



SHIRE OF YORK

## NOTICE OF MEETING

Dear Councillors

I respectfully advise that the ORDINARY COUNCIL MEETING will be held at the Talbot Hall, Talbot on Monday, 28 May 2018, commencing at 5.00pm.

MEETING AGENDA ATTACHED

*Paul Martin*

PAUL MARTIN  
CHIEF EXECUTIVE OFFICER  
Date: 18 May 2018

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**MISSION STATEMENT**  
*"Building on our history to create our future"*



## **Local Government Act 1995 (as amended)**

### **Part 1 Introductory Matters**

#### 1.3. Content and intent

- (1) This Act provides for a system of local government by —
  - (a) providing for the constitution of elected local governments in the State;
  - (b) describing the functions of local governments;
  - (c) providing for the conduct of elections and other polls; and
  - (d) providing a framework for the administration and financial management of local governments and for the scrutiny of their affairs.
- (2) This Act is intended to result in —
  - (a) better decision-making by local governments;
  - (b) greater community participation in the decisions and affairs of local governments;
  - (c) greater accountability of local governments to their communities; and
  - (d) more efficient and effective local government.
- (3) In carrying out its functions a local government is to use its best endeavours to meet the needs of the current and future generations through an integration of environmental protection, social advancement and economic prosperity.

### **Part 2 Constitution of Local Government**

#### **Division 2 Local Governments and Councils of Local Governments**

#### 2.7 The Role of Council

- (1) The Council —
  - (a) directs and controls the Local Government's affairs; and
  - (b) is responsible for the performance of the Local Government's functions.
- (2) Without limiting subsection (1), the Council is to —
  - (a) oversee the allocation of the Local Government's finances and resources;and
  - (b) determine the Local Government's policies.

#### **Meetings generally open to the public**

- 5.1.** (1) Subject to subsection (2), the following are to be open to members of the public —
- (a) all council meetings; and
  - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a council or by a committee referred to in subsection (1) (b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —
- (a) a matter affecting an employee or employees;
  - (b) the personal affairs of any person;
  - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
  - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
  - (e) a matter that if disclosed, would reveal —
    - (i) a trade secret;
    - (ii) information that has a commercial value to a person; or
    - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;

- (f) a matter that if disclosed, could be reasonably expected to —
    - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
    - (ii) endanger the security of the local government's property; or
    - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
  - (g) information which is the subject of a direction given under section 23 (1a) of the *Parliamentary Commissioner Act 1971*; and
  - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.



Shire of York

## **G 2.6 PUBLIC QUESTION TIME**

### **Policy Statement**

- 1.0 “Public Question Time” will be limited to 15 minutes\*. The Council may exercise a discretion to extend the time by resolution if required. If there are questions remaining unasked at the expiration of the time allotted members of the public will be asked to submit their questions in writing to the Chief Executive Officer who will provide a written reply with the response placed in the Agenda of the next Ordinary Meeting of the Council.  
  
*\* A minimum of 15 minutes is provided by Regulation 6(1) of the Local Government (Administration) Regulations 1996 (S.5.24 of the Local Government Act 1995)*
- 2.0 Questions may be asked at the Ordinary Council Meeting and any Committee meeting on any matter affecting the Council and the Shire’s operations. Questions submitted to Special Meetings of the Council will be restricted to the subject matter of the meeting.
- 3.0 Each questioner will be limited to two (2) questions. Statements or long preamble are not permitted.
- 4.0 People wishing to ask questions will be encouraged to put their questions in writing or in a prescribed form and submit them to the Chief Executive Officer prior to 10 am on the day of the meeting. This allows for an informed response to be given at the meeting. Oral questions are permitted.
- 5.0 Priority will be given to questions about matters on the agenda for the meeting and which are submitted in accordance with 4.0 above.
- 6.0 Every person who wishes to ask a question must identify themselves and register with a Council Officer immediately prior to the meeting. Subject to 5.0 above questions will be taken in the order in which people register.
- 7.0 Questions containing offensive remarks, reference to the personal affairs or actions of Elected Members or staff, or which relate to confidential matters or legal action will not be accepted. Questions that the Presiding Member considers have been answered by earlier questions at the meeting or earlier meetings may not be accepted.
- 8.0 On receipt of a question the Presiding Member may answer the question or direct it to the Chief Executive Officer to answer. If the question is of a technical nature the Chief Executive Officer may direct the question to a senior technical officer present. If the question requires research it will be taken on notice.
- 9.0 There will be no debate on the answers to questions.

- 10.0 A summary of the question and the answer will be recorded in the minutes of the Council meeting at which the question was asked.
- 11.0 Public Question Time guidelines incorporating this policy are being prepared and will include information on the other methods of enquiry that are available to members of the public to obtain information from the Shire.

Adopted 21 October 2013  
Amended 17 September 2015  
Amended 23 November 2015



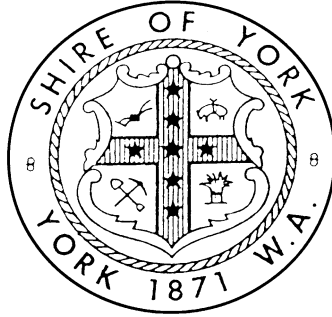




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## SHIRE OF YORK

THE ORDINARY MEETING OF THE COUNCIL WILL BE  
HELD ON MONDAY, 28 MAY 2018, COMMENCING AT  
5.00PM AT THE TALBOT HALL, TALBOT

The York Shire Council acknowledges the traditional owners of the land on which this meeting will be held.

### 1 OPENING

1.1 Declaration of Opening

1.2 Disclaimer

The Shire President advised the following:

*"I wish to draw attention to the Disclaimer Notice contained within the agenda document and advise members of the public that any decisions made at the meeting today, can be revoked, pursuant to the Local Government Act 1995.*

*Therefore, members of the public should not rely on any decisions until formal notification in writing by Council has been received. Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material."*

1.3 Standing Orders

1.4 Announcement of Visitors

1.5 Declarations of Interest that Might Cause a Conflict

*Councillors/Staff are reminded of the requirements of s5.65 of the Local Government Act 1995, to disclose any interest during the meeting when the matter is discussed and also of the requirement to disclose an interest affecting impartiality under the Shire of York's Code of Conduct.*

Name	Item No & title	Nature of Interest (and extent, where appropriate)

## 1.6 Declarations of Financial Interests

*A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration*

*Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.*

<b>Name</b>	<b>Item No &amp; title</b>	<b>Nature of Interest (and extent, where appropriate)</b>

## 1.7 Disclosure of Interest that May Affect Impartiality

*Councillors and staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that might cause a conflict. The member/employee is also encouraged to disclose the nature of the interest. The member/employee must consider the nature and extent of the interest and whether it will affect their impartiality. If the member/employee declares that their impartiality will not be affected then they may participate in the decision making process.*

<b>Name</b>	<b>Item No &amp; Title</b>

## 2 ATTENDANCE

- 2.1 Members
- 2.2 Staff
- 2.3 Apologies
- 2.4 Leave of Absence Previously Approved
- 2.5 Number of People in the Gallery at Commencement of the Meeting

## 3 QUESTIONS FROM PREVIOUS MEETINGS

- 3.1 Response to previous public questions taken on notice

**Mr Kim Nottle**

### **Question 2:**

I was under the impression that you could not build a shed without a house plan being submitted to Council.

### **Response by the Senior Planner:**

Local Planning Policy No. 5 requires a development application to be submitted for outbuildings on vacant sites that do not have a dwelling constructed or being constructed. In assessment of the application, consideration is given to whether the application meets the objectives of the outbuildings policy, potentially R-Codes (depending on the zone) and objectives and development standards of the Shire of York Town Planning Scheme No.2. An objective in the Residential zone is to encourage single houses as the predominant form of residential development.

- 3.2 Response to unasked questions from the previous meeting  
*Nil*

#### **4 PUBLIC QUESTION TIME**

Public Question Time is conducted in accordance with the Act and Regulations. In addition to this the Shire's Council Meetings Local Law 2016 states –

##### **6.7 Other procedures for question time for the public**

*(1) A member of the public who wishes to ask a question during question time must identify themselves and register with a Council Officer immediately prior to the meeting.*

*(2) A question may be taken on notice by the Council for later response.*

*(3) When a question is taken on notice the CEO is to ensure that—*

*(a) a response is given to the member of the public in writing; and*

*(b) a summary of the response is included in the agenda of the next meeting of the Council.*

*(4) Where a question relating to a matter in which a relevant person has an interest is directed to the relevant person, the relevant person is to—*

*(a) declare that he or she has an interest in the matter; and*

*(b) allow another person to respond to the question.*

*(5) Each member of the public with a question is entitled to ask up to 2 questions before other members of the public will be invited to ask their questions.*

*(6) Where a member of the public provides written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.*

*(7) The Presiding Member may decide that a public question shall not be responded to where—*

*(a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;*

*(b) the member of the public uses public question time to make a statement, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or*

*(c) the member of the public asks a question that is offensive or defamatory in nature, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.*

*(8) A member of the public shall have 2 minutes to submit a question.*

*(9) The Council, by resolution, may agree to extend public question time.*

*(10) Where any questions remain unasked at the end of public question time they may be submitted to the CEO who will reply in writing and include the questions and answers in the agenda for the next ordinary Council meeting.*

*(11) Where an answer to a question is given at a meeting, a summary of the question and the answer is to be included in the minutes.*

4.1 Written Questions – Current Agenda

4.2 Public Question Time

**5 APPLICATIONS FOR LEAVE OF ABSENCE**

**6 PRESENTATIONS**

6.1 Petitions

6.2 Presentations

6.3 Deputations

6.4 Delegates reports

**7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

7.1 Minutes of the Ordinary Council Meeting held 23 April 2018

Confirmation

“That the minutes of the Ordinary Council Meeting held 23 April 2018 be confirmed as a correct record of proceedings.”

**8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

**9 OFFICER’S REPORTS**

***SY049-05/18 – Development Application: Conservation Works, Additions & Alterations to Heritage Listed Building, including First Floor Works to Accommodate Function Room, Managers Residence & Store Rooms at Lots 12 and 13 (83) Avon Terrace, York***

**FILE REFERENCE:** AV1.12790  
**APPLICANT OR PROPONENT(S):** Imperial Hospitality Pty Ltd & TPG + Place Match  
**AUTHORS NAME & POSITION:** Carly Rundle, Senior Planner  
**RESPONSIBLE OFFICER:** Bret Howson, Acting Executive Manager  
Infrastructure & Development Services  
**PREVIOUSLY BEFORE COUNCIL:** Nil  
**DISCLOSURE OF INTEREST:** Nil  
**APPENDICES:**  
A – Site Plan  
B – Applicants Submission  
C – Development Plans  
D – Occupancy and Parking Management Strategy  
E – Heritage Council of Western Australia Submission

**Nature of Council’s Role in the Matter:**

- Quasi-judicial

**Purpose of the Report:**

To request Council to make a determination on an application received for conservation works, additions and alterations to a Heritage Listed Building, including first floor works to accommodate a function room, manager’s residence and store rooms at Lots 12 and 13 (83) Avon Terrace, York

Council is requested to consider the application as proposed.

**Background:**

Lots 12 and 13 (83) Avon Terrace have a combined area of 2,542m<sup>2</sup> and are located at the intersection of Joaquina Street and Avon Terrace. The property is zoned ‘Town Centre’ by the Shire of York Town Planning Scheme No.2 (Scheme) and contains a building known as the ‘Imperial Hotel’ which is listed on the State Heritage Register and Shire of York Municipal Heritage Inventory/Heritage List as a Category 1a building.

The property adjoins land similarly zoned Town Centre to the north and east, the Town Hall and Shire offices identified as public purpose reserve to the south, and Peace Park to the west identified as a reserve for open space and recreation.

Existing development on the site consists of a two-storey building over the southeast portion, four detached accommodation units, a courtyard over the southwestern portion of the site adjacent to the remnants of a stables and laundry, and an informal car park over the northern portion.

The ground floor of the Imperial Hotel has previously been used for restaurant, café, bar/function room, office and kitchen facilities with a main central staircase to the first floor. A single-storey stone kitchen forms an extension to the main building to the west, and a brick and zincalume toilet block lean-to extension to the north elevation which was added in the 1970s. The first floor comprises fourteen hotel rooms, shared ablution facilities, store rooms and a communal shower and toilet. The building has been closed for a number of years and at the time of this report is not in operation.

A site plan of the property is provided in **Attachment A**.

A development application has been received proposing:

- Ground Floor alterations and additions:
  - Modification of the 1970's built male and female toilets extension;
  - Modification of the former managers office to allow for a new universal access toilet facility;
  - Removal of all internal elements within the kitchen extension and replacement with modern fittings;
  - Alterations to the kitchen extension to accommodate a new service entry and utilities compound; and
  - Modifications to three existing entrances to ensure compliance with AS1428 (the original main entrance will not be altered).
- First Floor alterations and additions;
  - Alterations to create the function suite which includes the removal of two brick walls. The nibs will be retained for interpretive purposes;
  - Modifications to the layout of the male and female toilets; and
  - Creation of a manager accommodation unit;
  - Conversion of accommodation units to storerooms;
  - Conversion of rooms for utility and staff purposes including shower and toilet, and clean room.
- Erection of 1.8m high corrugated colorbond fence to the north of the refurbished toilet facility.
- Landscaping along the edge of the Avon Terrace pavement and proposed car park, which is proposed to accommodate 39 car parking bays, inclusive of disabled parking bay.
- Conservation works including repainting to match existing, repair of mortar cracks, replacing grey cement mortar with lime mortar and restoration of timbers.
- Drainage works including removal of hardstand extent to 300mm around building and fill with free draining material to create free draining channel adjacent to wall footing and connection of all downpipes to soakwells.

Development Plans are provided in **Appendix C**.

A Heritage Impact Statement (included as part of **Appendix B**), and Occupancy Management Strategy and Associated Car Parking Requirements (**Appendix D**) was submitted in support of the development application.

#### **Comments and details:**

The application is required to be assessed in accordance with the Shire of York's Local Planning Scheme and *Planning and Development (Local Planning Schemes) Regulations 2015* – Deemed Provisions.

#### Shire of York Town Planning Scheme No.2

The property is zoned 'Town Centre' by Shire of York Town Planning Scheme No.2. The building is not currently in use, although has previously been used for purposes such as a restaurant, café/bar, gallery, accommodation and functions. The development application proposes the use of property and building for similar purposes including restaurant/café, bar,



accommodation, manager's residence, and modification of the first floor to reduce the number of accommodation units and alterations to create a function room on the first floor. The overall land use which will include a mixture of bar, function spaces, restaurant, manager's accommodation and short stay accommodation is considered consistent with the land use of a 'Hotel'.

A 'Hotel' is defined in the Scheme as:

*"means premises the subject of a hotel licence other than a small bar or tavern licence granted under the Liquor Control Act 1988 including any betting agency on the premises."*

A hotel licence generally authorises the sale and supply of liquor for consumption on the premises, sale and supply of packaged liquor, and accommodation which is consistent with the uses proposed to occur on site as part of this application. A 'Hotel' is an 'AA' use in the Town Centre zone, which means that the use is not permitted unless the local government has exercised its discretion by granting planning consent.

The objectives of the Town Centre zone are:

- a) *to retain the town centre of York as the principal place for retail, commercial, civic, and tourist-oriented uses in the District*
- b) *to preserve the unique qualities of the town centre as a heritage place, including the conservation of existing heritage buildings, and to avoid development which will detract from those qualities.*
- c) *to ensure development complies with Design Guidelines adopted by the local government for the town centre.*
- d) *to encourage a high standard of development of commercial facilities to service the residents, the farming sector, tourists, and travellers.*
- e) *to encourage a high standard of landscaping in and around the town centre; the local government will undertake planting of shade trees in road reserves and public carparks where appropriate.*
- f) *to encourage a high standard of residential and residential mixed-use development in appropriate locations that contribute to the amenity, security and economic sustainability of the town centre.*

The proposed development encompassing bar, restaurant/café, function and accommodation uses is generally consistent with how the property has been previously used and operated, although involves modification to first floor uses to accommodate additional function space and ceasing of short stay accommodation uses on the first floor. The proposed development is consistent with the objectives of the Town Centre zone as the development will facilitate use of the property for commercial and tourist uses, is appropriately located in the town centre, will result in use of a heritage building with minimal alteration to the external appearance and will result in conservation works to the building being undertaken. The use of the property and building for a hotel is considered consistent with the objectives of the Town Centre zone.

Other relevant provisions of the Scheme include clause 4.9.2 development requirements and 5.1 relating to heritage – precincts and places of cultural significance and Clause 4.5 Car Parking Requirements.

Development requirements listed in the Scheme applicable to the Town Centre zone relate to height and external appearance, preservation of heritage values, compliance with heritage design guidelines, car parking being co-ordinated. This application mostly involves modifications to the interior, although proposes minor modification to the exterior for compliance with the Building Code of Australia, conservation works, erection of fencing and landscaping. The exterior modifications are minor and are generally consistent with development standards of the Scheme.

Clause 4.5 Car Parking requirements requires the use or development of land to provide car parking spaces as specified in Schedule 4 of the Scheme. The applicant has submitted a car parking assessment (Table 2) of the Proposed Occupancy Management Strategy and Associated Car Parking Requirements (**Appendix D**). Car Parking Requirements have been based on practical useable space of the building, and the following requirements of Schedule 4:

- thirty-four (34) spaces for every 100 square metres of drinking area other than public lounge drinking areas;
- One (1) space for every four (4) seats which an eating area is designed to provide, or twenty-five (25) spaces for every 100 square metres of eating area or part thereof, whichever produces the greater number of parking spaces.
- One (1) space for every bedroom;
- One (1) space for every 100 square metres of beer garden or outdoor drinking area.

The applicant's assessment indicates that 68 bays would be required for the use based on area. Officers' calculations indicate that 79 bays may be required based on area. 79 car parking bays could not reasonably be accommodated on site without modification to buildings onsite, or erection of double storey car park (both which have potential to impact heritage values of the property), or the payment of cash in lieu for car parking bays which cannot be provided onsite. The development plan proposes to provide 39 car parking bays (inclusive of disabled bays) on the property representing a variation to Clause 4.5 of the Scheme.

Clause 4.6 'Discretion to Modify Development Standards', gives ability to vary a development standard prescribed by the Scheme, relating to car parking, if it is satisfied that:

- (a) Approval of the proposed development would be consistent with orderly and proper planning of the locality and the preservation of amenities of the locality; and*
- (b) The non-compliance will not have an adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.*

The applicants have submitted an Occupancy Management Strategy and Associated Car Parking Requirements to describe how the owners intend to operate the proposed hotel and how car parking requirements will be met based on proposed operation. The operation management strategy identifies a number of scenarios as to how the Hotel will function indicating that occupancy of all areas will not be made available at any one time and calculates anticipated patron numbers based on tables and seats that the space can accommodate (seating plans are provided in Development Plans in **Appendix B**).

The occupancy management strategy adequately demonstrates that car parking requirements generated by the development can be provided onsite by making 38 car parking bays available onsite (inclusive of disabled bay). A total of 39 bays (inclusive of disabled bay is proposed). As such officers are satisfied that the variation is consistent with Clause 4.6 of the Scheme.

It is noted that the owners may wish to open the ground floor for operation prior to first floor and car parking construction occurring. A condition of approval will require compliance with the occupancy management strategy at all times, and if operation is to occur which does not comply with the occupancy management strategy (ie operation prior to 39 bays being constructed), it is anticipated that temporary arrangements could be incorporated into the occupancy management strategy (as approved by the local government). This may include a short addendum setting out how car parking will be managed prior to construction of the 39 bays and could include use of a lesser area, limitation on numbers or potentially temporary reliance on street parking provided there is a committed timeframe to the carparking being provided.

## Clause 67 – Matters for Consideration (Regulations)

Local government is to give due regard to Clause 67 in the consideration of any development application. The following are those relevant to the application and require consideration:

*(c) Any approved State planning policy, (k) the building heritage conservation of any place that is of cultural significance & (za) the comments or submissions received from any authority consulted under clause 66*

The property, known as the Imperial Hotel is listed on the State Heritage Register and the Shire of York's Heritage List as a Category 1A. A Category 1A means it is a place of exceptional cultural heritage significance for the Shire of York and State of WA and is either on the State Heritage List or worthy for entry on the register and that the place should be retained and conserved. A development application needs to be submitted and referred to the Heritage Council of Western Australia (HCWA) for approval.

The Imperial Hotel is a two-storey random coursed stone and corrugated iron Victorian Filigree building constructed in 1886, with outbuildings comprising former stables and second-class lodger's accommodation. The building is listed in the HCWA Register as having cultural heritage significance for aesthetics, historic and social values. It is noted as rare, being an example of a hotel that has retained its original stables and includes detached second-class lodgers accommodation and is a fine representation of a Victorian Filigree hotel, notwithstanding the reconstructed verandah. The condition of the building is listed as good, although notes that paint is weathered, there is some cracking on the exterior and interior walls, and evidence of dampness along the sections of the kitchen walls, but otherwise no indications of recent rising damp damage. The property has a high degree of integrity and the remaining original fabric is mostly intact having a moderate to high degree of authenticity. The verandah is a reconstruction and there has been changes to the interior, most significantly the removal of interior walls, on the ground floor of the gallery 1 of the Avon Terrace frontage and the Joaquina street frontage, lounge and support room, and on the first floor in private bedroom and lounge and female bathroom facilities. The stables were damaged by fire and the second-class lodgers accommodation has had a new verandah constructed and concrete floor with windows infilled. The trellis in the rear yard are of no heritage significance and the ablutions block adjoining the rear of the hotel is of no heritage significance and is intrusive.

This application proposes a number of alterations to the building to facilitate use of the building for restaurant, function, bar and accommodation purposes and compliance with the Building Code of Australia (BCA) which involves removal of some internal walls, expansion of bathroom areas, modification of doors, erection of rear screen fencing and conservation works such as repainting, repointing mortar, restoration of timbers and drainage works.

The Regulations, Scheme, Local Planning Policy No.3 Heritage Precincts and Places and State Planning Policy 3.5 Historic Heritage Conservation generally sets out that development should conserve and protect the cultural heritage significance and not detract from its heritage significance and should be compatible with the siting, architectural style and form, materials and external finishes of the place.

The applicant has submitted a Heritage Impact Statement to determine the impact of works on the heritage significance of the property (**Appendix B**). Generally, the proposed alterations to suit the BCA and alterations to bathrooms are not anticipated to have an impact on original fabric and conservation works are beneficial to original fabric being preserved.

Of significance is the modification of interior walls for the function room, and modification of the first-floor layout, representing impact to original fabric of the building. Whilst the modification of the upstairs represents alteration to original fabric, the heritage impact statement has outlined that the modifications will have minimal impact on the statement of significance (why the property is listed as having cultural heritage significance) which primarily focuses on the architecture, stables, detached accommodation, external appearance and setting. Areas of significance on the exterior of the building are not being altered, and although modification to original fabric is proposed, given that the modifications will assist in use of the building and result in conservation works being undertaken, removal of walls is minimal and works to accommodate a function room on the first floor has been minimised, and interpretation of works undertaken such as retention of nibs and bulkheads is proposed, the works are supported. A condition of approval will require that works be recorded and documented.

The Heritage Council of Western Australia was referred the application for comment and provided advice that the works were supported on the premise that they will assist in revitalising the place and subject to the following conditions:

1. *“Inappropriate cement mortars are to be removed by hand to protect the stonework of the building;*
2. *New mortars are to be lime rich and match the composition and colour of the original mortar;*
3. *Timber repairs are to be like-for-like;*
4. *No abrasive blasting is to be used to remove paint from the metal balustrades, this is to be undertaken by hand.*
5. *A structural investigation is to be carried out prior to undertaking the conservation works to the stonework. The outcomes of any such investigation are to be forwarded to the Heritage Council for review.*
6. *No demolition work is to be undertaken to the ruins at the rear of the site.*
7. *Wall nibs of approximately 450mm are to be retained where walls are being removed on the first floor to accommodate a new function room.*

*Further to the above conditions, it is strongly recommended that a heritage practitioner, with experience in the physical conservation of fabric, oversees this project to ensure that repairs are undertaken appropriately.”*

Advice from the Heritage Council will be included as conditions of approval and/or advice notes. A copy of the full submission is provided in **Appendix E**.

*(g) any local planning policy for the Scheme area & (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located*

The property is located within the Shire of York Central Heritage Precinct and is adjacent the York Town Hall to the south and York Convent School to the west via Peace Park both listed on the State Heritage Register.

Guidelines for development in the York Central Heritage Precinct are set out in Local Planning Policy No. 3 Heritage Precincts and Places (LPP3). Development standards set out in the policy are generally related to the external appearance such as scale and size, form, siting, materials etc. The building is existing and exterior works as part of this application are limited to minor modifications to doors, erection of fencing, car parking, landscaping and conservation works.

Standards in the policy applicable to this development include:

Section	Provision	Comment
4.4.3 Siting – Car Parking Location	In general terms, no car parking bays and carparking areas shall be provided in front of any building between the building and a public footpath.	Three car parking bays are proposed to be located forward of the Imperial Hotel building line to Avon Terrace. The policy outlines that car parking should be located to the rear to provide buildings at the lot boundary which can interact with pedestrians and create a pedestrian friendly environment.  Whilst the parking bays are forward of the Imperial Hotel building line, the parking bays are not located directly in between the building and footpath, will not obscure views of the building from the footpath, and the adjoining property to the north is built up to the boundary. A small area of landscaping is proposed between parking and footpath. Whilst the location of these three bays may be considered a variation to LPP3, given the location of parking to the side of the building and the siting of building to the north, it is considered that the location of these bays is unlikely to impact on the 'pedestrian' friendly environment of Avon Terrace.
4.4.4 Materials and Colours	Acceptable materials for new commercial buildings and additions, retaining walls, extensions or modifications to existing commercial buildings are as follows: Walls – colorbond finish are appropriate for side and rear walls and outbuildings.	New 1.8m high colorbond fences are proposed to be erected at the rear of the building to screen the toilet entry and new services compound. The use of colorbond complies with the policy. Colours have not been specified and will be conditioned on approval.  A new 1.8m high colorbond fence was proposed to be erected, offset 300mm from the northern lot boundary, although has been amended at the request of the applicant, following discussion with the owner of Lot 14 to a landscape screen.

Landscaping is exempt development under the policy. The proposed development is consistent with provisions of LPP3.

*n) the amenity of the locality including the following –*

- (i) the environmental impacts of the development;*
- (ii) the character of the locality;*
- (iii) social impacts of the development*

The proposed development proposes works to facilitate continued use of the property for accommodation, managers residence, bar, café/restaurant and function uses. The development does propose alterations to extend function uses upstairs, is generally consistent with existing uses which have previously and could operate on the site under existing approvals. It is not anticipated that the development will have an adverse impact on the amenity of the locality.

*(o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource & p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved*

The proposed development will not result in any new impervious areas being created that warrant a drainage plan being conditioned on approval. However, modification of drainage to direct water away from the building is proposed such as connection of downpipes to soak wells and carparking area directing water away from buildings. As such it is considered appropriate that a condition of approval be included that stormwater be managed on site.

Landscaping is proposed on the Avon Terrace frontage between car parking and footpath and on the northern lot boundary to provide screening between car parking area and building on Lot 14. Two mature trees are proposed to be removed on the property to provide for car parking spaces. Whilst their retention is not required based on planning considerations, should Council wish to facilitate their retention and landowners are supportive, the condition regarding car parking to be implemented could be amended to reflect that a reduced number of bays may be accepted, to facilitate retention of established vegetation on site.

s) *the adequacy of –*

- (i) the proposed means of access to and egress from the site; and*
- (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles*

Access to the property for car parking and deliveries is via an existing crossover to Avon Terrace. The existing crossover is considered appropriate for continued use, although intensified use as a result of this development warrant the crossover being sealed to reduce gravel drag from the carpark onto the footpath. Sealing of 6m into the property from the Avon Terrace lot boundary would be appropriate and will be conditioned on approval.

The car parking layout is considered appropriate and consistent with the Scheme. There is potential from vehicles in parking bays facing the northern lot boundary and headlights to result in light pollution to windows of the dwelling. A screen fence was originally proposed to restrict light intrusion which was an appropriate response, although on the agreement between the applicants and Lot 14, this was amended to a landscape screen. A condition of approval will require a landscape screen to be implemented and maintained to restrict light intrusion from vehicle headlights.

A condition of approval will require implementation of the car parking plan and demarcation of car parking bays and approval of a lighting plan prior to implementation to ensure that any light spill to adjoining properties is minimised.

t) *the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probably effect on traffic flow and safety*

Avon Terrace is of a sufficient standard and has capacity to cater for any additional traffic generated by this development.

u) *the availability and adequacy for the development of the following –*

- (i) public transport services;*
- (ii) public utility services;*
- (iii) storage, management and collection of waste;*
- (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);*
- (v) access by older people and people with disability;*

Adequate servicing is available for the development, and works will improve access to the building for older people and people with a disability. A new Services Compound will provide for utility and bin storage which will be screened, and first floor works will provide a shower available for use should employees.

The works to the first floor may require compliance with relevant access and mobility standards of the Building Codes. Should any significant modifications be required as a result of this, not part of this development application, prior development approval may be required.

*(y) any submissions received on the application*

The application was advertised in the Avon Valley Gazette, placed on the website, and a letter sent to landowners within a radius of 300m from the property. The period for submissions to be made ended 20 April 2018.

Three public submissions were received on the application, all in support of the proposal and advising no objections.

**Options:**

Should Council disagree with the officer's recommendation, the following options are available:

1. Refuse the application and list reasons; or
2. Approve the application, with modified conditions.
3. Defer the application, and list reasons for deferral

**Implications to consider:**

- **Consultative**

The application was publicly advertised, referred to landowners in proximity to the site and sent to the Heritage Council for comment. Submissions received are discussed above.

- **Strategic**

The proposal is generally considered consistent with the Shire of York's 2018-2028 Strategic Community Plan.

- **Policy related**

There are no other policy implications associated with the proposal for the Shire.

- **Financial**

There are no known financial implications associated with the proposal for the Shire.

- **Legal and Statutory**

*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulation 2015*

*Heritage of Western Australia Act 1990*

- **Risk related**

A risk assessment of the proposal has been undertaken, and there were no medium to high risks identified with the proposal that warrant further discussion.

- **Workforce Implications**

There are no workforce implications associated with the officer's recommendation.

**Voting Requirements:**

**Absolute Majority Required:           No**

**OFFICER RECOMMENDATION:**

***“That Council approves the planning application for Conservation Works, Additions & Alterations to Heritage Listed Building, including First Floor Works to Accommodate Function Room, Manager’s Residence & Store Rooms at Lots 12 and 13 (83) Avon Terrace, York, subject to the following conditions:***

- 1. The development hereby approved shall be substantially commenced within two years of the date of this decision notice.***
- 2. The development hereby approved shall be undertaken in accordance with the signed and stamped, Approved Development Plan(s) (enclosed), including any notes placed thereon in red by the Shire and except as may be modified by the following conditions.***
- 3. Colours and materials to be used for the screening fence to the rear of the building shall comply with the provisions of Local Planning Policy No. 3 – Heritage Precincts and Place.***
- 4. Cement mortars are to be removed by hand to protect the stonework of the building.***
- 5. New mortars are to be lime rich and match the composition and colour of the original mortar.***
- 6. Timber repairs are to be like-for-like.***
- 7. No abrasive blasting is to be used to remove paint from the metal balustrades, this is to be undertaken by hand.***
- 8. A structural investigation is to be carried out prior to undertaking the conservation works to the stonework. The outcomes of any such investigation are to be forwarded to the local government, in consultation with the Heritage Council, for approval prior to works commencing.***
- 9. No demolition work is to be undertaken to the ruins at the rear of the site.***
- 10. Wall nibs of 450mm, or as approved by the local government, are to be retained where walls are being removed on the first floor to accommodate a new function room.***
- 11. Prior to commencement of works, a landscaping plan to the satisfaction of the local government shall be submitted and approved. The landscape plan shall detail vegetation to be planted, or other measures such as a screen fence which will provide screening of vehicular headlights from the dwelling on the adjoining lot to the north.***
- 12. The development hereby approved, shall at all times comply with the occupancy management strategy and associated parking requirements, as approved by the local government.***
- 13. Stormwater shall be managed onsite to the satisfaction of the local government.***



**14. Photographic records of before and after internal demolition is to be taken and forwarded to the local government.**

**15. The function room on the first floor shall not be used, until the following condition(s) have been complied with:**

**(i) The Car Parking Plan shall be implemented. Car Parking shall be drained and marked (including signage or marking to indicate one-way traffic). The crossover shall be sealed a minimum of 6m into the property boundary. Materials to be used for crossover shall be compatible with surrounds and disabled bay shall be constructed and marked in accordance with Australian Standards. Prior to implementation of any external lighting, a plan detailing the location of external lighting shall be submitted and approved by the local government. The lighting plan and subsequent lighting installed must demonstrate that any light spill to adjoining properties is minimised.**

**(ii) Landscaping shall be implemented in accordance with the approved Landscape Plan and shall thereafter be maintained to the satisfaction of the Shire.**

**16. Conservation works, as specified in the approved development plans, shall be completed within 2 years of the date of this approval, or as otherwise approved by the local government.”**

**ADVICE NOTES:**

**Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval will lapse and be of no further effect.**

**Note 2: Where an approval has so lapsed, no development is to be carried out without the further approval of the local government having first being sought and obtained.**

**Note 3: If an applicant is aggrieved by this determination there is a right of appeal under the Planning and Development Act 2005. An appeal must be lodged within 28 days of the determination.**

**Note 4: This approval is not a building permit. In accordance with the provisions of the Building Act 2011, an application for a building permit must be submitted to, and approval granted by the local government prior to any change of classification or prior to commencement of any structural works within the development hereby permitted.**

**Note 5: The Heritage Council strongly recommends that a heritage practitioner, with experience in the physical conservation of fabric, oversees this project to ensure that repairs are undertaken appropriately.**

**Note 6: Modification to the crossover will require a crossover application to be submitted and approved prior to works commencing.**

**Note 7:** *Advertising signage is not included within this application and may require a separate planning application to be submitted and approved by the local government prior to its erection.*

**Note 8:** *A public building licence, and food registration will be required. Please contact the Shire's Environmental Health Officer to discuss.*

## ***SY050-05/18 – Greenhills Heritage Trail – In Principle Approval***

<b>FILE REFERENCE:</b>	<b>PS.PPD.5.2</b>
<b>APPLICANT OR PROPONENT(S):</b>	<b>Greenhills Progress Association</b>
<b>AUTHORS NAME &amp; POSITION:</b>	<b>Paul Martin, Chief Executive Officer</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Paul Martin, Chief Executive Officer</b>
<b>PREVIOUSLY BEFORE COUNCIL:</b>	<b>N/A</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>A. Correspondence from Greenhills Progress Association</b>

### **Nature of Council's Role in the Matter:**

- Executive

### **Purpose of the Report:**

This report seeks approval in principle for the concept of a Heritage Trail at Greenhills which is being developed by the Greenhills Progress Association.

### **Background:**

The Greenhills Progress Association (GPA) has been developing for some time the concept of a heritage trail. This has involved members of the association researching and developing interpretation material to be used as part of the trail.

Over the past two years the GPA has communicated in correspondence and meetings with the Shire about this matter. Attached at Appendix A is the most recent correspondence received.

During this time, Officers have met with representatives of the GPA to progress the development of their concept into a project for which funding can be secured. This has occurred both in York and as part of site inspections in Greenhills.

Representatives of GPA also recently made a presentation to Councillors about the concept which involves the following:

- Installation of plaques at the old Greenhills townsite at the site of the first town hall, church and the cemetery.
- Installation of plaques at a number of locations in the Greenhills townsite.
- Installation of a gazebo/rotunda in the townsite to act as a trail head for the trail.

### **Comments and details:**

Officers see significant merit in the development of this heritage trail in Greenhills. Members of the GPA have done an outstanding job of researching and putting together the interpretative plaques.

Council has proposed in its Corporate Business Plan to develop a trails master plan in the 2018/19 financial year. It is expected this will provide a road map to develop further walking, mountain biking and horse riding trails in the Shire. This will also include a style guide for use in design and interpretation across the Shire.

Officers have wanted to ensure that as more trails are developed over time, any heritage trail at Greenhills will be consistent in the absence of this master planning work. Officers have attempted to find a solution which ensures that whatever is developed is consistent with other trails in the Shire whilst not impeding the development of the Greenhills Heritage Trail given the work to date done by the GPA. Agreement has been reached between Officers and representatives of GPA as to how this could be achieved.

It is proposed that the plaques will be constructed of stainless steel with etched text and images. Each panel will have the trail location on the left-hand side of the of the plaque in a cursive font in the colour green. This is proposed to be the design element which would be consistent with other locations/trails be that Avon River, Mount Brown etc.

The GPA has proposed a gazebo/rotunda be installed in Greenhills to act as a trail head and provide further opportunities for interpretation.

There is some work to be done on the following aspects to ensure the development of the trail:

- The extent and nature of the walking trails to facilitate access to the interpretation plaques. Officers consider that it is possible that no formal trail is needed for the areas at the Old Greenhills townsite given the nature of the site. If anything, a gravel trail could be constructed to provide a more direct route through the bushland. However, given site issues and to maintain safety, Officers consider that a more formal trail will be needed to facilitate the access of the public to the plaques at the Greenhills townsite itself. The extent, type and nature of this trail will need to be further investigated, designed and costed.
- A location and site plan needs to be prepared for the entire trail. This would include details of location of plaques, and tracks or connecting paths.
- A design template needs to be created for interpretation plaques.
- The exact locations of plaques to be determined and any approvals which may be required to be obtained.
- How the project will be implemented, ie will plaques, trails and the gazebo be installed by the Shire or the GPA? Who will apply for funding, who will administer and acquit funds associated with the project all need to be determined.
- The timing and stages of the project. GPA have identified they propose the trail to be developed in three stages. Officers are supportive of this approach and propose that these stages and associated costings can be outlined in the project plan.
- Long term asset management plan and maintenance costs.
- Final costing of the entire project to be determined.

It should be noted that Officers are not proposing to change the interpretation material developed by the GPA.

To bring all these aspects together, it is proposed that Officers will work with representatives of the GPA to develop a Project Plan for the project. This will ensure all aspects of the project including those outlined above and risk are scoped, investigated and resolved. This will also incorporate whole of life costs including maintenance.

This Project Plan will also enable funding to be applied for to support the construction of the trail as such plans will typically be required to secure funding for projects of this nature.

The Shire does hold in Reserve 47 - Greenhills Townsite Development Reserve \$29,446. Officers recommend that these funds be used as a contribution towards the development of the project when seeking grant funding. GPA are seeking some of these funds to be released now for stage one of the project. Officers would prefer to see a detailed project plan prepared and approved prior to the release of funds.

Regardless of the timing of release of funds commitment from Council at this time is required to demonstrate support for the project and to enable external funds to be sourced.

The purpose of this reserve is *To provide funds to enhance the amenity and economic potential of the Greenhills Townsite with such funds to be expended in consultation with the Greenhills Progress Association.* It is considered that this project aligns with the purpose of the reserve.

On this basis Officers are therefore recommending that Council:

1. Provides in principle support for the project
2. Agrees to the use of the funds held in Reserve 47 for this purpose
3. Requests the Chief Executive Officer to work with Greenhills Progress Association to prepare a project plan for this project.

This will provide a way forward for the project and ensures that all aspects of the project are investigated and costed prior to funding being secured and construction commencing.

**Options:**

Council does have the following other options in regards to this proposal:

- Provide the funds to GPA now and allow GPA to develop and implement the project independently. Whilst this option might be appealing, almost all of the installation of plaques and any connecting trails will occur on Shire land. Therefore, Officers consider it appropriate for the Shire to work with GPA to develop a project plan and resolve any issues and approvals required.
- Not progress with the development of the Greenhills Heritage Trail until the master plan is completed and endorsed. This option would provide for maximum integration with other trails developed in the Shire but would put a hold on this project which members of the GPA have been working on for some time. However progression of this project now will capitalise on the efforts made by the community of Greenhills towards this project.

**Implications to consider:**

- **Consultative**  
The GPA has undertaken consultation with members of the Greenhills community on three separate occasions in the development of the trail and interpretative plaques. The Shire has not yet conducted any consultation on this project.
- **Strategic**  
The development of trails and a trails master plan is a priority action in Council's Corporate Business Plan 2018-2022.
- **Policy related**  
Nil
- **Financial**  
There are currently no funds available in the coming four years for implementation or maintenance of the trail infrastructure. Any funding required by the Shire will need to be sourced from grant funding or reserves.

At the request of the GPA, it is recommended that Council provides approval for the use of the funds from Reserve 47 towards this project once a project plan has been developed and submitted to Council for approval. As mentioned above GPA is requesting some funds be released now for stage 1. This is for Council to consider.

- **Legal and Statutory**  
Any legal and statutory approvals required will be scoped in the project plan.
- **Risk related**  
It could reasonably be expected that the Shire will apply for funds to construct other trails across the Shire. There is a risk that if funding is secured for Greenhills Heritage Trail it could impact upon the Shire's ability to secure further substantial funds. It is proposed this risk be explored and mitigated as part of the project plan.

- **Workforce Implications**

This project is not currently reflected in Councils Corporate Business Plan. If determined to be a priority by Council, Officers will use best endeavours to ensure that the project plan is completed as soon as possible without impacting upon other projects.

**Voting Requirements:**

**Absolute Majority Required:           No**

**OFFICER RECOMMENDATION:**

*“That Council:*

- 1. Provides in principle support for the development of the Greenhill Heritage Trail proposed by the Greenhills Progress Association.*
- 2. Agrees to the use of the funds held in Reserve 47 for the purposes of this project however notes that funds will not be transferred from reserve until a project plan is developed and approved by Council.*
- 3. Requests the Chief Executive Officer to work with the Greenhills Progress Association to develop a Project Plan and present to Council for approval.”*

## ***SY051-05/18 – Appointment of Chairperson of the YRCC Management Steering Group***

<b>FILE REFERENCE:</b>	<b>CCP.7</b>
<b>APPLICANT OR PROPONENT(S):</b>	<b>Shire of York</b>
<b>AUTHORS NAME &amp; POSITION:</b>	<b>Suzie Haslehurst – Executive Manager, Corporate and Community Services</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Suzie Haslehurst – Executive Manager, Corporate and Community Services</b>
<b>PREVIOUSLY BEFORE COUNCIL:</b>	<b>26 March 2018</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>Nil</b>

### **Nature of Council's Role in the Matter:**

- Executive

### **Purpose of the Report:**

This report seeks Council's nomination of an elected member to fulfil the role of Chairperson of the YRCC Management Steering Group (MSG).

### **Background:**

At the Ordinary Council Meeting held on 26 March 2018, it was resolved:

*"That Council:*

*1. Appoints the following people to the YRCC Management Steering Group:*

- *Councillor Representative Cr Kevin Trent (appointed 27 November 2017)*
- *Councillor Representative Cr Denis Warnick (appointed 27 November 2017)*
- *York Bowling Club* *Mr Pat Hooper*
- *York Football Club* *Mr Wayne Collins*
- *York Hockey Club* *Mr Nick Bush*
- *York Lawn Tennis Club* *Mr Graeme Allen*
- *York Agricultural Society* *Ms Jenny Jones*
- *York Imperials Cricket Club* *Mr Mike Mount-Bryson*
- *York Junior Cricket Club* *Mr Josh Creighton*
- *York Junior Football Club* *Mr Peter Wright*
- *York Basketball Club* *Ms Lee Kearns*
- *York Junior Netball Club* *Ms Jill Reynolds*
- *Community Representative* *Mr Bill Roy*

*2. Adopts the Terms of Reference as attached at Appendix D to this report."*

In accordance with the Terms of Reference for the MSG, an elected member will be nominated as Chairperson by Council. In the lead-up to the first meeting, officers identified that Council had not yet been requested to nominate a Chairperson.

### **Comments and details:**

The first meeting of the MSG was held on Tuesday 1 May at the YRCC. Elected member representatives, Councillors Trent and Warnick agreed that Cr Warnick would preside over the meeting until a Chairperson was nominated by Council.

The meeting was attended by nine members including two elected members. Three apologies were recorded. In accordance with the Terms of Reference for the MSC, notes from meetings will be distributed to Councillors via the monthly Information Bulletin and any recommendations made to Council via the Ordinary Council Meeting process.

**Implications to consider:**

- **Consultative**  
Not applicable
  
- **Strategic**  
Not applicable
  
- **Policy related**  
*G 2.5 Reference Groups*
  
- **Financial**  
There are no financial implications related to this report.
  
- **Legal and Statutory**  
Nil
  
- **Risk related**  
Should Council choose not to nominate a Chairperson, the MSG will not operate in accordance with its Terms of Reference which is a requirement under Council Policy *G2.5 Reference Groups*.
  
- **Workforce Implications**  
Nil

**Voting Requirements:**

**Absolute Majority Required:            Yes**

**OFFICER RECOMMENDATION:**

***“That Council:***

- 1.        Appoints Cr \_\_\_\_\_ as Chairperson of the YRCC Management Steering Group and Cr \_\_\_\_\_ as Deputy Chairperson.***
  
- 2.        Requests the Chief Executive Officer to amend the Terms of Reference for the YRCC Management Steering Group accordingly.”***



## ***SY052-05/18 - Delegates & Attendees to the 2018 WA Local Government Convention***

<b>FILE REFERENCE:</b>	<b>OR.IGR.5.2</b>
<b>APPLICANT OR PROPONENT(S):</b>	<b>N/A</b>
<b>AUTHORS NAME &amp; POSITION:</b>	<b>Paul Martin, Chief Executive Officer</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Paul Martin, Chief Executive Officer</b>
<b>PREVIOUSLY BEFORE COUNCIL:</b>	<b>22 May 2017</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>1. Convention Event Programme 2. WALGA Professional Development Opportunities</b>

### **Nature of Council's Role in the Matter:**

- Executive

### **Purpose of the Report:**

To advise Council of the 2018 WA Local Government Convention to be held from 1-3 August for determination of attendees and enabling the appointment of voting delegates for the WALGA Annual General Meeting.

### **Background:**

The WA Local Government Convention is held each year in August at the Perth Convention and Exhibition Centre.

### **Comments and details:**

The Convention and Trade Exhibition is presented specifically for those engaged in the Local Government Sector.

Themed 'Ready & Relevant', the programme encourages delegates to reflect on where we are as a sector, and plan for the challenges ahead.

The convention sessions aim to support and inform Mayors, Presidents, Elected Members and Chief Executive Officers. Attendance by Directors, Executive Managers and other senior managers is also highly recommended however in the current economic climate WALGA has recommended that only one staff member attends.

WALGA is also offering professional development opportunities in Perth to coincide with the Local Government Convention for Elected Members and Officers.

### **Implications to Consider:**

- **Consultative**  
Nil
- **Strategic**  
Nil
- **Policy related**  
G1.2 – *Councillors: Professional Development*  
G1.3 – *Councillors: Travel and Accommodation*

- **Financial**

The Convention Registration cost for a full delegate is \$1,475 per delegate. Further costs may be incurred for parking for attendance of the WALGA Annual General Meeting and the Convention Opening Welcome reception to be held at the Perth Convention and Exhibition Centre. Accommodation is \$179 per night per room with a maximum of two night's accommodation required for each delegate and the Shire President requiring a maximum of three nights' accommodation. Parking at or near accommodation for delegates is also to be paid for by the Shire for the duration of the Convention. Reimbursement of travel expenses to Perth and return to attend the Convention is also payable by the Shire.

The Chief Executive Officer does not require accommodation, however will require parking at the Convention Centre for the duration of the Convention.

Meals associated with the convention will be payable by the Shire in accordance with Policy G1.3. However, Officers do not recommend that the Shire pays for any evening meal. The cost of alcohol will not be covered by the Shire.

It is proposed that all additional optional extras such as the Gala Dinner, ALGWA Breakfast, Convention Breakfast and all partner activities are an extra cost to be borne by the Elected Member and their partner in accordance with Policy G1.3.

- **Legal and Statutory**

Nil

- **Risk related**

Nil

- **Workforce Implications**

The Chief Executive Officer is proposing to attend the Convention.

**Voting Requirements:**

**Absolute Majority Required:           No**

**OFFICER RECOMMENDATION**

***“That Council:***

- 1. *Authorises the following Elected Members and the Chief Executive Officer to attend the 2018 Local Government Convention as Full Delegates:***

***Cr David Wallace – Shire President  
Cr Kevin Trent – Deputy Shire President (WALGA Life Member)  
Cr Denese Smythe  
Cr Heather Saint  
Cr Pam Heaton  
Cr Jane Ferro  
Cr Denis Warnick  
Mr Paul Martin – Chief Executive Officer***

- 2. *Agrees to cover the following costs for each Elected Member:***

- Full Delegate registration fee***
- Accommodation including breakfast at the hotel***
- Parking***
- Travel expenses from York to Perth and return to attend the Convention***

- 3. *Agrees to cover the following costs for the Chief Executive Officer:***

- Full Delegate registration***
- Parking***

- 4. *Will not pay for the following:***

- Alcohol***
- Evening Meals***
- Optional extras including Gala Dinner, ALGWA Breakfast, the Convention Breakfast and partner activities***

- 5. *Appoints the following two delegates to have voting rights at the WALGA Annual General Meeting:***

***Cr \_\_\_\_\_ Cr \_\_\_\_\_”***



***SY053-05/18 – Memorandum of Understanding and Business Plan  
between Department of Fire and Emergency Services, Shire of Beverley  
and Shire of York.***

<b>FILE REFERENCE:</b>	<b>RS.FES.10</b>
<b>APPLICANT OR PROPONENT(S):</b>	<b>N/A</b>
<b>AUTHORS NAME &amp; POSITION:</b>	<b>Paul Martin, Chief Executive Officer</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Paul Martin, Chief Executive Officer</b>
<b>PREVIOUSLY BEFORE COUNCIL:</b>	<b>Nil</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>A. Memorandum of Understanding B. Community Emergency Services Manager Business Plan</b>

**Nature of Council’s Role in the Matter:**

- Executive

**Purpose of the Report:**

This report seeks Council’s approval of the Memorandum of Understanding between Department of Fire and Emergency Services (DFES), the Shire of Beverley and the Shire of York which relates to the employment of a Community Emergency Services Manager (CESM).

**Background:**

The Shire has been party to a Memorandum of Understanding (MOU) with DFES and the Shire of Beverley for the employment of a CESM for the past 5 years which expired in April 2018.

Over recent months the parties have been negotiating a new MOU, a copy of which is attached at Appendix A. It is presented to Council for consideration and approval for the Chief Executive Officer to execute the agreement.

Attached to the MOU is a Business Plan which outlines the outcomes, tasks and performance indicators for the agreement for all parties. A copy of this is attached at Appendix B for Councillors’ reference. Approval is sought from Council for the Chief Executive Officer to execute this plan.

**Comments and details:**

The MOU and Business Plan are relatively standard documents and provide a framework and priorities for the role of CESM jointly shared between the Shire of York and Shire of Beverley.

The role is employed by the Shire of Beverley who then seeks reimbursement from the Shire of York for costs in accordance with the agreement.

Given a new MOU is to be entered into, the Shire of Beverley will be conducting a formal recruitment process for the appointment of the CESM. The Shire of York will be involved in this process.

The funding provided by DFES (70%) has not changed from the previous MOU. This is a good outcome for the Shires of York and Beverley as Officers understand that MOU’s with other local governments require a greater contribution from the relevant LGA’s.

The CESM role not only provides valuable assistance and support to the volunteer bush fire brigades, as can be seen from the Business Plan there is also proposed to be a role in implementing the Bushfire Risk Mitigation Strategy for the Shire of York.

The recent announcement of the State Government to create a Rural Fire Service may impact upon the provision of CESM's across the State. However, Officers recommend the Shire is better placed to have an MOU in place and then work through the implications of this announcement and changes as they are known.

On this basis, Officers are recommending Council authorises the Chief Executive Officer to execute the MOU and Business Plan.

**Options:**

Council could request the Chief Executive Officer to negotiate a better financial arrangement with DFES for this role however Officers understand that any new MOU's being entered only receive 50% funding from DFES.

Council could also choose not to enter this MOU until details of the Rural Fire Service are known. However, Officers recommend the MOU be entered into to provide more certainty in regards to this matter.

**Implications to consider:**

- **Consultative**  
Consultation in the development of the MOU and Business Plan have occurred with DFES and the Shire of Beverley.
- **Strategic**  
Nil
- **Policy related**  
*CP1.4 – Local Government Resource Sharing*
- **Financial**  
The Council currently budgets \$23,000 for our contribution towards this service. This is in line with previous years and is the proposed financial obligation in the new MOU and Business Plan. This is significantly less cost to the Shire than if it provided and funded the role itself.
- **Legal and Statutory**  
Officers have not obtained legal advice on these agreements at this stage but could if requested to do so by Council.
- **Risk related**  
If this role was not in place it would create risks for the Shire in terms of management of Emergency Services in the district.
- **Workforce Implications**  
The CESM is an employee of the Shire of Beverley. The incumbent works 2.5 days per week from the Shire of York where office space is provided by the Shire at no cost.

**Voting Requirements:**

**Absolute Majority Required:           No**

**OFFICER RECOMMENDATION:**

***“That Council authorises the Chief Executive Officer to execute, on behalf of the Shire of York, the Memorandum of Understanding and Business Plan with Department of Fire and Emergency Services and the Shire of Beverley for the provision of a Community Emergency Services Manager attached at Appendix A and B to this report.”***





## ***SY054-05/18 – Adoption of Bushfire Risk Mitigation Plan***

<b>FILE REFERENCE:</b>	<b>RS.FES.5.2</b>
<b>APPLICANT OR PROPONENT(S):</b>	<b>N/A</b>
<b>AUTHORS NAME &amp; POSITION:</b>	<b>John Hansen, Bushfire Risk Management Planning Coordinator (BRMPC)</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Paul Martin, Chief Executive Officer</b>
<b>PREVIOUSLY BEFORE COUNCIL:</b>	<b>No</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>A. Communication Strategy York V3 B. Planning Area Map C. Local Government Wide Controls – Multi Agency Treatment Work Plan D. Bushfire Risk Management Plan</b>

### **Nature of Council’s Role in the Matter:**

- Executive

### **Purpose of the Report:**

This report presents Council the draft Bushfire Risk Mitigation Plan (BRMP) for the Shire of York for consideration and approval.

### **Background:**

The Shire of York Bushfire Risk Management Plan (BRMP) is a strategic document that identifies assets at risk from bushfire and their priority for treatment for the next 5 years.

The aim of the BRM Plan is to document a coordinated and efficient approach toward the identification, assessment and treatment of assets exposed to bushfire risk within the Shire of York. The objective of the BRM Plan is to effectively manage bushfire risk within the Shire of York in order to protect people, assets and other things of local value.

Local Governments are the custodians of the BRMP and coordinate its development and ongoing review. The Department for Fire and Emergency Services (DFES), Department of Biodiversity Conservation and Attractions (Parks and Wildlife) and other agencies and landowners are required to participate in, and contribute to, the locally-developed plan.

Local Government, as a land manager, is also required to implement treatment strategies to address risk on its land.

Government agencies and other land managers responsible for implementing treatments within the Shire have participated in the development of the BRM Plan to ensure treatment strategies are collaborative and efficient, regardless of land tenure.

### **Comments and details:**

The development of the BRMP has been fully funded by State Government through a grant agreement with the Shire of York and DFES. An employee is currently shared across the Shires of Beverley, York, Northam and Toodyay with a second employee imbedded in DFES to support this role. The Shire of York has no financial commitment to this position other than the use of office space.

The BRM Plan has been prepared for the Shire of York in accordance with the requirements of Westplan Fire and the Guidelines for Preparing a Bushfire Risk Management Plan (Guidelines, OBRM). The risk management processes used to develop this BRM Plan are aligned to the key

principles of AS/NZS ISO 31000:2009 Risk management – Principles and guidelines (AS/NZS ISO 31000:2009).

The Bushfire Risk Management Plan attached at Appendix D contains the written documentation for the plan. The asset schedule and treatment plan are not being tabled. The asset schedule lists all the assets within the Shire that have been assessed for their exposure to Bushfire Risk. They are categorised under the following; human settlement, economic, environmental and cultural assets. The Treatment Schedule sets out a broad program of coordinated multi-agency treatments to address risks identified in the BRM Plan.

The BRM Plan, once adopted and endorsed, will qualify the Shire as eligible to apply for the MAF (Mitigation Activity Fund). This fund allocates monies to assist in mitigation works aimed at reducing the risk to assets within the Shire of York from Bushfire.

The draft plan has been submitted to the Office of Bushfire Risk Management (OBRM) for feedback. OBRM has indicated overall support for the plan in its current form. OBRM is requiring local governments to take responsibility for implementing the plan over the coming years regardless if funding is available for mitigation activities. Officers have attempted to negotiate wording which makes implementation conditional upon funding being provided by the State however the State is not wavering on its desire for implementation of the plan to be the responsibility of local government.

The draft which is attached at Appendix D is the result of this negotiation. Officers consider it reasonable given the responsibility on local government in this area. Officers also see merit in endorsing the plan in its current form to enable funding for implementation to be accessed over the next two years in line with grants from the State. If funding is received this may see most of the mitigation works implemented and the Shire's role will turn to annual maintenance.

The liabilities on the Shire of York as a result of an endorsed BRM Plan are no different from what currently exists under section 2.2.7 of the *State Hazard Plan for Fire (Interim, Nov 2017) (Westplan Fire)*. The BRM Plan promotes the concept of shared responsibility by identifying the risk and land owners/managers who own that risk and the processes to support Local Government to develop agreed treatment strategies to manage that risk. There are various legislative mechanisms that ensure that responsibility for preparedness and prevention of bushfires is shared responsibly across land and asset owners (ie. Bush Fires Act, Occupational Safety and Health Act). Local Government endorsement of the plan gives weight to the approach they take to managing bushfire risk by ensuring that their approach aligns with the risk management principles required by the State Government (ISO 31000), as reviewed by OBRM.

The Shire of York will be responsible for overseeing the implementation of the BRM Plan and use the tools/powers available under the Bush Fires Act such as s33 notices to ensure landowners undertake the specified treatments on that notice. The BRM Plan documents the risk and supports local government to use their existing powers to ensure risk owners manage their risk.

**Options:**

- Council may choose not to endorse the BRM Plan
- Council may defer its decision pending further information

**Implications to consider:**

- **Consultative**  
Considerable consultation has occurred with the community and stakeholder in the development of the plan.

The project includes a Communication Strategy at Appendix A. Consultation was facilitated through this plan. Consultation is critical to the development of the BRMP particularly because it is tenure blind and looks at risk across all tenures.

The following communication objectives underpin the consultation for the development, implementation and review of the BRM Plan for the Shire of York are as follows:

- Key stakeholders understand the purpose of the BRM Plan and their role in the bushfire risk management planning process.
  - Stakeholders who are essential to the bushfire risk management planning process, or can supply required information, are identified and engaged in a timely and effective manner.
  - Relevant stakeholders are involved in decisions regarding risk acceptability and treatment.
  - Key stakeholders engage in the review of the BRM Plan as per the schedule in place for the local government area.
- **Strategic**  
*The proposal aligns with the aspirations of the Corporate Business Plan 2018-2022:*

**Theme 1- Open Space Assets**

*Implement Bushfire Risk Mitigation Strategy (dependent on funding)*

It should be noted that the Corporate Business Plan identifies that implementation of the plan will be dependent upon funding. As outlined in the report this is not a condition the State Government is willing to accept.

- **Policy related**  
There are no Policies that directly affect the BRMP
- **Financial**  
Determining the costs of implementing mitigation strategies is not possible at this stage as it involves actions on public and private land. A comprehensive costing for mitigation strategies on State and Shire owned land will be prepared for the first two years to enable applications to be submitted to the MAF.

The funding for implementation of the plan is available only to Local Governments that have an OBRM reviewed and approved BRM Plan.

The Shire of York has in its Corporate Business Plan allocated \$10,000 Shire funding and \$20,000 other, to assist in the implementation of mitigation strategies on Shire owned land.

Officers consider this allocation may be adequate if major funding can be accessed in the next two years to undertake a significant amount of the mitigation activity. If funding is not received Council will need to consider how implementation of the plan will occur.

Implementation of treatment options will be the responsibility of individual agencies and/or land owners/managers. The Shire as a land manager may be responsible for undertaking risk treatment strategies as they are identified in the process. The guidelines for preparing a Bushfire Risk Mitigation Plan issued by the State Government identify the following:

*In approving the BRM Plan, the local government council is acknowledging the assets that have been identified and the risk ratings and treatment priorities assigned. Approval of the plan is a commitment by local government to work with*

*land owners and managers to address unacceptable risk within their community. It is not the local government committing to a program of treatment works to be implemented by others or an acceptance of responsibility for risk occurring on land that is not owned or managed by the local government.*

- **Legal and Statutory**

As per obligations under section 2.2.7 of the *State Hazard Plan for Fire (Interim, Nov 2017) (Westplan Fire)* an integrated Bushfire Risk Management Plan (BRM Plan) is to be developed for local government areas with significant bushfire risk.

- **Risk related**

Should future funding cease for the staffing of the BRMPC (Bushfire Risk Management Planning Coordinator) DFES has a permanent employee BRMO (Bushfire Risk Management Officer) who will be available to assist in the ongoing maintenance and implementation of the BRM Plan.

- **Workforce Implications**

The Shire of York is responsible for the coordination, development and ongoing review of the plan. Currently this is being facilitated by the dedicated Bushfire Risk Management Officer and Bushfire Risk Management Planning Coordinator which are positions not funded by the Shire. The Bushfire Risk Management Programme is currently only funded until 30 June 2018. However, although funding has now been secured for contract extensions it is not clear how long the BRMPC funding for the Shire of York will continue, it has been suggested 12 months at this stage. Beyond this, if future funding is not secured ongoing responsibility for the Plan will need to be delegated within the Shire or through the BRMO employed by DFES.

In making application to the MAF, an allocation will be included for project management of the implementation funding to ensure existing Shire resources are not impacted.

**Voting Requirements:**

**Absolute Majority Required:            No**

**OFFICER RECOMMENDATION:**

***“That Council:***

- 1. Adopts the Bushfire Risk Management Plan as attached at Appendix D;***
- 2. Requests the Chief Executive Officer to forward the BRMP to the Office of Bushfire Risk Management (OBRM) for approval.***
- 3. Authorises the Chief Executive Officer to make any minor amendments to the plan required by OBRM to gain approval.***
- 4. Requests the Chief Executive Officer to apply for the MAF (Mitigation Activity Fund) for implementation of the plan.”***

## ***SY055-05/18 – Community Funding – Grants & Sponsorship Applications***

**FILE REFERENCE:** FI.DON  
**APPLICANT OR PROPONENT(S):** Various  
**AUTHORS NAME & POSITION:** Esmeralda Harmer, Community Economic Development Officer  
**RESPONSIBLE OFFICER:** Paul Martin, Chief Executive Officer  
**PREVIOUSLY BEFORE COUNCIL:** N/A  
**DISCLOSURE OF INTEREST:** Nil  
**APPENDICES:** A - Schedule of Requests & Recommendations  
B - 2018 April Community Funding Applications

***Appendices A & B are confidential under Section 5.23 – (e) (iii) of the Local Government Act 1995 in that it deals with “information about the business, professional, commercial or financial affairs of a person”***

***Copies have been provided to Councillors, the Chief Executive Officer and Executive Managers only.***

### **Nature of Council’s Role in the Matter:**

- Executive

### **Purpose of the Report:**

Council is requested to consider funding applications received in the recent round of Community Funding to support community events and activities occurring from 1 July 2018.

Council is also requested to consider the financial obligations of such requests and determine the budget allocations required to support these applications.

A detailed schedule of requests and recommendations is attached as a confidential report at Appendix A for Council’s consideration. The schedule summarises all applications received which have also been included as a confidential report at Appendix B.

### **Background:**

The Shire of York supports the collective and economic benefit of its community and businesses and provides financial assistance through the Community Funding; Grants & Sponsorship Program to consider these proposals.

Grant funding rounds are offered twice yearly and are open for a four-week application period to all eligible community and sporting organisations.

Council’s policies *C1.3 Community Funding; Grants & Sponsorship* and *C1.4 Sponsorship of Tourism Events* policies are designed to recognise the important role that community and sporting organisations play in developing vibrant communities and activating York with social and economic opportunities. In addition, they seek to support and promote a strong and connected community through the sponsorship of events and activities, in kind waiver of Council fees or charges in an equitable and accountable way.

Often, appeals for support through the community funding program generally outweigh the available funding.

At Council’s Ordinary Meeting held 18 December 2017 seven applications totalling \$19,418 were received and Council resolved as follows:

*“That Council:*

1. *Allocates the following in response to the funding requests received:*
  - *York Bowling Club* \$2,400 of cash
  - *York Rose Patch Workers & Quilters* \$300 of cash & in kind
  - *York Community Resource Centre* \$3,768 of cash & in kind
  - *York Family Playgroup* \$3,000 of cash
  - *York Football Club* \$1,400 of in kind
  
2. *Requests the Chief Executive Officer to negotiate the cash & in-kind balances with applicants where required.*
  
3. *Notes that the value of requests exceeds the funds available for allocation.”*

This report seeks Council’s consideration of the applications received through the April 2018 round of community funding and to determine the merits of each application and the existing budgets available to support such requests.

**Comments and details:**

The Shire’s recent round of Community Funding; Grants & Sponsorship opened 2 April 2018 for a period of four weeks and was advertised utilising the following methods;

- Local print media
- Shire’s website
- Email distribution networks
- Social media pages
- Face to Face communications with potential applicants

At the closing date, thirteen applications were received of which two applications were deemed ineligible under the *C1.3 Community Funding; Grants & Sponsorship Guidelines* as insufficient detail was provided to enable Officers to assess the application appropriately.

All eligible applications received will need to be considered as part of Council’s budgeting process with requests totalling \$50,629. A summary of the requests received are included below;

<b>Proponent</b>	<b>Purpose of Funding</b>	<b>Request</b>
Wheatbelt Endurance Riders	Assistance to deliver two equine endurance rides in the Talbot and Greenhills areas.	\$1,000
York Business Association	Assistance to promote York in its canola flowering season through community engagement and enhancement	\$4,556
The York Christmas Festival	Financial assistance to deliver the York Children and Christmas Festival	\$17,000
York CRC	Assistance to support a youth program, outdoor community cinema and the Shop Local campaign	\$8,277
Gooder Judder Aboriginal Corporation	Assistance to deliver three activities as part of a July School Holiday program	\$2,796
York Pony Club	Assistance to purchase show jumping equipment and trailer	\$10,000

Veteran Car Club	In kind support to deliver the 2018 York Motor Show	\$3,000
York Arts & Events	Assistance to include youth specific engagement as part of the 2018 York Festival program	\$4,500
York Friendship Club	Assistance to deliver the 2018 York Medieval Fayre	\$8,000
York Croquet Club	In kind support to seal a disabled car parking bay as part of the redevelopment works at the Croquet Club.	\$6,300

Officers have included all applications received as a confidential document for Council's review at **Appendix B**.

Officers have used the following criteria to assess each application based on the Community Funding guidelines and Council's *C1.3 Community Funding; Grants & Sponsorship Policy* and provided a rating score based on this assessment;

- The perceived overall community need and benefit of the initiative or activity.
- Level of community support and evidence of consultation undertaken with the local community and/or relevant sector in support of the grant application.
- Level of investment and in-kind contribution from the applicant.
- Ability of the applying body to financially manage the grant monies.
- Ability of the project's reach and participation levels
- The initiative's alignment to the Shire's Strategic Community goals and aspirations as indicated in the application.
- Level of dedication and proven commitment demonstrated by the applicant (previous funding acquittals, reflected in the application, matched funding contributions)

Officers note the application received from the York Christmas Festival was considered under *Council's C1.4 Sponsorship of Tourism Events policy* due to the amount requested, however on further assessment of the application, Officers propose the event aligns to *Council's C1.3 Community Funding; Grants & Sponsorship Policy* and therefore has been included in this report for consideration by Council.

Assessments with similar ratings have undergone further consultation with the applicants to discuss the potential impact reduced funding may have. These discussions indicate that, should a reduction in funding be likely, support to purchase specific items or activities as part of the overall intended project/s would be most beneficial. Officers concur with this approach as it allows;

- Council to support a larger number of applications with the existing funds available.
- The applicant to ensure delivery of the proposed activity or event.
- Council to direct its support towards specific items or activities, increasing brand recognition.
- Council with an approach that is proportionate to the current funding available and reflective of the Shire's responsiveness to its community's needs.

Officers have prepared a schedule of requests and recommendations as a confidential attachment for Council's review as attached at **Appendix A**.

This schedule includes details of funding requested and comment from Officers on the merits of considering each request in accordance with Council's *C 1.3 Community Funding; Grants & Sponsorship Policy & Guidelines* including proposed budget allocations to consider these requests.

**Implications to consider:**

- **Consultative**

Officers have engaged with applicants throughout the open round providing support where required or requested. It is suggested Officers will continue to work closely with local groups and organisations to encourage interest, determine promotion, voluntary capacity to meet demand, and to ensure a robust delivery of activity is achievable.

In addition to this, significant consultation will continue to take place with all businesses within the Shire to encourage involvement and cross promotion of community focused events.

- **Strategic**

A focus on building relationships with and supporting community groups and networks are identified areas of priority in the Strategic Community Plan and are identified as actions in the Shire's Corporate Business Plan.

- **Policy related**

As per the *C1.3 Community Funding; Grants & Sponsorship Policy*

*Clause 3.1 The Council will consider applications made under the following general headings for projects which:*

- *encourage general involvement in local activities including sport.*
- *assist a community group to expand their ability to provide support for community and individual health and wellbeing.*
- *events which have been developed for local community enjoyment. Note: these are events not developed to leverage tourism or economic development benefit but having more of a purely community enjoyment focus.*

- **Financial**

The total Community funding requests received through this round is \$50,629. With all activities occurring after 1 July 2018, Council will need to consider through the budgeting process an allocation to include specific amounts to honour the requests recommended.

Applications can be considered from the following Community Funding pools:

Budget Allocation	GL Account	Available Pool	Funding Proposed
Youth	109158	8,500	3,531
Sporting Sponsorships	113167	10,000	7,320
Area Promotion	132145	22,500	19,778
Festival Assistance	132150	30,000	20,000
<b>Totals</b>		<b>71,000</b>	<b>50,629</b>

- **Legal and Statutory**

All Council supported events would still need to comply with and be assessed against any statutory policies and legislations.

- **Risk related**

Should Council resolve to support the proposed Officer recommendation, approximately \$20,000 will remain in the community funding pool for the next round offered later this year. This could impact the Shire's reputational risk and its ability to fund significant projects in the latter part of the year.



Officers consider this reputational risk as low in consideration of the significant support Council provides to a range of community activities and projects across the year. Officers do acknowledge however in future years, work could be undertaken to potentially offer a major and a minor round of community funding each year. This could lower the perceived risk by assisting to inform all potential applicants of the intentions of each funding round prior to the application period.

- **Workforce Implications**

It is suggested where applications indicate Shire resource support, a cash contribution be considered to the value of the works required instead of the Shire undertaking the work. Officers are recommending this approach in consideration of the Shire’s capacity to deliver private works and its existing Shire commitments. In kind costings for building or park hires have been identified and included as detailed in the confidential report attached.

**Voting Requirements:**  
**Absolute Majority Required:            Yes**

**OFFICER RECOMMENDATION**

*“That Council:*

**1.        Approves the following funding requests:**

- *Wheatbelt Endurance Riders                            \$1,000 of cash*
- *York Business Association                            \$4,556 of cash*
- *York Christmas Festival                                \$12,000 of cash*
- *York Community Resource Centre                    \$8,277 of cash & in kind*
- *Gooder Judder Corporation                            \$1,176 of cash*
- *York Pony Club    \$5,000 of cash*
- *Veteran Car Club                                         \$3,000 of cash & in kind*
- *York Arts & Events                                        \$3,000 of cash*
- *York Friendship Club                                    \$5,000 of cash*
- *York Croquet Club                                        \$6,300 of cash & in kind*
- *ECMMA York    \$1,320 of cash*

**2.        Requests the Chief Executive Officer to negotiate the cash & in-kind balances with applicants where required.**

**3.        Notes all activities funded will be delivered after July 1, 2018.”**



## ***SY056-05/18 –Request for Support to Print a Book on the History of York through documents***

<b>FILE REFERENCE:</b>	<b>F1.DON</b>
<b>APPLICANT OR PROPONENT(S):</b>	<b>Pamela Statham-Drew/The York Society</b>
<b>AUTHORS NAME &amp; POSITION:</b>	<b>Carol Littlefair, Arts &amp; Cultural Heritage Officer</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Paul Martin, Chief Executive Officer</b>
<b>PREVIOUSLY BEFORE COUNCIL:</b>	<b>No</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>A. Request for support and costs estimates from Pamela Statham-Drew</b>
	<b>B. Evidence of Pamela Statham-Drew’s previously published WA History works</b>
	<b>C. Letter to the Shire of York from Pamela Statham-Drew</b>
	<b>D. Introduction to York book - an explanation by Pamela Statham-Drew</b>

### **Nature of Council’s Role in the Matter:**

- Executive

### **Purpose of the Report:**

To submit for Council’s consideration a request from Pamela Statham-Drew for financial support to publish a book, [working title - York: WA’s First Inland Town: A Documentary History] a history of York from early settlement to present day through published documents, plus support for a launch event.

The York Society is in conjunction, requesting in-kind support for a 50<sup>th</sup> Birthday celebration event for the York Society, at which books can be auctioned, to be held in York Town Hall the following day.

### **Background:**

Pamela Statham-Drew has requested financial support from the Shire of York of \$4,500 to publish a book on the history of York [\$4,000] and support for a launch event. [\$500 plus in-kind support valued at \$173 plus possible labour costs]. The book is compiled from published documents sourced from public records and is intended to give an overview of York’s settlement history through ‘newsworthy’ documents from earliest settlement to the present day.

The York Society is requesting in-kind support valued at \$173 plus possible labour costs as waiver of Town Hall hire fees for its 50<sup>th</sup> Birthday celebrations, which are linked to the publication of the book.

### **Comments and details:**

The concept for this publication was the creation of the late Tony Clack, a well-known historian of York and key figure in the York Society. Upon his death about six years ago Pamela Statham-Drew took up the project to enable it to be completed. Pamela has been assisted in this by Julie Rae and others in the York Society Archives. The Residency Museum has also supplied numerous photographs.

Officers have discussed with the author the point of acknowledging and consulting with the Ballardong Noongar people in relation to published works included that do not reflect current academic thought on the manner in which Indigenous culture is represented. The author has agreed that an advice note can be included, similar to the advice provided by the State Library of Western Australia in their search engines and publications:

*“Users are advised that this catalogue contains names and images of deceased people. Please be aware that certain words, terms or descriptions may be culturally sensitive and may be considered inappropriate today, but may reflect the period in which they were written.”*

In accordance with the Shire’s Strategic Community Plan 2.1 *Aboriginal culture is respected and showcased under the guidance of the Aboriginal community*, Officers recommend that any financial support of the book should be dependent upon consultation with suitable representative/s of the Ballardong Noongar community to provide an advice preface or editing that is satisfactory to both the Ballardong Noongar community and Council.

Preliminary discussions have taken place with Dr Marion Kickett, Director of Curtin University’s Centre for Aboriginal Studies to formally involve the York Noongar community in consultative matters. Although these discussions are only at a preliminary stage, Dr. Kickett is a local York Ballardong Noongar woman and leading academic and would be an appropriate person to whom to refer the matter. Any costs of such consultation should be the responsibility of Pamela Statham-Drew/the York Society.

Pamela Statham-Drew has an excellent track record of publishing Western Australian history books of the highest quality; through Fremantle Press, UWA press and self-published works. [See Appendix B]. The proposed work will be a limited edition of 250 works.

Publication is proposed to be in partnership with the York Society to mark and celebrate that organisation’s 50 year Anniversary in 2018. Preliminary discussions and liaison with the author and the York Society have taken place with Shire Officers over the last year.

The publication of an overview of York history is a long-held aspiration for the York Society and for many people, local residents and historians alike, this is likely to be a welcome publication as it will be the first overview of its kind about York; the lack of which has been a constant source of frustration and some would say a shameful omission in light of York’s heritage significance. By collating documents previously published in public sources such as newspapers, the reader will be informed of not only the factual events of history but of the public attitudes and political climate of the day. The fact that the original documents were intended for a broad audience, coupled with additional explanatory notes by the author and photographs of York in the past, should enable the book to reach a broad audience today and assist with a general understanding and appreciation of York’s heritage.

#### **Options:**

1. Support the publication to the full amount requested [\$4,500 plus in-kind support valued at \$346 being waiver of two days Town Hall hire plus possible labour costs]. This amount would enable Pamela Statham-Drew and the York Society to publish the book and for a suitable Launch event to take place which will enhance the profile of the Shire of York and its Strategic Theme 2: *to be a Leader in Cultural Heritage and the Environment*. If co-funded by the Shire of York there would be some expectation that the Shire would be allocated a certain number of invitations to the Launch event, and that the Shire President be an invited guest at the 50<sup>th</sup> Birthday celebrations.

2. Support the publication to the full amount requested [\$4,500] but do not include in-kind support for either one or both days [Launch/50th celebrations hall hire] which will then be costed at \$173 per day plus possible labour costs for set-up. This amount would enable Pamela Statham-Drew and the York Society to publish the book and for a suitable Launch event to take place which will enhance the profile of the Shire of York and its Strategic Theme 2: *to be a Leader in Cultural Heritage and the Environment*.
3. Support the publication to the full amount requested for book production only [\$4,000] This amount would enable Pamela Statham-Drew and the York Society to publish the book. Cost of a Launch event/50<sup>th</sup> celebrations hall hire would be the responsibility of the York Society and author and the events could not be considered as supporting the Shire's Strategic Theme 2.
4. Support the publication to a similar amount to that for the previous book support application from Hesperian Press [\$3,000] in order to ensure that the limited Town Promotions budget [GL132102] is distributed equitably. This amount may or may not be adequate to enable publication of the book and shortfall would need to be provided by the York Society or author.
5. Do not support the publication of book or its associated events. This is likely to jeopardise the book publication and events.

Officers are recommending full support of the book and events [option 1] as this is a highly significant milestone for the published recorded history of York.

#### **Implications to consider:**

- **Consultative**

Officers recommend that any financial support of the book should be dependent upon consultation with suitable representative/s of the Ballardong Noongar community to provide an advice preface or editing that is satisfactory to both the Ballardong Noongar community and Council.

Preliminary discussions have taken place with Dr Marion Kickett, Director of Curtin University's Centre for Aboriginal Studies to formally involve the York Noongar community in consultative matters through a Memorandum of Understanding with the Curtin Centre. Although these discussions are only at a preliminary stage, Dr. Kickett is a local York Ballardong Noongar woman and leading academic and would be an appropriate person to whom to refer the matter. Any costs of such consultation should be the responsibility of Pamela Statham-Drew/The York Society.

- **Strategic**

Theme 2: *A Leader in Cultural Heritage and Environment*. To be a place which is renowned for its cultural heritage and the quality of its natural environment, and for the care taken by the community of both.

Particular desired outcomes:

*2.1 Aboriginal culture is respected and showcased under the guidance of the Aboriginal community.*

- **Policy related**

G2.9 Community Engagement and Consultation Policy indicates that Collaborate: [Actively engage] as described in table 1 would be an appropriate level of community consultation for this project.

- **Financial**

Support to a maximum of \$4,846 is requested from the Town Promotions budget allocation GL 132102 in the 2018/19 financial year. The draft budget proposal for this allocation is \$10,000.

- **Legal and Statutory**

N/A

- **Risk related**

There is a low reputational risk associated with the support of a work using historic documents if a satisfactory advice preface or editing is adopted as a consultative process with appropriate Ballardong Noongar representatives.

If the above process is not followed there is a major reputational risk associated with the financial support of the book.

- **Workforce Implications**

Liaison between the author, York Society and The Shire of York in regard to the support of book production and events is anticipated to be incorporated into the usual work programme of Officers.

**Voting Requirements:**

**Absolute Majority Required:           No**

**OFFICER RECOMMENDATION:**

***“That Council supports the publication of and events associated with: York - WA’s First Inland Town: A Documentary History in full, being:***

***a) \$4,000 for book production***

***b) \$500 for launch event refreshments***

***c) in kind support valued at \$346 being waiver of two days Town Hall hire plus possible labour costs, with the provisos that:***

***(i) An advice preface or editing acceptable to the Ballardong Noongar community and this Council is agreed and implemented in the production of the book; and***

***(ii) The Shire of York is acknowledged as a funding supporter of the publication.”***

***SY057-05/18 – Application to Operate Personal Bee Hive – Lot 7 (111)  
Newcastle Street, York***

**FILE REFERENCE:** NE4.9794  
**APPLICANT OR PROPONENT(S):** Robert & Diane Swann  
**AUTHORS NAME & POSITION:** George Johnson, Environmental Health Officer  
**RESPONSIBLE OFFICER:** Bret Howson, Acting Executive Manager  
Infrastructure and Development Services  
**PREVIOUSLY BEFORE COUNCIL:** N/A  
**DISCLOSURE OF INTEREST:** N/A  
**APPENDICES:** N/A

**Nature of Council’s Role in the Matter:**

- Quasi-Judicial

**Purpose of the Report:**

The applicant has applied to the Shire of York for permission to place up to two (2) Bee Hives for personal use on the property situated at Lot 7 (111) Newcastle Street, York.

**Background:**

The property located at Lot 7 (111) Newcastle Street, York is 5007sqm with the closest resident being approximately 50m from the proposed Bee Hives.

The applicant wishes to keep up to two (2) Bee Hives on the property at any one time within close proximity to buildings.

A letter was sent to the six (6) adjoining landowners on 21 March 2018 requesting any feedback on the proposed Bee Hives. No objections to the proposal were received.

Division 7 – Bee Keeping of the *Health Local Laws 2000* states that no person shall keep or permit the keeping of bees anywhere within the district unless approval is given by the Council.

**Comments and details:**

Officers are unaware of any Bee Hives in close proximity to this location.

**Options:**

The two options available for this application are either approve the placement of up to 2 Bee Hives at any one time on Lot 7 (111) Newcastle Street, York or refuse the Bee Hives from being placed on the property.

The officer recommends that the applicant be granted permission to house two (2) Bee Hives. There is no threat to the environment, it is not detrimental to the well-being of the adjoining neighbours and has no financial impact on Council.

**Implications to consider:**

- **Consultative**

A letter was sent to the six (6) adjoining landowners on 21 March 2018 giving 14 days to respond with any objections or comments. No objections were received for the keeping of Bee Hives at Lot 7 (111) Newcastle Street, York.

- **Strategic**  
Not applicable
- **Financial**  
There are no financial implications for the Shire should Council approve the officer recommendation.
- **Policy related**  
No current policy
- **Legal and Statutory**

***Health Local Laws 2000  
Division 7 - Bee keeping***

***Interpretation***

6.7.1 *In this Division, unless the context otherwise requires –  
"bees" means an insect belonging to any of the various hymenopterous insects of the super family Apoidea and commonly known as a bee.*

***Restrictions on keeping of Bees in Hives***

- 6.7.2 (1) *A person shall not keep or permit the keeping of bees anywhere within the district unless approval to do so has been given by the Council.*
- (2) *If, in the opinion of an Environmental Health Officer, the approved beehives are causing a nuisance, the Council may direct any bees or approved beehives to be removed.*
- (3) *A person shall comply with a direction within the time specified.*

- **Risk related**  
Nil
- **Workforce Implications**  
Nil

**Voting Requirements:**  
**Absolute Majority Required:           No**

**OFFICER RECOMMENDATION:**

***"That Council approves the application to keep a maximum of two (2) Bee Hives at any one time on Lot 7 (111) Newcastle Street, York."***



## ***SY058-05/18 – Outstanding Rates and Charges – Payment Agreements***

**FILE REFERENCE:** FI.DRS.3  
**APPLICANT OR PROPONENT(S):** VARIOUS  
**AUTHORS NAME & POSITION:** Anneke Birleson, Finance Officer  
**RESPONSIBLE OFFICER:** Suzie Haslehurst, Executive Manager Corporate & Community Services  
**PREVIOUSLY BEFORE COUNCIL:** 23 April 2018  
**DISCLOSURE OF INTEREST:** Nil  
**APPENDICES:** A – Table of Application Details (Confidential)

*The appendix of this item is confidential in accordance with Section 5.23(2)(b) of the Local Government Act 1995 as it contains information regarding the personal affairs of a person and Section 5.23(2)(e)(iii) as it deals with a matter that if disclosed, would reveal the financial affairs of a person.*

*Copies have been provided to Councillors, the Chief Executive Officer and Executive Managers only.*

### **Nature of Council's Role in the Matter:**

- Executive

### **Purpose of the Report:**

The purpose of this report is to provide Council with details regarding payment arrangement applications that the Shire has received, that do not qualify under Delegation DE3-3.

This report seeks Council's approval to accept the officer recommendations regarding the proposed arrangements as detailed in Confidential Appendix A.

### **Background:**

At the Ordinary Council Meeting held on 27 November 2017, Council resolved to accept a revised Finance Policy F1.1 Revenue Collection.

The policy and Delegation 3-3 authorises the Chief Executive Officer to accept payment arrangements where there are no arrears and the balance will be paid in full by 30 June of the relevant financial year. Any applications outside this scope must be presented to Council for review and acceptance or rejection.

### **Comments and details:**

Council has considered 21 applications since the adoption of the revised revenue collection policy.

The Shire has received four further applications that do not qualify under DE3-3 and therefore, require Council consideration.

One application refers to a significant outstanding debt, where the current occupier has requested an arrangement to pay a portion of the debt prior to expected transfer of ownership.

The second application relates to a pensioner who must enter an arrangement to pay arrears in order to be eligible for a rebate on their current rates and Emergency Services Levy. Once an agreement is entered into, all payments are to be paid towards rates and ESL prior to other charges in order to facilitate a rebate. The proposed payments will address these requirements, with the remaining balance on other charges being added to the 2018/19 rates.

The third and fourth applications relate to ratepayers that initially elected to pay by instalments but then financial circumstances prevented them from maintaining this payment option.

Confidential Appendix A details the current debts and brief reasons why the ratepayers cannot meet the requirements of a standard payment arrangement. The table also provides an officer recommendation for each application.

Any application that is approved is subject to the condition where any default will result in legal action for debt recovery without further notice. Debtors (excluding pensioners) are also made aware that interest continues to accrue and that the 2018/19 rates will be added in July.

Applications are assessed on a case by case basis, taking into consideration people's circumstances, in accordance with policy F1.1 Principle (c).

Following the issue of the 2018/19 rates and charges, the applicants will need to apply to enter into a new arrangement and the expectation will be that the full amount will be cleared prior to 30 June 2019.

#### **Options:**

Council could elect to approve or reject the officer recommendations. Officers have worked with the applicants regarding their current financial circumstances and ability to pay. One of the principles of the revenue collection policy is that people's circumstances are taken into account.

#### **Implications to consider:**

- **Consultative**  
Officers have liaised with the applicants.
  
- **Strategic**  
Theme 5: Strong Leadership and Governance  
5.3 The Shire's public finances are sustainable in the short and long-term.
  
- **Policy related**  
*F1.1 Revenue Collection*  
*DE3-3 Agreement as to Payment of Rates and Service Charges*
  
- **Financial**  
The total debt associated with the payment arrangements as at 2 May 2018 is \$94,359.73.

This represents approximately 7.27% of the current outstanding debt.

- **Legal and Statutory**

#### ***Local Government Act 1995***

#### **6.49. Agreement as to payment of rates and service charges**

*A local government may accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.*

#### ***Shire of York Finance Policy F1.1 Revenue Collection***

#### ***Principles***

- a) the Shire's cashflow is optimised and bad debts minimised by ensuring timely collection of all revenue owing to the Shire.*
- b) the recovery of the Shire's revenue is clear, equitable, consistent and transparent.*
- c) that account is taken of the circumstances of people with debt owing to the Shire.*

- d) *all reasonable action be undertaken to recover revenue before the debt is written off.*
- e) *debt collection activities are in accordance with relevant legislation and standards and credit controls are monitored to minimise potential financial loss.*

- **Risk related**

The Financial Risk is Moderate (3).

The Likelihood of occurrence is Likely (4).

The overall risk rating is High (12).

The risk can be considered acceptable as there is a policy in place to control and manage the risk. Should any of the debtors default on their arrangement, legal action can be taken to recover the due amounts.

- **Workforce Implications**

The scope of this report will have a minor impact on the workforce, relating to ongoing monitoring of payments.

**Voting Requirements:**

**Absolute Majority Required:           No**

**OFFICER RECOMMENDATION:**

***“That Council:***

- 1. Approves the applications for a payment agreement as detailed within Confidential Appendix A, with the condition that any default will result in legal action.***
- 2. Requests the Chief Executive Officer to report back to Council regarding progress after 30 June 2018.”***



## ***SY059-05/18 – Financial Report for April 2018***

<b>FILE REFERENCE:</b>	<b>FI.FRP</b>
<b>APPLICANT OR PROPONENT(S):</b>	<b>Not Applicable</b>
<b>AUTHORS NAME &amp; POSITION:</b>	<b>Tabitha Bateman, Financial Manager</b>
<b>RESPONSIBLE OFFICER:</b>	<b>Suzie Haslehurst, Executive Manager Corporate and Community Services</b>
<b>PREVIOUSLY BEFORE COUNCIL:</b>	<b>No</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>A. Monthly Statements</b>
	<b>B. List of Creditors Payments</b>
	<b>C. Corporate Credit Card Transaction Listing</b>

### **Nature of Council's Role in the Matter:**

- Legislative
- Review

### **Purpose of the Report:**

The purpose of financial reporting and the preparation of monthly financial statements is to communicate information about the financial position and operating results of the Shire of York to Councillors and the community and monitors the local government's performance against budgets.

### **Background:**

Local governments are required to prepare general purpose financial reports in accordance with the *Local Government Act 1995*, the *Local Government (Financial Management) Regulations 1996* and the *Australian Accounting Standards*.

A statement of financial activity and any accompanying documents are to be presented to the Council at an ordinary meeting of the Council within two months after the end of the month to which the statement relates. The Statement of Financial Activity summarises the Shire's operating activities and non-operating activities.

### **Comments and details:**

The Financial Report for the period ending 30 April 2018 is presented for Council's consideration and includes the following;

- Monthly Statements for the period ended 30 April 2018
- List of Creditor's Payments
- Corporate Credit Card Transaction Listing

The following information provides balances for key financial areas for the Shire of York's financial position as at 30 April 2018;

### Outstanding Rates and Services

The total outstanding rates as at 30 April 2018 were \$1,297,577 compared to \$1,398,915 as at 31 March 2018.

#### Previous Years

3 years and over	\$263,213.28	20.28%	of rates outstanding
2 years and over	\$240,476.67	18.53%	of rates outstanding
1 year and over	\$283,444.49	21.84%	of rates outstanding
<b>Total Prior Years outstanding</b>	<b>\$787,134.44</b>	60.66%	of rates outstanding
Current Rates	\$510,442.73	39.34%	of rates outstanding

**Total Rates Outstanding** \$1,297,577.17

### Outstanding Sundry Debtors

Total outstanding sundry debtors as at 30 April 2018 were \$317,196 compared to \$288,970 as at 31 March 2018.

90 days and over	\$273,367.60	86.18%	of sundry debtors outstanding
60 days and over	\$5,520.80	1.74%	of sundry debtors outstanding
30 days and over	\$2,519.38	0.79%	of sundry debtors outstanding
Current	\$35,788.55	11.28%	of sundry debtors outstanding
<b>Total Debtors Outstanding</b>	<b>\$317,196.33</b>		

Council is currently in the process of finalising a number of large long-standing debts contained within the above balances. As a risk mitigation strategy, a contingent liability has been included in the Balance Sheet.

#### **Implications to consider:**

- **Legal and Statutory**

##### *Local Government Act 1995*

6.10. *Financial Management Regulations may provide for —*

- (a) *the security and banking of money received by a local government; and*
- (b) *the keeping of financial records by a local government; and*
- (c) *the management by a local government of its assets, liabilities and revenue; and (d) the general management of, and the authorisation of payments out of —*
- (i) *the municipal fund; and (ii) the trust fund, of a local government.*

##### *Local Government (Financial Management) Regulations 1996*

#### **34. Financial activity statement required each month (Act s. 6.4)**

(1A) *In this regulation —*

**committed assets** *means revenue unspent but set aside under the annual budget for a specific purpose.*

- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
  - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
  - (b) *budget estimates to the end of the month to which the statement relates; and*
  - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
  - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
  - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
  - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
  - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
  - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown —*
  - (a) *according to nature and type classification; or*
  - (b) *by program; or*
  - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
  - (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
  - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

*[Regulation 34 inserted in Gazette 31 Mar 2005 p. 1049-50; amended in Gazette 20 Jun 2008 p. 2724.]*

- **Policy**

Policy F1.2 Procurement

Policy F1.5 Authority to make payments from Trust and Municipal Funds

**Voting Requirements:**

**Absolute Majority Required:           No**

## OFFICER RECOMMENDATION

*“That Council receives the Monthly Financial Report and the list of payments drawn from the Municipal and Trust accounts for the period ending 30 April 2018 as summarised below:*

Apr-18	
MUNICIPAL FUND	AMOUNT
Cheque Payments	82,836.09
Electronic Funds Payments	553,975.29
Payroll Debits	165,436.99
Payroll Debits - Superannuation	36,260.98
Bank Fees	1,583.59
Corporate Cards	1,911.72
Fuji Xerox Equipment Rental	311.83
Fire Messaging Service	137.50
TOTAL	842,453.99
TRUST FUND	
Electronic Funds Payments	1,291.38
Cheque Payments	0.00
Direct Debits Licensing	121,731.55
TOTAL	123,022.93
TOTAL DISBURSEMENTS	965,476.92

”



## ***SY060-05/18 – Investments – April 2018***

**FILE REFERENCE:** FI.FRP  
**APPLICANT OR PROPONENT(S):** Not Applicable  
**AUTHORS NAME & POSITION:** Tabitha Bateman, Finance Manager  
**RESPONSIBLE OFFICER:** Suzie Haslehurst, Executive Manager Corporate and Community Services  
**PREVIOUSLY BEFORE COUNCIL:** No  
**DISCLOSURE OF INTEREST:** Nil  
**APPENDICES:** A. Investment Portfolio

### **Nature of Council's Role in the Matter:**

- Legislative
- Review

### **Purpose of the Report:**

To report to Council the balance of investments held by the Shire of York as at 30 April 2018.

### **Background:**

Council's policy F1.4 - *Investment* requires Council to review the performance of its investments on a monthly basis. In accordance with the policy, a report of investments is presented to Council to provide a summary of investments held by the Shire of York.

### **Comments and details:**

The Shire of York Investment Portfolio includes the following items that highlight Council's investment portfolio performance:

- a) Council's Investments as at 30 April 2018
- b) Application of Investment Funds
- c) Investment Performance

### **Implications to consider:**

- **Legal and Statutory**

*Local Government Act 1995*

#### **6.14. Power to invest**

- (1) *Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds may be invested under the Trustees Act 1962 Part III.*
- (2A) *A local government is to comply with the regulations when investing money referred to in subsection (1).*
- (2) *Regulations in relation to investments by local governments may —*
  - (a) *make provision in respect of the investment of money referred to in subsection (1); and*
  - [(b) deleted]*
  - (c) *prescribe circumstances in which a local government is required to invest money held by it; and*
  - (d) *provide for the application of investment earnings; and*
  - (e) *generally provide for the management of those investments.*

Local Government (Financial Management) Regulations 1996

**19. Investments, control procedures for**

- (1) A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.
- (2) The control procedures are to enable the identification of —
  - (a) the nature and location of all investments; and
  - (b) the transactions related to each investment.

**19C. Investment of money, restrictions on (Act s. 6.14(2)(a))**

- (1) In this regulation —

**authorised institution** means —

  - (a) an authorised deposit-taking institution as defined in the Banking Act 1959 (Commonwealth) section 5; or
  - (b) the Western Australian Treasury Corporation established by the Western Australian Treasury Corporation Act 1986;

**foreign currency** means a currency except the currency of Australia.

- (2) When investing money under section 6.14(1), a local government may not do any of the following —
  - (a) deposit with an institution except an authorised institution;
  - (b) deposit for a fixed term of more than 3 years;
  - (c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
  - (d) invest in bonds with a term to maturity of more than 3 years;
  - (e) invest in a foreign currency.

- **Policy**

Policy F1.4 Investment

**Voting Requirements:**

**Absolute Majority Required:           No**

**OFFICER RECOMMENDATION**

***“That Council receives and notes the Shire of York Investment Portfolio attached to this report.”***

**10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**11 QUESTIONS FROM MEMBERS WITHOUT NOTICE**

**12 BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**

***SY061-05/18 – Application to Amend Planning Approval: One Aircraft Hangar and Farm Stay Style Accommodation: Lots 2308 and 8038 Cameron Road, Malebelling***

(To be distributed prior to the meeting for Council consideration)

**13 MEETING CLOSED TO THE PUBLIC**

13.1 Matters for which the meeting may be closed

***SY062-05/18 – Confidential - Outstanding Rates - Sale of Land***

13.2 Public reading of resolutions to be made public

**14 NEXT MEETING**

The next Ordinary Meeting of Council will be held on Monday, 25 June 2018 at 5.00pm in Council Chambers, York Town Hall, York.

**15 CLOSURE**