.25%	
9709-83757	Term Deposit	1,004,315.06	1,004,315.06	94 days	4.20%	30/09/2013
	Total		3,405,243.38			

11.2 Accounts Paid by Authority

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 13 August 2013
APPLICANT: N/A
FILE REFERENCE: N/A
AUTHOR: S K Marshall, Deputy Chief Executive Officer
ATTACHMENTS: July 2013 – List of Accounts

SUMMARY

Council to consider authorising the payment of accounts.

BACKGROUND

The following list represents accounts paid by authority for the month of July 2013.

COMMENT

Unless otherwise identified, all payments have been made in accordance with Council's 2012/13 Budget.

STATUTORY ENVIRONMENT

Regulation 12 of the Local Government (Financial Management) Regulations provides that:

- (1) A payment may only be made from the municipal fund or the trust fund —
 - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
 - (b) otherwise, if the payment is authorised in advance by a resolution of the council.
- (2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

Regulation 13 of the Local Government (Financial Management) Regulations provides that:

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name;
 - (b) the amount of the payment;
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
 - (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name;
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction;
- and
- (b) the date of the meeting of the Council to which the list is to be presented.
 - (3) A list prepared under sub regulation (1) or (2) is to be —

- (a) presented to the Council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

FINANCIAL IMPLICATIONS

Unless otherwise identified, all payments have been made in accordance with Council's 2012/13 Budget.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Authority to Purchase – All acquisitions should be in accordance with budget provisions or to a maximum specified cost.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That the List of Accounts as presented:

July 2013:

(1) Municipal Fund – Account 016-540 239 838 056			
Cheque vouchers: 1077-1085 incl totalling	\$	14,449.74	previously paid
EFT vouchers 04 July 13 01-39 incl totalling	\$	43,669.90	
EFT vouchers 17 July 13 01-41 incl totalling	\$	81,268.45	
EFT vouchers 18 July 13 01-39 incl totalling	\$	46,831.62	
EFT vouchers 24 July 13 01-09 incl totalling	\$	6,870.27	
EFT vouchers 29 July 13 01-05 incl totalling	\$	<u>12,537.06</u>	
Total of EFT vouchers for July 2013 incl	\$	191,177.30	previously paid
(2) Trust Fund – Account 016-239 838 123			
EFT vouchers incl totalling	\$	nil	
(3) Direct Debit Payments totalling	\$	74,435.15	previously paid
(4) Credit Card Payments totalling	\$	1,722.82	previously paid

be authorised.

COUNCIL RESOLUTION

M14/0813

Moved Cr Shaw

Seconded Cr Pepper

That the List of Accounts as presented:

July 2013:

(1) Municipal Fund – Account 016-540 239 838 056			
Cheque vouchers: 1077-1085 incl totalling	\$	14,449.74	previously paid
EFT vouchers 04 July 13 01-39 incl totalling	\$	43,669.90	
EFT vouchers 17 July 13 01-41 incl totalling	\$	81,268.45	
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Total of EFT vouchers for July 2013 incl	\$	191,177.30	previously paid
(2) Trust Fund – Account 016-239 838 123			
EFT vouchers incl totalling	\$	nil	
(3) Direct Debit Payments totalling	\$	74,435.15	previously paid
(4) Credit Card Payments totalling	\$	1,722.82	previously paid

be authorised.

CARRIED 7/0

TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
Direct Debit	02/07/2013	CBA - MERCHANT BANKING	JUN 2013 TRANSACTION FEES	-86.89	-86.89
Direct Debit	03/07/2013	CBA - MERCHANT BANKING	JUN 2013 ACCESS FEE	-36.26	-36.26
Direct Debit	03/07/2013	ANZ- TRANSACTIVE (ONLINE BANKING)	JUN 13 ONLINE BANKING	-73.30	-73.30
Liability Chq	04/07/2013	BT FIN GP-LEONHARDT Scott	SUPER CONTRIB: FE 02 JUL 13	0.00	0.00
Liability Chq	04/07/2013	COLONIAL FIRST STATE-CORRIGAN Justin	SUPER CONTRIB: FE 02 JUL 13	0.00	0.00
Liability Chq	04/07/2013	COLONIAL FIRST STATE-MOULTON Clare	SUPER CONTRIB: FE 02 JUL 13	0.00	0.00
Liability Chq	04/07/2013	CSRF - CATHOLIC SUPER & RETIREMENT FUND	SUPER CONTRIB: FE 02 JUL 13	0.00	0.00
Liability Chq	04/07/2013	DOMINION SUPERANNUATION MASTER TRUST	SUPER CONTRIB: FE 02 JUL 13	0.00	0.00
Liability Chq	04/07/2013	KINETIC SUPER (ACCTS SUPER)	SUPER CONTRIB: FE 02 JUL 13	0.00	0.00
Liability Chq	04/07/2013	SPECTRUM SUPER	SUPER CONTRIB: FE 02 JUL 13	0.00	0.00
Liability Chq	04/07/2013	SUPERWRAP - PERSONAL SUPER PLAN	SUPER CONTRIB: FE 02 JUL 13	0.00	0.00
Liability Chq	04/07/2013	WALGSP - SUPER	SUPER CONTRIB: FE 02 JUL 13	0.00	0.00
Liability Chq	04/07/2013	SHIRE OF BEVERLEY	2013-07 JUL SAL DEDUCTIONS (02 JUL): RATES	0.00	0.00
Direct Debit	04/07/2013	WESTNET PTY LTD	JUL 2013 INTERNET ACCESS	-66.00	-66.00
Direct Debit	15/07/2013		JUN 13 # - CREDIT CARD	-1,722.82	-1,722.82
Direct Debit	16/07/2013	3 MESSAGING	3 MESSAGING: 2012-07 JUL: 0 TXT MSGS	-82.50	-82.50
EFT Pymt	17/07/2013	KINETIC SUPER (ACCTS SUPER)	SUPER CONTRIB: FE 02 JUL 13	-126.04	
EFT Pymt	17/07/2013	ADC PROJECTS	NEW SPORTING COMPLEX, OLD SCHOOL BLDG & INFANT HEALTH BLDG	-6,142.40	
EFT Pymt	17/07/2013	AIMS	2013-06 JUN FUEL TAX CREDITS	-209.22	
EFT Pymt	17/07/2013	AMPAC	2013-06 JUN DEBT RECOVERY	-1,536.72	

TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
EFT Pymt	17/07/2013	ARCHIVEWISE	2013-06 JUN STORAGE of ARCHIVES - 95 BOXES	-42.53	
EFT Pymt	17/07/2013	ASB MARKETING PTY LTD	UNIFORMS: CASUAL SHIRTS	-197.78	
EFT Pymt	17/07/2013	AUST POST	JUN 2013 POSTAGE	-225.83	
EFT Pymt	17/07/2013	AVON TRADING	JUN 2013 HARDWARE SUPPLIES	-446.44	
EFT Pymt	17/07/2013	AVON WASTE	1,911 BIN COLLECTION FE 28 JUN 13 INC RECYLING BINS & 1 x RECYCLING COLLECTION	-4,166.08	
EFT Pymt	17/07/2013	BDH - BEV DOME HIRE	DIESEL: 4,000 L	-11,963.20	
EFT Pymt	17/07/2013	BEV BOWLING CLUB	POWER USE re NETBALL COURTS: 29 AUG 12 - 30 JUN 13	-602.58	
EFT Pymt	17/07/2013	BEV CRC (TELECENTRE)	2013-06 JUN & 2013-07 JUL: COMPILING FOR PRODUCTION	-1,650.00	
EFT Pymt	17/07/2013	BEV IGA	JUN 2013 PURCHASES	-602.45	
EFT Pymt	17/07/2013	BEV NEWS - Barry & Pauline	JUN 2013 ACCOUNT	-2,011.30	
EFT Pymt	17/07/2013	BOC LIMITED	JUN 13: CYLINDER RENTAL	-62.44	
EFT Pymt	17/07/2013	BOULTON Kim	RECORD MANAGEMENT ASSISTANCE	-1,845.25	
EFT Pymt	17/07/2013	BSL - BUILDING COMMISSION	12/13 YR: MAY - JUN 13 BUILDING APPLICATIONS X 11	-624.99	
EFT Pymt	17/07/2013	BT FIN GP-LEONHARDT Scott	SUPER CONTRIB: FE 02 JUL 13	-152.25	
EFT Pymt	17/07/2013	CAMPBELL SHAW PTY LTD	GRAVEL ROYALTIES: JAN to JUN 2013	-187.00	
EFT Pymt	17/07/2013	COLONIAL FIRST STATE-CORRIGAN Justin	SUPER CONTRIB: FE 02 JUL 13	-249.78	
EFT Pymt	17/07/2013	COLONIAL FIRST STATE-MOULTON Clare	SUPER CONTRIB: FE 02 JUL 13	-96.43	
EFT Pymt	17/07/2013	COURIER AUSTRALIA/TOLL IPEC	FREIGHT CHARGES: 20 MAR 2012 & 27 JUN 13	-16.90	
EFT Pymt	17/07/2013	CSRF - CATHOLIC SUPER & RETIREMENT FUND	SUPER CONTRIB: FE 02 JUL 13	-93.35	
EFT Pymt	17/07/2013	DAVID GRAY & CO PTY LIMITED	KERBSIDE COLLECTION: 20 x BINS	-1,183.60	

TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
EFT Pymt	17/07/2013	DOMINION SUPERANNUATION MASTER TRUST	SUPER CONTRIB: FE 02 JUL 13	-64.35	
EFT Pymt	17/07/2013	FUEL DISTRIBUTORS OF WA P/L	OIL PURCHASES: 27 JUN 13	-2,022.59	
EFT Pymt	17/07/2013	JAS Richard	VARIOUS PLANT: PARTS & SERVICES	-4,447.34	
EFT Pymt	17/07/2013	KAY Lyn	YOUTH COORDINATOR: 19 APR - 28 JUN 13	-1,320.00	
EFT Pymt	17/07/2013	LANDGATE (DOLA)	3 x TITLE SEARCHES	-72.00	
EFT Pymt	17/07/2013	LANDGATE (VGO)	VALUATION FEES: 15 MAY - 13 JUN 13	-34.95	
EFT Pymt	17/07/2013	MSA CONSTRUCTION	2013-06 JUN RELIEF "BUILDING INSPECTOR"	-3,762.00	
EFT Pymt	17/07/2013	OCEAN BROADBAND LTD	B/BAND - APR to MAY 13: 59 SMITH ST, 136 VINCENT ST, 6 BARNESLEY ST	-439.69	
EFT Pymt	17/07/2013	ORICA/SPECTRUM	2013-06 JUN CHLORINE CYLINDER RENTAL (ORICA)	-37.62	
EFT Pymt	17/07/2013	PACIFIC BRANDS - WORKWEAR GP	UNIFORMS: GOLLAN Stephen	-212.55	
EFT Pymt	17/07/2013	PCS - PERFECT COMPUTER SOLUTIONS	COMPUTER SUPPORT & MONITOR	-1,160.00	
EFT Pymt	17/07/2013	SHIRE OF YORK	HLTH & BLDG SERVICES: JUN 2012, & RANGER SERVICES: 7, 18 JUN 13	-1,227.36	
EFT Pymt	17/07/2013	SUPERWRAP - PERSONAL SUPER PLAN	SUPER CONTRIB: FE 02 JUL 13	-633.48	
EFT Pymt	17/07/2013	TRACKSPARES	VARIOUS: CUTTING BLADES	-6,944.03	
EFT Pymt	17/07/2013	UNIQUE STROKES WA	TOWN HALL: PAINTING (OUTSIDE)	-19,760.00	
EFT Pymt	17/07/2013	WALGSP - SUPER	SUPER CONTRIB: FE 02 JUL 13	-4,445.93	
EFT Pymt	17/07/2013	WILSON Michael	2013-07 JUL BLARNEY ISSUE	-250.00	-81,268.45
Liability Chq	18/07/2013	AUST SUPER	SUPER CONTRIB: FE 16 JUL 13	0.00	0.00
Liability Chq	18/07/2013	BT FIN GP-LEONHARDT Scott	SUPER CONTRIB: FE 16 JUL 13	0.00	0.00
Liability Chq	18/07/2013	COLONIAL FIRST STATE-CORRIGAN Justin	SUPER CONTRIB: FE 16 JUL 13	0.00	0.00

TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
Liability Chq	18/07/2013	COLONIAL FIRST STATE- MOULTON Clare	SUPER CONTRIB: FE 16 JUL 13	0.00	0.00
Liability Chq	18/07/2013	CSRF - CATHOLIC SUPER & RETIREMENT FUND	SUPER CONTRIB: FE 16 JUL 13	0.00	0.00
Liability Chq	18/07/2013	DOMINION SUPERANNUATION MASTER TRUST	SUPER CONTRIB: FE 16 JUL 13	0.00	0.00
Liability Chq	18/07/2013	KINETIC SUPER (ACCTS SUPER)	SUPER CONTRIB: FE 16 JUL 13	0.00	0.00
Liability Chq	18/07/2013	SHIRE OF BEVERLEY	2013-07 JUL SAL DEDUCTIONS (16 JUL): RATES	0.00	0.00
Liability Chq	18/07/2013	SUPERWRAP - PERSONAL SUPER PLAN	SUPER CONTRIB: FE 16 JUL 13	0.00	0.00
Liability Chq	18/07/2013	WALGSP - SUPER	SUPER CONTRIB: FE 16 JUL 13	0.00	0.00
Liability Chq	18/07/2013	ATO - AUSTRALIAN TAX OFFICE	2013-07 JUL PAYG TAX	0.00	0.00
Liability Chq	18/07/2013	LGRCEU	2013-07 JUL UNION FEES	0.00	0.00
EFT Pymt	24/07/2013	KINETIC SUPER (ACCTS SUPER)	SUPER CONTRIB: FE 16 JUL 13	-112.03	
EFT Pymt	24/07/2013	BT FIN GP-LEONHARDT Scott	SUPER CONTRIB: FE 16 JUL 13	-174.13	
EFT Pymt	24/07/2013	COLONIAL FIRST STATE- CORRIGAN Justin	SUPER CONTRIB: FE 16 JUL 13	-277.54	
EFT Pymt	24/07/2013	COLONIAL FIRST STATE- MOULTON Clare	SUPER CONTRIB: FE 16 JUL 13	-66.35	
EFT Pymt	24/07/2013	CSRF - CATHOLIC SUPER & RETIREMENT FUND	SUPER CONTRIB: FE 16 JUL 13	-114.48	
EFT Pymt	24/07/2013	DOMINION SUPERANNUATION MASTER TRUST	SUPER CONTRIB: FE 16 JUL 13	-164.23	
EFT Pymt	24/07/2013	LGRCEU	2013-07 JUL UNION FEES	-77.60	
EFT Pymt	24/07/2013	SUPERWRAP - PERSONAL SUPER PLAN	SUPER CONTRIB: FE 16 JUL 13	-703.86	
EFT Pymt	24/07/2013	WALGSP - SUPER	SUPER CONTRIB: FE 16 JUL 13	-5,180.05	-6,870.27
EFT Pymt	29/07/2013	BADGE	NEW SPORTS COMPLEX: PROG PYMT 9	-5,294.29	
EFT Pymt	29/07/2013	COURIER AUSTRALIA/TOLL IPEC	FREIGHT CHARGES: 24 JUN - 16 JUL 13	-890.71	

TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
EFT Pymt	29/07/2013	DPT of LANDS	RES L3001 - LEASE RK174786 to 31 DEC 13	-2,500.00	
EFT Pymt	29/07/2013	KLEENHEAT GAS (WESFARMERS KLEENHEAT GAS P	REC GROUND COMPLEX: GAS TANK & 963L LP GAS DELIVERY	-2,330.73	
EFT Pymt	29/07/2013	RIDGWAY Dee	12/13 YR TRAVEL CLAIM	-1,521.33	-12,537.06
Direct Debit	31/07/2013	DPI - LICENSING SERVICES	JUN/JUL 13 LICENSING PAYMENTS	-74,090.20	-74,090.20
Cheque # 1077	11/07/2013	SYNERGY	2013-06 JUN ELECTRICITY ACCOUNTS	-9,990.95	-9,990.95
Cheque # 1078	17/07/2013	ACMA - AUST COMM & MEDIA AUTH	LAND MOBILE APPART LIC : 136-138 VINCENT ST (VL6FI)	-101.00	-101.00
Cheque # 1079	17/07/2013	CTF (nee BCITF)	12/13 BCITF - JUN 13 RTN (1 APPLICATIONS)	-438.71	-438.71
Cheque # 1080	17/07/2013	SPECTRUM SUPER	SUPER CONTRIB: FE 13 FEB 13 M16026895	-57.22	-57.22
Cheque # 1082	23/07/2013	WATER CORPORATION	BATYS & BALKULING RD STANDPIPES: 29 APR -04 JUL 13, CPARK INDUST WASTE	-588.73	-588.73
Cheque # 1083	24/07/2013	AUST SUPER	SUPER CONTRIB: FE 16 JUL13	-79.02	-79.02
Cheque # 1084	24/07/2013	SYNERGY	2013-06 JUN SELF READ ELECTRICITY ACCOUNTS	-1,783.85	-1,783.85
Cheque # 1085	24/07/2013	TELSTRA	2013-07 JUL TELEPHONE ACCOUNTS	-1,410.26	-1,410.26
PAYMENTS RAISED IN CURRENT MONTH				-191,283.49	-191,283.49

WAGES & SALARIES					
EFT Pymt	4/07/2013	WAGES & SALARIES	FE - 02 JUL 2013	-43,669.90	
EFT Pymt	18/07/2013	WAGES & SALARIES	FE - 16 JUL 2013	-46,831.62	
WAGES & SALARIES				-90,501.52	-90,501.52

TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS	
TRANSFERS to TRUST						
				TRANSFERS to TRUST	0.00	0.00
UNPRESENTED PAYMENTS for CURRENT BANK STATEMENT						
				UNPRESENTED PAYMENTS for CURRENT BANK STATEMENT	0.00	0.00
PAYMENTS PRESENTED IN CURRENT BANK # RELATING to PRIOR MONTHS' TRANSACTIONS						
Cheque # 1070	20/06/2013	BEV HISTORICAL SOCIETY	2012/13 DONATION	-1,000.00		
Cheque # 1075	28/06/2013	SMITH PH & CO	GRAVEL ROYALTIES: JAN - JUN 2013	-5,242.60		
Cheque # 1076	28/06/2013	SYNERGY	REC GRND (FINAL INVOICE) & COURT HOUSE: POWER CONSUMPTION	-383.55		
EFT Pymt	28/06/2013	ALLIRA HILL	GRAVEL ROYALTIES: JAN to JUN 2013	-130.90		
EFT Pymt	28/06/2013	AMD	FINANCIAL MGT SYSTEMS AUDIT 2013	-6,572.50		
EFT Pymt	28/06/2013	AUSSIE IT	TONERS & BATTERIES	-501.38		
EFT Pymt	28/06/2013	AVON WASTE	1,911 BIN COLLECTION FE 14 JUN 13 INC RECYLING BINS & 1 x RECYCLING COLLECTION	-4,166.08		
EFT Pymt	28/06/2013	BEV COUNTRY KITCHEN	COUNCIL MEET: 25 JUN 13	-144.00		
EFT Pymt	28/06/2013	BEV ELECT SERVICES (SMITH K)	VARIOUS BLGS: ELECTRICAL REPAIRS	-1,437.70		
EFT Pymt	28/06/2013	BT EQUIPMENT/TUTT BYRANT	BE026 (ROL05): SERVICE	-1,241.61		
EFT Pymt	28/06/2013	CAMPBELL SHAW PTY LTD	GRAVEL ROYALTIES: JAN - JUN 2013	-4,899.40		

TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
EFT Pymt	28/06/2013	CATERLINK	NEW SPORTS COMPLEX: WHITE GOODS	-11,603.90	
EFT Pymt	28/06/2013	COUNTRY COPIERS NORTHAM	READING: 02 MAY - 21 JUN 13	-570.20	
EFT Pymt	28/06/2013	COURIER AUSTRALIA/TOLL IPEC	FREIGHT CHARGES: 17 - 20 JUN 13	-38.55	
EFT Pymt	28/06/2013	DAVE RICHES P/L	REJECTED EFT from 20 JUN 13. TO BE REISSUED WITH AMENDED BANK DETAILS.	-1,558.14	
EFT Pymt	28/06/2013	DORMA BWN AUTOMATICS PTY LTD	AUTOMATC DOORS: SCHEDULED SERVICE	-132.00	
EFT Pymt	28/06/2013	JURIEN SURVEYS / FR RODDA & CO	MORBINNING RD: SURVEYING	-5,500.00	
EFT Pymt	28/06/2013	LANDGATE (VGO)	VALUATION FEES: 2012/13 COUNTRY SOUTHERN URBAN REVALS	-151.65	
EFT Pymt	28/06/2013	MATHER Gaye	REIMBURSEMENTS	-236.95	
EFT Pymt	28/06/2013	MILFORD HOMES	REFUND - PLANNING APPLN: 70 SMITH ST	-139.00	
EFT Pymt	28/06/2013	MINCHIN BM & SONS	GRAVEL ROYALTIES: JAN to JUN 2013	-2,730.20	
EFT Pymt	28/06/2013	PCS - PERFECT COMPUTER SOLUTIONS	COMPUTER SUPPORT	-2,627.75	
EFT Pymt	28/06/2013	RA-AN ENTERPRISES	DIRECT GRANT - KOKENDIN RD: PUSHING GRAVEL	-6,682.50	
EFT Pymt	28/06/2013	RONDO	ROAD MTCE: 500 PLASTIC POSTS	-5,148.00	
EFT Pymt	28/06/2013	SHIRE OF YORK	HEALTH & BUILDING SERVICES: JUN 2013	-1,211.60	
EFT Pymt	28/06/2013	SOUTH WEST ISUZU (nee JEM TRUCKS)	ASSET 8700 BE013 (TRADE IN of TRK07/BE013)	133,100.00	-
EFT Pymt	28/06/2013	STATE LIBRARY OF WA (LISWA)	2012-13 RECOUP OF COURIER FEES for INTER LIBRARY LOANS	-756.05	
EFT Pymt	28/06/2013	STRANGE EA & CO (IAN)	GRAVEL ROYALTIES: JAN to JUN 2013	-11,332.20	
EFT Pymt	28/06/2013	STRATEGIC TEAMS	INTEGRATED WORKFORCE PLAN: PROF SERVICES (FINAL PYMT)	-4,400.00	
EFT Pymt	28/06/2013	TWINKARRI	MUNI ROADS: TREE LOPPING	-63,800.00	
EFT Pymt	28/06/2013	TYRE RECYCLERS WA	REFUSE SITE: 44 x TYRE RECYCLING	-71.13	

TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
EFT Pymt	28/06/2013	WESTRAC	BE004 (LDR02) & BE021 (LDR05): PARTS	-106.11	
PAYMENTS PRESENTED IN CURRENT BANK # RELATING to PRIOR MONTHS' TRANSACTIONS				-277,615.65	-277,615.65
OTHER AMENDMENTS/GENERAL JOURNALS					
				0.00	0.00
INVESTMENTS					
				0.00	0.00
TOTAL EXPENDITURE for MUNICIPAL ACCOUNT					-559,400.66
CREDIT CARD PAYMENT SUMMARY for CURRENT BANK STATEMENT					
Bill Pmt - CCard	29/05/2013	KFC MUNDARING	BADGE MEETING: REFRESHMENTS (PRESIDENT, CEO)	18.70	
Bill Pmt - CCard	29/05/2013	SOUTHERN STEEL (WA) P/L	NEW SPORTS COMPLEX: GALV PIPE	732.90	
Bill Pmt - CCard	29/05/2013	BUNNINGS BUILDING SUPPLIES P/L	NEW SPORTS COMPLEX: BINS, CLEANING EQUIPMENT	303.66	
Bill Pmt - CCard	31/05/2013	DYSON LTD	ADMIN OFFICES: DYSON VACUUM PARTS	120.00	
Bill Pmt - CCard	05/06/2013	CHATTERS CAFE & RESTAURANT	DISABILITY SERVICE PLAN W/SHOP: REFRESHMENTS	41.00	
Bill Pmt - CCard	05/06/2013	BUNNINGS BUILDING SUPPLIES P/L	NEW SPORTING COMPLEX: KITCHEN SUPPLIES	97.00	
Bill Pmt - CCard	06/06/2013	BIG W - Midland Gate	NEW SPORTS COMPLEX: KITCHEN SUPPLIES	58.96	
Bill Pmt - CCard	06/06/2013	IKEA	NEW SPORTING COMPLEX: KITCHEN SUPPLIES	299.60	
Bill Pmt - CCard	06/06/2013	THE PRINCIPAL	HERITAGE MEETING - 06 JUN 13: REFRESHMENTS	51.00	
CREDIT CARD PAYMENT SUMMARY for CURRENT BANK STATEMENT				1,722.82	

TYPE	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
TRUST ACCOUNT DETAILS					
PAYMENTS RAISED IN CURRENT MONTH					
			<i>PAYMENTS RAISED IN CURRENT MONTH</i>	<i>0.00</i>	<i>0.00</i>
PAYMENTS UNPRESENTED IN CURRENT BANK #					
			<i>PAYMENTS UNPRESENTED IN CURRENT BANK #</i>	<i>0.00</i>	<i>0.00</i>
PAYMENTS PRESENTED IN CURRENT BANK # RELATING to PRIOR MONTHS' TRANSACTIONS					
			<i>PAYMENTS PRESENTED IN CURRENT BANK # RELATING to PRIOR MONTHS' TRANSACTIONS</i>	<i>0.00</i>	<i>0.00</i>
OTHER AMENDMENTS/GENERAL JOURNALS					
Gen Jnl					
			<i>OTHER AMENDMENTS/GENERAL JOURNALS</i>	<i>0.00</i>	<i>0.00</i>
TOTAL EXPENDITURE for TRUST ACCOUNT					0.00
TOTAL EXPENDITURE as reconciled to the JULY 2013 BANK STATEMENTS					
			Municipal Account Expenditure	-559,400.66	
			Trust Account Expenditure	0.00	
TOTAL EXPENDITURE for JULY 2013					-559,400.66

11.3 Community Grants Policy

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 6 August 2013
APPLICANT: Shire of Beverley
FILE REFERENCE: ADM 0428
AUTHOR: S P Gollan, Chief Executive Officer
ATTACHMENTS: Community Grant Policy and Application

SUMMARY

Council to consider adopting a policy to financially support Not for Profit Community Groups or Organisations who meet the proposed Application Criteria.

BACKGROUND

At the 23 July 2013 Ordinary Meeting Council adopted a personal Development Grant policy with a view to adopt a Community Grant Policy in the future. The objective of the Community Grant is to provide financial support to not for profit clubs, groups and organisation and promote the Shire of Beverley as a positive, supportive and caring community organisation.

COMMENT

The Shire of Beverley will make an allocation of funds in its budget to be used to provide financial assistance to not for profit groups/organisations that can demonstrate an association with the Shire of Beverley.

There will be two categories:-

Minor Community Grants – Funding of less than \$1,000.00 with no matching funds required from the applicant.

Community Grants – Funding between \$1,000.00 - \$5,000.00 with a 50:50 matching component where applicants must contribute at least 50% of the total project cost from either the applicant organisation or confirmed other funding sources.

Funding for Not for Profit Community Groups/Organisations will be made bi-annually. Calls for submissions will be advertised in the Beverley Blarney and the Shire of Beverley website in January and July each year.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

2013/14 Draft Budget

STRATEGIC IMPLICATIONS

Sustainable Community – Foster Community Participation

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopt the draft Community Grants Policy to provide financial support to not for profit Groups/Organisations in their chosen interest or activity.

COUNCIL RESOLUTION

M15/0813

Moved Cr Pepper

Seconded Cr Shaw

That Council adopt the draft Community Grants Policy to provide financial support to Incorporated, Not for Profit Groups/Organisations in their chosen interest or activity.

CARRIED 7/0

(Attachment 11.3)

Community Grant Objective

To provide positive financial support to Incorporated, Not for Profit Community Groups that will assist with the development of their chosen interest and that meets the application criteria (subject to budget constraints) and promotes the Shire of Beverley as a positive, supportive and caring community organisation.

Policy

The Shire of Beverley will make an allocation of funds in its budget to be used to provide financial assistance to Incorporated, Not for Profit Community Groups/Organisations that can demonstrate an association with the Shire of Beverley. Funding to Community Groups/Organisations fall into two categories:-

1. Minor Community Grants

Funding of less than \$1,000.00 with no matching funds required from the applicant.

2. Community Grants

Funding between \$1,000.00 - \$5,000.00 with a 50:50 matching component where applicants must contribute at least 50% of total project cost from either the applicant organisation or confirmed other funding sources. Evidence of other funding sources must be provided.

Funding for Incorporated, Not for Profit Community Groups/Organisations will be made bi-annually. Calls for submissions are advertised in the Beverley Blarney in January and July each year.

Examples of Not for Profit groups are:- Sporting Clubs, CWA, P & C, Arts/Cultural Groups or Shire of Beverley local interest groups.

An allowance for these funds will be included in the draft budget.

Assessment

Groups registered for GST will have their grant grossed up by 10%

Applications need to demonstrate the benefits to the community.

Applications for Minor and Community Grants will be assessed by the Development Services Committee and Chief Executive Officer and referred to Council for a final determination.

Preference will be given to projects with demonstrated community support. Decisions regarding funding applications are final and will not be reconsidered.

All applicants will be notified in writing of the outcome of their application for Shire of Beverley assistance.

Funding will not be provided for: -

Deficit funding – for organisations that are experiencing a shortfall in cash or revenue or anticipated revenue.

Uniforms or Team Uniforms

Consumables (including food and beverages)

Minor Equipment (footballs, netballs, hockey sticks etc.)

Recurrent salaries and recurrent operational costs

(Attachment 11.3)

Applications for completed projects or equipment already purchased
Projects which are the responsibility of other Government Agencies.

Application Criteria

All applicant organisations must be based within the Shire of Beverley, and the majority of members on the application organisation will preferably be residents of the Shire of Beverley.

All applications for financial assistance must be submitted on the Shire of Beverley "Application for Financial Assistance" form.

The applicant should submit documented estimates of expenditure as part of the application.

All applications must be received by the designated closure date. No late applications will be considered.

For Community Grants the applicants and other contributions to the proposed project may come from one or more of the following sources:-

Applicant organisations cash;

State or federal Government funding agencies;

Donations of material and /or cash;

Voluntary labour (max 1/3 of total project cost)

Voluntary labour cost to be calculated at a maximum of \$20 per hour.

Only one (1) application per group/organisation for financial assistance for a Community Grant per financial year will be considered.

Community Groups/Organisations may apply for Minor Grants in each of the funding rounds, however, each grant must be in a separate project. (Where a group/organisation applies for more than one Minor Grant they must prioritise their applications).

The proposed project must be acquitted within 12 months of funding being made available.

Prior approval must be sought for any substantial change to the assistance request.

Project and financial reports must be submitted to the Shire of Beverley, on the form provided, within one month of the completion of the project.

Groups, Clubs and Organisations must be Incorporated and a copy of the Incorporated certificate must be included in the Application.

Project and financial reports must be submitted to the Shire of Beverley, on the "Grant Acquittal" form provided, within one month of the completion of the project.

Once an allocated budget has been utilised all subsequent requests for funding must be presented to Council for consideration.

(Attachment 11.3)



APPLICATION FOR FINANCIAL ASSISTANCE COMMUNITY GRANT

SECTION A – APPLICANT INFORMATION: (To be completed by ALL applicants)

Name/Organisation:
Contact Person:
Postal Address:
Telephone:
Email:

SECTION B – INFORMATION ABOUT YOUR ORGANISATION

1. What are the main services and/or activities of your organisation?

2. What are/were your membership numbers?

2013 _____

2012 _____

2011 _____

2010 _____

3. Have you applied to any other funding body for this development/representation?

Yes

No

If Yes: Which organisation? _____

What year? _____

Was it Successful? _____

Grant Approved \$\$ _____

If No, are you planning to apply to other funding bodies

4. Is your Certificate of Incorporation attached? _____

(Attachment 11.3)

SECTION C – DEVELOPMENT/REPRESENTATION DETAILS

1. Development/Representation name:-

2. What category does your application relate to: (please tick)

- Culture, Arts and Events
- Youth Development
- Minor Development/Representations
- Sport and Recreation

3. Development/activity/representation location:

4. Expected start and finish dates:

5. Development/activity/representation description: (please summarise your activity, development or representation, who it will cater for, what services it will offer or improve and how it will be managed).

6. What are the objectives and expected benefits of your development/activity/representation?

(Attachment 11.3)

7. Any other details, or supporting information?



(Attachment 11.3)

SECTION D – BUDGET

(If insufficient space, please attach additional pages)

INCOME	NET INCOME
Council Contribution (grant funds requested in this application)	\$
Council Contribution (other – e.g. site works)	\$
Total Council Contribution Requested	\$
Other Grant Funding (please specify)	\$
Donations (external contributions)	\$
Organisation Cash Contribution	\$
Organisation In Kind Contribution (max 1/3 of total cost)	
Total Organisation Contribution	\$
TOTAL INCOME	\$

EXPENDITURE – Please detail each item	In Kind	Cash	Total
TOTAL EXPENDITURE	\$	\$	\$

(Attachment 11.3)

SECTION E – UNDERTAKINGS AND CONDITIONS

If a grant is provided the individual agrees to the following conditions:

1. The grant will be used for the purpose which it was given and will be expended within the financial year granted, unless otherwise agreed in writing by the Shire of Beverley.
2. Copies of receipts or invoices, certified by Shire Staff as true copies of originals, to support expenditure will be returned to the Shire of Beverley along with the acquittal within one (1) month of completion.
3. Any unexpended funds will be returned to the Shire of Beverley within 3 months of payment of the grant, unless otherwise agreed in writing by the Shire of Beverley.
4. If there is to be any delay in the expenditure of the grant, a written request will be made seeking approval for the extension of time.
5. A grant will not be approved for a development/representation that has commenced or been completed.
6. Any special conditions that are attached to the grant will be met.
7. All relevant records will be kept for a period of 7 years and will be made available for audit at any time.
8. The Shire of Beverley will be acknowledged in any publications or media coverage for its support.
9. Your development/activity/representation should be discussed with the Shire of Beverley Chief Executive Officer prior to applying.
10. Keep a copy of your application for your own record.

The Shire's Executive Assistant will contact you if more information is required.
All applicants are advised in writing of the outcome.
Applications are processed in the order in which they are received.
Assessment will take a minimum of one month.

(Attachment 11.3)

SECTION E – DECLARATION

I, the undersigned, certify that I have been authorised to submit this application, accept the undertakings and conditions of the application and that the information contained herein and attached is to the best of my knowledge true and correct.

Name/Organisation	
Contact person	
Position	
Signature	
Date	

Please return to:

Chief Executive Officer
Shire of Beverley
PO Box 20
BEVERLEY WA 6304
P: 08 9646 1200

(Attachment 11.3)

SECTION F – COMMUNITY / MINOR GRANTS FINANCIAL ASSISTANCE ACQUITTAL FORM AND BUDGET

Organisation Name:
Contact Person:
Postal Address:
Telephone:
Email:
Grant Amount:

What were the aims of your development/activity/representation and did you achieve them?

Participants: How many people were involved and who were they?

Outcomes: What were the results / outcomes for the project participants and/or your organisation?

Any other comments?

(Attachment 11.3)

BUDGET

Development/Representation Expenditure	Amount \$
Total Expenditure	
Development/Representation Income	Amount \$
Total Income	
Note: total expenditure should equal total income	

Have you spent all the grant money? YES NO

If you have not fully expended the grant money, what is the balance remaining:

\$ _____

Note that for any unspent funds; attach a cheque payable to the Shire of Beverley

Please attach copies of receipts relevant to your development/representation.
 Please attach any other relevant materials such as promotional flyers, advertising, photos or newsletters.

Signature:		Date:	
Name:		Position:	

Please return completed acquittal form to:

Chief Executive Officer
 Shire of Beverley
 PO Box 20
 BEVERLEY WA 6304
 For queries: 9646 1200

11.4 2013/14 Fees and Charges

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 16 August 2013
APPLICANT: N/A
FILE REFERENCE: ADM 0275
AUTHOR: SK Marshall, Deputy Chief Executive Officer
ATTACHMENTS: 2013/14 Schedule of Fees and Charges

SUMMARY

Council to consider adopting additional Fees and Charges, which were not presented at the June 2013 Ordinary Council Meeting.

BACKGROUND

A Fees and Charges review is conducted annually by comparing 2012/13 Fees and Charges against a CPI increase and/or other selected percentages.

The Fees and Charges review is a statutory requirement, but also reflects good management practice.

The proposed Fees and Charges Schedule for 2013/14 was adopted by Council at the 23 June 2013 Ordinary Council Meeting.

The proposed additional Fees and Charges were presented to and endorsed by the Audit & Administration Committee on 12 August 2013.

COMMENT

Since the June 2013 Ordinary Council Meeting new information has come to hand regarding changes to fees and charges set by legislation and several Council charges require further review (highlighted in yellow in attachment).

Fees and Charges set by Legislation which require consideration include:

- Increases to Planning Service Fees (*Planning and Development Regulations 2009*);
- Inclusion of Building Fees (*Building Act 2011*);
- Inclusion of Development Assessment Panel (DAP) Fees (*Planning and Development (Development Assessment Panels) Amendment Regulations 2013*);
- Inclusion of Cat Registration Fees (*Cat Act 2011*); and
- Update of Dog Registration Fees (*Dog Act 1976*).

Council Fees and Charges which require further review include:

- Charge for Beverley History Book including postage.

STATUTORY ENVIRONMENT

Section 6.17 of the *Local Government Act 1995* provides that:

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —
 - (a) the cost to the local government of providing the service or goods; and
 - (b) the importance of the service or goods to the community; and
 - (c) the price at which the service or goods could be provided by an alternative provider.
- (2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —
 - (a) under section 5.96; or
 - (b) under section 6.16(2)(d); or
 - (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.
- (4) Regulations may —
 - (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
 - (b) limit the amount of a fee or charge in prescribed circumstances.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That the revised 2013/14 Fees and Charges be adopted and included in the 2013/14 Budget.

COUNCIL RESOLUTION

M16/0813

Moved Cr Pepper

Seconded Cr Foster

That the revised 2013/14 Fees and Charges be adopted and included in the 2013/14 Budget.

CARRIED 7/0

SHIRE OF BEVERLEY
2013/14 SCHEDULE OF FEES AND CHARGES
EFFECTIVE FROM 01 JULY 2013

□

Description	Charge 2012/13	Charge 2013/14	Frequency	GST Exempt	Increase \$	Information/Conditions
HISTORY of BEVERLEY BOOK - Posted	30.00	35.00	per copy		↑ 5.00	
CAT LICENSE						Cat Act 2011
1. Annual registration of a cat, unless concessional fees are applicable.		20.00	per year			
2. Concessional registration fee-						
a) Three Year Registration Period		42.50				
b) Three Year Registration Period - Pensioner		21.25				Full Concession Card required
c) Lifetime registration period		100.00				
c) Lifetime registration period - Pensioner		50.00				Full Concession Card required
d) Registration after 31 May in any year, for that registration year.		50% of fee payable otherwise.				
3. Annual application for approval or renewal to breed cats (per cat).		100.00				

SHIRE OF BEVERLEY
2013/14 SCHEDULE OF FEES AND CHARGES
EFFECTIVE FROM 01 JULY 2013

□

Description	Charge 2012/13	Charge 2013/14	Frequency	GST Exempt	Increase \$	Information/Conditions
DOG LICENSE						<i>Dog Act 1976</i>
DOG - MALE or FEMALE	30.00	50.00	1 year	✓	↑ 20.00	
DOG - MALE or FEMALE	75.00	120.00	3 years	✓	↑ 45.00	
DOG - MALE or FEMALE	0.00	250.00	Lifetime	✓	↑ 250.00	
PENSION RATE: DOG - MALE or FEMALE	15.00	25.00	1 year	✓	↑ 10.00	Full Concession Card required
PENSION RATE: DOG - MALE or FEMALE	37.50	60.00	3 years	✓	↑ 22.50	Full Concession Card required
PENSION RATE: DOG - MALE or FEMALE	0.00	125.00	Lifetime	✓	↑ 125.00	Full Concession & Certificate Of Sterilisation required
PENSION RATE: STERILISED DOG or BITCH	5.00	10.00	1 year	✓	↑ 5.00	Full Concession & Certificate Of Sterilisation required
PENSION RATE: STERILISED DOG or BITCH	9.00	21.25	3 years	✓	↑ 12.25	Full Concession & Certificate Of Sterilisation required
PENSION RATE: STERILISED DOG or BITCH	0.00	50.00	Lifetime	✓		

SHIRE OF BEVERLEY
2013/14 SCHEDULE OF FEES AND CHARGES
EFFECTIVE FROM 01 JULY 2013

□

Description	Charge 2012/13	Charge 2013/14	Frequency	GST Exempt	Increase \$	Information/Conditions
SHEEP DOG	7.50	25% of fee otherwise payable	1 year	✓		
SHEEP DOG	18.75	25% of fee otherwise payable	3 years	✓		
SHEEP DOG	18.75	25% of fee otherwise payable	Lifetime	✓		
STERILISED DOG or BITCH	10.00	20.00	1 year	✓	↑ 10.00	Certificate of Sterilisation required
STERILISED DOG or BITCH	18.00	42.50	3 years	✓	↑ 24.50	Certificate of Sterilisation required
STERILISED DOG or BITCH	0.00	100.00	Lifetime	✓	↑ 100.00	Certificate of Sterilisation required

SHIRE OF BEVERLEY
2013/14 SCHEDULE OF FEES AND CHARGES
EFFECTIVE FROM 01 JULY 2013

Description	Charge 2012/13	Charge 2013/14	Frequency	GST Exempt	Increase \$	Information/Conditions
BUILDING FEES						<i>Building Act 2011</i>
Building Inspection	150.00	150.00	per Inspection	✓		
Septic Tank Application (Health Act 1911)	226.00	226.00	per Application	✓		
BCITF Levy	0.2% of total construction value for all works valued over \$20,000.00			✓		
Building Services Levy (BSL)						
Building Permit						
- \$45,000 or Less		40.50	per Application	✓		
- Over \$45,000	0.09% of the value of work		per Application	✓		
Demolition Permit						
- \$45,000 or Less		40.50	per Application	✓		
- Over \$45,000	0.09% of the value of work		per Application	✓		

SHIRE OF BEVERLEY
2013/14 SCHEDULE OF FEES AND CHARGES
EFFECTIVE FROM 01 JULY 2013

Description	Charge 2012/13	Charge 2013/14	Frequency	GST Exempt	Increase \$	Information/Conditions
Occupancy Permit or Building Approval Certificate for approved building work under s47, 49, 50 or 52 of the <i>Building Act</i> .						
- \$45,000 or Less		40.50	per Application	✓		
- Over \$45,000		40.50	per Application	✓		
Occupancy Permit or Building Approval Certificate for approved building work under s51 of the <i>Building Act</i> .						
- \$45,000 or Less		91.00	per Application	✓		
- Over \$45,000	0.18% of the value of work		per Application	✓		
Occupancy Permit under s46 of the <i>Building Act</i> .						
- \$45,000 or Less		No Levy				
- Over \$45,000		No Levy				
Modification of Occupancy Permit for additional use of building on temporary basis under s48 of the <i>Building Act</i> .						
- \$45,000 or Less		No Levy				
- Over \$45,000		No Levy				

SHIRE OF BEVERLEY
2013/14 SCHEDULE OF FEES AND CHARGES
EFFECTIVE FROM 01 JULY 2013



Description	Charge 2012/13	Charge 2013/14	Frequency	GST Exempt	Increase \$	Information/Conditions
Building/Demolition Permits						
1. Certified application for building permit-						
a) for building work for a Class 1 or Class 10 building or incidental structure.	0.19% of the estimated value of building as determined by the relevant permit authority, but not less than \$90.			✓		
b) for building work for a Class 2 to Class 9 building or incidental structure.	0.09% of the estimated value of building as determined by the relevant permit authority, but not less than \$90.			✓		
2. Uncertified application for a building permit	0.32% of the estimated value of the building as determined by the relevant permit authority, but not less than \$90.			✓		
3. Application for a demolition permit-						
a) for demolition work in respect of a Class 1 or Class 10 building or incidental structure.		90.00		✓		
b) for demolition work in respect of a Class 2 to Class 9 building.	\$90 for each storey of the building.			✓		
4. Application to extend the time which a building or demolition permit has effect.		90.00		✓		

SHIRE OF BEVERLEY
2013/14 SCHEDULE OF FEES AND CHARGES
EFFECTIVE FROM 01 JULY 2013

Description	Charge 2012/13	Charge 2013/14	Frequency	GST Exempt	Increase \$	Information/Conditions
TOWN PLANNING FEES						<i>Planning and Development Regulations 2009 (Part 7 Local Government Planning Charges)</i>
1. Determining a development application (other than for an extractive industry) where the development has not commenced or been carried out and the estimated cost of the development is-						
(a) not more than \$50,000	139.00	147.00		✓	↑ 8.00	
(b) more than \$50,000 but not more than \$500,000	0.32% of the estimated cost of development			✓		
(c) more than \$500,000 but not more than \$2.5 million	\$1,700 + 0.257% for every \$1 in excess of \$500,000			✓		
(d) more than \$2.5 million but not more than \$5 million	\$7,161 + 0.206% for every \$1 in excess of \$2.5 million			✓		
(e) more than \$5 million but not more than \$21.5 million	\$12,633 + 0.123% for every \$1 in excess of \$5 million			✓		

SHIRE OF BEVERLEY
2013/14 SCHEDULE OF FEES AND CHARGES
EFFECTIVE FROM 01 JULY 2013

□

Description	Charge 2012/13	Charge 2013/14	Frequency	GST Exempt	Increase \$	Information/Conditions
(f) more than \$21.5 million	32,185.00	34,196.00		✓	↑ 2,011.00	
2. Determining a development application (other than for an extractive industry) where the development has commenced or been carried out				✓		
3. Determining a development application for an extractive industry where the development has not commenced or been carried out	696.00	739.00		✓	↑ 43.00	
4. Determining a development application for an extractive industry where the development has commenced or been carried out				✓		
5. Providing a subdivision clearance for						

SHIRE OF BEVERLEY
2013/14 SCHEDULE OF FEES AND CHARGES
EFFECTIVE FROM 01 JULY 2013

□

Description	Charge 2012/13	Charge 2013/14	Frequency	GST Exempt	Increase \$	Information/Conditions
(a) not more than 5 lots	69.00	73.00	per Lot	✓	↑ 4.00	
(b) more than 5 lots but not more than 195 lots	\$73 per lot for the first 5 lots and then \$35 per lot			✓		
(c) more than 195 lots	6,959.00	7,393.00		✓	↑ 434.00	
6. Determining an initial application for approval of a home occupation where the home occupation has not commenced.	209.00	222.00		✓	↑ 13.00	
7. Determining an initial application for approval of a home occupation where the home occupation has commenced.	The fee in item 6 plus, by way of penalty, twice that fee			✓		
8. Determining an application for the renewal of an approval of a home occupation where the application is	69.00	73.00		✓	↑ 4.00	

SHIRE OF BEVERLEY
2013/14 SCHEDULE OF FEES AND CHARGES
EFFECTIVE FROM 01 JULY 2013

□

Description	Charge 2012/13	Charge 2013/14	Frequency	GST Exempt	Increase \$	Information/Conditions
made before the approval expires.						
9. Determining an application for the renewal of an approval of home occupation where the application is made after the approval has expired.				✓		
10. Determining an application for a change of use or for an alteration or extension or change of a non-conforming use to which item 1 does not apply, where the change or the alteration, extension or change has not commenced or been carried out.	278.00	295.00		✓	↑ 17.00	
11. Determining an application for change of use or for alteration or extension or change of a non-conforming use to which item 2 does not apply, where the change or the alteration, extension or change has commenced or been carried out.				✓		

SHIRE OF BEVERLEY
2013/14 SCHEDULE OF FEES AND CHARGES
EFFECTIVE FROM 01 JULY 2013

□

Description	Charge 2012/13	Charge 2013/14	Frequency	GST Exempt	Increase \$	Information/Conditions
12. Providing a zoning certificate.	69.00	73.00		✓	↑ 4.00	
13. Replying to a property settlement questionnaire.	69.00	73.00		✓	↑ 4.00	
14. Providing written planning advice.	69.00	73.00		✓	↑ 4.00	
15. Scheme Amendments – initiated outside of Council						
Shire Planner	83.00	88.00	Per hour		↑ 5.00	
Administration Officer	28.40	30.20	Per hour		↑ 1.80	
16. Structure Plans – initiated outside of Council						
Shire Planner	83.00	88.00	Per hour		↑ 5.00	
Administration Officer	28.40	30.20	Per hour		↑ 1.80	

SHIRE OF BEVERLEY
2013/14 SCHEDULE OF FEES AND CHARGES
EFFECTIVE FROM 01 JULY 2013

□

Description	Charge 2012/13	Charge 2013/14	Frequency	GST Exempt	Increase \$	Information/Conditions
DEVELOPMENT APPLICATIONS						<i>Planning and Development (DAP) Amendment Regulations 2013</i>
1. A DAP application where the estimated cost of development is-						
a) not less than \$3 million and less than \$7 million		3,503.00				
b) not less than \$7 million and less than \$10 million		5,409.00		✓		
c) not less than \$10 million and less than \$12.5 million		5,885.00		✓		
d) not less than \$12.5 million and less than \$15 million		6,053.00		✓		
e) not less than \$15 million and less than \$17.5 million		6,221.00		✓		
f) not less than \$17.5 million and less than \$20 million		6,390.00		✓		
g) not less than \$20 million or more		6,557.00		✓		
2. An application under Reg.17		150.00		✓		

11.5 2013/14 Material Variances

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 16 August 2013
APPLICANT: N/A
FILE REFERENCE: N/A
AUTHOR: SK Marshall, Deputy Chief Executive Officer
ATTACHMENTS: Nil

SUMMARY

That Council consider recommending the material variance reporting parameters for 2013/14.

BACKGROUND

Council is required under the *Local Government (Financial Management) Regulations 1996* to set material variance (Budget versus Actual) reporting parameters for the forthcoming financial year.

Council adopted a budget variance reporting parameter of 10% on budgeted items of \$10,000 or greater at the August 2012 Ordinary Meeting.

The proposed budget variance reporting parameter of 10% on budgeted items of \$10,000 or greater was presented to and endorsed by the Audit & Administration Committee on 12 August 2013.

COMMENT

If the Council is satisfied with the current level of reporting, there would be no reason to recommend that Council change the reporting parameters.

STATUTORY ENVIRONMENT

Regulation 34 (5) of the *Local Government (Financial Management) Regulations 1996* provides that each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That a budget variance reporting parameter of 10% on budgeted items of \$10,000 or greater be adopted.

COUNCIL RESOLUTION

M17/0813

Moved Cr Pepper

Seconded Cr Shaw

That a budget variance reporting parameter of 10% on budgeted items of \$10,000 or greater be adopted.

CARRIED 7/0

11.6 2013/14 Budget – Rates

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 16 August 2013
APPLICANT: N/A
FILE REFERENCE: N/A
AUTHOR: SK Marshall, Deputy Chief Executive Officer
ATTACHMENTS: Rate Models (included in 2013/14 Budget Document)

SUMMARY

That Council consider raising rate revenue by 4% for the 2013/14 financial year.

BACKGROUND

When adopting the Annual Budget in August 2012, Council resolved to increase rate revenue by 4%.

An increase in rate revenue, raised by 4%, was recommended by the Audit & Administration Committee on 12 August 2013.

In addition, to balance the 2013/14 Budget, the Audit & Administration Committee proposed the following changes:

1. Renewal of the John Deere 670D Grader (\$220,000), Recreation Ground Oval Seating (\$10,000), Swimming Pool Shade Sails (\$20,000) and the changeover of the DCEO (\$18,000) and Doctor's Vehicles (\$17,000) delayed 12 months;
2. The allocation towards the Natural Resource Management (NRM) Officer service reduced (\$15,000), as well as the Community Grants Pool (\$5,900); and
3. An additional allocation for Skate Park Planning included (\$6,406).

COMMENT

With the current focus on Local Government sustainability, it is the view of staff that a strong rate base will enhance Council's ability to continue providing quality services to the Beverley community.

Council is relying heavily on its carried forward surpluses and grant funding to sustain its Capital program.

Council is faced with two options, which is to:

1. Decrease Capital expenditure, ultimately reducing the works undertaken (which may mean lower staff requirements) and service quality; or
2. Increase revenue by building on the Rate base.

As the population of Beverley increases, service demands will also increase and therefore the need to upgrade and maintain fixed assets will also increase.

The proposed increase (4%) in Rate in the Dollar values and minimums (with a comparison to 2012/13 figures) are as follows:

	<u>2012/13</u>	<u>2013/14</u>
Gross Rental Value	\$0.091652	\$0.095318
Gross Rental Value Minimum	\$670.00	\$697.00
Unimproved Value	\$0.006928	\$0.008136
Unimproved Value Minimum	\$670.00	\$697.00

Please note that a percentage increase in total Rate revenue does not translate to the same percentage increase in the rate-in-dollar amount. This is due to changes in UV and GRV valuations which are affected by a number of factors throughout the year including revaluations by the Valuer General (Landgate), land amalgamations and subdivisions and changes to minimum rates will also change the number of properties which attract the minimum rate and therefore alter the number of UV and GRV properties which make up the total valuation pool.

A 1% increase in Rates translates to a \$21,987 increase in revenue.

The recent raising of \$1 million loan to partially fund the construction of the Beverley Function and Recreation Centre and Netball Courts has seen an increase of \$79,857 per annum in debt servicing (principal and interest) expenses, which is equal to a 3.63% Rate increase.

In addition, it is proposed that the administration charge on Rate instalments be increased to \$10 (from \$8), this is a reflection of increased staff costs and to encourage rate payers to pay rates in full and that the Rate discount of 10% for payments received within 35 days for issue of Rates notice remain.

STATUTORY ENVIRONMENT

Section 6.32 of the *Local Government Act 1995*, in reference to Rates and service charges, provides that:

- (1) When adopting the annual budget, a local government —
 - (a) in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either —
 - (i) uniformly; or
 - (ii) differentially; and
 - (b) may impose* on rateable land within its district —
 - (i) a specified area rate; or
 - (ii) a minimum payment; and
 - (c) may impose* a service charge on land within its district.

* *Absolute majority required.*

- (2) Where a local government resolves to impose a rate it is required to —
- (a) set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value; and
 - (b) set a rate which is expressed as a rate in the dollar of the unimproved value of rateable land within its district to be rated on unimproved value.

Section 6.34 of the Act provides that unless the Minister otherwise approves, the amount shown in the annual budget as being the amount it is estimated will be yielded by the general rate is not to —

- (a) be more than 110% of the amount of the budget deficiency; or
- (b) be less than 90% of the amount of the budget deficiency.

Section 6.35 of the Act provides:

- (2) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
- (2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
- (3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —
 - (a) 50% of the total number of separately rated properties in the district; or
 - (b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.
- (4) A minimum payment is not to be imposed on more than the prescribed percentage of —
 - (a) the number of separately rated properties in the district; or
 - (b) the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.
- (5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.
- (6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —
 - (a) to land rated on gross rental value;
 - (b) to land rated on unimproved value; and
 - (c) to each differential rating category where a differential general rate is imposed.

Section 6.45 of the Act provides options for payment of rates or service charges (instalments) as follows:

- (1) A rate or service charge is ordinarily payable to a local government by a single payment but the person liable for the payment of a rate or service charge may elect to make that payment to a local government, subject to subsection (3), by —
 - (a) 4 equal or nearly equal instalments; or
 - (b) such other method of payment by instalments as is set forth in the local government's annual budget.
- (2) Where, during a financial year, a rate notice is given after a reassessment of rates under section 6.40 the person to whom the notice is given may pay the rate or service charge —
 - (a) by a single payment; or
 - (b) by such instalments as are remaining under subsection (1)(a) or (b) for the remainder of that financial year.
- (3) A local government may impose an additional charge (including an amount by way of interest) where payment of a rate or service charge is made by instalments and that additional charge is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.
- (4) Regulations may —
 - (a) provide for the manner of making an election to pay by instalments under subsection (1) or (2); and
 - (b) prescribe circumstances in which payments may or may not be made by instalments; and
 - (c) prohibit or regulate any matters relating to payments by instalments; and
 - (d) provide for the time when, and manner in which, instalments are to be paid; and
 - (e) prescribe the maximum amount (including the maximum interest component) which may be imposed under subsection (3) by way of an additional charge; and
 - (f) provide for any other matter relating to the payment of rates or service charges.

Section 6.46 of the Act allows for the discounting of rates providing, subject to the *Rates and Charges (Rebates and Deferments) Act 1992*, a local government may, when imposing a rate or service charge, resolve* to grant a discount or other incentive for the early payment of any rate or service charge.

* *Absolute majority required.*

Section 6.47 of the Act provides that subject to the *Rates and Charges (Rebates and Deferments) Act*, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

Section 6.51 of the Act provides that interest on overdue rates or service charges may be applied to rates as follows;

- (1) A local government may at the time of imposing a rate or service charge resolve* to impose interest (at the rate set in its annual budget) on —
 - (a) a rate or service charge (or any instalment of a rate or service charge); and
 - (b) any costs of proceedings to recover any such charge, that remains unpaid after becoming due and payable.

* *Absolute majority required.*

Regulation 19A of the Local Government (Financial Management) Regulations 1996 prescribes that the maximum rate of interest to be imposed under section 6.13(1) is 11%.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

That:

1. In accordance with s6.32 of the *Local Government Act 1995* the rates and minimums to be levied on all rateable property within the Shire of Beverley for the financial year ending 30 June 2014 be as follows:

Gross Rental Value	\$0.095318
Gross Rental Value Minimum	\$697.00
Unimproved Value	\$0.008136
Unimproved Value Minimum	\$697.00

2. In accordance with s6.46 of the *Local Government Act 1995*, a 10% rate discount be allowed for rates paid in full within thirty five (35) days of the service of rates notice, 9 September 2013.
3. In accordance with s6.51 of the *Local Government Act 1995*, an 11% interest charge be levied on all overdue rate instalments and on rates outstanding whether subject to either a formal or informal instalment program or not, excluding deferred pensioner rates.
4. In accordance with s6.45 of the *Local Government Act 1995*, an administration charge of \$10 and an interest component of 5.50% per annum calculated daily, for the second and each of the subsequent rates instalments be levied in connection with each formal rate instalment program.
5. That in accordance with s6.50 of the *Local Government Act 1995*, the due dates of instalments under the formal rate instalment program be;

1 st Instalment	14 October 2013
2 nd Instalment	16 December 2013
3 rd Instalment	17 February 2014
4 th Instalment	14 April 2014

COUNCIL RESOLUTION

M18/0813

Moved Cr Pepper

Seconded Cr Shaw

In accordance with s6.32 of the *Local Government Act 1995* the rates and minimums to be levied on all rateable property within the Shire of Beverley for the financial year ending 30 June 2014 be as follows:

Gross Rental Value	\$0.095318
Gross Rental Value Minimum	\$697.00
Unimproved Value	\$0.008136
Unimproved Value Minimum	\$697.00

CARRIED BY ABSOLUTE MAJORITY 7/0

COUNCIL RESOLUTION

M19/0813

Moved Cr Pepper

Seconded Cr Shaw

In accordance with s6.46 of the *Local Government Act 1995*, a 10% rate discount be allowed for rates paid in full within thirty five (35) days of the service of rates notice, 9 September 2013.

CARRIED BY ABSOLUTE MAJORITY 7/0

COUNCIL RESOLUTION

M20/0813

Moved Cr Pepper

Seconded Cr Shaw

In accordance with s6.51 of the *Local Government Act 1995*, an 11% interest charge be levied on all overdue rate instalments and on rates outstanding whether subject to either a formal or informal instalment program or not, excluding deferred pensioner rates.

CARRIED BY ABSOLUTE MAJORITY 7/0

COUNCIL RESOLUTION

M21/0813

Moved Cr Pepper

Seconded Cr Shaw

In accordance with s6.45 of the *Local Government Act 1995*, an administration charge of \$10 and an interest component of 5.50% per annum calculated daily, for the second and each of the subsequent rates instalments be levied in connection with each formal rate instalment program.

CARRIED BY ABSOLUTE MAJORITY 7/0

COUNCIL RESOLUTION

M22/0813

Moved Cr Pepper

Seconded Cr Shaw

That in accordance with s6.50 of the Local Government Act 1995, the due dates of instalments under the formal rate instalment program be;

1st Instalment	14 October 2013
2nd Instalment	16 December 2013
3rd Instalment	17 February 2014
4th Instalment	14 April 2014

CARRIED BY ABSOLUTE MAJORITY 7/0

11.7 2013/14 Budget

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 16 August 2013
APPLICANT: N/A
FILE REFERENCE: N/A
AUTHOR: SK Marshall, Deputy Chief Executive Officer
ATTACHMENTS: 2013/14 Budget – Statutory Format

SUMMARY

That Council consider adopting the draft 2013/14 Budget.

BACKGROUND

The *Local Government Act 1995*, provides that a local government must, not later than 31 August in each financial year, or such extended time as the Minister allows, prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

2013/14 Budget preparation has been underway since February 2013, following the Annual Road inspection, with periodical meetings of Council Committees being held to determine the Capital Purchase Program for 2013/14.

An increase in rate revenue, raised by 4%, was recommended by the Audit & Administration Committee on 12 August 2013.

In addition, to balance the 2013/14 Budget, the Audit & Administration Committee proposed the following changes:

1. Renewal of the John Deere 670D Grader (\$220,000), Recreation Ground Oval Seating (\$10,000), Swimming Pool Shade Sails (\$20,000) and the changeover of the DCEO (\$18,000) and Doctor's Vehicles (\$17,000) delayed 12 months;
2. The allocation towards the Natural Resource Management (NRM) Officer service reduced (\$15,000), as well as the Community Grants Pool (\$5,900); and
3. An additional allocation for Skate Park Planning included (\$6,406).

COMMENT

The draft 2013/14 Budget is presented in the statutory format as required by the Department of Local Government.

As presented the draft 2013/14 Budget is in balance.

STATUTORY ENVIRONMENT

Section 6.2 of the *Local Government Act* provides that:

- (1) Not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.
- (2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for principal activities accepted by a local government under section 5.58 and to prepare a detailed estimate for the current year of –
 - a. the expenditure by the local government;
 - b. the revenue and income, independent of general rates, of the local government; and
 - c. the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.
- (3) For the purposes of subsections (2) (a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.
- (4) The annual budget is to incorporate –
 - a. Particulars of the estimated expenditure proposed to be incurred by the local government
 - b. Detailed information relating to the rates and service charges which will apply to land within the district including –
 - i. the amount it is estimated will be yielded by the general rate; and
 - ii. the rate of interest (if any) to be charged by the local government on unpaid rates and service charges;
 - c. the fees and charges proposed to be imposed by the local government;
 - d. the particulars of borrowings and other financial accommodation proposed to be entered into by the local government;
 - e. details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used;
 - f. particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and
 - g. such other matters as are prescribed.

- (5) Regulations may provide for –
 - a. The form of the annual budget;
 - b. The contents of the annual budget; and
 - c. The information to be contained in or to accompany the annual budget.

Section 6.11 of the Act provides:

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.
- (2) Subject to subsection (3), before a local government —
 - (a) changes the purpose of a reserve account; or
 - (b) uses the money in a reserve account for another purpose, it must give one month's local public notice of the proposed change of purpose or proposed use.
- (3) A local government is not required to give local public notice under subsection (2) —
 - (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or
 - (b) in such other circumstances as are prescribed.
- (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.
- (5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.

Section 6.32. of the Act in reference to Rates and service charges, provides that:

- (1) When adopting the annual budget, a local government —
 - (a) in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either —
 - (i) uniformly; or
 - (ii) differentially; and
 - (b) may impose* on rateable land within its district —
 - (i) a specified area rate; or
 - (ii) a minimum payment; and
 - (c) may impose* a service charge on land within its district.

** Absolute majority required.*

- (2) Where a local government resolves to impose a rate it is required to —
 - (a) set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value; and
 - (b) set a rate which is expressed as a rate in the dollar of the unimproved value of rateable land within its district to be rated on unimproved value.

Section 6.34 of the Act provides that unless the Minister otherwise approves, the amount shown in the annual budget as being the amount it is estimated will be yielded by the general rate is not to —

- (a) be more than 110% of the amount of the budget deficiency; or
- (b) be less than 90% of the amount of the budget deficiency.

Regulation 32 of the *Local Government (Financial Management) Regulations* provides that a local government may exclude from the calculation of the budget deficiency (6.2(3)) —

- (a) money borrowed or to be borrowed, to the extent that it is proposed in the annual budget to remain unspent at the end of the financial year;
- (b) reserves, to the extent that they are proposed in the annual budget to remain unspent at the end of the financial year;
- (c) in relation to a land transaction or trading undertaking, assets and liabilities, to the extent to which they are proposed in the annual budget to remain restricted to the purposes of the land transaction or trading undertaking at the end of the financial year;
- (d) any proposed amounts of depreciation of non-current assets;
- (e) assets from grants or gifts or non-cash revenue or expenditure;
- (f) current liabilities which, by their nature, are restricted, to the extent that they are proposed in the annual budget to remain uncleared at the end of the financial year; and
- (g) any other current assets which, by their nature, are restricted, to the extent that they are proposed in the annual budget to remain unused at the end of the financial year.

Section 6.35 of the Act provides:

- (1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
- (2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
- (3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —
 - (a) 50% of the total number of separately rated properties in the district; or
 - (b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.
- (4) A minimum payment is not to be imposed on more than the prescribed percentage of —
 - (a) the number of separately rated properties in the district; or
 - (b) the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.
- (5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister,

impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.

- (6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —
- (a) to land rated on gross rental value;
 - (b) to land rated on unimproved value; and
 - (c) to each differential rating category where a differential general rate is imposed.

FINANCIAL IMPLICATIONS

2013/14 Budget

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

That the draft 2013/14 Budget be adopted.

COUNCIL RESOLUTION

M23/0813

Moved Cr White

Seconded Cr Pepper

That the draft 2013/14 Budget be adopted.

CARRIED BY ABSOLUTE MAJORITY 7/0

12. ADMINISTRATION

12.1 Use of the Common Seal

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 06 August 2013
APPLICANT: N/A
FILE REFERENCE: ADM 0265
AUTHOR: S P Gollan, Chief Executive Officer
ATTACHMENTS: Nil

SUMMARY

Council to endorse the use of the Common Seal.

BACKGROUND

Allocation of the Common Seal requires accompanying signatures of either the Shire President (or Deputy) and Chief Executive Officer (or person acting in that position).

COMMENT

The Common Seal has been recently attached to the following documents:

- 1) Licence Agreement – Portion of Reserve 47116, Beverley Station between the Shire of Beverley and Beverley Station Arts Inc.
- 2) Lease – Portion of Reserve 32745, Beverley between the Shire of Beverley and Beverley Soaring Society Incorporated.

STATUTORY ENVIRONMENT

Local Government Act 1995, Part 9, Division 3, Execution of documents states:

- (1) A document is duly executed by a local government if -
 - (a) The common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
 - (b) It is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.
- (2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.
- (3) The common seal of the local government is to be affixed to a document in the presence of –
 - (a) The mayor or president; and
 - (b) The chief executive officer or a senior employee authorised by the chief executive officer,
Each of whom is to sign the document to attest that the common seal was so affixed.

- (4) A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.
- (5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.
- (6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.
- (7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council note and endorse the use of the Common Seal having been attached to:-

- 1) Licence Agreement – Portion of Reserve 47116, Beverley Station between the Shire of Beverley and Beverley Station Arts Inc.
- 2) Lease – Portion of Reserve 32745, Beverley between the Shire of Beverley and Beverley Soaring Society Incorporated.

COUNCIL RESOLUTION

M24/0318

Moved Cr Foster

Seconded Cr Murray

That Council note and endorse the use of the Common Seal having been attached to:-

- 1) Licence Agreement – Portion of Reserve 47116, Beverley Station between the Shire of Beverley and Beverley Station Arts Inc.**
- 2) Lease – Portion of Reserve 32745, Beverley between the Shire of Beverley and Beverley Soaring Society Incorporated.**

CARRIED 7/0

12.2 Lesser Hall Refurbishment

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 19 August 2013
APPLICANT: N/A
FILE REFERENCE: ADM 0014
AUTHOR: S K Marshall, Deputy Chief Executive Officer
ATTACHMENTS: Nil

SUMMARY

That Council consider options for the refurbishment of the Lesser Hall.

BACKGROUND

Under the Royalties for Regions Country Local Government Fund 2011/12, \$98,093 has been allocated to the refurbishment of the Lesser Hall (plus \$1,007 contribution from Municipal funds).

Palassis Architects were commissioned to design and project manage the refurbishment.

COMMENT

Palassis Architects requested quotes from three builders who specialise in heritage works. Only one company, Multitech Engineering, submitted a quote totalling \$99,951 ex. GST.

This quote includes the following:

Works	\$ ex. GST
Preliminaries	\$12,000
Demolition including disposal	\$6,100
New Plaster board ceiling in Lesser Hall	\$19,525
Ceiling member rectification/repair	\$10,000
Lighting	\$8,230
Insulation to Lesser Hall	\$2,210
Painting	\$15,000
Access	\$1,500
Carpentry/Hardware	\$3,980
Fire Services	\$1,200
<u>Air Conditioning (Option 1 – Ducted Reverse Cycle)</u>	<u>\$20,206</u>
Total	\$99,951

In addition to this quote, Palassis have advised that there are two alternative air conditioning options and a sound absorption option (ex. GST):

1. 2 x Split system (wall mounted) plus 1 x Ducted evaporative to Kitchen \$13,189.
2. 2 x Ducted evaporative units (4 Outlets) \$11,200.

Sound absorption (perforated plasterboard) \$6,370.

If Council was interested in potentially enhancing the acoustics of the Lesser Hall, then the split system air conditioning option in lieu of the ducted reverse cycle option would allow for this to be achieved within budget (total \$99,304) and allow for the Lesser Hall to be heated if necessary.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

2013/14 Budget provision of \$100,000 for Lesser Hall refurbishment (carried over from 2012/13).

STRATEGIC IMPLICATIONS

Building a sense of community – ensure access to services and facilities as needs change within the community.

POLICY IMPLICATIONS

Purchasing Policy, for purchases between \$50,000 and \$99,999, three written quotations are to be obtained.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council provide direction regarding the Lesser Hall refurbishment works.

COUNCIL RESOLUTION

M25/0813

Moved Cr Pepper

Seconded Cr Foster

That Council proceed with the Refurbishment of the Lesser Hall as per the original quote from Multitech Engineering of \$79,745.00 plus \$6,370.00 for sound absorption works and air conditioning works as per quote from CDA of \$20,206.00 for ducted reverse cycle air conditioning.

CARRIED 7/0

12.3 Beverley Horse and Pony Club

SUBMISSION TO: Ordinary Council Meeting 27 August 2013
REPORT DATE: 20 August 2013
APPLICANT: Beverley Horse and Pony Club Inc.
FILE REFERENCE: ADM 0428
AUTHOR: SP Gollan, Chief Executive Officer
ATTACHMENTS: Nil

SUMMARY

The Beverley Horse and Pony Club have prepared a Small Grant Application to Community Sporting and Recreation Facilities Fund (CSRFF) for funding support to upgrade their clubhouse.

BACKGROUND

In 2008 the club was successful in obtaining a grant for the purchase and erecting a storage shed under CSRFF.

The Beverley Horse and Pony Club have advised that they wish to place cladding to the interior walls of the clubhouse, convert an existing storeroom into a secure office/storage area and provide external weatherproof power points under the veranda.

The project budget is \$17,908.00. There is no request for financial assistance from Council. The funding will be sourced from the clubs own funds and resources along with the CSRFF grant of \$5,969.00.

COMMENT

Council endorsement of the grant application submitted by the Beverley Horse and Pony Club for funds to upgrade their clubhouse will enhance their facilities.

The Beverley Horse and Pony Club are a strong independent organisation who works hard to maintain their success within Beverley and the Region.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

There is no request for Council's funds, either cash or in-kind support to this project.

STRATEGIC IMPLICATIONS

Sustainable Infrastructure – Maintain and upgrade our assets and infrastructure – provide facilities to support sporting and community needs.

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council endorse the CSRFF Small Grants Application submitted by the Beverley Horse and Pony Club and to prioritise the application as priority 1 of 1 application submitted for endorsement.

COUNCIL RESOLUTION

M26/0813

Moved Cr Shaw

Seconded Cr Murray

That Council endorse the CSRFF Small Grants Application submitted by the Beverley Horse and Pony Club and to prioritise the application as priority 1 of 1 application submitted for endorsement.

CARRIED 7/0

13. NEW BUSINESS ARISING BY ORDER OF THE MEETING

New Business of an urgent matter only arising by order of the meeting.

14. CLOSURE

The Chairman to declared the meeting closed at 3:08pm

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

PRESIDING MEMBER:

DATE: