

MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON TUESDAY 28 APRIL 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 NF Flood		West 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

3.1 Mrs Gaynor Carter

Town Hall - Ceiling Restoration Works

Mrs Carter enquired of Council as to whether restoration work on the ceiling in the Main Hall had been commenced and whether it would be completed by October this year.

3. PUBLIC QUESTION TIME

3.1 Mrs Gaynor Carter

Town Hall – Ceiling Restoration Works (Continued)

The Deputy Chief Executive Officer advised that there is an item in the agenda for Council to engage a contractor to undertake the remedial works. Once contracts are signed and in place it is anticipated that the works will take approximately 7 weeks to complete.

3.2 Mr Rob Reed

Road Sealing Program

Mr Reed enquired as to the outcome of the Council road inspections and in particular the sealing of Langsford Street.

The Shire President advised that at this stage costings were being prepared for the road works program, which would be part of the budget deliberations.

3.3 Mr Fred Bremner

Old Fire Station Building - Restoration – Beverley Men's Shed Inc.

(File Reference: VIN 1114 & RC 015)

Mr Bremner advised the Heritage Council have given the Beverley Men's Shed permission to repair cracks in the Old Fire Station building and that Mr Terry Robinson will be carrying out these repairs.

Also the Heritage Council have given them permission to paint both the interior and exterior of the building and Mr Bremner enquired as to whether Council was in a position to supply the paint.

The Shire President suggested that the Beverley Men's Shed contact the Shire Maintenance Officer with regard to the supply of paint.

3.4 Mr Fred Bremner

Corellas (File Reference: EM 003)

Mr Bremner advised that he has been in contact with CALM in Merredin regarding the Corellas in Beverley and the damage they are causing throughout town. He advised that he has a damage licence to try to deter these birds and commented that perhaps permission ought to be sought for a professional team to cull the Corellas in Beverley.

Mr Bremner enquired whether Council was aware of how other Shires, who that have come up against this type of problem, have dealt with it.

3. PUBLIC QUESTION TIME
3.4 Mr Fred Bremner
Corellas (Continued)

Cr Flood advised that he was aware of Shires that have obtained a culling licence to deal with this type of problem.

COUNCIL RESOLUTION

M1/0409 Moved Cr Flood Council seek permission from the Department of Environment and Conservation to cull Corellas within the Beverley Townsite. Seconded Cr Foster CARRIED 8-1

3.5 Mr Fred Bremner

Avondale Discovery Farm (File Reference: RC 005)

Mr Bremner advised unfortunately he was unable to attend the public meeting held on Monday 27 April 2009, regarding the future of the Avondale Discovery Farm.

Mr Bremner on behalf of the Beverley Men's Shed Inc advised that the group are prepared to assist with the running of Avondale on a voluntary basis.

Mr Bremner advised that over the years some of the members had donated restored equipment to the Museum Collection at Avondale and on a voluntary basis carry out on-going restoration works on the collection.

The Shire President advised that Council would welcome the idea and suggested that a representative from the Beverley Men's Shed attend the Avondale Annual General Meeting to be held on Thursday 21 May 2009.

4. CONDOLENCES

SEDDON	Lynette Janet	25 March 2009
SING	Robert Alfred	16 April 2009
SAYLE	Robert (Bob)	25 April 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 24 March 2008

COUNCIL RESOLUTION

M2/0409 Moved Cr Foster **Seconded Cr Roberts**
That the Minutes of the Ordinary Meeting of Council held in Council Chambers on Tuesday 24 March 2009, as printed, be confirmed.

CARRIED 9-0

BUSINESS ARISING

Beverley Caravan Park Precinct Business Plan
(File Reference: VIN 1624B)

COUNCIL RESOLUTION

M3/0409 Moved Cr Ridgway **Seconded Cr Roberts**
Council develop a Business Plan for the Beverley Caravan Park Precinct.

CARRIED 9-0

6.2 Minutes of the Recreation Ground Committee Meeting held in the Council Chambers on Tuesday 24 March 2009.

Appendix 1

COUNCIL RESOLUTION

M4/0409 Moved Cr Roberts **Seconded Cr Shaw**
That the Minutes of the Recreation Ground Committee Meeting held in Council Chambers on Tuesday 24 March 2009, as printed, be received.

CARRIED 9-0

BUSINESS ARISING

Recreation Ground – Architect (Item 4) (File Reference: FOR 1623)

COUNCIL RESOLUTION

M5/0409 Moved Cr Murray **Seconded Cr Roberts**
Council endorse the appointment of Adcroft Architects to design a concept plan to provide a new facility at the town oval.

CARRIED 9-0

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

**6.3 Minutes of the Development Services Committee Meeting held in
the Council Chambers on Tuesday 7 April 2009.**

Appendix 2

COUNCIL RESOLUTION

M6/0409 Moved Cr Foster **Seconded Cr Ridgway**
That the Minutes of the Development Services Committee Meeting
held in Council Chambers on Tuesday 7 April 2009, as printed, be
received.

CARRIED 9-0

BUSINESS ARISING

Doctor's Surgery Lawn (Item 4) (File Reference: FOR 91)

COUNCIL RESOLUTION

M7/0409 Moved Cr Murray **Seconded Cr Roberts**
That the lawn area at the Doctor's Surgery be altered in line with
the plan.

CARRIED 9-0

Beverley Caravan Park – Upgrade (Item 4)
(File Reference: VIN 1624B)

COUNCIL RESOLUTION

M8/0409 Moved Cr Foster **Seconded Cr Murray**
That all listed matters in the Minutes of the Development Services
Committee Meeting of 7 April 2009 in regard to the Caravan Park
be referred to budget deliberations.

CARRIED 9-0

**6.4 Minutes of the Aged Care Committee Meeting held in the Council
Chambers on Thursday 9 April 2009.**

Appendix 3

6. **CONFIRMATION OF MINUTES AND BUSINESS ARISING**
6.4 Minutes of the Aged Care Committee Meeting held in the Council Chambers on Thursday 9 April 2009.
(Continued)

COUNCIL RESOLUTION

- M9/0409** **Moved Cr Gogol** **Seconded Cr Shaw**
That the Minutes of the Aged Care Committee Meeting held in Council Chambers on Thursday 9 April 2009, as printed, be received.

CARRIED 9-0

BUSINESS ARISING

Nil.

- 6.5 **Minutes of the Aged Care Committee Meeting held in the Council Chambers on Tuesday 14 April 2009.**

Appendix 4

COUNCIL RESOLUTION

- M10/0409** **Moved Cr Murray** **Seconded Cr Roberts**
That the Minutes of the Aged Care Committee Meeting held in Council Chambers on Tuesday 14 April 2009, as printed, be received.

CARRIED 9-0

BUSINESS ARISING

Grouped Dwellings - Lot 121 Dawson Street, Beverley - Selection of Design Architect (File Reference: LUP 011)

COUNCIL RESOLUTION

- M11/0409** **Moved Cr Foster** **Seconded Cr Ridgway**
That Council endorse Michael Coniglio Architect being appointed to draw-up Concept Plans for Independent Living Units on Lot 121 Dawson Street, Beverley, with a view to these being presented at the May Council meeting.

CARRIED 9-0

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

**6.6 Minutes of the Development Services Committee Meeting held in
the Council Chambers on Tuesday 21 April 2009.**

Appendix 5

COUNCIL RESOLUTION

M12/0409 Moved Cr Foster **Seconded Cr Gogol**
That the Minutes of the Development Services Committee Meeting
held in Council Chambers on Tuesday 21 April 2009, as printed, be
received.

CARRIED 9-0

BUSINESS ARISING

Uniting Cemetery (Item 3) (File Reference: PH 017B)

RESOLVED a decision on planting Coral Gum trees at the Uniting
Cemetery with root barriers be deferred until budget deliberations.

100th Anniversary of Scheme Water Garden Development (Item 3)
(File Reference: CR 006)

COUNCIL RESOLUTION

M13/0409 Moved Cr Flood **Seconded Cr McDonald**
That in accordance with the proposed plan from Mr Adams to
develop the 100th Anniversary of Scheme Water Garden the two
Pine trees referred to, be removed.

CARRIED 8-1

COUNCIL RESOLUTION

M14/0409 Moved Cr Flood **Seconded Cr Foster**
That the plans submitted by James Adams for the 100th
Anniversary of Scheme Water Garden be adopted and the project
proceeded with.

CARRIED 9-0

6. CONFIRMATION OF MINUTES AND BUSINESS ARISING
6.7 Minutes of the Aged Care Committee Meeting held in the Council Chambers on Tuesday 21 April 2009.
(Continued)

6.7 Minutes of the Aged Care Committee Meeting held in the Council Chambers on Tuesday 21 April 2009.

Appendix 6

COUNCIL RESOLUTION

M15/0409 Moved Cr McDonald **Seconded Cr Foster**
That the Minutes of the Aged Care Committee Meeting held in Council Chambers on Tuesday 21 April 2009, as printed, be received.

CARRIED 9-0

BUSINESS ARISING

Nil.

6.8 Minutes of the Finance and Audit Committee Meeting held in the Council Chambers on Tuesday 28 April 2009.

Appendix 7

COUNCIL RESOLUTION

M16/0409 Moved Cr Roberts **Seconded Cr McDonald**
That the Minutes of the Finance and Audit Committee Meeting held in Council Chambers on Tuesday 28 April 2009, as printed, be received.

CARRIED 9-0

BUSINESS ARISING

Auditor's Contract Extension (Motion FA02/0409)
(File Reference: FM 003)

COUNCIL RESOLUTION

M17/0409 Moved Cr Shaw **Seconded Cr Roberts**
That Council engages the service of Greg Froomes Wyllie as Auditors for the Shire of Beverley for a two-year period ending 30 June 2011.

CARRIED 9-0

6. CONFIRMATION OF MINUTES AND BUSINESS ARISING
6.8 Minutes of the Finance and Audit Committee Meeting held in
the Council Chambers on Tuesday 28 April 2009.
(Continued)

Loader Steel Wheels (Motion FA03/0409)

(File Reference: PE 001)

COUNCIL RESOLUTION

M18/0409 Moved Cr McDonald **Seconded Cr Gogol**
That Council negotiate with Mr Karl Morrell on the payment of the
steel wheels for the CAT 920 Front End Loader.
CARRIED 9-0

At 11:12am Mr Peter Wright, Shire Planner, entered the Council Chambers.

7. PRESIDENT'S REPORT

The Deputy Chief Executive and I met with the Chief Executive Officer and the President from the Shire of York to discuss the following matters:

- SEAVROC
- Membership of Tammin to SEAVROC
- Amalgamation
- Work Crew Projects
- Directional Signs
- Information Technology
- Future of Rubbish & Recycling Disposal

The meeting discussed considering the Shires of York and Beverley pooling Royalties for Regions monies to achieve a combined total of \$500,000.00 per year for road works on the York-Williams and West Talbot Roads.

Waste Management (File Reference: WM 004)

You will be aware that SEAVROC has carried out a lot of work on waste disposal and there is a lot of government funding for this, also we need to decide the future of our rubbish tip.

I recommend that the Shire form a Committee with Cr Flood being the Chairperson of the Committee.

7. **PRESIDENT'S REPORTS**
Waste Management
(Continued)

COUNCIL RESOLUTION

M19/0409 Moved Cr Foster **Seconded Cr Gogol**
That Council form a Waste Management Committee with Cr Flood
as Chairperson.

CARRIED 9-0

The President called for nominations from other Councillors to be members of this committee. Councillors Roberts, Gogol and Foster agreed to be on the committee. The Environmental Health Officer will also be a member.

Self-funded Aged Accommodation Units

In addition to our plans for self-funded accommodation units for the elderly, I have asked Mr David Vaughan, Special Projects Officer, to look into the possibility of the Shire being in partnership with the Department of Housing to create rental accommodation for the elderly.

Road Sealing

The road sealing program has been finalised with nearly all the roads that were planned being sealed.

Heavy Haulage Route through Town (File Reference: RO 008)

There is becoming a problem with large trucks in the main street. We need to activate our decision of making DeLisle and Forrest Streets the dedicated heavy vehicle route through town. Farm machinery has also been traversing some of the town streets.

Council has for some time been concerned at the impact of restricted access vehicles travelling past the hospital and in the proximity of the school.

COUNCIL RESOLUTION

M20/0409 Moved Cr Flood **Seconded Cr Roberts**
Council investigate ways of restricting large trucks and farm
equipment from travelling along Vincent Street.

CARRIED 9-0

7. PRESIDENT'S REPORTS
Heavy Haulage Route through Town
(Continued)

COUNCIL RESOLUTION

M21/0409 Moved Cr Foster **Seconded Cr Gogol**
That Council request Main Roads WA to remove the section of Forrest Street, (North of Vincent Street) and the section of John Street (Hunt Road to Forrest Street) from the Restricted Access Vehicle Route and that the signs be removed.
CARRIED 6-3

COUNCIL RESOLUTION

M22/0409 Moved Cr Foster **Seconded Cr Roberts**
That the President's report, be received.
CARRIED 9-0

8. OFFICERS' REPORTS

8.1.1 TOWN PLANNING ITEMS

SUBMISSION TO:	April Council Meeting 28 April 2009
AGENDA ITEM:	8.1.1.1
REPORT DATE:	20 April 2009
SUBJECT:	DEVELOPMENT APPLICATION – CONTAMINATED SITE REMEDIATION – 147–149 (LOTS 55 & 56) VINCENT STREET, BEVERLEY
APPLICANTS:	K Dugmore & L Curtin
FILE REFERENCE:	VIN 812
AUTHOR:	Shire Planner – Peter Wright

Appendix 8

BACKGROUND

The applicant is applying for retrospective Planning Approval for works associated with the remediation of 147 & 149 (Lots 55 & 56) Vincent Street, Beverley (old Barnsley Motors site). The remediation works entail the removal of disused fuel storage tanks and surrounding contaminated soil. Clean fill is proposed to replace the contaminated soil.

Approval is also required for the placement of the contaminated soil on Lot 21286 Lukin Street, Beverley and the subsequent treatment of the soil.

COMMENT

The matter has been referred to the Department of Environment and Conservation (DEC) by the applicant. The DEC have provided written advice that they have no objection to the application. It is therefore considered the proposal will have no negative impact on either public health or the environment.

Remediation of the site will allow for the development of a currently contaminated area in a prominent location. As such a substantial development constraint will be removed, with the proposal potentially being seen as a precursor to further economic development of the location.

It is anticipated the entrance to the townsite of Beverley will obtain substantial aesthetic benefit. To ensure the aesthetic benefit, should Council approve the application, it will be recommended a landscape plan be submitted and approved as a condition of approval.

8.1.1

TOWN PLANNING ITEMS

8.1.1.1 DEVELOPMENT APPLICATION – CONTAMINATED SITE REMEDICATION – 147 – 149 (LOTS 55 & 56) VINCENT STREET, BEVERLEY (Continued)

Given the prominent location of the proposal and its proximity to a footpath, it is considered there may be a potential risk to public safety. Therefore should Council approve the application, it will be recommended the temporary fence remain until the remediation is completed, as a condition of approval.

The contaminated soil is to be relocated to an existing bitumised area at Lot 21286 Lukin Street, Beverley for treatment. The DEC have advised that the proposal for treating the soil is satisfactory, provided the proposal continues to comply with DEC guidelines. As submitted the proposal is unlikely to produce negative environmental or health impacts. Should Council approve the application, it will be recommended that compliance with the applicant's submission to the DEC and appropriate DEC guidelines, be a condition of approval.

The applicant has not submitted a site plan for Lot 21286 Lukin Street, Beverley. The site is currently being used by the Shire for the storage of various road making materials and is adjacent to the Shire land fill facility. Therefore the proposal is considered unlikely to have any impact on external amenity. Should Council approve the application, it will be recommended the submission and approval of an acceptable site plan be a condition of approval.

The application to grant retrospective Planning Approval for the remediation of 147 & 149 (Lots 55 & 56) Vincent Street, Beverley and the relocation and treatment of contaminated soil to Lot 21286 Lukin Street, Beverley, is supported due to:

- The proposal will provide aesthetic and potentially economic benefits to a contaminated site in a prominent location;
- A currently contaminated site will be remediated to allow for future development;
- There are no identified negative environmental or health impacts; and
- The DEC has no objection to the proposal.

Therefore it will be recommended the application be approved.

8.1.1 TOWN PLANNING ITEMS
**8.1.1.1 DEVELOPMENT APPLICATION – CONTAMINATED SITE
REMEDICATION – 147 – 149 (LOTS 55 & 56) VINCENT STREET,
BEVERLEY
(Continued)**

STATUTORY ENVIRONMENT

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

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M23/0409 Moved Cr Shaw Seconded Cr Roberts
That Council grant retrospective planning approval for the remediation of 147 & 149 (Lots 55 & 56) Vincent Street, Beverley and the relocation and treatment of contaminated soil to Lot 21286 Lukin 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. Within 60 days of the date of this approval, the applicant is to submit a landscape plan for the landscaping of the front setback area (refer to Advice Note 2).**
- 4. The temporary fence located on 147 & 149 (Lots 55 & 56) Vincent Street, Beverley, as shown on the submitted plan endorsed by the Shire Planner, is to remain in place and be maintained until such time as the Shire is satisfied the remediation of the site has been completed.**

8.1.1 TOWN PLANNING ITEMS

**8.1.1.1 DEVELOPMENT APPLICATION – CONTAMINATED SITE
REMEDICATION – 147 – 149 (LOTS 55 & 56) VINCENT STREET,
BEVERLEY
(Continued)**

5. The treatment of the contaminated soil on Lot 21286 Lukin Street, Beverley, is to comply with the letter dated 4 April 2009 submitted by GEMEC Pty Ltd to the Department of Environment and Conservation and endorsed by the Shire Planner.
6. The treatment of the contaminated soil on Lot 21286 Lukin Street, Beverley, is to comply at all times with the relevant provisions of the following guidelines:
 - Contaminated Sites Management Series – Bioremediation of hydrocarbon-contaminated soils in Western Australia;
 - Guidelines for the Acceptance of Solid Waste to Landfill;
7. Prior to the location of soil at Lot 21286 Lukin Street, Beverley, a site plan is to be submitted and approved, to the satisfaction of the Shire Planner.

Advice Notes:

1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
2. With regard to Condition 3, the landscape plan is to include details of the location and species of plants, reticulation, mulch and the timing of plantings.
3. The applicant is advised that should the total amount of soil relocated to Lot 21286 Lukin Street, Beverley, exceed 1,000 tonnes, all work should cease until a Pollution Prevention License has been obtained from the Department of Environment and Conservation.

CARRIED 9-0

8.1.1 TOWN PLANNING

SUBMISSION TO:	April Council Meeting 28 April 2009
AGENDA ITEM:	8.1.1.2
REPORT DATE:	21 April 2009
SUBJECT:	DEVELOPMENT APPLICATION – RELOCATED SINGLE DWELLING – LOT 154 DALE - KOKEBY ROAD, KOKEBY
APPLICANTS:	K Steele & S Ralston
FILE REFERENCE:	DAL 1433
AUTHOR:	Shire Planner – Peter Wright

Appendix 9

BACKGROUND

It is proposed to relocate a second hand single dwelling to Lot 154 Dale - Kokeby Road, Kokeby. The subject lot is approximately 101ha in area, zoned Farming, contains an existing outbuilding and some remnant vegetation.

Council's Building Surveyor has not inspected the dwelling.

COMMENT

The proposed dwelling was assessed against and complies with the Shire of Beverley's Town Planning Scheme No.2 (TPS 2). Assessment of the proposal by staff indicates the dwelling will not detrimentally affect the amenity of the area.

Due to the proposed development being a second hand dwelling, the application was assessed against Council's Relocated Second-Hand Buildings Policy No. 9. Should Council approve the application, to comply with Policy No. 9 the following are recommended as conditions of approval:

1. A bond of \$5,000 is to be lodged with the Shire of Beverley to ensure all works, including clearing the site of debris and connecting plumbing and drainage, are completed to the satisfaction of the Shire Building Surveyor and comply with the relevant provisions of the Building Codes of Australia.
2. All works including the provision of verandahs, are to be completed within twelve months from the relocation of the building.

8.1.1

TOWN PLANNING ITEMS

8.1.1.2 DEVELOPMENT APPLICATION – RELOCATED SINGLE DWELLING – LOT 154 DALE - KOKEBY ROAD, KOKEBY (Continued)

3. Certification from a registered pest control company that the building is free from termites.

Council's Relocated Second-Hand Buildings Policy No. 9 requires landscaping in the front setback area. However given the 58 metre front setback and the location of the proposed development in a Farming zoned area, staff recommend that no landscape plan be required.

No potable water supply has been nominated on the submitted plans. Should Council approve the application, it will be recommended a 120,000 litre water tank be installed prior to occupation, as a condition of approval.

As the dwelling has not been assessed by Council's Building Surveyor, should Council approve the application, it will be recommended inspection and approval of the dwelling by Council's Building Surveyor, prior to the dwelling being located on the property, be a condition of approval.

The proposed development has been assessed by staff and it is considered the proposal will have no detrimental impact on amenity in the area. In addition the application generally complies with the TPS 2, with any potential concerns being addressed through conditions of approval. Therefore it will be recommended the application be granted Planning Approval.

STATUTORY ENVIRONMENT

The application may be conditioned to comply with the Shire of Beverley's Town Planning Scheme No. 2 and Council's Relocated Second-Hand Buildings Policy No. 9.

OFFICER'S RECOMMENDATION

That Council grant Planning Approval for the relocation of a single dwelling to Lot 154 Dale – Kokeby Road, Kokeby, subject to the following conditions and advice notes: -

8.1.1

TOWN PLANNING ITEMS

**8.1.1.2 DEVELOPMENT APPLICATION – RELOCATED SINGLE DWELLING – LOT 154 DALE - KOKEBY ROAD, KOKEBY
(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. A bond of \$5,000 is to be lodged with the Shire of Beverley to ensure all works, including clearing the site of debris and connecting plumbing and drainage, are completed to the satisfaction of the Shire Building Surveyor and comply with the relevant provisions of the Building Codes of Australia.
4. All works are to be completed within twelve months from the relocation of the building.
5. Certification from a registered pest control company that the building is free from termites is to be submitted to the Shire of Beverley, prior to the building being relocated to the Shire.
6. As the Water Corporation reticulated sewer is not available the premises are to be connected to an approved wastewater treatment system, which complies with the requirements of the Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations. The approved system is not to be used for disposal of industrial liquid waste or other non-ablution wastes (refer to Advice Note 4).
7. A minimum of 120,000 litres domestic water storage tank or other approved potable water supply and storage facility is to be established with the dwelling, prior to occupation.
8. The dwelling is to be inspected and approved by the Shire Building Surveyor prior to being located on the property.

8.1.1 TOWN PLANNING ITEMS
8.1.1.2 DEVELOPMENT APPLICATION – RELOCATED SINGLE DWELLING – LOT 154 DALE - KOKEBY ROAD, KOKEBY
(Continued)

COUNCIL RESOLUTION

M24/0409 Moved Cr Flood Seconded Cr Roberts
That Council grant Planning Approval for the relocation of a single dwelling to Lot 154 Dale – Kokeby Road, Kokeby, 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 twelve months 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. A bond of \$5,000 is to be lodged with the Shire of Beverley to ensure all works, including clearing the site of debris and connecting plumbing and drainage, are completed to the satisfaction of the Shire Building Surveyor and comply with the relevant provisions of the Building Codes of Australia.**
- 4. All works, including all painting and the provision of verandahs and flashing, is to be completed within twelve months from the relocation of the building.**
- 5. Certification from a registered pest control company that the building is free from termites is to be submitted to the Shire of Beverley, prior to the building being relocated to the Shire.**

8.1.1

TOWN PLANNING ITEMS

**8.1.1.2 DEVELOPMENT APPLICATION – RELOCATED SINGLE DWELLING – LOT 154 DALE - KOKEBY ROAD, KOKEBY
(Continued)**

6. **As the Water Corporation reticulated sewer is not available the premises are to be connected to an approved wastewater treatment system, which complies with the requirements of the Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations. The approved system is not to be used for disposal of industrial liquid waste or other non-ablution wastes (refer to Advice Note 4).**
7. **A minimum of 120,000 litres domestic water storage tank or other approved potable water supply and storage facility is to be established with the dwelling, prior to occupation.**
8. **The dwelling is to be inspected and approved by the Shire Building Surveyor prior to being located on the property.**
9. **Site inspections by the Shire’s Building Surveyor and or Shire Planner, deemed by the Shire to be required for ensuring compliance with conditions of approval, shall be at the applicant’s expense.**

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, in compliance with Council’s Relocated Second-Hand Buildings Policy No.9, the \$5,000 bond is to be lodged with the Shire. Bank or other guarantees are not acceptable.**
4. **With regard to Condition 6, an application is to be submitted to the Council's Environmental Health Section in conjunction with the Building Licence application.**

CARRIED 8-1

8.1.1 TOWN PLANNING

SUBMISSION TO:	April Council Meeting 28 April 2009
AGENDA ITEM:	8.1.1.3
REPORT DATE:	21 April 2009
SUBJECT:	DEVELOPMENT APPLICATION – RELOCATED SINGLE DWELLING – 1515 (LOT 92) KOKENDIN ROAD, TALBOT
APPLICANTS:	P Griffiths & K Edwards
FILE REFERENCE:	KOK 1320
AUTHOR:	Shire Planner – Peter Wright

Appendix 10

BACKGROUND

It is proposed to relocate a second hand single dwelling to 1515 (Lot 92) Kokendin Road, Talbot. The subject lot is approximately 40ha in area, zoned Farming, contains an existing outbuilding and some remnant vegetation.

Council's Building Surveyor has not inspected the dwelling.

COMMENT

The proposed dwelling was assessed against and complies with the Shire of Beverley's Town Planning Scheme No.2 (TPS 2). Assessment of the proposal by staff indicates the dwelling will not detrimentally affect the amenity of the area.

Due to the proposed development being a second hand dwelling, the application was assessed against Council's Relocated Second-Hand Buildings Policy No. 9. Should Council approve the application, to comply with Policy No. 9 the following are recommended as conditions of approval:

1. A bond of \$5,000 is to be lodged with the Shire of Beverley to ensure all works, including clearing the site of debris and connecting plumbing and drainage, are completed to the satisfaction of the Shire Building Surveyor and comply with the relevant provisions of the Building Codes of Australia.
2. All works including the provision of verandahs, are to be completed within twelve months from the relocation of the building.

8.1.1

TOWN PLANNING ITEMS

8.1.1.3 DEVELOPMENT APPLICATION – RELOCATED SINGLE DWELLING – 1515 (LOT 92) KOKENDIN ROAD, TALBOT (Continued)

3. Certification from a registered pest control company that the building is free from termites.

Council's Relocated Second-Hand Buildings Policy No. 9 requires landscaping in the front setback area. However given the substantial front setback and the location of the proposed development in a Farming zoned area, staff recommend that no landscape plan be required.

No potable water supply has been nominated on the submitted plans. Should Council approve the application, it will be recommended a 120,000 litre water tank be installed prior to occupation, as a condition of approval.

As the dwelling has not been assessed by Council's Building Surveyor, should Council approve the application, it will be recommended inspection and approval of the dwelling by Council's Building Surveyor, prior to the dwelling being located on the property, be a condition of approval.

The proposed development has been assessed by staff and it is considered the proposal will have no detrimental impact on amenity in the area. In addition the application generally complies with the TPS 2, with any potential concerns being addressed through conditions of approval. Therefore it will be recommended the application be granted Planning Approval.

STATUTORY ENVIRONMENT

The application may be conditioned to comply with the Shire of Beverley's Town Planning Scheme No. 2 and Council's Relocated Second-Hand Buildings Policy No. 9.

OFFICER'S RECOMMENDATION

That Council grant Planning Approval for the relocation of a single dwelling to 1515 (Lot 92) Kokendin Road, Talbot, subject to the following conditions and advice notes: -

8.1.1

TOWN PLANNING ITEMS

8.1.1.3 DEVELOPMENT APPLICATION – RELOCATED SINGLE DWELLING – 1515 (LOT 92) KOKENDIN ROAD, TALBOT (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. A bond of \$5,000 is to be lodged with the Shire of Beverley to ensure all works, including clearing the site of debris and connecting plumbing and drainage, are completed to the satisfaction of the Shire Building Surveyor and comply with the relevant provisions of the Building Codes of Australia.
4. All works are to be completed within twelve months from the relocation of the building.
5. Certification from a registered pest control company that the building is free from termites is to be submitted to the Shire of Beverley, prior to the building being relocated to the Shire.
6. As the Water Corporation reticulated sewer is not available the premises are to be connected to an approved wastewater treatment system, which complies with the requirements of the Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations. The approved system is not to be used for disposal of industrial liquid waste or other non-ablution wastes (refer to Advice Note 4).
7. A minimum of 120,000 litres domestic water storage tank or other approved potable water supply and storage facility is to be established with the dwelling, prior to occupation.

8.1.1

TOWN PLANNING ITEMS

8.1.1.3 DEVELOPMENT APPLICATION – RELOCATED SINGLE DWELLING – 1515 (LOT 92) KOKENDIN ROAD, TALBOT (Continued)

8. The dwelling is to be inspected and approved by the Shire Building Surveyor prior to being located on the property.

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, in compliance with Council's Relocated Second-Hand Buildings Policy No.9, the \$5,000 bond is to be lodged with the Shire. Bank or other guarantees are not acceptable.
4. With regard to Condition 6, an application is to be submitted to the Council's Environmental Health Section in conjunction with the Building Licence application.

COUNCIL RESOLUTION

M25/0409

Moved Cr Gogol

Seconded Cr Flood

That Council grant Planning Approval for the relocation of a single dwelling to 1515 (Lot 92) Kokendin Road, Talbot, 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 twelve months 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.**

8.1.1

TOWN PLANNING ITEMS

**8.1.1.3 DEVELOPMENT APPLICATION – RELOCATED SINGLE DWELLING – 1515 (LOT 92) KOKENDIN ROAD, TALBOT
(Continued)**

3. A bond of \$5,000 is to be lodged with the Shire of Beverley to ensure all works, including clearing the site of debris and connecting plumbing and drainage, are completed to the satisfaction of the Shire Building Surveyor and comply with the relevant provisions of the Building Codes of Australia.
4. All works, including all painting and the provision of verandahs and flashing, are to be completed within twelve months from the relocation of the building.
5. Certification from a registered pest control company that the building is free from termites is to be submitted to the Shire of Beverley, prior to the building being relocated to the Shire.
6. As the Water Corporation reticulated sewer is not available the premises are to be connected to an approved wastewater treatment system, which complies with the requirements of the Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations. The approved system is not to be used for disposal of industrial liquid waste or other non-ablution wastes (refer to Advice Note 4).
7. A minimum of 120,000 litres domestic water storage tank or other approved potable water supply and storage facility is to be established with the dwelling, prior to occupation.
8. The dwelling is to be inspected and approved by the Shire Building Surveyor prior to being located on the property.
9. Site inspections by the Shire's Building Surveyor and or Shire Planner, deemed by the Shire to be required for ensuring compliance with conditions of approval, shall be at the applicant's expense.

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.

8.1.1

TOWN PLANNING ITEMS

**8.1.1.3 DEVELOPMENT APPLICATION – RELOCATED SINGLE DWELLING – 1515 (LOT 92) KOKENDIN ROAD, TALBOT
(Continued)**

3. With regard to Condition 3, in compliance with Council's Relocated Second-Hand Buildings Policy No.9, the \$5,000 bond is to be lodged with the Shire. Bank or other guarantees are not acceptable.
4. With regard to Condition 6, an application is to be submitted to the Council's Environmental Health Section in conjunction with the Building Licence application.

CARRIED 8-1

8.1.1 TOWN PLANNING

SUBMISSION TO:	April Council Meeting 28 April 2009
AGENDA ITEM:	8.1.1.4
REPORT DATE:	15 April 2009
SUBJECT:	AMENDMENT 16 TO SHIRE OF BEVERLEY'S TOWN PLANNING SCHEME NO. 2
APPLICANTS:	Gray & Lewis
FILE REFERENCE:	LUP010 16
AUTHOR:	Shire Planner – Peter Wright

BACKGROUND

It is proposed to rezone Lot 3 Simmons Road, Beverley from Farming to Rural Residential. The subject lot is within the Be1 District Rural Strategy policy area, 86.95ha in area and contains a single dwelling with associated outbuildings. Current access is via a driveway to Simmons Road and the topography of the lot is hilly with rocky outcrops. Included in the amendment documentation is a land capability assessment demonstrating the land is not suitable for prime agricultural production.

The proposal is an extension of the adjacent, previously approved, "Beverley Vista" 20 lot Rural Residential development. The purpose of the amendment is to allow subdivision of the subject lot in two stages. The first stage will exempt the existing dwelling and surrounding 23.7ha. The second stage will subdivide the exempted area.

COMMENT

District Rural Strategy

The Structure Plan contained in the District Rural Strategy identifies the subject area as suitable for Public Open Space (POS) and Rural Residential development in the 8-10ha range. The applicant has presented a site specific analysis demonstrating the land is capable of higher density Rural Residential development. It is proposed the created lots will be approximately 2ha in area. The applicant has provided the following justification for the smaller lot sizes:

- The Strategy only examined general physical characteristics and smaller lot sizes can be supported based on the detailed land capability completed specifically for this lot.
- Future subdivision of Lot 3 will be an extension of 'Beverley Vista' which has been approved with 2 hectare lots.
- The lot size is consistent with Clause 3.4 (c) of the Scheme applicable to the rural residential zone which dictates a minimum lot size of 2 hectares for lots without reticulated water.

8.1.1

TOWN PLANNING ITEMS

8.1.1.4 AMENDMENT 16 TO SHIRE OF BEVERLEY'S TOWN PLANNING SCHEME NO. 2

(Continued)

- The existing Strategy requires review and lot sizes for the Strategy are likely to be reconsidered by the Shire and WAPC. In recent years there has been a rising trend for smaller more manageable 'lifestyle lots' in the 1-4 hectare range.
- Smaller lot sizes than that currently recommended by the Strategy allow for easier property management and maintenance with retention of rural character and amenity.
- Lot 3 is only 500 metres to the west of the Beverley townsite and therefore can provide lifestyle lots whilst still having good access to services, shops and local amenities in the town.

Given that the District Rural Strategy is to be reviewed, the applicant has demonstrated the land is capable of more intensive Rural Residential development and the development is an extension of a currently approved development, it is recommended the smaller lot sizes be considered acceptable.

No POS has been proposed. However neither the Structure Plan nor District Rural Strategy identifies POS within the subject lot. Due to the land having historically been cleared for grazing and cropping, an extensive survey by the applicant has failed to find significant remnant vegetation. As it is unlikely the development itself will generate a requirement for POS and the proposal has identified no significant environmental assets requiring protection, it is the opinion of staff that POS is therefore not required.

Access

Access is proposed to be via new internal roads in the adjacent Beverley Vista subdivision. Roads reserves are proposed to be 20m wide which is consistent with the existing road widths in the immediate vicinity. Road layout has been designed in sympathy the topography of the site. The applicant has not proposed the construction of the extension to Simmons Road.

Whilst the construction of the extension to Simmons Road will not be required for road frontage to proposed lots until Stage two of the development, without the connectivity provided by the extension to Simmons Road the development will become an extensive cul de sac. It is the opinion of staff that such a road layout would impact on public safety in the event of fire or other emergency and be an inconvenience to future residents exiting the development.

8.1.1

TOWN PLANNING ITEMS

8.1.1.4 AMENDMENT 16 TO SHIRE OF BEVERLEY'S TOWN PLANNING SCHEME NO. 2

(Continued)

Access (Continued)

Should Council approve the initiation of the amendment, it will be recommended an additional Town Planning Scheme No. 2 (TPS 2) Schedule 3 provision be incorporated, requiring the extension to Simmons Road to be constructed during the initial subdivision.

Conclusion

The application to initiate Amendment 16 to the Shire of Beverley's Town Planning Scheme No. 2 is supported due to:

- The amendment complies with TPS 2 and with the exception of lot size the District Rural Strategy. Where a variation to the District Rural Strategy is proposed, the applicant has supplied justification and supporting documentation;
- Approval of the amendment will provide the opportunity for an increased number of Rural Residential lots close to the Beverley townsite;
- Proposed development of the site will cater for the demand for lifestyle lots without removing prime agricultural land from production; and
- Concerns relating to road connectivity may be addressed through the inclusion of an additional requirement within the TPS 2 Schedule 3 provisions.

Therefore it will be recommended the application be approved.

STATUTORY ENVIRONMENT

The proposal complies with the Shire of Beverley's Town Planning Scheme No. 2. Amendments to the Shire of Beverley's Town Planning Scheme No. 2 are made under Section 75 of the Planning and Development Act 2005 in compliance with the Town Planning Regulations 1967 (as amended).

OFFICER'S RECOMMENDATION

That Council resolve –

1. To initiate Amendment 16 to the Shire of Beverley's Town Planning Scheme No. 2 for the purpose of rezoning Lot 3 Simmons Road, Beverley, from Farming to Rural Residential.

8.1.1

TOWN PLANNING ITEMS

**8.1.1.4 AMENDMENT 16 TO SHIRE OF BEVERLEY'S TOWN
PLANNING SCHEME NO. 2**

(Continued)

2. To instruct the Shire Planner to insert Provision 8 into the proposed Schedule 3 provisions. Provision 8 is to state:

“Initial subdivision infrastructure is to include the construction and drainage of the extension to Simmons Road to the satisfaction of the Shire of Beverley”

3. Forward the amended documentation to the Environmental Protection Authority for approval and the Western Australian Planning Commission for information.
4. Upon receipt of approval of the amendment documentation from the Environmental Protection Authority the Shire Planner is to advertise the amendment for comment in compliance with the Town Planning Regulations 1967.

The above item 8.1.1.4 was withdrawn.

8.1.1 TOWN PLANNING

SUBMISSION TO:	April Council Meeting 28 April 2009
AGENDA ITEM:	8.1.1.5
REPORT DATE:	14 April 2009
SUBJECT:	SUBDIVISION APPLICATION (BOUNDARY REALIGNMENT) – LOTS 800 & 801 WESTDALE ROAD, BEVERLEY
APPLICANTS:	AJ Marsh Pty Ltd
FILE REFERENCE:	PL139556
AUTHOR:	Shire Planner – Peter Wright

Appendix 11

BACKGROUND

It is proposed to realign the boundary between Lots 800 & 801 Westdale Road, Beverley. Both lots are vacant, zoned Farming and located in the Be3a District Rural Strategy area. Lot 800 is approximately 33.6ha in area and Lot 881 is approximately 31.8ha in area. Proposed Lot 1 is to be approximately 40ha and proposed Lot 2 is to be approximately 25.5ha.

The purpose of the boundary realignment is to provide proposed Lot 1 with access to a potential underground water source located toward the eastern corner of existing Lot 881.

The applicant has stated proposed Lot 2 has access to a good water supply to the west.

COMMENT

The Shire of Beverley's Town Planning Scheme No. 2 (TPS 2) states that within the Be3a policy area a minimum lot size of 40ha is recommended. However subdivision down to 20ha may be considered provided it can be demonstrated the agricultural potential of the land will not be adversely affected.

Currently both lots are below the recommended minimum of 40ha. The proposed subdivision will create one 40ha lot with the other lot remaining above 20ha. When considered in combination with the provision of water to both lots, it may be deemed the agricultural potential of the land is enhanced.

As no additional lots will be created there will be no additional dwelling entitlements and since the proposal is only a minor boundary realignment, it is considered unlikely there will be any external negative impacts.

At 12:32pm the meeting adjourned for lunch and Mr Peter Wright, Shire Planner, left the meeting.

At 1:46pm the meeting resumed from lunch.

Council agreed that the Health & Building Services Item and Information Bulletin Report – Health & Building Services be deferred until later in the meeting when the Environmental Health Officer will be in attendance. (Refer pages 42 & 43 of these Minutes)

Council agreed to deal with the Finance Items 8.4.1.1 to 8.4.1.4 at this point in the meeting.

8.4.1 FINANCE ITEMS

SUBMISSION TO: April Council Meeting 28 April 2009
AGENDA ITEM: 8.4.1.3
REPORT DATE: 20 April 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 March 2009 with Esanda, ANZ and Commonwealth Banks.

▪ Office Equipment Reserve	\$ 21,240.00
▪ Annual Leave Reserve	\$ 107,083.00
▪ Building Reserve	\$ 370,033.00
▪ Plant Reserve	\$ 441,292.00
▪ Recreation Ground Reserve	\$ 251,379.00
▪ Bush Fire Fighters Reserve	\$ 81,579.00
▪ Avon River Development Reserve	\$ 16,463.00
▪ Community Bus Reserve	\$ 20,427.00
▪ Cropping Committee Reserve	\$ 82,165.00
▪ Road Construction Reserve	\$ 177,824.00
▪ Municipal Fund	\$ 500,000.00
▪ Municipal Fund	\$ 300,000.00

The Investment terms are as follows:

Certificate#	Term	Interest Rate	Amount	Expires
1357709011	3 Months	5.62%	\$ 441,292.00	02/04/2009
ANZ Bank	3 Months	4.80%	\$ 370,033.00	27/05/2009
ANZ Bank	91 Days	4.80%	\$ 358,462.00	01/05/2009
ANZ Bank	62 Days	3.55%	\$ 419,463.00	08/06/2009
CBA	3 Months	4.80%	\$ 500,000.00	14/04/2009
CBA	3 Months	4.80%	\$ 300,000.00	14/04/2009

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M30/0409 Moved Cr McDonald **Seconded Cr Roberts**
That Council receive the Investment Report for the month of March 2009.

CARRIED 9-0

At 2pm Mr Peter Ibbott, Environmental Health Officer, entered the Council Chambers.

8.4.1 FINANCE ITEMS

SUBMISSION TO:	April Council Meeting 28 April 2009
AGENDA ITEM:	8.4.1.4
REPORT DATE:	9 April 2009
SUBJECT:	BEVERLEY TOWN HALL CEILING REPAIRS
FILE REFERENCE:	FM 009 & VIN 1628
AUTHOR:	Acting Chief Executive Officer – Stephen Gollan

Appendix 13

BACKGROUND

Council has engaged Palassis Architects to project manage the repairs to the Beverley Town Hall ceilings.

COMMENT

Documentation on the scope of works was prepared and tenders called for these works to be carried out. Tenders closed on 15 April 2009.

Three tenders were received, being as follows:

Tenderers	Ceiling Repair Costs	A/C & Insulation Costs	Total
AE Hoskins & Sons	\$ 67,802.00	\$ 82,700.00	\$150,502.00
CPD Group	\$ 59,200.00	\$119,000.00	\$178,200.00
Multitech Engineering	\$107,330.00	\$ 80,870.00	\$188,200.00

The above figures are exclusive of GST.

Council has an amount of \$55,000.00 in the budget to complete the ceiling works and has been successful in receiving a grant of \$40,775.00. The additional funds for the works can be afforded by saving throughout the year and at the Anglican Cemetery.

In the event that the budget does not permit accepting the tender in full Council could limit the scope of the air conditioning works in the first instance. If both the Lesser Hall and Kitchen, and associated insulation works were excluded then there would be a saving of \$23,142.00 excluding GST.

8.4.1

FINANCE ITEMS

**8.4.1.4 BEVERLEY TOWN HALL CEILING REPAIRS
(Continued)**

I would recommend that all efforts be made to include the air conditioning to the Main Hall at this stage to take advantage of the trades being onsite and to minimise risk of damage to the newly restored ceiling by future works.

Christopher Patterson from Palassis Architects has indicated that works could commence within two weeks from the date of appointment subject to the stock levels on air conditioning units, (if council agrees to air conditioning the hall).

The works would take approximately six (6) weeks

The attachment is a report prepared by Christopher Patterson on the tenders received and his assessment of them. He has recommended that Council accept the tender by AE Hoskins and Sons.

OFFICER'S RECOMMENDATION

That Council:

1. Agree to Air Condition the Town Hall, Lesser Hall and Kitchen at a cost of \$82,700.00.
2. Accept the tender from AE Hoskins and Sons of \$150,502.00 for ceiling repairs and the installation of air conditioning to the Town and Lesser Halls along with the Kitchen.

COUNCIL RESOLUTION

M31/0409

Moved Cr Flood

Seconded Cr Roberts

That Council accept the tender from AE Hoskins and Sons for ceiling repairs and the installation of air conditioning to the Main Hall for \$126,848.00.

CARRIED 7-2

At 2:07pm Mr Steve Vincent, Works Supervisor, entered the Council Chambers.

Council agreed to deal with the Plant, Works, Recreation and Tourism Item and the Information Bulletin Report - Works Supervisor at this point in the meeting, followed by the Health & Building Services Item and the Information Bulletin Report – Health & Building Services.

8.3.1 PLANT, WORKS, RECREATION AND TOURISM ITEM

SUBMISSION TO:	April 2009 Council Meeting
AGENDA ITEM:	8.3.1.1
REPORT DATE:	20 April 2009
SUBJECT:	CEMENT MIXER ATTACHMENT
FILE REFERENCE:	PE 001
AUTHOR:	Works Supervisor – Steve Vincent

BACKGROUND

I am proposing to purchase an attachment for the Bobcat that is capable of mixing 200 litres of concrete (500 kg) per mix. This mixer is loaded without manually shovelling the aggregate and sand.

The cost for this attachment is \$7,310.00 + GST, picked up from Batchcrete International in Wangara.

COMMENT

There are many culverts and washouts that require repairing after the flood damage earlier this year. The cost of delivering cement to the many different locations will be quite high as the cost of concrete delivered to Beverley is \$250.00 per cubic metre.

To have the ability to mix concrete quickly onsite to repair these culverts and for other works in the future would offset this purchase.

This purchase has not been included in the 2008/2009 Budget, therefore an absolute majority is required.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M32/0409	Moved Cr Gogol	Seconded Cr Shaw
	That Council purchase the Mix 200 from Batchcrete International for \$7,310.00.	

**CARRIED 9-0
ABSOLUTE MAJORITY**

8.3.2 INFORMATION BULLETIN REPORT – WORKS SUPERVISOR

8.3.2.1 GENERAL – PLANT AND WORKS

8.3.2.1.1 Rubbish Tip

Test holes have been drilled at the existing tip site to determine where future rubbish holes can be dug.

West of the existing hole is an old dam, this can be utilised next and can be enlarged to join up with the existing hole. It won't go down any deeper as it has hit rock.

To the East of the existing hole there is room for a good sized hole which should go to a depth of 4.5 metres.

Other holes were drilled north of the workers hut and where the rubble is dumped. This area is not suitable as rock is close to the surface.

8.3.2.1.2 Caravan Signs

Two signs have been installed on Hunt Road indicating where the caravan park is located.

8.3.2.1.3 Street Sweeping

The street sweeper swept the town streets before Easter. There wasn't time to pump out all the sumps however the remaining sumps will be completed next time.

8.3.2.1.4 Speed Trailer

We currently have the use of the speed trailer from Pingelly. This has been used to slow vehicles down at various locations, by displaying your speed as you approach the trailer.

8.3.2.1.5 Tree Lopping

The tree lopping has been completed in the rural areas for this financial year. The roads lopped were Buckingham, Pike, Dale Bin North, Lupton, Hobbs, York Williams, Talbot West, Kokendin, Dobaderry, Edison Mill, and Westdale.

Contractors have also lopped trees from under the powerlines within the town site.

8.3.2.1.6 Tip Loader

Steel wheels have been fitted to the tip loader and it is now operating at the tip.

8.3.2 INFORMATION BULLETIN REPORT – WORKS SUPERVISOR
8.3.2.1 GENERAL – PLANT AND WORKS
(Continued)

8.3.2.1.7 Cherry Picker

The Cherry Picker has had all the welds x-rayed and are all OK, there are some bushes and bearings to be replaced. They are currently waiting for bearings to be supplied from the manufacture, it is expected that it should be completed and ready to pick up in two weeks time.

8.3.2.1.8 Plant Report

The Works Supervisor provided a Plant Report.

8.3.2.2 CONSTRUCTION

8.3.2.2.1 Greenhills South Road

Bitumen has been laid for 2.8 km from the York boundary to a width of 6 metres.

8.3.2.2.2 Mawson Road Bridge

The road over bridge 731, on the Mawson Road has been reconstructed and sealed. This included the widening of the culverts at the intersection with Barrington Road and Dongadilling Road.

8.3.2.2.3 Railway and Shed Street

These two roads have been sealed. New kerbing is to be laid on both sides of Shed Street and on the East side of Railway Street, between Shed Street and Horley Street. This has been scheduled for the first week of May.

8.3.2.2.4 Reseals

Mawson Road North and the section of bitumen over Bridge 3207 on Yenyening Lakes Road have been resealed.

8.3.2.2.5 Caravan Park

Sir Walter roll on grass has been laid on both sides of the entrance into the caravan park. Extra reticulation was also installed on the west side to water this area.

Kerbing has been scheduled for the first week of May - this will be laid on both sides of the road.

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

OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION

M33/0409 Moved Cr Flood **Seconded Cr Foster**
That the Works Supervisor’s Information Bulletin Report, be
received.

CARRIED 9-0

At 2:35pm Mr Steve Vincent, Works Supervisor, left the Council Chambers.

8.2.1 HEALTH & BUILDING SERVICES ITEM

SUBMISSION TO:	April Council Meeting 28 April 2009
AGENDA ITEM:	8.2.1.1
REPORT DATE:	7 April 2009
SUBJECT:	ROOSTERS
OWNER:	Mr Lindsay Grover
FILE REFERENCE:	LE 004
AUTHOR:	Environmental Health Officer - Peter Ibbott

BACKGROUND

Council has received complaints regarding noise emanating from roosters at 11 Morrison Street, Beverley.

COMMENT

Mr Grover has written the following letter:

"I have had two roosters on my property in town for the past 10 (ten) years without any complaints until recently.

I have received a copy of the bylaws and was informed I am able to have up to 2 (two) roosters with permission from the local council.

I would like to know if I am able to keep my last 2 (two) roosters that I have, as I have said I have not had any complaints about them in the past 10 (ten) years."

Shire of Beverley Health Local Laws states in section 5.4.3 (1) "An occupier of premises within a Townsite, shall not without the written approval of the council, keep or permit to be kept on those premises, any one or more of the following fowl..

(a) A rooster

The Council may upon written application, grant approval with or without conditions to the owner or occupier of premises to keep any one or more birds as specified in subsection (1) of this section."

STATUTORY ENVIRONMENT

Shire of Beverley Health Local Laws made under Health Act 1911

OFFICER'S RECOMMENDATION

For Council's consideration.

**8.2.1 HEALTH & BUILDING SERVICES ITEM
8.2.1.1 ROOSTERS
(Continued)**

COUNCIL RESOLUTION

M34/0409 Moved Cr Flood Council advise Mr L Grover that permission is granted for him to keep 2 roosters, and that Council will review the matter if further complaints are received.

Seconded Cr Foster

CARRIED 9-0

At 2:20pm Mr Peter Ibbott, Environmental Health Officer, left the Council Chambers.

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 REPAIRS/MAINTENANCE REPORT

The Shire Maintenance Officer provided a Repairs/Maintenance Report.

COUNCIL RESOLUTION

M35/0409 Moved Cr Roberts That the Health & Building Services Information Bulletin Report, be received.

Seconded Cr Foster

CARRIED 9-0

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	April Council Meeting 28 April 2009
AGENDA ITEM:	8.5.1.1
REPORT DATE:	9 April 2009
SUBJECT:	LOCAL GOVERNMENT REFORM
FILE REFERENCE:	CM 010
AUTHOR:	Acting Chief Executive Officer – Stephen Gollan

Appendix 14

BACKGROUND

Council would be aware that the Minister for Local Government has requested Council's to consider reform within Local Government.

The Minister has requested that by 31 August 2009, each local government will have made a decision on voluntary amalgamation, its preferred regional grouping and the numbers of elected members required within a range of six (6) to nine (9) and complete its Reform Submission.

COMMENT

Each local government is required to undertake the following tasks or actions and meet the associated timeframes:

Stage 1 - Agreement on Need for Reform and Partners

1. Local governments complete reform checklist and forward to the Local Government Reform Steering Committee by 30 April 2009. – ***completed copy attached***
2. Local governments identify and meet with potential partners – ***have already began this process with SEAVROC member councils.***
3. Local governments undertake a preliminary assessment to confirm amalgamation grouping is appropriate. – ***At this stage not interested in amalgamating with any Council. Pursuing the SA Regional Subsidiary Model, subject to Ministerial endorsement/approval.***
4. Local governments decide on the appropriate combination of councils. – ***Currently the SEAVROC grouping is considered appropriate for the required structural reform to occur on Council's terms.***

8.5.1 ADMINISTRATION ITEMS
8.5.1.1 LOCAL GOVERNMENT REFORM
(Continued)

5. Local governments to consider proposals for a reduction in the number of elected members. ***This item has been discussed on a number of occasions informally by Council. There will not be enough time for this to occur prior to the October (2009) elections.***

6. Local governments to consider skill sets for establishing a project team to coordinate the reform process. ***As part of Stage 2 it will be necessary to establish a Project team for the reform process.***

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M36/0409 Moved Cr Ridgway Seconded Cr Roberts
That Council:

1. **Endorse the "Reform Checklist" and a copy be forwarded to the Minister's Office.**

2. **That the Project team for the reform process be the President, Deputy President and the Chief Executive Officer.**

CARRIED 9-0

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	April Council Meeting 28 April 2009
AGENDA ITEM:	8.5.1.2
REPORT DATE:	20 April 2009
SUBJECT:	AVON VALLEY THERAPEUTIC EQUESTRIAN CENTRE – TREE REMOVAL
FILE REFERENCE:	CS 006
AUTHOR:	Acting Chief Executive Officer – Stephen Gollan

BACKGROUND

Correspondence has been received from Avon Valley Therapeutic Equestrian Centre requesting Councils assistance in removing some large dry tree limbs from Whitebourne Farm.

COMMENT

Their letter reads as follows;

“I am writing to you to request some assistance in creating a safe environment for riders with physical and intellectual disabilities at our riding school located at Whitebourne Farm, Northbourne Road, Beverley.

We have developed a new centre for these disabled riders and a special ramp donated by the Beverley Lions Club is located under tall shady trees.

There are some large dry limbs on these trees that are giving some concern, especially when there are high winds. We did hire a private contractor to remove the limbs but unfortunately he did not have the appropriate machinery to get to the higher limbs.

We are a non-profit organization and ours funds are limited. We would appreciate your assistance as soon as possible to make this particular area a safe environment for our disable riders and volunteers”.

A request was made to Council in October 2007 requesting branches to be removed from trees adjacent to the Mounting Ramp.

Council resolved that it was able to remove these branches, however such works would be charged at normal private work rates.

8.5.1

ADMINISTRATION ITEMS

**8.5.1.2 AVON VALLEY THERAPEUTIC EQUESTRIAN CENTRE –
TREE REMOVAL
(Continued)**

I have spoken to the Works Supervisor who has advised that he had spoken to Murray Britza and after the discussion felt that Council would be unable to remove the limbs and gave him a contact for a tree contractor.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M37/0409

Moved Cr Foster

Seconded Cr Shaw

That Council advise the Avon Valley Therapeutic Equestrian Centre that it is unable to assist in the removal of these branches at Whitebourne Farm, Northbourne Road, Beverley.

CARRIED 9-0

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	April Council Meeting 28 April 2009
AGENDA ITEM:	8.5.1.3
REPORT DATE:	20 April 2009
SUBJECT:	CLEANING OF LOT 530 & LOT 54 VINCENT STREET, BEVERLEY
FILE REFERENCE:	VIN 51105
AUTHOR:	Acting Chief Executive Officer – Stephen Gollan

BACKGROUND

Council has requested the owner of Lot 54 Vincent Street, Beverley repair the boundary fences and tidy the block up.

COMMENT

The Chief Executive Officer met with the owner to discuss this matter.

During discussions with Mr J Saville-Wright, he enquired if the works could be carried out free of charge as he is having financial difficulties. The Chief Executive Officer recommended that he write to Council seeking approval, to allow shire staff to tidy the block free of charge.

Mr Saville-Wright has written agreeing to allow Council access to Lot 54 Vincent Street to enable the area to be cleaned. He also has advised that he has contacted a local contractor to view the fence and supply him a quote to repair same.

Council's permission is now sought to allow staff to clean the block. It is anticipated that the work will take approximately 3 hours to finalise.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

M38/0409 **Moved Cr Roberts** **Seconded Cr McDonald**
That Council agree to staff cleaning Lot 54 Vincent Street, Beverley and that Mr J Saville-Wright is instructed to repair the fence by 30 June 2009.

CARRIED 5-4

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	April Council Meeting 28 April 2009
AGENDA ITEM:	8.5.1.4
REPORT DATE:	21 April 2009
SUBJECT:	AERONAUTICAL MUSEUM - CURATOR
FILE REFERENCE:	ED 007
AUTHOR:	Acting Chief Executive Officer – Stephen Gollan

Appendix 15

BACKGROUND

The Beverley Community Development Association Inc has forwarded correspondence in relation to items they have discussed concerning the Aeronautical Museum.

COMMENT

In their letter they have raised the issue of engaging a curator for the Aeronautical Museum.

The Beverley Community Development Association has written as follows:

“As a community development organisation it is not in our constitution to manage the aeronautical collection. We do not have the resources including time, funds or expertise. Frank Matthews who is a retired aeronautical engineer has agreed to discuss the possibility of undertaking that role. He would require any out-of-pocket expenses to be covered, including fuel to travel from Gwanbygine to Beverley to perform his duties. Our proposal is that Shire would manage this role, and the BCDA committee and Tourist Bureau volunteers would help where possible. Please let us know if this is agreeable to you”.

OFFICER'S RECOMMENDATION

For Council's consideration.

COUNCIL RESOLUTION

M39/0409 **Moved Cr Roberts** **Seconded Cr Foster**
That Council advise the Community Development Association that funds from the Donation Box can be used to subsidise the Curator's expenses.

CARRIED 9-0

8.5.1 ADMINISTRATION ITEMS

SUBMISSION TO:	April Council Meeting 28 April 2009
AGENDA ITEM:	8.5.1.5
REPORT DATE:	21 April 2009
SUBJECT:	JOINT VENTURE HOUSING PROJECT
FILE REFERENCE:	LUP 011
AUTHOR:	Acting Chief Executive Officer – Stephen Gollan

BACKGROUND

As per the direction from 9 April 2009 Aged Care Committee meeting Council's special project officer Mr David Vaughan has prepared a report in relation to a joint venture housing project with the Department of Housing.

COMMENT

Mr Vaughan's report is as follows:

"At a meeting on the 13th April 2009, the Shire of Beverley Project Committee requested the Project Officer investigate a joint venture with the Department of Housing, to add 10 two (2) bedroom units to the existing retirement complex at lot 41 Hunt Road, known as the Beverley Retirement Units.

The property located at 41 Hunt Road is zoned R10 with an area of 1.2142 ha. Scheme water is connected. Reticulated sewer is not connected, although could be extended from the rear of the property on the opposite side of Hunt Road. This may require creating an easement through private property. A maximum of 12 grouped dwellings may be approved on the site unless and until sewer is available, in which case a grouped dwelling development of up to an R 25 density may then be considered by Council.

The Residential Design Codes 2008 allow density bonuses for aged persons' developments, however the development must meet specific design criteria.

The following, is a summary of information from the Department of Housing for - Community Housing Programs

A discussion with a Rural Local Government Council and, senior officers from the Department of Housing, and other research has provided the following;

8.5.1

ADMINISTRATION ITEMS

8.5.1.5 JOINT VENTURE HOUSING PROJECT

(Continued)

- *Substantial funds are available as a housing stimulus program, by both the State and Federal Governments to meet the very high demand for housing needs of a wide range of target groups across Western Australia.*
- *This includes joint venture projects in Regional W.A.*
- *Comprehensive guidelines are available for each of the housing programs.*
- *Policy statements and procedures apply to the various programs.*
- *The Department of Housing will enter into Joint Venture agreements to meet the needs of target groups, such as retirees, families, and singles*
- *Priority will be given to proposals that are fully developed and ready to commence construction, and be completed by December 2010.*
- *The target in Western Australia, is to construct approximately 2600 social housing dwellings with 75% completed by December 2010.*
- *The Department requires a turn key solution, so that dwellings are ready for occupation at the handover of keys.*
- *Based on preliminary discussion with the Department of Housing, it is possible to construct Retirement Units on Lot 41 and convert the existing one (1) bedroom units for use by other target groups provided a demand can be demonstrated.*
- *Subject to a formal evaluation process, the Department of Housing will enter into a joint venture agreement with Local Government as the sponsor.*
- *A part of the evaluation process is to establish that a need and demand exists for housing for the target group. This information is drawn from the Department's waiting list for housing and also from the Local Government sources such as community surveys, and public consultation processes.*
- *Local Government is required to contribute the land and 15% of the construction cost.*
- *Identifying demand and allocation of housing is managed through a Rental Allocations panel which uses waiting lists of both Local Government and the Department as a primary reference point.*

8.5.1

ADMINISTRATION ITEMS

8.5.1.5 JOINT VENTURE HOUSING PROJECT

(Continued)

- *The Local Government will be responsible for collecting rent, set at not more than 25% of weekly income, or market value, whichever is the lesser.*
- *The Local Government will be responsible for repairs and maintenance of the properties, and may use rental income for this purpose.*
- *A legal agreement is required between the parties, and a copy of the model agreement is available*
- *The Department Website, www.housing.wa.gov.au provides information on housing priorities, and housing stimulus initiatives.*
- *The Regional Manager, based in Northam has agreed to accept an invitation from the Shire of Beverley, meet with Councillors to discuss and explain the Housing Stimulus Package, how it might apply to the Beverley Shire and Lot 41 Hunt Road Beverley. Additionally a senior officer has volunteered to attend or have a representative present.”*

OFFICER'S RECOMMENDATION

That the Chief Executive Officer invite delegates from the Department of Housing to meet with Councillors to discuss and explore Community Housing priorities for the Shire of Beverley and all available options for a Joint Venture Housing Project on lot 41 Hunt Road, Beverley.

COUNCIL RESOLUTION

M40/0409

Moved Cr Roberts

Seconded Cr McDonald

That the Chief Executive Officer invite delegates from the Department of Housing to meet with the Aged Care Committee to discuss and explore Community Housing priorities for the Shire of Beverley and all available options for a Joint Venture Housing Project on Lot 41 Hunt Road, Beverley.

CARRIED 9-0

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

COUNCIL RESOLUTION

- M41/0409 Moved Cr McDonald** **Seconded Cr Gogol**
That the Chief Executive Officer’s Information Bulletin Report, be received.

CARRIED 9-0

9. INFORMATION BULLETIN

The April Information Bulletin was provided under separate cover.

COUNCIL RESOLUTION

- M42/0409 Moved Cr McDonald** **Seconded Cr Gogol**
That the April Information Bulletin, be received.

CARRIED 9-0

10. TABLED CORRESPONDENCE

Nil

11. OTHER BUSINESS

ITEM NUMBER:	11.1
SUBJECT:	TOWN PLANNING SCHEME POLICY NO. 9 – RELOCATED SECOND-HAND BUILDINGS
FILE REFERENCE:	DB 006

COUNCIL RESOLUTION

- M43/0409 Moved Cr Flood** **Seconded Cr Gogol**
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.

CARRIED 9-0

12. CLOSURE

There being no further business the meeting closed at 3:15pm.

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

Presiding Member

Date