



26 MARCH 2013

ORDINARY MEETING

MINUTES

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1. OPENING

The Chairperson declared the meeting open at 2:15pm

2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 Members Present

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

2.2 Staff In Attendance

Mr SP Gollan	Chief Executive Officer
Mr SK Marshall	Deputy Chief Executive Officer
Mr SP Vincent	Manager of Works (from 2:18pm to 2:28pm)
Mr BS de Beer	Shire Planner (from 2:29pm to 2:48pm)
Mr M Valentini	Building Surveyor (from 2:50pm to 3:00pm)
Mrs A Lewis	Executive Assistant

2.3 Observers And Visitors

Nil

2.4 Apologies and Approved Leave of Absence

Cr VK Fregon	South Ward
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2.5 Condolences

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. DECLARATIONS OF INTEREST

6.1 Item 12.4

Item 12.4 - Cr Ridgway declared a Financial Interest in Item 12.4

7. CONFIRMATION OF MINUTES

7.1 Minutes of the Ordinary Council Meeting Held 26 February 2013

OFFICER'S RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held Tuesday 26 February 2013 be confirmed.

COUNCIL RESOLUTION

M1/0313

Moved: Cr Gogol

Seconded: Cr Shaw

That the Minutes of the Ordinary Council Meeting held Tuesday 26 February 2013 be confirmed.

CARRIED 8/0

7.2 Minutes of the Plant & Works Committee Meeting Held 08 March 2012

1. OPENING

The Chairperson declared the meeting open at 12.35pm

2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

2.1 MEMBERS PRESENT

Cr JD Alexander	Chairperson	North Ward
Cr CJ Pepper		West Ward
Cr BM Foster		West Ward
Cr P Gogol		North Ward
Cr LC Shaw		West Ward

2.2 STAFF IN ATTENDANCE

Mr SK Marshall	Deputy Chief Executive Officer
Mr SP Vincent	Manager of Works
Mrs A Lewis	Executive Assistant

2.3 APOLOGIES

Mr SP Gollan	Chief Executive Officer	
Cr DJ Ridgway	President	South Ward
Cr KM Murray		North Ward

2.4 OBSERVERS AND VISITORS

Cr DC White	South Ward
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3. DECLARATIONS OF INTEREST

Nil

4. CONFIRMATION OF MINUTES

4.1 Plant and Works Committee Meeting 18 January 2013

COMMITTEE'S RECOMMENDATION

That the Minutes of the Plant and Works Committee Meeting held 18 January 2013 be confirmed.

COMMITTEE'S RESOLUTION

MPW1/0313

Moved: Cr Pepper

Seconded: Cr Gogol

That the Minutes of the Plant and Works Committee Meeting held 18 January 2013 be confirmed.

CARRIED 5/0

5. OFFICER REPORTS

5.1 2013/14 Road Programme

SUBMISSION TO: Plant and Works Committee Meeting 08 March 2013
REPORT DATE: 06 March 2013
APPLICANT: N/A
FILE REFERENCE: ADM 0309
AUTHOR: S P Vincent, Manager of Works
ATTACHMENTS: Proposed 2013 / 2014 Road Programme

SUMMARY

That the Plant and Works Committee review and inspect Shire of Beverley roads for inclusion in the 2013 / 2014 road programme.

BACKGROUND

Council has developed a 10 year road programme for roads within the Shire of Beverley to assist in the development of the Budget.

COMMENT

From the previous Plant and Works Committee Meeting it was agreed to review and inspect the following roads: Waterhatch Road, Springhill Road, Mandiakin Road, Westdale Road (at Dale River Bridge), Maitland Road, Sheahan Road, Carrs Road, Yenyening Lakes Road, Bally Bally County Peak Road, Bremner Road, Lukin Street and Brooking Street.

STATUTORY ENVIRONMENT

N/A

FINANCIAL IMPLICATIONS

To be included in the 2013/2014 Budget.

STRATEGIC IMPLICATIONS

The Shire of Beverley Strategic Community Plan states that our built environment, our land use, and our assets including local roads, parks and facilities will meet our future and growing community needs.

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That it be recommend to Council that the amended 2013/14 Road Programme be adopted.

COMMITTEE'S RESOLUTION

MPW2/0313

Moved: Cr Pepper

Seconded: Cr Gogol

That it be recommend to Council that the amended 2013/14 Road Programme be adopted.

CARRIED 5/0

Proposed 2013 / 2014 budget 2nd draft		655,316	0	381,516	150,735	0	0	299,167	0	1,486,734
1,486,734		C1	C2	C3	C4	C5	C7	C8	C9	
		Muni con	Direct grant	RRG	Muni Town	Bridges	Footpaths	R2R	Blk S	
297,666	Westdale Road SLK 27.00 to 29.00, 2.00km widen both sides, realign at slk 27.25 (H10 r 360) & 28.25 (H11 r 400) full reconstruction from 28.30 to Dale Bridge. Reseal slk 4.2 to 4.9			297,666						
247,567	York Williams Road Construct and seal to 7 metres from slk 8.80 to 10.80, second coat seal slk 6.80 to 8.80 and 10.80 to 12.10, gravel sheet from slk 12.00 to 14.00							247,567		
237,711	Morbining Road Construct and seal to 7 metres from slk 3.60 to 5.10 ,Second coat seal from slk 2.33 to 3.60	237,711								
83,850	Mawson Road Second coat seal from slk 5.8 to 8.8			83,850						
77,278	Yenyening Lakes Road Gravel sheet 4km	77,278								
19,565	Potts Road Second coat seal 600 m	19,565								
54,782	Greenhills South Road Second coat seal 1.8km	54,782								
77,658	Harper Street Construct stage one of the drainage proposal				77,658					
23,995	Dempster Street Construct and seal remaining section 300m				23,995					
23,995	Hutchinson Street Construct and seal				23,995					
69,382	Springhill Road Gravel sheet 3 km	69,382								
89,871	Waterhatch Road Widen shoulders and bitumen from slk 6.00 (Avondale) to 6.80. This is to include widening Ø1400 culvert. Reconstruct road surface at culvert Slk 3.15 (East of Lennard Road)	89,871								
0	Waterhatch Rd widen crests, sections to be identified on road inspection march 2013	0								
25,087	Airstrip Two coat seal 300 metres for the fire bomber and tow planes				25,087					
41,408	Dobaderry Road Gravel sheet various sections to a total of 2km from slk 8.17 to 11.70(north from the seal at the top of the hill)	41,408								
51,600	Reseals approx 2km, to be advised							51,600		
65,320	Lopping	65,320								

5.2 RESERVE 25625 CLEAN UP

SUBMISSION TO: Plant and Works Committee Meeting 08 March 2013
REPORT DATE: 06 March 2013
APPLICANT: N/A
FILE REFERENCE: VIN 50051
AUTHOR: S P Gollan, Chief Executive Officer
ATTACHMENTS: Nil

SUMMARY

Seeking support to recommend to Council to clear debris from Reserve 25625 located on the corner of Vincent and Brooking Streets.

BACKGROUND

Cr Murray raised the issue at the February 2013 Ordinary Council Meeting and it was agreed to place the item on the Agenda of the next Plant and Works Committee Meeting.

COMMENT

This block is located on the corner of Vincent and Brooking Streets and was burnt in 2011 to reduce fuel loads. The block is an Unmanaged Reserve which is under the responsibility of Department of Fire and Emergency Services (DFES).

STATUTORY ENVIRONMENT

Bush Fire Act 1954

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That it be recommended to Council to approach the DFES Representative to clear the Reserve 25625 on the corner of Vincent and Brooking Streets.

COMMITTEE'S RESOLUTION

MPW3/0313

Moved: Cr Pepper

Seconded: Cr Foster

That it be recommended to Council to approach the DFES Representative to clear the Reserve 25625 on the corner of Vincent and Brooking Streets.

CARRIED 5/0

5. NEW BUSINESS ARISING BY ORDER OF THE MEETING

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

6. CLOSURE

There being no further business the Chairman declared the meeting closed at 1:10pm

COMMITTEE'S RECOMMENDATION

That the Minutes of the Plant and Works Committee held Friday 08 March 2013 be confirmed and recommendations be endorsed.

COUNCIL RESOLUTION

M2/0313

Moved: Cr Pepper

Seconded: Cr Gogol

That the Minutes of the Plant and Works Committee held Friday 08 March 2013 be confirmed and recommendations be endorsed.

2.18pm - Mr Stephen Vincent, Manager of Works joined the meeting.

8. TECHNICAL SERVICES

8.1 Replacement of BE 013 Tandem Drive Truck

SUBMISSION TO: Ordinary Council Meeting 26 March 2013
REPORT DATE: 18 March 2013
APPLICANT: N/A
FILE REFERENCE: ADM 0394
AUTHOR: S P VINCENT, Manager of Works
ATTACHMENTS: Nil

SUMMARY

Council to consider tender applications for the replacement of vehicle BE013.

BACKGROUND

Quotes closed 08 March 2013 for the replacement of the tandem drive truck (BE013). There is an allocation of \$205,000.00 to purchase a new tandem truck and \$85,000.00 for the trade; this is a changeover of \$120,000.00 (ex GST).

COMMENT

The following prices were received:

Budget		\$205,000	\$85,000	\$120,000
Company	Truck Tendered	Price Ex GST	Trade ex GST	Change over Ex GST
Iveco	AT6X4450HP 450 HP	207,011	63,636	144,674
South West Isuzu	Isuzu Giga CXZ 455 450HP	206,370	85,370	121,000
South West Isuzu	Isuzu Giga FXZ 1500 344 HP	200,720	85,265	115,455
Hino	Hino 700 Series FS 2844	205,940	56,364	149,576
Westrac	Caterpillar CT610B 475 HP	256,303	70,000	186,303
Damlier	Fuso FV51SK2FAA 360HP	201,120	66,100	135,020
Truck Centre WA	UD CW 26 400 HP	209,835	63,000	146,835
Truck Centre WA	UD CW 26 L (Auto) 380 HP	211,835	63,000	148,835
Scania	Scania P360 360 HP	225,055	75,000	150,055

STATUTORY ENVIRONMENT

Local Government Tender Regulations.

FINANCIAL IMPLICATIONS

The budgeted amount for the changeover of this vehicle is \$120,000.00 the recommended truck will be \$1,000.00 over budget.

STRATEGIC IMPLICATIONS

The purchase of a new tandem drive truck will help meet the built environment statement which reads: Our built environment, our land use, and our assets including local roads, parks and facilities, will meet our future and growing community needs.

POLICY IMPLICATIONS

Procurement Policy and Authority to Purchase adopted June 2012

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

That the quote from South West Isuzu for the replacement of the Tandem Truck (BE 013) as quoted on 8 March 2013, with the Isuzu Giga CXZ 455 for the changeover price of \$121,000.00 ex GST be accepted.

COUNCIL RESOLUTION

M3/0313

Moved: Cr Murray

Seconded: Cr Foster

That the quote from South West Isuzu for the replacement of the Tandem Truck (BE 013) as quoted on 8 March 2013, with the Isuzu Giga CXZ 455 for the changeover price of \$121,000.00 ex GST be accepted

CARRIED 8/0

2:28pm - Mr Stephen Vincent left the meeting and did not return.

2:29pm - Mr Stefan de Beer, Shire Planner joined the meeting

9. PLANNING SERVICES

9.1 Proposed Subdivision Lease - Lot 3001 Forrest Street Beverley

SUBMISSION TO: Ordinary Council Meeting 26 March 2013
REPORT DATE: 18 March 2013
APPLICANT: Shire of Beverley
FILE REFERENCE: FOR 2633
AUTHOR: B S de Beer, Shire Planner
ATTACHMENTS: Draft Lease Agreement, Draft Subdivision Staging Plan
(Under Separate Cover)

SUMMARY

A draft lease agreement and staging plan is presented to Council for consideration in relation to the proposed development of Lot 3001 Forrest Street, Beverley.

BACKGROUND

Council during its 28 August 2012 meeting resolved as follows:

‘That Council resolve to:

- 1) *Initiate discussions with the Department of Regional Development and Lands to enter into a Conditional Purchase or Subdivision Lease Agreement in relation to the subject land being Lot 3001 Forrest Street, Beverley;*
- 2) *To conclude the Lease Agreement after negotiating reasonable terms and conditions acceptable to all parties concerned.’*

COMMENT

A draft lease agreement for the intended development had been received from the Department of Regional Development and Land, and had been altered to fit the specific requirements of this project.

The attachment to this report shows recommended additions in red and text struck-through, considered to be removed. The draft agreement is informed in part by the proposed development staging plan, also attached hereto, which plan is considered to be an integral part of the agreement.

Staging is proposed to be done in 3 phases/stages over the period of the developmental lease agreement, i.e. 10 years. Details of the anticipated outcomes for each stage are reflected on the staging plan. It should be noted that the plan may be altered in future, with Ministerial consent, should circumstances so dictate.

The proposed staging can also be regarded as representing Key Performance Indicators, showing how progress with development might be achieved over the term of the lease agreement.

STATUTORY ENVIRONMENT

Developmental lease agreements are governed by Section 85 of the Land Administration Act, 1997 and the internal policy regime of the Department of Regional Development & Land.

FINANCIAL IMPLICATIONS

The agreement dictates that the Shire of Beverley will be responsible for all developmental costs for developing the land as proposed. Should the land be developed as per the agreement, the Shire will be given the opportunity to purchase the subject land for \$ 1,000.00.

STRATEGIC IMPLICATIONS

The proposed development is in accordance with the Draft Local Planning Strategy for Beverley.

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATION

That Council resolve to:-

1. Accept the officer's proposed amendments to the draft lease agreement;
2. Concur with the proposed land uses & staging of the intended development as reflected in the details of the development staging plan; and
3. Continue with negotiations with the Department of Regional Development & Land to conclude the lease agreement.

COUNCIL RESOLUTION

M4/0312

Moved: Cr Pepper

Seconded: Cr Foster

That Council resolve to:-

- 1. Accept the officer's proposed amendments to the draft lease agreement;**
- 2. Concur with the proposed land uses & staging of the intended development as reflected in the details of the development staging plan; and**
- 3. Continue with negotiations with the Department of Regional Development & Land to conclude the lease agreement.**

CARRIED 8/0

9.2 Development Application Turner Gully Dirt Drags Lot 83 Butchers Road

SUBMISSION TO: Ordinary Council Meeting 26 March 2013
REPORT DATE: 19 March 2013
APPLICANT: One Twenty One Racing
FILE REFERENCE: BUT 51004
AUTHOR: B S de Beer, Shire Planner
ATTACHMENTS: Event Overview

SUMMARY

An application for a special event on Lot 83 Butchers Road, Westdale – the Turner Gully Dirt Drags, had been received from One Twenty One Racing. The application will be recommended for approval.

BACKGROUND

It is proposed to conduct the Turner Gully Dirt Drags on 18th May 2013 at Lot 83 Butchers Road, Westdale. The subject site is approximately 49 ha in area, zoned Farming and contains existing buildings.

It is anticipated approximately 1,000 persons will attend the event. Similar events have taken place on the same subject property in the past.

COMMENT

Under the Shire of Beverley's Town Planning Scheme No. 2 (TPS 2) the proposed event is a *use not listed*. Clause 3.2.5 of TPS 2 states that where a land use is not listed Council may:

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

In previous years the event has attracted a substantial number of tourists, members of the travelling public and residents of Beverley.

Given that the proposed use will not preclude agricultural use of the property for the remainder of the year and provides entertainment options not normally available in Beverley, it will be recommended Council determine that the proposed use may be consistent with the objectives and purpose of the Farming zone.

Advertising

In compliance with Clause 6.2 of TPS 2 the application was advertised for a period of 21 days. A total of 2 submissions were received comprising of 2 no objections. A summary of the submissions received and officer's responses are detailed in the next table:

	Respondent	Property	Comment	Planner's Response
1	Rob Fisher 305 Vallentine Road Beverley WA 6304	Lot 25880 Vallentine Road, Westdale	1. Request Police presence, before, during and after event.	Although this is a police operational matter, Planning Officer handed police (Sgt. Darrell Hagan), a copy of the application on 5 March 2013, for their records, and they confirmed their presence on the day.
2	W. Cherry 234 Holmes Road Forrestfield WA	Lot 84 Butchers Road Westdale	1. No Objection to Proposal. 2. The More events in the Shire the better.	Noted Noted.

Similar events have occurred on this property previously. A search of Shire records indicates no correspondence regarding serious matters of concern has been received by the Shire.

The event will aid in economic development and economic diversification in the Shire of Beverley. Direct economic enhancement will occur due to catering for the needs of the substantial number of persons attending the event. Indirect economic benefit will come from raising the profile of Beverley throughout the state and making Beverley a tourist destination. As such the event will aid in economic diversification in Beverley.

Entertainment options in Beverley may be considered limited for the younger age groups. This event will provide an entertainment option comparable with those in the metropolitan area and not generally available in Beverley. As such the event will aid in enhancing the amenity of the Shire.

Fire Management

The proposal contains a fire management plan and an emergency evacuation plan to be implemented for the duration of the event. Should Council approve the application it will be recommended the fire management and emergency evacuation plans be implemented as conditions of approval.

First Aid and Management Plans

As components of the application, a fire risk, precaution and evacuation plan and a traffic management plan have been submitted. To cater for first aid at the previous events, an ambulance and three staff were on duty during the duration of the event. Shire staff considers similar first aid arrangements should occur from 8.00 am 18 May 2013 to 9.00 pm 18 May 2013. Should Council approve the application, it will be recommended the fire and traffic management plans and first aid arrangements as detailed, be specified as conditions of approval.

Conclusion

The application to conduct the Turner Gully Dirt Drags at Lot 83 Butchers Road, Westdale is supported due to:

1. Diversification of economic activity;
2. Enhancement of amenity through provision of generally unavailable entertainment options;
3. Raising the profile of the Shire of Beverley;
4. No objections to the proposal; and
5. Economic benefit to the local economy.

It will therefore be recommended the proposal be considered a land use that is consistent with the objectives of the Farming zone and Council grant planning approval.

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

That Council resolve:

- 1) By absolute majority that the proposed use is consistent with the planning objectives and purpose of the Farming zone.
- 2) To grant planning approval for the Turner Gully Dirt Drags event at Lot 83 Butchers Road, Westdale, subject to the following conditions and advice notes:

Conditions:

1. Planning approval for the event at Lot 83 Butchers Road, Westdale, is valid for the period of 18 May 2013 only.
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. As the Water Corporation reticulated sewer is not available, acceptable ablution facilities are to be provided for the entire period of this approval, to the satisfaction of the Shire's Environmental Health Officer (refer to Advice Note 2).
4. The approved Fire Risk, Precautions and Emergency Evacuation Plan are to be complied with at all times, for the entire period of this approval.
5. Every All-Terrain Vehicle used as part of the fire precautions, shall carry a fire extinguisher.
6. The approved Traffic Management Plan is to be complied with at all times, for the entire period of this approval.
7. An ambulance and three staff qualified in first aid are to be available on-site between the hours of 8.00 am 18 May 2013 to 9.00 pm 18 May 2013.

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, an application is to be submitted to the Council's Environmental Health Section and approved, prior to the commencement of the event.
3. The applicant is reminded that a permit might be required for the lighting of fires. Information can be obtained from FCO Robert Fisher, Dale Brigade, Tel. 96472045

COUNCIL RESOLUTION

M5/0313

Moved: Cr Murray

Seconded: Cr Foster

That Council resolve:

- 1) By absolute majority that the proposed use is consistent with the planning objectives and purpose of the Farming zone.**
- 2) To grant planning approval for the Turner Gully Dirt Drags event at Lot 83 Butchers Road, Westdale, subject to the following conditions and advice notes:**

Conditions:

- 1. Planning approval for the event at Lot 83 Butchers Road, Westdale, is valid for the period of 18 May 2013 only.**
- 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. As the Water Corporation reticulated sewer is not available, acceptable ablution facilities are to be provided for the entire period of this approval, to the satisfaction of the Shire's Environmental Health Officer (refer to Advice Note 2).**
- 4. The approved Fire Risk, Precautions and Emergency Evacuation Plan are to be complied with at all times, for the entire period of this approval.**
- 5. Every All-Terrain Vehicle used as part of the fire precautions, shall carry a fire extinguisher.**
- 6. The approved Traffic Management Plan is to be complied with at all times, for the entire period of this approval.**
- 7. An ambulance and three staff qualified in first aid are to be available on-site between the hours of 8.00 am 18 May 2013 to 9.00 pm 18 May 2013.**

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, an application is to be submitted to the Council's Environmental Health Section and approved, prior to the commencement of the event.**
- 3. The applicant is reminded that a permit might be required for the lighting of fires. Information can be obtained from FCO Robert Fisher, Dale Brigade, Tel. 96472045**

CARRIED BY ABSOLUTE MAJORITY 8/0

BUT 51004

TURNER GULLY DIRT DRAGS

2013

EVENT OVERVIEW

Due to the continued interest within the 'Off Road' sporting community and continuing success of similar events throughout Australia, ONE TWENTY ONE RACING seeks the opportunity to stage TURNER GULLY DIRT DRAGS 2013.

TURNER GULLY DIRT DRAGS is a proposed Test and Tune event designed to allow local and interstate competitors, in all age brackets, the opportunity to demonstrate and/or tune their machines within this controlled, purpose built, ¼ mile venue. This venue has been designed to National Standards with state of the art electronic timing equipment and as such is the benchmark in Western Australia for this type of event. The proposal also includes a Burn-Out demonstration (to be confirmed)

The proposed TURNER GULLY DIRT DRAGS is to be held on a portion of 49ha of private land located at Lot 83 'Dale' in the Shire of Beverly over the period 18th May 2013 between the hours of 9.00am to 7.00 pm.

Organisers expect a patronage of around 1000 persons to attend the event. Public parking and overnight camping areas have been provided.

Cool drinks and water will be made available during the event.

FIRE RISK

The expected fire risk at the time of the event is considered negligible due to seasonal change within that period and the date of the event falls outside the 'fire ban' period. The area designated for use within the property boundaries consists of gently undulating pasture with small hills and ridges interspersed with smooth stone outcrops. There are few trees within the designated area until it meets the rising eastern boundary which is lined with low scrub and gum.

FIRE PRECAUTIONS

ONE TWENTY ONE RACING will designate approximately 6 – 8 event staff as Safety/Fire Marshalls and they will be provided with two-way radios and have all terrain mobility.

Licensed security officers and associated personnel provided by Astute Security Services will be on duty throughout the event and all will be designated 'Safety/Fire Marshalls'. They will be equipped with 2-way radios and distinctive clothing and will have attended a briefing prior to the event.

ONE TWENTY ONE RACING will establish a liaison with Emergency Services to enable correct and appropriate response to any critical incident.

Water from the dam and tank system will be utilized by the organiser by means of water pumps and mobile water carts (trucks).

A water tanker and delivery system will be on standby at the property in the event that it is required. However, in the likelihood of a major fire situation it is anticipated that an evacuation will be conducted and the incident to be handled by FESA/CFA.

Any bulk fuel brought by competition entrants will be stored in a stand-alone area adjacent to the dirt drag pit area and access will be restricted.

Fire extinguishers will be located in strategic areas on the venue site – especially in areas of structure and high risk.

A site inspection will be conducted in the week preceding the event to re-evaluate any potential fire risk.

Professional and volunteer St. Johns Ambulance First Aid personnel will also be on-site to attend to any medical emergencies.

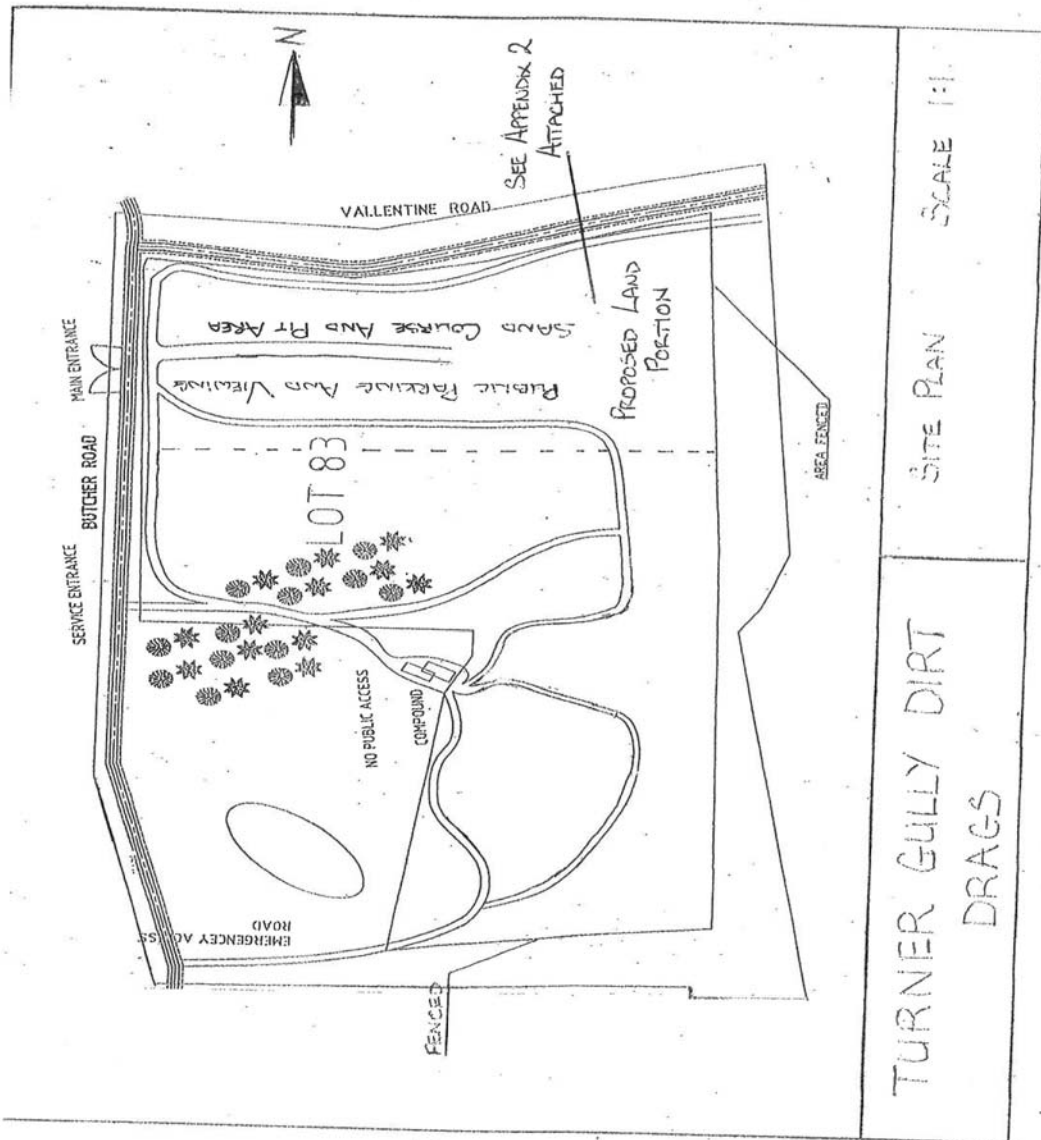
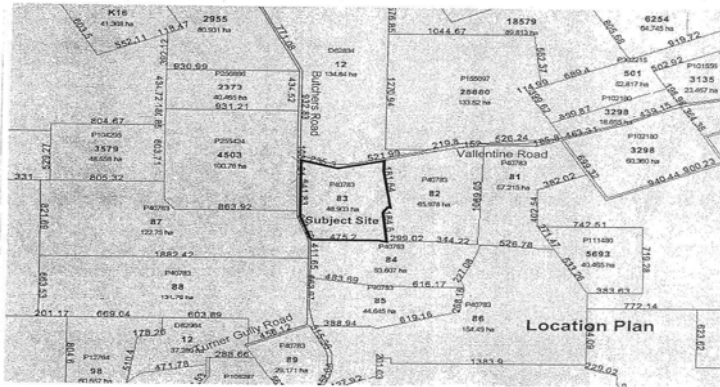
EMERGENCY EVACUATION

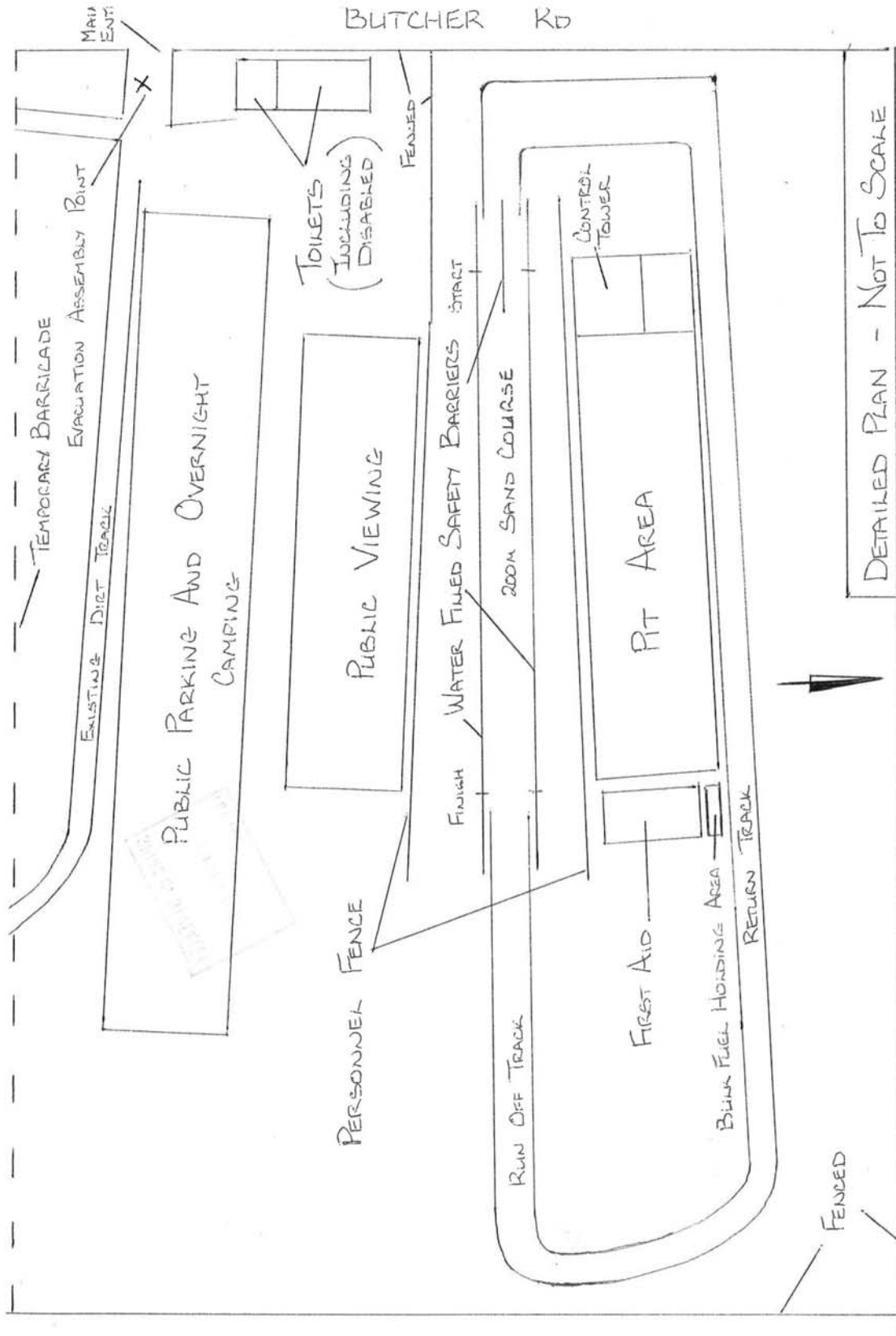
If any situation occurs that is deemed by the organisers to have the potential to threaten the safety of event staff and patrons a general evacuation of the site will be called. This will involve the use of the Public Address System to announce a General Evacuation and Fire Marshalls with loud hailers will direct persons away from the point of any danger to the designated Evacuation Assembly Point. In case of evacuation the route will be by way of the main access road and persons will be mustered outside the main gate toward Butchers Road (west). This route will be familiar to all persons who have entered the property. If necessary an alternative or extra route may be accessed through the public parking area. Attempts to evacuate vehicles and

possessions WILL NOT BE PERMITTED until such time that any potential danger has been deemed safe by attending Emergency Services. The property is bounded by standard wire fencing and specific areas within the event area will be fenced off. However, these fences will be of low-level, light construction and are not considered a 'containment' threat in the case of an evacuation.

We envisage all agencies will work well together to achieve a safe, enjoyable and successful event.

'Prepared and compiled by Astute Security Services on behalf of ONE TWENTY ONE RACING.'

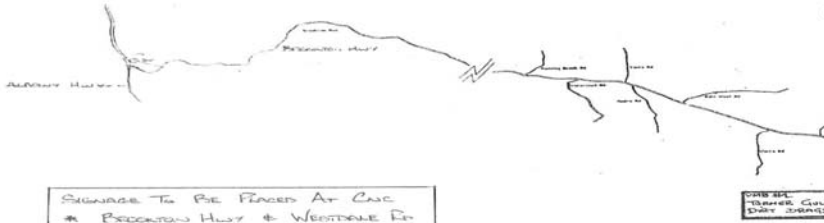




APPENDIX 2



MR PHIL UCHTMAI
63 Buckingham Roa
Kelmscott WA 61
M 0408 944 88
A/H 08 9390 627

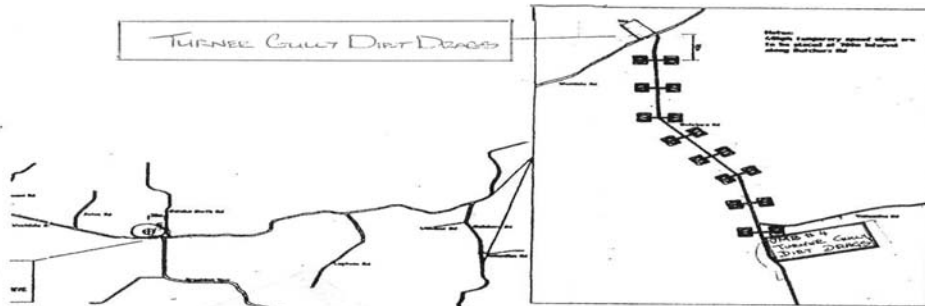


SIGNAGE TO BE PLACED AT CMC
* BROOKTON HWY & WESTDALE RD
* WESTDALE RD & BUTCHER RD
* 40 KM TEMPORARY SPEED SIGN
TO BE PLACED AT 700M INTERVALS
ALONG BUTCHER RD

CMC
Turner Cully
Dirt Drains



MR PHIL UCHTMAI
63 Buckingham Roa
Kelmscott WA 61
M 0408 944 88
A/H 08 9390 627



9.3 Proposed Relocated Second Hand Dwelling Lot 321 Lennard Road

SUBMISSION TO: Ordinary Council Meeting 26 March 2013
REPORT DATE: 19 March 2013
APPLICANT: Trevor and Ellen Speedy
FILE REFERENCE: LEN 947
AUTHOR: B S de Beer, Shire Planner
ATTACHMENTS: Building Surveyors Report, Locality Map, Photos, Site Plan, House Elevation Plans

SUMMARY

It is proposed to relocate a secondhand building (dwelling) to Lot 321 Lennard Road. It will be recommended the application be approved.

BACKGROUND

The applicant is proposing to relocate a second hand building to Lot 321 Lennard Road, Beverley.

The subject site is zoned Farming and contains an existing shed.

COMMENT

(Kindly consider this section by referring to the attached Locality Map and other documentation).

Under Clause 4.13 of the Shire of Beverley Town Planning Scheme No. 2 (TPS 2) the use of second hand cladding or the relocation of a second hand building shall only be permitted at the discretion of Council. Council must consider if the building is in a satisfactory condition and will not detrimentally affect the amenity of the area. To ensure compliance with any conditions of approval Council may require a bond. Implementation of the provisions of TPS 2 is guided by Council policy.

Planning for second hand dwellings is guided by Council's Relocated Second Hand Buildings Policy. The objective of the policy is to ensure that the relocation of second hand buildings is undertaken to an approved standard which pays regard to local amenity and aesthetics.

To address any possible amenity and aesthetic concerns should Council approve the application, it will be recommended the dwelling is painted and finished to an acceptable standard, as conditions of approval. To ensure the dwelling is finished within an acceptable timeframe it will be recommended a bond, in compliance with TPS 2 and Council's policy, is also imposed as a condition of approval.

Council's Relocated Second Hand Buildings Policy requires an inspection by the Shire's Building Surveyor of the dwelling prior to relocation into the Shire. The purpose of this requirement is to ensure the dwelling is suitable for relocation. The Shire's Building Surveyor did inspect the property and has submitted a favourable report in this regard (attached hereto).

The recommended conditions of approval are consistent with TPS 2 and Council policy and are anticipated to address any matters of concern. Therefore it will be recommended the application is approved.

Consultation:

As a result of the proposed site-specific location of the dwelling on the lot, in relation to neighbouring land uses, it was not considered necessary to consult with neighbouring property owners.

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

The application complies with Council's Policy on Relocated Second Hand Buildings.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council grant Planning Approval for a Relocated Second Hand Building at Lot 321 Lennard Road, 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.
3. Prior to the issue of a Building Permit, a bond of \$5,000 is to be lodged with the Shire of Beverley to ensure all works, including painting, 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. Prior to relocation of the second hand building, all asbestos material, if present, shall be removed.

5. All works are to be completed within 12 months from the relocation of the building.
6. Prior to occupation, the exterior of the dwelling is to be finished to an acceptable standard and painted in an approved colour which is in harmony with the amenity of the area, to the satisfaction of the Shire.
7. As the Water Corporation reticulated sewer is not available the premises are to be connected to an approved wastewater system, which complies with the requirements of the Treatment of Sewerage 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 3).
8. 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.

Advice Notes:

1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
2. The applicant is advised a building permit is required prior to commencement of any building works.
3. With regard to condition 7, an application is to be submitted to the Council's Environmental Health Section in conjunction with the Building Permit application.
4. With regard to Condition 3, in compliance with Council's Relocated Second-Hand Buildings Policy, the \$5,000 bond is to be lodged with the Shire. Bank or other guarantees are not acceptable.

COMMITTEE'S RESOLUTION

M6/0313

Moved: Cr Gogol

Seconded: Cr Shaw

That Council grant Planning Approval for a Relocated Second Hand Building at Lot 321 Lennard Road, 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.**
- 3. Prior to the issue of a Building Permit, a bond of \$5,000 is to be lodged with the Shire of Beverley to ensure all works, including painting, 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. Prior to relocation of the second hand building, all asbestos material, if present, shall be removed.**
- 5. All works are to be completed within 12 months from the relocation of the building.**
- 6. Prior to occupation, the exterior of the dwelling is to be finished to an acceptable standard and painted in an approved colour which is in harmony with the amenity of the area, to the satisfaction of the Shire.**
- 7. As the Water Corporation reticulated sewer is not available the premises are to be connected to an approved wastewater system, which complies with the requirements of the Treatment of Sewerage 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 3).**
- 8. 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.**

Advice Notes:

- 1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.**
- 2. The applicant is advised a building permit is required prior to commencement of any building works.**
- 3. With regard to condition 7, an application is to be submitted to the Council's Environmental Health Section in conjunction with the Building Permit application.**
- 4. With regard to Condition 3, in compliance with Council's Relocated Second-Hand Buildings Policy, the \$5,000 bond is to be lodged with the Shire. Bank or other guarantees are not acceptable.**

CARRIED 8/0

Property 1, Location
Beverley 79/ Land Area.
48.30ha.

Land ID - 79P224377

PROPOSED LOCATION OF BUILDING

Lot: 321 House No: _____ Street: Rural Number 321 property on Lennard Road
Zoning: Rural/Special Rural/Residential Area of Lot: 120 acres

DOCUMENTATION REQUIRED WITH THIS APPLICATION

1. Two recent photographs of the building.
2. A sketch plan of the building indicating room sizes and proposed joint locations.
3. A site plan of the proposed location showing the shape of the lot, street frontage, north point and position of the proposed building in relation to the boundaries of the lot, other buildings on the site and the building envelope on special rural sites.

New building to be used as: domestic dwelling after re-establishment.

Signature of Applicant: X [Signature]

FOR OFFICE USE ONLY
INSPECTION REPORT

Date: 26 FEB 2013 Estimated Age (Years): 1304.0

Cladding - Walls

Type: STEEL CLADDING TRIMDEK

Condition: FAIR - REQUIRES PAINT AS PATCHY IN PART.

Rectification Required: GENERAL FIXING & FINISHING
WHEN IN POSITION - FINAL COAT OF PAINT

Roof

Type: CUSTOM ORB - COLORBOND

Condition: FAIR

Rectification Required: _____

Structure – Sub-Floor

Type: CONCRETE BEAM

Condition: APPEARS IN GOOD CONDITION.

Rectification Required: —

Walls INTERNAL:

Type: — PASTERBOARD

Condition: NEU - GOOD

Rectification Required: NIL.

Roof ~~CONCRETE~~

Type: STEEL TRUSS

Condition: SOUND.

Rectification Required: NIL.

Interior and Services (Any Relevant Comment)

FAIR QUALITY FINISHES - TILES TO BATHROOM
2M TILES TO WALL IN SHOWER RECESS.
WELL PRESENTED.
NO RCD ON POWER CIRCUIT AS YET.

Appearance

Poor
Fair
Good
Very good
Excellent

General Remarks

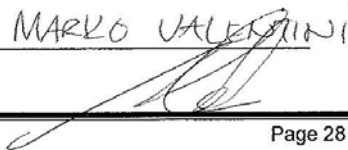
- o INSULATION TO BE RE-INSTATED TO ROOF SPACE
- o FANS TO BE CONNECTED & FLUED THROUGH A ROOF
- o DOWNPIPES TO BE INSTALLED

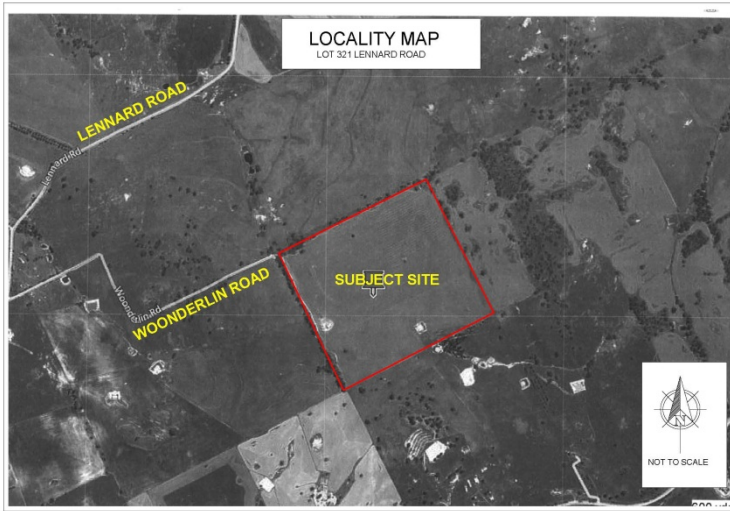
Recommendation

That the building ~~BE~~^{NOT BE} approved for relocation to the nominated site subject to the following specific conditions to be imposed on the Building Licence:

1. - ADEQUATE STAIRS & HANDRAIL BE PROVIDED TO ENTRANCE DOORS
2. INSULATION BE PROVIDED TO ROOF SPACE. VALUE OF INSULATION TO BE NOMINATED AND COMPLY WITH REQUIREMENTS.

Signature of Inspecting Officer:

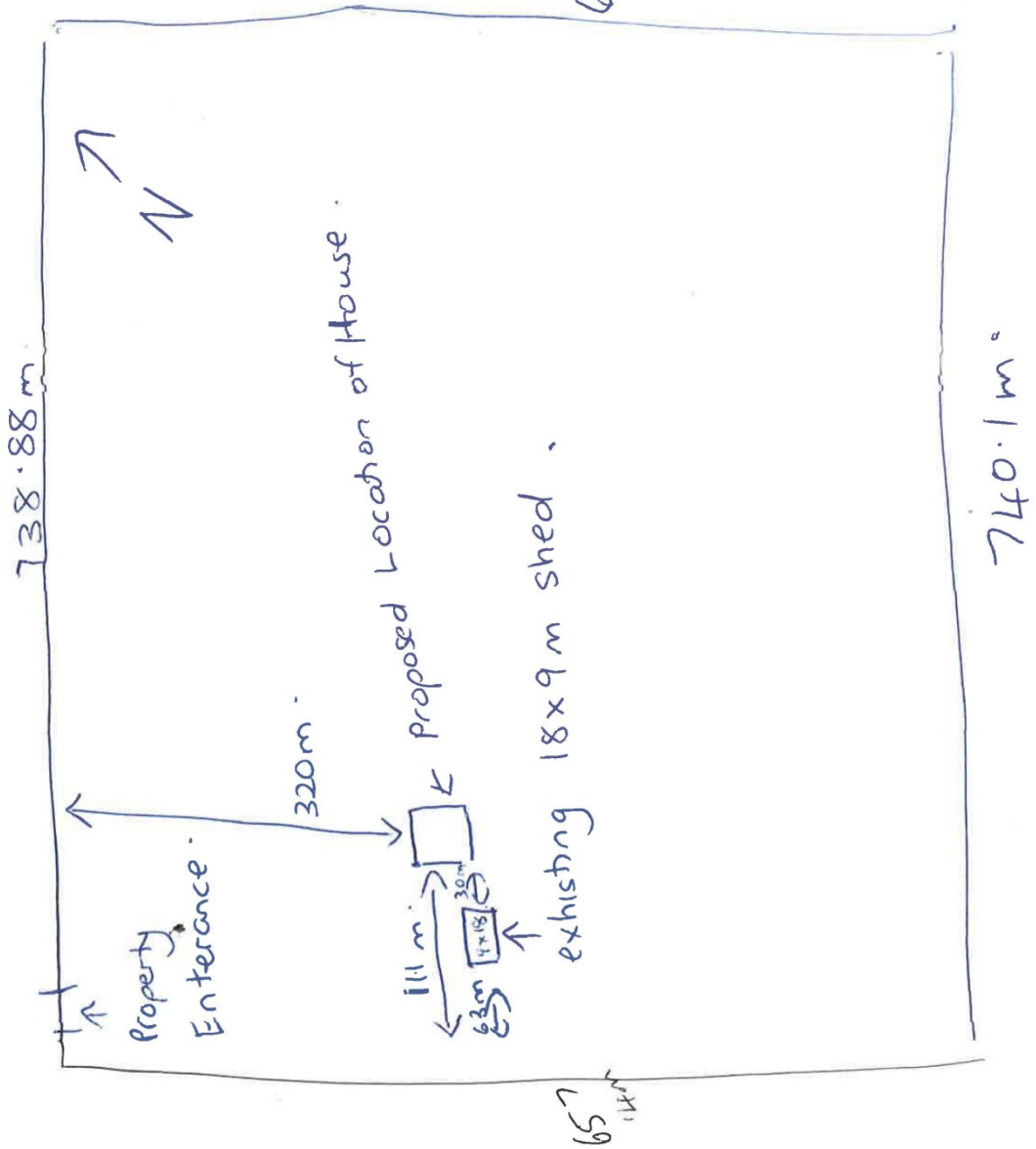
MARKO VALENTINI


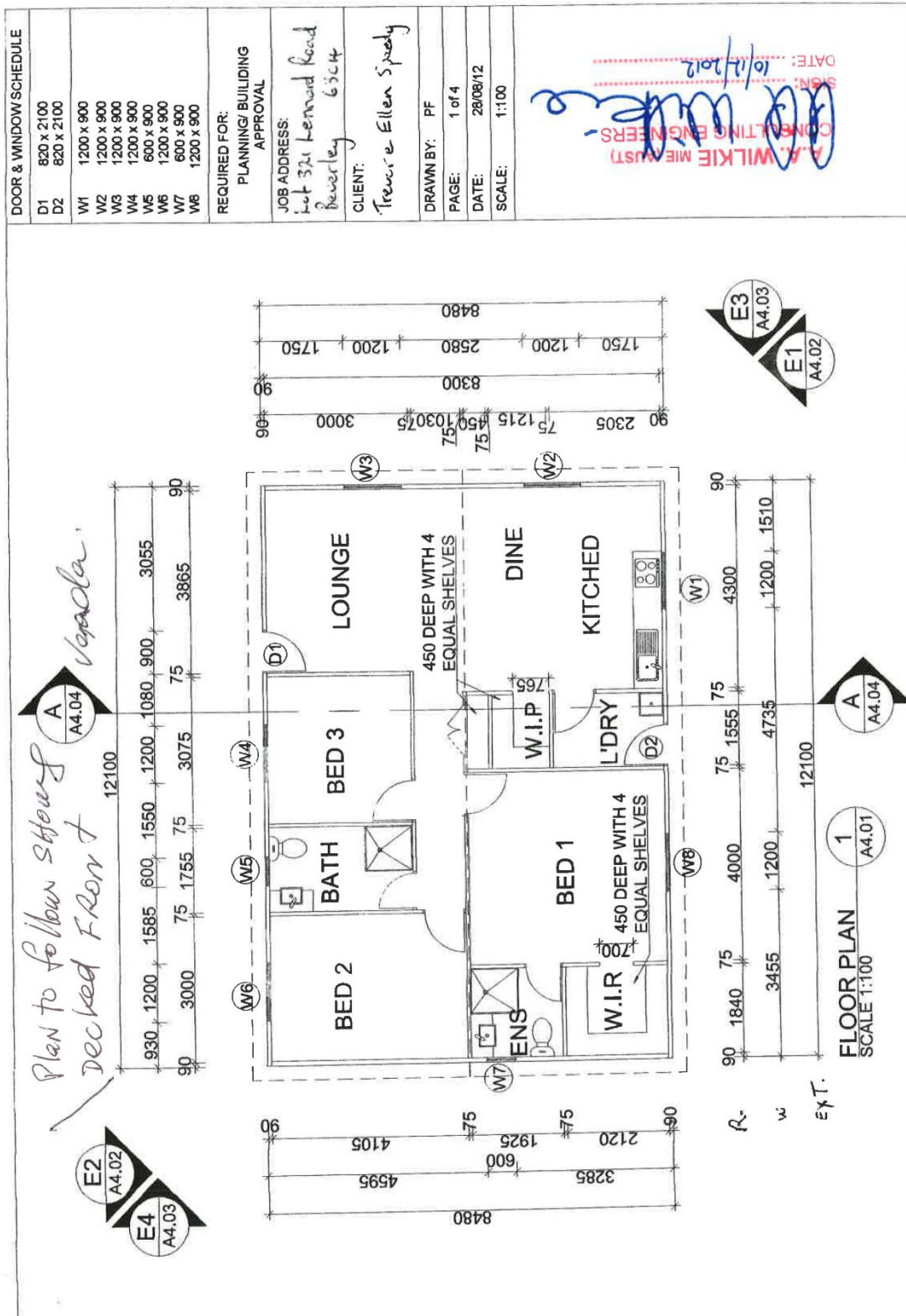


TH + ES Speedy
Lot 321 Lennards Rd
Beverley
Scale 1cm = 40m.

Location 79
Vol 1933
Folio 609

654.4m.





White Coloursband.

ELEVATION 3
SCALE 1:100
A4.03

ELEVATION 4
SCALE 1:100
A4.03

REQUIRED FOR:
PLANNING/BUILDING APPROVAL

JOB ADDRESS:
Lot 321 Hereward Road
Beverly 6304

CLIENT:
Travis & Ellen Speedy

DRAWN BY: PF

PAGE: 3 of 4

DATE: 28/08/12

SCALE: 1:100

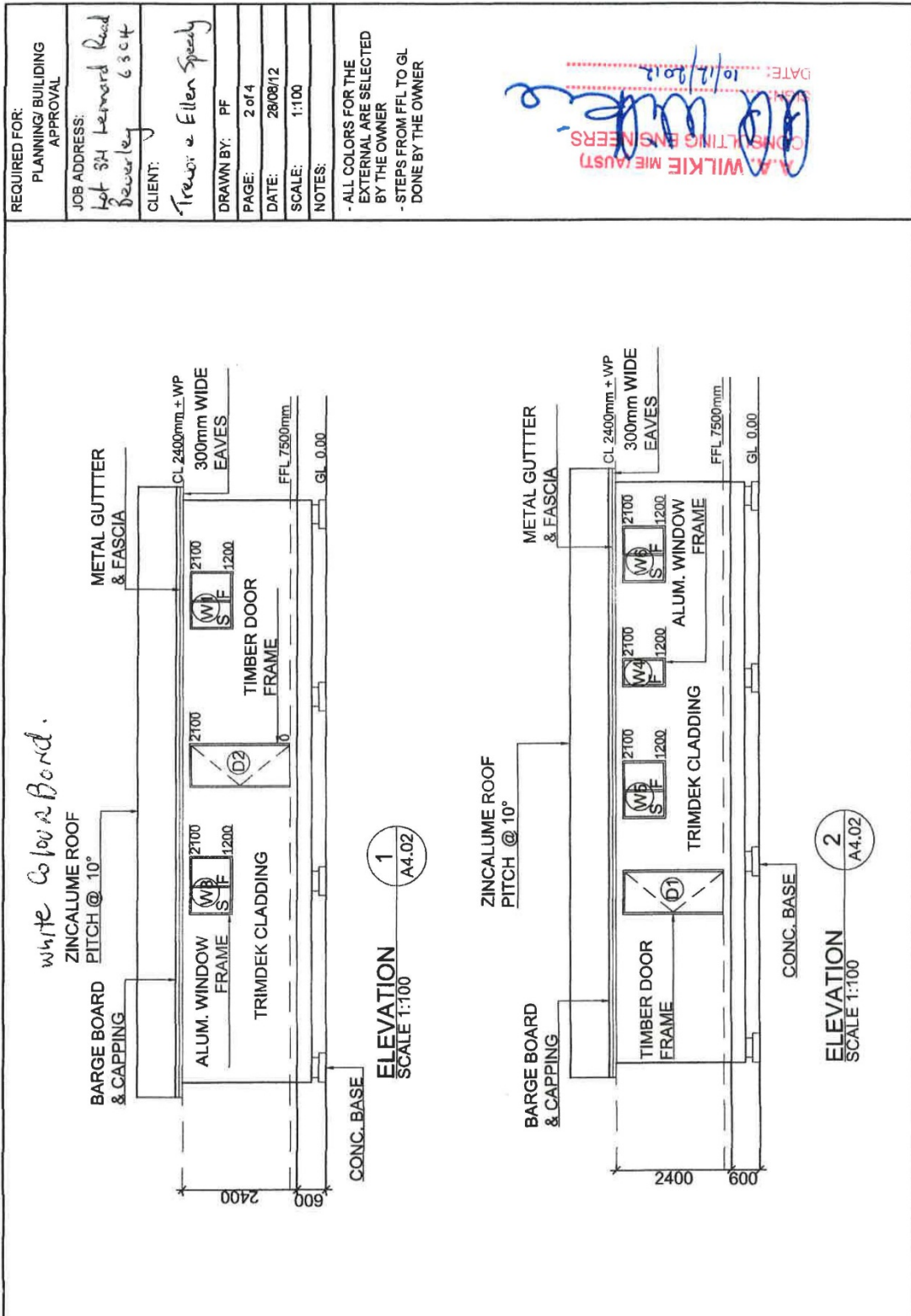
NOTES:

- ALL COLORS FOR THE EXTERNAL ARE SELECTED BY THE OWNER
- STEPS FROM FFL TO GL DONE BY THE OWNER

A.J. WILKIE (M.E.AUST)
CONSULTING ENGINEERS

[Signature]

DATE: 10/11/2013



9.4 Notice of Application for Exploration Licence 70/4468

SUBMISSION TO: Ordinary Council Meeting 26 March 2013
REPORT DATE: 19 March 2013
APPLICANT: M & M Walter Consulting
FILE REFERENCE: ADM 0071
AUTHOR: B S de Beer, Shire Planner
ATTACHMENTS: Application Documentation

SUMMARY

M & M Walter Consulting (Mining titles & Native Title Management), on behalf of East Pilbara Iron Pty Ltd have advised that they have made application for an exploration license.

BACKGROUND

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

East Pilbara Iron Pty Ltd

70/4468

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

COMMENT

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

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

Irrespective of the above, Council has in the past resolved to impose conditions to be adhered to by the applicants of exploration licences. As a result of the legal impossibility to enforce such conditions in terms of the Planning and Development Act 2005, it will be recommended that Council rather revert to advice notes in relation to their desired intended outcomes for exploration activities within the Shire of Beverley.

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council resolve to inform M & M Walter Consulting that they take note of the exploration licence application 70/4468 and further advise as follows: –

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

COUNCIL RESOLUTION

M7/0313

Moved: Cr Gogol

Seconded: Cr Shaw

That Council resolve to inform M & M Walter Consulting that they take note of the exploration licence application 70/4468 and further advise as follows: –

- 1. All service holes drilled for the purpose of exploration are to be capped, filled or otherwise made safe after completion.**
- 2. All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the district mining engineer. Backfilling and rehabilitation being required no later than six months after excavation unless approved by the district mining engineer.**
- 3. Abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of the exploration program.**
- 4. No activities taking place to the detriment of any roads, streets or verges.**
- 5. Minimum disturbances being made to the natural vegetation.**
- 6. Adequate suppression control methods and practices being used.**
- 7. Except with the approval of the Shire of Beverley, all mining excavations or drilling operations being backfilled and the ground reinstated and revegetated to the satisfaction of the Shire of Beverley's Works Supervisor.**
- 8. All works comply with the Environmental Protection (Noise) Regulations 1997.9. All waste materials, rubbish and plastic sample bags to be removed within 60 days of placement.**

CARRIED 8/0



M&M Walter Consulting
MINING TITLES AND NATIVE TITLE MANAGEMENT

Suite 1, 159 York Street
Subiaco WA 6008
PO Box 8197
Subiaco East WA 6008
T: (08) 9381 5866
F: (08) 9381 5877
ABN 39 802 269 835

Registered Post

28th February 2013

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



Dear Sir/Madam,

APPLICATION FOR EXPLORATION LICENCE: 70/4468

This Company acts for **East Pilbara Iron Pty Ltd.**

We wish to advise that East Pilbara Iron Pty Ltd has made application for the abovementioned Exploration Licence which is situated within the boundaries of the Shire of Beverley. As required by the Mining Act WA (1978), the Form 21 Application is attached for your reference along with a Map showing the boundaries of the area applied for.

Please do not hesitate to contact this office if you have any queries in regard to these applications.

Yours faithfully
M&M WALTER CONSULTING

Martin Wiedemann
Mining Title Consultant
(For and on behalf of East Pilbara Iron Pty Ltd)

FORM 21

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

APPLICATION FOR MINING TENEMENT

- (a) Type of tenement
- (b) Time & Date marked out (where applicable)
- (c) Mineral Field

(a) Exploration Licence	No. 70/ 4468
(b) N/A	(c) South West

- APPLICANT:
For each applicant:
- (d) Full name and ACN/ABN No.
 - (e) Address
 - (f) No. of shares
 - (g) Total No. of shares

(d) & (e)	(f) shares
East Pilbara Iron Pty Ltd (ACN 153 537 485)	100
C/- M & M Walter Consulting PO Box 8197 SUBIACO EAST, WA 6008	
(g) total	100


- DESCRIPTION OF GROUND APPLIED FOR:
(For Exploration Licences see Note 1.
For other Licences see Note 2.
For all Licences see Note 3.)
- (h) Locality
 - (i) Datum Peg
 - (j) Boundaries

(h) Doobelling Spring
(i)
(j) See Attachments 1 & 2

APPLICANT SEEKS SUBSURFACE RIGHTS IN RESPECT TO PRIVATE LAND AFFECTED BY THE APPLICATION

- (k) Area (ha or km²)
- (l) Signature of applicant or agent (if agent, state full name and address)

(k) 62 Blocks

(l)  Date 19.02.2013
Angela Plummer - (as Agent)
C/- M & M Walter Consulting, PO Box 8197,
SUBIACO EAST WA 6008

OFFICIAL USE

A NOTICE OF OBJECTION may be lodged at any mining registrar's office on or before the 28th day of March 2013. (See Note 4).

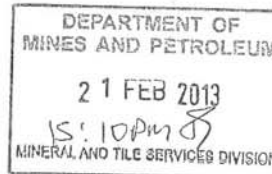
Where an objection to this application is lodged the hearing will take place on a date to be set.

Received at 15:10 a.m. / p.m. on 21/02/ 20 13 with fees of:

Application	\$	<u>1,232.90</u>
Rent	\$	<u>7,235.40</u>
TOTAL	\$	<u>8,486.30</u>

SHIRE - BEVERLEY, QUARRADINS
RA: - 06-120843

P. VIELHAUER
Mining Registrar



NOTES

Note 1: EXPLORATION LICENCE

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

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

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

Note 3: GROUND AVAILABILITY

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

Note 4: ALL APPLICATIONS OVER PRIVATE LAND

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



WESTERN AUSTRALIA
Mining Act 1978
Sec. 58; Reg. 64
GOVERNMENT OF
WESTERN AUSTRALIA
Geoplot System V1.2/13

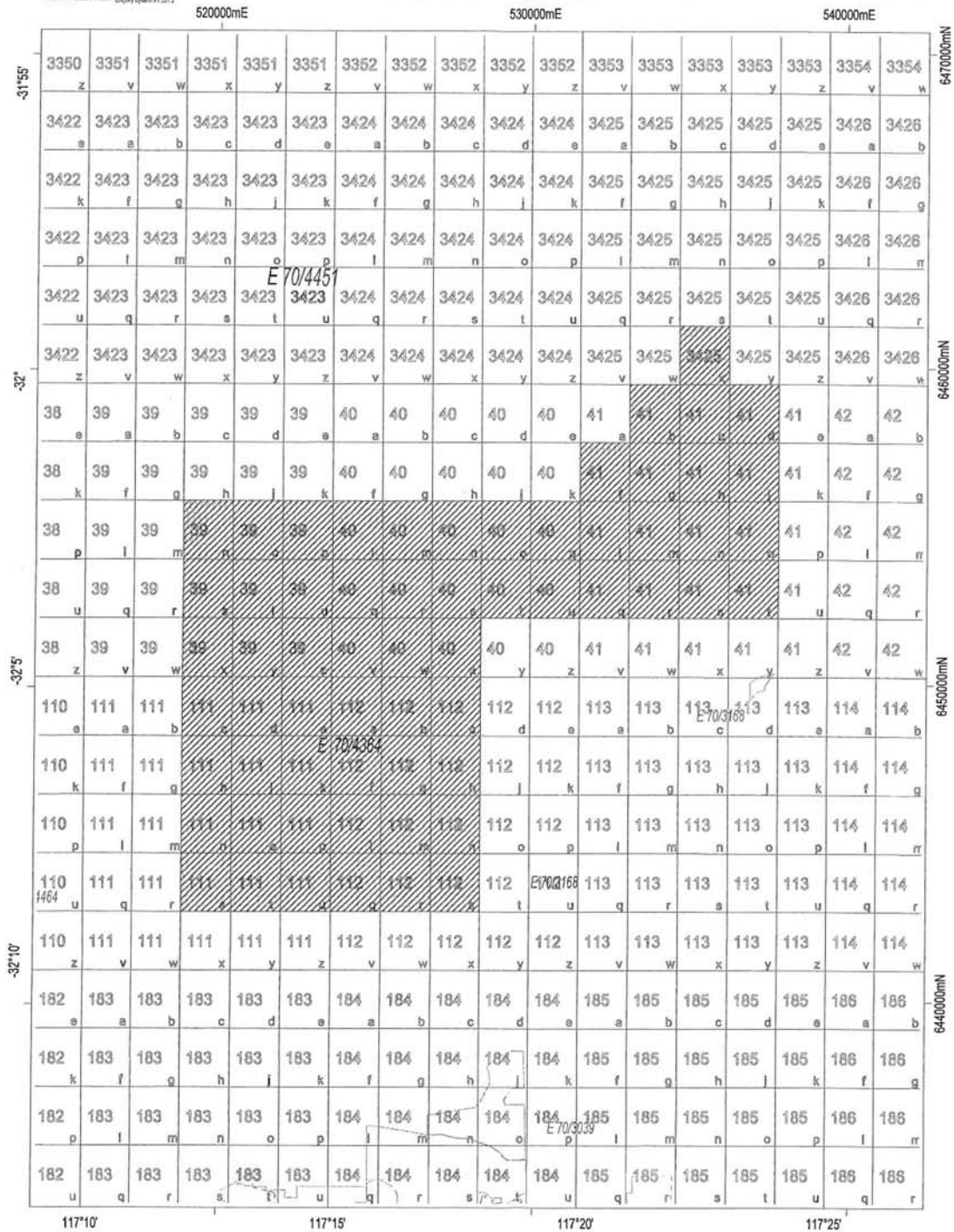
FORM 21 - ATTACHMENT 2

1:1,000,000 Plan Name(s) Perth
1:1,000,000 Plan Name(s) Albany

TENGRAPH (c) 1992, 1993

08:33 AM, 12/02/2013
EX37485 PERTMX91

Graticular section
applied for



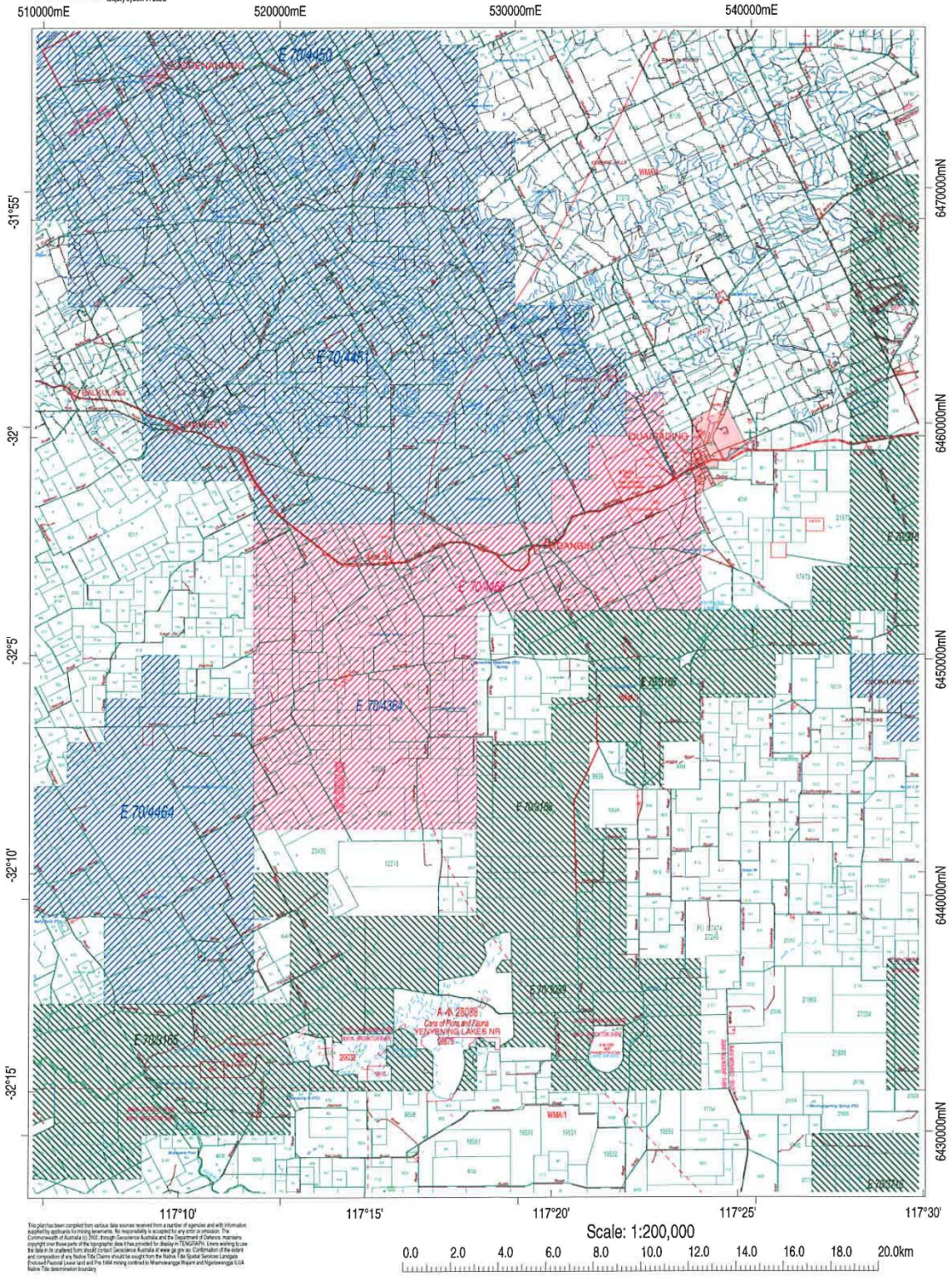
MAP SHOWING BLOCKS APPLIED FOR IN
EXPLORATION LICENCE NO. 70,4468

Scale: 1:150,000
0.0 1.5 3.0 4.5 6.0 7.5 9.0 10.5 12.0 13.5 15.0km



Map Grid of Australia, 1994 - Zone 50

TENGRAPH (c) 1992, 1993
02:47 PM, 22/02/2013
[Customized Screen] D077264



9.5 Notice of Application for Exploration Licence 70/4451 (Dulbelling)

SUBMISSION TO: Ordinary Council Meeting 26 March 2013
REPORT DATE: 19 March 2013
APPLICANT: M & M Walter Consulting
FILE REFERENCE: ADM 0071
AUTHOR: B S de Beer, Shire Planner
ATTACHMENTS: Application Documentation

SUMMARY

M & M Walter Consulting (Mining titles & Native Title Management), on behalf of Kaolin Resources Pty Ltd have advised that they have made application for an exploration license.

BACKGROUND

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

Kaolin Resources Pty Ltd

70/4451

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

COMMENT

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

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

Irrespective of the above, Council has in the past resolved to impose conditions to be adhered to by the applicants of exploration licences. As a result of the legal impossibility to enforce such conditions in terms of the Planning and Development Act 2005, it will be recommended that Council rather revert to advice notes in relation to their desired intended outcomes for exploration activities within the Shire of Beverley.

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council resolve to inform M & M Walter Consulting that they take note of the exploration licence application 70/4451 (Dulbelling) and further advise as follows: –

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

COUNCIL RESOLUTION

M8/0313

Moved: Cr Shaw

Seconded: Cr Murray

That Council resolve to inform M & M Walter Consulting that they take note of the exploration licence application 70/4451 (Dulbelling) and further advise as follows: –

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

CARRIED 8/0



M&M Walter Consulting
MINING TITLES AND NATIVE TITLE MANAGEMENT

SKOB

Suite 1, 159 York Street
Subiaco WA 6008
PO Box 8197
Subiaco East WA 6008
T: (08) 9381 5866
F: (08) 9381 5877
ABN 39 802 269 835



By Registered Post AP507802829019

17th January 2013

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

Dear Sir/Madam

APPLICATIONS FOR EXPLORATION LICENCES 70/4451 (DULBELLING)

On behalf of our client, Kaolin Resources Pty Ltd, we wish to advise that they have made application for the abovementioned exploration licences. Details of the applications are attached as follows:

- Copies of the applications; and
- Maps showing areas applied for.

Please do not hesitate to contact this office if you have any queries in regard to these applications.

Yours faithfully

Martin Wiedemann
Mining Title Consultant
(For and on behalf of Kaolin Resources Pty Ltd)

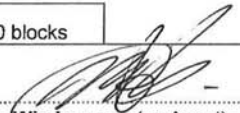
martin@mmwc.com.au

Att

Form 21

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

APPLICATION FOR MINING TENEMENT

(a) Type of tenement (b) Time & Date marked out (where applicable) (c) Mineral Field	(a) EXPLORATION LICENCE No...70.../4451
(b) a.m./p.m. / /	(c) South West Mineral Field
APPLICANT: (d) Full name) for (e) Address) each (f) No. of) appli- shares) cant (g) Total No. of shares	(d) & (e) Kaolin Resources Pty Ltd (ACN 141 831 914) C/- M & M Walter Consulting PO Box 8197 SUBIACO EAST WA 6008 (f) Shares 100 (g) Total 100
DESCRIPTION OF GROUND APPLIED FOR: (For Exploration Licences see Note 1) (h) Locality (i) Datum Peg (j) Boundaries	(h) Dulbellung (j) SEE ATTACHMENTS 1 & 2 "Sub-surface rights only are sought in respect of any private land affected by the application" (k) 70 blocks
(k) Area (ha or km ²) (l) Signature of applicant or agent	(l)  DATE 5 th January 2013 Martin Wiedemann, (as Agent) M & M Walter Consulting PO Box 8197, Subiaco East WA 6008

O F F I C E	OBJECTIONS to this application may be lodged at the Mining Registrar's office at <u>ANY</u> on or before the <u>13</u> day of <u>FEB</u> 2013. When an objection to this application is lodged the hearing will take place on a date to be set.				
	DEPARTMENT OF MINES AND PETROLEUM 09 JAN 2013 MINERAL TITLES DIVISION	FEES PAID	\$	¢	Receipt No.:
		Application	1232	90	Shire: Quairading
		Rent	8169	00	
TOTAL	9401	90			
U S E	Received at <u>2:40 p.m.</u> on <u>09 JAN 2013</u> by <u>P. Vielhauer</u> (Mining Registrar)		Map ref. Plan: Scale:		

NOTES

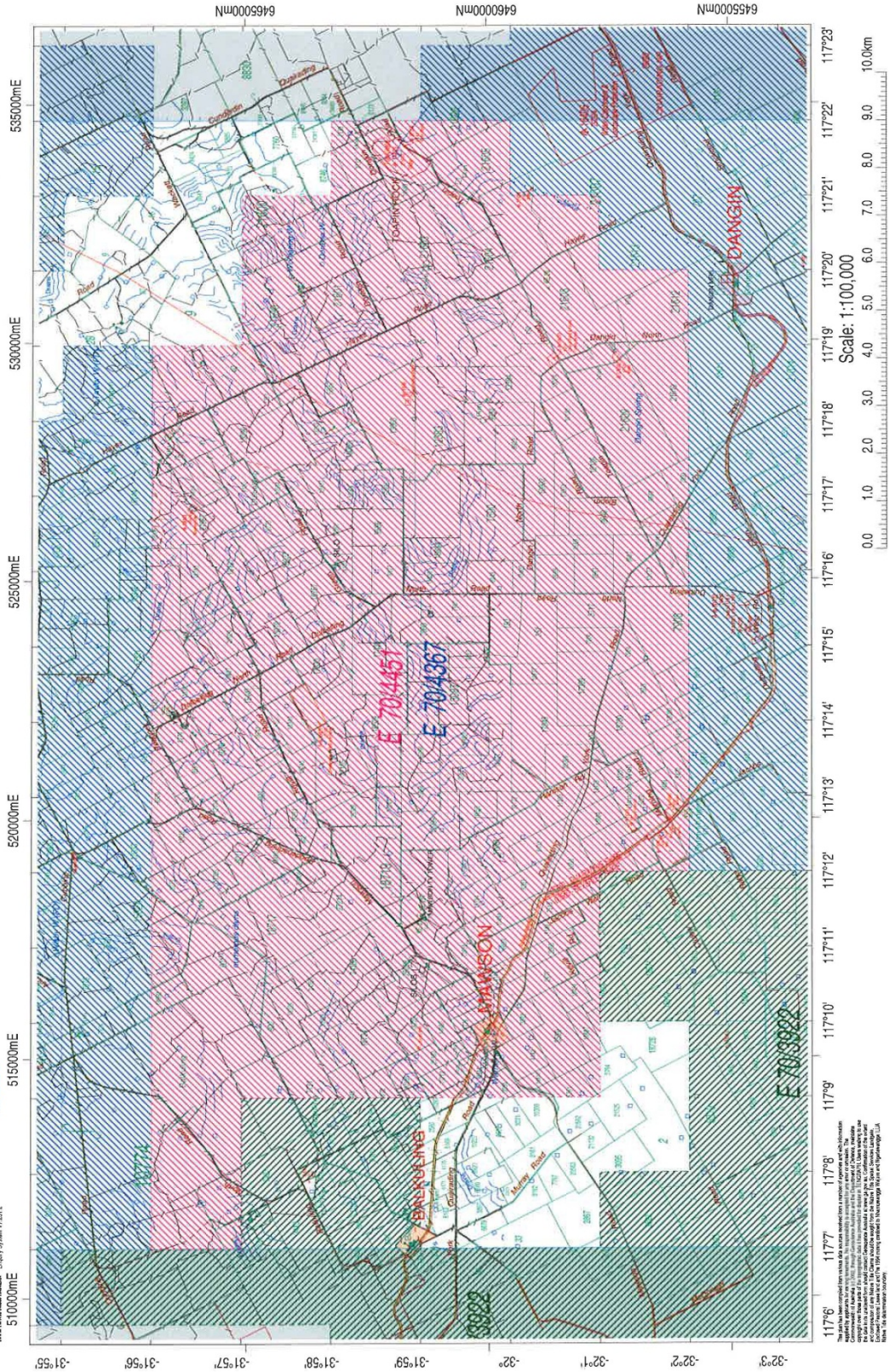
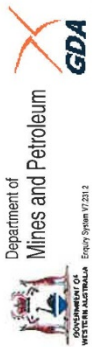
Note 1: EXPLORATION LICENCE
(i) Attachments 1 and 2 must be completed and accompany the lodgement of every application for an Exploration Licence in lieu of (h), (i), (j) and (k) above and a map.
(ii) An application for an Exploration Licence shall be accompanied by a statement specifying method of exploration, details of the proposed work programme, estimated cost of exploration and technical and financial ability of the applicant(s).

Note 2: PROSPECTING LICENCES, MINING/GENERAL PURPOSE LEASES AND MISCELLANEOUS LICENCES
(i) This application form shall be accompanied by a map on which are clearly delineated the boundaries of the area applied for.

Note 3: ALL APPLICATIONS OVER PRIVATE LAND
The period of lodgement of an objection is within 21 days of service of this notice, or the date noted above for lodging objections, whichever is the longer period.

TENGRAPH (c) 1992, 1993
09:43 AM, 10/01/2013
[Customized Screen] D077266

Map Grid of Australia, 1994 - Zone 50



11796 11797 11798 11799 11780 11781 11782 11783 11784 11785 11786 11787 11788 11789 11790 11791 11792 11793 11794 11795 11796 11797 11798 11799 11800 11801 11802 11803 11804 11805 11806 11807 11808 11809 11810 11811 11812 11813 11814 11815 11816 11817 11818 11819 11820 11821 11822 11823

Scale: 1:100,000
10.0km

This map has been prepared from source data which may not be a current version of the information. The Department of Mines and Petroleum is not responsible for any errors or omissions. The map is provided as a service and is not intended to be used for any purpose other than the one for which it was prepared. The map is provided as a service and is not intended to be used for any purpose other than the one for which it was prepared. The map is provided as a service and is not intended to be used for any purpose other than the one for which it was prepared.

9.6 Notice of Application for Exploration Licence 70/4464

SUBMISSION TO: Ordinary Council Meeting 26 March 2013
REPORT DATE: 19 March 2013
APPLICANT: Tenement Administration Services (TAS)
FILE REFERENCE: ADM 0071
AUTHOR: B S de Beer, Shire Planner
ATTACHMENTS: Application Documentation

SUMMARY

Tenement Administration Services (TAS), on behalf of Richard Harold Donley have advised that they have made application for an exploration license.

BACKGROUND

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

Richard Harold Donley

70/4464

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

COMMENT

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

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

Irrespective of the above, Council has in the past resolved to impose conditions to be adhered to by the applicants of exploration licences. As a result of the legal impossibility to enforce such conditions in terms of the Planning and Development Act 2005, it will be recommended that Council rather revert to advice notes in relation to their desired intended outcomes for exploration activities within the Shire of Beverley.

STATUTORY ENVIRONMENT

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

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council resolve to inform Tenement Administration Services that they take note of the exploration licence application 70/4464 and further advise as follows: –

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

COUNCIL RESOLUTION

M9/0313

Moved: Cr Shaw

Seconded: Cr Murray

That Council resolve to inform Tenement Administration Services that they take note of the exploration licence application 70/4464 and further advise as follows: –

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

CARRIED 8/0

2:48pm - Mr Stefan de Beer left the meeting and did not return.



13 February 2013

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

for Council info
Sec 120 - Mining Act 1978

VIA REGISTERED POST
506783211010

Dear Sir/Madam,

RE: NOTIFICATION OF APPLICATION FOR EXPLORATION LICENCE 70/4464

We act as tenement managers to Richard Harold Donley.

The above application falls within your Local Government Area.

Please find enclosed by way of service pursuant to Section 33(1)(a) of the Mining Act 1978, a copy of the application and a plan indicating its location.

Please contact the undersigned on (08) 9421 1777 should you have any queries regarding this application.

Yours faithfully
TENEMENT ADMINISTRATION SERVICES PTY LTD

Amanda Smith
Mining Tenement Manager
asmith@landadmin.com.au

Melbourne Head Office & Accounts 1748 Gisborne-Melton Rd Kurunjang VIC 3337 Telephone: (03) 9746 7222 Facsimile: (03) 9746 7799	Moorabbin Suite G01a, 999 Nepean Hwy Moorabbin VIC 3189 Telephone: (03) 9553 4696 Facsimile: (03) 9077 2857	Perth 2/326 Hay St East Perth WA 6004 Telephone: (08) 9421 1777 Facsimile: (08) 9421 1331	Brisbane Lvl 8 138 Albert St Brisbane 4000 PO Box 15589 City East, QLD 4002 Telephone: (07) 3012 7563 Facsimile: (07) 3211 0424	Sydney/Maitland 30 Colliery St Cessnock NSW 2325 PO Box 577 Raymond Terrace NSW 2324 Telephone: 0419 760 801 Facsimile: (02) 4990 7481
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Form 21

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

APPLICATION FOR MINING TENEMENT

(a) Type of tenement	(a) Exploration Licence	No 70/ 4464
(b) Time & Date marked out (where applicable)	(b) N/A	(c) South West
(c) Mineral Field		
APPLICANT:	(d) & (e)	(f) Shares
(d) Full Name	Richard Harold Donley C/- Tenement Administration Services Pty Ltd Level 2, 326 Hay Street EAST PERTH WA 6004	100
(e) Address		
(f) No. of shares		
(g) Total No. of shares		
	(g) Total	100
DESCRIPTION OF GROUND APPLIED FOR: (For Exploration Licences see Note 1. For other Licences see Note 2. For all Licences see Note 3.)	(h) Norwich Downs	
	(i) See Attachments 1 & 2	
	(j) See Attachments 1 & 2	
(h) Locality	(k) 37 Blocks	
(i) Datum Peg		
(j) Boundaries		
(k) Area (ha or km ²)		
(l) Signature of applicant or agent	(l) <i>Amanda Smith</i>	DATE 6/2/13
	Amanda Smith- Tenement Administration Services Pty Ltd - As Agent for Richard Harold Donley L2, 326 Hay St, East Perth, 6004 (P: 9421 1777)	

O F F I C E U S E	OBJECTIONS to this application may be lodged at any Mining Registrar's office on or before <u>14th</u> day of <u>MARCH</u> 2013 (see Note 4). Where an objection to this application is lodged the hearing will take place on a date to be set.			
	DEPARTMENT OF MINES AND PETROLEUM - 7 FEB 2013 MINERAL AND TILE SERVICES DIVISION	FEES PAID		Receipt No: <u>06-120289</u>
		Application	\$ 1232	¢ 90
		Rent	4317	90
TOTAL		5550	80	
Received at <u>9:10 a.m.</u> on <u>7 FEB 2013</u> <u>P. VIEHHAVER</u> (Mining Registrar)		Map Ref. <u>TENGRAPH</u> Plan Scale		

NOTES

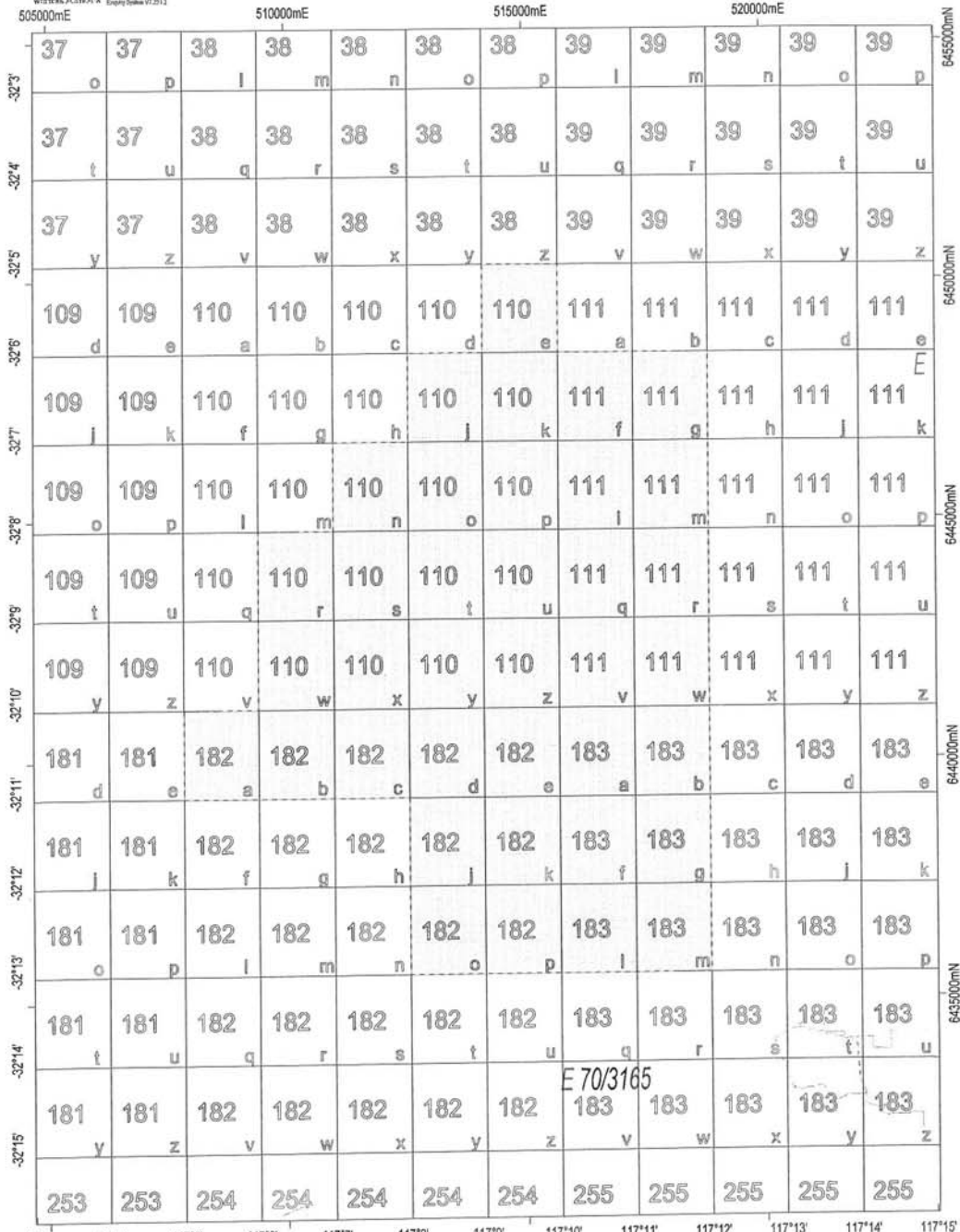
- Note 1: EXPLORATION LICENCE**
(i) Attachments 1 and 2 form part of every application for an exploration licence and must be lodged with this form in lieu of (h), (i), (j) and (k) above.
(ii) An application for an Exploration Licence shall be accompanied by a statement specifying method of exploration, details of the proposed work programme, estimated cost of exploration and technical and financial ability of the applicant(s).
- Note 2: PROSPECTING/MISCELLANEOUS LICENCE AND MINING/GENERAL PURPOSE LEASE**
(i) This application form shall be accompanied by a map on which are clearly delineated the boundaries of the area applied for.
- Note 3: GROUND AVAILABILITY**
(i) The onus is on the applicant to ensure that ground is available to be marked out and/or applied for.
(ii) The following action should be taken to ascertain ground availability:
(a) public plan search; (b) register search; (c) ground inspection.
- Note 4: ALL APPLICATIONS OVER PRIVATE LAND**
The period for lodgement of an objection is within 21 days of service of this notice, or the date noted above for lodging objections, whichever is the longer period.



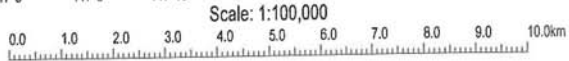
WESTERN AUSTRALIA
Mining Act 1978
Sec. 58, Reg. 64
Supply Scheme V1.2012

FORM 21 - ATTACHMENT 2
1:1,000,000 Plan Name(s) Perth
1:1,000,000 Plan Name(s) Albany

TENGRAPH (c) 1992, 1993
10:41 AM, 06/02/2013
EX43042 PERTMX98
Graticular section applied for



MAP SHOWING BLOCKS APPLIED FOR IN
EXPLORATION LICENCE NO. 70/4464



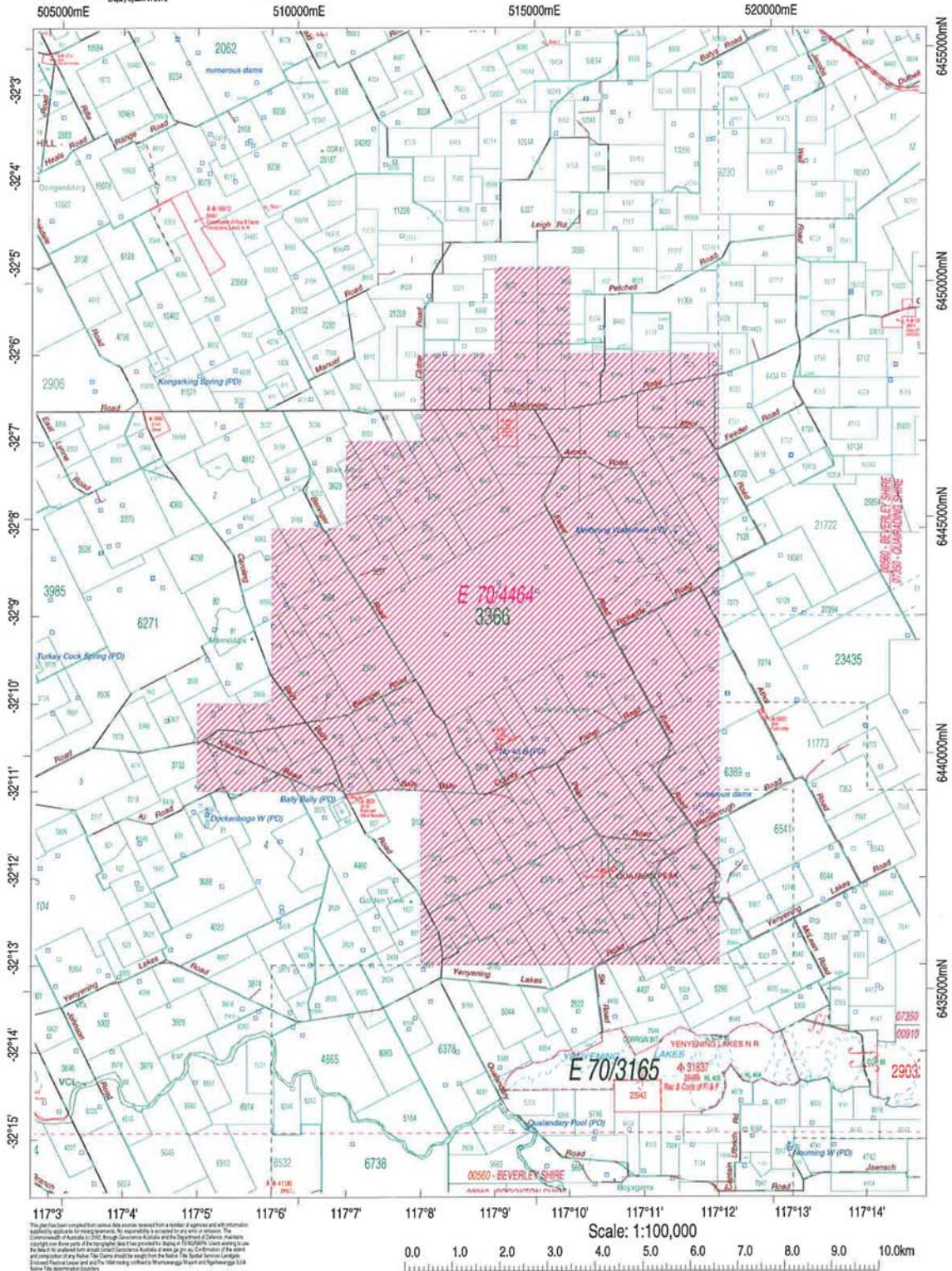


Department of
Mines and Petroleum
Equity System V7212



Map Grid of Australia, 1994 - Zone 50

TENGRAPH (c) 1992, 1993
10:24 AM, 07/02/2013
[Customized Screen] D077266



10. BUILDING SERVICES & ENVIRONMENTAL HEALTH SERVICES

2:50pm - Mr Marko Valentini, Building Surveyor joined the meeting.

Mr Valentini asked Council if they would consider setting up a Fee Structure for Class 2 – 9 Volume 1 Items (Commercial Items). Council agreed.
A report will be presented at the April 2013 Ordinary Council Meeting.

3:00pm - Mr Marko Valentini left the meeting and did not return.

11. FINANCE

11.1 Monthly Financial Report

SUBMISSION TO: Ordinary Council Meeting 26 March 2013
REPORT DATE: 15 March 2013
APPLICANT: N/A
FILE REFERENCE: N/A
AUTHOR: S K Marshall, Deputy Chief Executive Officer
ATTACHMENTS: February 2013 Financial Reports

SUMMARY

Council to consider accepting the financial reports for the period ending 28 February 2013.

BACKGROUND

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

Council adopted a budget variance reporting parameter of 10% on budgeted items of \$10,000 or greater at the August 2012 Ordinary Meeting, item 8.4.1.4.

COMMENT

The monthly financial report for the period ending 28 February 2013 has been provided and includes:

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

STATUTORY ENVIRONMENT

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

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

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

The Statement is to be accompanied by:

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

FINANCIAL IMPLICATIONS

All revenue and expenditure, unless disclosed in the notes to material variances, are as per the 2012/13 Budget.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATION

That the monthly financial report for the month of February 2013 be accepted and material variances be noted.

COMMITTEE'S RESOLUTION

M10/0313

Moved: Cr Alexander

Seconded: Cr Pepper

That the monthly financial report for the month of February 2013 be accepted and material variances be noted.

CARRIED 8/0

**SHIRE OF BEVERLEY
FINANCIAL ACTIVITY STATEMENT
FOR THE PERIOD ENDED 28 FEBRUARY 2013**

	2012/13 ANNUAL BUDGET	2012/13 FEB BUDGET	2012/13 FEB ACTUAL	VARIANCE	2012/13 JULY- FEB BUDGET	2012/13 JULY-FEB ACTUAL	VARIANCE	MATERIAL VARIANCES
		MONTH	MONTH	MONTH	YTD	YTD	YTD	YTD
	\$	\$	\$	\$	\$	\$	\$	
OPERATING REVENUE								
General Purpose Funding	3,366,346	413,278	123,908	(289,370)	3,160,912	2,620,815	(540,096)	CLGF Individual Grants not yet received \$671,280 , additional General Purpose Grant received \$54,624 and additional interest on investment \$61,039
Governance	29,900	1,125	6,136	5,011	27,399	19,768	(7,631)	
Law, Order Public Safety	149,497	60	(25,875)	(25,935)	136,517	106,770	(29,747)	Additional FESA operating grant \$10,055 and ,CESM contribution not yet received \$37,292
Health	500	35	140	105	175	140	(35)	
Education and Welfare	6,500	280	696	416	3,900	4,958	1,058	
Housing	81,514	4,725	6,596	1,871	38,220	51,225	13,005	Additional rental and reimbursements \$15,449
Community Amenities	122,425	1,000	3,840	2,840	117,312	114,076	(3,236)	
Recreation and Culture	1,107,833	2,931	433,875	430,944	423,374	875,567	452,193	CSRFF Grant \$432,492 (75% Claim) received earlier than anticipated.
Transport	1,497,627	3,600	211,776	208,176	1,021,760	816,689	(205,071)	Special Bridges Grant \$146,000, Local Road Grant \$47,330 not yet received
Economic Services	214,400	44,483	7,650	(36,833)	151,394	148,742	(2,651)	
Other Property and Services	52,000	920	13,487	12,567	27,695	52,894	25,199	Additional diesel rebate \$7,397, reimbursements maternity leave \$7,278, work for the dole \$5,796 and LGIS Insurance Rebate \$2,689
	6,628,542	472,436	782,229	309,793	5,108,657	4,811,645	(297,013)	
LESS OPERATING EXPENDITURE								
General Purpose Funding	(45,087)	(1,003)	(925)	78	(22,807)	(20,285)	2,522	
Governance	(291,037)	(10,515)	(38,473)	(27,958)	(159,635)	(172,939)	(13,304)	Members expenses not yet incurred \$20,599 and Admin Allocation under allocated \$33,903
Law, Order, Public Safety	(189,946)	(3,772)	(10,881)	(7,109)	(169,445)	(126,191)	43,254	Under expenditure CESM \$32,713
Health	(120,177)	(13,470)	(4,383)	9,087	(96,241)	(57,310)	38,931	Savings Health Scheme \$17,560 and Medical Bldg Mtce \$16,932
Education and Welfare	(92,715)	(5,618)	(3,440)	2,178	(43,922)	(39,337)	4,585	
Housing	(210,522)	(12,491)	(16,898)	(4,407)	(151,906)	(167,400)	(15,494)	Additional expenditure retirement village mtce \$17,414
Community Amenities	(535,542)	(38,167)	(37,825)	342	(345,433)	(284,912)	60,521	Under expenditure household refuse section \$32,782 and town planning \$42,064
Recreation and Culture	(839,118)	(81,823)	(81,192)	631	(607,847)	(572,691)	35,156	Savings Bldg Mtce to Railway Station, Court House, Railway Station \$24,605
Transport	(1,653,156)	(86,834)	(110,332)	(23,498)	(1,170,715)	(998,813)	171,902	Under expend Road Mtce \$81,210 ,Bridge Mtce \$27,221 and Depreciation \$43,292
Economic Services	(478,943)	(43,666)	(14,799)	28,867	(352,766)	(256,602)	96,163	Under expend Contract Building Surveyor \$31,301 and Avondale Staff Expenses \$21,037
Other Property & Services	(288,413)	(26,466)	(4,693)	21,773	(188,369)	(94,617)	93,752	Over allocation of Plant Operation Costs \$100,274
	(4,744,656)	(323,824)	(323,841)	(17)	(3,309,083)	(2,791,097)	517,987	
<i>Increase(Decrease)</i>	1,883,886	148,612	458,388	309,776	1,799,574	2,020,548	220,974	

**SHIRE OF BEVERLEY
FINANCIAL ACTIVITY STATEMENT
FOR THE PERIOD ENDED 28 FEBRUARY 2013**

	2012/13 ANNUAL BUDGET	2012/13 FEB BUDGET	2012/13 FEB ACTUAL	VARIANCE	2012/13 JULY- FEB BUDGET	2012/13 JULY-FEB ACTUAL	VARIANCE	MATERIAL VARIANCES
		MONTH	MONTH	MONTH	YTD	YTD	YTD	YTD
	\$	\$	\$	\$	\$	\$	\$	
ADD								
Principal Repayment Received -Loans	10,590	0	0	0	5,295	0	(5,295)	
Provision for Long Service Leave	0	0	0	0	0	0	0	
Profit/ Loss on the disposal of assets	9,043	0	0	0	0	(10,262)	(10,262)	
Depreciation Written Back	1,005,872	80,470	89,707	9,237	744,345	722,616	(21,729)	
Book Value of Assets Sold Written Back	278,957	0	0	0	0	156,698	156,698	Plant sold earlier than anticipated
	1,304,462	80,470	89,707	9,237	749,640	869,052	119,412	
<i>Sub Total</i>	3,188,348	229,082	548,095	319,013	2,549,214	2,889,600	340,386	
LESS CAPITAL PROGRAMME								
Purchase Tools	0	0	0	0	0	0	0	
Purchase Land & Buildings	(533,072)	(13,472)	(20,976)	(7,504)	(176,472)	(51,936)	124,536	Capital works in line with Budget Estimates, under spent currently
Infrastructure Assets - Roads	(2,497,841)	(174,849)	(67,268)	107,581	(1,723,510)	(651,414)	1,072,096	Capital works in line with Budget Estimates, under spent currently
Infrastructure Assets - Recreation Facilities	(3,262,997)	(150,000)	(484,281)	(334,281)	(251,500)	(1,824,831)	(1,573,331)	Capital works in line with Budget Estimates, expenditure earlier than anticipated
Infrastructure Assets - Other	(89,414)	(39,414)	(612)	38,802	(39,414)	(18,274)	21,140	Capital works in line with Budget Estimates, under spent currently
Purchase Plant and Equipment	(634,200)	0	0	0	0	(328,926)	(328,926)	Capital works in line with Budget Estimates, expenditure earlier than anticipated
Purchase Furniture and Equipment	(96,000)	(7,000)	(8,541)	(1,541)	(7,000)	(71,615)	(64,615)	Capital works in line with Budget Estimates, expenditure earlier than anticipated
Repayment of Debt - Loan Principal	(38,081)	0	0	0	(19,041)	(18,756)	285	
Transfer to Reserves	(55,274)	0	0	0	0	(48,685)	(48,685)	Transfer to Reserves earlier than anticipated
	(7,206,879)	(384,735)	(581,678)	(196,943)	(2,216,937)	(3,014,437)	(797,500)	
ABNORMAL ITEMS								
Prior Years Adjustment	0	0	0	0	0	0	0	
Prior Years Doubtful Debts Provision	0	0	0	0	0	0	0	
Prior Years Trust Receipts Transferred	0	0	0	0	0	0	0	
Bad Debts - Written Off	0	0	0	0	0	0	0	
	0	0	0	0	0	0	0	
Rounding			(1)			(1)		
	(7,206,879)	(384,735)	(581,679)	(196,943)	(2,216,937)	(3,014,438)	(778,085)	
<i>Sub Total</i>	(4,018,531)	(155,653)	(33,584)	122,070	332,277	(124,838)	(437,699)	
LESS FUNDING FROM								
Reserves	260,000	0	0	0	0	0	0	
Loans Raised	1,000,000	0	0	0	0	0	0	
Closing Funds	2,758,531	0	0	0	2,758,531	2,722,310	36,221	Correction to determination of Surplus brought forward from 2011/12
	4,018,531	0	0	0	2,758,531	2,722,310	36,221	
NET (SURPLUS) DEFICIT	0	(155,653)	(33,584)	122,070	3,090,808	2,597,472	(420,894)	

SHIRE OF BEVERLEY SUMMARY OF CURRENT ASSETS AND LIABILITIES FOR THE PERIOD ENDING 28 FEBRUARY 2013	
CURRENT ASSET	ACTUAL
Cash at Bank	
- Cash Advance	300.00
- Cash at Bank	477,171.73
- Investments Unrestricted	1,900,000.00
- Investments Reserves	1,621,384.48
Sundry Debtors General	387,207.81
Stock on Hand	6,377.66
Self-Supporting Loans	0.00
GST	0.00
Total Current Assets	4,392,441.68
LESS CURRENT LIABILITIES	ACTUAL
Accounts Payable	(94,198.94)
Interest Bearing Loans and Borrowings	(19,324.97)
Provision for Annual and Long Service Leave	(264,283.81)
Total Current Liabilities	(377,807.72)
ADJUSTMENTS	
Less Cash Backed Reserves	(1,621,384.48)
Plus Interest Bearing Loans and Borrowings	19,324.97
Plus Annual Leave Cash Backed Reserve as at 30/06/2012	130,460.00
Plus LSL and Gratuity Cash Backed Reserve as at 30/06/2012	100,000.00
Less Deferred Pensioner Rates Non-Current as at 30/06/2012	(56,202.91)
Plus Reimbursement -Current Asset Portion of S/Supporting Loan 117 2012-13	10,640.51
Total Adjustments	(1,397,746.43)
SURPLUS OF CURRENT ASSETS OVER CURRENT LIABILITIES	\$ 2,597,472.05

**SHIRE OF BEVERLEY
STATEMENT OF FINANCIAL POSITION
AS AT 28 FEBRUARY 2013**

Note: This section analyses the movements in assets, liabilities and equity between 2011/12 and 2012/13.	Actual	Actual	Variance
	2011/12	2012/13	
	\$	\$	\$
Current assets			
Cash and cash equivalents	4,718,543	3,998,856	(719,686)
Trade and other receivables	287,853	387,208	99,355
Inventories	13,096	6,378	(6,718)
Other assets	0	0	0
Total current assets	5,019,491	4,392,442	(627,049)
Non-current assets			
Trade and other receivables	178,178	132,616	(45,562)
Property, plant and equipment	6,761,230	7,382,012	620,782
Infrastructure	35,983,802	37,430,702	1,446,900
Total non-current assets	42,923,210	44,945,330	2,022,120
Total assets	47,942,701	49,337,772	1,395,071
Current liabilities			
Trade and other payables	690,658	94,199	596,459
Interest-bearing loans and borrowings	38,081	19,325	18,756
Provisions	264,284	264,284	0
Total current liabilities	993,023	377,808	615,215
Non-current liabilities			
Interest-bearing loans and borrowings	208,251	208,251	0
Provisions	30,498	30,498	0
Total non-current liabilities	238,749	238,749	0
Total liabilities	1,231,772	616,556	615,215
Net assets	46,710,929	48,721,216	2,010,286
Equity			
Accumulated surplus	41,659,137	41,610,452	(48,685)
Net Result	0	2,010,286	2,010,286
Asset revaluation reserve	3,479,093	3,479,093	0
Other reserves	1,572,699	1,621,384	48,685
Total equity	46,710,929	48,721,216	2,010,286

SHIRE OF BEVERLEY INVESTMENT OF SURPLUS FUNDS AS AT 28 FEBRUARY 2013						
Account #	Account Name	Amount Invested (\$)	Total	Term	Interest Rate	Maturation
9701-42341	Reserve Funds					
	Building	320,716.45				
	Plant	77,997.78				
	Long Service Leave	103,590.86				
	Annual Leave	134,499.99				
	Recreation Ground	316,002.09				
	Bush Fire Fighters	104,406.04				
	Avon River Development	20,984.99				
	Community Bus	29,396.54				
	Cropping Committee	286,531.63				
	Road Construction	227,258.11	1,621,384.48	2 months	4.85%	19/05/2013
9701-40813	Term Deposit	911,002.19	911,002.19	2 months	4.85%	19/05/2013
9994-72002	Term Deposit	500,000.00	500,000.00	2 months	4.00%	28/03/2013
9704-44761	Term Deposit	500,000.00	500,000.00	3 months	4.40%	07/05/2013
	Total		3,532,386.67			

**SHIRE OF BEVERLEY
ROAD MAINTENANCE REPORT
FOR PERIOD ENDING 28 FEBRUARY 2013**

Description	M & C (Exp)	Other Expense (Exp)	POC (Alloc)	PWOH (Alloc)	Wages (Alloc)	Total Alloc (Exp)	Total Exp
MISC							
MS7-Private Works - Stockpile Gravel	1,156.00	0.00	3,457.50	1,452.93	1,723.38	6,633.81	7,789.81
MS8-Main Street Banners	0.00	20.76	335.00	182.34	214.50	731.84	752.60
Total MISC	1,156.00	20.76	3,792.50	1,635.27	1,937.88	7,365.65	8,542.41
ROAD							
0001 MORBINING RD	0.00	0.00	6,640.00	2,955.19	3,480.26	13,075.45	13,075.45
0002 WATERHATCH RD	0.00	0.00	5,895.00	2,603.86	3,063.43	11,562.29	11,562.29
0003 YORK-WILLIAMS RD	0.00	0.00	8,702.50	3,301.96	3,884.72	15,889.18	15,889.18
0004 KOKEBY EAST RD	0.00	0.00	81.25	90.65	106.65	278.55	278.55
0005 EDISON MILL RD	0.00	0.00	9,340.00	3,003.11	3,547.11	15,890.22	15,890.22
0006 BREMNER RD	0.00	0.00	80.00	127.63	150.16	357.79	357.79
0007 YENYENING LAKES RD	34.00	0.00	22,517.50	7,183.79	8,499.46	38,200.75	38,234.75
0008 TOP BEVERLEY YORK RD	0.00	0.00	332.50	336.69	396.09	1,065.28	1,065.28
0009 BALLY-BALLY RD	0.00	0.00	9,357.50	2,657.03	3,140.80	15,155.33	15,155.33
0010 DALE KOKEBY RD	0.00	0.00	8,940.00	3,997.02	4,702.44	17,639.46	17,639.46
0011 KOKENDIN RD	0.00	0.00	3,080.00	962.87	1,132.80	5,175.67	5,175.67
0012 TALBOT WEST RD	0.00	0.00	1,147.50	439.13	517.20	2,103.83	2,103.83
0013 BARRINGTON RD	0.00	0.00	2,782.50	819.95	969.01	4,571.46	4,571.46
0014 POTTS RD	0.00	0.00	2,045.00	598.65	704.32	3,347.97	3,347.97
0015 JACOBS WELL RD	0.00	0.00	3,185.00	1,080.57	1,274.92	5,540.49	5,540.49
0016 CLULOWS RD	0.00	0.00	6,355.00	1,935.12	2,286.00	10,576.12	10,576.12
0018 DONGADILLING RD	646.00	0.00	2,852.50	1,085.25	1,276.81	5,214.56	5,860.56
0019 QUALANDARY RD	0.00	0.00	2,737.50	884.56	1,041.94	4,664.00	4,664.00

**SHIRE OF BEVERLEY
ROAD MAINTENANCE REPORT (Continued)
FOR PERIOD ENDING 28 FEBRUARY 2013**

Description	M & C (Exp)	Other Expense (Exp)	POC (Alloc)	PWOH (Alloc)	Wages (Alloc)	Total Alloc (Exp)	Total Exp
0020 BUTCHERS RD	0.00	0.00	2,050.00	686.79	808.01	3,544.80	3,544.80
0021 VALLENTINES RD	0.00	0.00	525.00	147.77	173.85	846.62	846.62
0022 LUPTONS RD	0.00	0.00	847.50	484.57	570.07	1,902.14	1,902.14
0023 SPRINGHILL RD	0.00	0.00	1,625.00	452.52	532.39	2,609.91	2,609.91
0024 DALEBIN NORTH RD	0.00	0.00	2,925.00	801.66	943.14	4,669.80	4,669.80
0025 BALLY-BALLY COUNTYPEAK RD	136.00	0.00	3,617.50	1,176.71	1,387.05	6,181.26	6,317.26
0026 ATHOL RD	34.00	0.00	5,952.50	1,854.34	2,191.96	9,998.80	10,032.80
0027 EWERTS RD	68.00	0.00	5,230.00	1,490.66	1,756.11	8,476.77	8,544.77
0028 NORTHBOURNE RD	0.00	0.00	1,205.00	351.36	413.37	1,969.73	1,969.73
0029 BERINGER RD	0.00	0.00	3,103.75	1,024.14	1,209.64	5,337.53	5,337.53
0030 GORS RD	0.00	0.00	150.00	47.07	55.38	252.45	252.45
0031 THOMAS RD	0.00	0.00	785.00	278.37	329.32	1,392.69	1,392.69
0032 BALKULING RD	0.00	0.00	2,431.25	824.97	970.57	4,226.79	4,226.79
0033 GLENCOE RD	0.00	0.00	516.25	174.87	205.74	896.86	896.86
0034 ST JACKS RD	0.00	0.00	100.00	36.94	43.46	180.40	180.40
0035 RICKEYS RD	0.00	0.00	475.00	129.29	152.11	756.40	756.40
0036 GREENHILLS SOUTH RD	0.00	0.00	742.50	272.60	320.71	1,335.81	1,335.81
0037 MANUELS RD	0.00	0.00	150.00	36.94	43.46	230.40	230.40
0038 PETCHELLS RD	0.00	0.00	1,660.00	503.90	621.64	2,785.54	2,785.54
0039 MAITLAND RD	0.00	0.00	150.00	57.65	67.83	275.48	275.48
0040 HOBBS RD	0.00	0.00	1,220.00	531.63	639.45	2,391.08	2,391.08
0041 SOUTHERN BRANCH RD	0.00	0.00	900.00	249.35	293.36	1,442.71	1,442.71
0042 WALGY RD	0.00	0.00	1,007.50	386.14	456.66	1,850.30	1,850.30
0043 CORBERDING RD	0.00	0.00	362.50	19.82	130.38	603.70	603.70

**SHIRE OF BEVERLEY
ROAD MAINTENANCE REPORT (Continued)
FOR PERIOD ENDING 28 FEBRUARY 2013**

Description	M & C (Exp)	Other Expense (Exp)	POC (Alloc)	PWOH (Alloc)	Wages (Alloc)	Total Alloc (Exp)	Total Exp
0044 SPAVENS RD	0.00	0.00	707.50	287.37	339.35	1,334.22	1,334.22
0045 PIKE RD	0.00	0.00	542.50	223.28	262.69	1,028.47	1,028.47
0046 BLACKBURN RD	0.00	0.00	381.25	101.47	119.38	602.10	602.10
0047 CARRS RD	0.00	0.00	195.00	73.40	86.36	354.76	354.76
0048 JONES RD	0.00	0.00	437.50	147.41	173.43	758.34	758.34
0049 MILLERS RD	0.00	0.00	537.50	147.77	173.85	859.12	859.12
0050 NEGUS RD	0.00	0.00	450.00	120.06	141.25	711.31	711.31
0051 AIKENS RD	0.00	0.00	750.00	192.99	228.17	1,171.16	1,171.16
0053 PATTEN RD	0.00	0.00	1,235.00	276.35	325.13	1,836.48	1,836.48
0054 McDONALDS RD	374.00	0.00	5,035.00	1,936.01	2,284.80	9,255.81	9,629.81
0055 KIEARA RD	0.00	0.00	575.00	160.39	191.07	926.46	926.46
0058 LENNARD RD	405.91	0.00	2,715.00	959.23	1,136.74	4,89.97	5,216.88
0059 MANNS RD	0.00	0.00	367.50	128.78	151.51	647.79	647.79
0061 COOKES RD	0.00	0.00	287.50	92.36	108.66	488.52	488.52
0062 ROGERS RD	0.00	0.00	475.00	129.29	152.11	756.40	756.40
0063 WILLIAMSONS RD	0.00	0.00	112.50	27.71	32.60	172.81	172.81
0065 SCHILLINGS RD	0.00	0.00	82.50	45.71	53.77	181.98	181.98
0066 COLLINS RD	0.00	0.00	437.50	129.29	152.11	718.90	718.90
0067 WARRADALE RD	0.00	0.00	325.00	92.35	108.65	526.00	526.00
0070 PICCADILLY RD	0.00	0.00	225.00	63.01	74.14	362.15	362.15
0071 MURRAYS RD	0.00	0.00	550.00	147.76	173.84	871.60	871.60
0072 SMITH RD	0.00	0.00	22.50	54.70	64.36	141.56	141.56
0073 JOHNSONS RD	0.00	0.00	75.00	18.47	21.73	115.20	115.20
0074 KILPATRICKS RD	0.00	0.00	2,860.00	665.98	789.23	4,315.21	4,315.21

**SHIRE OF BEVERLEY
ROAD MAINTENANCE REPORT (Continued)
FOR PERIOD ENDING 28 FEBRUARY 2013**

Description	M & C (Exp)	Other Expense (Exp)	POC (Alloc)	PWOH (Alloc)	Wages (Alloc)	Total Alloc (Exp)	Total Exp
0075 FISHERS RD	0.00	0.00	1,057.50	303.93	357.58	1,719.01	1,719.01
0077 WANSBROUGH RD	0.00	0.00	1,007.50	273.49	325.12	1,606.11	1,606.11
0078 BATEMANS RD	0.00	0.00	140.00	36.70	43.46	220.16	220.16
0079 DRAPERS RD	0.00	0.00	337.50	83.12	97.79	518.41	518.41
0082 DEEP POOL RD	0.00	0.00	687.50	230.29	270.94	1,188.73	1,188.73
0084 McLEAN RD	0.00	0.00	275.00	72.93	86.23	434.16	434.16
0085 KI RD	816.00	0.00	5,370.00	1,668.74	1,968.98	9,007.72	9,823.72
0086 WALKERS RD	0.00	0.00	37.50	9.24	9.87	57.61	57.61
0087 MANDIAKIN RD	0.00	0.00	45.00	54.70	64.36	164.06	164.06
0090 SHEAHANS RD	0.00	0.00	480.00	128.94	151.70	760.64	760.64
0091 BENNETTS RD	0.00	0.00	225.00	55.41	65.19	345.60	345.60
0092 KENNEDYS RD	0.00	0.00	108.75	54.94	64.63	228.32	228.32
0093 McKELLARS RD	0.00	0.00	162.50	70.61	83.07	316.18	316.18
0094 BUCKINGHAMS RD	0.00	0.00	562.50	203.18	239.04	1,004.72	1,004.72
0096 COUNTY PEAK RD	0.00	0.00	255.00	164.33	193.33	612.66	612.66
0098 AVOCA RD	0.00	0.00	677.50	218.78	257.39	1,153.67	1,153.67
0100 MAWSON RD	0.00	0.00	997.50	1,217.54	1,432.41	3,647.45	3,647.45
0101 SIMMONS RD	0.00	0.00	3,455.00	1,466.00	1,724.72	6,645.72	6,645.72
0102 DOBADERRY RD	0.00	0.00	2,212.50	600.29	706.24	3,519.03	3,519.03
0103 FORREST ST	0.00	0.00	462.50	733.57	863.04	2,059.11	2,059.11
0104 LUKIN ST	0.00	0.00	176.25	163.84	192.78	532.87	532.87
0105 JOHN ST	0.00	0.00	316.25	245.13	288.39	849.77	849.77
0106 DAWSON ST	0.00	0.00	182.50	311.04	365.94	859.48	859.48
0107 EDWARD ST	0.00	0.00	90.00	36.47	42.90	169.37	169.37

**SHIRE OF BEVERLEY
ROAD MAINTENANCE REPORT (Continued)
FOR PERIOD ENDING 28 FEBRUARY 2013**

Description	M & C (Exp)	Other Expense (Exp)	POC (Alloc)	PWOH (Alloc)	Wages (Alloc)	Total Alloc (Exp)	Total Exp
0108 SMITH ST	0.00	0.00	616.25	49.32	482.77	1,509.34	1,509.34
0109 HARPER ST	0.00	0.00	348.75	611.37	719.26	1,679.38	1,679.38
0110 QUEEN ST	0.00	0.00	150.00	126.99	149.41	426.40	426.40
0111 DEMPSTER ST	0.00	0.00	29.00	62.65	73.72	346.37	346.37
0113 LENNARD ST	0.00	0.00	160.00	426.28	501.50	1,087.78	1,087.78
0114 BARTRAM ST SOUTH	0.00	0.00	682.50	304.43	358.16	1,345.09	1,345.09
0115 HOPE ST	0.00	0.00	405.00	145.86	171.61	722.47	722.47
0117 HUSKING ST	0.00	0.00	0.00	35.96	42.30	78.26	78.26
0122 BROOKING ST	0.00	0.00	1,303.75	706.60	831.36	2,841.71	2,841.71
0123 NICHOLAS ST	0.00	0.00	3,165.00	1,432.29	1,692.10	6,289.39	6,289.39
0124 RICHARDSON ST	0.00	0.00	11.25	9.12	9.73	31.10	31.10
0125 VINCENT ST	0.00	0.00	2,183.75	1,636.15	1,924.94	5,744.84	5,744.84
0126 CHIPPER ST	0.00	0.00	60.00	26.97	31.73	118.70	118.70
0127 HORLEY ST	0.00	0.00	60.00	36.21	42.60	138.81	138.81
0131 ELIZABETH ST	0.00	0.00	135.00	90.52	106.51	332.03	332.03
0139 CHESTILLION CT	0.00	0.00	11.25	45.58	53.63	19.46	19.46
0140 CAUDLE RD	0.00	0.00	112.50	35.30	41.54	189.34	189.34
0143 LUDGATE ST	0.00	0.00	37.50	9.24	9.87	57.61	57.61
0146 RAILWAY ST	0.00	0.00	186.25	123.82	145.67	455.74	455.74
0147 RAILWAY PDE	0.00	0.00	45.00	90.91	106.95	242.86	242.86
0148 BETHANY RD	0.00	0.00	1,393.75	478.49	563.49	2,435.73	2,435.73
0149 COUNCIL RD	0.00	0.00	42.50	36.34	42.76	121.60	121.60
0152 LANGSFORD ST	0.00	0.00	427.50	226.13	266.04	919.67	919.67
0154 WYALGIMA RD	0.00	0.00	37.50	9.24	9.87	57.61	57.61

**SHIRE OF BEVERLEY
ROAD MAINTENANCE REPORT (Continued)
FOR PERIOD ENDING 28 FEBRUARY 2013**

Description	M & C (Exp)	Other Expense (Exp)	POC (Alloc)	PWOH (Alloc)	Wages (Alloc)	Total Alloc (Exp)	Total Exp
0155 SIMS RD	0.00	0.00	172.50	64.29	75.64	312.43	312.43
0156 ROSSI RD	0.00	0.00	75.00	18.47	21.73	115.20	115.20
0157 RIGOLL RD	0.00	0.00	400.00	19.83	130.39	641.22	641.22
0160 DUFFIELD ST	0.00	0.00	302.50	92.65	109.01	504.16	504.16
0162 BARNESLEY ST	0.00	0.00	2,737.50	1,277.77	1,503.28	5,518.55	5,518.55
0166 WESTDALE RD	0.00	0.00	13,320.00	8,194.21	9,668.35	31,182.56	31,182.56
0167 MAWSON RD	0.00	0.00	4,572.50	1,922.15	2,261.38	8,756.03	8,756.03
0168 HUTCHINSON ST	0.00	0.00	150.00	35.56	42.40	227.96	227.96
0176 CANNON HILL RD	0.00	0.00	137.50	46.18	54.33	238.01	238.01
0180 LITTLE HILL RD	0.00	0.00	150.00	47.07	55.38	252.45	252.45
5001 HUNT RD	0.00	0.00	187.50	134.10	172.05	493.65	493.65
9999 ROADS VARIOUS	3,052.65	0.00	3,000.00	3,017.87	3,550.46	9,568.33	12,620.98
Total ROAD	5,566.56	0.00	209,495.00	82,876.36	97,755.73	390,127.09	395,693.65
No name	0.00	0.00	765.00	294.94	346.99	1,406.93	1,406.93
TOTAL	6,722.56	20.76	214,052.50	84,806.57	100,040.60	398,899.67	405,642.99

11.2 Accounts Paid by Authority

SUBMISSION TO: Ordinary Council Meeting 26 March 2013
REPORT DATE: 14 March 2013
APPLICANT: N/A
FILE REFERENCE: N/A
AUTHOR: S K Marshall, Deputy Chief Executive Officer
ATTACHMENTS: February 2013 – List of Accounts

SUMMARY

Council to consider authorising the payment of accounts.

BACKGROUND

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

COMMENT

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

STATUTORY ENVIRONMENT

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

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

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

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

(3) A list prepared under sub regulation (1) or (2) is to be —

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

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

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATION

That the List of Accounts as presented:

February 2013:

- (1) **Municipal Fund** – Account 016-540 259 838 056
- | | | | |
|------------------------------------|----------------------|----------------------|------------------|
| Cheque vouchers: 1028-1037 | incl totalling | \$ 34,760.24 | previously paid |
| EFT vouchers 04 Feb 13 | 01-68 incl totalling | \$ 245,322.44 | |
| EFT vouchers 11 Feb 13 | 01-04 incl totalling | \$ 15,823.34 | |
| EFT vouchers 14 Feb 13 | 01-09 incl totalling | \$ 102,186.85 | |
| EFT vouchers 18 Feb 13 | 01-22 incl totalling | \$ 38,295.68 | |
| EFT vouchers 21 Feb 13 | 01-05 incl totalling | \$ 2,036.20 | |
| EFT vouchers 27 Feb 13 | 01-49 incl totalling | <u>\$ 599,818.10</u> | |
| Total of EFT vouchers for Feb 2013 | incl | \$ 1,003,482.61 | previously paid. |
- (2) **Direct Debit** Payments totalling \$ 57,175.61 previously paid
- (3) **Credit Card** Payments totalling \$ 548.21 previously paid
- (4) **Total Municipal Payments made** \$ **1,095,966.67**
- (1) **Trust Fund** – Account 016-259 838 128
- | | | | |
|----------------------------|----------------|-----------|-----------------|
| Cheque vouchers: 1443-1444 | incl totalling | \$ 390.00 | previously paid |
|----------------------------|----------------|-----------|-----------------|

be authorised.

COUNCIL RESOLUTION

M11/0313

Moved: Cr Pepper

Seconded: Cr Murray

That the List of Accounts as presented:

February 2013:

(1) Municipal Fund – Account 016-540 259 838 056

Cheque vouchers: 1028-1037 incl totalling \$ 34,760.24 previously paid

EFT vouchers 04 Feb 13 01-68 incl totalling \$ 245,322.44

EFT vouchers 11 Feb 13 01-04 incl totalling \$ 15,823.34

EFT vouchers 14 Feb 13 01-09 incl totalling \$ 102,186.85

EFT vouchers 18 Feb 13 01-22 incl totalling \$ 38,295.68

EFT vouchers 21 Feb 13 01-05 incl totalling \$ 2,036.20

EFT vouchers 27 Feb 13 01-49 incl totalling \$ 599,818.10

Total of EFT vouchers for Feb 2013 incl \$ 1,003,482.61 previously paid

(2) Direct Debit Payments totalling \$ 57,175.61 previously paid

(3) Credit Card Payments totalling \$ 548.21 previously paid

(4) Total Municipal Payments made \$1,095,966.67

(1) Trust Fund – Account 016-259 838 128

Cheque vouchers: 1443-1444 incl totalling \$ 390.00 previously paid

be authorised.

CARRIED 8/0

11.2 (ATTACHMENT) LIST OF ACCOUNTS FEBRUARY

TYPE	NUM	DATE	PAYEE	DETAILS	AMT PAID	TOTALS
Direct Debit		02/02/2013	CBA - MERCHANT BANKING	JAN 2013 TRANSACTION FEES	-139.97	-139.97
EFT Pymt		04/02/2013	ACCOUNTANTS SUPER	SUPER CONTRIB: FE 30 JAN 13	-64.61	
EFT Pymt		04/02/2013	ADC PROJECTS	NEW SPORTING COMPLEX, NETBALL COURTS, OLD SCHOOL BLDG & INFANT HEALTH BLDG	-7,168.70	
EFT Pymt		04/02/2013	AG IMPLEMENTS NORTHAM/MERREDIN	BE030 (BH02): PARTS	-206.08	
EFT Pymt		04/02/2013	ALLIRA HILL	GRAVEL ROYALTIES: JUL - DEC 2012	-10,29.20	
EFT Pymt		04/02/2013	AUSSIE IT	CESM: PRINTER & TONERS	-503.80	
EFT Pymt		04/02/2013	AUST SENIOR NEWSPAPER	ILU: OCCUPANCY ADVERTISING "WA SENIOR"	-468.60	
EFT Pymt		04/02/2013	AVON TRADING	DEC 2012 HARDWARE SUPPLIES	-981.57	
EFT Pymt		04/02/2013	AVON WASTE	5,064 BIN COLLECT 21 DEC 12 - 25 JAN 13 INC RECYC BINS & 1 x RECYCLING SERVICES	-10,561.38	
EFT Pymt		04/02/2013	BEV COUNTRY KITCHEN	AVONDALE MEETING: 22 DEC 2012	-276.00	
EFT Pymt		04/02/2013	BEV CRC (TELECENTRE)	2012-12 DEC: COMPILING FOR PRODUCTION	-825.00	
EFT Pymt		04/02/2013	BEV FARM SERVICES	NE FIRE BRIGADE, NOXIOUS WEEDS-TOWN, UNIFORMS	-678.48	
EFT Pymt		04/02/2013	BEV IGA	DEC 2012 PURCHASES	-1,195.85	
EFT Pymt		04/02/2013	BEV NEWS - Barry & Pauline	DEC 2012 & JAN 2013 ACCOUNTS	-2,203.55	
EFT Pymt		04/02/2013	BEV STEEL FABRICATION	BE038 (LDR06): PARTS	-9.00	
EFT Pymt		04/02/2013	BLECHY'S TYRE & BATTERY	DEC 12 - TYRE MAINTENANCE	-308.00	
EFT Pymt		04/02/2013	BOC LIMITED	DEC 2012: CYLINDER RENTAL	-61.99	
EFT Pymt		04/02/2013	BOULTON Kim	RECORD MANAGEMENT ASSISTANCE & TRAINING	-2,994.75	
EFT Pymt		04/02/2013	BROUN Jennifer	BEV YTH GRP: ART LESSONS	-240.00	
EFT Pymt		04/02/2013	BT FIN GP-LEONHARDT Scott	SUPER CONTRIB: FE 30 JAN 13	-167.90	
EFT Pymt		04/02/2013	BUNNINGS BUILDING SUPPLIES P/L	HARDWARE SUPPLIES	-361.83	
EFT Pymt		04/02/2013	CAS - CONTRACT AQUATIC SERVICES	3 of 5 CONTRACT PYMT 12/13 YR & EXTRA HOURS: VAC SWIMMING	-12,549.90	
EFT Pymt		04/02/2013	CDA - VENTURE IMPORTS PTY LTD	59 SMITH ST: REPAIRS TO AIR CON	-422.10	
EFT Pymt		04/02/2013	COLONIAL FIRST STATE-CORRIGAN Justin	SUPER CONTRIB: FE 30 JAN 13	-270.03	
EFT Pymt		04/02/2013	COLTS DINER & MONKEYS KITCHEN	RECORDS TRAINING: REFRESHMENTS	-162.80	

EFT Pymt	04/02/2013	COUNTRY COPIERS NORTHAM	READINGS: 04 DEC 12 - 15 JAN 13 iR7086 & iR-ADV C2030C	-875.56
EFT Pymt	04/02/2013	COURIER AUSTRALIA/TOLL IPEC	FREIGHT CHARGES: 12 DEC 12 to 24 JAN 13	-332.74
EFT Pymt	04/02/2013	COVS PARTS	VARIOUS VEHICLES: PARTS	-924.11
EFT Pymt	04/02/2013	CSRF - CATHOLIC SUPER & RETIREMENT FUND	SUPER CONTRIB: FE 30 JAN 13	-109.00
EFT Pymt	04/02/2013	DCA - DOMINIC CARBONE & ASSOC	SEP & OCT 12 FINANCIALS & 11/12 VARIATIONS & ANNUAL REPORTS	-2,425.50
EFT Pymt	04/02/2013	DOMINION SUPERANNUATION MASTER TRUST	SUPER CONTRIB: FE 30 JAN 13	-156.53
EFT Pymt	04/02/2013	DORMA BWN AUTOMATICS PTY LTD	AUTOMATC DOORS: SCHEDULED SERVICE	-132.00
EFT Pymt	04/02/2013	EASTWELL Debbie	BEV YOUTH GRP: DISCO 30 NOV 12	-300.00
EFT Pymt	04/02/2013	EDGE PLANNING & PROPERTY	LOCAL PLAN STRATEGY: PROFESSIONAL FEES - DEC 12	-702.07
EFT Pymt	04/02/2013	EDWARDS Michelle	REIMBURSE LICENSING TRAINING - M EDWARDS: 21-25 JAN 13	-832.14
EFT Pymt	04/02/2013	GRONBEK SECURITY	RETIRE VILLAGE & SWIMMING POOL: SECURITY KEYS & LOCKS	-9,329.60
EFT Pymt	04/02/2013	H U KENDALL & CO	BEV YTH GRP: DEP for COMMUNITIES: 2013 YOUTH ART GRANT	-494.85
EFT Pymt	04/02/2013	HAINES NORTON	NOV 12 BAS - PREP & RECONCILIATION	-467.50
EFT Pymt	04/02/2013	HANSON CONSTRUCTION MATERIALS P/L	VARIOUS ROADS: 5mm, 10mm, 14mm WASHED GRANITE	-74,209.30
EFT Pymt	04/02/2013	HERSEY JR & A PTY LTD	STREET TREES: 60 x STAKES	-280.50
EFT Pymt	04/02/2013	HOTEL BEV - MAXWELL	PCS - COMPUTER SUPPORT: MEALS	-60.00
EFT Pymt	04/02/2013	HUTCHINSON L, K, P	ASS 51487 - REFUND	-762.45
EFT Pymt	04/02/2013	JOONDALUP LIBRARY	REJECTED EFT from 21 DEC 12. TO BE REISSUED WITH AMENDED BANK DETAILS.	-13.00
EFT Pymt	04/02/2013	KLEENHEAT GAS (WESFARMERS KLEENHEAT GAS P	2012/13 GAS CYLINDER RENTAL	-121.00
EFT Pymt	04/02/2013	LANDGATE (VGO)	VALUATION FEES: 03 NOV - 14 DEC 2012	-19.40
EFT Pymt	04/02/2013	LEE GYOMOREI	PRINTING: 12 ANNUAL REPORT & 12/13 BUDGET	-2,057.00
EFT Pymt	04/02/2013	LGIS INSURANCE BROKING	12/13: VEHICLE INSURANCE ADJUSTMENT	-445.81
EFT Pymt	04/02/2013	LGIS WORKCARE	ADJ 11/12 WORKERS COMP re ESTIMATED TO ACTUAL WAGES	-4,950.00
EFT Pymt	04/02/2013	LGMA	2013 LGMA CONFERENCE - 23 FEB to 01 MAR: S MARSHALL (DCEO)	-970.00
EFT Pymt	04/02/2013	LGRCEU	2013-01 JAN UNION FEES & 2012-07 JUL AMENDMENT	-120.40
EFT Pymt	04/02/2013	METROCOUNT/MICROCOM	ROAD COUNTER: USB CABLE	-134.20
EFT Pymt	04/02/2013	MINCHIN BM & SONS	GRAVEL ROYALTIES: JUL - DEC 2012	-13,912.80

EFT Pymt	04/02/2013	MSA CONSTRUCTION	2012-10 OCT RELIEF "BUILDING INSPECTOR"	-2,277.00	
EFT Pymt	04/02/2013	OFFICEWORKS	STATIONERY SUPPLIES	-377.85	
EFT Pymt	04/02/2013	ORICA/SPECTRUM	2012-12 DEC CHLORINE CYLINDER RENTAL & 2 x CYL CHLROINE GAS	-819.15	
EFT Pymt	04/02/2013	PCS - PERFECT COMPUTER SOLUTIONS	INSTALLATION of NEW SERVER; UPGRADE MEDICAL CENTRE	-32,425.75	
EFT Pymt	04/02/2013	QUICK CORP AUST	2013-01 JAN STATIONERY SUPPLIES	-1,665.91	
EFT Pymt	04/02/2013	RADIOWEST BROADCASTERS P/L	2012-12 DEC: INTERVIEW "AROUND THE TOWN" INTERVIEW & 50th ANNIVERSARY SWIM POOL	-1,152.25	
EFT Pymt	04/02/2013	SHACKS HOLDEN	BE1 (SDN): 15,000km SERVICE	-368.45	
EFT Pymt	04/02/2013	SHIRE OF BROOKTON	2012-12 DEC TOWN PLANNING SCHEME & AERIAL MAP of TOWNSITE	-5,746.39	
EFT Pymt	04/02/2013	SHIRE OF QUAIRADING	SEAVROC - ENVIRONMENT SERVICES 1st PYMT 12/13	-12,698.18	
EFT Pymt	04/02/2013	SHIRE OF YORK	SERVICES: RANGER, YOUTH OFFICER, HEALTH OFFICER (DEC 12 - JAN 13)	-8,622.46	
EFT Pymt	04/02/2013	SIGMA CHEMICALS	JAN 13: POOL CHEMICALS	-421.00	
EFT Pymt	04/02/2013	STRANGE EA & CO (IAN)	GRAVEL ROYALTIES: JUL - DEC 2012	-1,365.10	
EFT Pymt	04/02/2013	STRATCO	5 SHORT ST & SWIM POOL: MATERIALS	-356.15	
EFT Pymt	04/02/2013	SUPERWRAP - PERSONAL SUPER PLAN	SUPER CONTRIB: FE 16 JAN 13	-692.32	
EFT Pymt	04/02/2013	WALGA - WA LOCAL GOVERNMENT ASSOCIATION	ADVERTISING: TPS, ILU OCCUPANCY; STAFF TRAINING	-2,502.19	
EFT Pymt	04/02/2013	WALGSP - SUPER	SUPER CONTRIB: FE 30 JAN 13	-5,129.88	
EFT Pymt	04/02/2013	WESTRAC	BE004 (LDR02): CORE ASSEMBLY & SEALS	-580.83	-245,322.44
Direct Debit	04/02/2013	ANZ- TRANSACTIVE (ONLINE BANKING)	JAN 13 ONLINE BANKING	-98.80	-98.80
Direct Debit	04/02/2013	WESTNET PTY LTD	FEB 2013 INTERNET ACCESS	-121.00	-121.00
Direct Debit	05/02/2013	CBA - MERCHANT BANKING	JAN 2013 ACCESS FEE	-40.94	-40.94
EFT Pymt	11/02/2013	BDH - BEV DOME HIRE	4,004 L of ULP & DIESEL	-11,417.40	
EFT Pymt	11/02/2013	BE PROJECTS (WA) PTY LTD	STORM DAMAGE (29 JAN 11) - AMENITIES BUILDING: FINAL CERT	-2,940.94	
EFT Pymt	11/02/2013	FACEY Phyllis	2013-02 FEB BLARNEY ISSUE	-250.00	
EFT Pymt	11/02/2013	KAY Lyn	YOUTH COORDINATOR: 09 JAN - 01 FEB 13	-1,215.00	-15,823.34
Liability Chq	14/02/2013	ACCOUNTANTS SUPER	SUPER CONTRIB: FE 13 FEB 13	0.00	0.00
Liability Chq	14/02/2013	BT FIN GP-LEONHARDT Scott	SUPER CONTRIB: FE 13 FEB 13	0.00	0.00
Liability Chq	14/02/2013	COLONIAL FIRST STATE-CORRIGAN Justin	SUPER CONTRIB: FE 13 FEB 13	0.00	0.00

Liability Chq	14/02/2013	CSRF - CATHOLIC SUPER & RETIREMENT FUND	SUPER CONTRIB: FE 13 FEB 13	0.00	0.00
Liability Chq	14/02/2013	DOMINION SUPERANNUATION MASTER TRUST	SUPER CONTRIB: FE 13 FEB 13	0.00	0.00
Liability Chq	14/02/2013	PRIME SUPER	SUPER CONTRIB: FE 13 FEB 13	0.00	0.00
Liability Chq	14/02/2013	SHIRE OF BEVERLEY	2013-02 FEB SAL DEDUCTIONS (13 FEB): RATES	0.00	0.00
Liability Chq	14/02/2013	SPECTRUM SUPER	SUPER CONTRIB: FE 13 FEB 13	0.00	0.00
Liability Chq	14/02/2013	SUPERWRAP - PERSONAL SUPER PLAN	SUPER CONTRIB: FE 13 FEB 13	0.00	0.00
Liability Chq	14/02/2013	WALGSP - SUPER	SUPER CONTRIB: FE 13 FEB 13	0.00	0.00
EFT Pymt	14/02/2013	ACCOUNTANTS SUPER	SUPER CONTRIB: FE 13 FEB 13	-64.61	
EFT Pymt	14/02/2013	BT FIN GP-LEONHARDT Scott	SUPER CONTRIB: FE 13 FEB 13	-164.75	
EFT Pymt	14/02/2013	COLONIAL FIRST STATE-CORRIGAN Justin	SUPER CONTRIB: FE 13 FEB 13	-270.03	
EFT Pymt	14/02/2013	CSRF - CATHOLIC SUPER & RETIREMENT FUND	SUPER CONTRIB: FE 13 FEB 13	-109.00	
EFT Pymt	14/02/2013	DOMINION SUPERANNUATION MASTER TRUST	SUPER CONTRIB: FE 13 FEB 13	-156.53	
EFT Pymt	14/02/2013	PRIME SUPER	SUPER CONTRIB: FE 13 FEB 13	-54.00	
EFT Pymt	14/02/2013	SUPERWRAP - PERSONAL SUPER PLAN	SUPER CONTRIB: FE 13 FEB 13	-692.32	
EFT Pymt	14/02/2013	WALGSP - SUPER	SUPER CONTRIB: FE 13 FEB 13	-5,078.61	
EFT Pymt	14/02/2013	WESTERN POWER - NON ENERGY	NEW SPORTS COMPLEX: PRODUCT & SERVICES FEE	-95,597.00	-102,186.85
Direct Debit	15/02/2013	ANZ BANK - FEES	FEB 13 DEBIT INTEREST on TEMP OVERDRAFT of \$350,000	-271.95	-271.95
EFT Pymt	18/02/2013	ADC PROJECTS	NEW SPORTING COMPLEX & NEW NETBALL COURTS	-6,930.82	
EFT Pymt	18/02/2013	AITS	2013-01 JAN FUEL TAX CREDITS	-235.62	
EFT Pymt	18/02/2013	ALLSTAMPS	VARIOUS STAMPS	-44.47	
EFT Pymt	18/02/2013	AUST POST	JAN 2013 POSTAGE	-517.78	
EFT Pymt	18/02/2013	AUST SENIOR NEWSPAPER	ILU: OCCUPANCY ADVERTISING "WA SENIOR"	-323.40	
EFT Pymt	18/02/2013	AVON EXPRESS - STANFIELD Cobb	FREIGHT CHARGES - JAN 2013	-132.00	
EFT Pymt	18/02/2013	AVON TRADING	JAN 13 HARDWARE SUPPLIES	-1,376.99	
EFT Pymt	18/02/2013	AVON WASTE	1,899 BIN COLLECTION FE 25 JAN 13 INC RECYLING BINS & 1 x RECYCLING COLLECTION	-4,140.80	
EFT Pymt	18/02/2013	BEV CRC (TELECENTRE)	2013-01 JAN & 2013-02 FEB: COMPILING FOR PRODUCTION	-1,650.00	
EFT Pymt	18/02/2013	BOC LIMITED	JAN 2013: CYLINDER RENTAL	-66.14	
EFT Pymt	18/02/2013	CDA - VENTURE IMPORTS PTY LTD	6 BARNESLEY ST: REPAIR AIR CON	-160.50	

EFT Pymt	18/02/2013	COURIER AUSTRALIA/TOLL IPEC	FREIGHT CHARGES: 29 JAN to 14 FEB 13	-96.95	
EFT Pymt	18/02/2013	HAINES NORTON	DEC 12 BAS - PREP & RECONCILIATION	-467.50	
EFT Pymt	18/02/2013	JAS Richard	BE022 (UTE16): SCHEDULED SERVICE	-238.65	
EFT Pymt	18/02/2013	KITCHEN HEADQUARTERS	NEW SPORTS COMPLEX: KITCHEN WHITEGOODS	-1,644.50	
EFT Pymt	18/02/2013	MALCOLM THOMPSON PUMPS	REC GRD: SUB PUMP	-1,406.79	
EFT Pymt	18/02/2013	McLEODS BARRISTERS & SOLICITORS	BEV STN ARTS INC & TELSTRA DALE HALL: LEGAL ADVICE	-4,562.47	
EFT Pymt	18/02/2013	PCS - PERFECT COMPUTER SOLUTIONS	COMPUTER SUPPORT	-1,085.00	
EFT Pymt	18/02/2013	ROSHER E & MJ	BE423 (MOW04) & BE023 (TRA02): PARTS	-675.30	
EFT Pymt	18/02/2013	RURAL PRESS REGIONAL MEDIA WA P/L (THE AD	NEW NETBALL COURTS: TENDER	-185.00	
EFT Pymt	18/02/2013	SPECIALISED TREE SERVICE	STREET TREES: POWERLINE PRUNING	-12,300.00	
EFT Pymt	18/02/2013	WANDLESS Warren	GYM: PARTS (ORBIT HEALTH FITNESS)	-55.00	-38,295.68
EFT Pymt	21/02/2013	BOULTON Kim	RECORD MANAGEMENT ASSISTANCE	-1,361.25	
EFT Pymt	21/02/2013	MARSHALL Simon	UNIFORMS: MARSHALL Simon	-169.95	
EFT Pymt	21/02/2013	RURAL PRESS REGIONAL MEDIA WA P/L (THE AD	REJECTED EFT from 18 FEB 13. TO BE REISSUED WITH AMENDED BANK DETAILS.	-185.00	
EFT Pymt	21/02/2013	WANDLESS Warren	REJECTED EFT from 18 FEB 13. TO BE REISSUED WITH AMENDED BANK DETAILS.	-55.00	
EFT Pymt	21/02/2013	YORK GLAZING SERVICE (FITZGERALD)	MEM PARK ABLUTIONS: REPAIR DAMAGED WINDOWS	-265.00	-2,036.20
EFT Pymt	27/02/2013	ALEXANDER Jim	12/13_CR_YR: 1st PAY	-2,250.00	
EFT Pymt	27/02/2013	ALLIANCE FIRE PROTECTION	BI ANNUAL FIRE EXTINGUISHER MAINTENANCE	-1,561.45	
EFT Pymt	27/02/2013	BADGE	NEW SPORTS COMPLEX: PROG PYMT 4	-418,431.72	
EFT Pymt	27/02/2013	BEV GAS & PLUMBING	C/PARK & RLWY STN ART GALLERY	-724.08	
EFT Pymt	27/02/2013	BEV IGA	JAN 2013 PURCHASES	-671.50	
EFT Pymt	27/02/2013	BEV NEWS - Barry & Pauline	FEB 2013 ACCOUNT	-83.00	
EFT Pymt	27/02/2013	BEV PHARMACY (WHITTLES)	2012 CHRISTMAS LIGHTS COMP: SHIRE'S RESIDENTIAL CHOICE	-100.00	
EFT Pymt	27/02/2013	BEV STEEL FABRICATION	BE028 (TRK11) & DAM: PARTS	-352.90	
EFT Pymt	27/02/2013	BUDGET WINDSCREENS	WINDSCREEN REPLACEMENTS x 2 VEHICLES + REPAIR	-1,177.00	
EFT Pymt	27/02/2013	BUNNINGS BUILDING SUPPLIES P/L	HARDWARE SUPPLIES	-353.13	
EFT Pymt	27/02/2013	CASTLEDEX	SUPPLY & INSTAL COMPACTUS	-8,395.50	
EFT Pymt	27/02/2013	COUNTRY COPIERS NORTHAM	READING: 15 JAN - 19 FEB 13	-438.70	

EFT Pymt	27/02/2013	COURIER AUSTRALIA/TOLL IPEC	FREIGHT CHARGES: 14 FEB 13	-22.36
EFT Pymt	27/02/2013	DPT FIRE & EMERGENCY SERVICES (DFES)	12/13 - OPT B 3rd QTR	-23,911.88
EFT Pymt	27/02/2013	DPT REG DEV & LANDS	LEASES: AVON LOC 27959 (6mths to 31 DEC 11) & L3001 (6mths to 30 JUN 13)	-6,650.00
EFT Pymt	27/02/2013	EDWARDS MOTORS	BE020 (UTE18): REPLACE WINDSCREEN (POST TRADE IN)	-295.00
EFT Pymt	27/02/2013	ELDERS RURAL SERVICES AUST LTD	MUNI RDS - MORBINING: SUPPLIES & ADMIN BLDG: RODENT CONTROL	-324.00
EFT Pymt	27/02/2013	FOSTER Belinda	12/13_CR_YR: 1st PAY	-2,250.00
EFT Pymt	27/02/2013	GOGOL Peter	12/13_CR_YR: 1st PAY	-2,250.00
EFT Pymt	27/02/2013	HANSON CONSTRUCTION MATERIALS P/L	SPEC GRANT RRG - WESTDALE RD2: 118.22T 14mm WASHED GRANITE	-4,681.51
EFT Pymt	27/02/2013	JASON SIGNSMAKERS	VARIOUS: SIGNS	-1,687.40
EFT Pymt	27/02/2013	LANDGATE (DOLA)	2 x TITLE SEARCHES	-48.00
EFT Pymt	27/02/2013	LANDGATE (VGO)	VALUATION FEES: 27/10/12 - 21/12/2012	-59.65
EFT Pymt	27/02/2013	LnC HYDRAULICS	CHILD HEALTH & OLD SCHOOL BLDG: REVIEW S/WATER RUN OFF	-2,035.00
EFT Pymt	27/02/2013	MAJOR MOTORS PTY LTD	BE012 (TRK08): PARTS	-118.40
EFT Pymt	27/02/2013	MIDALIA STEEL - ONE STEEL	STREET SIGNS & SUNDRY PLANT (SPL03) & SWIM POOL: MATERIALS	-1,977.78
EFT Pymt	27/02/2013	MORBINNING CATCHMENT GROUP	MORBINNING FIRE BRIGADE: POWER REIMBURSE 02 NOV 12 - 17 JAN 13	-61.35
EFT Pymt	27/02/2013	MURRAY Keith	12/13_CR_YR: 1st PAY	-2,250.00
EFT Pymt	27/02/2013	NORTHAM CARPET COURT	RV UNIT 4: SUPPLY & INSTALL VINYL	-2,300.00
EFT Pymt	27/02/2013	ORICA/SPECTRUM	2013-01 JAN CHLORINE CYLINDER RENTAL (ORICA)	-102.83
EFT Pymt	27/02/2013	PACIFIC BRANDS - WORKWEAR GP	UNIFORMS: ADMIN STAFF	-1,198.34
EFT Pymt	27/02/2013	PBF AUST LTD	2013 EMPLOYEES ANNUAL COVER MEMBERSHIP	-1,674.00
EFT Pymt	27/02/2013	PCS - PERFECT COMPUTER SOLUTIONS	COMPUTER SUPPORT & MEDICAL CENTRE: SERVER INSTALL	-7,435.00
EFT Pymt	27/02/2013	QUAIRADING EARTHMOVING	RTR - YORK WILLAMS RD1: DOZER HIRE	-6,567.00
EFT Pymt	27/02/2013	RIDGWAY Dee	12/13_CR_YR: 1st PAY & TRAVEL CLAIM OCT-DEC 2012	-10,252.82
EFT Pymt	27/02/2013	RnR CONTRACTING PTY LTD	RTR-YORK WILLIAMS RD: BITUMEN SEALING WORK	-51,133.50
EFT Pymt	27/02/2013	ROSHER E & MJ	BE423 (MOW04): PARTS	-11.85
EFT Pymt	27/02/2013	SHAW Lew	12/13_CR_YR: 1st PAY	-2,250.00
EFT Pymt	27/02/2013	SHIRE OF BROOKTON	2013-01 JAN TOWN PLANNING SCHEME	-6,402.09

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EFT Pymt		27/02/2013	SHIRE OF YORK	RTR - YORK WILLAMS RD1: SWEEPER HIRE	-50.00	
EFT Pymt		27/02/2013	SIGMA CHEMICALS	SWIM POOL: TESTING TABLETS	-35.30	
EFT Pymt		27/02/2013	SKIPPER TRUCK PARTS (AMCAP)	WL541 (TRK12) & BE3579 (TRL09): PARTS	-279.40	
EFT Pymt		27/02/2013	SNAP OSBORNE PARK	LETTERHEAD & DLX ENVELOPES	-1,504.50	
EFT Pymt		27/02/2013	STAR TRACK EXPRESS (NITEROAD)	FREIGHT CHARGES: 13 FEB 13	-8.74	
EFT Pymt		27/02/2013	TOTAL EDEN	VINCENT ST GARDENS: 12 STN RETIC CONTROLLER	-186.27	
EFT Pymt		27/02/2013	TUDOR HOUSE	PROMOTIO: BANNERS for SHIRE OF BEVERLEY	-920.00	
EFT Pymt		27/02/2013	WEST COAST SHADE	SWIM POOL - SHADES	-21,593.00	
EFT Pymt		27/02/2013	WHITE David	12/13_CR_YR: 1st PAY	-2,250.00	
EFT Pymt		27/02/2013	WREN OIL - WASTE OIL	REFUSE SITE: DISPOSAL of WASTE OIL	-502.15	-599,818.10
Direct Debit		28/02/2013	DPI - LICENSING SERVICES	JAN 13/ FEB 13 LICENSING PAYMENTS	-56,502.95	-56,502.95
Liability Chq		28/02/2013	ACCOUNTANTS SUPER	SUPER CONTRIB: FE 27 FEB 13	0.00	0.00
Liability Chq		28/02/2013	ATO - AUSTRALIAN TAX OFFICE	2013-02 FEB PAYG TAX	0.00	0.00
Liability Chq		28/02/2013	BT FIN GP-LEONHARDT Scott	SUPER CONTRIB: FE 27 FEB 13	0.00	0.00
Liability Chq		28/02/2013	COLONIAL FIRST STATE-CORRIGAN Justin	SUPER CONTRIB: FE 27 FEB 13	0.00	0.00
Liability Chq		28/02/2013	CSRF - CATHOLIC SUPER & RETIREMENT FUND	SUPER CONTRIB: FE 27 FEB 13	0.00	0.00
Liability Chq		28/02/2013	DOMINION SUPERANNUATION MASTER TRUST	SUPER CONTRIB: FE 27 FEB 13	0.00	0.00
Liability Chq		28/02/2013	LGRCEU	2013-02 FEB UNION FEES	0.00	0.00
Liability Chq		28/02/2013	PRIME SUPER	SUPER CONTRIB: FE 27 FEB 13	0.00	0.00
Liability Chq		28/02/2013	SHIRE OF BEVERLEY	2013-02 FEB SAL DEDUCTIONS (27 FEB): RATES	0.00	0.00
Liability Chq		28/02/2013	SPECTRUM SUPER	SUPER CONTRIB: FE 27 FEB 13	0.00	0.00
Liability Chq		28/02/2013	SUPERWRAP - PERSONAL SUPER PLAN	SUPER CONTRIB: FE 27 FEB 13	0.00	0.00
Liability Chq		28/02/2013	WALGSP - SUPER	SUPER CONTRIB: FE 27 FEB 13	0.00	0.00
Cheque #	1028	04/02/2013	BEV PHARMACY (WHITTLES)	DEPOT: FIRST AID SUPPLIES	-41.70	-41.70
Cheque #	1029	04/02/2013	GIBSON RAISON	ANGLO ESTATES: PURCHASE of L24 & 25 GT SOUTHERN HWY, KOKEBY	-1,158.00	-1,158.00
Cheque #	1030	11/02/2013	T-BONE & SON	2012 MEAT VOUCHERS & 2012 CHRISTMAS LIGHTS COMPETITION WINNERS	-840.00	-840.00
Cheque #	1031	14/02/2013	SPECTRUM SUPER	SUPER CONTRIB: FE 13 FEB 13	-74.87	-74.87
Cheque #	1032	18/02/2013	GOLDING Rosemary	REFUND: BLDG & PLAN FEES due to APPLIC being RETRACTED (Loc 6910 BALLYBALLY RD)	-335.50	-335.50

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Cheque #	1033	18/02/2013	TELSTRA	2013-02 FEB TELEPHONE ACCOUNTS	-1,316.66	-1,316.66
Cheque #	1034	18/02/2013	ATO - AUSTRALIAN TAX OFFICE	2013-01 JAN BAS RETURN	-24,406.00	-24,406.00
Cheque #	1035	27/02/2013	FREGON Vicky	12/13_CR_YR: 1st PAY	-2,250.00	-2,250.00
Cheque #	1036	27/02/2013	PEPPER Chris	12/13_CR_YR: 1st PAY	-2,937.50	-2,937.50
Cheque #	1037	27/02/2013	REDINK HOMES	REFUND: DEV APPLIC FEE re 102 HUTCHINSON ST	-1,400.01	-1,400.01
Direct Debit	2381	12/02/2013		JAN 13 # - CREDIT CARD DIRECT DEBIT PAYMENT	-548.21	-548.21
PAYMENTS RAISED IN CURRENT MONTH					-1,095,966.67	-1,095,966.67
WAGES & SALARIES						
EFT Pymt		14/02/2013	WAGES & SALARIES	FE - 13 FEB 2013	-50,276.69	
EFT Pymt		28/02/2013	WAGES & SALARIES	FE - 27 FEB 2013	-48,825.71	
WAGES & SALARIES					-99,102.40	-99,102.40
TRANSFERS to TRUST						
TRANSFERS to TRUST					0.00	0.00
UNPRESENTED PAYMENTS for CURRENT BANK STATEMENT						
Cheque #	1032	18/02/2013	GOLDING Rosemary	REFUND: BLDG & PLAN FEES due to APPLIC being RETRACTED (Loc 6910 BALLYBALLY RD)	335.50	
Cheque #	1035	27/02/2013	FREGON Vicky	12/13_CR_YR: 1st PAY	2,250.00	
Cheque #	1036	27/02/2013	PEPPER Chris	12/13_CR_YR: 1st PAY	2,937.50	
Cheque #	1037	27/02/2013	REDINK HOMES	REFUND: DEV APPLIC FEE re 102 HUTCHINSON ST	1,400.01	
UNPRESENTED PAYMENTS for CURRENT BANK STATEMENT					6,923.01	6,923.01
PAYMENTS PRESENTED IN CURRENT BANK # RELATING to PRIOR MONTHS TRANSACTIONS						
PAYMENTS PRESENTED IN CURRENT BANK # RELATING to PRIOR MONTHS' TRANSACTIONS					0.00	0.00
OTHER AMENDMENTS/GENERAL JOURNALS						
OTHER AMENDMENTS/GENERAL JOURNALS					0.00	0.00

INVESTMENTS

Transfer	19/02/2013	TFR of INTEREST (19/09/12) to 12/13 INVEST 03		-12,649.69	
			INVESTMENTS	-12,649.69	-12,649.69
				TOTAL EXPENDITURE for MUNICIPAL ACCOUNT	
					-1,200,795.75

CREDIT CARD PAYMENT SUMMARY for CURRENT BANK STATEMENT

Bill Pmt -CCard	28/12/2012	CALTEX HARVEY	BE1 (SDN24): FUEL	90.31	
Bill Pmt -CCard	20/12/2012	DPT ENVIRONMENT - CLEARING PERMITS	TREE CLEARING PERMIT: INTERSECTION of YORK-WILLIAMS, VALENTINE RDS plus EDISON MILL RD	200.00	
Bill Pmt -CCard	16/01/2013	ASIC - AUST SECURITIS & INVEST COMMISSION	AVONALE DISCOVERY FARM: NAME REGISTRATION	30.00	
Bill Pmt -CCard	17/01/2013	BAYSWATER HOTEL	McLEODS (BEV ARTS AGREEMENT) REFRESHMENTS	47.90	
Bill Pmt -CCard	29/01/2013	ANZ BANK - CREDIT CARD	2013 ANNUAL CARD FEES	180.00	
				CREDIT CARD PAYMENT SUMMARY for CURRENT BANK STATEMENT	
				548.21	

TRUST ACCOUNT DETAILS

PAYMENTS RAISED IN CURRENT MONTH

Cheque #	1443	11/02/2013	BALDWIN Janet	REFUND - GYM KEY BOND	-30.00	
Cheque #	1444	11/02/2013	COX Sophie - ESTATE of	RET VILLAGE - BOND REFUND	-360.00	
				PAYMENTS RAISED IN CURRENT MONTH		
				-390.00	-390.00	

PAYMENTS UNPRESENTED IN CURRENT BANK#

PAYMENTS UNPRESENTED IN CURRENT BANK #		0.00	0.00
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PAYMENTS PRESENTED IN CURRENT BANK# RELATING TO PRIOR MONTHS TRANSACTIONS

PAYMENTS PRESENTED IN CURRENT BANK # RELATING to PRIOR MONTHS' TRANSACTIONS		0.00	0.00
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OTHER AMENDMENTS/GENERAL JOURNALS

Gen Jnl	11/02/2013	SHIRE of BEVERLEY	REPAIRS AMENITIES - RETAIN FEES (BE PROJECTS WA P/L)	-7,802.36	
			OTHER AMENDMENTS/GENERAL JOURNALS	-7,802.36	-7,802.36
			TOTAL EXPENDITURE for TRUST ACCOUNT		-8,192.36

TOTAL EXPENDITURE as reconciled to the FEBRUARY 2013 BANK STATEMENTS

Municipal Account Expenditure	-1,200,795.75
Trust Account Expenditure	-8,192.36

TOTAL EXPENDITURE for FEBRUARY 2013 **-1,208,988.11**

12. ADMINISTRATION

12.1 Beverley Station Arts Inc. Licence Agreement

SUBMISSION TO: Ordinary Council Meeting 26 March 2013
REPORT DATE: 19 March 2013
APPLICANT: Beverley Station Arts Inc.
FILE REFERENCE: ADM 0158
AUTHOR: S P GOLLAN, Chief Executive Officer
ATTACHMENTS: Licence Agreement

SUMMARY

Council to consider endorsing the Licence Agreement for Portion of Reserve 47116, Beverley Station between Shire of Beverley and Beverley Station Arts Inc.

BACKGROUND

A draft Licence Agreement has been formulated by McLeods after a meeting with David Vaughan and the Chief Executive Officer. The draft was then given to the Beverley Station Arts Inc. for comment.

COMMENT

The Beverley Station Arts Inc. group suggested one minor amendment to the Licence Agreement being clause 6.3.

Clause 6.3 currently reads "*The Licensee must not suffer or permit a person to smoke inside any enclosed portion of a building in the Licensed Area*".

The suggested amendment would read "*The Licensee must not suffer or permit a person to smoke in any portion of the Licensed Area*".

A Licence Fee of \$100.00 per annum was included in the licence; this fee can be altered yearly when reviewing Fees & Charges.

The Term of lease needs to be set along with Operational Times.

I consider that a 10 year lease be provided with an option of a further 5 years with the licence commencing from 01 July 2013 and the Operational Times be 6:00am to 1:00am.

STATUTORY ENVIRONMENT

N/A

FINANCIAL IMPLICATIONS

N/A

STRATEGIC IMPLICATIONS

Strategic Community Plan prioritises providing facilities to support sporting and community needs.

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Amend Clause 6.3 to read *"The Licensee must not suffer or permit a person to smoke in any portion of the Licensed Area"*.
2. Approve the License Term of 10 years with an option of a further 5 years commencing from 1 July 2013
3. Approve the Operational Times of 6:00am to 1:00am
4. Endorse and authorise the Chief Executive Officer and Shire President to sign and apply the Common Seal to the Licence Agreement for Portion of Reserve 47116, Beverley Station.

COUNCIL RESOLUTION

M12/0313

Moved: Cr Foster

Seconded: Cr Murray

That the Item lay on the table until the 23 April 2013 Ordinary Council Meeting.

CARRIED 8/0

Licence Agreement – Portion of Reserve 47116, Beverley Station

Shire of Beverley
Beverley Stations Arts Inc.



McLEODS
Barristers & Solicitors
Stirling Law Chambers | 220-222 Stirling Highway | CLAREMONT WA 6010
Tel: (08) 9383 3133 | Fax: (08) 9383 4935
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Ref: DFN:BEV-33202

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Details

Parties

Shire of Beverley

of PO Box 20, Beverley, Western Australia 6304
(Licensor)

Beverley Station Arts Inc.

of PO Box 112, Beverley, Western Australia, 6304
(Licensee)

Background

- A The Licensor is the management body of the Land under the Management Order.
- B The Licensor has agreed to grant to the Licensee a licence to use that portion of the Land described in **Item 2** of the Schedule (**Licensed Area**).
- C The Licensor and the Licensee enter into this Agreement to set out the terms and conditions upon which the licence is granted.

Agreed terms

1. Condition precedent

This agreement is subject to and conditional upon the approval in writing of the Minister for Lands under section 18 of the *Land Administration Act 1997*.

2. Grant of licence

In consideration of the covenants of the Licensee given herein the Licensor HEREBY GRANTS to the Licensee a licence (Licence) to use the Licensed Area on the terms and conditions set out in this Deed.

3. Term

The Licence shall continue in force and effect for the duration of the term set out in **Item 3** of the Schedule (Term).

4. Permitted Hours of Use

For the duration of the Term of the Licence the Licensee shall be permitted to use the Licensed Area, but only during the permitted hours of use set out in **Item 4** of the Schedule (Permitted Hours of Use).

5. Licence fee & GST

The Licensee COVENANTS with the Licensor to:

- (a) pay the Licensor the licence fee referred to in **Item 5** of the Schedule (Licence Fee) from the commencement of the Term without any abatement or deduction whatsoever; and
- (b) pay the Licensor any GST payable on the Licence Fee and on any other supply made by the Licensor to the Licensee under this Licence.

6. Use of Licensed Area

6.1 Permitted Use

The Licensee shall ensure that the Licensed Area is used only for the Permitted Use.

6.2 No harm or stress

The Licensee must not and must not suffer or permit a person to do any act or thing which might result in excessive stress or harm to any part of any building in the Licensed Area.

6.3 No smoking

The Licensee must not suffer or permit a person to smoke inside any enclosed portion of a building in the Licensed Area.

6.4 Sale of Alcohol

The Licensee will only sell or supply liquor from the Licensed Area in accordance with the provisions of the *Liquor Control Act 1988*, *Liquor Control Regulations 1989* and any other relevant written laws that may be in force from time to time.

6.5 Sale of Food

The Licensee shall only sell food within the Licensed Area in accordance with the *Food Act 2008* and any other relevant written laws that may be in force from time to time.

6.6 No pollution

The Licensee must do all things necessary to prevent pollution or contamination of the Licensed Area by garbage, refuse, waste matter, oil and other pollutants.

7. Outgoings

- (1) Subject to sub-clause (2), the Licensor shall duly and punctually pay all outgoings or charges assessed or incurred in respect of the Licensed Area, other than cleaning charges, which shall be the responsibility of the Licensee.
- (2) The Licensee shall use its best endeavours to ensure that its use of the Licensed Area does not give rise to excessive or unreasonable consumption charges relating to electricity, water, telephone or any other utility or service used by the Licensee, having regard to the level of charges previously paid by the Licensor.

8. Alterations

The Licensee shall not:

- (a) make or cause, suffer or permit to be placed upon the Licensed Area any improvements, alterations, buildings, structures or other fixtures, fittings or equipment of any kind whatsoever; or
- (b) carry out any modifications or alterations whatsoever to the Licensed Area,

unless the Licensee has first obtained the prior written approval of the Licensor (which is granted at the absolute discretion of the Licensor and may be subject to such conditions as the Licensor deems fit) and all necessary approvals, licences and permits required by law have been obtained.

9. Entry and inspection of Licensed Area

The Licensee must permit the Licensor to enter the Licensed Area at any reasonable time during the Permitted Hours of Use to inspect and view the area, to carry out any maintenance work or to rectify any breach of the conditions of this Licence.

10. Signs & advertising

The Licensee shall not affix or exhibit or permit to be affixed or exhibited in or upon any part of the Licensed Area any placard, signboard, neon sign or other advertisement unless the Licensee has first obtained the prior written approval of the Licensor (which is granted at the absolute discretion of the Licensor and may be subject to such conditions as the Licensor deems fit).

11. Compliance with statutes

The Licensee shall:

- (a) comply promptly with all written laws from time to time in force relating to the Licensed Area;
- (b) apply for, obtain and maintain in force all consents, approvals, authorities, licences and permits required under any written law for the Permitted Use to be undertaken on the Licensed Area;
- (c) comply promptly with all orders, notices, requisitions or directions of any competent authority relating to the Licensee's use of the Licensed Area; and
- (d) ensure that all obligations in regard to payment for copyright or licensing fees are paid to the appropriate person for all performances, exhibitions or displays held within the Licensed Area.

12. Maintenance and cleaning of Licensed Area

- (1) Subject to the Licensee's payment of the Licence Fee, the Licensor will maintain the Licensed Area in accordance with the Licensor's maintenance standards.
- (2) Maintenance for the purposes of **clause 12(1)** covers:
 - (a) structural maintenance and general repairs of buildings within the Licensed Area; and
 - (b) the ongoing repair and replacement of fixtures and fittings.
- (3) The standard of the maintenance and the frequency of the repairs and replacements identified in **clause 12(2)** will be dependent on the Licensor's general building maintenance program and budgetary considerations and may vary from time to time.
- (4) The Licensee must keep the Licensed Area clean, tidy and free from rubbish at all times. The Licensee shall bear any fees or charges incurred for cleaning of the Licensed Area.

13. Heritage Protection

- (1) The Licensee acknowledges that the Licensed Area is a Heritage Property and that it is an essential provision of this Licence that the Licensed Area be maintained in a manner which preserves its heritage value.
- (2) To comply with this provision the Licensee must not undertake any work that will alter the state of the Licensed Area at the commencement of this Licence (including but without limitation, painting, any alterations or improvements, or the addition of any exterior trade fittings, shades, awnings, sprinkler systems, antennae, masts, fixture or fittings) without the approval of the Licensor, who will have regard to the heritage value of the Licensed Area in considering any proposed works.
- (3) Subject to clause 12, the Licensee must comply with and observe all Heritage Legislation.

14. Damage to Licensed Area

The Licensor and the Licensee AGREE that:

- (a) it will be the responsibility of the Licensee to repair, rehabilitate and make good any damage to the Licensed Area, including but not limited to damage to any fixtures or fittings of the Licensor, caused by or arising out of or in relation to or incidental to the use of the Licensed Area by the Licensee or any Authorised Person or resulting from an act or omission of the Licensee or any Authorised Person;
- (b) the Licensee shall be responsible for the cost of any of the repairs, rehabilitation or making good of damage referred to in sub-clause (a); and
- (c) the Licensee must pay to the Licensor the costs of any repair, rehabilitation or making good of damage to the Licensed Area within 7 days of receipt of a written demand for such payment being made by the Licensor.

15. Not to cause nuisance

The Licensee AGREES with the Licensor that it shall:

- (a) not do or leave undone or suffer to be done or left undone any act, matter or thing whereby a nuisance or anything in the nature of which may be deemed to be a nuisance may exist or arise or continue upon or in connection with the Licensed Area or the use thereof and to forthwith abate any such nuisance or alleged nuisance; and
- (b) pay to the Licensor on demand all sums of money which the Licensor may at any time and from time to time hereafter pay or expend to be called upon to repay in or about or in connection with performing, discharging or executing any requisitions or works or abating any nuisance or alleged nuisance referred to in the preceding sub-clause (a) and which contrary to the agreement therein contained the Licensee neglects or fails to perform, discharge or execute.

16. Indemnity

The Licensee agrees to indemnify and keep indemnified the Licensor and the Minister for Lands, and all officers, servants and agents of the Licensor and the Minister for Lands:

- (a) from and against the destruction of or damage to any property of the Licensor or any person; and
- (b) from and against all actions claims, costs and demands in respect of loss or damage to property or death or injury of any nature and however and wherever sustained,

caused by or arising out of or in relation to or incidental to the use of the Licensed Area by the Licensee or any Authorised Person or resulting from an act or omission of the Licensee or any Authorised Person BUT the Licensee shall not be responsible for any loss or damage which is caused by the negligence of the Licensor or its servants, agents, contractors or invitees.

17. Insurance

17.1 Insurance required

The Licensee must effect and maintain with insurers approved by the Licensor (noting the Licensor's and the Licensee's respective rights and interest in the Licensed Area) for the time being:

- (a) adequate public liability insurance for a sum not less than fifteen million dollars (\$15,000,000) in respect of any one claim or such greater amount as the Licensor may from time to time reasonably require; and

- (b) where the Licensor so requires, insurance to cover the Licensee's fixtures, fittings, equipment and stock against loss or damage by fire, fusion, smoke, lightning, flood, storm, tempest, earthquake, sprinkler leakage, water damage and other usual risks against which a Licensee can and does ordinarily insure in their full replacement value, and loss from theft or burglary.

17.2 Maintain insurance

The Licensee shall not cancel any policy of insurance referred to in sub-clause (1) and in the event of such cancellation this Licence shall terminate immediately and the Licensee shall have no claim against the Licensor for any loss suffered as a result of such termination.

17.3 Details and receipts

The Licensee shall produce copies of the certificates of currency or receipts confirming the currency of any policy or policies of insurance within seven (7) days of being provided with a written request by the Licensor to do so.

18. Casual Hire

- (1) The Licensee shall make the Licensed Area or any part thereof available for hire on a casual basis only for community functions and events in accordance with the following terms and conditions:
 - (a) the Licensee shall be responsible for managing all matters relating to the hire of the Licensed Area and will be responsible for bookings including the receipt and co-ordination of all requests to hire the Licensed Area, and will record all bookings and receipts in a diary which is to be made available to the Licensor upon request;
 - (b) hire of the Licensed Area on a casual basis shall be consistent at all times with the Permitted Use;
 - (c) any hirer shall comply strictly with the relevant terms of this Licence and the Licensee shall be liable for any breach of a provision of this Licence by the hirer;
 - (d) the Licensee shall only refuse a casual hire arrangement with the consent of the Licensor, which consent may be withheld by the Licensor in its absolute discretion;
 - (e) the hire fee charged to users of the Licensed Area shall be subject to approval of the Licensor; and
 - (f) the Licensee may retain any hire fee paid by a casual user of the Licensed Area under a hire arrangement approved by the Licensor.
- (2) For the purposes of this Licence, "casual hire" means any hire of the Licensed Area by the Licensee to a third party for a period of and not more than 48 hours in any calendar month and does not include any formal transfer, assignment or sublicense of the Licensed Area.
- (3) The Licensee ACKNOWLEDGES that at all times, including when the Licensed Area are hired to a third party, it remains responsible for the Licensed Area, including without limitation any damage that may be caused or occurs during any hire period, and shall continue to be subject to all covenants, terms and conditions contained in this Licence at all times during which the Licensed Area is being hired to a third party.

19. Not to void insurance

The Licensee agrees with the Licensor not to at any time during the Term, commit, or suffer to be done any act, matter or thing upon the Licensed Area whereby any insurance which may at any

time have been effected in respect of the Licensed Area or any part thereof may be vitiated or rendered void or voidable.

20. No assignment without consent of Licensor or Minister for Lands

The Licensee agrees that it shall not encumber, assign, sub-licence or part with the possession or benefit of this Licence or the Licensed Area or any part of the Licensed Area without first obtaining the prior written consent of the Licensor and the Minister for Lands, which consent the Licensor or the Minister for Lands may withhold in their absolute discretion.

21. Report to Licensor

The Licensee must immediately report to the Licensor:

- (a) any act of vandalism which occurs on or near the Licensed Area;
- (b) any occurrence or circumstances in or near the Licensed Area, of which it becomes aware, which might reasonably be expected to cause, in or on the Licensed Area, pollution of or damage to the environment; and
- (c) all notices, orders and summonses received by the Licensee and which affect the Licensed and immediately give them to the Licensor.

22. No right of exclusive possession

The Licensee acknowledges that this Licence is non-exclusive and does not convey any right of exclusive possession over the Licensed Area to the Licensee and the Licensee AGREES that it shall not interfere with the use of the Licensed Area by any other person authorised by the Licensor or otherwise entitled at law to access or use the Licensed Area.

23. Further term

If at the date of expiration of the Term:

- (a) there is no outstanding breach of this Licence by the Licensee; and
- (b) the Licensee's conduct of its business activities is otherwise to the satisfaction of the Chief Executive Officer of the Licensor,

the Licensor may grant to the Licensee a further licence of the Licensed Area for the further term specified in **Item 3** of the Schedule upon and subject to the same terms, covenants and conditions as are contained or implied in this Licence except this **clause 23**.

24. Default

The Licensor and the Licensee AGREE that:

- (a) if the Licence Fee or any part thereof shall be in arrears after the date specified for payment for a period of fourteen (14) days after notice specifying such default shall have been served on the Licensee; or
- (b) any covenant, term or condition on the part of the Licensee herein contained or implied shall not be punctually and effectually performed or observed and such default shall

continue for a period of fourteen (14) days after a notice specifying such default shall have been served on the Licensee

then in any of the said cases it shall be lawful for the Licensor at any time thereafter by notice in writing to the Licensee to terminate the Licence hereby granted. Upon receipt of such notice by the Licensee the Licence hereby granted shall terminate, but without prejudice to the right of action of the Licensor for arrears of the Licence Fee or damages for breach of any other covenant. Upon such termination the parties acknowledge that the Licensee shall not be entitled to any refund of the Licence Fee, in respect of any unexpired portion of the Term.

25. Termination of management order

The parties ACKNOWLEDGE that:

- (a) the Licence will automatically terminate if the management order that the Licensor holds the Land under is revoked; and
- (b) if the Licence is terminated in accordance with **sub-clause (a)** of this clause the Licensee will not be entitled to any form of compensation or damages as a result of the termination.

26. Restoration of Licensed Area

The Licensee AGREES with the Licensor that:

- (a) at the expiration or sooner determination of this Licence, it shall at its cost remove from the Licensed Area any alterations, additions or improvements to the Licensed Area installed by the Licensee, unless otherwise approved in writing by the Licensor;
- (b) it shall restore the Licensed Area to the condition in which it existed at the date of possession of the Licensed Area to the satisfaction of the Licensor; and
- (c) in the event the Licensee does not restore the Licensed Area to the satisfaction of the Licensor within one month of the expiration or sooner determination of this Licence the Licensor may remove any alterations, additions or improvements installed by the Licensee and restore the Licensed Area to its satisfaction and the costs of carrying out such removal and restoration shall be a liquidated debt recoverable from the Licensee by the Licensor in a Court of competent jurisdiction.

27. Rights rest in contract only

The Licensee ACKNOWLEDGES that the rights hereby conferred rest in contract only and nothing herein contained or implied shall be construed as granting or shall be deemed to grant to the Licensee any estate or interest in the Licensed Area or any right of exclusive possession.

28. Yielding up at expiration of term

The Licensee AGREES with the Licensor that at the end or sooner termination of the Term of the Licence it shall leave the Licensed Area in a condition consistent with the provisions of this Licence.

29. No warranty

The Licensor gives no warranty:

- (a) as to the suitability or otherwise of the Licensed Area for the Permitted Use; or

- (b) that the Licensor will issue any consents, approvals, authorities, permits or licences required by the Licensee under any statute for its use of the Licensed Area.

30. No fetter

Notwithstanding any other provision of this Licence, the Licensee ACKNOWLEDGES that the Licensor is a local government established by the *Local Government Act 1995* (WA), and in that capacity, the Licensor may be obliged to determine applications for approvals having regard to statutes governing such applications including matters required to be taken into consideration and formal processes to be undertaken, and the Licensor shall not be taken to be in default under this Licence by performing its statutory obligations or exercising its statutory discretions, nor shall any provision of this Licence fetter the Licensor in performing its statutory obligations or exercising any discretion.

31. Notice

31.1 Form of Delivery

A Notice to a Party must be in writing and may be given or made:

- (a) by delivery to the Party personally; or
- (b) by addressing it to the Party and leaving it at or posting it by registered post to the address of the Party appearing in this Licence or any other address nominated by a Party by Notice to the other.

31.2 Service of Notice

A Notice to a Party is deemed to be given or made:

- (a) if by personal delivery, when delivered;
- (b) if by leaving the Notice at an address specified in clause 31.1(b), at the time of leaving the Notice, provided the Notice is left during normal business hours; and
- (c) if by post to an address specified in clause 31.1(b), on the second business day following the date of posting of the Notice.

32. Signing of Notice

A Notice to a Party may be signed:

- (a) if given by an individual, by the person giving the Notice;
- (b) if given by a corporation, by a director, secretary or manager of that corporation;
- (c) if given by a local government, by the CEO or an authorised officer;
- (d) if given by an association incorporated under the *Associations Incorporation Act 1987*, by any person authorised to do so by the board or committee of management of the association; or
- (e) by a solicitor or other agent of the individual, corporation, local government or association giving the Notice.

33. Severance

If any part of this Licence is or becomes void or unenforceable, that part is or will be severed from this Licence to the intent that all parts that are not or do not become void or unenforceable remain in full force and effect and are unaffected by that severance.

34. Further assurance

The Parties must execute and do all acts and things necessary or desirable to implement and give full effect to the terms of this Licence.

35. Dispute resolution

The parties agree that any dispute between the Licensee and the Licensor in regard to anything arising from this Licence shall:

- (a) be addressed in the first instance by a meeting between representatives of the Licensee, appointed for that purpose, and the officer of the Licensor responsible for administering the Reserve or the Licensed Area; and
- (b) if the dispute cannot be resolved, in a manner that is satisfactory to both parties through such a meeting, the Licensee agrees that the CEO of the Licensor will have the power to make a final determination in resolution of the dispute, but only after giving due consideration to all of the matters discussed at the meeting referred to in sub-clause (a) of this clause and setting out in writing the reasons for his or her decision.

36. Variation

This Licence may be varied only by deed executed by the Parties subject to such consents as are required by this Licence or at law.

37. Payment of interest

Without affecting the rights, power and remedies of the Licensor under this Licence, the Licensee shall pay to the Licensor interest on demand on any Amounts Payable which are unpaid for 7 days computed from the due date for payment until payment is made and any interest payable under this paragraph will be charged at the Interest Rate.

38. Costs

The Licensee must pay to the Licensor on demand:

- (a) any statutory duty or taxes payable on or in connection with this Licence;
- (b) all legal costs of and incidental to the preparation and execution of this Licence;
- (c) all costs, reasonable legal fees, disbursements and payments incurred by or for which the Licensor is liable in connection with or incidental to:
 - (i) the Amounts Payable or obtaining or attempting to obtain payment of the Amounts Payable under this Licence;
 - (ii) any breach of covenant by the Licensee or an Authorised Person; and

- (iii) any work done at the Licensee's request which the Licensor is not responsible for under the terms of this Licence.

39. Governing law

This Licence is governed by and is to be interpreted in accordance with the laws of Western Australia and, where applicable, the laws of the Commonwealth of Australia.

40. Additional terms covenants and conditions

Each of the terms, covenants and conditions (if any) specified in Item 7 of the Schedule shall be deemed part of this Licence and shall be binding upon the Licensor and Licence as if incorporated in the body of this Licence.

41. Interpretation

In this Licence, unless expressed to the contrary:

- (a) Words importing:
 - (i) the singular include the plural;
 - (ii) the plural include the singular; and
 - (iii) any gender includes each gender;
- (b) A reference to:
 - (i) a natural person includes a body corporate or local government;
 - (ii) a body corporate or local government includes a natural person;
 - (iii) a Party includes its legal personal representatives, successors and assigns and if a Party comprises two or more persons, the legal personal representatives, successors and assigns of each of those persons;
 - (iv) a statute, includes an ordinance, code, regulation, award, local planning scheme, regulation, local law, by-law, requisition, order or other statutory instruments made under any of them and a reference to any of them, whether or not by name, includes any amendments to, re-enactments of or replacements of any of them from time to time in force;
 - (v) a right includes a benefit, remedy, discretion, authority or power;
 - (vi) an obligation includes a warranty or representation and a reference to a failure to observe or perform an obligation includes a breach of warranty or representation;
 - (vii) this Licence or provisions of this Licence or any other deed, agreement, instrument or contract includes a reference to:
 - (A) both express and implied provisions; and
 - (B) that other deed, agreement, instrument or contract as varied, supplemented, replaced or amended;
 - (viii) writing includes any mode of representing or reproducing words in tangible and permanently visible form and includes facsimile transmissions;

- (ix) anything (including, without limitation, any amount) is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them; and
- (c) a subparagraph, paragraph, subclause, clause, Item, Schedule or Annexure is a reference to, respectively, a subparagraph, paragraph, subclause, clause, Item, Schedule or Annexure of this Licence;
- (d) The covenants and obligations on the part of the Licensee not to do or omit to do any act or thing include:
 - (i) covenants not to permit that act or thing to be done or omitted to be done by any officer, workmen, servants, agents, contractors, licensees, invitees, assignees or persons authorised by the Licensee; and
 - (ii) a covenant to take all reasonable steps to ensure that that act or thing is not done or omitted to be done;
- (e) Except in the Schedule, headings do not affect the interpretation of this Licence;
- (f) If a Party comprises two or more persons, the covenants and agreements on their part bind them and must be observed and performed by them jointly and each of them severally, and may be enforced against any one or more of them.
- (g) The Schedule and Annexures (if any) form part of the Licence.

42. Definitions

In this Licence, unless otherwise required by the context or subject matter:

Amounts Payable means the Licence Fee and any other money payable by the Licensee under this Licence;

Authorised Person means an agent, employee, invitee or sub-licensee of the Licensee;

Chief Executive Officer means the Chief Executive Officer of the Licensor or any person authorized to act on his behalf;

GST means a tax under the *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any legislation substituted for, replacing or amending that Act, levied on a supply including but not limited to the Licence Fee or other money payable to the Licensor for goods or services or property or any other thing under this Licence; and

Heritage Legislation means all present and future legislation, regulations, by-laws, local laws or orders relating to the protection of historic or culturally significant sites including, without limitation, the *Heritage of Western Australia Act 1990*.

Heritage Property means a place registered or noted on or the subject of proposed or interim registration or notation on a register, inventory or list maintained under Heritage Legislation or the subject of a conservation order or other order or agreement made under Heritage Legislation.

Interest Rate means the rate at the time the payment falls due being 2% greater than the Licensor's general overdraft rate on borrowings from its bankers on amounts not exceeding \$100,000.00;

Land means the land described at Item 1 of the Schedule;

Licence means this deed as supplemented, amended or varied from time to time;

Licence Fee means the fee specified in Item 5 of the Schedule;

Licensed Area means the Licensed Area described in Item 2 of the Schedule;

Management Order means the management order pursuant to which the Licensor was vested with care, control and management of Reserve 47116 by the Minister for Lands for the purpose of Historical Building;

Notice means each notice, demand, consent or authority given or made to any person under this Licence;

Party means the Licensor or the Licensee according to the context;

Permitted Use means the use set out in Item 6 of the Schedule;

Precinct means the Beverley Railway Station Precinct comprising the Licensed Area;

Schedule means the Schedule to this Licence, unless otherwise stipulated;

Supply means a good or service or any other thing supplied by the Licensor under this Licence and includes but is not limited to a grant of a right to possession of the Licensed Area; and

Term means the term stipulated in Item 3 of the Schedule and, where the context permits, includes any further term.

Schedule

Item 1 Land

Reserve 47116 being land more particularly described as Lot 426 on Deposited Plan 34254 and being the whole of the land comprised in Crown Land Certificate of Title Volume LR3129 Folio 862

Item 2 Licensed Area

That portion of the Land together with any buildings situated thereon as depicted on the sketch annexed hereto.

Item 3 Term

Term: ***** years commencing on [Insert commencement date] and expiring on [Insert date of expiration].

Further Term: ***** commencing on [Insert commencement date] and expiring on [Insert date of expiration].

Item 4 Permitted Hours of Use

[to be confirmed]

Item 5 Licence Fee

Licence Fee: One hundred dollars (\$100) per annum

Manner of Payment: Payable annually in advance commencing on the first day of Term

Item 6 Permitted Use

1. Art gallery and exhibition centre
2. Performance venue
3. Community use

Item 7 Additional terms, covenants and conditions

1. Participation in management committee of Licensee

The Licensee shall permit a Councillor of the Licensor to sit on the management committee of the Licensee and participate in decision making in relation to the management of the Licensed Area.

2. Display and maintenance of Shire of Beverley Art Collection

- (1) The Licensee shall:

- (a) display the Shire of Beverley's permanent art collection (Art Collection) in the Station Gallery and other public facilities approved by the Licensor in consultation with the Licensee; and
 - (b) maintain the Art Collection in accordance with a maintenance program approved by the Licensor in consultation with the Licensee.
- (2) The Licensee acknowledges and agrees that the Art Collection is the property of the Licensor and works comprising part of the Art Collection shall not be disposed of without approval of the Licensor.

3. Public access to Precinct

The Licensee shall:

- (a) open the Precinct to the public during the hours requested by the Licensor, acting reasonably;
- (b) set an entry fee or hire charge for visitors to the Precinct, subject to approval of the Licensor; and
- (c) receive the entry fee or hire charge, set pursuant to sub-clause 2(b), from each visitor to the Precinct and show the total receipts in an annual report to the Council on the operation of the Precinct.

4. Inspection of buildings and maintenance requests

The Licensee shall regularly inspect all buildings and submit a list of suggested works and maintenance to be carried out in the forthcoming year to the Licensor for consideration in the budget allocation on or before 31 March each year.

5. Application for grants and funding

The Licensee shall, in consultation with and subject to approval of the Licensor, pursue grants and other funding to support the development and improvement of the Precinct.

6. Inventory and receipt of artefacts

The Licensee shall:

- (a) accept and duly record artefacts donated to the Precinct, obtaining from each donor a signed statement detailing the terms of the donation;
- (b) where temporary loan of an artefact is accepted, obtain from the lender a signed statement indemnifying the Licensor and the Licensee against any loss, theft or damage; and
- (c) provide the Licensor with a full inventory of existing and newly acquired artefacts at the end of each financial year.

7. Annual Easter Art Exhibition

- (1) The Licensee shall organise and manage the annual Beverley Easter Art Exhibition (Exhibition).

- (2) Subject to the annual budgetary process and approval of Council, the Licensor will consider providing photocopying, mail and other requested administrative services associated with the running of the Exhibition.

8. Report to Licensor

The Licensee shall present a written annual report to the Licensor for each year ending 30 June that includes:

- (a) a detailed review of the operation of the Precinct and the Licensed Area;
- (b) a copy of the audited accounts of the Licensee for the financial year; and
- (c) any other information relating to the Licensee's use of the Licensed Area or management of the Precinct that the Licensor may reasonably require.

9. Licensor's undertakings

The Licensor agrees to:

- (1) consider budget requests for operational funding and capital development for the management and development of the Precinct, subject at all times to approval of Council;
- (2) use reasonable endeavours to promote the Precinct where appropriate through the Licensor's information base to the public; and
- (3) make submissions in conjunction with the Licensee for grant monies and employment training programmes in relation to the management and development of the Precinct, where local government applications are eligible.

Signing page

EXECUTED by the parties as a Deed on the _____ day of _____ 2013

THE COMMON SEAL of the Shire of Beverley was hereunto affixed by authority of a resolution of the Council in the presence of:

President

(Print Full Name)

Chief Executive Officer

(Print Full Name)

THE COMMON SEAL of BEVERLEY STATION ARTS INC. ("Association") was hereunto affixed pursuant to the constitution of the Association in the presence of each of the undersigned each of whom hereby declares by the execution of this document that he or she holds the office in the Association indicated under his or her name:

OFFICE HOLDER SIGN

OFFICE HOLDER SIGN

Office Held

Office Held

Full Name

Full Name

Address

Address

CONSENT OF THE MINISTER FOR LANDS:

33202-13.01.25-DFN-Licence Agreement

12.2 York Community Radio Request

SUBMISSION TO: Ordinary Council Meeting 26 March 2013
REPORT DATE: 19 March 2013
APPLICANT: Voice of the Avon 101.3 FM
FILE REFERENCE: ADM 0325
AUTHOR: S P Gollan, Chief Executive Officer
ATTACHMENTS: Letter of Request

SUMMARY

A request has been made from York Community Radio to endorse their community radio extension to become 'Voice of the Avon 101.3FM', supply a letter of support and donate a production room, phone line and electricity.

BACKGROUND

York Community Radio Station has run for some years in York and is now seeking support to extend their listening audience to the Avon Region, including Beverley. They want to broadcast from a Shire donated location in Beverley and use presenters from Beverley. Their letter states that this location will need to be available to them at all times

COMMENT

Whilst I believe the idea to extend the Radio Station and incorporate Beverley is a good one, the Shire is not in a position to provide a suitable venue, electricity or phone line which is available at all times.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

Provision has not been made in the 2012/13 budget for a community radio station.

STRATEGIC IMPLICATIONS

Council Leadership – Foster community participation and collaboration – Support volunteers and encourage community involvement.

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council advise York Community Radio that they cannot offer a suitable venue for Voice of the Avon 101.3FM radio station and wish them well in their endeavours to extend their broadcasting coverage.

OFFICER'S RECOMMENDATION

M13/0313

Moved: Cr Foster

Seconded: Cr Murray

That Council advise York Community Radio that they cannot offer a suitable venue for Voice of the Avon 101.3FM radio station and wish them well in their endeavours to extend their broadcasting coverage.

CARRIED 8/0

"Voice of the Avon 101.3 FM"
Barker Street
York WA 6302

SHIRE OF BEVERLEY		
15 MAR 2013		
FILE REF: ADM 0325		
<input checked="" type="checkbox"/> CEO	<input type="checkbox"/> SP	<input type="checkbox"/> CESM
<input type="checkbox"/> D/CEO	<input type="checkbox"/> BS	<input type="checkbox"/> MO
<input type="checkbox"/> MOW	<input type="checkbox"/> EHO	<input type="checkbox"/>

15/1/2013

Dear Shire CEO Steve Gollan
136 Vincent Street
Beverley, WA, 6304

York Community Radio is embarking on a plan to extend community radio throughout the Avon Valley. Accordingly our new business name is Voice of the Avon 101.3FM. We have many listeners in the Shire of Beverley and now we would like to invite Beverley residents to participate in the production of the radio as well.

Our proposal is that we give your community a complete radio studio. Volunteer presenters will come to your studio and present radio shows that will be piped to our broadcast antenna atop Mount Bakewell near York for broadcast to the entire Avon Valley. Beverley will become an integral part of the Voice of the Avon 101.3 FM.

We envision this facility will benefit your community in many ways

- 1) Teach volunteerism, it's job #1
- 2) Give a voice to the members of your community and the Shire.
- 3) Provide a means of distributing information to the public.
- 4) Provide emergency news and information.
- 5) Provide entertainment specific to your community.
- 6) Provide an outlet for those interested in entertainment, radio etc.
- 7) Provide the beginnings of your own station should you want to go that route.

York Community Radio has for many years wandered aimlessly because quite frankly the Shire of York does not have enough listeners, presenters or sponsors for our station to reach that tipping point where it all starts to happen. I believe that if we can incorporate the entire Avon Valley we can reach that goal.

What we need from you.

- 1) We want this idea to be put before the Shire and for this idea to be approved.
- 2) A letter of support that we can use in our fund raising activities and our submission to ACMA seeking an expansion of our broadcast license.
- 3) Later we will need a room of say 10 square metres, with electricity and a telephone line to be donated by the Shire. The room would need to be accessible at all times and free please. Presenters need to be able to come in at all hours to do their activities. Just off the top of my head maybe the Railway Station, the CRC, the Town Hall or the Shire offices or even as in York, an old house.

Should you wish to discuss this please drop me an email at johnfenn@wn.com.au or at radio6ycr@hotmail.com

Yours Sincerely

John Fenn BDS Sc Dip AAPM
Chairman 6YCR



12.3 Avon Tourism Inc. Request for Financial Support

SUBMISSION TO: Ordinary Council Meeting 26 March 2013
REPORT DATE: 19 March 2013
APPLICANT: Avon Tourism Inc.
FILE REFERENCE: ADM 0072
AUTHOR: S P Gollan, Chief Executive Officer
ATTACHMENTS: Email, Financial Position and Stakeholder Review

SUMMARY

Council to consider providing financial support to Avon Tourism Inc.

BACKGROUND

Councillor Pepper and I attended the Avon Tourism Stakeholders workshop in Northam to assist with the development of the Avon Tourism Strategic Plan. During the workshop Wendy Williams Chairperson of Avon Tourism Inc. advised that a shortfall in Local Government funding for the 2012/13 financial year of \$14,000.00 has greatly affected the finances of the organisation. The shortfall was due to Local Governments not paying their membership fees in full.

COMMENT

At the stakeholders workshop no solution was forthcoming, except to ask Local Government to equally contribute to the shortfall amount.

The Financial Position as at 08 March 2013 is attached.

Avon Tourism Inc. has the number one website (www.avonvalleywa.com.au) for the Avon Valley and continues to work hard to promote the region. Beverley Caravan Park will be promoted at Caravan and Camping Show in Perth 22 – 25 March via the Avon Tourism Inc. stand.

STATUTORY ENVIRONMENT

Nil

FINANCIAL IMPLICATIONS

\$3,750.00 has been allocated in the proposed 2013/14 budget for membership to Avon Tourism Inc. Council has paid its membership with a total \$3,500.00. The additional request can be funded through savings in the 2012/13 budget.

STRATEGIC IMPLICATIONS

Economic Development outcome is Increased Visitors – Develop a regional approach to tourism – Facilitate and promote Beverley as a tourist destination.

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

That Council support Avon Tourism Inc. by contributing an additional \$2,000.00 to assist in offsetting their funding shortfall.

COUNCIL RESOLUTION

M14/0313

Moved: Cr Pepper

Seconded: Cr Gogol

That Council support Avon Tourism Inc. by contributing an additional \$2,000.00 to assist in offsetting their funding shortfall.

CARRIED BY ABSOLUTE MAJORITY 8/0

Stephen Gollan

From: Wendy Williams (Avon Tourism) [info@avonvalleywa.com.au]
Sent: Sunday, 10 March 2013 11:44 AM
To: Stephen Gollan
Subject: AVON TOURISM STAKEHOLDER MEETING OUTCOMES
Attachments: AVT Stakeholder Meeting Notes 5.3.13.docx; OUTCOMES STAKEHOLDERS MEETING 05.02.2013.doc; Town Update Template.pdf; Graphs.doc; FINANCIAL POSITION AS AT 08.03.2013.doc

Hi Steve

We would like to take this opportunity to thank you for your participation at the Avon Tourism Stakeholders Meeting; your contribution is greatly valued. We have attached the notes provided by Wendy Newman resulting from the discussions.

At a recent Board Meeting the outcomes from the workshop were further expanded and are outlined in the attached for your information and consideration. These outcomes will be included in the Avon Tourism Strategic Plan currently being developed, and which we are looking at implementing in a timely fashion.

Marketing Avon Tourism to the local tourism industry was one issue highlighted at the workshop, and one initiative already in place is the offer of a Free Website Listing to 30 June 2013, equivalent to Silver Membership, including access to the iConnect Bookeasy System and a link to the operators own website.

www.avonvalleywa.com.au is the number one website in the Avon Valley and with industry being able to reap the benefits, an increase in membership for the 2013/2014 year is anticipated. We are reliant on the assistance and goodwill of the Avon Valley Visitor and Information Centres in the distribution of information to the wider tourism industry.

We are also updating the Town Home Pages on the website and have attached the Template designed to provide a brief and informative overview of each town for your information. The Website Photo Gallery is also being updated with imagery showcasing things to do and see within the Avon Valley. I have taken the liberty of attaching a Chart highlighting the growth in Website Traffic and other areas, resulting in economic gains to the tourism industry.

The shortfall in funding for the 2012/2013 financial year was outlined at the meeting, with the variance between the budgeted local government funding and that received being \$14,000. This shortfall has placed the organisation in a difficult position until income for the 2013/2014 year is received. No solution resulted from the meeting.

It was suggested by a colleague following the meeting that perhaps local government could contribute equally to the current shortfall. We trust Council may give this idea favourable consideration, and have attached the organisations financial position as at 08.03.2013 for your information. Should you be willing to assist with this, we would be pleased to provide an invoice upon receipt of your advice.

Upon completion, the Avon Tourism Strategic Plan will be forwarded, together with our request for support for the 2013/2014 financial year for your consideration.

We look forward to your favourable response and to continuing to work with you in partnership in the marketing and promotion of the Avon Valley Region.

Kind regards

Wendy

Wendy L Williams
Chair
Avon Tourism Inc

Phone: 08 9629 1136
Fax: 08 9629 1072
Email: info@avonvalleywa.com.au

AVT Stakeholder Review

Notes from meeting Tues 5th Feb 2013

The Message To internal stakeholders (investors)

Operators, shires, community members

- | | | |
|--|----|--|
| 1. How we can help | ←→ | 2. How we have helped |
| <ul style="list-style-type: none">- your business- your/our town- our region | | <ul style="list-style-type: none">- exposure to and access to markets- streamlined bookings- professional networking<ul style="list-style-type: none">- product referrals- In town- In Avon- In Wheatbelt |

Testimonials "X investment got X results"

The Opportunity to Co Brand

Avon Valley, a sum of the parts

- Avon Valley Visitors Centres
- Town by Town (e.g. Avon Visitor Centre York)
- Visitor Centre Role – local and sub regional knowledge and referrals

Avon Valley Tourism, town by town tourism groups that feed into this.

AVT Markets, Town groups build capacity, feed into Avon Tourism.

Perception –re Northam = Avon – needs to be dealt with – let history go!

Inter-relationships

- | | | | |
|---------|----|--------------------------------|------------|
| Tourism | ←→ | retail | Operators? |
| Tourism | ←→ | local government | |
| Tourism | ←→ | community organisations/events | |
| Tourism | ←→ | racing industry | |

THE MESSAGE: TO VISITORS

Will depend on determining - Who are our visitors? (Verses counting visitors)

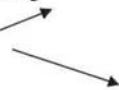
Where do they come from, what is their interests, are they new or repeat, where did they hear about us etc.

What info do we want to keep about who are our visitors (and who aren't) so we can target our marketing? What info do we want to keep about working out if strategies are successful or not?

The Strong Board and Brand...but where to from here?

Board focus is: Branding, marketing

Operating system "the doing"



Yet, confusion re: role perception by others, who want/expect – activity/events

Current focus of AVT is marketing the sub region and its offerings, not providing the offerings.

Again, might be solved if there is AVTA, and town by town groups to do the 'doing'

Marketing – externally

do we market/communicate internally to our stakeholders?

Marketing v's sales

Board operators??

- Relationship with local government → LG's want to see what they are investing in – where is the plan that outlines the social and economic benefits, and justifies the investment strategy?
- Relationship with Chambers of Commerce

The product – 7 days a week

Future of the the Planner – does the digital world offer other possibilities? E.g. QA codes

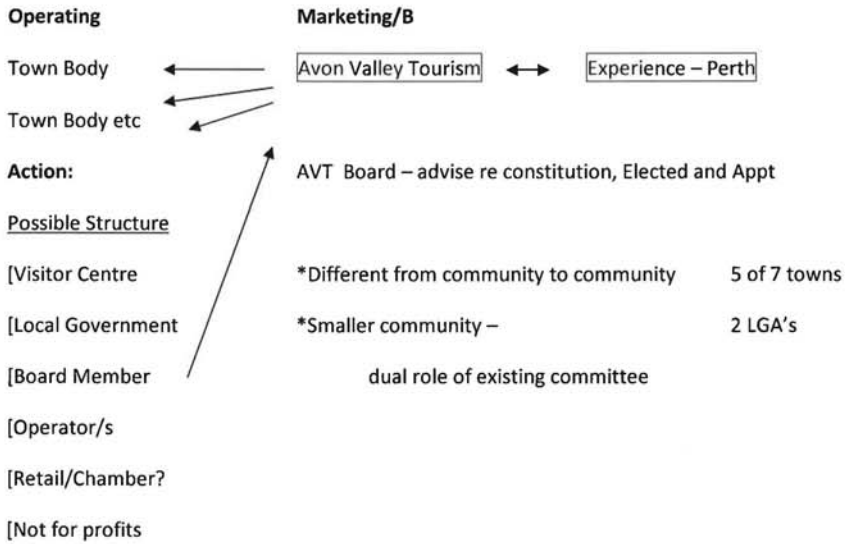
← Piggy back on others (e.g. Experience Perth.)

What are our Performance Measures to work out what's working and what's not?

The digital future → getting them there
 Keeping them there
 Getting them back

SOLUTIONS

Tourism spend: \$300 PER PERSON PER DAY for a day visit – what we do *IS* worth it!!



AVON TOURISM INCORPORATED
OUTCOMES FROM STAKEHOLDERS MEETING 05 FEBRUARY 2013

It was concluded that the primary role of Avon Tourism is to continue to develop the Avon Valley Brand, to maximize and strengthen our image as a desired holiday location through marketing and promotion of the Avon Valley as a premier tourism destination.

Outcomes from the workshop to be further developed and implemented in a timely fashion by Avon Tourism Inc. are outlined below.

- Formation of local town tourism groups to build local capacity with Avon Tourism Board membership derived from this source. It is anticipated that local groups would undertake organization of local events with Avon Tourism assisting with some event marketing opportunities dependent upon availability of funds.
- Selling the Avon Valley Brand to Consumers. Further strengthen the Avon Valley Brand by continuing to develop www.avonvalleywa.com.au currently ranking number one, as the premier Avon Valley website. The promotion of the Avon Valley Holiday Planner as the preeminent document containing comprehensive information, maps and product available in the Valley.

Further development of the Brand being achievable with the creation of uniformity between Visitor Centres in name and dress code i.e. Avon Valley Visitor Centre Northam, Avon Valley Visitor Centre Toodyay, Avon Valley Visitor Centre York etc, with shirts promoting the Avon Valley Brand worn throughout the Valley.

- Marketing Avon Tourism to the local tourism industry through Monthly Newsletters via email and through print media in local publications. Promoting the benefits of membership Vs Non Membership to industry. The provision of FREE Website Exposure to 30 June 2013 equivalent to Silver Membership Benefits being 200 words, 2 images, a link to the operators own website including access to the iConnect Bookeasy System.

Entities running events and requesting a website listing must be a member of Avon Tourism. Silver Membership being \$175 + GST provides a webpage incorporating 200 words and 2 images and a link to your own website. Private Events being organised by Non Members of Avon Tourism will attract a charge of \$200 per event for exposure on the Avon Valley Website.

- Outline the social and economic benefits of Avon Tourism Membership to Local Governments, their business sector and the flow on effects of Tourism to the community as a whole. This is achievable with the availability of the Avon Tourism Marketing Plan and the outcomes resulting from its implementation. The increase in visitation resulting in economic gains to industry, justified in graphs relating to the growth in

www.avonvalleywa.com.au the growth in bookings with the implementation of the iConnect Booking System, exposure of the Avon Valley Brand at local Trade Shows etc.

- Historically Local Government Support was based on funding per capita of population which has been in place since the inception of Avon Tourism in 2003/3004. Towns currently receive equal exposure on the Website and at local Trade Shows with the availability of information on Shire owned facilities available to the public, with exposure in the Avon Valley Holiday Planner reflecting somewhat the current level of support.
- Financial Support for the 2013/2014 financial year will be offered on a 2 tiered system, namely \$10,000 and \$5,000 with benefits being as follows:

\$10,000 Contribution.

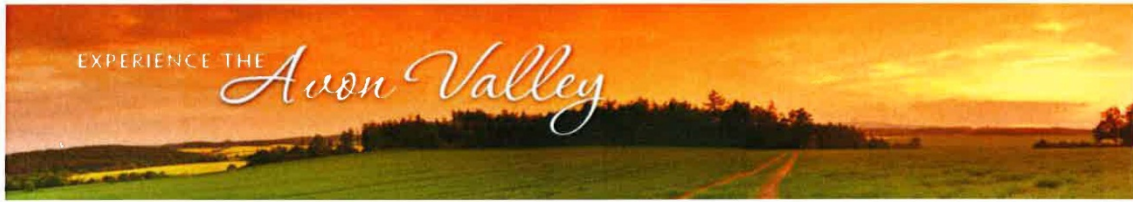
- I. 4 pages of text and imagery, one page with map and business directory and 1 page for industry advertising.
- II. 400 words on the Town Page on www.avonvalleywa.com.au as per the Website Template available
- III. Attractive rates on cooperative marketing opportunities undertaken in Print Media by Avon Tourism in partnership with Experience Perth.
- IV. Major Event Brochures guaranteed distribution at Local Trade Shows
- V. Other Shire related information brochures available for distribution at Local Trade Shows

\$5,000 Contribution

- I. 2 pages of text and imagery, one page with map and business directory and 1 page for industry advertising
- II. 200 words on the Town Page on www.avonvalleywa.com.au as per the Website Template available
- III. Event and other Shire related information brochures available for distribution at Local Trade Shows.

Current practice for distribution of Event Brochures being placement in the Avon Valley Bags with the Avon Valley Holiday Planner guaranteeing distribution. This practice resulted from consumers at Trade Shows assuming that this information would be included in the Bags.

- Continue to strengthen the partnership with Experience Perth enabling cooperative marketing opportunities being made available at extremely competitive prices to the Avon Valley Tourism Industry.
- Continuing to work towards achieving a paid administration/managerial position to run the organization.



TOWN HOME PAGE UPDATE TEMPLATE

Avon Tourism Inc is updating information on the Town Pages within its website. As a result this template has been developed. Each town is required to supply up to 400 words using the template below.

Visitors will be able to hyperlink to events, what's on, accommodation, eating out and things to do. Therefore it is recommended that individual products are not highlighted, rather an overview of what is available be provided in each of the sections listed below not exceeding 400 words in total.

****Avon Tourism Inc reserves the right to refuse or amend any information provided at its discretion.**

<p>About (Town Name Here)</p> <p><i>Use this space to provide a very general overview of your town. Be mindful of the other headings below and try not to duplicate. Try to imagine you are a brand new visitor. This is the place where visitors will decide if they want to read any further.</i></p>
<p>Our Heritage</p> <p><i>Tell the visitor about your town's beginnings and how the heritage has been preserved.</i></p>
<p>Accommodation</p> <p><i>Provide a general overview of the types of accommodation providers you have such as "A wide choice of accommodation to suit all budgets from including restored colonial mansions, good old fashioned country inns and shady caravan parks." There is no need to name every provider as a hyperlink will be placed here leading visitors to the accommodation options."</i></p>
<p>Things to Do</p> <p><i>An overview of things to do which are regularly open. It is recommended that events, retailers etc not be included. Please don't place events, retailers etc here. This is the place to add your museums, swing bridges, lookouts, walk trails etc.</i></p>
<p>Dining</p> <p><i>An overview of the types of dining options you have rather than individual businesses. The businesses are required to be members of Avon Tourism to be included. You can however say something like "We have something to tempt all taste buds with Fine Dining, generous country pub style meals right through to Italian, Chinese & Pizza".</i></p>



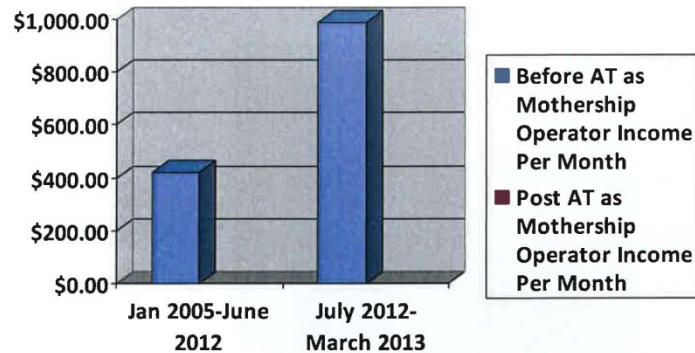
Avon Tourism Incorporated
PO Box 322, Northam WA 6401
Phone: 08 96291136 Fax: 08 96291072
Email: info@avonvalleywa.com.au
Web: www.avonvalleywa.com.au ABN: 43113892028

GROWTH CHARTS



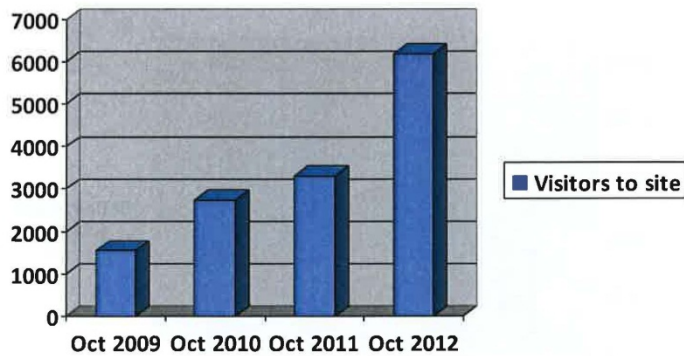
AVON TOURISM

Online Accommodation Booking Facility



Bookeasy has always been an extremely valuable tool for the Operators and offers ease of access to a booking engine for Visitors. This graph shows a rapid increase in a sample Northam Operator income since the launch of the Avon Tourism Bookeasy module in June/July 2013.

Website Traffic



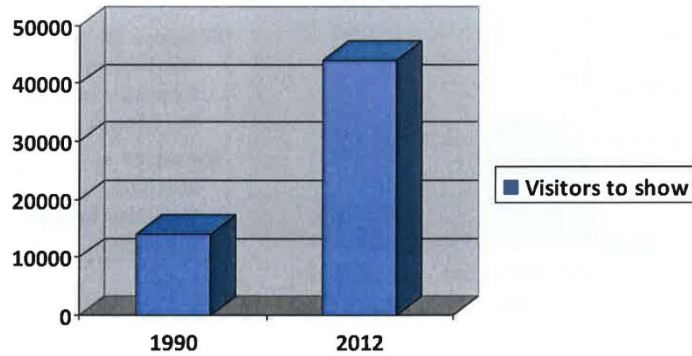
Traffic to the website has steadily increased. Highest numbers are recorded during Avon Events & Marketing's Festivals. Summer months show the lowest. October is an average month and has been used as an example for comparisons.

GROWTH CHARTS



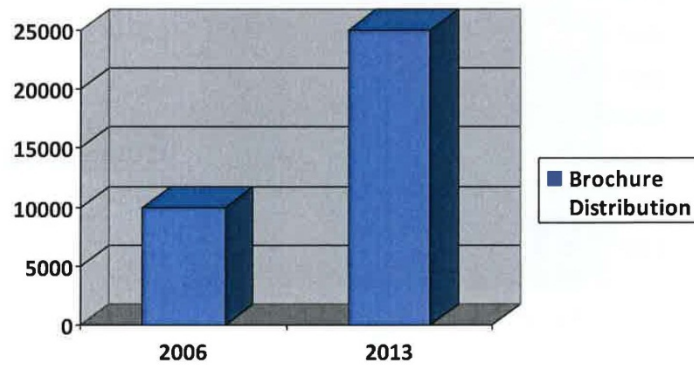
AVON TOURISM

Trade Show Example-Caravan & Camping



Avon Tourism attends several trade shows. Whilst at these trade shows the Avon Valleys seven towns are promoted equally. The shows Visitor numbers are ever increasing as is the interest from visitors in the Avon Valley.

Holiday Planner Distribution



In 2006 a DL brochure was started and has now grown to be an all in one Holiday Planner featuring all 7 towns. It is now distributed at Visitor Centres, with Exp Perth Interstate and Overseas, at Perth International airport, at trade shows and many more.

Prior to any consideration of Item 12.4 Cr Ridgway declared a Financial Interest being the Leasee of Lot 28804 on Deposit Plan 216204.

3:25pm - Cr Ridgway, the Presiding Chairperson left the meeting and did not take part in discussion or voting for Item 12.4.

3:25pm - Cr Pepper the Deputy President became the Presiding Chairperson.

12.4 Lease for Lot 28804 on Deposited Plan 216204 (Mt Kokeby Reserve)

SUBMISSION TO: Ordinary Council Meeting 26 March 2013
REPORT DATE: 19 March 2013
APPLICANT: N/A
FILE REFERENCE: KOK 38798
AUTHOR: S P Gollan, Chief Executive Officer
ATTACHMENTS: Nil

SUMMARY

Council to consider the Lease for Lot 28804 on Deposit Plan 216204 (Mt Kokeby Reserve) for five years.

BACKGROUND

Council leases Lot 28804 from the State Government. This Lot is subsequently leased to a third party with lease payments being transferred to the Cropping Committee Reserve.

COMMENT

Council wrote to the Department of Regional Development and Lands requesting a continuation of the lease at the same fee. The previous lease rental paid was \$2,300.00 per annum ex GST for three (3) years.

Correspondence has been received from the Department of Regional Development and Lands advising that a new lease agreement is available for a term of five (5) years commencing 01 April 2013 at a rental of \$3,250.00 per annum ex GST.

If Council accepts this Lease, a payment of \$2,054.50 which comprises of six months rental in advance and the Lease and Registration Fees must be paid immediately.

Council have recently re-leased this Lot for two years commencing 01 April 2013 and will receive \$3,181.00 per annum ex GST from this lease until March 2015.

Council may wish to review the feasibility of continuing to lease this block when the five year period ends.

STATUTORY ENVIRONMENT

Land Administration Act 1997

FINANCIAL IMPLICATIONS

An allocation in the 2012/13 budget exists for lease payments.

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Accept the new lease for Lot 28804 on deposited plan 216204 for a term of five years commencing 01 April 2013 at a rental of \$3,250.00 per annum ex GST
2. Authorise the Chief Executive Officer and the Shire President to sign the Lease and apply the Common Seal.
3. Review the feasibility of continuing this Lease prior to the expiration in 2018.

COUNCIL RESOLUTION

M15/0313

Moved: Cr Shaw

Seconded: Cr Gogol

That Council:

1. **Accept the new lease for Lot 28804 on deposited plan 216204 for a term of five years commencing 01 April 2013 at a rental of \$3,250.00 per annum ex GST**
2. **Authorise the Chief Executive Officer and the Shire President to sign the Lease and apply the Common Seal.**
3. **Review the feasibility of continuing this Lease prior to the expiration in 2018.**

CARRIED 7/0

3.29pm Cr Ridgway returned to the meeting and resumed the position of Presiding Chairperson.

13. NEW BUSINESS ARISING BY ORDER OF THE MEETING

13.1 Budget Review 2012/13

SUBMISSION TO: Ordinary Council Meeting 26 March 2013
REPORT DATE: 6 March 2013
APPLICANT: N/A
FILE REFERENCE: ADM 0092
AUTHOR: SK Marshall, Deputy Chief Executive Officer
ATTACHMENTS: 2012/13 Budget Review

SUMMARY

The Audit & Administration Committee reviewed the 2012/13 Budget Review on 25 March 2013 and recommended that the 2012/13 Budget Review be adopted by Council.

BACKGROUND

A Budget Review is conducted annually by comparing actual revenue and expenditure as at 31 December to budget estimates and forecasting predicted revenue and expenditure to 30 June.

The budget review process is a statutory requirement, but also reflects good management practice.

COMMENT

A budget review has been undertaken by staff as per the requirements of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

Any savings realised or over expenditure incurred as at 31 December 2013 has been included in forward projections.

The detailed Budget Review is attached to this report.

In summary, it is forecast that a budget surplus of \$91,008 will be realised as at 30 June 2013.

STATUTORY ENVIRONMENT

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* provides that:

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
 - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and

- (b) consider the local government's financial position as at the date of the review;
and
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
- *Absolute majority required.*
- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

COMMITTEE'S RECOMMENDATION

That the 2012/13 Budget Review be adopted and forward to the Department of Local Government.

COUNCIL RESOLUTION

M16/0313

Moved: Cr Pepper

Seconded: Cr Murray

That the 2012/13 Budget Review be adopted and forward to the Department of Local Government.

CARRIED BY ABSOLUTE MAJORITY 8/0

SHIRE OF BEVERLEY
2012/13 BUDGET REVIEW

	2012/13 ANNUAL BUDGET	2012/13 FORECAST BUDGET	2012/13 JULY- DEC ACTUAL YTD	VARIANCE	VARIANCE	COMMENT	NOTES TO MATERIAL VARIANCES
	\$	\$	\$	\$	%		
OPERATING REVENUE							
General Purpose Funding	3,366,346	3,403,385	2,475,764	37,039	1.10%	Favourable	Interest earned on Municipal and Reserve investments predicted to be greater than anticipated.
Governance	29,900	38,282	13,135	8,382	28.03%	Favourable	Sponsorship income for Central Country Zone event greater than anticipated.
Law, Order Public Safety	149,497	179,459	92,493	29,962	20.04%	Favourable	Western Power Grant funds and 2011/12 ESL expenditure recoup greater than anticipated.
Health	500	500	0	0	0.00%	Favourable	
Education and Welfare	6,500	8,235	4,262	1,735	26.69%	Favourable	Received unbudgeted Grant funds for youth initiatives.
Housing	81,514	82,164	40,193	650	0.80%	Favourable	Utility reimbursements from Staff housing greater than anticipated.
Community Amenities	122,425	121,675	109,717	(750)	(0.61%)	Unfavourable	Reimbursements from protection of the environment less than anticipated.
Recreation and Culture	1,107,833	1,105,583	418,866	(2,250)	(0.20%)	Unfavourable	Gym membership revenue less than anticipated.
Transport	1,497,627	1,497,627	599,882	0	0.00%	Favourable	
Economic Services	214,400	175,525	100,770	(38,875)	(18.13%)	Unfavourable	Reimbursement of Avondale management expenses less than anticipated, offset by decrease in expenditure and greater than anticipated Caravan Park income.
Other Property and Services	52,000	61,596	37,040	9,596	18.45%	Favourable	Greater than expected Diesel Rebate income and Work for the Dole reimbursements, offset by increased expenditure.
	\$6,628,542	\$6,674,031	\$3,892,122	\$45,489			
LESS OPERATING EXPENDITURE							
General Purpose Funding	(45,087)	(45,087)	(18,317)	0	0.00%	Favourable	
Governance	(291,037)	(276,687)	(125,774)	14,350	(4.93%)	Favourable	Advertising and Stationary expenses less than anticipated.
Law, Order, Public Safety	(189,946)	(196,966)	(101,476)	(7,020)	3.70%	Unfavourable	Purchase of water tank and pump for Morbinning Fire Shed, offset by Grant funding.
Health	(120,177)	(122,255)	(47,704)	(2,078)	1.73%	Unfavourable	Health Services contract expenses less than anticipated, engineering report expense on Old Child Health Centre and painting of Surgery greater than anticipated.
Education and Welfare	(92,715)	(82,715)	(26,712)	10,000	(10.79%)	Favourable	Youth Officer contract expenses less than anticipated.
Housing	(210,522)	(220,765)	(126,030)	(10,243)	4.87%	Unfavourable	Maintenance expenses on staff housing greater than anticipated.
Community Amenities	(535,542)	(506,602)	(207,849)	28,940	(5.40%)	Favourable	Shire Planning contract expenses less than anticipated.
Recreation and Culture	(839,118)	(836,470)	(422,146)	2,648	(0.32%)	Favourable	Maintenance expenses on Recreation Changerooms less than anticipated.
Transport	(1,653,156)	(1,647,102)	(771,244)	6,054	(0.37%)	Favourable	Street lighting expense less than anticipated.
Economic Services	(478,943)	(418,840)	(203,536)	60,103	(12.55%)	Favourable	Avondale management expenses less than anticipated, offset by decrease in income.
Other Property & Services	(288,413)	(293,054)	(56,693)	(4,641)	1.61%	Unfavourable	Insurance premiums greater than expected.
	(\$4,744,656)	(\$4,646,543)	(\$2,107,481)	\$98,113			
<i>Increase(Decrease)</i>	\$1,883,886	\$2,027,488	\$1,784,641	\$143,602			
-							

SHIRE OF BEVERLEY
2012/13 BUDGET REVIEW

	2012/13 ANNUAL BUDGET	2012/13 FORECAST BUDGET	2012/13 JULY- DEC ACTUAL YTD	VARIANCE \$	VARIANCE %	COMMENT	NOTES TO MATERIAL VARIANCES
ADD							
Principal Repayment Received - Loans	10,590	10,590	0	0	0.00%		
Provision for Long Service Leave	0	0	0	0			
Profit/ Loss on the disposal of assets	9,043	19,228	(19,849)	10,185	112.63%		Profit on disposal of assets greater than anticipated.
Depreciation Written Back	1,005,872	1,005,872	549,452	0	0.00%		
Book Value of Assets Sold Written Back	278,957	264,049	156,698	(14,908)	(5.34%)		Book value of assets less than anticipated offset by greater profit from disposal.
	\$1,304,462	\$1,299,739	\$686,302	(\$4,723)			
<i>Sub Total</i>	\$3,188,348	\$3,327,227	\$2,470,943	\$138,879			
-							
LESS CAPITAL PROGRAMME							
Purchase Tools	0	0	0	0			
Purchase Land & Buildings	(533,072)	(527,058)	(30,960)	6,014	(1.13%)	Favourable	Sealing of Doctors Surgery car park less than anticipated.
Infrastructure Assets - Roads	(2,497,841)	(2,475,392)	(410,813)	22,449	(0.90%)	Favourable	Expenditure on municipal funded Dale Kokeby and Greenhills South Roads less than anticipated.
Infrastructure Assets - Recreation Facilities	(3,262,997)	(3,312,997)	(1,334,493)	(50,000)	1.53%	Unfavourable	Netball Court expenditure greater than anticipated.
Infrastructure Assets - Other	(89,414)	(67,662)	(15,299)	21,752	(24.33%)	Favourable	Airfield upgrade expenditure less than anticipated.
Purchase Plant and Equipment	(634,200)	(624,541)	(328,926)	9,659	(1.52%)	Favourable	DCEO and Doctor Vehicle replacement expense less than anticipated.
Purchase Furniture and Equipment	(96,000)	(92,219)	(41,139)	3,781	(3.94%)	Favourable	Christmas decoration and Marquee expense less than anticipated and Computer server upgrade greater than anticipated.
Repayment of Debt - Loan Principal	(38,081)	(38,081)	(18,756)	0	0.00%	Favourable	
Transfer to Reserves	(55,274)	(80,579)	(29,270)	(25,305)	45.78%	Unfavourable	Increase in interest earned from Reserve fund investment.
	(\$7,206,879)	(\$7,218,529)	(\$2,209,656)	(\$11,650)			
ABNORMAL ITEMS							
Prior Years Adjustment	0	0	0	0			
Prior Years Doubtful Debts Provision	0	0	0	0			
Prior Years Trust Receipts Transferred	0	0	0	0			
Bad Debts - Written Off	0	0	0	0			
	\$0	\$0	\$0	\$0			
Rounding			(1)				
	(\$7,206,879)	(\$7,218,529)	(\$2,209,657)	(\$11,650)			
<i>Sub Total</i>	(\$4,018,531)	(\$3,891,302)	\$261,286	\$127,229			
-							

SHIRE OF BEVERLEY
2012/13 BUDGET REVIEW

	2012/13 ANNUAL BUDGET	2012/13 FORECAST BUDGET	2012/13 JULY- DEC ACTUAL YTD	VARIANCE	VARIANCE	COMMENT	NOTES TO MATERIAL VARIANCES
	\$	\$	\$	\$	%		
PLUS FUNDING FROM							
Reserves	260,000	260,000	0	0	0.00%	Favourable	
Loans Raised	1,000,000	1,000,000	0	0	0.00%	Favourable	
Funds Brought Forward	2,758,531	2,722,310	2,722,310	(36,221)	(1.31%)	Unfavourable	Correction to determination of Surplus brought forward from 2011/12
	\$4,018,531	\$3,982,310	\$2,722,310	(\$36,221)			
NET SURPLUS (DEFICIT)	\$0	\$91,008	\$2,983,596	\$91,008			

SHIRE OF BEVERLEY SURPLUS/(DEFICIT)			
	2012-13 ADOPTED BUDGET	2012-13 FORECAST BUDGET	2012-13 YTD ACTUAL
	\$	\$	\$
Net Operating less Rates raised	(304,775)	(150,988)	(432,911)
Net Capital	(5,936,289)	(5,947,939)	(2,209,656)
TOTAL OPERATING AND CAPITAL	(6,241,064)	(6,098,927)	(2,642,567)
ADD			
Depreciation Written Back	1,005,872	1,005,872	549,451
ADD			
Book Value of Assets Sold	278,957	264,049	156,698
ADD			
Surplus Brought Forward	2,758,531	2,722,310	2,722,310
LESS			
Surplus Carried Forward	0	91,008	2,983,596
RATES LEVIED	(2,197,704)	(2,197,704)	(2,197,704)

SHIRE OF BEVERLEY CLOSING FUNDS BY PROGRAM			
	2012-13 ADOPTED BUDGET	2012-13 FORECAST BUDGET	2012-13 YTD ACTUAL
	\$	\$	\$
CURRENT ASSETS			
Cash at Bank	1,569,973	1,660,981	
- Cash Advance			300
- Cash at Bank			494,891
- Investments Unrestricted			2,600,000
- Reserve Funds			1,589,319
Sundry Debtors General	280,000	280,000	532,038
Stock on Hand	18,000	18,000	5,215
Self Supporting Loans	0	0	0
GST	0	0	0
Total Current Assets	1,867,973	1,958,981	5,221,764
LESS CURRENT LIABILITIES			
Accounts Payable	(500,000)	(500,000)	(556,813)
Interest Bearing Loans and Borrowings	0	0	(19,325)
Provision for Annual and LSL	0	0	(264,284)
Total Current Liabilities	(500,000)	(500,000)	(840,421)
NET CURRENT ASSETS	1,367,973	1,458,981	4,381,343
ADJUSTMENTS			
Less Cash Backed Reserves	(1,367,973)	(1,367,973)	(1,601,969)
Plus Interest Bearing Loans and Borrowing			19,325
Plus Annual Leave Reserve			130,460
Plus LSL Reserve			100,000
Less Deferred Pensioner Rates			(56,203)
Plus Current Portion of S/Supporting Loan			10,641
SURPLUS OF NET CURRENT ASSETS	0	91,008	2,983,596

13.2 2012 Compliance Audit Return

SUBMISSION TO: Ordinary Council Committee Meeting 26 March 2013
REPORT DATE: 6 March 2013
APPLICANT: N/A
FILE REFERENCE: ADM 0237
AUTHOR: SP Gollan, Chief Executive Officer
ATTACHMENTS: 2012 Compliance Audit Return

SUMMARY

The Local Government Act (1995) requires all Western Australian Local Authorities to complete a Compliance Audit Return (CAR) distributed by the Department of Local Government, in relation to activities undertaken by the local authority in the preceding calendar year.

BACKGROUND

In 2006, participation in the program was made compulsory for all local authorities. In 2007, the return for 2006 was required to be completed online. Changes were made in 2009 to the structure of some of the questions to provide more clarity. The CAR is restricted to those areas considered high risk.

COMMENT

Attached is a copy of the Return for Councillors consideration and adoption. Council must complete, adopt and forward to the Minister for Local Government a copy of the Compliance Audit Return no later than the 31st March each year. Staff positions and roles continue to change and all staff undertaking new roles within the Shire of Beverley have been made aware of the necessity to meet statutory deadlines and requirements of relevant legislation.

STATUTORY ENVIRONMENT

Local Government Act 1995 and Regulation 13 of the Local Government Audit Regulations, Clauses 14 and 15

14. Compliance audit return to be prepared

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3) A compliance audit return is to be
 - (a) presented to the council at a meeting of the council;
 - (b) adopted by the council; and
 - (c) recorded in the minutes of the meeting at which it is adopted.

15. Completion of compliance audit

(1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with:

- (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c) and
- (b) any additional information explaining or qualifying the compliance audit

is to be submitted to the Executive Director by 31 March next following the period to which the return relates.

(2) In this regulation:

Certified in relation to compliance audit return means signed by:

- (a) the mayor or president; and
- (b) The CEO

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

COMMITTEE'S RECOMMENDATION

That the Compliance Audit Return 2012 be adopted and forwarded to the Minister for Local Government.

COUNCIL RESOLUTION

M17/0313

Moved: Cr Pepper

Seconded: Cr Shaw

That the Compliance Audit Return 2012 be adopted and forwarded to the Minister for Local Government.

CARRIED BY ABSOLUTE MAJORITY 8/0

2012 COMPLIANCE AUDIT RETURN

Beverley - Compliance Audit Return 2012

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government together with a copy of section of relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a)(b)(c) F&G Reg 7,9	Has the local government prepared a business plan for each major trading undertaking in 2012.	N/A		Stephen Paul Gollan
2	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2012.	N/A		Stephen Paul Gollan
3	s3.59(2)(a)(b)(c) F&G Reg 7,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2012.	N/A		Stephen Paul Gollan
4	s3.59(4)	Has the local government given Statewide public notice of each proposal to commence a major trading undertaking or enter into a major land transaction for 2012.	N/A		Stephen Paul Gollan
5	s3.59(5)	Did the Council, during 2012, resolve to proceed with each major land transaction or trading undertaking by absolute majority.	N/A		Stephen Paul Gollan

Delegation of Power / Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16, 5.17, 5.18	Were all delegations to committees resolved by absolute majority.	N/A		Stephen Paul Gollan
2	s5.16, 5.17, 5.18	Were all delegations to committees in writing.	N/A		Stephen Paul Gollan
3	s5.16, 5.17, 5.18	Were all delegations to committees within the limits specified in section 5.17.	N/A		Stephen Paul Gollan
4	s5.16, 5.17, 5.18	Were all delegations to committees recorded in a register of delegations.	N/A		Stephen Paul Gollan
5	s5.18	Has Council reviewed delegations to its committees in the 2011/2012 financial year.	N/A		Stephen Paul Gollan
6	s5.42(1),5.43 Admin Reg 18G	Did the powers and duties of the Council delegated to the CEO exclude those as listed in section 5.43 of the Act.	Yes		Stephen Paul Gollan
7	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO resolved by an absolute majority.	Yes		Stephen Paul Gollan
8	s5.42(1)(2) Admin Reg 18G	Were all delegations to the CEO in writing.	Yes		Stephen Paul Gollan
9	s5.44(2)	Were all delegations by the CEO to any employee in writing.	Yes		Stephen Paul Gollan
10	s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority.	Yes		Stephen Paul Gollan

11	s5.46(1)		Has the CEO kept a register of all delegations made under the Act to him and to other employees.	Yes		Stephen Paul Gollan
12	s5.46(2)		Were all delegations made under Division 4 of Part 5 of the Act reviewed by the delegator at least once during the 2011/2012 financial year.	Yes		Stephen Paul Gollan
13	s5.46(3) Admin Reg 19		Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record as required.	Yes		Stephen Paul Gollan

Disclosure of Interest						
No	Reference	Question	Response	Comments	Respondent	
1	s5.67	If a member disclosed an interest, did he/she ensure that they did not remain present to participate in any discussion or decision-making procedure relating to the matter in which the interest was disclosed (not including participation approvals granted under s5.68).	Yes		Stephen Paul Gollan	
2	s5.68(2)	Were all decisions made under section 5.68(1), and the extent of participation allowed, recorded in the minutes of Council and Committee meetings.	Yes		Stephen Paul Gollan	
3	s5.73	Were disclosures under section 5.65 or 5.70 recorded in the minutes of the meeting at which the disclosure was made.	Yes		Stephen Paul Gollan	
4	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly elected members within three months of their start day.	N/A	No new members	Stephen Paul Gollan	
5	s5.75(1) Admin Reg 22 Form 2	Was a primary return lodged by all newly designated employees within three months of their start day.	Yes		Stephen Paul Gollan	
6	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all continuing elected members by 31 August 2012.	Yes		Stephen Paul Gollan	
7	s5.76(1) Admin Reg 23 Form 3	Was an annual return lodged by all designated employees by 31 August 2012.	Yes		Stephen Paul Gollan	
8	s5.77	On receipt of a primary or annual return, did the CEO, (or the Mayor/ President in the case of the CEO's return) on all occasions, give written acknowledgment of having received the return.	Yes		Stephen Paul Gollan	
9	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained the returns lodged under section 5.75 and 5.76	Yes		Stephen Paul Gollan	
10	s5.88(1)(2) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70 and 5.71, in the form prescribed in Administration Regulation 28.	Yes		Stephen Paul Gollan	
11	s5.88 (3)	Has the CEO removed all returns from the register when a person ceased to be a person required to lodge a return under section 5.75 or 5.76.	Yes		Stephen Paul Gollan	

12	s5.88(4)	Have all returns lodged under section 5.75 or 5.76 and removed from the register, been kept for a period of at least five years, after the person who lodged the return ceased to be a council member or designated employee.	Yes		Stephen Paul Gollan
13	s5.103 Admin Reg 34C & Rules of Conduct Reg 11	Where an elected member or an employee disclosed an interest in a matter discussed at a Council or committee meeting where there was a reasonable belief that the impartiality of the person having the interest would be adversely affected, was it recorded in the minutes.	Yes		Stephen Paul Gollan
14	s5.70(2)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to the Council or a Committee, did that person disclose the nature of that interest when giving the advice or report.	N/A		Stephen Paul Gollan
15	s5.70(3)	Where an employee disclosed an interest under s5.70(2), did that person also disclose the extent of that interest when required to do so by the Council or a Committee.	N/A		Stephen Paul Gollan
16	s5.103(3) Admin Reg 34B	Has the CEO kept a register of all notifiable gifts received by Council members and employees.	Yes		Stephen Paul Gollan

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Was local public notice given prior to disposal for any property not disposed of by public auction or tender (except where excluded by Section 3.58(5)).	N/A		Stephen Paul Gollan
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property.	N/A		Stephen Paul Gollan

Elections

No	Reference	Question	Response	Comments	Respondent
1	Elect Reg 30G (1)	Did the CEO establish and maintain an electoral gift register and ensure that all 'disclosure of gifts' forms completed by candidates and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the candidates.	Yes		Stephen Paul Gollan

Finance					
No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act.	Yes		Stephen Paul Gollan
2	s7.1B	Where a local government determined to delegate to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority.	N/A		Stephen Paul Gollan
3	s7.3	Was the person(s) appointed by the local government to be its auditor, a registered company auditor.	Yes		Stephen Paul Gollan
4	s7.3	Was the person(s) appointed by the local government to be its auditor, an approved auditor.	Yes		Stephen Paul Gollan
5	s7.3, 7.6(3)	Was the person or persons appointed by the local government to be its auditor, appointed by an absolute majority decision of Council.	Yes		Stephen Paul Gollan
6	Audit Reg 10	Was the Auditor's report for the financial year ended 30 June 2012 received by the local government within 30 days of completion of the audit.	Yes		Stephen Paul Gollan
7	s7.9(1)	Was the Auditor's report for 2011/2012 received by the local government by 31 December 2012.	Yes		Stephen Paul Gollan
8	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report prepared under s7.9(1) of the Act required action to be taken by the local government, was that action undertaken.	Yes		Stephen Paul Gollan
9	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local government, was a report prepared on any actions undertaken.	Yes		Stephen Paul Gollan
10	S7.12A(3), (4)	Where the local government determined that matters raised in the auditor's report (prepared under s7.9(1) of the Act) required action to be taken by the local government, was a copy of the report forwarded to the Minister by the end of the financial year or 6 months after the last report prepared under s7.9 was received by the local government whichever was the latest in time.	Yes		Stephen Paul Gollan
11	Audit Reg 7	Did the agreement between the local government and its auditor include the objectives of the audit.	Yes		Stephen Paul Gollan
12	Audit Reg 7	Did the agreement between the local government and its auditor include the scope of the audit.	Yes		Stephen Paul Gollan

13	Audit Reg 7	Did the agreement between the local government and its auditor include a plan for the audit.	Yes		Stephen Paul Gollan
14	Audit Reg 7	Did the agreement between the local government and its auditor include details of the remuneration and expenses to be paid to the auditor.	Yes		Stephen Paul Gollan
15	Audit Reg 7	Did the agreement between the local government and its auditor include the method to be used by the local government to communicate with, and supply information to, the auditor.	Yes		Stephen Paul Gollan

Local Government Employees					
No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve the process to be used for the selection and appointment of the CEO before the position of CEO was advertised.	Yes		Stephen Paul Gollan
2	s5.36(4) s5.37(3), Admin Reg 18A	Were all vacancies for the position of CEO and other designated senior employees advertised and did the advertising comply with s.5.36(4), 5.37(3) and Admin Reg 18A.	Yes		Stephen Paul Gollan
3	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss a designated senior employee.	Yes		Stephen Paul Gollan
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position of CEO under section 5.36(4).	Yes		Stephen Paul Gollan
5	Admin Regs 18E	Did the local government ensure checks were carried out to confirm that the information in an application for employment was true (applicable to CEO only).	Yes		Stephen Paul Gollan

Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Where the CEO is not the complaints officer, has the local government designated a senior employee, as defined under s5.37, to be its complaints officer.	Yes		Stephen Paul Gollan
2	s5.121(1)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that result in action under s5.110(6)(b) or (c).	Yes		Stephen Paul Gollan
3	s5.121(2)(a)	Does the complaints register maintained by the complaints officer include provision for recording of the name of the council member about whom the complaint is made.	Yes		Stephen Paul Gollan
4	s5.121(2)(b)	Does the complaints register maintained by the complaints officer include provision for recording the name of the person who makes the complaint.	Yes		Stephen Paul Gollan

5	s5.121(2)(c)	Does the complaints register maintained by the complaints officer include provision for recording a description of the minor breach that the standards panel finds has occurred.	Yes	Stephen Paul Gollan
6	s5.121(2)(d)	Does the complaints register maintained by the complaints officer include the provision to record details of the action taken under s5.110(6)(b)(c).	Yes	Stephen Paul Gollan

Tenders for Providing Goods and Services					
No	Reference	Question	Response	Comments	Respondent
1	s3.57 F&G Reg 11	Did the local government invite tenders on all occasions (before entering into contracts for the supply of goods or services) where the consideration under the contract was, or was expected to be, worth more than the consideration stated in Regulation 11(1) of the Local Government (Functions & General) Regulations (Subject to Functions and General Regulation 11(2)).	Yes		Stephen Paul Gollan
2	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than inviting tenders for a single contract.	N/A		Stephen Paul Gollan
3	F&G Reg 14(1)	Did the local government invite tenders via Statewide public notice.	Yes		Stephen Paul Gollan
4	F&G Reg 14, 15 & 16	Did the local government's advertising and tender documentation comply with F&G Regs 14, 15 & 16.	Yes		Stephen Paul Gollan
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer, notice of the variation.	Yes		Stephen Paul Gollan
6	F&G Reg 18(1)	Did the local government reject the tenders that were not submitted at the place, and within the time specified in the invitation to tender.	Yes		Stephen Paul Gollan
7	F&G Reg 18 (4)	In relation to the tenders that were not rejected, did the local government assess which tender to accept and which tender was most advantageous to the local government to accept, by means of written evaluation criteria.	Yes		Stephen Paul Gollan
8	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17.	Yes		Stephen Paul Gollan
9	F&G Reg 19	Was each tenderer sent written notice advising particulars of the successful tender or advising that no tender was accepted.	Yes		Stephen Paul Gollan

10	F&G Reg 21 & 22	Did the local governments' advertising and expression of interest documentation comply with the requirements of F&G Regs 21 and 22.	N/A	Stephen Paul Gollan
11	F&G Reg 23(1)	Did the local government reject the expressions of interest that were not submitted at the place and within the time specified in the notice.	N/A	Stephen Paul Gollan
12	F&G Reg 23(4)	After the local government considered expressions of interest, did the CEO list each person considered capable of satisfactorily supplying goods or services.	N/A	Stephen Paul Gollan
13	F&G Reg 24	Was each person who submitted an expression of interest, given a notice in writing in accordance with Functions & General Regulation 24.	N/A	Stephen Paul Gollan
14	F&G Reg 24E	Where the local government gave a regional price preference in relation to a tender process, did the local government comply with the requirements of F&G Reg 24E in relation to the preparation of a regional price preference policy (only if a policy had not been previously adopted by Council).	N/A	Stephen Paul Gollan
15	F&G Reg 11A	Does the local government have a current purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$100,000 or less.	Yes	Stephen Paul Gollan

I certify this Compliance Audit return has been adopted by Council at its meeting on _____

Signed Mayor / President, Beverley

Signed CEO, Beverley

M18/0313

Moved: Cr Gogol

Seconded: Cr Murray

That the meeting be closed to members of the public in accordance with section 5.23 (2)(e)(ii) of the Local Government Act that allows Council to discuss a matter that is of a confidential nature as it will reveal information that has commercial value to more than one person.

CARRIED 8/0

13.3 Proposed Land Purchase

SUBMISSION TO: Ordinary Council Meeting 26 March 2013

REPORT DATE: 25 March 2013

APPLICANT: N/A

FILE REFERENCE: N/A

AUTHOR: S P Gollan, Chief Executive Officer

ATTACHMENTS: Land Reference

SUMMARY

Council to consider submitting a tender for the outright purchase of Lots 241, 671 and 801 Great Southern Highway, Beverley.

BACKGROUND

Cr Murray has identified a block of land for sale by Landmark Realty Northam which he believes could hold significant strategic value for Council in the future.

COMMENT

The site (Lots 241, 671 and 801 Great Southern Highway) is currently zoned Farming, however is inside the Beverley Town site boundary.

The site, as advertised, has access to scheme water, power supply and its land area is approximately 63 Acres (29.45 Hectares).

Under the Local Government Act 1995, there are specific requirements that Council must abide by when entering into a major land transaction. These requirements include the preparation of a business plan for the acquisition of land if the value of the land is \$2,000,000 or 10% of operating expenditure for the previous financial year, whichever is the lesser, for Local Governments which are not Regional Centres.

For Council to avoid being involved in a major land transaction, the maximum amount allowed to be spent, as per legislation, is \$509,188 (10% of 2011/12 Expenditure as per Statement of Comprehensive Income).

If Council decides to go ahead with submitting a tender for the purchase of the site, a motion carried by absolute majority authorising the expenditure outside of the adopted Budget will be required.

The acquisition costs could be funded from the Cropping Committee Reserve which has a current balance of \$286,531, however the purpose of these reserve funds may

need to be altered, as per legislation, as their current purpose is to assist community groups with funding opportunities.

STATUTORY ENVIRONMENT

The *Local Government Act 1995* provides the following in regards to the acquisition of land:

Section 3.55 Acquisition of land, provides that a local government can only take land under Part 9 of the *Land Administration Act 1997* if it is in, or is to be regarded as being included in, its own district.

Section 3.59 Commercial enterprises by local governments, defines land transaction and major land transaction as;

land transaction means an agreement, or several agreements for a common purpose, under which a local government is to —

- (a) acquire or dispose of an interest in land; or
- (b) develop land;

major land transaction means a land transaction other than an exempt land transaction if the total value of —

- (a) the consideration under the transaction; and
- (b) anything done by the local government for achieving the purpose of the transaction, is more, or is worth more, than the amount prescribed for the purposes of this definition.

Regulation 8A of the Local Government (Functions and General) Regulations 1996 provides the following regarding major land transactions:

(1) The amount prescribed for the purposes of the definition of **major land transaction** in section 3.59(1) of the Act is —

- (a) if the land transaction is entered into by a local government the district of which is in the metropolitan area or a major regional centre, the amount that is the lesser of —
 - (i) \$10 000 000; or
 - (ii) 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year;

Or

- (b) if the land transaction is entered into by any other local government, the amount that is the lesser of —
 - (i) \$2 000 000; or
 - (ii) 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year.

(2) A land transaction is an exempt land transaction for the purposes of section 3.59 of the Act if —

- (a) the total value of —
 - (i) the consideration under the transaction; and

- (ii) anything done by the local government for achieving the purpose of the transaction, is more, or is worth more, than the amount prescribed under subregulation (1); and
- (b) the Minister has, in writing, declared the transaction to be an exempt transaction because the Minister is satisfied that the amount by which the total value exceeds the amount prescribed under subregulation (1) is not significant taking into account —
 - (i) the total value of the transaction; or
 - (ii) variations throughout the State in the value of land.

FINANCIAL IMPLICATIONS

Unbudgeted expenditure.

STRATEGIC IMPLICATIONS

The purchase of land, depending on purpose, may satisfy the strategic goal of increasing land available for commercial growth or enable diverse and affordable housing.

POLICY IMPLICATIONS

Council has no specific policy regarding the acquisition of land.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That a tender be submitted for the purchase of Lots 241, 671 and 801 Great Southern Highway, Beverley, and, should the tender be successful, a report be produced for Council to endorse the unbudgeted expenditure.

COUNCIL RESOLUTION

M19/0313

Moved: Cr Murray

Seconded: Cr Gogol

That a tender be submitted for the purchase of Lots 241, 671 and 801 Great Southern Highway, Beverley, and, should the tender be successful, a report be produced for Council to endorse the unbudgeted expenditure.

CARRIED 8/0

M20/0313

Moved: Cr Alexander

Seconded: Cr Shaw

That the meeting again be open to the public.

CARRIED 8/0

14. CLOSURE

There being no further business, the Chairperson declared the meeting closed at 3:55pm

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

PRESIDING MEMBER

DATE