

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON TUESDAY 22 September 2009

1. COMMENCEMENT

The President declared the meeting open at 10:00am.

2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Attendance

Cr JD Alexander	President	North Ward
Cr DJ Ridgway	Deputy President	South Ward
Cr WS McDonald		South Ward
Cr MG Roberts		South Ward
Cr P Gogol		North Ward
Cr KM Murray		North Ward
Cr BM Foster		West Ward
Cr LC Shaw		West Ward
Mr KL Byers	Chief Executive Officer	
Mr SP Gollan	Deputy Chief Executive Officer	
Mrs SC Collins	Senior Administration Officer	

Observer

Mr Christopher Pepper

Apologies

Nil.

Leave of Absence

Nil.

3. PUBLIC QUESTION TIME

3.1 Ms Sue Grey-Smith

Ms Grey-Smith commented on her attendance at the August Council Meeting when she expressed concern in regard to the method used for trimming of road verge trees and drew to Council's attention her enquiry in regard to was Council aware of an adopted conservation policy in 2003 and whether this policy was drawn to Councillor's attention at the time of deciding on the process to trim the verge trees.

The Chief Executive Officer advised that although there is a conservation policy, Council has not adopted a policy dealing with roadsides.

3. PUBLIC QUESTION TIME

3.2 Mr Alasdair Wardle

Mr Wardle questioned the way in which meetings were conducted and drew Council's attention to Standing Orders and the need for policy matters to be mentioned in Officer's Reports. Mr Wardle advised Council that the Local Laws relating to Standing Orders had been adopted in 1997 and for the need to review all Local Laws every eight years.

The President advised he was well aware of the running of meetings and commented that various government body meetings he had attended were all run differently and that the main point of meetings is that the best decision comes out of them.

The Chief Executive Officer reminded Mr Wardle that all SEAVROC Councils had contracted the services of Dominic Carbone and Associates to review all Local Laws.

Referring to the August meeting Mr Wardle thanked the Deputy Chief Executive Officer for placing the Agenda onto Council's web site and for the survey document that went out with the rates notices.

Mr Wardle referred to the matter on the agenda of removal of trees near the Bowling Club and enquired as to whether Council had spoken to the Department of Water.

The Chief Executive Officer advised that it was a necessity to remove the trees that were causing a problem for the Bowling Club greens.

3.3 Mr Heng Ee

Enquired as to whether Council has any plans to seal Hamersley Road as the area is becoming populated and of the concern residents had expressed in relation to dust from the Tractor Pull events.

The President advised that Council had carried out an inspection of Hamersley Road but at this stage there are no plans to seal this particular Road within the next 12 month period. Council is currently formalising a 10 Year Road Works Program and these works would be categorized into a prioritised system.

4. CONDOLENCES

MCLEAN	Jean Anne	28 August 2009
HOLMAN	Lilian Rose	1 September 2009
BLECHYNDEN	Barbara Lavinia	21 September 2009

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. CONFIRMATION OF MINUTES AND BUSINESS ARISING

6.1 Minutes of the Council Meeting held in the Council Chambers on Tuesday 25 August 2009

COUNCIL RESOLUTION

M1/0909 Moved Cr Foster **Seconded Cr Roberts**
That the Minutes of the Ordinary Meeting of Council held in Council Chambers on Tuesday 25 August 2009, as printed, be confirmed.

CARRIED 8-0

BUSINESS ARISING

6.1.1 Small Pet Cemetery (Item 7.2)

The Deputy Chief Executive Officer advised his findings in regard to consideration of the following sites for a Small Pet Cemetery: -

The Old Rubbish Tip Site is vested as a Tip.

The Rifle Club property is privately owned.

The Lonely Grave is located on a Reserve designated for the purpose of the use and benefit of aboriginal inhabitants.

The land adjacent to the old Drive In Theatre comprises 4 blocks, one of which is a Reserve, put aside for use by the Baptist Church. and one of the middle ones belongs to the Baptist Church.

Apex Park could be an area for consideration as it is a tourist park.

It was agreed that Cr Ridgway and Cr McDonald liaise in regard to the matter of a small pet cemetery and provide a report for Council's consideration.

6.1.2 Industrial Land (Item 11.3)

The Deputy Chief Executive Officer advised that a response from Landcorp in regard to availability of Industrial Land has yet to be received.

**6. CONFIRMATION OF MINUTES AND BUSINESS ARISING
(Continued)**

**6.2 Minutes of the Beverley Cropping Committee Meeting held in the
in the Council Chambers on Wednesday 12 August 2009
(File Reference: CP 017)**

Appendix 1

COUNCIL RESOLUTION

**M2/0909 Moved Cr Murray Seconded Cr Roberts
That the Minutes of the Beverley Cropping Committee Meeting
held in the Council Chambers on Wednesday 12 August 2009, as
printed, be received.**

CARRIED 8-0

BUSINESS ARISING

6.2.1 BORMSA Lease - Portion Reserve 5265

COUNCIL RESOLUTION

**M3/0909 Moved Cr Shaw Seconded Cr Roberts
That the Cropping Committee investigate the drafting of a lease for
the use of Portion of Reserve 5265 by the Beverley Off Road Motor
Sports Association.**

CARRIED 8-0

6.2.2 Kokeby Lease - Reserve 38798

At 10:30am Cr DJ Ridgway declared an interest Item 6.2.2, as she is the current lessee of Reserve 38798, and left the meeting.

COUNCIL RESOLUTION

**M4/0909 Moved Cr Shaw Seconded Cr Murray
That Council advertise Reserve 38798 for lease for a three (3) year
period commencing 1 April 2010 and expiring on 31 March 2013.**

CARRIED 7-0

At 10:34am Cr DJ Ridgway returned to the meeting.

6. CONFIRMATION OF MINUTES AND BUSINESS ARISING
6.2 Minutes of the Beverley Cropping Committee Meeting held in the in the Council Chambers on Wednesday 12 August 2009 (Continued)

6.2.3 (Late Item) Cropping Committee Leases - Portion Reserve 5265 Lot C (between Great Southern Highway and the Railway Reserve); Reserve 2633 – (Old Aerodrome Opposite CBH); Lot 78 Waterhatch Road; Portion Reserve 5265 Lot A (Old Commonage); Portion Reserve 5265 Lot B (Sand Pit).

Council received correspondence from Trevor and Avril Hosking requesting early termination of their lease of the various reserves under the management of the Cropping Committee.

COUNCIL RESOLUTION

M5/0909 Moved Cr Shaw Seconded Cr Foster
That the Chief Executive Officer prepare a report, in relation to the request of T & A Hosking to terminate various lease agreements, for consideration of Council at it's October meeting.
CARRIED 8-0

6.3 Minutes of the Independent Living Units Project Team Meeting held in the Council Chambers on Friday 28 August 2009 (File Reference: LUP 013 & CS 008)

Appendix 2

COUNCIL RESOLUTION

M6/0909 Moved Cr Roberts Seconded Cr Shaw
That the Minutes of the Independent Living Units Project Team Meeting held in the Council Chambers on Friday 28 August 2009, as printed, be received.
CARRIED 8-0

BUSINESS ARISING

Nil

**6. CONFIRMATION OF MINUTES AND BUSINESS ARISING
(Continued)**

6.4 Minutes of the Special Meeting of Council to Discuss Structural Reform held in the Council Chambers on Wednesday 2 September 2009

(File Reference: GOV 013)

Appendix 3

COUNCIL RESOLUTION

M7/0909 Moved Cr Foster **Seconded Cr Murray**
That the Minutes of the Special Meeting of Council to Discuss Structural Reform held in the Council Chambers on Wednesday 2 September 2009, as printed, be confirmed.

CARRIED 8-0

BUSINESS ARISING

Nil.

6.5 Notes of a Public Meeting to Discuss Structural Reform in Local Government held in the Lesser Hall on Monday 7 September 2009

(File Reference: GOV 013 & CR 012)

Appendix 4

COUNCIL RESOLUTION

M8/0909 Moved Cr Foster **Seconded Cr Roberts**
That the Notes of a Public Meeting to Discuss Structural Reform in Local Government held in the Lesser Hall on Monday 7 September, as printed, be received.

CARRIED 8-0

BUSINESS ARISING

Nil.

**6. CONFIRMATION OF MINUTES AND BUSINESS ARISING
(Continued)**

**6.6 Minutes of the Plant & Works Committee Meeting held in the
Council Chambers on Wednesday 16 September 2009
(File Reference: CM 005)**

Appendix 5

COUNCIL RESOLUTION

**M9/0909 Moved Cr Foster Seconded Cr McDonald
That the Minutes of the Plant & Works Committee Meeting held in
the Council Chambers on Wednesday 16 September 2009, as
printed, be received.**

CARRIED 8-0

BUSINESS ARISING

6.6.1 10 Year Road Works Program (File Reference: RO 001)

**It was resolved that the Plant and Works Committee consider and
formalise the draft 10 Year Road Works Program, for consideration
by Council in about February/March 2010.**

6.6.2 Hamersley Street Drainage (File Reference: WO HAM 130)

COUNCIL RESOLUTION

**M10/0909 Moved Cr Shaw Seconded Cr Roberts
That Council negotiate with the owner of Lot 52 Hamersley Street
to either purchase or create an easement across the north-east
corner of the block for the purpose of creating an open drain.**

CARRIED 8-0

Council agreed to deal with Items 8.3.1.1 and 8.3.1.2 of this meeting at this point.

6.6.3 Removal of Trees near Bowling Club

(File Reference: PR 002)

(Refer to report on page 24 of these Minutes - Item 8.3.1.1)

COUNCIL RESOLUTION

**M11/0909 Moved Cr Ridgway Seconded Cr Foster
That Council engage contractors Specialised Tree Services to cut
down the selected trees from Lots 2 and 9 Forrest Street (to the
south of the Bowling Club) for the quoted price of \$2,500.**

CARRIED 8-0

6. CONFIRMATION OF MINUTES AND BUSINESS ARISING
6.6 Minutes of the Plant & Works Committee Meeting held in the Council Chambers on Wednesday 16 September 2009 (Continued)

6.6.4 Removal of Pine Trees in front of Town Hall

(File Reference: PR 002)

(Refer to report on page 25 of these Minutes - Item 8.3.1.2)

COUNCIL RESOLUTION

M12/0909 Moved Cr McDonald Seconded Cr Foster
That Council engage the contractor Specialised Tree Services to cut down the three Pine trees in front of the Town Hall and grind the stumps for the quoted price of \$1,800.

CARRIED 8-0

6.6.5 Upgrading of Langsford Street (File Reference: WO LAN 152 & PL 138365)

RECINDED MOTION

M13/0909 Moved Cr Shaw Seconded Cr McDonald
That Council rescind Motion 11/0709 of the 28 July 2009 Council meeting: -

“That Council resolve that Condition 1 of the 11 Lot Subdivision, WAPC No. 138365 at Lot 3 Bremner Road (Langsford Street), Beverley is satisfied by: -

- 1. Langsford Street to be extended from Dempster Street to 20 metres beyond northern boundary of Lot 1 and that it be constructed of gravel at the applicant’s cost only.**
- 2. The applicant is to contribute 50% of the cost of upgrading and sealing the constructed portion of Langsford Street.”**

CARRIED 5-3

COMMITTEE RECOMMENDATION/COUNCIL RESOLUTION

Moved Cr Shaw Seconded Cr Murray
That Council request Mr T McLean to contribute \$15,000 towards sealing of Langsford Street between Chipper and Courtney Street and for the construction of a gravel road between Dempster Street and new Lot 1 of his subdivision application No. 138356.

6. **CONFIRMATION OF MINUTES AND BUSINESS ARISING**
6.6 Minutes of the Plant & Works Committee Meeting held in the Council Chambers on Wednesday 16 September 2009
6.6.5 Upgrading of Langsford Street
(Continued)

AMENDMENT TO MOTION

Moved Cr Ridgway Seconded Cr Foster
That Council request Mr T McLean to contribute \$25,000 towards sealing of Langsford Street between Chipper and Courtney Street and for the construction of a gravel road between Dempster Street and new Lot 1 of his subdivision application No. 138356.
LOST 4-4

The President decided not to exercise a casting vote.

AMENDMENT TO MOTION

M14/0909 Moved Cr Ridgway Seconded Cr Foster
That Council request Mr T McLean to contribute \$20,000 towards the sealing of Langsford Street between Chipper and Courtney Street and for the construction of a gravel road between Dempster Street and new Lot 1 of his subdivision application No. 138356.

THE AMENDMENT WAS PUT AND CARRIED 5-3

THE AMENDMENT BECAME THE MOTION
AND WAS PUT AND CARRIED 5-3

6.6.6 **Waste Disposal Site** (File Reference: BRE 30609)

M15/0909 Moved Cr Foster Seconded Cr Murray
That Mr Fred Bremner be contracted to drill holes on the portion of Reserve 30609 west of the track adjacent to the Waste Disposal Site to ascertain its suitability for burying rubbish.
CARRIED 8-0

At 11:27am Cr WS McDonald left the Chambers.

6.6.7 **Second-Hand Loader** (File Reference: PE 001)

M16/0909 Moved Cr Roberts Seconded Cr Murray
That Councillor JA Alexander be authorised to purchase a second-hand loader at auction for an amount not exceeding \$35,000.
CARRIED 7-0

**6. CONFIRMATION OF MINUTES AND BUSINESS ARISING
(Continued)**

**6.7 Minutes of the Recreation Ground Committee Meeting held in the
Council Chambers on Wednesday 16 September 2009
(File Reference: FOR 1623)**

Appendix 6

COUNCIL RESOLUTION

**M17/0909 Moved Cr Foster Seconded Cr Shaw
That the Minutes of the Recreation Ground Committee Meeting
held in the Council Chambers on Wednesday 16 September 2009,
as printed, be received.**

CARRIED 7-0

At 11:32am Cr McDonald returned to the Chambers.

BUSINESS ARISING

6.7.1 Recreation Concept Plan

At 11:38am Cr P Gogol left the Chambers.

**M18/0909 Moved Cr Foster Seconded Cr Shaw
That Mr Brian Adcroft of Adcroft & Associates be requested to re-
address the Concept Plan for the Recreation Ground. The updated
plan should include the following:**

- 1. Retention of the Exhibition Shed in its present locality.**
- 2. Netball/Basketball Courts to be located close to the proposed community facility.**
- 3. That there be no vehicular traffic flow between the courts and community facilities.**
- 4. That the present vehicular access from Forrest Street to the Bowling and Tennis Club be retained.**
- 5. That the existing Change Rooms and Amenities Building be demolished.**
- 6. Provision for a Hockey Field.**
- 7. Provision for additional lighting for Oval, New Courts and Hockey Ground.**
- 8. Retain present Netball/Basketball Courts.**
- 9. Provision for gym and hydrotherapy pool**

CARRIED 7-0

6. **CONFIRMATION OF MINUTES AND BUSINESS ARISING**
6.7 Minutes of the Recreation Ground Committee Meeting held in the Council Chambers on Wednesday 16 September 2009
6.7.1 Recreation Concept Plan
(Continued)

COUNCIL RESOLUTION

- M19/0909 Moved Cr Foster** **Seconded Cr Shaw**
That the Recreation Ground Committee investigate the feasibility of including a gym and a hydrotherapy pool in the building plan.
CARRIED 7-0

At 11:39am Cr Gogol returned to the Chambers.

7. **PRESIDENT AND COUNCILLOR REPORTS**

7.1 **PRESIDENT'S REPORT**

Town Hall

Restoration of the ceiling in the Main Hall has now been completed and air conditioners have been installed. We now need to investigate repairing the Lesser Hall ceiling.

National Trust Visit:-

Avondale Discovery Farm (File Reference: RC 005)

On Saturday 19 September we provided a light lunch for the Executive Committee of the National Trust followed by a tour of Avondale, the Old Police Quarters and the Old Court House. The National Trust has now taken over Avondale and is working closely with us. At Avondale Vicki Jenkins provided a highly commendable afternoon tea. These high profile people from the Executive are really expecting to drive the importance of the Precinct.

COUNCIL RESOLUTION

- M20/0909 Moved Cr Shaw** **Seconded Cr McDonald**
That Council contract the Avondale Project Committee for an amount not exceeding \$300 per weekend to keep the Machinery Museum open at the Avondale Discovery Farm until the end of November 2009.

CARRIED 8-0

7. PRESIDENT AND COUNCILLOR REPORTS

7.1 PRESIDENT'S REPORT

National Trust Visit:-

Avondale Discovery Farm

(Continued)

COUNCIL RESOLUTION

- M21/0909** **Moved Cr Gogol** **Seconded Cr Shaw**
That a request be made to the Avondale Project Committee to undertake cleaning duties at Avondale.
CARRIED 8-0

Old Police Quarters and Old Court House

The National Trust is keen to develop the Old Police Quarters and there should be an announcement on this soon. They are also showing a keen interest in the Old Court House.

Talbot West Road

The Shire of York is currently working towards completing the sealing of Talbot West Road. Hopefully it will be sealed by the end of this summer.

COUNCIL RESOLUTION

- M22/0909** **Moved Cr Roberts** **Seconded Cr Murray**
That the President's Report, be received.
CARRIED 8-0

7.2 COUNCILLOR REPORTS

Cr Mal Roberts

Dental Surgery

Cr Roberts advised that as the dental surgery room at the town hall was unfit for such purpose, a meeting had been held with the Deputy Chief Executive Officer, Dr R Adebayo, Mr Warren Wandless, Council's Maintenance Officer and himself, in regard to the feasibility of a dental surgery being accommodated within the doctor's surgery building and to discuss estimated costings.

7. **PRESIDENT AND COUNCILLOR REPORTS**
7.2 COUNCILLOR REPORTS

Cr Mal Roberts
Dental Surgery
(Continued)

COUNCIL RESOLUTION

M23/0909 **Moved Cr Gogol** **Seconded Cr Foster**
That the Deputy Chief Executive Officer investigate and prepare an
evaluation of the provision of a dental surgery within the doctor's
surgery building and report back to Council.
CARRIED 8-0

Cr Ridgway

Beverley Community Resource & Telecentre (File Reference: CS 003)

An Annual General Meeting for the Beverley Community Resource Centre & Telecentre was held on Thursday 17 September with 14 attendees.

The AGM Minutes will be provided to Council together with the annual Business Plan and 2008/2009 Financial Reports, which are due to be forwarded to the Telecentre Support Branch as per funding obligations.

The new Co-ordinator, who commenced in July, has embraced the role and has an already increasing workload.

A successful Telecentre Governance Training Workshop was hosted in Beverley on the following day and has provided positive feedback on the progress made since January this year.

Mentoring continues to be provided to the Telecentre for the Co-ordinator and Committee. The Co-ordinator has also visited surrounding Telecentres at Brookton, Pingelly and York.

A successful application has been received from the NEC Broadband for Seniors' grants.

Historical issues are still being addressed by the committee, however the positives are beginning to out-weight the negatives.

7. PRESIDENT AND COUNCILLOR REPORTS
7.2 COUNCILLOR REPORTS
Cr Dee Ridgway
(Continued)

Kokeby Palaeochannel Study (File Reference: WS 001)

It was agreed that the Shires of Beverley and Brookton approach the Department of Water to undertake a joint study, to ascertain the sustainability of the Kokeby Palaeochannel, west of the Olive Farm.

COUNCIL RESOLUTION

M24/0909 Moved Cr Foster **Seconded Cr Roberts**
That the Councillor Reports, be received
CARRIED 8-0

At 12:14pm Mr Peter Wright, Shire Planner, joined the meeting.

8. OFFICERS' REPORTS

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	September Council Meeting 22 September 2009
AGENDA ITEM:	8.1.1.1
REPORT DATE:	14 September 2009
SUBJECT:	DEVELOPMENT APPLICATION – TWO GROUPED DWELLINGS – 55 (LOT 367) BARTRAM STREET, BEVERLEY
APPLICANTS:	National Trust of Australia WA
FILE REFERENCE:	BAR4 660
AUTHOR:	Shire Planner – Peter Wright

Appendix 7

BACKGROUND

The applicant has applied for approval to construct two grouped dwellings at 55 (Lot 367) Bartram Street, Beverley. The subject site is 1891m² in area, zoned Town Centre, and is within the Department of Water defined flood fringe area. Existing structures on the site include a building used as grouped dwellings and ancillary outbuildings. Lot 367 is in a Design Control Area and the buildings are listed on the Municipal Heritage Inventory and the State Heritage Register.

The application is being referred to Council because:

- It involves non conforming use rights;
- It is in a design control area; and
- The buildings and site are Heritage listed.

COMMENT

Grouped dwelling is a land use not permitted in the Town Centre zone under Table 1 of the Shire of Beverley's Town Planning Scheme No. 2 (TPS 2). However under Part 5 of TPS 2 a non permitted land use that was occurring prior to the gazettal of the scheme, and has continued ever since, may be entitled to non conforming use rights.

Research by staff indicates the subject site has been continually used for grouped dwellings since prior to the gazettal of TPS 2 on 26 April 1993. It will therefore be recommended Council resolve to recognise two grouped dwellings as a non conforming land use at 55 (Lot 367) Bartram Street, Beverley.

8.1 TOWN PLANNING ITEMS
ITEM 8.1.1.1
DEVELOPMENT APPLICATION – TWO GROUPED DWELLINGS
– LOT 55 (LOT 367) BARTRAM STREET, BEVERLEY
(Continued)

With regard to the old Courthouse building at 95 (Lot 368) Vincent Street, Beverley, research by staff and a feature survey by the applicant demonstrates that the building intrudes onto Lot 367. This may cause contention between future neighbours, is undesirable with regard to the development potential of both lots and may ultimately cause legal debate. Therefore should Council approve the application it will be recommended the completion of a boundary realignment be a condition of approval.

The grouped dwellings are on a site connected to sewerage. If the site were zoned Residential R10, development up to a Residential R25 standard could be considered. Therefore to provide a guide for assessment of the application, the proposed development was assessed under the Residential Design Codes 2008 (Rcodes), using the criteria applicable to an R25 zone.

The application generally complies with the Rcodes, however the submitted plans lack detail on Rcodes criteria relating to landscaping, fencing in the front setback area and the driveway. Under the Rcodes Clause 6.4.5 landscaping is required to the street setback area, and under Clause 6.2.5A5 the fencing in the front setback area is to be visually permeable 1.2 metres above natural ground level. Should Council approve the application, it will be recommended these aspects of the Rcodes be incorporated as conditions of approval.

In compliance with Clause 4.5 of TPS 2, which relates to flood prone areas, the application was referred to the Department of Environment (DoE) for comment. At the time of writing this report, the Shire has had no response from the DoE. To facilitate the timely determination of this application it will be recommended, should Council approve the application, that DoE requirements be incorporated when received, as a condition of approval.

As the proposed development is in the Town Centre Design Control Area Council should consider all aspects of the design and its relationship to the surrounding area. Integral to the design are the Heritage aspects of the buildings.

8.1 TOWN PLANNING ITEMS
ITEM 8.1.1.1
DEVELOPMENT APPLICATION – TWO GROUPED DWELLINGS
– LOT 55 (LOT 367) BARTRAM STREET, BEVERLEY
(Continued)

The applicant has delegated authority from the Heritage Council and as such the proposal is designed to enhance the Heritage characteristics of the buildings. Due to the application being lodged by the National Trust, expertise not available to the Shire of Beverley has been utilised in the formulation of the proposal. The applicant has produced substantial evidence demonstrating that the proposal will be sympathetic to the existing built form and character of the area. To preserve the proposed Heritage aspects and character of the site, should Council approve the application, it will be recommended the following are conditions of approval:

- A schedule of colours and finishes be submitted and approved; and
- A notification be placed on title informing future owners that any change in colours and/or finishes requires Council approval.

In the opinion of staff the proposal will augment the Heritage of Beverley and substantially improve the built form for the area. Therefore it will be recommended the application be approved.

STATUTORY ENVIRONMENT

Should Council resolve to confirm non-conforming use rights in relation to the grouped dwelling, then the application complies with the Shire of Beverley's Town Planning Scheme No. 2.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

- M25/0909** **Moved Cr Foster** **Seconded Cr Gogol**
1. That Council recognise non-conforming use rights for two grouped dwellings at 55 (Lot 367) Bartram Street, Beverley.
 2. That Council grant Planning Approval for two grouped dwellings at 55 (Lot 367) Bartram Street, Beverley, subject to the following conditions and advice notes: -

8.1 TOWN PLANNING ITEMS
ITEM 8.1.1.1
DEVELOPMENT APPLICATION – TWO GROUPED DWELLINGS
– LOT 55 (LOT 367) BARTRAM STREET, BEVERLEY
(Continued)

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. Prior to occupation of dwelling(s) the applicant shall finalise a boundary realignment for the boundary between Lot 367 Bartram Street and Lot 368 Vincent Street. The purpose of the realignment is to have all buildings contained within lot boundaries in compliance with the setback requirements of the Shire of Beverley's Town Planning Scheme No.2 (see Advice Note 3).**
- 4. All fencing in the front setback area shall be visually permeable 1.2 metres above natural ground level.**
- 5. A landscaping plan for the landscaping of the front setback area is to be submitted and approved prior to the occupation of the dwelling (see Advice Note 4).**
- 6. All landscaping to be installed and approved prior to the occupation of the dwelling.**
- 7. Approved landscaping is to be maintained to the satisfaction of the Shire.**
- 8. Conditions recommended by the Department of Environment in relation to the defined flood fringe, shall be regarded as conditions of approval imposed by Council (see Advice Note 5).**

8.1 TOWN PLANNING ITEMS

ITEM 8.1.1.1

DEVELOPMENT APPLICATION – TWO GROUPED DWELLINGS

– LOT 55 (LOT 367) BARTRAM STREET, BEVERLEY

(Continued)

9. A separate schedule of the colour and texture of the building materials shall be submitted and approved to the satisfaction of the Shire Planner before the issuance of a building license, and before the commencement or carrying out of any work or use authorised by this approval.
10. A notification is to be placed on title(s) informing future land owner(s) that any alteration to the exterior colours and finishes requires the prior approval of Council.

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 licence is required prior to commencement of any building works.
3. With regard to Condition 3, the applicant is advised the setback requirements for the Town Centre zone under Table 2 of Town Planning Scheme No. 2 are at Council's discretion. Therefore the applicant is advised to liaise with the Shire prior to any application for subdivision.
4. With regard to Condition 5, the landscape plan is to include the location and species of plantings, details of mulch and reticulation and a timeframe for planting.
5. With regard to Condition 8, the applicant is advised a request for comment has been sent to the Department of Environment. Upon receipt of comment from the Department of Environment the applicant will be advised in writing of any relevant conditions.

CARRIED 8-0

8. OFFICERS' REPORTS

8.1 TOWN PLANNING ITEMS

SUBMISSION TO:	September Council Meeting 22 September 2009
AGENDA ITEM:	8.1.1.2
REPORT DATE:	16 September 2009
SUBJECT:	ALTERATION OF ROAD RESERVE – LOTS 15 & 4 BUTCHERS ROAD, DALE
APPLICANTS:	Scanlan Surveys Pty Ltd
FILE REFERENCE:	PL139859
AUTHOR:	Shire Planner – Peter Wright

Appendix 8

BACKGROUND

As a component of the road construction for Billabong Road, Dale, the road was constructed parallel to the road reserve to preserve a stand of mature trees. The purpose of this report is to recommend Council resolve to match the gazetted road reserve with the "as constructed" road. To achieve this Council is required to resolve to close the redundant road reserve and create a new adjacent road reserve.

Lots 15 & 4 Butchers Road are adjacent to the road reserve, zoned Farming and are approximately 79ha and 11ha in area, respectively. The area of road reserve proposed to be moved is 9982m² in area. Both of the subject lots are owned by Mr Grant Hobbs.

COMMENT

Advertising of the proposal to alter the road reserve was completed on 3 September 2009. Under section 58 of the Land Administration Act 1997, Council must resolve to close the unused portion of Billabong Road and create the new reserve within 35 days of the close of advertising. Therefore Council must resolve to alter the road reserve by 8 October 2009, or the proposal will require readvertising.

Resolution by Council to close the existing road reserve and create a new adjacent road reserve will complete the process of construction of this section of Billabong Road. It is anticipated there will be no negative impacts, the safety and convenience of the travelling public will be enhanced and a mature stand of trees will be preserved. Therefore it will be recommended the resolution be adopted.

STATUTORY ENVIRONMENT

The application complies with the Shire of Beverley's Town Planning Scheme No. 2.

8.1.2 INFORMATION BULLETIN REPORT – SHIRE PLANNER

The Shire Planner provided an Information Bulletin Report under separate cover.

COUNCIL RESOLUTION

M27/0909 Moved Cr Gogol **Seconded Cr McDonald**
That the Shire Planner’s Information Bulletin Report, be received.
CARRIED 8-0

At 12:30pm Council adjourned for lunch and Mr Peter Wright, Shire Planner left the meeting.

At 2pm the Council meeting resumed.

8.2.1 HEALTH & BUILDING SERVICES ITEMS

Nil.

8.2.2 INFORMATION BULLETIN REPORT – HEALTH & BUILDING SERVICES

8.2.2.1 GENERAL

General correspondence, duties and communications for Environmental Health Officer/Building issues.

8.2.2.2 BUILDING LICENSES ISSUED

Building licenses issued up to 15 September 2009: -

Lic No: 3 09/ 10	Lic No: 4 09/ 10
No: Lot 31 George St, Beverley	No: 2652 York Quairading Road, Beverley
Building: Shed	Building: Carport
Value: \$19,307	Value: \$6,000
Lic No: 5 09/ 10	Lic No: 6 09/ 10
No: Lot 61 Great Southern Hwy Mount Kokeby	No. 13 Prior Place, Beverley
Building: Residence	Building: Carport
Value: \$215,636	Value: \$2,000
Lic No: 7 09/ 10	Lic No: 8 09/ 10
No: Lot 110 Little Hill Rd, Beverley	No: 146 Vincent St, Beverley
Building: Residence	Building: Shed
Value: \$200,000	Value: \$4,000

8.2.2 INFORMATION BULLETIN REPORT – HEALTH & BUILDING SERVICES
8.2.2.2 BUILDING LICENSES ISSUED
(Continued)

Lic No: 9 09/ 10
No: 34 Great Southern Hwy,
Beverley
Building: Garage
Value: \$12,500

Lic No: 11 09/ 10
No: 36 Great Southern Hwy,
Dale
Building: Garage
Value: \$13,000

Lic No: 13 09/ 10
No: 51 Langsford St,
Beverley
Building: Shed
Value: \$10,000

Lic No: 15 09/ 10
No: 212 Hamersley St,
Beverley
Building: Residence
Value: \$120,000

Lic No: 10 09/ 10
No: Lot 87 Dobaderry Rd,
Beverley
Building: Residence
Value: \$180,000

Lic No: 12 09/ 10
No: Lot 82 Valentine Rd,
Beverley
Building: Shed
Value: \$31,500

Lic No: 14 09/ 10
No: 207 Maitland Rd,
Beverley
Building: Residence
Value: \$238,602

Lic No: 16 09/ 10
No: 394 Beringer Rd,
Bally Bally
Building: Residence (Stage 1)
Value: \$80,000

COUNCIL RESOLUTION

M28/0909 Moved Cr Roberts
That the Health & Building Services Information Bulletin Report,
be received.

Seconded Cr Gogol

CARRIED 8-0

At 2:05pm Mr Steve Vincent, Works Supervisor, joined the meeting.

8.3.1 PLANT, WORKS, RECREATION AND TOURISM ITEMS

SUBMISSION TO:	September Council Meeting 22 September 2009
AGENDA ITEM:	8.3.1.1
REPORT DATE:	15 September 2009
SUBJECT:	REMOVAL OF TREES NEAR BOWLING CLUB
APPLICANTS:	Shire of Beverley
FILE REFERENCE:	PR 002
AUTHOR:	Works Supervisor – Steve Vincent

BACKGROUND

The Beverley Bowling Club has requested that the approximately 24 trees on the Shire land south of the greens be removed.

The leaves and flowers from these trees are causing problems on the new synthetic surface, the eucalyptus from the leaves stain, and the flowers hook into the new surface. The extra cleaning with vacuums or brooms will reduce the life of the surface.

We have obtained the necessary clearing permit for these trees to be removed.

COMMENT

As part of the clearing permit, it requires an Environmental Specialist check the trees for native fauna prior to the removal.

There are some trees that will be difficult to fell as they are tangled with other trees, on uneven ground and are overhanging the fence on the south side the greens. These will require a cherry picker to remove them.

Due to the high risk it is recommended that a professional be contracted to cut down these trees and the Shire to assist by dragging these trees to a suitable level area for removal.

I have received two quotes for these trees to be cut down: -

Beverley 0'55 - \$ 3,000 cut to 3metres above ground level
 - \$ 3,800 cut as close to ground as possible

Specialised Tree Services - \$2,500 cut to 900 mm

*This item dealt with earlier in meeting under item 6.6.3.
(Refer page 7 – Motion M11/0909)*

8.3.1 PLANT, WORKS, RECREATION AND TOURISM ITEMS

SUBMISSION TO:	September Council Meeting 22 September 2009
AGENDA ITEM:	8.3.1.2
REPORT DATE:	15 September 2009
SUBJECT:	REMOVAL OF PINE TREES IN FRONT OF TOWN HALL
APPLICANTS:	Shire of Beverley
FILE REFERENCE:	PR 002
AUTHOR:	Works Supervisor – Steve Vincent

BACKGROUND

It was requested at the last Council meeting to remove the three pine trees in front of the town hall.

COMMENT

For the Shire to remove these trees it would be too dangerous with the power lines nearby and the wire that has been weaved through these trees to make them grow straight.

The following two quotes were received to cut these trees down, which included the Shire to cart them away.

Beverley	-	0'55 - \$ 900
Specialised Tree Services	-	\$1,800 which included grinding out the stumps

*This item dealt with earlier in meeting under item 6.6.4.
(Refer page 8 – Motion M12/0909)*

8.3.2 INFORMATION BULLETIN REPORT – WORKS SUPERVISOR

8.3.2.1 GENERAL – PLANT AND WORKS

8.3.2.1.1 Verge Spraying

Spraying has been completed on the bitumen rural roads. There are a few intersections, bridges and isolated patches on some gravel roads still to do.

8.3.2.1.2 Street Sweeper

The town streets have been swept.

8.3.2.1.3 Grading

The following roads have been graded over the last month: Athol, Balkuling, Beringer, Dongadilling, Drapers, East Lyyne, Ewarts, Fisher, Kennedy, Kilpatrick, Macdonald, Morbinging, Murray, Northbourne, Oakdale, Pechells, Piccadilly, Potts, Warnsbough, Woods, Wylgima. The graders are currently working in the east of the Shire.

8.3.2.1.4 Gravel Pits

Gravel is currently being pushed at several pits. This will be used for this year's road program.

8.3.2.1.5 Tenders

Three tenders have been requested, these are for the year's supply of bitumen, wheel loader replacement and for the replacement of the Kokeby East Road culvert. All three tenders close on 21 September 2009.

8.3.2.1.6 Bulk Verge Pickup

The verge pickup was completed on 14 September. There wasn't as much rubbish as in previous years and only two car bodies were removed.

8.3.2.1.7 Plant Report

A Plant Report was provided under separate cover.

**8.3.2 INFORMATION BULLETIN REPORT – WORKS SUPERVISOR
(Continued)**

8.3.2.2 CONSTRUCTION

8.3.2.2.1 Flood Damaged Roads

The following roads have been re-sheeted with gravel on the sections that were damaged in the January 2009 flood: Potts, Northbourne, Wylgama, Greenhills South, McDonald, Balkuling, Glencoe, Barrington. From here the construction crew will be heading to Jacobs Well Road and heading south.

8.3.2.2.2 Kokeby East Road Culvert

All the box culverts and link lids are onsite. Once the tender has been awarded then work can begin on the replacement of this culvert.

At 2:15pm Cr Gogol left the Chambers.

COUNCIL RESOLUTION

M30/0909 Moved Cr Shaw **Seconded Cr Foster**
That the Works Supervisor's Information Bulletin Report, be
received.

CARRIED 7-0

At 2:16pm Mr Steve Vincent, Works Supervisor, left the meeting.

At 2:16pm Cr Gogol returned to the meeting.

8.4.1 FINANCE ITEMS

SUBMISSION TO:	September Council Meeting 22 September 2009
AGENDA ITEM:	8.4.1.3
REPORT DATE:	September 2009
SUBJECT:	INVESTMENT OF SURPLUS FUNDS
FILE REFERENCE:	FM 008
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

Council has at present surplus funds that have been invested in line with Council's policy.

COMMENT

Listed below are surplus funds that have been invested during the month of August 2009 with the ANZ Bank.

▪ Office Equipment Reserve	\$ 22,728.00
▪ Annual Leave Reserve	\$ 112,997.00
▪ Building Reserve	\$ 985,299.00
▪ Plant Reserve	\$ 423,955.00
▪ Recreation Ground Reserve	\$ 265,262.0
▪ Bush Fire Fighters Reserve	\$ 87,295.00
▪ Avon River Development Reserve	\$ 17,618.00
▪ Community Bus Reserve	\$ 21,859.00
▪ Cropping Committee Reserve	\$ 112,900.00
▪ Road Construction Reserve	\$ 190,091.00
▪ Municipal Fund	\$ 300,000.00
▪ Municipal Fund	\$ 300,000.00

The Investment terms are as follows:

Certificate#	Term	Interest Rate	Amount	Expires
9669-41335	3 Months	4.00%	\$ 985,299.00	30/10/2009
9669-40287	3 Months	4.00%	\$ 423,955.00	30/10/2009
9669-41167	2 Months	4.00%	\$ 378,259.00	30/09/2009
9669-41538	4 Months	4.10%	\$ 452,491.00	30/11/2009
9669-37985	2 Months	4.00%	\$ 300,000.00	30/09/2009
9669-37678	32 Days	4.00%	\$ 250,000.00	31/08/2009

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M33/0909 **Moved Cr McDonald** **Seconded Cr Murray**
That the Investment Report for the month of August 2009, be received.

CARRIED 8-0

8.4.1 FINANCE ITEMS

SUBMISSION TO:	September Council Meeting 22 September 2009
AGENDA ITEM:	8.4.1.5
REPORT DATE:	15 September 2009
SUBJECT:	BEVERLEY LESSER HALL CEILING
FILE REFERENCE:	VIN 1628
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

As Council would be aware the ceiling in the Lesser Hall appears to be sagging in a similar vain to that of the Town Hall prior to repairs.

Christopher Paterson from Palassis Architects has provided Council with a report on an inspection carried out in the ceiling.

COMMENT

Below is the report from Palassis Architects.

“Further to our discussions and site inspection of the Lesser Hall ceiling space we can confirm our earlier comments, and also provide an initial quote prepared by AE Hoskins.

- 1. There are major cracks in the principal longitudinal ceiling beams over the Lesser Hall. These cracks appear to split some timber members entirely in 2. The ceiling is sufficiently unstable that we did not venture onto the ceiling, as we considered it unsafe and our observations were made from the connecting hatch between the Lesser Hall and Kitchen ceiling spaces. Three photographs are attached showing the beams nearest to the kitchen gable.*
- 2. AE Hoskins have prepared a quotation based on the site observations - and this is a useful budgetary guide. Please remember that more extensive repairs may be necessary once safe access is available and engineering inspection made. It would be prudent to allow additional funds for unforeseen repairs, plus painting of the ceiling, installation of insulation and air conditioning etc. An allowance of \$50,000 - \$60,000 would be a guide for refurbishment that would bring the Lesser Hall to similar overall condition as the Main Hall.*
- 3. Use of the Lesser Hall
Until the ceiling structural repairs are carried out we recommend that the Lesser Hall is not used, other than for passive activities. This would significantly reduce a potential risk to the Shire and hall patrons.”*

8.4.1

FINANCE ITEMS

Item 8.4.1.5 BEVERLEY LESSER HALL CEILING

(Continued)

The photographs of the damaged beams are attached to the report.

I have spoken with Faye Overheu from LotteryWest who has advised that there are grants available for community buildings.

These are several of the options that Council can consider:-

1. Council can apply for a Community Building grant under LotteryWest funding. These grants are assessed on a rolling basis.
2. Council can carry out the repairs and use funds from the Building Reserve.
3. Council has allocated \$60,000.00 to redevelop the front of the hall and these funds could be reallocated for the ceiling repairs with the redevelopment of the front of the hall being deferred until 2010/2011.

OFFICER'S RECOMMENDATION

That Council: -

1. Apply for funding from LotteryWest to carry out the repairs and if unsuccessful utilise the building reserve to fund the repairs;
2. Authorise AE Hoskins to proceed with the ceiling repairs; and
3. Install Air-conditioning to the Lesser Hall as per original design.

COUNCIL RESOLUTION

M35/0909

Moved Cr Ridgway

Seconded Cr Foster

That Council apply for funding from LotteryWest to carry out the repairs to the Lesser Hall ceiling and approach the Heritage Council to enquire as to whether a false ceiling can be installed below the existing structure and whether better acoustics could be incorporated.

CARRIED 8-0

8.4.1 FINANCE ITEMS

SUBMISSION TO:	September Council Meeting 22 September 2009
AGENDA ITEM:	8.4.1.6
REPORT DATE:	15 September 2009
SUBJECT:	REQUEST TO ADVERTISE IN SES JOURNAL
FILE REFERENCE:	CA 001
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

Appendix 10

BACKGROUND

Council has been approached to advertise in the SES Volunteers Journal at a reduced rate of \$225.00 on a page designated for shires.

COMMENT

Whilst Council has not got an SES unit in town the York SES unit comes to Beverley on occasions to assist when required.

There is an allowance for advertising in the 2009/2010 budget of \$5,000.00, which could accommodate the advertising charge of \$225.00, should Council wish to proceed.

RESOLVED that the matter be noted.

8.4.1 FINANCE ITEMS

SUBMISSION TO:	September Council Meeting 22 September 2009
AGENDA ITEM:	8.4.1.7
REPORT DATE:	15 September 2009
SUBJECT:	PERMISSION TO KEEP MORE THAN TWO DOGS AT LOT 184 DEMPSTER STREET, BEVERLEY – MR B MCDONALD
FILE REFERENCE:	LE 004
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

Appendix 11

BACKGROUND

An application has been received from Mr Brian MacDonald requesting permission to keep three (3) dogs at Lot 184 Dempster Street, Beverley. There are two licensed dogs at the property.

COMMENT

It is a requirement of the Beverley Shire Council's Dogs Local Law that the maximum number of dogs that can be kept on a premise within a Townsite is two, unless an exemption is granted by Council under the provisions of section 26(3) of the Dog Act 1976 (as Amended).

The applicant has advised all adjoining neighbours of the request made to Council to house the dogs and have provided correspondence supporting the proposal.

The property at Lot 184 Dempster Street, Beverley and is on 1.8160 Ha and zoned Rural Residential.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

- M36/0909** **Moved Cr Gogol** **Seconded Cr Ridgway**
That Council approve an exemption for keeping three dogs at Lot 184 Dempster Street, Beverley, subject to the following conditions:-
- 1. That the exemption be reviewed in twelve months time to ensure that no adverse problems have been experienced as a result of the exemption.**
 - 2. That Council reserve the right to withdraw the exemption if any major or substantial problems are experienced prior to the review period.**

CARRIED 8-0

8.4.1 FINANCE ITEMS

SUBMISSION TO:	September Council Meeting 22 September 2009
AGENDA ITEM:	8.4.1.8
REPORT DATE:	14 September 2009
SUBJECT:	SCHOOLHOUSE PATCHWORK & QUILTERS GROUP – REQUEST TO USE TOWN HALL MEETING ROOM
FILE REFERENCE:	CP 009
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

Council has received a request from Catharina Turle, on behalf of the Schoolhouse Patchwork and Quilters group, to use the Town Hall meeting room to hold their workshops.

COMMENT

The Schoolhouse Patchwork and Quilters group is made of ladies who get together and make quilts to raise funds for various organizations.

The group has written as follows:-

"I am writing on behalf of the Patchwork group which was established three years ago.

The aims for the group are:

- 1. To expand our group enabling more people in the district to participate.*
- 2. To support our local community, e.g. we have made a quilt for the palliative care unit at the hospital. We are making a wall hanging for the unit at present. We are also in the process of making a quilt for the Men's Shed, which they will raffle and the proceeds will go to the Men's Shed.*
- 3. To support the wider community, e.g. we have made a quilt for Daffodil Day, which is going to be raffled off and the proceeds will go to the Cancer Foundation.*
- 4. To share our quilts with the local and wider community. Several members of the local community have requested a showing of the quilts on a regular basis.*

8.4.1

FINANCE ITEMS

**Item 8.4.1.8 SCHOOLHOUSE PATCHWORK & QUILTERS GROUP
- REQUEST TO USE TOWN HALL MEETING ROOM
(Continued)**

The school and the hospital have been very kind to provide us with some accommodation, but the availability has been very limited and we have not been able to set it up for our own needs. This has prevented us from utilizing the talents of the group and the effectiveness of becoming a bigger force within our community.

We are therefore asking you if we could use the meeting room in the Lesser Hall for no charge and hopefully we can return even more to the community rather than having to make a payment to the Council.

I am hoping that the Council will see this request in a positive light and I am looking forward to hearing from you as soon as possible.”

I have discussed the use of the meeting room with members of the group and I have advised that the room will continue to be used as a meeting room and not solely as a clubhouse, of which they are happy with.

The group run their workshop on Tuesdays from 11:00am to 4:00pm. The reason that it is held on Tuesdays is a number of members come from the Stay on your Feet class (which is run on Tuesday mornings) and they also attract the wives of Men’s Shed members. They also hold a workshop on every second Saturday from 10:00am to 3:00pm.

During discussions I was advised that they have hung their flag in the room and have placed books in the room. I was asked if they would be allowed to hang some works in the room and also place a shelf in the old Lesser Hall Ticket Box that is used to house equipment from the Stay on your Feet group.

I did ask if they do hang works and leave books in the room the room needs to be tidy, plus that the paintings located in the room be arranged so they are still visible.

8.4.1 FINANCE ITEMS
Item 8.4.1.8 SCHOOLHOUSE PATCHWORK & QUILTERS GROUP
- REQUEST TO USE TOWN HALL MEETING ROOM
(Continued)

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

- M37/0909 Moved Cr Roberts** **Seconded Cr Gogol**
That Council:-
- 1. Allow the Schoolhouse Patchwork and Quilters group to use the meeting room on Tuesdays and every second Saturday at no charge.**
 - 2. Permit the hanging of no more than 3 pieces of work.**
 - 3. Permit the installation of a shelf in the Lesser Hall Ticket Box.**
- CARRIED 8-0**

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	September Council Meeting 22 September 2009
AGENDA ITEM:	8.5.1.1
REPORT DATE:	9 September 2009
SUBJECT:	RESTORATION OF WATER COURSE – LOT 50 (REAR OF CARAVAN PARK)
FILE REFERENCE:	HUN L50
AUTHOR:	Chief Executive Officer – Keith Byers

BACKGROUND

For some time Council has been working with the Department of Water to beautify the water course behind the caravan park. This area is privately owned and on 26 August 2008, Council resolved to acquire Lot 50 under Section 52 of the Land Administration Act for the purpose of a Water Reserve.

COMMENT

The acquisition of Lot 50 under Section 52 of the Land Administration Act has proven extremely difficult, as the land is part of the Estate of Henry Edmeades, who died in 1938 aged 100. In accordance with this section Council is required to undertake a realistic search for beneficiaries, an almost impossible task.

A recent visit by the Department of Lands has advised, however that Council should abort the acquiring of Lot 50 under section 52 and request the Department to procure it by taking.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M38/0909 **Moved Cr Ridgway** **Seconded Cr Foster**
That Council request acquisition of Lot 50 on Office of Titles Plan 3259 for the purpose of drainage and this be undertaken by taking if deemed necessary.

CARRIED 8-0

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	September Council Meeting 22 September 2009
AGENDA ITEM:	8.5.1.2
REPORT DATE:	9 September 2009
SUBJECT:	MORBINING HALL RESERVE – RABBIT CONTROL
FILE REFERENCE:	MOR1 23447 & EM 003
AUTHOR:	Chief Executive Officer – Keith Byers

BACKGROUND

On 7 November 2000, Council was granted a Management Order for Reserve 23447 (Morbinning Hall), the purpose being for “Recreation and Landscape Protection”).

The total area of the Reserve is 31.65 hectares of which 8351m² was leased to the Morbinning Gully Catchment Group on 25 November 2003.

COMMENT

On 31 August 2008, an e-mail was received from the adjoining owner of the abovementioned Reserve. Mr S Towler (Upekka Pty Ltd) claims he has lost 6,000 – 7,000 Jam tree seedlings to rabbits from the Reserve.

Although Mr Towler understands the difficulty controlling the rabbits, he has requested compensation in the form of supplying 2,000 Jam tree seedlings as replacement. Should Council not be prepared to accede to Mr Towler’s request, he has indicated he will seek intervention from the Department of Agriculture, so that rabbits are controlled on the Reserve.

COUNCIL RESOLUTION

M39/0909 **Moved Cr Roberts**
That the matter be noted.

Seconded Cr Foster

CARRIED 8-0

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	September Council Meeting 22 September 2009
AGENDA ITEM:	8.5.1.3
REPORT DATE:	10 September 2009
SUBJECT:	FUNDRAISING ASSISTANCE – COMPETITOR 60S AND OVER WA STATE HOCKEY TEAM COMPETITION IN TASMANIA
FILE REFERENCE:	FM 011
AUTHOR:	Chief Executive Officer – Keith Byers

BACKGROUND

Ms Margaret Mourach has advised she has been selected in the 60s and over Western Australian Hockey Team to compete in Tasmania between 30 September 2009 and 11 October 2009.

Ms Mourach is currently fundraising to cover her expenses and is hoping Council will give favourable consideration to making a donation.

COMMENT

Council has no policy in relation to Ms Mourach's request and although there is no specific item within the 2009/2010 budget, an amount of \$5,000 has been allocated to Members Other for Council to utilise at its discretion.

COUNCIL RESOLUTION

M40/0909 Moved Cr Gogol **Seconded Cr McDonald**
That Council congratulate Ms. Mourach upon her selection to the State over sixties hockey team but has declined to make a financial contribution towards the cost of the trip.
CARRIED 7-1

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	September Council Meeting 22 September 2009
AGENDA ITEM:	8.5.1.4
REPORT DATE:	14 September 2009
SUBJECT:	ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR GROUP SCHEME
FILE REFERENCE:	PER 057 & DB 004
AUTHOR:	Chief Executive Officer – Keith Byers

BACKGROUND

On 1 July 2002 the Shires of Beverley and Quairading entered into an Agreement for the purposes of employing and sharing an Environmental Health Officer/Building Surveyor. Although this arrangement has worked extremely well, it has not been in operation since the resignation of Mr Frank Buise in November 2008. The Shire of Quairading has suggested that it be wound up in accordance with Section 18 of the Agreement. *(A copy of the report was provided under separate cover.)*

COMMENT

Both the Shires of Quairading and Beverley are working with the other members of the South East Avon Voluntary Regional Organisation of Councils (SEAVROC) to establish business plans for shared services, including Environmental Health Officers and Building Surveyors with the ultimate goal of purchasing such services.

In the meantime Council has employed Mr Peter Ibbott and Mr Marko Valentini to provide limited assistance with health and building matters, respectively.

It is unlikely there is a future for the Shire of Quairading/Beverley Agreement to continue and it seems logical that it be wound up and assets sold with the proceeds to be split evenly between the two bodies.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M41/0909 **Moved Cr Shaw** **Seconded Cr Gogol**
That the Environmental Health Officer/Building Surveyor Agreement 2002 between the Shires of Quairading and Beverley be wound up, the assets sold and the funds realised from the sale be distributed evenly between the two municipalities.
CARRIED 8-0

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	September Council Meeting 22 September 2009
AGENDA ITEM:	8.5.1.6
REPORT DATE:	14 September 2009
SUBJECT:	BEVERLEY RETIREMENT VILLAGE, HUNT ROAD, BEVERLEY – EMERGENCY SYSTEM
FILE REFERENCE:	CP 033 & HUN 1212
AUTHOR:	Councillor BM Foster

BACKGROUND

A resident at the Retirement Village lay on the floor overnight after suffering a stroke and could not use the phone.

COMMENT

That Council either install an emergency system at the Village or Council could perhaps assist residents in the purchase of same.

COUNCILLOR'S RECOMMENDATION

That Council install emergency call lines to the hospital/police.

COUNCIL RESOLUTION

M43/0909	Moved Cr Gogol That the matter be noted.	Seconded Cr Foster CARRIED 8-0
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8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	September Council Meeting 22 September 2009
AGENDA ITEM:	8.5.1.8
REPORT DATE:	18 September 2009
SUBJECT:	STRUCTURAL REFORM SUBMISSION
FILE REFERENCE:	GOV 013
AUTHOR:	Chief Executive Officer – Keith Byers

BACKGROUND

The Minister for Local Government has requested that by 30 September 2009 each of the 139 local governments in Western Australia make an informed decision on voluntary amalgamation, their preferred regional groupings and the number of elected members required within a range of six to nine. Council is requested to consider the draft Reform Submission (provided under separate cover) and resolve to proceed based on its findings.

The Minister recommended the following tasks and timeframe to allow for an informed view of reforms to be reached.

March/April 2009	Complete Reform Checklist by 30 April 2009. Determine suitable partners for amalgamation. Consider reduction in number of elected members. Establish project team.
April/May 2009	Project team to determine preferred amalgamation structure, appropriate elected member representation. Community consultation.
May/June 2009	Project team to develop Reform Submission.

COMMENT

The Shire of Beverley is an active member of SEAVROC (South East Avon Voluntary Regional Organisation of Councils) comprising the Shires of Brookton, Cunderdin, Quairading and York.

8.5.1

ADMINISTRATION ITEMS

Item 8.5.1.8 STRUCTURAL REFORM SUBMISSION (Continued)

The ultimate goal of SEAVROC is to create a subsidiary entity for SEAVROC, owned by the member local governments to provide common services to each local government while retaining local decision making. This model is considered suitable as it provides for accountability and governance, retention of local identity and autonomy.

The subsidiary entity is intended to provide shared services and back office functions to achieve more sustainable service provision and economies of scale. It will act as an independent consulting/contracting organisation owned and controlled by the member local governments.

The SEAVROC scenario reflected Council's position on structural reform since the beginning of the Systemic Sustainability Study (SSS) implementation. However further developments have taken place since the Minister for Local Government announced in February 2009 of the need for local governments to progress reform in a more rapid time frame.

At the Local Government Convention held in Perth between Thursday 6 and Saturday 8 August 2009, the State Government's position on structural reform became clearer than what had been announced in the past. It was clearly stated by the Premier, the Minister for Local Government and the Minister for Regional Development that the Government wants major reform and a significant reduction in the number of local governments in Western Australia and that the status quo in submissions was not an option. Further to these comments, a failure by local governments to embrace the reform process will see decisions made for them that may not be in their best interests.

The work undertaken by SEAVROC would support a seamless transition into amalgamations through the subsidiary process, however as the end result will still be amalgamations it may be more expedient and effective to move straight into the merger phase.

It is not considered realistic or viable for the Shire of Beverley to make a submission based on it remaining a stand-alone local government and every effort should be made to determine suitable partners to combine with in the best interest of existing and future residents in the locality of the region.

8.5.1 ADMINISTRATION ITEMS
Item 8.5.1.8 STRUCTURAL REFORM SUBMISSION
(Continued)

OFFICER'S RECOMMENDATION

That Council endorse the Structural Reform submission and authorise that the document be forwarded to the Minister and the Department of Local Government prior to 30 September 2009.

COUNCIL RESOLUTION

M45/0909 Moved Cr Foster **Seconded Cr Roberts**
That Council endorse the draft Structural Reform submission with amendments and authorise that the document be forwarded to the Minister and the Department of Local Government prior to 30 September 2009.

CARRIED 7-1

8.5.2 INFORMATION BULLETIN REPORT – CHIEF EXECUTIVE OFFICER

The Chief Executive Officer provided an Information Bulletin Report under separate cover.

COUNCIL RESOLUTION

M46/909 Moved Cr Foster **Seconded Cr Roberts**
That the Chief Executive Officer’s Information Bulletin Report, be received.

CARRIED 8-0

9. INFORMATION BULLETIN – GENERAL SECTION

The September Information Bulletin was provided under separate cover.

COUNCIL RESOLUTION

M47/0909 Moved Cr Foster **Seconded Cr Gogol**
That the September Information Bulletin, be received.

CARRIED 8-0

10. TABLED CORRESPONDENCE

- DEPARTMENT OF IMMIGRATION & CITIZENSHIP
 - Australian Citizenship Ceremonies Code
- FARMSAFE WA
 - Update – July/August 2009
- WESTERN COUNCILLOR
 - Issue 30 – August 2009
- ABOUT THE HOUSE
 - Issue 38 – September 2009
- AUSTRALIAN RED CROSS
 - The Humanitarian – Issue 10 – August 2009
- HERITAGE COUNCIL
 - Heritage Matters – Issue 29 – September 2009

11. OTHER BUSINESS

Nil.

12. CLOSURE

There being no further business the meeting closed at 4:21pm.

I hereby certify these Minutes as being confirmed in accordance with Section 5.26 of the Local Government Act 2695.

Presiding Member

Date