

## MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON TUESDAY 29 July 2008

### 1. COMMENCEMENT

The President declared the meeting open at 10:30am.

### 2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

#### Attendance

Cr JD Alexander	President	North Ward	
Cr DJ Ridgway	Deputy President	South Ward	
Cr WS McDonald		South Ward	
Cr MG Roberts		South Ward	(1:30pm)
Cr P Gogol		North Ward	
Cr KM Murray		North Ward	
Cr BM Foster		West Ward	
Cr LC Shaw		West Ward	
Mr KL Byers	Chief Executive Officer		
Mr SP Gollan	Deputy Chief Executive Officer		
Mrs SC Collins	Senior Administration Officer		

#### Apologies

Cr NF Flood	West Ward
Cr MG Roberts	South Ward (10:30am – 12:30pm)

#### Leave of Absence

Nil.

At 10.31am Mr F Buise, Manager, Health & Building Services, entered the Chambers.

**3. PUBLIC QUESTION TIME**

**3.1 Proposed Prosecution – Lot 58 Hamersley Street, Beverley – refer Item 8.2.1.1**

Mr D Scoffin asked Council to give consideration to his submission regarding his property at Lot 58 Hamersley Street, Beverley.

**3.2 Illegal Works and Fence – Lot 32 Monger Street, Beverley – refer Item 8.2.1.2**

Mr J Curtis requested Council to grant him permission to erect a ring-lock fence along his Northern and Southern boundary at Lot 32 Monger Street, Beverley.

At 10:59am Mr Frank Buise, Manager, Health & Building Services left the Chambers.

**4. CONDOLENCES**

VALLENTINE	Sylvia	26 June 2008
BARRETT-LENNARD	Lorna Margaret	23 July 2008

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**6. CONFIRMATION OF MINUTES & BUSINESS ARISING**

**6.1 MINUTES OF THE PLANT AND WORKS COMMITTEE MEETING HELD IN THE COUNCIL CHAMBERS ON MONDAY 16 JUNE 2008**

Appendix 1

**COUNCIL RESOLUTION**

<b>M1/0708</b>	<b>Moved Cr Shaw</b>	<b>Seconded Cr Murray</b>
	<b>That the Minutes of the Plant and Works Committee Meeting held in the Council Chambers on Monday 16 June 2008, be received.</b>	
		<b>CARRIED 7-0</b>

**6. CONFIRMATION OF MINUTES & BUSINESS ARISING**  
**6.1 MINUTES OF THE PLANT AND WORKS COMMITTEE MEETING HELD IN THE COUNCIL CHAMBERS ON MONDAY 16 JUNE 2008 (continued)**

**BUSINESS ARISING**

Nil.

**6.2 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON TUESDAY 23 JUNE 2008**

**COUNCIL RESOLUTION**

**M2/0708** Moved Cr Foster Seconded Cr Gogol  
That the Minutes of the Ordinary Meeting of Council held in the Council Chambers on Tuesday 23 June 2008 be confirmed.  
**CARRIED 7-0**

**BUSINESS ARISING**

Nil.

**6.3 MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON TUESDAY 22 JULY 2008**

Appendix 2

**COUNCIL RESOLUTION**

**M3/0708** Moved Cr Shaw Seconded Cr McDonald  
That the Minutes of the Special Meeting of Council held in the Council Chambers on Tuesday 22 July 2008 be received.  
**CARRIED 7-0**

**BUSINESS ARISING**

Nil.

**7. PRESIDENT AND COUNCILLOR REPORTS**

**7.1 PRESIDENT'S REPORT**

Telecentre

The Chief Executive Officer and I have been involved in negotiations for the Telecentre to continue their lease of the building from Crana Aboriginal Corporation.

**7. PRESIDENT AND COUNCILLOR REPORTS**  
**7.1 PRESIDENT'S REPORT**  
**(continued)**

Swimming Pool Manager's House

Council has signed a contract with WA Country Builders for the construction of the Swimming Pool Manager's house in Wright Street.

Shire Plant

The Shire has ordered another side tipping trailer to create more efficiency in the road building program.

Avondale

The Chief Executive Officer and I attended a meeting with the National Trust Australia and the Department of Agriculture and Food to discuss the future ownership and management of the Avondale Research Station, Avondale Discovery Centre and machinery collection.

The meeting was highly constructive and particularly positive in terms of the future operation of the Discovery Centre and machinery museum. There was agreement that any future operation of the precinct would need to involve the local community.

Both the Department and the Trust acknowledged the significant contribution that the Beverley community had invested in the Discovery farm and museum and those local volunteers had been instrumental in its success.

Commitment was given to the Shire that with the appropriate government approvals, the Trust would be in a strong position to take over the management and ownership of the Discovery Centre from the Department of Agriculture and Food, the remainder of the property and the machinery collection.

It was agreed that the Trust was in a far better position to operate the heritage precinct and museum than the Department. The National Trust Australia with the support of the Shire are intent on continuing to present the Discovery Farm and machinery collection as a location that is appealing for city people and others to visit and learn more about the pioneering of agriculture in the region.

**7. PRESIDENT AND COUNCILLOR REPORTS**  
**7.1 PRESIDENT'S REPORT**  
**(continued)**

Avondale (continued)

The signals are extremely positive and we will continue to liaise with the Department and the Trust to ensure that the community's interests are best served through these negotiations.

Beverley Grain Receival Point (File Reference: ED 004)

Appendix 3

The President gave a verbal report on the proposed closure of the Beverley Grain Receival Point and read out a draft letter from Council to CBH requesting CBH to re-evaluate its decision and allow the Beverley Bin to remain open for the promised ten years.

**COUNCIL RESOLUTION**

**M4/0708**      **Moved Cr Foster**      **Seconded Cr Murray**  
**That Council endorse the letter written to Co-operative Bulk**  
**Handling regarding Beverley's Grain Receival Point.**  
**CARRIED 7-0**

**COUNCIL RESOLUTION**

**M5/0708**      **Moved Cr Foster**      **Seconded Cr Murray**  
**That the President's Report, be received.**  
**CARRIED 7-0**

At 11:10am Mr Peter Wright, Shire Planner, entered the Chambers.

**7.2 COUNCILLORS' REPORTS**

Yenyening Lakes (File Reference: EM 005)

Cr Gogol reported on the Yenyening Lakes Management Committee meeting he attended, matters raised were:

- The placement of a traffic counter on Ski Road to ascertain how many vehicles are presently visiting the Lakes.
- Can the rubbish bins at the Lakes to be emptied on a monthly basis.
- Grading of Ski Road and the access road.

**7. PRESIDENT AND COUNCILLOR REPORTS**  
**7.2 COUNCILLORS' REPORTS**  
**(continued)**

Yenyening Lakes (continued)

**COUNCIL RESOLUTION**

**M6/0708**      **Moved Cr Gogol**      **Seconded Cr Shaw**  
**That to enable works to be undertaken on the access road from**  
**Ski Road to the Lakes, Council negotiate with Mr Trevor McLean to**  
**acquire the land.**

**CARRIED 7-0**

Beverley Tourist Bureau (File Reference: ED 007)

Cr Gogol commented that the Tourist Bureau Committee has \$5,000.00 in an investment account and that they also have an operating account of approximately \$2,000.00.

As Council makes a donation to the Tourist Bureau it was suggested that a quarterly financial report be provided.

**COUNCIL RESOLUTION**

**M7/0708**      **Moved Cr Foster**      **Seconded Cr Gogol**  
**That Council request a quarterly financial report from the Beverley**  
**Tourist Bureau Committee.**

**CARRIED 7-0**

Beverley Tourist Bureau – Beverley Caravan Park

Cr Gogol advised that the Tourist Bureau Committee suggested that the Beverley Caravan Park fees be decreased from \$20.00 a day to \$15.00 a day.

**COUNCIL RESOLUTION**

**M8/0708**      **Moved Cr Gogol**      **Seconded Cr Foster**  
**That the Councillor' Reports, be received.**

**CARRIED 7-0**

### **7.3 INFORMATION BULLETIN REPORT – COUNCILLORS**

#### Strategic Planning & Finance Training Workshops

Cr Ridgway advised Council that she attended a training workshop on Strategic Planning and a further workshop on Finance.

At 11:30am Mr Frank Buise, Manager, Health & Building Services, entered the Chambers.

## 8. OFFICERS' REPORTS

### 8.1 TOWN PLANNING ITEMS

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<b>SUBMISSION TO:</b>	<b>July Council Meeting 29 July 2008</b>
<b>AGENDA ITEM:</b>	<b>8.1.1.1 – 8.1.1.10</b>
<b>REPORT DATE:</b>	<b>9 July 2008</b>
<b>SUBJECT:</b>	<b>PROPOSED OUTBUILDINGS ON VARIOUS PROPERTIES</b>
<b>APPLICANTS:</b>	<b>Multiple</b>
<b>FILE REFERENCE:</b>	<b>Multiple</b>
<b>AUTHOR:</b>	<b>Shire Planner – Peter Wright</b>

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#### BACKGROUND

The following items comply with the Shire's Town Planning Scheme and related policies. It is proposed to approve these items, subject to the development being in accordance with the approved plans.

#### COMMENT

The proposed developments are located at:

	<b>Owner</b>	<b>Address</b>	<b>Development</b>	<b>File Ref</b>
1	Earle Lawrence	Lot 3988 Beringer Road, Beverley	Outbuilding (Shed)	BER 51211
2	Tiang Heng Ee	Lot 453 Vincent Street, Beverley	Outbuilding (Shed)	VIN 51304
3	Lena Holdings	258A (Lot 2523) Edison Mill Road, Beverley	Outbuilding (Shed)	EDI 1066
4	Helen Wilcox	55 (Lot 165) Richardson Street, Beverley	Outbuilding (Shed)	RIC 652
5	C & M Gooding	Lot 105 Cattle Station Road, Beverley	Outbuilding (Shed)	CAT 51263
6	J & A Chipchase	23 (Lot 129) Hamersley Street, Beverley	Swimming Pool	HAM 71
7	D Haeusler	Avon Location 1554 (Lot 802 York-Williams Road, Waterhatch)	Outbuilding (Hay Shed)	YOR2 1548
8	A & G Barrett-Lennard	3156 (Lot 106) Westdale Road, Beverley	Outbuilding (Machinery Shed)	WES 375
9	Brian Faithfull	Avon Location 50 (19 Deep Pool Road, Westdale)	Outbuilding (Garage)	DEE 474
10	D & S Osborne	Lot 139 Maitland Road, Beverley	Outbuilding (Shed)	MAI 51256



**8.1.1 TOWN PLANNING ITEMS**  
**Item 8.1.1.1 – 8.1.1.10**  
**PROPOSED OUTBUILDINGS ON VARIOUS PROPERTIES**  
**(continued)**

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION**

**M9/0708 Moved Cr Foster Seconded Cr McDonald**  
That Council approve applications 1 to 10 as shown above for Development as listed in the body of the report subject to the following conditions:

1. The development shall be in complete accordance with the approved plans, and any amendments marked in red, prepared by the applicant and endorsed by Council's Shire Planner.
2. The applicant first obtaining a building licence prior to the erection of the building.
3. The approval is valid for a period of two years only.

**Additional Condition only for Item 8.1.1.3 above – 253A (Lot 2523) Edison Mill Road, Beverley:**

4. The Outbuilding is to be set back 450 metres from the East boundary and 1,200 metres from the North boundary.

**Additional Condition only for Item 8.1.1.4 above – 55 (Lot 165) Richardson Street, Beverley:**

4. The walls and roof are to be clad in Colorbond, in a colour, which is in harmony with the existing built form in the area, to the satisfaction of the Shire Planner.

**CARRIED 7-0**

## 8. OFFICERS' REPORTS

### 8.1.1 TOWN PLANNING ITEMS

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<b>SUBMISSION TO:</b>	<b>July Council Meeting 29 July 2008</b>
<b>AGENDA ITEM:</b>	<b>8.1.1.11</b>
<b>REPORT DATE:</b>	<b>27 July 2008</b>
<b>SUBJECT:</b>	<b>AMENDMENT 13 TO TOWN PLANNING SCHEME NO.2</b>
<b>APPLICANT:</b>	<b>Shire of Beverley</b>
<b>FILE REFERENCE:</b>	<b>LUP 010 AM 13</b>
<b>AUTHOR:</b>	<b>Shire Planner – Peter Wright</b>

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Appendix 4

#### **BACKGROUND**

The amendment is for 8 lots currently zoned Public Purposes. The subject lots are adjacent to Lot 397 (the old Beverley race course) also zoned Public Purposes. Surrounding land use is generally Residential R5 with some Recreation and Open Space land in the vicinity.

At its 28 October 2003 meeting the Shire of Beverley Council resolved:

*“That Council advise the York-Beverley Turf Club Inc. that it will allow residential development of the lots owned by the Club on Hamersley Street, Beverley at a nominal ‘R5’ density until the lots are rezoned to ‘Residential R5’ by the new Town Planning Scheme No.3, currently being prepared.”*

The lots were subsequently sold to the public. However the refusal of an Application for Development Approval on one of the lots, raised concerns relating to possible legal ambiguity arising from residential development on land reserved for Public Purposes.

As there was no timeframe for the introduction of Town Planning Scheme No. 3, Council at its 18 August 2006 meeting resolved to:

*“A. Adopt Amendment No. 13 to Town Planning Scheme No.2 pursuant to Section 72 of the Planning and Development Act 2005 (as amended) by:*

- 1. Rezoning Lots Hamersley Street, Beverley from Public Purpose to Residential R5;*

## 8.1.1

### TOWN PLANNING ITEMS

#### Item 8.1.1.11

#### AMENDMENT 13 TO TOWN PLANNING SCHEME NO.2 (continued)

- B. That the amendment documents are forwarded to:*
- (i) The Environmental Protection Authority for comment, pursuant to Section 82 of the Planning and Development Act 2005; and*
  - (ii) The WA Planning Commission for permission to advertise.*
- C. Subject to no objections being received in response to B above, the amendment is advertised for public comment pursuant to Regulation 25(2) of the Town Planning Regulations 1967 for a period of 42 days.*
- D. The amendment being referred back to Council at the conclusion of the advertising period, together with a schedule of all submissions received.”*

In compliance with Council's resolution and the Town Planning Regulations 1967, Amendment 13 was advertised from 16 April 2008 to 30 May 2008.

The period for public comment has now concluded and the amendment is referred back to Council for Final Adoption.

#### COMMENT

In response to the advertising of Amendment 13, the Shire received five submissions all of which were from statutory authorities. No objections were received and the only comments concerned service provision which is normally resolved during subdivision or when a Development Application is lodged.

As the amendment resolves a possible legal ambiguity and no objections were received during the advertising period, staff do not believe any variation to the amendment is warranted. It will be recommended Council uphold all submissions and proceed to Final Adoption of the amendment.

#### STATUTORY ENVIRONMENT

Town Planning Scheme No. 2 is amended under Section 87 of the Planning and Development Act 2005, in compliance with the Town Planning Regulations 1967 (as amended).

**8.1.1 TOWN PLANNING ITEMS**  
**Item 8.1.1.11**  
**AMENDMENT 13 TO TOWN PLANNING SCHEME NO.2 (continued)**

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION**

**M10/0708 Moved Cr Foster Seconded Cr Gogol**

**That Council resolve –**

- 1. To adopt staff responses to submissions as detailed in the attached submission table.**
- 2. Pursuant to Section 87 of the Planning and Development Act 2005, Council submit Amendment 13 to Town Planning Scheme No. 2, for the rezoning of Lots 208 to 214 and 67 Hamersley Street, Beverley from Public Purpose to Residential R5 and submissions made on the amendment, to the Western Australian Planning Commission and Minister for Planning and Infrastructure for determination.**

**CARRIED 7-0**

## 8. OFFICERS' REPORTS

### 8.1.1 TOWN PLANNING ITEMS

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<b>SUBMISSION TO:</b>	<b>July Council Meeting 29 July 2008</b>
<b>AGENDA ITEM:</b>	<b>8.1.1.12</b>
<b>REPORT DATE:</b>	<b>2 July 2008</b>
<b>SUBJECT:</b>	<b>DEVELOPMENT APPLICATION – SINGLE DWELLING – 81 (LOT 81) DEMPSTER STREET, BEVERLEY</b>
<b>APPLICANTS:</b>	<b>Ronald &amp; Sandra Howell</b>
<b>FILE REFERENCE:</b>	<b>DEM 51162</b>
<b>AUTHOR:</b>	<b>Shire Planner – Peter Wright</b>

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#### **BACKGROUND**

It is proposed to construct a single dwelling at 81 (Lot 81) Dempster Street, Beverley. The lot is currently vacant with a portion of the lot zoned Residential R10 and the remainder, including the area containing the proposed dwelling, zoned Residential R2.5.

#### **COMMENT**

The application complies with all aspects of planning policy and the Residential Design Codes (R-Codes) with the exception of the length of the driveway and there being no setback between the driveway and the boundary of the lot.

Under R-Code Acceptable Development provision 6.5.4A4.3 a formed driveway is to be no closer than 0.5 metres to a side lot boundary. Acceptable Development provision 6.5.4A4.4 requires driveways 15 metres or greater to be constructed in a manner which allows vehicles to be driven into the street in a forward motion.

To address these matters, should Council approve the application, it will be recommended a reversing bay be constructed on site and the driveway be setback 0.5 metres from the side boundaries, as conditions of approval.

#### **STATUTORY ENVIRONMENT**

With the exception of the variations to the R-Codes mentioned above, the application complies with the Shire of Beverley's Town Planning Scheme No. 2.

**8.1.1 TOWN PLANNING ITEMS**

**Item 8.1.1.12**

**DEVELOPMENT APPLICATION – SINGLE DWELLING – 81 (LOT 81)  
DEMPSTER STREET, BEVERLEY (continued)**

**OFFICER’S RECOMMENDATION/COUNCIL RESOLUTION**

**M11/0708**

**Moved Cr Foster**

**Seconded Cr McDonald**

**That Council approve the construction of a single dwelling at 81 (Lot 81) Dempster Street, Beverley, subject to the following conditions and advice notes:**

**Conditions:**

- 1. If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of 2 years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.**
- 2. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan.**
- 3. Should the Water Corporation reticulated sewer not be available, the premise is to be connected to an approved wastewater treatment system, which complies with the requirements of the Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations and the Government Sewerage Policy Perth Metropolitan Region. The approved system is not to be used for disposal of industrial liquid waste or other non-ablution wastes (refer to Advice Note 3).**
- 4. A reversing bay is to be constructed in the location agreed to by the Shire, prior to occupancy of the dwelling, to the satisfaction of the Shire Planner.**
- 5. The driveway is to be setback 0.5 metres from the side boundary, to the satisfaction of the Shire Planner.**

**Advice Notes:**

- 1. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.**
- 2. The applicant is advised a building licence is required prior to commencement of any building works.**
- 3. With regard to Condition 3 should connection to reticulated sewerage not be practically available, an application is to be submitted to the Council's Environmental Health Section in conjunction with the Building Licence application.**

**CARRIED 7-0**

## 8. OFFICERS' REPORTS

### 8.1.1 TOWN PLANNING ITEMS

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<b>SUBMISSION TO:</b>	<b>July Council Meeting 29 July 2008</b>
<b>AGENDA ITEM:</b>	<b>8.1.1.13</b>
<b>REPORT DATE:</b>	<b>15 July 2008</b>
<b>SUBJECT:</b>	<b>TWO LOT SURVEY STRATA SUBDIVISION – LOT 41 SMITH STREET, BEVERLEY</b>
<b>APPLICANT:</b>	<b>Glenda Ferris-Robinson and Terrence Robinson</b>
<b>FILE REFERENCE:</b>	<b>PL 1044-08</b>
<b>AUTHOR:</b>	<b>Shire Planner – Peter Wright</b>

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#### BACKGROUND

It is proposed that Lot 41 Smith Street, Beverley be subdivided into two survey strata lots. The lot is zoned Residential R10 and is without feasible access to reticulated sewerage. The applicant proposes to retain an existing dwelling. One lot is proposed to be a corner lot with frontage to Smith Street, whilst the other lot has frontage to Barnsley Street.

Council previously considered a subdivision application for this lot at its 18 December 2007 meeting. The original proposal was for a "Green Title" subdivision with one lot having access in a battleaxe configuration to Smith Street. The proposed battleaxe configuration was due to the Water Corporation not allowing a potable water supply through an easement on the front lot.

Council was concerned the previously proposed subdivision would prejudice future development of the lots fronting Smith Street, between Barnsley Street and Forrest Street. It was considered approval of the subdivision would rule out the possibility of a road through the centre of the lots, thereby preventing road frontage for the remaining lots, except in a battleaxe configuration. Therefore Council resolved:

*"That Council recommend to the Western Australian Planning Commission that application No. 136454 be deferred until an Outline Development Plan is adopted over the area and that the design should include road access from Barnsley Street to the western boundary of Lot 42 to allow for future development."*

## **8.1.1 TOWN PLANNING ITEMS**

### **Item 8.1.1.13**

#### **TWO LOT SURVEY STRATA SUBDIVISION – LOT 41 SMITH STREET, BEVERLEY (continued)**

#### **COMMENT**

Advice received since the previous subdivision application indicates the Health Department will not recommend approval for any proposed unsewered lots below 2,000m<sup>2</sup>. Subdivision in compliance with an Outline Development Plan requiring a road through the centre of the lots between Barnsley Street and Forrest Street would necessitate the surrender of a road reserve.

Removing the area of the road reserve from area of the lots would create lots below the Health Departments recommended minimum size of 2,000m<sup>2</sup>.

By requiring an Outline Development Plan Council is precluding subdivision of lots that would otherwise be in compliance with the density zoning and planning intent for the area.

The proposed survey strata subdivision will create regular shaped lots with direct road frontage. The proposed lots would comply with the current R10 density zoning. To ensure compliance with development standards, should Council recommend approval, it will be recommended the dwelling comply with the Acceptable Development provisions of the Residential Design Codes 2008 on the created lot.

#### **STATUTORY ENVIRONMENT**

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

#### **OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION**

**M12/0708**

**Moved Cr Foster**

**Seconded Cr Gogol**

**That Council recommend to the Western Australian Planning Commission that application WAPC No. 1044-08 be approved, subject to the following conditions:**

- 1. Both new lots are to be connected to a reticulated potable water supply.**
- 2. The dwelling and any other structures proposed to be retained is to be compliant with the Acceptable Development provisions of the Residential Design Codes 2008.**
- 3. Vehicle crossovers complying with the Shire of Beverley's specifications are to be constructed to both lots.**

**CARRIED 7-0**



## 8. OFFICERS' REPORTS

### 8.1.1 TOWN PLANNING ITEMS

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<b>AGENDA ITEM:</b>	<b>8.1.1.14</b>
<b>REPORT DATE:</b>	<b>18 July 2008</b>
<b>SUBJECT:</b>	<b>SUBDIVISION APPLICATION – TWO LOT SUBDIVISION – LOT 219 LUKIN STREET, BEVERLEY</b>
<b>APPLICANT:</b>	<b>A J Marsh Pty Ltd</b>
<b>FILE REFERENCE:</b>	<b>PL 138030</b>
<b>AUTHOR:</b>	<b>Shire Planner – Peter Wright</b>

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#### BACKGROUND

It is proposed to subdivide Lot 219 Lukin Street, Beverley into two lots. Lot 219 is zoned Residential R2.5 and is 1.4164 ha in area. The proposed lots have access to Lukin and Nicholas Streets respectively. An existing dwelling is proposed to be retained.

#### COMMENT

The application complies with the Shire of Beverley's planning for the area and both proposed lots have access to constructed (bitumen) roads. It will therefore be recommended the application be approved.

#### STATUTORY ENVIRONMENT

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

#### OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

**M13/0708 Moved Cr Foster** **Seconded Cr Shaw**  
That Council recommend to the Western Australian Planning Commission to grant approval for a two lot subdivision of Lot 219 Lukin Street, Beverley, WAPC No. 138030, subject to the following conditions:

- 1. The applicant is to construct crossovers to the Shire of Beverley's specifications, to all proposed lots.**
- 2. Any building proposed to be retained is to comply with the Acceptable Development provisions of the Residential Design Code of Western Australia 2008.**

**CARRIED 7-0**

## **8.1.2 INFORMATION BULLETIN REPORT – SHIRE PLANNER**

**Council received the following information items, which were tabled under separate cover in the July Information Bulletin:**

- **Item 8.1.2.1 – Lot 140 Vincent Street, Beverley**
- **Item 8.1.2.2 – Lot 201 John Street, Beverley**

## 8. OFFICERS' REPORTS

### 8.2.1 HEALTH & BUILDING SERVICES ITEMS

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<b>SUBMISSION TO:</b>	<b>July Council Meeting 29 July 2008</b>
<b>AGENDA ITEM:</b>	<b>8.2.1.1</b>
<b>REPORT DATE:</b>	<b>22 July 2008</b>
<b>SUBJECT:</b>	<b>PROPOSED PROSECUTION – LOT 58 HAMERSLEY STREET, BEVERLEY</b>
<b>FILE REFERENCE:</b>	<b>HAM 63</b>
<b>AUTHOR:</b>	<b>Manager, Health &amp; Building Services – Frank Buise</b>

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Appendix 5

#### **BACKGROUND**

Council resolved to hold this matter over to this meeting.

There have been no changes to the building, or to the status of the building.

The 24 June 2008 report is appendix to this item.

The owner has written several letters and a statement, which will be tabled at the meeting.

#### **COMMENT**

Local Government (Miscellaneous Provisions) Act 1960  
Health Act 1911 (as amended)  
Shire of Beverley Health Local Laws

#### **STATUTORY ENVIRONMENT**

That Council resolve to prosecute the owner of Lot 58 Hamersley Street for breaches of the Health Act 1911 (as amended), and, the Shire of Beverley Health Local Laws, and further, authorise the Manager Health & Building Services to instigate legal proceedings as previously stated in the 24 June 2008 report.



## 8. OFFICERS' REPORTS

### 8.2.1 HEALTH & BUILDING SERVICES ITEMS

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<b>SUBMISSION TO:</b>	<b>July Council Meeting 29 July 2008</b>
<b>AGENDA ITEM:</b>	<b>8.2.1.2</b>
<b>REPORT DATE:</b>	<b>22 July 2008</b>
<b>SUBJECT:</b>	<b>ILLEGAL WORKS AND FENCE – LOT 32 MONGER STREET, BEVERLEY</b>
<b>OWNER:</b>	<b>J Curtis</b>
<b>FILE REFERENCE:</b>	<b>MON 5123</b>
<b>AUTHOR:</b>	<b>Manager, Health &amp; Building Services – Frank Buise</b>

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Appendix 6

#### **BACKGROUND**

Council dealt with this property on 27 November 2007 for approval under Town Planning Policy No.9. Conditional approval was granted.

The relocated dwelling was placed on the site on 2 December 2007. A building licence was not issued.

Council resolved to prosecute the owner for building without the relevant Building Licence. The matter was listed in the Northam court.

#### **COMMENT**

The Chief Executive Officer verbally advised me to withdraw the prosecution. This was done on the day it was listed, and withdrawn by the Shire solicitors on my instruction.

The dwelling is now reaching completion. There has been a rear verandah constructed, for which there is no building licence. This is in breach of Regulation 13 of the Building Regulations 1989.

The owner of the property has had constructed a wire ringlock type boundary fence (north side). I approached the contractor and advised him verbally to cease to construct the wire fence.

The owner of the property has had discussions with the Chief Executive Officer. I have had no written or verbal contact with the owner since approximately December 2007. My dealings have been with the registered builder nominated by the owner.

A copy of a letter from the owner to the Chief Executive Officer and a copy of the January 2008 report is the appendix to this item.

**8.2.1 HEALTH & BUILDING SERVICES ITEMS**

**Item 8.2.1.2**

**ILLEGAL WORKS AND FENCE – LOT 32 MONGER STREET,  
BEVERLEY (continued)**

**STATUTORY ENVIRONMENT**

Building Regulations 1989. Section 13  
Local Government Act 1960

**OFFICER'S RECOMMENDATION**

*For Council's consideration.*

**COUNCIL RESOLUTION**

**M16/0708 Moved Cr Murray** **Seconded Cr Gogol**  
**That in view of the pending inspection of this property by the**  
**Manager, Health & Building Services Council hold this matter over**  
**until the August meeting.**

**CARRIED 7-0**

At 12:30pm Council adjourned for lunch.

At 1:30pm Council reconvened from lunch with Cr Mal Roberts in attendance.

At 1:30pm Mrs Ann Rayner and Mrs Marylou Hutchinson representing the Art Gallery Committee entered the Chambers and addressed Council on the progress of the Railway Station Redevelopment project.

At 1:36pm Mr Frank Buise, Manager, Health & Building Services, entered the Chambers.

Clarification was sought from Council on the requirement to provide ramp access to the carriage. Mr Frank Buise, Manager, Health & Building Services, advised that under the Disability Services Act they are required to provide ramp access to the main entrance to the carriage(s).

## **8.2.2 INFORMATION BULLETIN REPORT – MANAGER, HEALTH & BUILDING SERVICES**

### **8.2.2.1 GENERAL**

General correspondence, duties and communications for Environmental Health Officer/Building issues; general duties with complaints, building activities follow-ups, food recalls, Building Returns, water sampling, Builders Registration Board Returns.

### **8.2.2.2 BUILDING LICENSES ISSUED**

Building licenses issued up to 22 July 2008:

Lic No	48 05/ 06	Lic No	89 07/ 08
Lot No	54 Vincent Street	Lot No	6 Bartram Street
Building	Renovation	Building	Dwelling
Value	\$50,000	Value	\$100,000
Lic No	92 07/ 08	Lic No	94 07/ 08
Lot No	123 Great Southern Hwy	Lot No	453 Vincent/Hamersley Sts
Building	Shed	Building	Dwelling
Value	\$12,000	Value	\$210,000
Lic No	95 07/ 08	Lic No	96 07/ 08
Lot No	159 Vincent Street	Lot No	81 Valentines Road
Building	Shed	Building	Shed
Value	\$15,000	Value	\$19,000
Lic No	97 07/ 08	Lic No	79 05/ 06
Lot No	1 Vincent Street	Lot No	996 Westdale Road
Building	Heater	Building	Alteration
Value	\$1,000	Value	\$50,000
Lic No	100 07/ 08	Lic No	101 07/ 08
Lot No	Reserve 1570	Lot No	31 Hunt Road
Building	Caravan Annexe	Building	Patio
Value	\$3,000	Value	\$14,592

### **8.2.2.3 REPAIRS/MAINTENANCE REPORT**

The Shire Maintenance Officer provided a report of repairs/maintenance carried out from 22 May 2008 to 21 July 2008, which was tabled under separate cover in the July Information Bulletin.





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

## **8. OFFICERS' REPORTS**

### **8.3.1 PLANT, WORKS, RECREATION AND TOURISM ITEMS**

Nil.

### **8.3.2 INFORMATION BULLETIN REPORT – WORKS SUPERVISOR**

#### **8.3.2.1 GENERAL – PLANT AND WORKS**

##### **8.3.2.1.1 Ovals, Parks and Gardens**

- The oval has been fertilised.
- There has been a sign installed at Avon Park, indicating the various flood levels.
- 7 crossovers have been installed within the townsite.
- Guttering on the Shire buildings have been cleaned out.
- Tree lopping has been carried around town, including the white gums at the swimming pool car park, the oval and the car park opposite the bowling club.

##### **8.3.2.1.2 Spraying**

Verge spraying has been completed in town and the rural road program is underway.

##### **8.3.2.1.3 Roads Graded**

Bally Bally County Peak, Buckingham, Dale Bin North, Dobaderry, Jones, Patton, Pike, Qualandary, Rossi, Warradale, Yenyening, York Williams, Athol, Avoca, Balkuling, Collins, Edison Mill, Ewarts, Fishers, Jacobs Well, Morbining, Schillings, Springhill, Wansbrough.

##### **8.3.2.1.4 Bridge Approaches**

The bridge approaches at Bridge 3197 (York-Williams Road) and Bridge 3213 (Potts Road), have had gravel carted in. Due to the recent rains these areas had formed large potholes.

##### **8.3.2.1.5 Stop Holding Lines**

Main Roads have reinstalled the stop sign holding lines that were covered by the recent road works.

In regards to the Vincent Street/Hunt Road intersection, Main Roads have advised me that painting "STOP" on the road prior to the intersection is not an option due to the cost of the thermal plastic used and the ongoing maintenance that would be required. However they have agreed to increase the width of the holding line from 300mm to 600mm and to increase the size of the stop signs.

**8.3.2 INFORMATION BULLETIN REPORT – WORKS SUPERVISOR**  
**Item 8.3.2.1**  
**GENERAL – PLANT AND WORKS (continued)**

**8.3.2.1.5 Stop Holding Lines (continued)**

These improvements should be monitored for a few months and if the safety of this intersection doesn't improve then we may have to look at other options.

**8.3.2.1.6 Hobbs Road**

New guide posts and depth markers have been installed on the floodway and the signage has also been upgraded.

**8.3.2.1.7 Storm Damage**

On the 18<sup>th</sup> July 2008, a severe storm struck west end of the Shire. Trees had been blown over, causing the Westdale Road, Butchers Road, Luptons Road and a section of the York Williams Road to be closed for a short time while these trees were pushed off the road. Further clean up was required as some of these trees were in a dangerous position.

**8.3.2.1.8 Tip Loader**

The tip loader has recently had the fuel pump and governor replaced. The Plant and Works Committee will need to have a good look at the future of this machine. A decision will have to be made whether to replace it or to keep allocating money for repairs i.e. tyres.

**8.3.2.1.9 Plant Report**

The Works Supervisor provided a Plant Report, which was tabled under separate cover in the July Information Bulletin.

**8.3.2.2 CONSTRUCTION**

**8.3.2.2.1 York-Williams Road**

Clearing has been carried out on the verges in preparation for proposed works.

**8.3.2.2.2 Caravan Park**

Reticulation is currently being installed, and the gravel carted.

**8.3.2.2.3 Wright Street House**

Footings for the retaining wall have been dug and the rear of the block has been cleared.



**8. OFFICERS' REPORTS**

**8.4.1 FINANCE ITEMS**

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<b>SUBMISSION TO:</b>	<b>July Council Meeting 29 July 2008</b>
<b>AGENDA ITEM:</b>	<b>8.4.1.1</b>
<b>REPORT DATE:</b>	<b>22 July 2008</b>
<b>SUBJECT:</b>	<b>SCHEDULE OF ACCOUNTS</b>
<b>AUTHOR:</b>	<b>Deputy Chief Executive Officer – Stephen Gollan</b>

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Appendix 7

**COMMENT**

The Schedule of Accounts for the month of June 2008 is the appendix to this item.

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION**

**M19/0708**      **Moved Cr Roberts**      **Seconded Cr Murray**  
**That the Schedule of Accounts for the month of June 2008, be received.**

**CARRIED 8-0**

**8.4.1 FINANCE ITEMS**

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<b>SUBMISSION TO:</b>	<b>July Council Meeting 29 July 2008</b>
<b>AGENDA ITEM:</b>	<b>8.4.1.2</b>
<b>REPORT DATE:</b>	<b>22 July 2008</b>
<b>SUBJECT:</b>	<b>FINANCIAL STATEMENT FOR THE PERIOD ENDED 30 JUNE 2008</b>
<b>AUTHOR:</b>	<b>Deputy Chief Executive Officer – Stephen Gollan</b>

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**COMMENT**

The Financial Statement for the period ended 30 June 2008 was provided under separate cover.

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION**

**M20/0708**      **Moved Cr Roberts**      **Seconded Cr Foster**  
**That the Financial Statement, as presented, for the period ended 30 June 2008, be received.**

**CARRIED 8-0**

## 8. OFFICERS' REPORTS

### 8.4.1 FINANCE ITEMS

<b>SUBMISSION TO:</b>	<b>July Council Meeting 29 July 2008</b>
<b>AGENDA ITEM:</b>	<b>8.4.1.3</b>
<b>REPORT DATE:</b>	<b>22 July 2008</b>
<b>SUBJECT:</b>	<b>INVESTMENT OF SURPLUS FUNDS</b>
<b>FILE REFERENCE:</b>	<b>FM 008</b>
<b>AUTHOR:</b>	<b>Deputy Chief Executive Officer – Stephen Gollan</b>

#### BACKGROUND

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

#### COMMENT

Listed below are surplus funds that have been invested during the month of July with Esanda Investments.

▪ Office Equipment Reserve	\$ 20,706.00
▪ Annual Leave Reserve	\$ 104,385.00
▪ Building Reserve	\$ 242,317.00
▪ Plant Reserve	\$ 88,997.00
▪ Recreation Ground Reserve	\$ 245,062.00
▪ Bush Fire Fighters Reserve	\$ 67,102.00
▪ Avon River Development Reserve	\$ 16,056.00
▪ Community Bus Reserve	\$ 19,913.00
▪ Cropping Committee Reserve	\$ 66,380.00
▪ Road Construction Reserve	\$ 423,207.00
▪ Municipal Fund	\$ 400,000.00

The Investment terms are as follows

Certificate#	Term	Interest Rate	Amount	Expires
1233962001	15 Days	7.62%	\$ 383,539.00	26/06/2008
1233960001	14 Days	7.62%	\$ 423,207.00	26/06/2008
1233961001	15 Days	7.62%	\$ 487,379.00	26/06/2008
1233957003	14 Days	7.56%	\$ 400,000.00	20/06/2008

#### OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

**M21/0708 Moved Cr Foster** **Seconded Cr Shaw**  
That the Investment Report for the month of June 2008, be received.

**CARRIED 8-0**

## **8. OFFICERS' REPORTS**

### **8.4.1 FINANCE ITEMS**

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<b>SUBMISSION TO:</b>	<b>July Council Meeting 29 July 2008</b>
<b>AGENDA ITEM:</b>	<b>8.4.1.4</b>
<b>REPORT DATE:</b>	<b>22 July 2008</b>
<b>SUBJECT:</b>	<b>ADOPTION OF 2008/2009 BUDGET</b>
<b>FILE REFERENCE:</b>	<b>FM 001</b>
<b>AUTHOR:</b>	<b>Deputy Chief Executive Officer – Stephen Gollan</b>

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#### **BACKGROUND**

As Council would be aware they need to adopt certain motions in relation to formally adopting the 2008/2009 budget.

#### **COMMENT**

The motions listed below are those, which need to be adopted:

- Adoption of Rate in the Dollar
- Minimum Rate
- Rate Discount
- Rate Penalty
- Rate Installments
- Reserve Fund
- Schedule of Fees and Charges
- Installment Payments and Dates
- Fire Break Order
- 2008/2009 Budget Formal Adoption

**8.4.1 FINANCE ITEMS**  
**Item 8.4.1.4**  
**ADOPTION OF 2008/2009 BUDGET (continued)**

Caravan Park fees

**COUNCIL RESOLUTION**

- M22/0708** Moved Cr Ridgway **Seconded Cr Shaw**  
That Council rescind the following motion from the Special Meeting of Council to Discuss the Draft 2008/2009 Budget held on Tuesday 22 July 2008:  
“Moved Cr Flood, Seconded Cr Roberts that the remaining Caravan Park charges be increased by 10%.”  
**CARRIED 8-0**

**COUNCIL RESOLUTION**

- M23/0708** Moved Cr Ridgway **Seconded Cr Shaw**  
That the Caravan Park charges be set at \$20.00 per day and for those residents which stay for no more than 27 day \$120 per week, plus GST.  
**CARRIED 6-2**

Councillor Sitting Fees

Council agreed that there be no change to Councillor Sitting Fees.

Footpaths

**COUNCIL RESOLUTION**

- M24/0708** Moved Cr Foster **Seconded Cr Roberts**  
That Council remove the Forrest Street footpath project from the 2008/2009 budget.  
**CARRIED 7-1**

**8.4.1 FINANCE ITEMS**  
**Item 8.4.1.4**  
**ADOPTION OF 2008/2009 BUDGET (continued)**

**Adoption of Rate in the Dollar**

**COUNCIL RESOLUTION**

**M25/0708** Moved Cr Alexander **Seconded Cr Gogol**  
That the Gross Rental Value of 0.121539 cents in the dollar and  
Unimproved Value of 0.009155 cents in the dollar be adopted.  
**CARRIED 5-3**

Councillors Ridgway, Shaw and Murray requested their vote  
against the above motion be recorded.

**Minimum Rate**

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION**

**M26/0708** Moved Cr Foster **Seconded Cr Gogol**  
That the Gross Rental Value and Unimproved Value Minimum Rate  
be set at \$600.00.  
**CARRIED 7-1**

**Rate Discount**

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION**

**M27/0708** Moved Cr Gogol **Seconded Cr Roberts**  
That a 10% rate discount be allowed for rates paid in full within  
thirty five (35) days of the service of the rate notice.  
**CARRIED 8-0**





**8.4.1 FINANCE ITEMS**  
**Item 8.4.1.4**  
**ADOPTION OF 2008/2009 BUDGET (continued)**

**Instalment Payments and Dates**

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION**

**M31/0708 Moved Cr McDonald Seconded Cr Gogol**  
**Those ratepayers wishing to pay their rates by installments must**  
**have the first instalment paid in full by the 22 September 2008.**

**That the instalment due dates be as follows:**

<b>1<sup>st</sup> Instalment</b>	<b>22 September 2008</b>
<b>2<sup>nd</sup> Instalment</b>	<b>17 November 2008</b>
<b>3<sup>rd</sup> Instalment</b>	<b>12 January 2009</b>
<b>4<sup>th</sup> Instalment</b>	<b>10 March 2009</b>

**CARRIED 8-0**

**Formal Adoption of 2008 / 2009 Budget**

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION**

**M32/0708 Moved Cr Gogol Seconded Cr McDonald**  
**That Council adopts the 2008/2009 Budget.**

**CARRIED 8-0**

**Fire Break Order**

**OFFICER'S RECOMMENDATION**

**That Council adopts the following Fire Break Order for 2008/2009.**

**FIRE BREAK ORDER**

**BUSH FIRE ACT 1954**

All owners and occupiers of land are required on or before 15 November every year to provide and thereafter maintain free of all inflammable material until 15 April of the following year, firebreaks as stipulated in the manner described in the following schedule.

# FIRE BREAK ORDER

## BUSH FIRE ACT 1954 (CONTINUED)

### SCHEDULE

#### RURAL LAND

**Buildings and Haystacks:** A firebreak of at least 4 metres wide and not more than 60 metres from the perimeter of all buildings (including temporary dwellings e.g. caravans) and/or haystacks or groups of buildings and/or haystacks so as to completely surround the buildings, haystacks and/or fuel dumps.

**Bulldozed Bush:** A firebreak 20 metres wide shall be maintained immediately inside the external boundaries of all land which has been bulldozed, chained or prepared in any similar manner for clearing by burning (whether it is intended to burn the bush or not).

**Stationary Pumps/Motors:** A firebreak 4 metres wide shall be cleared and maintained around all stationary pumps and motors.

**Harvesting Operations:** During the period when harvesting operations are being conducted, there shall be provided in the same paddock or within 400 metres of that paddock an operational independent mobile fire-fighting unit having a water capacity of not less than 650 litres. The tank of the unit shall be kept full of water at all times during the harvest operations. The responsibility to supply the unit being that of the landowner.

**Operation of Plant and Machinery:** During the restricted and prohibited burning times, all harvesters and trucks carting grain shall not be operated on rural land unless fitted with a fire extinguisher. On days of HARVEST BANDS there shall be no movement of any vehicles within paddocks.

**Paddock Burns:** At any time throughout the year, where a landowner intends to burn paddocks, the following must be provided to prevent escape of fire:

1. A firebreak 2.2 metres wide clear of all inflammable material completely surrounding the area to be burnt.
2. An operational fire-fighting unit having a capacity of not less than 650 litres.
3. Permits to burn may be required. Contact your Fire Control Officer for details.

# FIRE BREAK ORDER

## BUSH FIRE ACT 1954 (CONTINUED)

### TOWNSITE LAND

All lots with an area of 2.024 ha (5 acres) or less, shall be clear of all inflammable material or have grass mown to a height no greater than 15cm.

### GENERAL INFORMATION

**Fuel Dumps:** You shall remove all flammable materials or material likely to become flammable during summer from land occupied by bulk storage tanks and/or drums used for storage of liquid fuel whether the bulk storage tanks and/or drums contain liquid or not. This includes the land on which ramps for holding the drums are constructed. The flammable free ground must be maintained to a distance of at least 4 metres outside the perimeter of any drum, stack of drums or drum ramp or bulk storage tank.

**Variations to Requirements:** By the Order. For permission to provide firebreaks in alternative positions or by alternative date or to take alternative action to abate fire hazards on the land, an application must be made no later than 14 days prior to the date firebreaks are required. If permission is not granted by the Shire or its duly authorized officer, you shall comply with the requirements of this notice.

**Penalty for Failure to Comply:** The penalty for failing to comply with this notice is a fine of up to \$1,000.00. If the owner or occupier fails to carry out the works required by this Firebreak Order the Shire of Beverley may enter the land and prepare the firebreaks at the cost of the owner or occupier.

**Burning:** If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fire Act 1954.

**RESOLVED that Council amend the clause for Operation of Plant and Machinery to read as follows:**

**Operation of Plant and Machinery:** During the restricted and prohibited burning times, **ALL MACHINERY AND TRUCKS** carting grain shall not be operated on rural land unless fitted with a fire extinguisher. On days of **HARVEST BANDS** there shall be no movement of any vehicles within paddocks.



## 8. OFFICERS' REPORTS

### 8.5.1 ADMINISTRATION ITEMS

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<b>SUBMISSION TO:</b>	<b>July Council Meeting 29 July 2008</b>
<b>AGENDA ITEM:</b>	<b>8.5.1.1</b>
<b>REPORT DATE:</b>	<b>23 July 2008</b>
<b>SUBJECT:</b>	<b>LEASE PROPOSAL PLAN – RESERVE 5265 - BORMSA</b>
<b>FILE REFERENCE:</b>	<b>GRE2 5265</b>
<b>AUTHOR:</b>	<b>Chief Executive Officer – Keith Byers</b>

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Appendix 8

#### **BACKGROUND**

In November 2004 Council granted the Beverley Off Road Motor Sports Association (BORMSA) the use of the portion of Reserve 5265, immediately behind the Rubbish Tip - down to the Avon River, for a period of ten years.

The long-term purpose of this decision was to move all motor sports to this area, alleviating noise and dust complaints from the Old Beverley Racecourse.

#### **COMMENT**

Initially BORMSA, which at that time had a modest amount of members, developed a network of tracks throughout the area. The Association has grown since those early days to a point whereby they would like to construct infrastructure for the purpose of storage of equipment, showers and toilets.

Prior to committing itself to this type of expense BORMSA would like to negotiate a 20 year lease of the site commencing 1 July 2008.

A copy of the BORMSA request is the appendix to this item.

#### **OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION**

**M35/0708**      **Moved Cr Gogol**      **Seconded Cr Roberts**  
**That the appropriate Committee of Council meet with the BORMSA executive to discuss the matter with the aim of drafting a suitable lease agreement between the Shire of Beverley and BORMSA.**  
**CARRIED 8-0**

**8.5.1 ADMINISTRATION ITEMS**

**Item 8.5.1.1**

**LEASE PROPOSAL PLAN – RESERVE 5265 BORMSA**

(continued)

**COUNCIL RESOLUTION**

**M36/0708 Moved Cr McDonald** **Seconded Cr Gogol**  
**That Councillors Alexander, Ridgway, McDonald and Shaw along**  
**with relevant staff meet with the BORMSA executive referred to in**  
**the above motion.**

**CARRIED 8-0**

## 8. OFFICERS' REPORTS

### 8.5.1 ADMINISTRATION ITEMS

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<b>SUBMISSION TO:</b>	<b>July Council Meeting 29 July 2008</b>
<b>AGENDA ITEM:</b>	<b>8.5.1.2</b>
<b>REPORT DATE:</b>	<b>23 July 2008</b>
<b>SUBJECT:</b>	<b>MINING EXPLORATION LICENSE APPLICATIONS</b>
<b>FILE REFERENCE:</b>	<b>EM 024</b>
<b>AUTHOR:</b>	<b>Chief Executive Officer – Keith Byers</b>

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Appendix 9

#### BACKGROUND

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

Worsley Alumina Pty Ltd	E70/3504
McMahon Mining Title Services	E70/3506
Austwide Mining Title Management Pty Ltd	E70/3488 & E70/3489

Copies of the areas to be explored are the appendix to this item.

#### COMMENT

Council has previously sanctioned these licenses subject to conditions.

#### OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION

- M37/0708**      **Moved Cr Foster**      **Seconded Cr Gogol**
- That the Mining Registrar be advised that Council has no objection to the Application for Mining Exploration Licenses of Worsley Alumina Pty Ltd, McMahon Mining Title Services and Austwide Mining Title Management Pty Ltd, subject to the following conditions:**
- 1. All service holes filled for the purpose of exploration are to be capped, filled or otherwise made safe after completion.**
  - 2. All costeans and other disturbances to the surface of the land made as a result of exploration, including drill pads, grid lines and access tracks, being backfilled and rehabilitated to the satisfaction of the district mining engineer. Backfilling and rehabilitation being required no later than six months after excavation unless approved by the district mining engineer.**
  - 3. Abandoned equipment and temporary buildings being removed from the mining tenement prior to or at the termination of the exploration program.**



**8.5.1 ADMINISTRATION - ITEMS**

**Item 8.5.1.2**

**MINING EXPLORATION LICENSE APPLICATIONS (continued)**

- 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**



**10. TABLED CORRESPONDENCE (continued)**

- SENATOR GLENN STERLE – CHAIR OF THE SENATE  
STANDING COMMITTEE ON RURAL AND REGIONAL AFFAIRS  
AND TRANSPORT
  - Speech – WALGA Road and Transport Forum – 6 May 2008

**11. OTHER BUSINESS**

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<b>ITEM NUMBER:</b>	<b>11.1</b>
<b>SUBJECT:</b>	<b>CONFIRMATION OF MINUTES OF BEVERLEY CROPPING COMMITTEE MEETING HELD IN COUNCIL CHAMBERS ON FRIDAY 25 JULY 2008</b>
<b>FILE REFERENCE:</b>	<b>CP 017</b>

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Appendix 10

The Minutes of the Cropping Committee Meeting held on Friday 25 July 2008 were tabled at the meeting.

**COUNCIL RESOLUTION**

**M39/0708 Moved Cr Ridgway Seconded Cr Shaw**  
That the Minutes of the Beverley Cropping Committee Meeting held in Council Chambers on Friday 25 July 2008, be received, and Council agrees to the two recommendations of the meeting being:

1. All leases which currently expire on 31 March 2009, including Lot 78 Waterhatch Road and the Old Aerodrome, are tendered for a minimum 2 year and maximum 3 year cropping and/or grazing lease.

2. Income to be held in reserve funds for future major projects.  
**CARRIED 8-0**

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<b>ITEM NUMBER:</b>	<b>11.2</b>
<b>SUBJECT:</b>	<b>PROPOSAL FOR CONSTRUCTION OF A MULTIPURPOSE RECREATION CENTRE</b>
<b>FILE REFERENCE:</b>	<b>RC 003</b>

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Correspondence from Alisha Murray in regard to a proposal for the construction of a multipurpose recreation centre was tabled at the meeting.

**Council agreed that this matter be dealt with at the August meeting of Council.**

**12. CLOSURE**

**There being no further business the meeting closed at 4:12pm.**

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

**Presiding Member**

**Date**