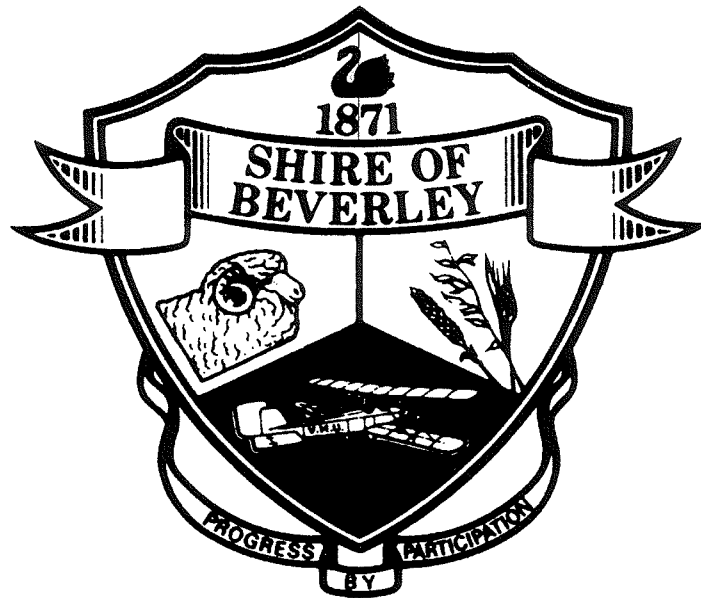


ORDINARY COUNCIL

MEETING

MINUTES



28 JULY 2009

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MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON TUESDAY 28 JULY 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	

Apologies

Nil.

Leave of Absence

Nil.

3. PUBLIC QUESTION TIME

Council had no visitors for public question time.

Mr Peter Wright, Shire Planner, and Ms Caroline Stokes from the National Trust entered the meeting.

Caroline gave a presentation to Council in regard to the National Trust's proposed restoration works at the Old Police Quarters Buildings in Bartram Street.

4. CONDOLENCES

HICK	Charles Mark (Mark)	4 July 2009
HASTINGS	Gregory Phillip	18 July 2009
MATTHEWS	Daphne Eleanor	20 July 2009
ETHERIDGE	Gladys	23 July 2009

5. APPLICATIONS FOR LEAVE OF ABSENCE

Cr Gogol applied for Leave of Absence from meetings throughout the month of August 2009.

RESOLVED that Councillor Gogol’s request for Leave of Absence from meetings throughout the month of August 2009, be approved.

6. CONFIRMATION OF MINUTES AND BUSINESS ARISING

6.1 Minutes of the Council Meeting held in the Council Chambers on Tuesday 23 June 2009

COUNCIL RESOLUTION

**M1/0709 Moved Cr Roberts Seconded Cr Gogol
That the Minutes of the Ordinary Meeting of Council held in Council Chambers on Tuesday 23 June 2009, as printed, be confirmed.**

CARRIED 8-0

BUSINESS ARISING

Old Printing Press Restoration Works

An inspection of the old printing press has been carried out and it was considered it probably was not suitable for restoration works.

6.2 Notes of the Strategic Planning Workshop held in the Council Chambers on Wednesday 1 July 2009

Appendix 1

RESOLVED that the Notes of the Strategic Planning Workshop held in the Council Chambers on Wednesday 1 July 2009, as printed, be received.

6.3 Minutes of the Independent Living Units Project Team Meeting held in the Council Chambers on Monday 20 July 2009

Appendix 2

COUNCIL RESOLUTION

**M2/0709 Moved Cr Roberts Seconded Cr Gogol
That the Minutes of the Independent Living Units Project Team Meeting held in the Council Chambers on Monday 20 July 2009, as printed, be received.**

CARRIED 8-0

**6. CONFIRMATION OF MINUTES AND BUSINESS ARISING
6.3 Minutes of the Independent Living Units Project Team Meeting
(Continued)**

BUSINESS ARISING

RESOLVED that Council send letters of appreciation to Mr John Lane and Mr Pat Curtin for their contribution to the Independent Living Units Project.

COUNCIL RESOLUTION

- M3/0709 Moved Cr Shaw Seconded Cr Roberts
That Council: -**
- 1. Endorse the preparation of a Business Plan for Stage 1 of the Independent Living Units to be built on Lot 121 Dawson Street, Beverley.**
 - 2. Authorise the Chief Executive Officer to appoint a Consultant to prepare a draft of the Business Plan for further consideration by the Project Team and by Council.**
- CARRIED 7-1**

6.4 Minutes of Draft Budget Meeting held in the Council Chambers on Tuesday 21 July 2009

Appendix 3

COUNCIL RESOLUTION

- M4/0709 Moved Cr Foster Seconded Cr Shaw
That the Minutes of the Draft Budget Meeting held in the Council Chambers on Tuesday 21 July 2009, as printed, be confirmed.**
- CARRIED 8-0**

BUSINESS ARISING

Nil.

7. PRESIDENT AND COUNCILLOR REPORTS

7.1 PRESIDENT'S REPORT

Town Hall

The repairs to the Town Hall ceiling are well underway and should be completed by the middle of August.

Whilst all the scaffolding is in place Council has decided to have the interior of the Main Hall repainted.

Unfortunately the structural engineers have now discovered that the ceiling in the Lesser Hall is also in a dangerous condition and are preparing a report of the problems and likely cost of repairs, so that Council can seek financial assistance from the Lotteries Commission.

The structural engineers have also brought to Council's attention the damage being done to the front of the hall by the large pine trees. Consideration is being given to removing the offending trees and replacing them with something more suitable.

Avondale

Progress is finally being made with the transfer of Avondale from the Department of Agriculture and Food to the National Trust. Upon the formalities being completed Council and the Trust will engage on the formalisation of a Memorandum of Understanding about the new management structure and in particular how this unique facility will remain open to the public.

Council will be talking to the various stakeholders in the near future to discuss how the community might be involved.

The Chief Executive Officer advised that the Men's Shed group had indicated that they would be interested in manning the Machinery Display Shed at Avondale.

At 11:19am Mr Keith Byers, Chief Executive Officer left the meeting to invite a representative from the Beverley Men's Shed to attend this Council meeting.

At 11:23am the Chief Executive Officer returned to the meeting and Mr Fred Bremner and Mr Harold Anderson from the Beverley Men's Shed Inc. entered the Chambers.

Council further discussed the manning of the Machinery Museum and Homestead at Avondale on weekends.

On behalf of the Men's Shed Mr Bremner and Anderson offered that the group would man the Machinery Museum and Homestead at Avondale Discovery Farm on a voluntary basis on weekends, throughout the month of August 2009 from 10am until 4pm.

7. PRESIDENT AND COUNCILLOR REPORTS

7.1 PRESIDENT'S REPORT

Avondale

(Continued)

The Shire President Cr Jim Alexander, on behalf of Council, thanked them for the generous offer.

At 11:34am Mr Bremner and Anderson left the meeting.

COUNCIL RESOLUTION

M5/0709 Moved Cr Foster Seconded Cr Roberts
That the offer from the Beverley Men's Shed Inc. to man the Machinery Museum and Homestead at Avondale between 10am and 4pm on weekends throughout the month of August 2009 on a voluntary basis, be accepted, and that any donations collected in August be retained by the Beverley Men's Shed.
CARRIED 8-0

RESOLVED that Council staff be instructed to clean the toilets and barbecues throughout the month of August 2009, after each weekend.

RESOLVED that a meeting be arranged with Mr Tom Perrigo, Chief Executive Officer of the National Trust in regards to management of Avondale.

Structural Reform in Local Government

As previously reported the Minister for Local Government has requested all Councils to undertake steps towards structural reform by considering voluntary amalgamation with neighbours, reducing the number of elected representatives and to forming appropriate regional groupings of Councils to assist with the efficient delivery of services.

All Local Governments have until the 31st August 2009, to forward a submission to the Minister on how they intend to undertake these reforms.

7. **PRESIDENT AND COUNCILLOR REPORTS**
7.1 PRESIDENT'S REPORT
Structural Reform in Local Government
(Continued)

At a public meeting held on the 23rd April 2008, Council was instructed by an overwhelming majority not to enter into any amalgamation, but to form an alliance with the Shires of Brookton, Cunderdin, Quirading and York. These Local Governments currently form the South East Avon Voluntary Regional Organisation of Councils (SEAVROC). This advice has been heeded and all SEAVROC Councils are requesting changes to legislation so that a Regional Subsidiary can be formed to offer a range of shared services. This will mean that local identity and decision making will be retained whilst delivering real benefits to the community.

A meeting has been held with the Shires of Brookton, Pingelly and Wandering to contemplate an amalgamation, but this is not Council's preferred option. Council would be delighted to receive additional input.

COUNCIL RESOLUTION

M6/0709 Moved Cr Murray **Seconded Cr Roberts**
The Shire President and the Chief Executive Officer arrange a meeting with Mr Dominic Carbone to assist in preparing Beverley's Submission on Structural Reform. The submission be presented at the August meeting.

CARRIED 8-0

Retirement Village

Council is continuing to investigate the concept of building units for retirees on a "lease for Life" basis.

A favourable legal opinion has been obtained and a business plan will be developed in the near future.

I would also like to thank all those who have expressed an interest in leasing a unit should the project reach fruition.

Four Year Plan for the Future

Council will be inviting Submissions in relation to its Four Year Plan for the Future. Submissions will close on Friday 14 August 2009.

COUNCIL RESOLUTION

M7/0709 Moved Cr Foster **Seconded Cr Roberts**
That the President's Report, be received.

CARRIED 8-0

7.2 COUNCILLOR REPORTS

Cr Gogol

Independent Living Units

Cr Gogol advised that the City of Bayswater had provided a copy of an Independent Living Unit Lease Agreement for Council's perusal.

Cr Ridgway

IGA Building Mural

Cr Ridgway advised that the Beverley Art Gallery Society had received an offer of painting of a mural on the IGA building wall, facing the car park.

RESOLVED that Council grants permission for the Beverley Art Gallery Society to go ahead with the offer for a mural to be created on the wall of the IGA building, facing the car park, subject to approval of the design by Council's Shire Planner.

COUNCIL RESOLUTION

M8/0709

Moved Cr Shaw

That the Councillors' Reports, be received

Seconded Cr Gogol

CARRIED 8-0

At 12:30pm Council adjourned for lunch.

At 1:45pm the meeting reconvened without Cr Ridgway.
Mr Peter Wright, Shire Planner, entered the meeting.

8. OFFICERS' REPORTS

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	July Council Meeting 28 July 2009
AGENDA ITEM:	8.1.1.1
REPORT DATE:	14 July 2009
SUBJECT:	DEVELOPMENT APPLICATION – STAGE AND ANCILLARY DEVELOPMENT – 122 (LOT 426) VINCENT STREET, BEVERLEY
APPLICANT:	Ann Rayner
FILE REFERENCE:	VIN 50049
AUTHOR:	Shire Planner – Peter Wright

Appendix 4

BACKGROUND

An application for development approval has been received for the construction of a Stage and ancillary development at the Beverley Railway Station, 122 (Lot 426) Vincent Street, Beverley. The relevant land use classification for the proposal is Club Premises.

The subject site is 4205m² in area, zoned Railway Reserve and contains various buildings. The existing buildings are listed on the Shire of Beverley's Municipal Heritage Inventory and the State Register of Heritage Places. Current uses for the site include car parking and an Art Gallery.

COMMENT

The proposed development is an addition to an area within the centre of Beverley Town that appears to be developing into a Cultural Precinct. In the opinion of staff the proposal will provide substantial social benefit to Beverley. The provision of a dedicated Stage for outside performances will provide entertainment options that currently do not exist. A further benefit will be the development and activation of a generally degraded area in the centre of Town outside of business hours. This is anticipated to significantly enhance public security and safety within the area.

8.1.1

TOWN PLANNING ITEMS

ITEM 8.1.1.1

DEVELOPMENT APPLICATION

– STAGE AND ANCILLARY DEVELOPMENT

– 122 (LOT 426) VINCENT STREET, BEVERLEY

(Continued)

Under the Shire of Beverley's Town Planning Scheme No. 2 (TPS 2), when Council considers an application for development approval on reserved land, Council must have regard for the ultimate purpose of the land.

Although the Railway Station is no longer functional, it may be considered the purpose of the Reserve is for public gatherings. As both the existing and proposed land uses are regarded as Club Premises and are consistent with the public use of the land, it is recommended Council consider the application complies with the ultimate purpose of the Reserve.

Referral of the application to the Heritage Council and Westnet Rail, as required by TPS2, was conducted by the applicant. Both agencies supported the proposal and provided comment on requirements. With regard to Westnet Rail the requirements are for the proposed building to be in line with existing buildings and the platform is to be fenced in line with existing fencing. Should Council approve the application, it will be recommended that WestNet requirements be incorporated as conditions of approval. The Heritage Council comments generally relate to a level of design detail that is beyond the Shire's Heritage assessment capability. Should Council approve the application it will be recommended the applicant be advised that compliance with Heritage Council comments is required.

The application was referred to the only adjoining privately owned and/or operated property, the IGA Supermarket. The owner of the Supermarket provided comment that the only concern was potential security breaches that may be caused by the dividing fence. To address the adjoining landowner's concern, should Council approve the application, it will be recommended security be addressed in consultation with the adjoining property owner, at the applicant's cost, as a condition of approval.

It is proposed to have a maximum of 500 persons attending any individual event, although it is unlikely most events will attract this level of patronage. In the opinion of staff should there be an event that is predicted to attract more than 500 persons, impacts such as car parking and amenity would require further consideration.

8.1.1

TOWN PLANNING ITEMS

ITEM 8.1.1.1

DEVELOPMENT APPLICATION

– STAGE AND ANCILLARY DEVELOPMENT

– 122 (LOT 426) VINCENT STREET, BEVERLEY

(Continued)

Therefore, should Council approve the application, it will be recommended the number of persons attending any individual event be limited to 500, unless prior written approval is obtained from the Shire, as a condition of approval.

Hours of operation are proposed to be between 6pm and 12pm on Fridays, Saturdays and Sundays. Therefore, events conducted on the site will occur when most businesses, particularly nearby businesses, are closed. With regard to amenity, the adjoining landowner has no stated objections and the nearest dwelling is approximately 110 metres from the proposed development. However, even with the substantial distance to the nearest dwelling, noise and activity occurring after 12pm has the potential to impact on resident's amenity. As events occurring outside the proposed hours of operation have the potential to disrupt the orderly operation of the Town Centre and/or impact on amenity, should Council approve the application, it will be recommended the hours of operation are controlled as a condition of approval.

A concern with the hours of operation is the potential safety of persons traversing within or through the site after dark. To address this matter, should Council approve the application, it will be recommended a lighting plan be submitted and approved prior to commencement of use, as a condition of approval.

As events are proposed to occur outside normal business hours, the existing paved car parking areas contained in the Railway Reserves on either side of Vincent Street may be fully utilised for event functions. In addition the adjacent vacant and unpaved Reserve to the north of the proposed development may be used for overflow car parking, if required. After considering existing car parking facilities, should Council approve the application, the provision of further car parking will not be recommended.

Although the boundary fence may be considered substantially higher than would be anticipated in such a location in the centre of Town, the applicant provided the following justification: -

8.1.1

TOWN PLANNING ITEMS

ITEM 8.1.1.1

DEVELOPMENT APPLICATION

– STAGE AND ANCILLARY DEVELOPMENT

– 122 (LOT 426) VINCENT STREET, BEVERLEY

(Continued)

1. The height is required to prevent wind from disturbing the comfort of persons attending events;
2. The height of the fence addresses security concerns such as persons not paying for attendance to an event gaining external access and persons attempting to enter the rear of the Supermarket yard for illegal purposes;
3. Impacts on amenity will be reduced through the fence partially containing within the site, the effects of noise and activity; and
4. The fence as proposed matches the Heritage values of the site.

Given the fence is to the rear of the property and matches the Heritage values of the area, it is the opinion of staff that the fence does not impose an unacceptable external impact on the area. To ensure the fence meets Shire expectations, should Council approve the application, it will be recommended details of the fence be submitted and approved prior to use of the development, as a condition of approval.

To further enhance amenity on the northern boundary and aid in screening the proposed fence, the applicant has proposed the planting of a Cape Lilac tree, which will compliment an existing retained tree. In the opinion of staff landscaping in addition to the proposed trees is required. Such landscaping would complement the development and improve the amenity of a generally degraded area. Should Council approve the application, it will be recommended that landscaping to the satisfaction of the Shire be a condition of approval.

The application to construct a Stage and ancillary development at the Beverley Railway Station, 122 (Lot 426) Vincent Street, Beverley is supported due to: -

- The development will produce entertainment outcomes that provide substantial social benefit to the Shire;
- A degraded area will be revitalised creating a safer and more secure environment;
- An area in the centre of Town will be activated outside of normal business hours; and
- Recommended conditions of approval are anticipated to address amenity and safety concerns.

Therefore it will be recommended the application be approved.

8.1.1 TOWN PLANNING ITEMS
ITEM 8.1.1.1
DEVELOPMENT APPLICATION
– STAGE AND ANCILLARY DEVELOPMENT
– 122 (LOT 426) VINCENT STREET, BEVERLEY
(Continued)

STATUTORY ENVIRONMENT

Subject to Council consideration as discussed above, the application complies with the Shire of Beverley's Town Planning Scheme No. 2.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M9/0709 Moved Cr Foster **Seconded Cr Gogol**
That Council grant Planning Approval for the construction of a stage and ancillary development at the Beverley Railway Station, 122 (Lot 426) 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. The development complying with setbacks and any other details and amendments marked in red and shown on the approved plans.
4. In relation to building on the platform, the proposed building is to be in alignment with the existing building.
5. The safety fence on the platform is to extend to the northern wall of the proposed change rooms in same alignment as the existing fence.

8.1.1 TOWN PLANNING ITEMS

ITEM 8.1.1.1

DEVELOPMENT APPLICATION

– STAGE AND ANCILLARY DEVELOPMENT

– 122 (LOT 426) VINCENT STREET, BEVERLEY

(Continued)

6. The safety fence on the platform is to match the colour, style and height of the existing fence.
7. A Schedule of Colours and Finishes is to be submitted and approved prior to the issue of a Building License, to the satisfaction of the Shire Planner.
8. Boundary fence plans shall be submitted and approved by the Shire's Planning Department prior to the commencement of use.
9. The applicant shall construct the boundary fence on the western boundary in such a manner as to prevent unapproved access into the rear yard of adjoining Lot 124 Vincent Street, Beverley. (See Advice Note 4.)
10. No more than 500 persons shall be on the site at any one time, without the prior written approval of the Shire.
11. The hours of operation shall be 6pm to 12pm on Fridays, Saturdays and Sundays, unless prior written approval is obtained from the Shire.
12. A lighting plan shall be submitted and approved prior to commencement of use. (See Advice Note 5.)
13. A landscaping plan for the landscaping of the area north of the northern boundary fence is to be submitted and approved prior to the commencement of use, to the satisfaction of the Shire Planner. (See Advice Note 6.)
14. Approved landscaping to be installed prior to the commencement of use, to the satisfaction of the Shire Planner.
15. Approved landscaping is to be maintained to the satisfaction of the Shire.

8.1.1 TOWN PLANNING ITEMS
ITEM 8.1.1.1
DEVELOPMENT APPLICATION
– STAGE AND ANCILLARY DEVELOPMENT
– 122 (LOT 426) VINCENT STREET, BEVERLEY
(Continued)

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. The applicant is advised the development must comply with all requirements of the Heritage Council and the applicant must obtain Heritage Council approval, prior to commencement of construction.
4. With regard to Condition 9, the applicant is advised to discuss fence requirements with the owner of Lot 124 Vincent Street, Beverley.
5. With regard to Condition 12, the applicant is advised the lighting plan must address patrons' safety between sunset and the time the venue is closed.
6. With regard to Condition 13, the landscape plan is to include the location and species of plantings, details of mulch and reticulation and a timeframe for planting.

CARRIED 7-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	July Council Meeting 28 July 2009
AGENDA ITEM:	8.1.1.2
REPORT DATE:	15 July 2009
SUBJECT:	SUBDIVISION APPLICATION – BEVERLEY SHOWGROUNDS
APPLICANT:	Scanlan Surveys Pty Ltd
FILE REFERENCE:	PL140218
AUTHOR:	Shire Planner – Peter Wright

Appendix 5

BACKGROUND

The Western Australian Planning Commission has referred to the Shire a subdivision/amalgamation application for combining various Lots comprising the bulk of the Beverley Showgrounds, into four Lots. The subject sites are zoned Recreation and Open Space and are currently being used for community purposes.

COMMENT

The primary purpose of the application is to rationalise the Showground Lots to allow for future development of the Showgrounds. Currently a “Master Plan” is being formulated by the Shire to guide development on the site. The application is consistent with the concept of the Master Plan.

The application will also create separate Lots for a Department of Water Pumping Station and the Beverley Tennis Club. Both of these organisations have indicated support for the proposal, with the Department of Water stating that the creation of an individual Lot for the Pumping Station is essential.

The final Lot being created is a small, orphaned section of land that will be used for Public Open Space.

Approval of the application will substantially enhance the Shire of Beverley’s ability to plan community development and aid in the provision of an essential piece of Department of Water infrastructure.

STATUTORY ENVIRONMENT

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

8.1.1 TOWN PLANNING ITEMS
ITEM 8.1.1.2
SUBDIVISION APPLICATION
– BEVERLEY SHOWGROUNDS
(Continued)

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M10/0709 Moved Cr Foster **Seconded Cr Gogol**
That Council recommend to the Western Australian Planning Commission that application WAPC No. 140218 for the subdivision and amalgamation of Lots 1, 17-24, 21-28, 33, 34, 31, 32, 13-18, 26, 27, 30, 19 and 12 at the Beverley Showgrounds, be approved subject to the following condition: -

- 1. Structures proposed to be retained are to be compliant with the requirements and provisions of the Shire of Beverley's Town Planning Scheme No. 2.**

CARRIED 7-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	July Council Meeting 28 July 2009
AGENDA ITEM:	8.1.1.3
REPORT DATE:	1 July 2009
SUBJECT:	SUBDIVISION APPROVAL – LOT 3 BREMNER (LANGSFORD) ROAD, BEVERLEY – CONDITION 1
APPLICANT:	T McLean
FILE REFERENCE:	PL138365
AUTHOR:	Shire Planner – Peter Wright

Appendix 6

BACKGROUND

The Western Australian Planning Commission (WAPC) has granted conditional approval for a Rural Residential Subdivision at Lot 3 Bremner (Langsford) Road, Beverley. Condition 1 of the approval states: -

“Arrangements being made with the local government for the upgrading and/or construction for Langsford Street to the specification of the Local Government.”

The applicant requests clarification of the amount of contribution required for the upgrading and construction for Langsford Street, to satisfy the condition of approval.

COMMENT

To service proposed Lot 1 and provide direct road access, Langsford Street is required to be extended. As the extension to Langsford Street services only Lots created through the applicant's subdivision, it will be recommended the applicant pay the full cost of construction and sealing any extension to the Street.

The constructed portion of Langsford Street is to be sealed under the 2009/2010 works budget. The creation of an additional 10 Lots on Langsford Street will substantially increase the amount of traffic using the street. Therefore it may be considered that as the applicant's subdivision partially creates the requirement for the upgrade, the applicant should provide a proportional contribution to the upgrade.

There will be 16 Lots which have direct road frontage to the upgraded section of Langsford Street. Of these Lots 56% (9) are to be created by the applicant. For ease of accounting it will be recommended the applicant's contribution be 50% of the cost of the upgrade of Langsford Street.

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.3

SUBDIVISION APPROVAL

– LOT 3 BREMNER (LANGSFORD) ROAD, BEVERLEY

– CONDITION 1

(Continued)

STATUTORY ENVIRONMENT

Requirements for the satisfaction of the condition are to be determined by the Shire of Beverley. The approval is granted by the WAPC under Part 10 of the Planning and Development Act 2005.

At 2:02pm Cr Ridgway returned to the meeting.

OFFICER'S RECOMMENDATION

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 is to be extended to the northern boundary of proposed Lot 1.
2. The extension to Langsford Street is to be constructed and sealed to the Shire's satisfaction at the applicant's cost only.
3. The applicant is to contribute 50% of the cost of upgrading and sealing the constructed portion of Langsford Street.

COUNCIL RESOLUTION

M11/0709 Moved Cr Gogol

Seconded Cr McDonald

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 8-0

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	July Council Meeting 28 July 2009
AGENDA ITEM:	8.1.1.5
REPORT DATE:	8 July 2009
SUBJECT:	RELOCATED SECOND-HAND BUILDINGS – POLICY NO. 10 – FINAL ADOPTION – SHIRE OF BEVERLEY’S TOWN PLANNING SCHEME NO. 2
APPLICANT:	Shire of Beverley
FILE REFERENCE:	DB 006
AUTHOR:	Shire Planner – Peter Wright

Appendix 8

BACKGROUND

At its 28 April 2009 meeting Council resolved:

“That Council seek to amend Town Planning Scheme Policy No. 9 – “Relocated Second-Hand Buildings” to reflect the true costs of the Building Surveyor inspecting these buildings prior to them entering Beverley, and this amended Policy be presented to the May meeting.”

In compliance with Council’s resolution Draft Town Planning Scheme Policy No. 10 Relocated Second-Hand Buildings, was presented to Council on 26 May 2009 for consideration. At this meeting Council resolved:

- “1. That Council initiate a new Relocated Second-Hand Buildings Policy for the purpose of amending Town Planning Scheme Policy No. 9 Relocated Second-Hand Buildings.*
- 2. That the Shire Planner be instructed to advertise the amended Policy in compliance with the provisions of Clause 7.6 of the Shire of Beverley’s Town Planning Scheme No. 2.*
- 3. That Council include an additional provision to part 7 of the Policy which reads: -*

Should the development have commenced prior to the granting of Planning Approval, including the relocation of the building into the Shire and/or onto the site, the Planning Fee penalty prescribed in the current Town Planning Fees Regulations, shall apply.”

The Policy is now presented to Council for final adoption.

8.1.1

TOWN PLANNING ITEMS

Item 8.1.1.5

RELOCATED SECOND-HAND BUILDINGS – POLICY NO. 10

– FINAL ADOPTION

SHIRE OF BEVERLEY'S TOWN PLANNING SCHEME NO. 2

(Continued)

COMMENT

The Policy was advertised in compliance with Clause 7.6a) of the Shire of Beverley's Town Planning Scheme No. 2. No submissions were received.

As no submissions were received and the modification of the Policy will aid in the recovery of the true cost of assessing applications, it will be recommended the proposed Policy be granted final adoption.

STATUTORY ENVIRONMENT

Final adoption by Council is required under Clause 7.6b) of the Shire of Beverley's Town Planning Scheme No. 2.

OFFICER'S RECOMMENDATION

That Council grant final adoption to Town Planning Scheme Policy No. 10 Relocated Second-Hand Buildings, as attached, and instruct the Shire Planner to advertise the final adoption in compliance with Clause 7.6(c) of the Shire of Beverley's Town Planning Scheme No. 2.

RESOLVED that the item lay on the table until the August 2009 Council meeting.

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	July Council Meeting 28 July 2009
AGENDA ITEM:	8.1.1.6
REPORT DATE:	22 July 2009
SUBJECT:	SUBDIVISION APPLICATION (AMALGAMATION) – LOTS 24 & 25 GREAT SOUTHERN HIGHWAY, KOKEBY
APPLICANTS:	Brook & Marsh Pty Ltd
FILE REFERENCE:	PL140298
AUTHOR:	Shire Planner – Peter Wright

Appendix 9

BACKGROUND

The Western Australian Planning Commission (WAPC) has forwarded, for Council's comment, an application for the amalgamation of Lots 24 and 25 Great Southern Highway, Kokeby. The subject lots are zoned Farming and are both 1012m² in area. Amalgamation will create a new lot of 2024m².

COMMENT

The subject lots form part of a grouping of lots previously sold by Anglo Estates in the Kokeby locality. Various matters concerning urban development have been identified by the Shire in relation to these lots. Matters of particular concern are: -

- No reticulated water supply exists in the locality and due to the distance to existing mains at Beverley and Brookton, it is unlikely that a scheme water supply will be provided in the future.
- Although the amalgamation would produce a lot of sufficient size for on-site effluent disposal, the existing soil types suggest that the provision of on-site effluent disposal is inappropriate. The only appropriate long-term solution is the provision of a sewerage scheme.
- In relation to the previous point no sewerage scheme is proposed for the area.
- The lots are outside the Kokeby Townsite and therefore urban development is considered inappropriate.
- The area is zoned Farming, therefore urban development is inconsistent with the planning objectives for the area.

8.1.1

TOWN PLANNING ITEMS

Item 8.1.1.6

SUBDIVISION APPLICATION (AMALGAMATION) – LOTS 24 & 25 GREAT SOUTHERN HIGHWAY, KOKEBY (Continued)

The applicant has stated the purpose of the amalgamation is to continue to use the lot as vacant land. However, in the opinion of staff, the proposal would create an increased expectation of development potential. As such amalgamation would result in a small, un-serviced residential lot in a Farming zone. This may be considered to be inconsistent with the prevailing rural amenity of the area and produce an undesirable impact on the orderly and proper planning for the Kokeby locality. Approval of the application may also set an undesirable precedent for other small un-serviced lots in the area as demonstrated by Western Australian Planning Commission (WAPC) approval of a similar proposal.

When approving a similar proposal on adjacent lots against the recommendation of Council (WAPC No. 137677), the WAPC advised the Shire: -

“The Western Australian Planning Commission’s approval to amalgamate should not imply that it supports residential development within the Mount Kokeby Townsite.”

Since the approval by the WAPC the Shire has had enquiries relating to residential development. After staff advised the enquirers that development was not supported by the Shire, the applicant and the owner of the lots contacted staff and expressed the opinion that WAPC approval supported residential development. The applicant then expressed the opinion that any refusal of a residential development proposal by the Shire would not be supported in the State Administrative Tribunal (SAT). It is the opinion of staff that the Shire’s position is justifiable and would be supported by the SAT.

Council’s position historically with regard to development and/or amalgamation of lots formally owned by Anglo Estates has consistently been one of non-support.

STATUTORY ENVIRONMENT

The proposed lot is zoned Farming under Town Planning Scheme No. 2 (TPS 2) and is within the Be2 policy area of the District Rural Strategy.

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.6

SUBDIVISION APPLICATION (AMALGAMATION) – LOTS 24 & 25 GREAT SOUTHERN HIGHWAY, KOKEBY (Continued)

TPS 2 states proposals in a Farming zone are to be consistent with the continued viability of agricultural production, ancillary to agricultural activity or are required to service the travelling public or tourists. In policy area Be2 under TPS 2, subdivision and development will not be supported for proposals which are inconsistent with the continued use of the land for productive agricultural purposes. All proposals must also demonstrate the following: -

- How land use, land management and environmental issues will be addressed;
- How the proposal relates to the continuing operation of existing adjoining agricultural land use and the District Rural Strategy;
- How land conservation, vegetation protection and rehabilitation issues affecting the land are to be addressed;
- The provision of services and water to the site; and
- How fire prevention and fire suppression will be addressed on the site.

The proposal is inconsistent with the aims and requirements of Town Planning Scheme No. 2. This includes failing to supply information addressing the issues relating to the capability of the land to be developed and the integration of the lot with the surrounding area.

Table 2 of TPS 2 provides for minimum setback distances within a Farming zone of 15 metres from the street and 10 metres from the side and rear boundaries. As the size of the proposed lot is to be 50 metres deep by 40 metres wide, a de-facto building envelope would be created which would be 25 metres by 20 metres. Whilst it may be possible to construct a dwelling within the size constraints, the resulting built form may be considered neither desirable nor practical.

Approval of the application would create a lot which would have limited or no development potential under TPS 2 and is inconsistent with the planning objectives for the area.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M13/0709

Moved Cr Shaw

Seconded Cr Gogol

That Council recommend to the Western Australian Planning Commission that the amalgamation of Lots 23 and 22 Great Southern Highway, Kokeby, be refused for the following reasons: -

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.6

**SUBDIVISION APPLICATION (AMALGAMATION) – LOTS 24 & 25
GREAT SOUTHERN HIGHWAY, KOKEBY
(Continued)**

1. The proposal is for vacant land of a Townsite lot size, which is a residential land use and therefore inconsistent with the objectives of the Farming zone;
2. The application is outside the Kokeby Townsite;
3. The application is inconsistent with the District Rural Strategy;
4. The application does not comply with the provisions of the Shire of Beverley's Town Planning Scheme No. 2;
5. The application fails to address the information requirements of Town Planning Scheme No. 2;
6. The application does not support the continued agricultural viability of the land, is not ancillary to agricultural uses and does not support the travelling public or tourists, as required under Town Planning Scheme No. 2;
7. The application is inconsistent with the planning objectives for the area;
8. The lot is not serviced by potable water or sewerage and the soil type makes on-site effluent disposal inappropriate;
9. No alternative potable water supply has been identified;
10. Setback requirements under Town Planning Scheme No. 2 for a Farming zone would create an undesirable built form outcome;
11. Approval of the application would set an undesirable precedent for the area; and
12. The application is inconsistent with the prevailing rural amenity and character of the area.

8.1.1 TOWN PLANNING ITEMS

Item 8.1.1.6

**SUBDIVISION APPLICATION (AMALGAMATION) – LOTS 24 & 25
GREAT SOUTHERN HIGHWAY, KOKEBY
(Continued)**

That: -

Council advise the Western Australian Planning Commission that approval of a similar proposal resulted in considerable residential development expectation by the applicant and landowner in direct contrast to Western Australian Planning Commission advice to the Local Government of: -

“The Western Australian Planning Commission’s approval to amalgamate should not imply that it supports residential development within the Mount Kokeby Townsite.”

The Western Australian Planning Commission is requested that should approval be granted against the recommendation of the Shire of Beverley, the following condition be imposed: -

- 1. Notification in the form of a section 70A notification, pursuant to the Transfer of Land Act 1893 (as amended) is to be placed on the Certificate of Title of the proposed lot advising that residential development is not supported on the lot.**

That Council advise the Western Australian Planning Commission that in compliance with previous Western Australian Planning Commission advice (WAPC No. 137677), the previous condition would be required to prevent unrealistic development expectations.

CARRIED 8-0

8.1.2 INFORMATION BULLETIN REPORT – SHIRE PLANNER

The Shire Planner provided an Information Bulletin Report.

COUNCIL RESOLUTION

M14/0709 Moved Cr Roberts **Seconded Cr Foster**
That the Shire Planner's Information Bulletin Report, be received.
CARRIED 8-0

At 2:55pm Mr Peter Wright, Shire Planner, left the meeting.

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 21 July 2009: -

Lic No: 73 08/ 09
No: Lot 30 Wright St,
Beverley
Building: Shed
Value: \$18,500

Lic No: 74 08/ 09
No: 37 Dawson St,
Beverley
Building: Patio
Value: \$3,730

Lic No: 75 08/ 09
No: Lot 154 Dale Kokeby Rd,
Kokeby
Building: Relocated Transportable
Value: \$135,000

Lic No: 76 08/ 09
No: 1515 Kokendin Rd,
Talbot
Building: Transportable Dwelling
Value: \$70,000

Lic No: 77 08/ 09
No: 265 Dalebin North Rd,
Westdale
Building: Shed
Value: \$80,000

Lic No: 78 08/ 09
No: 1245 York-Williams Rd,
Beverley
Building: Shade House
Value: \$20,000

Lic No: 79 08/ 09
No: 69 Harper St,
Beverley
Building: Shed
Value: \$8,000

Lic No: 1 09/ 10
No: Kit 2 Gt Southern Hwy,
Beverley
Building: Garage Extension
Value: \$2,000

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

Lic No: 2 09/ 10
No: 128 Lukin St,
Beverley
Building: New Residence
Value: \$168,550

COUNCIL RESOLUTION

M15/0709 Moved Cr McDonald **Seconded Cr Shaw**
That the Health & Building Services Information Bulletin Report,
be received.

CARRIED 8-0

At 2:56pm Mr Steve Vincent, Works Supervisor, entered the meeting.

8.3.1 PLANT, WORKS, RECREATION AND TOURISM ITEMS
Nil.

8.3.2 INFORMATION BULLETIN REPORT – WORKS SUPERVISOR

8.3.2.1 GENERAL – PLANT AND WORKS – PARKS & GARDENS TEAM

Plant Report

The Works Supervisor provided a Plant Report.

Rose Pruning and Garden Maintenance

The roses have been pruned and fertilised and the soil turned over.

Street Trees

Under pruning of street trees has been completed on Short Street, Hunt Road, Dawson Street, Elizabeth Street and the northern end of Forrest Street.

Mowing of Grassed Areas

Grassed areas have been mowed around the Oval, Retirement Village, Swimming Pool, behind the Aeronautical Museum, Riverside Park, Apex Park and the Pony Club.

Burning of Debris (Tree Limbs)

Burning of tree limbs along Railway Line, Sewell and Seabrook Streets has been carried out.

Brick Pavers

Removal of bricks in wall behind the Dam.

Cricket Pitch

Fertilised and rolled Cricket Pitch after Family Fun Day.

58 John Street

Tidied up gardens.

Memorial Tap Garden

Assisted with Garden Project.

Poultry Shed

Cleaned out Poultry Shed Stalls.

8.3.2 INFORMATION BULLETIN REPORT – WORKS SUPERVISOR (Continued)

8.3.2.2 CONSTRUCTION TEAM - MAINTENANCE

Grading

Maintenance grading of Dale Kokeby, York-Williams, Edison Mill, Dobaderry, Springhill, Dale Bin North Roads. Grading has been held up due to rain. Rubbish tip road is in a bad state and will need gravel when drier. Weather permitting the trial on Dale Kokeby Road will happen on 28th or 29th July. 1 km will be done.

Tree Lopping

Due to wet weather we have been tree lopping in Bartram and Horley Streets and Aikens Road.

Clearing

The area behind Masonic Lodge has been cleared.

The intersection of Kokendin and Talbot West Road has been cleared ready for T Section.

Trees

Trees have been pushed up and burnt on Grigson and Langsford Streets.

Road Patching/Guide Posts/Culverts

Road Patching, guide posts, and general cleaning out of culverts are on-going around the district.

Crossovers

Lennard Street crossover, near the School, has been done.

Various private works crossovers are in progress - some held up due to weather.

Railway Crossing

The railway crossing at Dale Kokeby has been cement stabilised by Westrail. The Shire provided gravel and traffic control as private works.

Vincent Street Block

Mr Saville-Wright's block has been cleaned up.

Playground Shade Cover

The shade cover over the play ground has been sent to Northam for repairs (Westarp).

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

Manual Handling Course

All outside staff attended a Manual Handling course.

Gravel

COUNCIL RESOLUTION

M16/0709	Moved Cr Gogol	Seconded Cr Foster
	That Council write to Great Southern Olive Holdings requesting them to allow Council to access gravel from their property for the upgrading of the Dale Kokeby Road.	
		CARRIED 8-0

COUNCIL RESOLUTION

M17/0709	Moved Cr Gogol	Seconded Cr Foster
	That the Works Supervisor's Information Bulletin Report, be received.	
		CARRIED 8-0

At 3:07pm Mr Steve Vincent, Works Supervisor, left the meeting.

8.4.1 FINANCE ITEMS

SUBMISSION TO:	July Council Meeting 28 July 2009
AGENDA ITEM:	8.4.1.1
REPORT DATE:	17 July 2009
SUBJECT:	SCHEDULE OF ACCOUNTS
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

Appendix 10

COMMENT

The Schedule of Accounts for the month of June 2009 is the appendix to this item.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M18/0709	Moved Cr Foster	Seconded Cr McDonald
	That the Schedule of Accounts for the month of June 2009, be received.	

CARRIED 8-0

SUBMISSION TO:	July Council Meeting 28 July 2009
AGENDA ITEM:	8.4.1.2
REPORT DATE:	17 July 2009
SUBJECT:	FINANCIAL STATEMENT FOR THE PERIOD ENDED 30 JUNE 2009
AUTHOR:	Deputy Chief Executive Officer – Stephen Gollan

COMMENT

The Financial Statement for the period ended 30 June 2009 was provided under separate cover.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M19/0709	Moved Cr McDonald	Seconded Cr Foster
	That the Financial Statement for the period ended 30 June 2009, as presented, be received.	

CARRIED 8-0

8.4.1 FINANCE ITEMS

SUBMISSION TO:	July Council Meeting 28 July 2009
AGENDA ITEM:	8.4.1.3
REPORT DATE:	21 July 2009
SUBJECT:	RATES/LEGAL FEES – 2006 – 9 FORREST STREET, BEVERLEY
FILE REFERENCE:	FOR 745
AUTHOR:	Rates Officer – Natalie Ashworth

BACKGROUND

Mr Jaime Sandro Ligueno was issued with Invoices resulting from Rates unpaid at the time of settlement for his property at 9 Forrest Street, Beverley. When settlement occurred it was for two properties and we only advised the Agent about the Rates on one property. Both had Minimum Rates of \$400 and FESA of \$30. One property had been paid in full and the other one had not been paid at all. This left a balance of \$430 plus Interest outstanding of \$32.66. We then received a payment of \$399.48 from the Settlement Agent. In reality without the interest this left a balance of \$30.52 payable not \$513.55. This was an administration error and not noticed until after settlement had occurred. As such the debt was removed from the property and we have attempted to charge Mr Ligueno for this debt. We have continued to send out Statements for this debt, but have not had any response from Mr Ligueno. The Invoices total \$513.55 and have been on our Debtors system since 8 May 2006 and 22 August 2006.

COMMENT

Any debt that is raised against a property stays with that property regardless of any changes of ownership. Unfortunately this did not happen in this case.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M20/0709 Moved Cr Gogol **Seconded Cr McDonald**
That invoices 728 and 1095, relating to Rate Assessment 745 and
amounting to \$462.66 and \$50.89 respectively, be written off.
CARRIED 8-0

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	July Council Meeting 28 July 2009
AGENDA ITEM:	8.5.1.1
REPORT DATE:	21 July 2009
SUBJECT:	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – ANNUAL GENERAL MEETING
FILE REFERENCE:	GR 002
AUTHOR:	Chief Executive Officer – Keith Byers

BACKGROUND

The Annual General Meeting of WALGA is to be held at the Perth Convention Exhibition Centre on Saturday 8 August 2009. Council's delegates for the AGM are Councillors Alexander and Ridgway.

COMMENT

A copy of the various matters for decision are contained within the WALGA AGM Agenda, provided under separate cover, for Council's consideration and direction to Council's delegates on how to vote on the various motions.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M21/0709

Moved Cr Foster

Seconded Cr Roberts

That the Shire President and the Deputy Shire President use their discretion when voting as Council's delegates at the Western Australian Local Government Association Annual General Meeting to be held on 8 August 2009.

CARRIED 8-0

At 3:11pm Cr Foster left the Chambers.

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	July Council Meeting 28 July 2009
AGENDA ITEM:	8.5.1.2
REPORT DATE:	21 July 2009
SUBJECT:	MINING EXPLORATION LICENSES 70/3651 & 70/3652
FILE REFERENCE:	EM 024
AUTHOR:	Chief Executive Officer – Keith Byers

Appendix 11

BACKGROUND

The following Notices of Application for a Mining Exploration License has been received for Council's comment to the Mining Registrar:

Darling Range North Pty Ltd	70/3651
Darling Range North Pty Ltd	70/3652

A copy of the area to be explored is attached.

COMMENT

Council has previously granted these licenses subject to conditions, which form part of the Officer's recommendation to this item.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M22/0709 **Moved Cr Gogol** **Seconded Cr Shaw**
That Council advise the Mining Registrar that Council has no objection to the Application for Mining Exploration Licenses 70/3651 & 70/3652 from Darling Range North Pty Ltd, subject to the following conditions:

1. All service holes filled 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.

8.5.1

ADMINISTRATION ITEMS

**Item 8.5.1.2 MINING EXPLORATION LICENSES 70/3651 & 70/3652
(Continued)**

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

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	July Council Meeting 28 July 2009
AGENDA ITEM:	8.5.1.3
REPORT DATE:	22 July 2009
SUBJECT:	REALIGNMENT OF GREENHILLS SOUTH ROAD – LAND ACQUISITION
FILE REFERENCE:	WO GRE1 36
AUTHOR:	Chief Executive Officer – Keith Byers

BACKGROUND

Council has resolved previously to seal Greenhills South Road. It has been recommended that in the interest of safety, two corners be realigned prior to sealing.

As a result of this decision Council employed the services of F Rodda to peg an alignment to cater for 500 radius for the two curves adjacent to Avon Location 3227, 5269 and 6143. To achieve this, the survey indicated a need to resume 4220m², 2600m² and 3995m² from Avon Locations 3227, 5259 and 6143 respectively. The owner of all locations is MO & MY Sims.

COMMENT

The valuation for the abovementioned land as supplied by the Valuer General is \$8,000.00.

Although I am not suggesting that Council become involved in compulsory acquisition, the procedure for such is that compensation within the appropriate section of the Land Act is that the figure be that provided by an agreed assessor plus 10% i.e. \$8,800.00.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M23/0709 Moved Cr Gogol **Seconded Cr Shaw**
That Council offer MO & MY Sims \$8,800.00 compensation for that portion of Avon Locations 3227, 5259, and 6143 required for the realignment of the Greenhills South Road.

CARRIED 7-0

At 3:14pm Cr Foster returned to the meeting.

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	July Council Meeting 28 July 2009
AGENDA ITEM:	8.5.1.4
REPORT DATE:	22 July 2009
SUBJECT:	BEVERLEY GYMNASIUM
FILE REFERENCE:	RC 004
AUTHOR:	Chief Executive Officer – Keith Byers

Appendix 12

BACKGROUND

At Council's June 2009 meeting it was resolved that the gymnasium at the Court House is temporarily closed as of 1 July 2009, due to the decline in participants.

In the meantime letters have been received from P Gurney, T & M Sippet, G & J Davies and S Ward urging Council to reintroduce the valuable service to the community.

COMMENT

In an endeavour to address the situation Council might consider adopting a similar approach as that of the Shire of York (see attachment); that is by permitting people to access the gymnasium at the Court House as members. There would be no supervision, however persons, after appropriate screening (medical certificate, etc), would be issued with a key. The type of key envisaged would not be able to be copied.

OFFICER'S RECOMMENDATION

The Council permit members to access the Beverley Gymnasium at the Beverley Court House building on similar terms and conditions as that adopted by the Shire of York, subject to advice from the Local Government Insurance Scheme.

COUNCIL RESOLUTION

M24/0709 Moved Cr Gogol **Seconded Cr Shaw**
That Council permit members to access the Beverley Gymnasium at the Beverley Court House building on similar terms and conditions as that adopted by the Shire of York, subject to 12 months trial and advice from the Local Government Insurance Scheme.

CARRIED 8-0

8.5.2 INFORMATION BULLETIN REPORT – CHIEF EXECUTIVE OFFICER
The Chief Executive Officer provided an Information Bulletin Report.

COUNCIL RESOLUTION

M25/0709 Moved Cr Foster **Seconded Cr Murray**
That the Chief Executive Officer's Information Bulletin Report, be received.

CARRIED 8-0

9. INFORMATION BULLETIN

The Information Bulletin was provided under separate cover.

COUNCIL RESOLUTION

M26/0709 Moved Cr Foster **Seconded Cr Murray**
That the July Information Bulletin, be received.

CARRIED 8-0

10. TABLED CORRESPONDENCE

- AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION
 - Budget Submission 2009 - 10
- GOVERNMENT OF WESTERN AUSTRALIA
 - DEPARTMENT OF WATER
 - Water Resource Management Series Report 53 – March 2009
 - Foreshore and Channel Assessment of Monjerducking Gully

11. OTHER BUSINESS
Nil.

12. CLOSURE

There being no further business the meeting closed at 3:20pm.

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

Presiding Member

Date

25TH AUGUST 2009

