MINUTES OF AN ORDINARY MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS ON TUESDAY 21 JUNE 2005

1. COMMENCEMENT

The President declared the meeting open at 11.00am.

2. ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE

Attendance

Cr J. M. Schilling	President	West Ward
Cr N. J. McLean	Deputy President	South Ward
Cr M. G. Roberts		South Ward
Cr W. S. McDonald		South Ward
Cr B. M. Foster		West Ward
Cr A. D. Bailey		West Ward
Cr V. A. Szczecinski		North Ward
Cr S. Leonhardt		North Ward
Mr K. L. Byers	Chie	ef Executive Officer
Miss C. Emanuel		Secretary

Apologies

Cr J. D. Alexander North Ward

3. PUBLIC QUESTION TIME

3.1 BEVERLEY LIONS CLUB

Mr Barry Burns from the Beverley Lions Club, addressed Council about recent efforts to keep the Beverley Lions Club active. Mr Burns furnished Council with a booklet and leaflet, used for distribution to the community, explaining what the Lions Club do, in hopes of raising support for the Lions Club to remain in Beverley.

Mr Burns requested that a representative from Council attend a Lions Club meeting to be held on Thursday 7 July 2005.

4. CONDOLENCES

OTWAY (nee JACKSON) Dorothy 12 June 2005

5. APPLICATIONS FOR LEAVE OF ABSENCE

Cr Bailey requested a Leave of Absence for the July Council meeting.

6. CONFIRMATION OF MINUTES AND BUSINESS ARISING MINUTES OF THE COUNCIL MEETING HELD ON 17 MAY 2005 6.1 M1/0605 Moved Cr Leonhardt Seconded Cr Roberts That the Minutes of the Ordinary Meeting of Council held on 17 May 2005, be confirmed. **CARRIED 8-0** MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD IN THE 6.2 **COUNCIL CHAMBERS ON TUESDAY 17 MAY 2005 FOR THE** PURPOSE OF SWEARING IN COUNCILLORS AND THE ELECTION OF A PRESIDENT AND DEPUTY PRESIDENT. Appendix 1 M2/0605 **Moved Cr Foster** Seconded Cr McLean That the Minutes of the Special Meeting of Council held in the Council Chambers on Tuesday 17 May 2005 be confirmed. CARRIED 8-0 MINUTES OF THE PLANT AND WORKS COMMITTEE MEETING 6.3 HELD IN THE COUNCIL CHAMBERS ON FRIDAY 3 JUNE 2005 Appendix 2 **Moved Cr Szczecinski Seconded Cr Leonhardt** M3/0605 That the Minutes of the Plant and Works Committee Meeting held in the Council Chambers on Friday 3 June 2005 be confirmed. **CARRIED 8-0** MINUTES OF THE MEETING OF THE DEVELOPMENT SERVICES 6.4 COMMITTEE HELD IN THE COUNCIL CHAMBERS ON TUESDAY 14 **JUNE 2005** Appendix 3 M4/0605 **Moved Cr Foster Seconded Cr Roberts** That the Minutes of the Meeting of the Development Services Committee held in the Council Chambers on Tuesday 14 June

CARRIED 8-0

2005 be confirmed.

BUSINESS ARISING

DEVELOPMENT SERVICES COMMITTEE MEETING HELD ON 14 JUNE 2005

9. BANNER POLES

The Committee agreed to meet with the Works Supervisor to discuss the positioning of the banner poles in Vincent Street, and the purchase of two poles for the Beverley District High School for the purpose of displaying the Local Government Week 'Banners in the Terrace'.

M5/0605

Moved Cr Leonhardt Seconded Cr Roberts
That Council request Steve Vincent, Works Supervisor, to
purchase two banner poles for the Beverley District High School
Quadrangle for the purpose of displaying the Local Government
Week 'Banners in the Terrace'.

CARRIED 8-0

10. CLYDESDALE HORSE EXHIBIT

M6/0605

Moved Cr Schilling Seconded Cr Roberts
That a Committee be formed to investigate the feasibility of
erecting a Clydesdale Horse Exhibit in Beverley. Committee to
comprise of Cr McLean, Cr Leonhardt, Cr Szczecinski, and that Mr
R. Gray (Clydesdale Association), and R. Kempton be asked to be
included in the Committee.

CARRIED 8-0

13. POTS – VINCENT STREET

M7/0605

Moved Cr Schilling Seconded Cr Foster
That Council purchase four pots for Vincent Street, up to the value of \$400 each.

CARRIED 8-0

14. RETIREMENT VILLAGE

Mrs Nancy Hammond, occupier of unit 7 at the Retirement Village has requested the carpets be replaced with vinyl, as she suffers from asthma.

M8/0605

Moved Cr Leonhardt Seconded Cr Bailey
That carpet in Unit 7 of the Beverley Retirement Village, not be replaced.

M9/0605 Moved Cr Foster Seconded Cr Leonhardt

That all floor coverings in all units of the Beverley Retirement Village be replaced with similar material, as deemed necessary.

CARRIED 8-0

6.5 PRESIDENT'S REPORT

Appendix 4

M10/0605 Moved Cr Leonhardt Seconded Cr McLean

That the President's Report be received.

Mr David Lodwick, Town Planner, entered Council Chambers at 11.35pm.

Mr Frank Buise, Environmental Health Officer/Building Surveyor, entered Council Chambers at 11.35am.

7. REPORTS OF COMMITTEES AND OFFICERS

7.1 TOWN PLANNING

ITEM NUMBER: 7.1.1

DATE: 7 June 2005

SUBJECT: PROPOSED COUNCIL LIST OF STANDARD

PLANNING CONDITIONS

FILE REFERENCE: Planning Policy – Standard Planning Conditions

AUTHOR: Shire Planner – David Lodwick

Appendix 5

COMMENT

Council has previously requested that I formulate a list of "standard planning conditions" that may be used in the assessment of development applications.

A list has now been compiled and is based on the City of Bayswater's list of standard planning conditions as adopted by that Council on 29 January 2002. The list has been re-worded and amended where appropriate to meet the Shire of Beverley's requirements.

The benefit of Councils having a list of "standard planning conditions" is that such "best practice" wording of conditions increases enforceability, and makes clear to applicants the requirements and timing of requirements as laid down by the specified conditions. It also assists Council planning staff in the assessment of development applications. It is recommended that the attached prepared list be adopted by Council as its list of "standard planning conditions" and add this list to Council's Town Planning Scheme Policy Manual.

M11/0605 Mo

Moved Cr Leonhardt

Seconded Cr Foster

That Council adopt as its list of "standard planning conditions", the formulated list attached to this agenda report and include this list in Council's Town Planning Scheme Policy Manual.

7.1 TOWN PLANNING

ITEM NUMBER: 7.1.2

DATE: 7 June 2005

SUBJECT: PROPOSED REVIEW OF ALLOWABLE HOUSING IN

THE "WESTDALE ESTATE"

OWNER(S): Numerous FILE REFERENCE: PL-99945

AUTHOR: Shire Planner – David Lodwick

Appendix 6

BACKGROUND

Council is in receipt of correspondence from Mr Christopher Duckett dated 3 June 2005 addressed to the Shire President which states as follows:

"We, as the land owners of the Westdale Estate seek your support and that of the Beverley Shire for a review of the Western Australian Planning Commission ruling, which regulates us to three (3) residential dwellings on the entire estate.

Ref. Strata Title (Strata Plan No. 35552) Annexure D (Management Statement) Clause 28 Sub Clause 4, which states "The Estate is limited to three residential dwellings and limited in location to any three proposed Lots other than common property. The original proprietor will be responsible for the allocation of the selected Lots."

At present the number of land owners who are allowed to build a house on their land is limited to a maximum of three dwellings (lots). The current owners are supportive of allocations already made, but all recognize the impediment of others being restricted to "absent land owners" status. Being absent landowners raises many difficult situations and makes it exceedingly difficult to attempt to run and operate the land successfully.

Having the residential dwelling restriction removed would overwhelmingly enhance both the land use and productivity, and our potential for involvement in the Shire.

Some examples of benefits would be:

- Better fire, weed and vermin control for the benefit of all landowners, including neighbouring properties;
- Improved diversity of developments within the Shire;
- Better ability to help repair and maintain the condition of the natural creeks;

- To enable us to take an active role in the Beverley Shire by supporting local business and participating in community support groups (e.g. volunteer fire brigade); and
- Increase the viability, general appearance and value of the properties.

We are not attempting to make these properties our sole source of income. The properties are mainly lifestyle blocks n which we are engaged in various agricultural ventures. Since the Westdale Strata Subdivision was initiated we have seen continuing development of similar small landholdings on neighbouring properties.

As the initial restrictions which were placed on the subdivision by the WAPC limit the development of land for the benefit and satisfaction of the owners and the Shire, we seek to have the restriction on residential dwellings lifted to allow all landowners to be able to live on their property or spend extended period of time in appropriate accommodation.

The topic of "residential dwelling restrictions" was discussed at the last AGM of the Strata Company and ALL current landowners were in agreement that the removal of this restriction would be a good outcome for the Shire of Beverley and the individual owners.

Following are the signatories of all the current landowners in the Westdale Estate.

We would appreciate the thoughts and advice of the Shire of Beverley on this matter.

Thanking you and Kind Regards

Chris Duckett (on behalf of all land owners of the Westdale Estate)."

COMMENT

All the landowners have signed the letter requesting removal of the three dwelling restriction for the estate.

However, Council should be mindful that at it's meeting of 21 July 1998 Council resolved to advise Mr Crouch that it supports the Hon. Minister for Planning in his Appeal decision dated the 29th May 1997, in which he stated that development including the construction of houses and the siting of caravans etc be prohibited on all but three (3) of the proposed lots.

Council most recently considered a request from Mr Crouch and Associates at it's November 2000 meeting. Mr Crouch was seeking Council's approval to modify the Strata Company Management Statement to allow for dwellings on each lot. At this time, Council deferred any approval to the alteration of the Strata Management Statement and development on the Westdale Estate to allow guidance from the Western Australian Planning Commission to be taken as to how to proceed. There is no evidence on file as to subsequent steps taken to resolve this matter.

Possible Conversion of lots from Strata Title to Green Title
One possible way forward would be conversion of the titles from Strata
Title to Green Title. However, conversion will be complicated by a
number of issues that would need to be resolved.

Widening of the access known as 'Plantation Drive' and vesting of this land as a gazetted road reserve would be required.

The current access road is included as Common Property Lot 11 in the Strata Plan. It's width is shown as 10.08 metres on the Strata Plan. To enable the access road to be converted into a gazetted road, its width will need to be increased to at least 20 metres. This will impact upon the boundaries and lot sizes of adjacent lots. As a result, it is likely some of the lots will be less than the 20ha minimum allowable under Council's Rural Strategy and Town Planning Scheme for rural lot sizes. Lots 5,6 and 7 are considerably below 20ha and would require amalgamation and/or boundary realignments. The issue of protection of existing remnant vegetation on Lot 12 would also need to be addressed.

There may also be a financial implication on the lot owners if the roadway requires upgrading to Council's standards for public roads. Once the road is gazetted, it is vested with Council at no cost. Council will then be responsible for maintenance of the road reserve.

Access to water for all lots will need to be addressed as well as drainage issues. The issue of water availability will be an important factor in any consideration for title conversion by the Western Australian Planning Commission and Council.

Possible conversion of strata lots to green titles would require a fresh subdivision application to be lodged for consideration by the WA Planning Commission and must be signed by all landowners including the Strata Company.

Conclusion

In summary, whilst a letter stating that all landowners want the 3 dwelling limit removed is acknowledged, this original decision was a ministerial decision and would need overturning by state powers beyond Council.

In his appeal decision letter dated 29 May 1997, the then-Minister noted that the proposed strata plan was created to allow for investment in the

cultivation of Chinese Paulownia trees as well as yabby and tee tree farming. The strata lots allowed for a variety of investors in the above uses to have security of tenure. It is doubtful that the then-Minister regarded the subdivision as allowing for any other use, including residential use, as he stipulated that the Commission would require under Section 6 of the Strata Titles Act a limit on residential development to three lots only. With this in mind, Council should regard the development as being for commercial use only and may wish to once again support the notion of limiting the ability for the lots to be used for rural lifestyle or other non-agricultural use.

Conversion of strata lots into green title by means of a fresh subdivision application may be the best "planning" way forward if Council supports lifting the three dwelling restriction, but such an approach may not lend itself to endorsement by the strata company and/or all lot owners given the necessary boundary and lot size changes and amalgamations required as well as other issues raised in this report.

As the matter is complex and a simple procedure/answer is not readily available, it is suggested that the Shire Planner write to the WA Planning Commission and seek advice as to possible ways in which to have the three dwelling limit for the "Westdale Estate" removed, including the option of green title subdivision.

M12/0605

Moved Cr Foster Seconded Cr Leonhardt
That the Shire Planner write to the WA Planning Commission and
seek advice as to possible ways in which to have the three
dwelling limit for the "Westdale Estate" removed, including the
option of green title subdivision.

7.1 TOWN PLANNING

ITEM NUMBER: 7.1.3

DATE: 10 June 2005

SUBJECT: PROPOSED DAM – LOCATION PT 4241 WESTDALE

ROAD BEVERLEY

OWNER: Mr Antonio Mazza

FILE REFERENCE: WES-1264

AUTHOR: Shire Planner – David Lodwick

Appendix 7

BACKGROUND

Council is in receipt of correspondence from Mr Allan Roe which states as follows:

"The following page contains a proposal to build a large dam on the listed property. I have been to the block with Fred Bremner and he is aware of surrounding catchment. It is likely that the Department of Environment will be opposed to this plan as I have spoken to Bernie Kelly regarding the matter. I do however need to know if this proposal is worth pursuing. Your response to this would be greatly appreciated."

COMMENT

The subject "farming" zoned property near the intersection of Westdale Road and York-Williams Road is 76.96ha in area with a 479m frontage. The land is currently owned by a Mr Antonio Mazza and may be purchased by Mr Roe.

The proposed construction of a dam through "alteration of land" constitutes development as defined under the Town Planning and Development Act 1928 and therefore requires planning approval.

The proposed dam as shown on the sketch plan is approximately 200m x 400m and in relative close proximity to the Westdale Road frontage of the property.

The said property has a creek line running through it and has sloping terrain.

The subject proposal is considered deficient in detail to enable assessment. A scaled site plan and elevations have not been provided. Also, no information has been provided in relation to construction matters, proposed dam depth, land contours, vegetation protection/clearing, existing improvements on the land, likely visual impact in respect of nearest neighbouring dwelling houses, method of

drainage management and prospect for draining impacts on adjoining land.

A proposed dam of this size would normally be referred to the Department of Environment for comment (once the necessary information has been provided by the applicant) prior to Council determination.

M13/0605 **Moved Cr Foster**

Seconded Cr Roberts That Council advise the applicant (Mr Allan Roe) that there is currently insufficient information provided to enable assessment, and further advise the applicant that once the necessary information has been received as part of a complete planning application (including but not limited to):

- Submission of a scaled site plan;
- Proposed construction details, materials, machinery used;
- Proposed dam depth/wall and embankment height;
- Land contours:
- Extent of vegetation protection/clearing (aerial plan);
- Amenity impact (submission of elevations);
- **Drainage Management details;**
- Identification of existing creek lines and property improvements; the proposal would need to be referred to the Department of Environment for comment prior to Council determination.

7.1 TOWN PLANNING

ITEM NUMBER: 7.1.4

DATE: 15 June 2005

SUBJECT: PROPOSED SINGLE HOUSE – LOT 148 BARTRAM

STREET BEVERLEY

OWNER: L Barker FILE REFERENCE: BAR-126

AUTHOR: Shire Planner – David Lodwick

Appendix 8

BACKGROUND

Council is in receipt of a building application to construct a single residence on the subject land.

COMMENT

The proposal is brought before Council for consideration as Lot 148 Bartram Street is zoned "Town Centre" under the Shire of Beverley Town Planning Scheme No.2.

In the "Town Centre" zone, a single house is an 'AA' use which means that approval is at the discretion of Council.

The land in the Town Centre zone is subject to the civic and design guidelines of the "Town Centre Design Control Area" for the purpose of ensuring that such development will not affect the local amenity and will enhance the character of the land in the Town Centre zone.

Clause 4.8.5 of the Scheme provides:

"4.8.5 In considering application for planning consent for a proposed development (including additions and alterations to existing development) in the Town Centre Design Control Area Council shall have regard to the following:

- a) the colour and texture of external building materials:
- b) for all buildings fronting Vincent Street Council may require the building façade and side walls to a building depth of 3m to be constructed in masonry;
- c) building size, height, bulk, roof pitch;
- d) setback and location of the building on its lot;
- e) architectural style and design details of the building;
- *f) function of the building;*
- g) relationship to surrounding development; and
- h) other characteristics considered by the Council to be relevant"

In regard to the above, the "Town Centre Design Control" criteria principally relate to commercial development along Council's main commercial hub, Vincent Street, in order to appropriately protect and maintain the architectural integrity of these existing old buildings and maintain the heritage character of such to the street.

The proposed dwelling is a standard three bedroom home with zincalume custom orb roof sheeting at 22 degree pitch complete with matching trims and capping. Corrugated steel cladding to external walls is proposed.

The currently vacant land is low lying with some scattered vegetation and located in the 1:100 year flood fringe. The site would require considerable filling to enable construction of the dwelling. The finished floor level for the dwelling would need to be determined by Council's Principal Building Surveyor upon receipt of advice from the Department of Environment and/or Water Corporation.

Building setbacks in the "Town Centre" zone is nil from the Street and at Council's discretion for rear and side boundaries. The application complies with these requirements.

The dwelling is well setback from boundaries and is not dissimilar to other existing developments and residences along this end of Bartram Street.

Conditional approval is therefore recommended accordingly.

M14/0605 **Moved Cr Foster**

Seconded Cr Szczecinski That Council grant planning approval to Mr L Barker for proposed single house in accordance with the submitted building application dated 13 June 2005 and accompanying plans and subject to the following conditions:

- A building license to be obtained; 1.
- 2. Finished floor level for the proposed single dwelling to be determined by Council's Principal Building Surveyor upon advice from the Department of Environment and/or Water Corporation;
- 3. Connection to reticulated sewer.

7.2 **HEALTH AND BUILDING**

ITEM NUMBER: 7.2.1

DATE: 21 June 2005

SUBJECT: **SHED**

LOCATION **LOT 228 HARPER STREET**

FILE REFERENCE: **HAR468**

AUTHOR: Environmental Health Officer / Building Surveyor-

Frank Buise

BACKGROUND

The owners of this property have requested approval in principle to erect a 15metre by 7 metre shed, with a 15 metre by 2.4 metre lean to. The shed once erected would be converted into a habitable dwelling as per the tabled photo of the Wide Span "Time to escape plus" shed. Total combined floor areas are 141 square metres.

The owners applied for and were granted a building licence on 18 February 2005 for a 48 square metre Cavalier transportable dwelling. The owners now wish to cancel that building licence (47 04/05), once Council has agreed in principle to their application. If Council should grant the application, the owners will again need to apply to have the shed converted into a dwelling under Section 144 of the Health Act.

COMMENT

The plans submitted with the applicants letter, show a shed design. It also shows that the shed can be converted into a dwelling once certain structural alterations have taken place.

This new application (should it be approved) will remove any of Council's previous concerns with small size dwellings being constructed in the townsite (48 square metre). Aesthetically, the proposed structure will be more pleasing that the original transportable.

It would therefore be prudent for Council to approve the application.

STATUTORY ENVIRONMENT:

Health act 1911 (as amended) Building Code of Australia

M15/0605 **Moved Cr Foster**

Seconded Cr Roberts That Council resolve to allow the owners of Lot 228 Harper Street to erect a 105 square metre shed with a 36 square metre lean to subject to the following conditions:

1. The building licence for the shed to include all the details for the conversion of the dwelling,

- 2. The structure to comply with the provisions of the Building Code of Australia, and the Health Act,
- 3. The previous building licence (47 04/05) be cancelled prior to the issue of any subsequent building licence for a dwelling

7.2 HEALTH AND BUILDING

ITEM NUMBER: 7.2.2

DATE: 21 June 2005

SUBJECT: PROPOSED PROSECUTION LOCATION Lot 150 York-Williams Road

FILE REFERENCE: YOR1 1492

PROPONENT: Heritage Outdoor Leisure Centre

AUTHOR: Environmental Health Officer / Building Surveyor–

Frank Buise

BACKGROUND

The owners of the property made application for a building licence (No 43 02/03) on 26 May 2003 to erect a steel framed habitable room on the property. The builder was to be Heritage Outdoor Leisure Centre of 25 Davison Street, Maddington.

My first approach to the builders was on 19.05.2003 requesting drawings appropriate to the proposed works (drawing to show me what was to be built).

No response was forthcoming so the building licence was issued with the following conditions;

Habitable Room

- Steel construction to comply to AS 3623 and AS/NZ 4600
- 2. Roof sheeting to comply to AS 1562 Installation of roof sheeting
- Provide smoke detection in accordance with BCA 3.7.2.3
- 4. Compaction certification required for sand pad
- details of proposed wet area required
- 6. details of effluent disposal required
- 7. Termite treatment required to AS 3660
- 8. Certification required that the room complies with AS 1170 Earthquake code.

Generally

- Provide house numbering to front of property
- Provide sign at front boundary stating name of builder, Lot number, owner builder, for the duration of the construction
- Advise Council's Building Surveyor on completion of construction work

I wrote to Heritage Outdoor Leisure Centre on 28 October 2003 stating that 5 items on the building licence conditions had not been complied with. I wrote again on 5 January 2004 requesting the outstanding works to be completed within 30 days. A subsequent phone call on 13 January 2004, confirmed that the outstanding items would be resolved by 26 May 2004.

A further letter was sent on 21 June 2004 with no response. A subsequent phone call confirmed that a structural engineer would inspect the structure by end July 2004.

An inspection of the habitable room, and an interview with the owner on 16 June 2005, confirmed that no further work had been done by the builder.

Section 16 states:

16. (1) Where a licence is issued under these regulations for the construction of a building that building shall be completed within 24 months of the date of the issue of the licence, or such other time as approved by local government.

Section 17 states:

17. No variation from or alteration of approved plans, drawings and specifications shall be made by any builder without the consent of the building surveyor in writing having been first obtained, and any alteration or departure from the approved plans, drawings and specifications shall, on the consent of the building surveyor therefore being notified, be drawn, described, and endorsed on and in the plans, drawings and specifications.

COMMENT

The builder has for whatever reason refused to rectify the situation. The building licence with its attached conditions clearly states that certain matters must be addressed during the construction phase of the habitable room. The builder has not complied with the conditions.

The following breaches of various legislation has taken place:

- Regulation 16 The habitable room has not been completed as per the approved plans and specifications within the 24-month time period.
- 2. Regulation 17 The habitable room has not been constructed in accordance with the approved plans.

It would therefore be prudent for Council to prosecute the builder for breaches of Regulation 16, & 17 of the Building regulations 1989.

STATUTORY ENVIRONMENT

Local Government (Miscellaneous Provisions) Act 1960 Building Regulations 1989 Section 16 and 17

M16/0605

Moved Cr McLean Seconded Cr Leonhardt
That Council resolve to prosecute Heritage Outdoor leisure Centre
for breaches of Section 16, and 17 of the Building Regulation 1989,
and further, Council authorise the Principal Environmental Health
Officer/Building Surveyor to instigate legal action.

7.2 HEALTH AND BUILDING

ITEM NUMBER: 7.2.3

DATE: 21 June 2005 SUBJECT: 401 ORDERS

LOCATION 150 York – Williams Road

FILE REFERENCE: YOR1 1492

PROPONENT: Heritage Outdoor Leisure Centre

AUTHOR: Environmental Health Officer / Building Surveyor—

Frank Buise

BACKGROUND

Council at this meeting will decide on legal action against Heritage Outdoor Leisure Centre for breaches of the Building Regulations 1989.

Council will now need to decide if an order under Section 401 of the Local Government (Miscellaneous Provisions) Act 1960 will need to be issued to satisfy the conditions of the building licence issued on 26 May 2003.

Section 401 states;

Notice of Required Alteration

- (1) A local government may, during or after the erection of a building in its district, give the builder or owner of the building, written notice of anything, in the construction of the building -
 - (a) Which tends to render the building unsafe or prejudicial to the public interest;
 - (b) Which is not in compliance with, or is a departure from, the plans and specifications for the building, of which plans and specifications the approval of the local government has been obtained as required by this Act, or which is a contravention of this Act; or
 - (c) Which, where permission of the local government is required for carrying it out, has been carried out without that permission;

And requiring him to pull down or so alter the building as to remove the cause of the objection and on being served with the notice the builder or owner shall comply with the requisition, unless he has a right of appeal against the requisition, he exercises the right with due diligence, and the referees mentioned in Division 19 or the Minister, as the case may be, quash the requisition on appeal.

(2) Where a person is given notice under this section to pull down or alter a building, in order to remove the ground of objection, mentioned in subsection (1) (a), he may within 35 days of the

- service of the notice upon him, if dissatisfied with the requisition in the notice appeal under Division 19, in the manner prescribed by the regulations, against the requisition.
- (3) Where a person is given notice under this section to pull down or alter a building in order to remove a ground of objection mentioned in sub regulation (1) (b) or (c), he may within 35 days of the service of the notice upon him, if dissatisfied with the requisition in the notice, appeal to the Minister in the manner prescribed by the regulations, and the Minister may decide the appeal and his decision is not subject to appeal.
- (4) Where a building has been constructed, amended, altered, extended, enlarged or added to, whether pursuant to a notice from the local government or not, the builder or owner of the building, shall on completion of the construction, amendment, extension, enlargement, addition, or alteration serve written notice of completion upon the building surveyor of the local government.
- (5) If, after inspection and survey, the building surveyor is satisfied that the building has been constructed, amended, extended, enlarged, added to or altered, in conformity with the notice, the surveyor shall, on payment of the fee prescribed by the local laws of the local government give in the form so prescribed a certificate in writing by him to that effect to the builder or owner from whom he has received the notice mentioned in subsection (4).

COMMENT

Three letters have been written to the builder and two phone calls have been received, but the work remains outstanding.

Council must issue an order under 401 to the builder requiring him to complete the building licence conditions. If Council does not issue the order, then Council will be liable for the state of the habitable room, and any failures of the structure, including non-enforcement of the smoke detector provision.

STATUTORY ENVIRONMENT

Local Government (Miscellaneous Provisions) Act 1960, Section 401 (1) (b)

M17/0605 Moved Cr Leonhardt Seconded Cr Szczecinski
That Council resolve to issue an order under section 401 (1) (b) of
the Local Government (Miscellaneous Provisions) Act 1960 on the
builder of the habitable room at Lot 150 York-Williams Road,
Heritage Outdoor leisure Centre, requiring them to;

- 1. Provide a certificate from a Practising Structural Engineer, that the structure complies with AS 1170.4 (Earthquake Code),
- 2. Provide a hard wired smoke detector in accordance with BCA 3.7.2.2,
- 3. Provide a compaction certificate for the sand pad from a practising Structural Engineer,
- 4. Provide termite treatment in accordance with AS 3660 to the sand pad and provide a certificate from a Licensed pest Control operator that the pad has been treated in accordance with BCA 3.1.3.2

7.2 HEALTH AND BUILDING

ITEM NUMBER: 7.2.4

DATE: 21 June 2005

SUBJECT: STOP WORK ORDER

LOCATION Lot 501 York-Williams Road

FILE REFERENCE: YOR1 1537

PROPONENT: Maureen Semese

AUTHOR: Environmental Health Officer / Building Surveyor-

Frank Buise

BACKGROUND

This property changed hands in March 2005. The previous owner has located next to the creek a sea container, which had been fitted out for habitable purposes as well as a toilet out side the unit. The owner was contacted and told to remove all the structures and sliding aluminium windows attached to the sea container. The owner basically refused to remove the container.

Whilst driving past the property last week I noticed a lean to had been erected along side of the container. There is no building application for the structure.

A caravan is now located on the property as well.

I issued a section 401A (stop work order) on the new owner under delegated authority. This was posted to her last known address.

Section 401A states:

(1) Where in contravention to this Act, a building is being constructed, adapted, amended, enlarged, added to, repaired, or taken down, the local government may, by notice in writing served on the builder, order the builder to stop all work specified in the notice as being done in contravention of this Act.

Section 401A (6) gives the owner the right to appeal to the Minister. Subsection (6) states:

(6) A person aggrieved by a notice under this section may appeal in writing to the Minister against all or any of the matters set out in the notice, and the Minister may confirm, set aside, or vary the notice as he thinks fit.

COMMENT

The owner must be made aware of Council's requirements in terms of camping on the property. There is evidence that someone has camped

there recently. The drain of a make shift laundry trough is directed towards the creek.

Council needs to issue the 401A notice to stop the owner from carrying out more illegal building works/activities on the property.

The owner will have the right of appeal.

STATUTORY ENVIRONMENT

Local Government (Miscellaneous Provisions) Act 1960, Section 401A

M18/0605 Moved Cr McLean

Seconded Cr Foster That Council resolve to issue an order under section 401A of the Local Government (Miscellaneous Provisions) Act 1960, on the owner of Lot 501 York-Williams Road, Beverley.

7.4 **HEALTH AND BUILDING**

ITEM NUMBER: 7.2.5

DATE: 21 June 2005

SUBJECT: SUBSTANDARD BUILDING

LOCATION Lot 152 Vincent Street, Beverley

FILE REFERENCE: **VIN172** PROPONENT: Peter Jenkin

AUTHOR: Environmental Health Officer / Building Surveyor-

Frank Buise

BACKGROUND

The state of Lot 152 Vincent Street, Beverley has reached a stage where the building is unsightly, and the structural integrity is questionable.

M19/0605 **Moved Cr Foster**

Seconded Cr Szczecinski That Frank Buise, Environmental Health Officer / Building Surveyor, write to the owner of Lot 152 Vincent Street, Beverley requesting correspondence proposing what is to be done to the

building.

CARRIED 8-0

Mr David Lodwick, Town Planner, left Council Chambers at 12.45pm.

Mr Frank Buise, Environmental Health Officer/Building Surveyor, left Council Chambers at 12.45pm.

Council adjourned for Lunch at 12.45pm.

Cr Roberts left Council Chambers at 1.40pm.

Council reconvened from Lunch at 1.47pm.

Mr Steve Gollan, Deputy Chief Executive Officer, entered Council Chambers at 1.47pm.

7.3 FINANCE

ITEM NUMBER: 7.3.1

DATE: 14 June 2005

SUBJECT: SCHEDULE OF ACCOUNTS

AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

Appendix 9

COMMENT

The Schedule of Accounts for the month of May 2005.

M20/0605	Moved Cr Foster	Seconded Cr Leonhardt
	That the Schedule of Accour	nts for the month of May 2005 be
	received	-

receivea.	
Voucher No's	Amount
Municipal Fund	
020505.1 - 020505.81	142,143.28
22670 – 22686	14,408.39
03505.1 - 030505.1	5,500.00
050505.1 - 050505.3	8,399.50
100505.1 - 100505.7	14,556.57
180505.1 - 180505.9	41,127.83
240505.1 - 240505.7	8,289.08
310505.1 - 310505.1	3,300.00
TOTAL	237,724.65

Direct Debits Transport Licensing 65,761.55

TOTAL 303,486.20

7.3 **FINANCE**

ITEM NUMBER: 7.3.2

DATE: 14 June 2005

SUBJECT: FINANCIAL REPORT FOR THE PERIOD ENDING 31

MAY 2005

Deputy Chief Executive Officer – Stephen Gollan AUTHOR:

COMMENT

That the Financial Report for the period ending 31 May 2005 is under separate cover.

M21/0605 **Moved Cr Foster**

Seconded Cr Leonhardt That the Financial Report for the month ending 31 May 2005, as

presented, be received.

7.3 FINANCE

ITEM NUMBER: 7.3.3

DATE: 8 June 2005

SUBJECT: INVESTMENT OF SURPLUS FUNDS

FILE REFERENCE: FM008

AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

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

COMMENT

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

•	Municipal Account	\$ 600,000.00
•	Office Equipment Reserve	\$ 16,971.00
•	Annual Leave Reserve	\$ 85,558.00
•	Building Reserve	\$ 325,960.00
•	Leave and Gratuity Reserve	\$ 16,481.00
•	Plant Reserve	\$ 464,268.00
•	Recreation Ground Reserve	\$ 200,862.00
•	Bush Fire Fighters Reserve	\$ 54,055.00
•	Avon River Development Reserve	\$ 22,688.00
•	Community Bus Reserve	\$ 16,285.00
•	Cropping Committee Reserve	\$ 61,175.00

The Investment terms are as follows:

Investment#	Term	Interest Rate	Amount	Expires
1708604013	1 Month	5.52%	\$1,264,303.00	22/06/05
1708605013	1 Month	5.52%	\$ 600,000.00	22/06/05

M22/0605 Moved Cr Foster Seconded Cr Leonhardt
That Council receive the investments for the month of May 2005.

CARRIED 7-0

7.3 FINANCE

ITEM NUMBER: 7.3.4

DATE: 14 June 2005 SUBJECT: BILL EXPRESS

FILE REFRENCE: FM006

AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

Bill EXPRESS'S Western Australia Business Development Manager Pany Manoj visited Council to discuss the introduction of *Bill* EXPRESS as a further payment option available to the ratepayers of Beverley.

COMMENT

Bill EXPRESS is WALGA's preferred supplier of bill payment services, allowing ratepayers to pay their Council rates or other payments with debit or credit card option via three payment options:

Internet
Telephone (Interactive Voice Recognition - IVR) plus
Over the Counter (Through the extensive Newsagency network)

The Over the Counter *Bill* EXPRESS service is available at over 2,400 newsagents nationally. In WA there are over 325 *Bill* EXPRESS newsagents operating, with this number continually growing. One of the major benefits of the Over the Counter payment option is the flexible trading hours offered by participating retailers.

Costs

Transaction costs are significantly lower than any other provider in the market:

19cents per Telephone transaction
17cents per Internet transaction
Merchant Service Fee rate for this service of 0.654%
The Over the Counter option is also very exciting with the
\$1.25 transaction fee being considerably lower than
alternate providers.

A standard monthly fee of \$40.00 will be payable for the service or if Council prefer a one off payment of \$1,400.00 for a three year period is available.

Bill EXPRESS currently has 60 other Local Governments both city and rural using their system.

Bill EXPRESS will also provide a screen that will allow Council the opportunity to advertise various messages throughout the year.

M23/0605 Moved Cr Leonhardt Seconded Cr Schilling
That Council enters into a 3-year contract with *Bill* EXPRESS for
the supply of a Bill Payment System at a cost of \$1,400.00 plus
transaction costs.

CARRIED 4-3

7.3 FINANCE

ITEM NUMBER: 7.3.5

DATE: 14 June 2005

SUBJECT: BAD DEBTS TO BE WRITTEN OFF

FILE REFERENCE: FM002

AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

Council has a number of bad debts that remain outstanding despite a number of account reminders. The debts are as follows:

>	H. Ferguson	\$ 36.25 for loss Library Books
>	B. Mahood	(Sept 04). \$ 19.50 for water taken from standpipe (June 04).
>	Roy Weston York	\$ 55.00 for Blarney advertising (Feb 04)
>	G. Winmar	\$126.17 for Caravan Park charges (Mar 05)
>	Office of State Revenue	\$162.81 for Pensioner rebate rejected (Jun 97)
>	L. Higgins & F. Scali	\$164.49 for legal fees on Kokeby land (Mar 01)
>	G. Higgins	\$147.99 for legal fees on Kokeby land (Mar 01)
>	J. Higgins	\$147.99 for legal fees on Kokeby land
>	S. Higgins	(Mar 01) \$147.99 for legal fees on Kokeby land

(Mar 01)

B. Mahood

Council has previously written off water charges that have been associated with Mr Mahood. Once again staff have attempted to contact Mr Mahood but to no avail.

Roy Weston York

Council's Chief Executive Officer has had various conversations with the owner of Roy Weston's regarding the advertisement that was placed in the Blarney. Roy Weston believes they did not authorise the advertisement even thought it was placed by a staff member and on their letterhead.

Office of State Revenue

Council forwarded a claim off to the Office of State Revenue in 1997 when a property listed on the claim was rejected. When Council was advised that a claim was rejected the rates officer attempted to contact the owner but unfortunately the property had been sold to a new owner.

L. Higgins & F. Scali, G. Higgins, J. Higgins, S. Higgins

In relation to the Higgins fees, these relate to charges associated with Council's debt recovery company at the time. The Higgins's are now in the process of transferring their properties back to Council.

Council has the ability to write these amounts off as bad debts if they wish. To achieve this it has to be by Absolute Majority.

M24/0605 Moved Cr McLean		Seconded Cr Schilling
	That Council writes off the following	g unpaid accounts:

S. Higgins

at C	ouncii writes off the folio	wing unpaid accounts:
\triangleright	H. Ferguson	\$ 36.25 for loss Library Books
		(Sept 04).
\triangleright	B. Mahood	\$ 19.50 for water taken from
		standpipe (June 04).
\triangleright	Roy Weston York	\$ 55.00 for Blarney advertising
		(Feb 04)
\triangleright	G. Winmar	\$126.17 for Caravan Park charges
		(Mar 05)
\triangleright	Office of State Revenue	\$162.81 for Pensioner rebate
		rejected (Jun 97)
\triangleright	L. Higgins & F. Scali	\$164.49 for legal fees on Kokeby
		land (Mar 01)
\triangleright	G. Higgins	\$147.99 for legal fees on Kokeby
		land (Mar 01)
	J. Higgins	\$147.99 for legal fees on Kokeby
		land (Mar 01)

land (Mar 01)

\$147.99 for legal fees on Kokeby

CARRIED 5-2

7.3 **FINANCE**

ITEM NUMBER: 7.3.6

DATE: 20 June 2005

PROPOSED LOAN 116 - RUBBER TYRED ROLLER SUBJECT:

FILE REFERENCE: FM020

AUTHOR: Deputy Chief Executive Officer – Stephen Gollan

BACKGROUND

Council at the December 2004 Council meeting resolved to raise a loan for the purchase of a Rubber Tyred Roller.

COMMENT

As yet this loan has not been raised, due to Council having sufficient municipal funds when making payment on the roller. At the time of writing this report Council has got \$600,000.00 invested from the Municipal fund.

Again this year it appears that Council will carry forward a significant surplus, Council may if it wishes rescind Motion 9/1204 of the December 2004 Council meeting. If Council is in agreeance to this, this will keep the surplus at the current level.

Moved Cr Leonhardt M25/0605

Roller".

Seconded Cr Szczecinski That Council rescind Motion 9/1204 of the December 2004 Council meeting that reads: "That Council authorise the raising of Loan 116 for the amount of \$132,000.00 with half yearly repayments over a period of ten (10) years for the purchase of a Rubber Tyred

CARRIED 7-0

Mr Steve Gollan, Deputy Chief Executive Officer, left Council Chambers at 2.30pm.

Mr Steve Vincent, Works Supervisor, entered Council Chambers at 2.30pm.

7.4 **ADMINISTRATION**

ITEM NUMBER: 7.4.1

7 June 2005 DATE:

SUBJECT: **DEDICATION OF PORTION WESTDALE ROAD**

FILE REFERENCE: **WES 1933**

AUTHOR: Chief Executive Officer – Keith Byers

BACKGROUND

A number of decades ago the Beverley Road Board realigned a section of the Westdale Road which had the effect of resuming small portions of Avon Location 1933, Beverley A.A Lots 60, 76 and 157. At the time the necessary resumption procedures and the dedication of the realignment as a road did not take place. Fortunately the respective owners Messrs D J Barrett-Lennard, D F Adams and W A Hill have endorsed the action and agreed to hand over the land in question.

COMMENT

In order that the matter be rectified, Council is required to resolve that the portions of Avon Location 1933 and Beverley A.A Lots 60, 76 and 157, now and utilised as the Westdale Road, be dedicated as a road reserve.

M26/0605 **Moved Cr Foster**

Seconded Cr Szczecinski That the combined area of approximately 2920 square metres resumed from Avon Location 1933, Beverley AA Lots 60, 76 and 157 be dedicated a road and that the Department of Planning and Infrastructure be indemnified in accordance with Section 58 of the Land Administration Act against any claim that might arise from this action.

7.4 ADMINISTRATION

ITEM NUMBER: 7.4.2

DATE: 7 June 2005

SUBJECT: NORTHAM SALEYARDS

FILE REFERENCE: ED 012

AUTHOR: Chief Executive Officer – Keith Byers

BACKGROUND

For some time the Northam Saleyards Relocation Committee has been undertaking a feasibility study to ascertain the viability of construction saleyards in Northam.

The Committee has now progressed to the stage where it has recommended to Local Government that construction proceed. Ground plans have been finalised, the site surveyed and final specifications are being considered to allow for the calling of tenders.

The Shires of Northam, Goomalling and the Town of Northam are now offering \$10,000 shares in the venture. The Shire and Town of Northam have indicated their willingness to purchase 100 shares each and the Shire of Goomalling 50 shares.

COMMENT

At Council's February 2005 meeting it was resolved that the Shire of Beverley support in principle the construction of saleyards in Northam.

At this stage no business plan for the saleyards has been presented, however Council may consider the benefits to Beverley primary producers of having this facility in Northam worthy of purchasing a limited number of shares.

M27/0605

Moved Cr Leonhardt Seconded Cr McDonald That Council do not wish to purchase shares in the Northam Saleyard venture.

7.4 **ADMINISTRATION**

ITEM NUMBER: 7.4.3

7 June 2005 DATE:

SUBJECT: ON-LINE LICENSING AND REGISTRATION SERVICES

FILE REFERENCE: TT 001

AUTHOR: Chief Executive Officer – Keith Byers

BACKGROUND

Since the 22 January 1998 Council has had a contract with the Department of Planning and Infrastructure to provide an On-Line Licensing and Registration Service. The contract expires on the 30 June 2005 and the Department is offering an extension until 30 June 2006.

COMMENT

Council receives approximately \$21,000.00 commission per annum. This figure does not fully cover costs, however it does create local employment and provides a significant service to the community.

M28/0605 **Moved Cr Foster**

Seconded Cr Szczecinski That Council renew the contract with the Department of Planning and Infrastructure to provide On-Line Licensing and Registration Services for a further twelve months.

7.4 ADMINISTRATION

ITEM NUMBER: 7.4.4

DATE: 8 June 2005 SUBJECT: BENNETTS ROAD

FILE REFERENCE: WO BEN 0091

AUTHOR: Chief Executive Officer – Keith Byers

BACKGROUND

The owners of Beverley A.A Lot 337 have written seeking permission to fence the unused triangular portion of Bennetts Road that adjoins their land.

The purpose of the fencing proposal is to –

- (a) prevent the dumping of rubbish in the area
- (b) enable the owners to create a safer firebreak on their property, and
- (c) increase the opportunity to protect the environment with the intention of maintaining current vegetation and the planting of more trees.

COMMENT

This portion of road reserve was created when Bennetts Road was realigned many years ago. The area of this neglected portion of the reserve is approximately 2ha.

M29/0605 M

Moved Cr Szczecinski

Seconded Cr McLean
That permission be granted to the owners of Beverley Lot A.A Lot
337 to fence the triangular unused portion of Bennetts Road
adjoining their property for the purpose of protecting the
environment.

7.4 **ADMINISTRATION**

ITEM NUMBER: 7.4.5

DATE: 15 June 2005

SUBJECT: **ACCOUNT: OPERATOR SERVICES (D.VINCENT)**

FILE REFERENCE: FM024

AUTHOR: Chief Executive Officer – Keith Byers

BACKGROUND

Mr D. Vincent (Operator Services) has forwarded invoices totalling \$1,584 for the replacement of ground engaging tools when operating his excavator on the Westdale Road. Mr Vincent as explained that the granite rocks caused the points on his machine to wear far more rapidly than would normally be the case. Furthermore, Mr Vincent claims this type of charge is an industry standard.

COMMENT

Whilst it is acknowledged that the rock at the Westdale Road would have been responsible for extra wear and tear, I would have expected this to be covered in his hourly rate for the machine, as is done with Quairading Earthmoving (who's hourly rate is more expensive than Operator Services, but includes ground engaging tools and transport allowances). The industry standard which relate to ground engaging tools is for dry hire, which is not the case in this particular circumstance.

M30/0605 **Moved Cr Leonhardt**

Seconded Cr McDonald That Council not pay Operator Services for the extra cost of ground engaging tools as there was no notice of the intent to charge for such when they were required.

CARRIED 4-3

7.4 ADMINISTRATION

AGENDA REFERENCE: 7.4.6

DATE: 15 June 2005

SUBJECT: KINDERGARTEN PLAYGROUND STRUCTURE

FILE REFERENCE: CS007

AUTHOR: Chief Executive Officer – Keith Byers

BACKGROUND

A request has come from the Kindy/Pre-Primary Committee for Council to provide a \$5,000, interest free loan, payable over three years, for the purpose of providing shade at the Kindergarten playground.

COMMENT

The Kindergarten was relocated to the School grounds early in 2004. The shift has meant that the Committee has needed to fundraise aggressively to provide necessities at the new facility. Still required is a café blind for the verandah (\$4,000) and a solid Colorbond shade structure (\$5,000).

It has been indicated by the Committee that the funds are not available from the Education Department in the immediate future.

Should Council consider this request in a favourable light, it may be preferable to allocate approximately \$2,500 (which was surplus from the playground at the oval and currently held in Trust) and the remaining \$2,500 from the Cropping Committee, rather than providing an interest free loan.

M31/0605

Moved Cr McLean Seconded Cr Foster
That Council donate \$5,000 (\$2,500 currently held in Trust plus
\$2,500 from the Cropping Committee) for the Kindy/Pre-Primary
Committee, for the purpose of providing shade at the Kindergarten
playground.

CARRIED 5-2

8. INFORMATION BULLETIN

8.1 CHIEF EXECUTIVE OFFICER

ITEM NUMBER: 8.1.1

DATE: 14 June 2005

SUBJECT: AGRICULTURAL PROTECTION BOARD

FILE REFERENCE: GR006

AUTHOR: Chief Executive Officer – Keith Byers

BACKGROUND

The Agricultural Protection Board has advised that the term of Council's representative on the Zone Control Authority, Mr Peter Young, has expired.

Council is invited to either re-nominate Mr Young or find a suitable replacement to fulfill the position for the further three years.

M32/0605 Moved Cr Foster

Seconded Cr Szczecinski

That Council re-nominate Mr Peter Young and request him to continue to be Council's representative on the Zone Control Authority for the Agricultural Protection Board.

8.1 CHIEF EXECUTIVE OFFICER

ITEM NUMBER: 8.1.2

DATE: 14 June 2005 **AVON TOURISM** SUBJECT:

FILE REFERENCE: ED003

AUTHOR: Chief Executive Officer – Keith Byers

BACKGROUND

The Avon Tourism Inc. has forwarded their Business and Marketing Plan for the years 2005/2006, 2006/2007 and 2007/2008. The plan is dependent upon Beverley contributing \$3,250, \$4,470 and \$4,875 over the respective three years.

Council has been requested to:

- a) comment/endorse the proposed plan
- b) provide guidance with regard to representation and scope of non-contributing Local Governments in all advertising literature and brochures undertaken by Avon Tourism, and
- c) endorse the nominations to the Board of Local Government representatives to the Board, Crs Cathy Wood (Brookton) and Bert Llewellyn (Northam).

I believe this is a very good opportunity to discuss Council's attitude and commitment towards tourism within the region and more specifically, Beverley.

M33/0605 Moved Cr Szczecinski

Seconded Cr McDonald That Council endorse the Avon Tourism Business and Marketing Plan and make contributions on a year-to-year basis.

8.1 CHIEF EXECUTIVE OFFICER

ITEM NUMBER: 8.1.3

DATE: 17 June 2005

SUBJECT: GOPHER PARADE

FILE REFERENCE: PH025

AUTHOR: Chief Executive Officer – Keith Byers

BACKGROUND

The Beverley Health Services has requested Council's support for the forthcoming Gopher Parade which is to be held as part of Seniors Week on the 25 October.

Financial assistance is needed to 'dress up' the gophers, cost of transportation for clients, and prizes for the best dressed gopher.

M34/0605 Moved Cr Foster Seconded Cr Szczecinski

That Council donate \$200 to the Beverley Health Services in

support of the Gopher Parade in October 2005.

CARRIED 4-3

8.1 CHIEF EXECUTIVE OFFICER

ITEM NUMBER: 8.1.4

DATE: 17 June 2005

SUBJECT: FESA CAPITAL GRANTS FIVE YEAR PLAN

FILE REFERENCE: GS011

AUTHOR: Chief Executive Officer – Keith Byers

BACKGROUND

On the 5 April 2005 I expressed concern that the Five Year Capital Grants Plan indicated that the Westdale Unit would be replaced with a 2.4 refurbished unit in 2007/2008.

The following reply has been received.

The 3.4 rural tankers are no longer available as a new vehicle and have been replaced by the 2.4 rural tankers. The operational benefits such as manoeuvrability and height are overshadowed by the fact that there could be as little as 300 litres more water in a 3.4 Rural Tanker. Along with this, the size of the vehicle prevents it from fitting in many of the Fire Stations throughout the country region

We have been using the same terminology in relaying details of refurbished tankers in build programs and the letter should have indicated a refurbished tanker as opposed to indicating the actual size and type.

The vehicle that will be assigned to your Shire in the 2007/08 will be dependent upon the quality of vehicles actually returned for refurbishment in that year. Be assured that the vehicle assigned will suit your risks and circumstances.

M35/0605

Moved Cr Schilling

Seconded Cr Leonhardt

That Chief Executive Officer, Keith Byers forward an invitation to

Mr Kevin Cuneo of F. E. S. A. to attend Shire of Beverley July

Council meeting to discuss the F. E. S. A. Capital Grants Five Year

Plan, along with invitations to Beverley Fire Control Officers: Rob

Williamson, Jim Aird, Gary Miller and John Barrett-Lennard.

CARRIED 7-0

Mr Steve Vincent, Works Supervisor, left Council Chambers at 3.55pm.

8.2 **ENVIRONMENTAL HEALTH OFFICER / BUILDING SURVEYOR**

General duties: building activities follow-ups, Building returns, water sampling, Builders Registration Board returns.

M36/0605 **Moved Cr Szczecinski**

Seconded Cr Leonhardt That the Environmental Health Officer / Building Surveyor's Report

as presented, be received.

CARRIED 7-0

9. TABLED CORRESPONDENCE

Government of WA/Insurance Commission of WA/Road Safety Council - 'Reported Road Crashes in Western Australia 2002 Report'. (File Reference: TT003)

Beverley Naturalist Club - Survey Results - 'Grasstree Assessment of Reserve No.27230- Poison Hill', 'Poison Hill Reserve Assessment Report', 'Aiken Road Remnant Vegetation Rapid Site Assessment', 'Carolling Rd Remnant Vegetation Rapid Site Assessment', 'Avon River (Speldhurst Pool / Edwards St) Site Report and Assessment'. 'Avon River (Town Pool / Eyres Pool) Site Report and Assessment', 'Johnson Rd / Bally Bally Site Report and Assessment'. (File Reference: RC001 + property/road files)

Western Australian Local Government Association – 'Strategic Plan 2005-2010 (File Reference: GR013)

CPA Australia - 'Excellence in Governance for Local Government' (File Reference: GOV005)

Western Australian Centre for Remote and Rural Medicine - 'WACRRM Annual Review 2004' (File Reference: PH028)

10. OTHER BUSINESS

11. **CLOSURE**

There being no further business the meeting closed at 4.05pm.

I hereby certify these Minutes as being confirmed in accordance with Section 5	.22 of the Local
Government Act 1995.	

Presiding Member

Date