



CONFIRMED MINUTES

**Ordinary Council Meeting
Tuesday, 22 April 2025**

Date: Tuesday, 22 April 2025

Time: 5:00pm

Location: Council Chambers, York Town Hall, York

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**MINUTES OF SHIRE OF YORK
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, YORK TOWN HALL, YORK
ON TUESDAY, 22 APRIL 2025 AT 5:00PM**

1 OPENING

1.1 Declaration of Opening

Cr Kevin Trent, Shire President, declared the meeting open at 5.01pm.

1.2 Acknowledgement / Disclaimer

The Shire President advised the following:

"The York Shire Council acknowledges the Ballardong people of the Noongar Nation who are the Traditional Owners of the country where this meeting is being held and recognise their continuing connection to land, water, sky and culture. We pay our respects to all these people and their Elders past, present and emerging.

In accordance with Regulations 14I and 14J of the Local Government (Administration) Regulations 1996, notice is given that this meeting is being video and audio recorded to facilitate community participation and for minute-taking purposes. By being present at a meeting, members of the public consent to the possibility that their image and voice may be recorded. Audio recordings are published on the Shire's website following the meeting and may be released upon request to third parties.

Members of the public are reminded that, in accordance with Section 6.16 of the Shire of York Local Government (Council Meetings) Local Law 2016, nobody shall use any visual or vocal recording device or instrument to record the proceedings of Council without the written permission of the Presiding Member.

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 in accordance with Regulation 10 of the Local Government (Administration) Regulations 1996. Therefore, members of the public should not rely on any decisions until formal notification in writing from the Shire 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

Nil

1.4 Announcement of Visitors

Nil

1.5 Declaration of Proximity Interest

Nil

1.6 Declaration of Financial Interests

Cr Kevin Trent - SY040-04/25 - Multiyear Funding Acquittal - York Motor Show 2024/25

Cr Kevin Trent - SY043-04/25 - Draft Land Lease - York & District Co-operative Ltd

Cr Denese Smythe - SY043-04/25 - Draft Land Lease - York & District Co-operative Ltd

Cr Peter Wright - SY043-04/25 - Draft Land Lease - York & District Co-operative Ltd

1.7 Disclosure of Impartiality Interest

Nil

2 ATTENDANCE

2.1 Members

Cr Kevin Trent, Shire President; Cr Denis Warnick, Deputy Shire President (via electronic means)

Cr Chris Gibbs; Cr Kevin Pyke; Cr Denese Smythe; Cr Peter Wright

In accordance with Regulation 14C of the Local Government (Administration) Regulations 1996, the Shire President has authorised Cr Denis Warnick to attend this meeting via electronic means, having given consideration to the location from which Cr Warnick is attending the meeting and the equipment used to attend the meeting, confirming they are suitable to enable effective engagement in deliberations and communications, and ensuring confidentiality.

2.2 Staff

Alina Behan, Acting Chief Executive Officer; Rebecca Palumbo, Acting Executive Manager Corporate & Community Services; Vanessa Green, Council & Executive Support Officer

2.3 Apologies

Chris Linnell, Chief Executive Officer - 10 March 2025 to 7 July 2025 inclusive; Lindon Mellor, Executive Manager Infrastructure & Development Services

2.4 Leave of Absence Previously Approved

Nil

2.5 Number of People in the Gallery at Commencement of Meeting

There were seventeen (17) people in the Gallery at the commencement of the meeting.

3 QUESTIONS FROM PREVIOUS MEETINGS

3.1 Response to Previous Public Questions Taken on Notice

Nil

3.2 Response to Unasked Questions from the Previous Meeting

SHARNA HILDER**Question 2**

In the Addendum SY030-03/25 added to the meeting for 25 March 2025 SY030-03/25 Minutes and Recommendations Meeting held 11 March 2025 Item 1i – CEO reduce the transfer to Reserve by \$40,000 for Pioneer Memorial Lodge, will this impact the connection of the generator for our elderly people?

Response provided by the Shire President:

The funds are being returned to the Reserve due to delays in the Pioneer Memorial Lodge generator project, caused by extended Western Power approval timeframes. As a result, the funds will not be expended in the current financial year. The Pioneer Memorial Lodge

Reserve is specifically designated for capital works to the facility, and the funds will be reallocated to support the project in the next financial year, subject to Council approval.

4 PUBLIC QUESTION TIME

Public Question Time is conducted in accordance with the *Local Government Act 1995* and Regulations. In addition to this the Shire's *Local Government (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.

Public Question Time commenced at 5.09pm.

4.1 Written Questions – Current Agenda

Nil

4.2 Public Question Time

DAVID SPARROW**Question 1**

In relation to a social media post by our Shire of York on the 7th of April, 2025, as per <https://www.facebook.com/shireofyork/posts/679512364734208> regarding the date of the 5th of March, 2025, why did it taken over a month to inform the rates payers of York via social media that the decision was going to be reviewed and was part of the reason not to inform the public and rates payers of York way back on the 5th of March because of the state election on the 8th of March?

Response provided by the Shire President

The timing of disclosures is the remit of the Office of the Director of the Public Prosecution (DPP). Correspondence to the Shire of York from the DPP stated that the information was confidential and privileged and expressly forbid the distribution or disclosure of the contents.

Question 2

Were any political candidates associated with York and/or the wheatbelt (in particular, ex-YCRC employee and our current Manager Tourism & Economic Development who, to the best of my knowledge based upon what had been publicly shared on social media by Darren West MLC, had been granted leave without pay from Shire / rates-payer funded employment so she could campaign as a candidate for the ALP in the W.A. State Election?

Response provided by the Shire President

I'm not sure which part of this is the question. The Council does not consider questions pertaining to staff leave as, in accordance with the Local Government Act 1995 Section 5.41(2)(d) this is the remit of the CEO. A response has already been provided to you publicly by the Shire Administration.

KAREN MARWICK**Question 1**

McLeods Lawyers provided legal advice on the Great Southern Landfill (Allawuna Farm) at a cost to the York shire rate payers of over \$3,690.50. What was the outcome of that expense, please give details?

Response provided by the Shire President

The Shire has been working for a significant time in the hope of preventing the proposed landfill to proceed at Allawuna Farm and has been working with McLeods Lawyers to the best of our ability to ensure the proposal does not occur.

Response by Acting Chief Executive Officer

The Shire has been working with McLeods Lawyers in accordance with Council resolution to request either being a Intervener or a Party at the upcoming State Administrative Tribunal (SAT) Hearing. McLeods are assisting in progressing the development of that submission on behalf of the Shire and York community.

Question 2

At September 2024 OCM a question regarding road maintenance on the Doodenanning Road, Narralagin Road and Goldfield Road maintenance delay the CEO answer was "delays relating to supposed existence of black cockatoo habitat". Where is the documentation to show how the \$100,000 was spent? In 2013 Birdlife Western Australia

did a survey, no habitats were found around York area. Why was the Birdlife survey disregarded as it appears to be a waste of our ratepayers money?

Response from Acting Executive Manager Corporate & Community Services

At the time, a clearing permit application was submitted to clear some trees to undertake the road works. That application had to be referred to the Federal Department of Environment who required further investigations to be conducted to determine whether, or not, black cockatoo habitat existed in the clearing area as part of considering the application. The \$100,000 was for the entire suite of documents submitted to the Federal Government for that application. One (1) part of that documentation related to the black cockatoo investigation. The Shire acknowledges the Birdlife report identifies there is no black cockatoo habitat in the clearance area but further investigation was required to demonstrate that to the Federal Government.

While the application was not required to be presented to Council, it is published on the Shire's website [York Tammin Road Widening » Shire of York](#) with details of the funds spent on the project, of approximately \$74,000, being presented to Council through the Creditors Listing over various months that the expense was incurred.

DIANE BUCKLEY

ON BEHALF OF SHARNA HILDER

Question 1

Could an update on the swimming pool be provided to ratepayers at each OCM with a summary and costs incurred as this requires major financial expenditure?

Response from the Shire President

At this stage Council have only determined the preferred location for the new aquatic facility.

Response from the Acting Chief Executive Officer

The purpose of Ordinary Council Meetings is not to provide Council or the community with updates on projects. Rather, Ordinary Meetings are for Council to provide direction to the Administration by making decisions on particular matters presented to it. Therefore, project updates would not occur during an Ordinary Council Meeting. However, there are other mechanisms the Shire uses to provide updates to the community, such as the Major Projects section of our website [York Swimming Pool Renewal » Shire of York](#), via social media, the local newspaper, community engagement sessions and/or noticeboards.

Question 2

The Shire house in Dinsdale Street has just been refurbished at a cost of over \$2,200. Will this be a permanent Shire employee house?

Response from the Acting Chief Executive Officer

That house is permanently available for staff. It currently supports two (2) new employments being the Graduate Engineer and the contract Environmental Health Officer. The intent is for that property to remain for those temporary employments.

DIANE BUCKLEY

Question 1

I understand Council has appointed a debt collection agency but would like to know how or why this was allowed to get to where we have over \$700,000 that is overdue by 2-3 years?

the Shire retained the asset of the building and land, estimated to be valued at a maximum of \$650,000. Through that asset the Shire has been able to retain the CRC service to the community and expand its own Community Services operations.

DAVID SPARROW

Question 3

*In relation to a social media post by our Shire of York on the 15th of April 2025 as per: <https://www.facebook.com/shireofyork/posts/685765090775602> in what ways was the following from our [#VisionAndValues](#) upholding Shire of York code of conduct as is available for download from our Shire of York website, here: <https://www.york.wa.gov.au/documents/13/code-of-conduct> which includes the following: "... e) **Staff will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity.** ..." considered before (allegedly and based upon a public social media post by Darren West MLC) leave without pay was granted so our current SoY Manager for Tourism & Economic Development could campaign as a candidate for the ALP in the recent W.A. State Election?*

Response from the Shire President

The management of employees is entirely within the remit of the CEO and not a matter for Council. I understand that the Administration has already publicly responded to your question and as such it will not be further considered. Should you have any genuine concerns backed up by evidence then please submit them to the Department of Local Government and/or the Public Sector Commission.

Question 4

Additionally, who signed off on her returning to presumably normal duties despite the aforementioned SoY code of conduct especially as I for one now have no choice but to reasonably doubt that officer's neutrality and impartiality when it comes to the Tourism and Economic Development of our Shire of York and instead basically see that particular employee of ours now being a promotional face or entity or public figure aligned with and promoting a particular political party rather than a neutral and impartial member of our SoY admin team hired to promote our town on rates-payer coin?

Response from the Shire President

Please refer to the earlier response.

The Shire President closed Public Question Time at 5.31pm.

The written questions received that remain unasked from the April 2025 Public Question Time will be presented and answered in the May 2025 Ordinary Meeting Agenda.

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PRESENTATIONS

6.1 Petitions

A Petition was received from Mr Brian Humphries of York containing approximately forty-three (43) signatures (currently unverified) requesting the Shire of York:

18/03/2025	Citizenship Ceremony	Lesser Hall
18/03/2025	Agenda Briefing	Council Chambers
25/03/2025	Ordinary Council Meeting	Council Chambers
26/03/2025	Council Plan review session	CRC
27/03/2025	Tidy Towns presentation	CRC
31/03/2025	YBA/Barry Urquhart Forum	Lesser Hall

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

<p>RESOLUTION 030425</p> <p>Moved: Cr Denese Smythe Seconded: Cr Peter Wright</p> <p>That the minutes of the Ordinary Council Meeting held on 25 March 2025 be confirmed as a correct record of proceedings.</p> <p><u>In Favour:</u> Crs Kevin Trent, Denis Warnick, Chris Gibbs, Kevin Pyke, Denese Smythe and Peter Wright</p> <p><u>Against:</u> Nil</p> <p style="text-align: right;">CARRIED 6/0</p>
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8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.1 Meetings and Events Attended

The Shire President advised he had attended the following meetings and events during March 2025:

DAY	MEETING/EVENT DESCRIPTION	VENUE
04/03/2025	Councillor Skin Checks	Council Chambers
04/03/2025	CEO Meeting	Shire Administration
10/03/2025	Wheatbelt North Regional Road Group Meeting	Northam
10/03/2025	Acting CEO Meeting	Shire Administration
11/03/2025	Audit & Risk Committee Meeting	Council Chambers
11/03/2025	Concept Forum	Council Chambers
17/03/2025	AROC Meeting	Toodyay
18/03/2025	Citizenship Ceremony	Lesser Hall
18/03/2025	Acting CEO Meeting	Shire Administration
18/03/2025	Agenda Briefing	Council Chambers
25/03/2025	Ordinary Council Meeting	Council Chambers
28/03/2025	WALGA Conference – Reimagining the Wheatbelt	Bruce Rock

9 OFFICER'S REPORTS

SY036-04/25 APPLICATION TO OPERATE A PERSONAL BEEHIVE(S) - LOT 13 (285) BAYLY ROAD, YORK

File Number: 4.9249

Author: Shelley Hall, Development Services Officer
Phil Swain, Environmental Health Officer

Authoriser: Lindon Mellor, Executive Manager Infrastructure & Development Services

Previously before Council: Not Applicable

Disclosure of Interest: Nil

Appendices: 1. Sketch Plan

NATURE OF COUNCIL'S ROLE IN THE MATTER

Quasi-Judicial

PURPOSE OF REPORT

This report presents a proposal for the keeping of one (1) beehive on a property situated at Lot 13 (285) Bayly Road, York to Council for consideration.

BACKGROUND

The applicant has requested permission to place one (1) beehive on a property situated at Lot 13 (285) Bayly Road, York.

The property is 2.1549ha in area with the closest resident being approximately 85m from the proposed beehive. A water source is proposed to be located within the locality of the proposed beehive, refer to the sketch plan presented in Appendix 1.

Division 7 – Bee Keeping of the *Health Local Laws 2009* states that no person shall keep or permit the keeping of bees anywhere within the district unless approval is given by Council.

COMMENTS AND DETAILS

The closest known beehive is located approximately 2.1km away on Panmure Road, York.

As pollinators, bees play a part in every aspect of the ecosystem. They support the growth of trees, flowers and other plants which serve as food and shelter for creatures large and small. Bees contribute to complex, interconnected ecosystems that allow a diverse number of different species to co-exist.

The proposal does not present a threat to the environment, it is not detrimental to the well-being of the adjoining neighbours and has no financial impact on Council.

All persons keeping bees in WA are legally required to register with the Department of Primary Industries and Regional Development (DPIRD). A registration was submitted with the application.

It is therefore recommended the applicant be granted permission to keep the one (1) beehive at Lot 13 (285) Bayly Road, York.

OPTIONS

Council has the following options:

Option 1: Council could choose to approve the application to keep the one (1) beehive at Lot 13 (285) Bayly Road, York.

Option 2: Council could choose to refuse the application to keep the one (1) beehive at Lot 13 (285) Bayly Road, York.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

Correspondence was sent to eleven (11) surrounding landowners in a 200m radius on 24 February 2025 giving fourteen (14) days to respond with any objections or comments. No objections were received.

Strategic

Strategic Community Plan 2020-2030

Goal 1: The Place to Be

To be a close-knit community, full of life, in a welcoming and accessible place for all.

Goal 4: Built for Lifestyle and Resilience

To have a built environment which supports community, economy, and the environment, respects the past, and creates a resilient future.

Policy Related

No current policy applies.

Financial

There are no financial implications should Council approve the Officer's recommendation.

Legal and Statutory

Division 7 of the Shire of York *Health Local Laws 2009* is applicable and states:

"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

Bee stings may pose a health risk to neighbours where individuals have allergies to the same, which is the reason neighbours are consulted. Diseases impacting hives can also spread between hives.

Officers have reviewed records to determine if any other beehives, particularly commercial hives, are in the immediate area. None were found.

Workforce

The scope of this report can be managed within current operational capacity.

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION

040425

Moved: Cr Denese Smythe

Seconded: Cr Chris Gibbs

That, with regard to Application to Operate a Personal Beehive(s) - Lot 13 (285) Bayly Road, York, Council:

- 1. Approves the application to keep the one (1) beehive at Lot 13 (285) Bayly Road, York.**

In Favour: Crs Kevin Trent, Denis Warnick, Chris Gibbs, Kevin Pyke, Denese Smythe and Peter Wright

Against: Nil

CARRIED 6/0

Appendix 1

DETAILS OF BEE HIVE LOCATION:

Address where bees are to be kept: 285 BATLY RD YORK

Location of hives on property:

Please indicate on sketch plan below the placement of the hive(s), structures on the property and the location of the water supply. Please indicate the distance in metres from the hives to the nearest boundary fences and distance from hives to water supply:

The sketch plan shows a rectangular property bounded by Batly Rd on the left and 285 Batly on the bottom. Inside the property, there are three buildings labeled 'House'. One house is at the top right, another is in the center, and a third is at the bottom left. A water supply is marked with 'X2' and a bee hive with 'X1'. Distances are indicated by lines and arrows.

SY037-04/25 APPLICATION TO OPERATE A PERSONAL BEEHIVE(S) - LOT 525 (187) BLAND ROAD, YORK

File Number:	4.9249
Author:	Shelley Hall, Development Services Officer Phil Swain, Environmental Health Officer
Authoriser:	Lindon Mellor, Executive Manager Infrastructure & Development Services
Previously before Council:	Not Applicable
Disclosure of Interest:	Nil
Appendices:	1. Sketch Plan ↓

NATURE OF COUNCIL'S ROLE IN THE MATTER

Quasi-Judicial

PURPOSE OF REPORT

This report presents a proposal for the keeping of one (1) beehive on a property situated at Lot 525 (187) Bland Road, York to Council for consideration.

BACKGROUND

The applicant has requested permission to place one (1) beehive on a property situated at Lot 525 (187) Bland Road, York.

The property is 4,170m² in area with the closest resident being approximately 37.7m from the proposed beehive. Four (4) water sources will be made available onsite within 30m of the proposed beehive location, refer to the sketch plan presented in Appendix 1.

Division 7 – Bee Keeping of the *Health Local Laws 2009* states that no person shall keep or permit the keeping of bees anywhere within the district unless approval is given by Council.

COMMENTS AND DETAILS

The closest known beehive is approximately 530m away located on Avon Terrace, York.

As pollinators, bees play a part in every aspect of the ecosystem. They support the growth of trees, flowers and other plants which serve as food and shelter for creatures large and small. Bees contribute to complex, interconnected ecosystems that allow a diverse number of different species to co-exist.

The proposal does not present a threat to the environment, it is not detrimental to the well-being of the adjoining neighbours and has no financial impact on Council.

All persons keeping bees in WA are legally required to register with the Department of Primary Industries and Regional Development (DPIRD). No registration was submitted with the application and hence it is recommended that this approval be conditional upon receipt of the same.

It is therefore recommended the applicant be granted permission to keep the one (1) beehive at Lot 525 (187) Bland Road, York.

OPTIONS

Council has the following options:

- Option 1:** Council could choose to approve the application for one (1) beehive at Lot 525 (187) Bland Road, York, with the condition.
- Option 2:** Council could choose to refuse the application for one (1) beehive at Lot 525 (187) Bland Road, York.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

Correspondence was sent to twenty-seven (27) surrounding properties within a 200m radius of the applicant's property on 24 February 2025 giving fourteen (14) days to respond with any objections or comments. No objections were received.

Strategic

Strategic Community Plan 2020-2030

Goal 1: The Place to Be

To be a close-knit community, full of life, in a welcoming and accessible place for all.

Goal 4: Built for Lifestyle and Resilience

To have a built environment which supports community, economy, and the environment, respects the past, and creates a resilient future.

Policy Related

No current policy applies.

Financial

There are no financial implications should Council approve the Officer's recommendation.

Legal and Statutory

Division 7 of the Shire of York *Health Local Laws 2009* is applicable and states:

"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

Bee stings may pose a health risk to neighbours where individuals have allergies to the same, which is the reason neighbours are consulted. Diseases impacting hives can also spread between hives.

Officers have reviewed records to determine if any other beehives, particularly commercial hives, are in the immediate area. None were found.

Workforce

The scope of this report can be managed within current operational capacity.

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION

050425

Moved: Cr Denese Smythe

Seconded: Cr Chris Gibbs

That, with regard to the Application to Operate a Personal Beehive(s) - Lot 525 (187) Bland Road, York, Council:

- 1. Approves the application for one (1) beehive at Lot 525 (187) Bland Road, York, subject to the following conditions:**
 - a. A certificate of registration from the Department of Primary Industries and Regional Development must be obtained and provided to the Shire of York prior to the location of the approved beehive on site.**

In Favour: Crs Kevin Trent, Denis Warnick, Chris Gibbs, Kevin Pyke, Denese Smythe and Peter Wright

Against: Nil

CARRIED 6/0

Appendix 1

DETAILS OF BEE HIVE LOCATION:	
Address where bees are to be kept:	187 BLAND RD YORK 6302 .
Location of hives on property:	
<p>Please indicate on sketch plan below the placement of the hive(s), structures on the property and the location of the water supply. Please indicate the distance in metres from the hives to the nearest boundary fences and distance from hives to water supply:</p>	
<p>The sketch plan shows a rectangular property with a garage at the top left and a house at the bottom center. A beehive is located to the right of the garage. A vertical line on the right side represents a back fence, with an arrow pointing to it labeled 'Back fence 33 metres'. A horizontal line on the left side represents a neighbour's fence, with an arrow pointing to it labeled '28 metres to neighbours fence'. A horizontal line on the right side represents another neighbour's fence, with an arrow pointing to it labeled '20 metres to neighbours fence'. A vertical line with an arrow pointing down from the beehive is labeled '25 metres to house'. A water source is marked with an asterisk (*) on the right side of the property. The text '* Water Source' is written to the right of the asterisk. The property is labeled '187 Bland Rd York 1.03 Acre Lot' at the bottom.</p>	

SY038-04/25 ARCHAEOLOGY AT PONY CLUB GROUNDS

File Number:	4.6615
Author:	Carol Littlefair, Arts and Cultural Heritage Officer
Authoriser:	Rebecca Palumbo, Acting Executive Manager Corporate & Community Services
Previously before Council:	Not Applicable
Disclosure of Interest:	Nil
Appendices:	<ol style="list-style-type: none">1. Pony Club Ground Penetrating Radar report ↓2. SJC Heritage Consultant's Preliminary Advice report ↓3. Section 16 Project Plan ↓4. Ballardong Aboriginal Corporation Letter of Support ↓5. Response Updated Advice re Section 16 requirements from DPLH ↓6. Purchase Order SJC heritage Consultants for Archaeology services ↓

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

To inform Council of the findings of an archaeological excavation at the York Pony Club Grounds.

BACKGROUND

Consultation with Ballardong Elders as part of the Noongar Cultural Heritage Survey undertaken in 2021 highlighted the oral history shared amongst local Ballardong people of the Pony Club Grounds being a traditional Aboriginal burial ground. See the Recommendation 9biii on page 3 https://www.york.wa.gov.au/Profiles/york/Assets/ClientData/Shire_of_York_Noongar_Cultural_Heritage_Survey_report-Draft_-_reduced_size_pdf_1_.pdf.

Research of documentary evidence relating to this land also indicates it was used as an early settler [c.1850's] cemetery, as presented in Appendix 3.

In 2023 due to issues with allocating new graves and drainage needs at the current Herbert Road cemetery, a specialist firm, GB Geotechnics was hired to undertake a Ground Penetrating Radar (GPR) survey of that cemetery to locate unmarked graves. This opportunity was used to undertake GPR also at the St. John's cemetery at the Henrietta Street/Avon Terrace crossroads. A limited survey of five (5) trial test squares at the Pony Club grounds was undertaken as the site covers a large area and there is no visible indication of graves.

COMMENTS AND DETAILS

Local Ballardong Elders were invited to identify the five (5) test squares that would be investigated using the GPR. They walked the site and five (5) areas of interest were pegged.

Following the GPR survey of the area, one (1) of the test squares at the Pony Club grounds yielded results indicating a soil anomaly that was interpreted as a possible gravesite. The report is presented in Appendix 1.

This information was reported to the Department of Planning Lands and Heritage (DPLH) in accordance with Section 15 of the *Aboriginal Heritage Act 1972* and the location is currently recorded as Aboriginal Cultural Heritage Lodged Place 3348.

After consultation with the Ballardong community, the Shire of York engaged an Aboriginal burial specialist archaeologist, Stephen Corsini from SJC Heritage Consultants, to archaeologically investigate the site.

Initial consultation with the DPLH advised that a Section 16 application would be required under the *Aboriginal Heritage Act 1972*. This advice was later updated and a Section 16 was not required. Confirmation of this is presented in Appendix 5. As the Section 16 project plan had already been prepared, DPLH and the Ballardong Aboriginal Corporation (BAC) were supplied with a copy.

The archaeological excavation was carried out on 24 and 25 February 2025 by Stephen Corsini assisted by an archaeologist from BAC, Jolene Brown.

The Shire advised the Officer in Charge of the York Police Station on 20 February 2025 that the archaeology was being undertaken on the site, confirming that if human remains were found the police would be contacted in accordance with the *Coroner's Act 1996*. The police were advised it would be a historic burial, if anything was found.

No human remains were found. The preliminary report identified the soil anomaly to have been caused by a large metal road sign and other buried rubbish. Details of this are presented in Appendix 2.

Although no human remains were found on this occasion, it is likely that human remains are present on the Pony Club site, due to the documentary evidence of the 1904 Vesting Order which describes 'old graves' and the Traditional Owners' oral history. These facts should be considered in relation to any further investigation or use of the land.

OPTIONS

Council has the following options:

Option 1: Council could choose to accept the SJC Heritage Services Preliminary Advice report, as presented in Appendix 2.

Option 2: Council could choose not to accept the SJC Heritage Services Preliminary Advice report, as presented in Appendix 2.

Option 3: Council could choose to seek further information and identify what that information is.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

Original consultation as part of the 2021 Noongar Cultural Heritage Survey highlighted the concerns of local Ballardong people that the Pony Club grounds were a traditional (pre-colonial) burial site.

When the opportunity arose to undertake GPR the local Noongar community was invited to comment and say whether they wished archaeology to proceed. Twenty-three (23) written responses supporting the Section 16 application were received, with no opposition.

Local Elders/Traditional Owners who had expressed an interest in the project walked the site and selected the test squares for the GPR. Three (3) of these Elders acted as Aboriginal Monitors during the excavation works.

The BAC were also consulted and provided a Letter of Support, which is presented in Appendix 4. This was supplied to DPLH. BAC also supplied a qualified archaeologist to assist with the practical excavation.

Strategic

Strategic Community Plan 2020-2030

Goal 1: The Place to Be

To be a close-knit community, full of life, in a welcoming and accessible place for all.

Goal 4: Built for Lifestyle and Resilience

To have a built environment which supports community, economy, and the environment, respects the past, and creates a resilient future.

Goal 5: Strong Leadership and Governance

To have effective and responsive leadership and governance, where a sense of collective purpose and shared direction combine to work together.

This project aligns with the following Objectives from the Shire's Reflect Reconciliation Action Plan:

1. Establish and strengthen mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders and organisations.
2. Promote reconciliation through our sphere of influence.
3. Demonstrate respect to Aboriginal and Torres Strait Islander peoples by observing cultural protocols.

Policy Related

Nil

Financial

Funds were allocated in the 2024/25 Budget to undertake this work.

Legal and Statutory

Section 16 of the *Aboriginal Heritage Act 1972* outlines statutory obligations in regard to excavation of Aboriginal sites.

"16. Excavation of Aboriginal sites

- (1) *Subject to section 18, the right to excavate or to remove anything from an Aboriginal site is reserved to the Registrar.*
- (2) *The Registrar, on the advice of the Committee, may authorise the entry upon and excavation of an Aboriginal site and the examination or removal of anything on or under the site in such manner and subject to such conditions as the Committee may advise."*

Clause 17(1) of the *Coroners Act 1996* states:

"17. Obligation to report death

- (1) *A person must report a death that is or may be a reportable death to a coroner or a member of the Police Force immediately after he or she becomes aware of the death, unless the person has reasonable grounds to believe that the death has already been reported."*

The local Police have been kept informed as the matter progresses.

Risk Related

If no action was taken to investigate this matter the risk of reputational damage to the relationship with the Ballardong community was high. This would have likely caused a loss of trust that may have impacted further partnerships with the community.

Workforce

The work was completed with existing resources, using external technical expertise.

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION

060425

Moved: Cr Denese Smythe

Seconded: Cr Peter Wright

That, with regard to Archaeology at Pony Club Grounds, Council:

- 1. Notes the preliminary advice report from SJC Heritage Consultants, as presented in Appendix 2.**

In Favour: Crs Kevin Trent, Denis Warnick, Chris Gibbs, Kevin Pyke, Denese Smythe and Peter Wright

Against: Nil

CARRIED 6/0



GB Geotechnics (Australia) Pty Ltd
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Email: info@gbgoz.com.au
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GEOPHYSICAL INVESTIGATION TO LOCATE UNMARKED BURIALS.

**YORK PONY CLUB, 60 ULSTER ROAD, YORK WESTERN
AUSTRALIA.**

Date: 19 May 2023
Report No.: 3058C
Author: Qasim Asad
Review: Andrew Spyrou

Distribution
Shire of York

Report No. 3058C
Geophysical Investigation to Locate Unmarked Burials



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1. INTRODUCTION

At the request of The Shire of York (The Shire), GBG Group carried out a geophysical subsurface investigation at the York Pony Club, 60 Ulster Road York Western Australia on 31 March 2023.

During the investigation a Ground Penetrating Radar (GPR) dataset was acquired, processed and analysed in order to map unmarked burials within the area. The results of the investigation will be used by The Shire for heritage preservation and management.

2. INVESTIGATION SITE

The geophysical subsurface investigation was carried out within 5 test sites totalling approximately 1650m² at the Pony Club grounds. The location and extent of the test sites were nominated by client representatives on the morning of the site works of the investigation and are shown as blue rectangles in Figure 1 below.

The extent of the 5 test sites (A to E) were selected so as to follow a topographic high ridge line extending across the Pony Club grounds. Ground conditions at the site were suitable for geophysical data acquisition consisting of short grass and sand. Photographs of the typical conditions at the site are shown in Figure 2.



Figure 1: Extent of the 5 GPR test sites at the York Pony Club.



Figure 2: Typical site conditions during the geophysical investigation at the York Pony Club.

3. GEOPHYSICAL DATA ACQUISITION

The site work for the geophysical investigation was carried out by qualified geophysicists from GBG Group on 31 March 2023.

GPR data was acquired using a GSSI DF system which utilises ground coupled 300MHz and 800MHz antennas and a GSSI SIR3000 system utilising a 400MHz antenna. The use of multiple antennas enabled both high resolution near surface and deeper imagery to be acquired and analysed. GPR acquisition parameters are provided in Table 1 below.

During the investigation GPR profiles were acquired as closely spaced parallel lines at 0.5m intervals. Distance along the profile lines were logged by a calibrated distance measuring odometer. Spatial positioning was achieved using local grid and a GNSS receiver with satellite corrections. An accuracy of +/- 0.30m is expected for horizontal components. Positions have been provided in GDA2020, MGA zone 50 for the horizontal component.

Table 1: GPR Acquisition Parameters

Antenna centre frequency	400MHz	800 MHz	300MHz
System	Sir3000	DF	DF
Two-way travel time	80ns	60ns	100ns
Uncalibrated imaging depth	4m	3.5m	5m
Scans per metre	100	100	100
Sample number	512	1024	1024
Sample rate	16 bits	32 bits	32 bits
Radar wave velocity	0.10m/ns	0.10m/ns	0.10m/ns

4. DATA PROCESSING AND ANALYSIS

The GPR data was processed and analysed using ReflexW Version 10.0 (Sandmeier Software, 2022) with manual gains, and 1D and 2D filters being applied. The final processed data showed a high signal to noise ratio in most of the areas surveyed. It is noted that the imaging depth is less than expected for the antenna frequencies used primarily due to the local geology at the site.

Continuous and isolated reflection interfaces relating to potential unmarked graves or other buried features were identified and digitised. Examples GPR reflection sections from this investigation are shown in Figures 3 to 5.

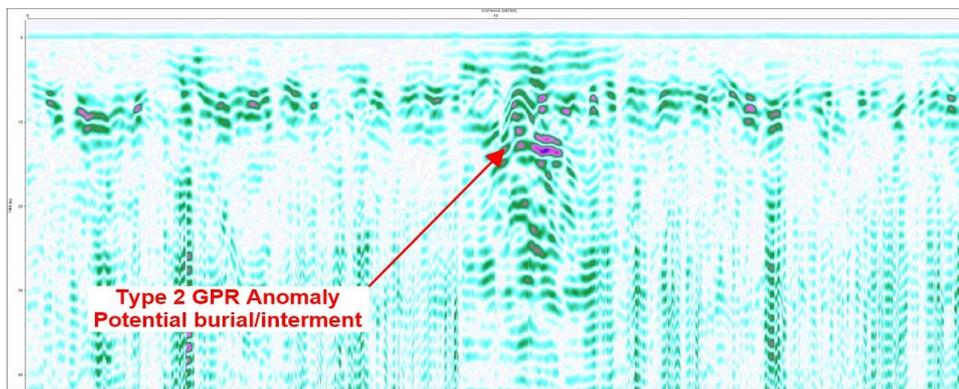


Figure 3: Example radar gram section showing an anomaly related to an interpreted potential burial.

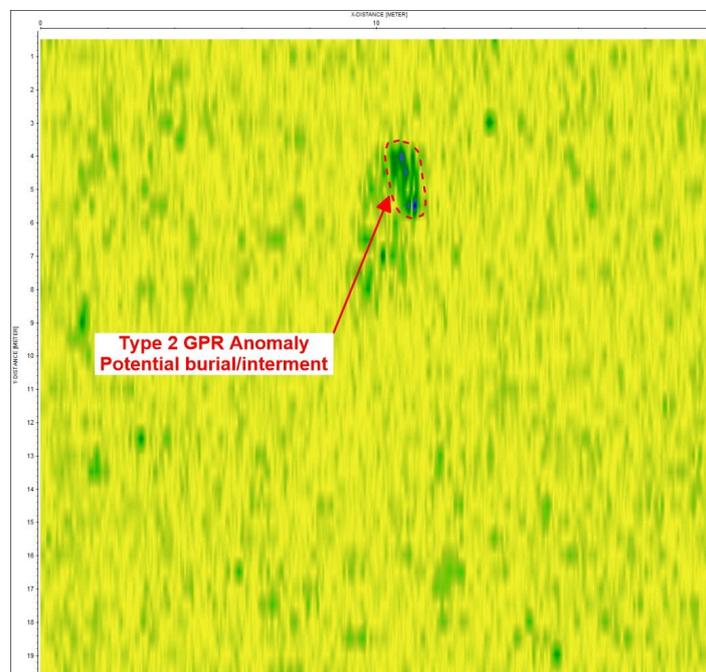


Figure 4: Example depth slice (at 0.6mBGL) showing an anomaly related to an interpreted potential burial.

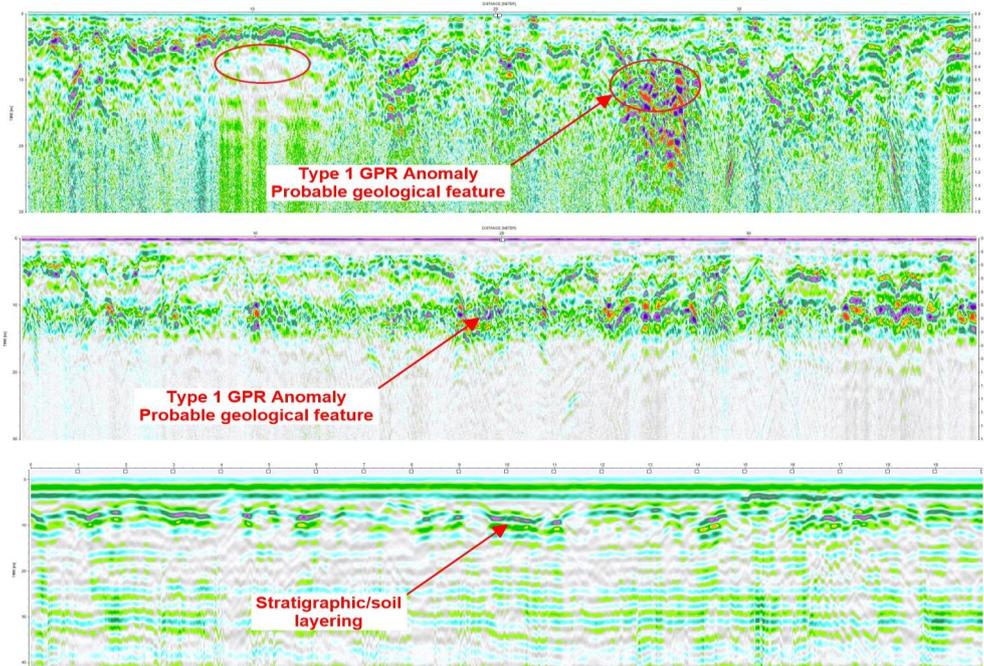


Figure 5: Example radar gram sections showing anomalies related to natural/geological features.

5. RESULTS AND INTERPRETATION

The results of the geophysical investigation carried out at York Pony Club, Western Australia have been provided as a series of drawings in Appendix A of this report as follows:

- **3058C-01** – York Pony Club site map with surveyed areas.
- **3058C-02** – Ground penetrating Radar (GPR) Interpretation

The extents of the surveyed areas are shown in Drawing 3058C-01 as blue rectangles. The extents of the zoomed-in insets have been shown using red rectangles.

Following detailed analysis of the GPR datasets as both cross-sections and depth-slices for each test site, anomalies have been identified and classed into 2 categories as follows:

- **Type 1 GPR anomaly** (orange areas) – such anomalies have been interpreted as being related to near surface features of probable natural or geological origin such as rock floaters and root masses. A total of 6 such anomalies were identified in the GPR dataset and it is suggested that they do not warrant intrusive testing.
- **Type 2 GPR anomaly** (yellow areas) – such anomalies have been interpreted as being related to near surface features of possible anthropogenic origin including potential interments/burials. 1 such anomaly was identified in the GPR dataset within Test Site B, measuring approximately 2m by 1m in lateral extent and at a depth of 0.5m below ground level.

Report No. 3058C
Geophysical Investigation to Locate Unmarked Burials



6. CONCLUSIONS

A geophysical subsurface investigation has been carried out by GBG Group at the York Pony Club, Western Australia. During the investigation geophysical testing by way of Ground Penetrating Radar (GPR) was acquired at 5 nominated test sites.

The Ground Penetrating Radar data was processed and interpreted to obtain information relating to potential unmarked burials within the site. Following detailed analysis of the processed datasets a total of 7 anomalies were identified including 6 from probable natural or geological origin, and 1 of possible anthropogenic origin possibly an interment/burial. Note this does not preclude the existence of other burials not visible in the GPR dataset due to the old age of the burials.

The methods used during the investigation are geophysical and as such the results are based on indirect measurements and the processing and interpretation of radar wave signals. The findings in this report represent the professional opinions of the authors, based on experience gained during previous similar investigations and with correlation to known and assumed subsurface ground conditions at the site.

We trust that this report and attached drawings provide you with the information required. If you require clarification on any points arising from this investigation, please do not hesitate to contact the undersigned or Andrew Spyrou on (08) 9354 6300.

For and on behalf of
GBG GROUP PTY LTD

A handwritten signature in black ink, appearing to read "Qasim".

QASIM ASAD
GEOPHYSICIST

Report No. 3058C
Geophysical Investigation to Locate Unmarked Burials

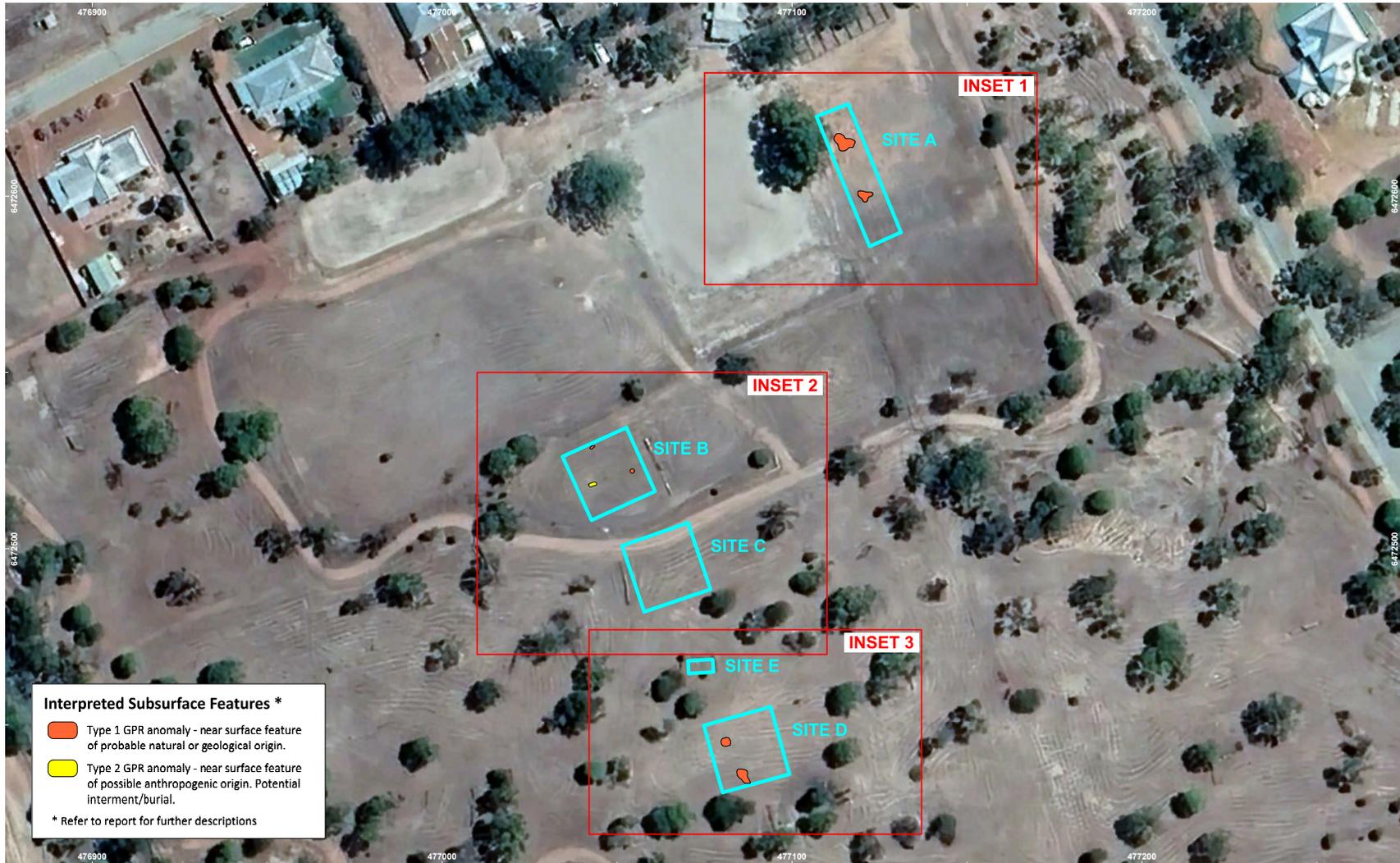


APPENDIX A – RESULT DRAWINGS



GEOPHYSICAL INVESTIGATION FOR UNMARKED GRAVE MAPPING - YORK PONY CLUB, 60 ULSTER ROAD YORK WESTERN AUSTRALIA

INVESTIGATION SITE MAP



Interpreted Subsurface Features *

- Type 1 GPR anomaly - near surface feature of probable natural or geological origin.
- Type 2 GPR anomaly - near surface feature of possible anthropogenic origin. Potential interment/burial.

* Refer to report for further descriptions

NOTES
 This drawing is to be used in conjunction with report 3058C.
 Coordinate system: GDA2020, MGA50
 Aerial imagery from Google Earth Pro



Revision	Date	Reviewed	Description	Project	Proj. Manager
0	16/05/2023	AHWS	Preliminary	3058C	AHWS
				3058C-01	AHWS
				Scale 1:500	Paper A1

SHIRE OF YORK
GEOPHYSICAL INVESTIGATION FOR UNMARKED GRAVE MAPPING
YORK PONY CLUB, 60 ULSTER ROAD YORK WESTERN AUSTRALIA.



G B Geotechnics (Australia) Pty Ltd
 ABN: 77 539 251 859
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 Email: info@gbgpc.com.au
 Web: gbg-group.com.au



GEOPHYSICAL INVESTIGATION FOR UNMARKED GRAVE MAPPING - YORK PONY CLUB, 60 ULSTER ROAD YORK WESTERN AUSTRALIA

GPR INTERPRETATION



Interpreted Subsurface Features *

- Type 1 GPR anomaly - near surface feature of probable natural or geological origin.
- Type 2 GPR anomaly - near surface feature of possible anthropogenic origin. Potential interment/burial.

* Refer to report for further descriptions

NOTES
This drawing is to be used in conjunction with report 3058C.
Coordinate are in GDA2020 (MGA50)
Aerial imagery from Google Earth Pro



Revision	Date	Reviewed	Description

Project	3058C	Proj. Manager	AHWS
Drawing	3058C-02	Drawn	OA
Scale	1:250	Paper	A1

SHIRE OF YORK
**GEOPHYSICAL INVESTIGATION FOR UNMARKED GRAVE MAPPING
YORK PONY CLUB, 60 ULSTER ROAD YORK WESTERN AUSTRALIA.**

G B Geotechnics (Australia) Pty Ltd
AS/NZS 7709:2018
Phone: 08 9324 8300
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Web: gbg-group.com.au

Report No. 3058C
Geophysical Investigation to Locate Unmarked Burials



APPENDIX B – GEOPHYSICAL METHODS

GROUND PENETRATING RADAR



APPLICATIONS

- ✓ Stratigraphic mapping including depth to bedrock
- ✓ Locating karst features, sinkholes, voids or cave systems
- ✓ Depth to water table
- ✓ Archaeology (location of graves and artifacts)
- ✓ Location of underground infrastructure, including UST's and utilities
- ✓ Assessment of internal condition and defects of engineered structures
- ✓ Assessment of road and rail infrastructure, including asphalt and ballast condition
- ✓ Slab thickness, reinforcement placement and void detection

METHOD

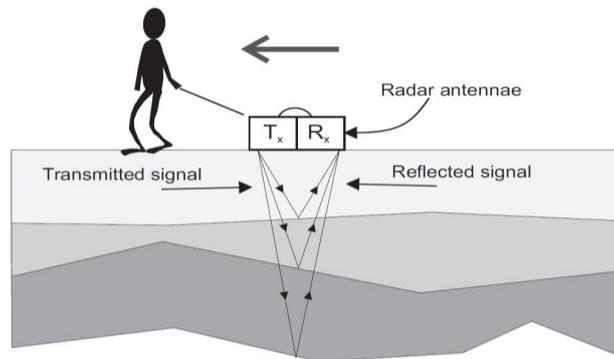
Ground Penetrating Radar (GPR) is a non-destructive and non-invasive geophysical technique for rapidly imaging the shallow subsurface which produces high resolution colour cross-sections in real time. The method works by transmitting electromagnetic energy into the material being tested (most usually the ground). Typically 100,000 impulses per second are transmitted which are of very short duration and contain a wide spectrum of frequencies.

The transmitted electromagnetic energy propagates through the subsurface as a function of the subsurface material's electrical properties, which are in turn dependent on its physical and chemical properties. Reflection of radar energy occurs at boundaries between differing stratigraphic layers or inclusions which have contrasting electrical properties. Conversely, no reflections occur from a homogenous material where there are no internal reflectors. The reflections are detected by the receiving antenna placed adjacent to the transmitter. The depth to the target is proportional to the time (in nanoseconds) taken for the signal to travel from the transmitting antenna at the surface to the target and back to the receiver.



Ground Penetrating Radar testing for mapping voids beneath a mining pit floor, Pilbara WA.

GROUND PENETRATING RADAR

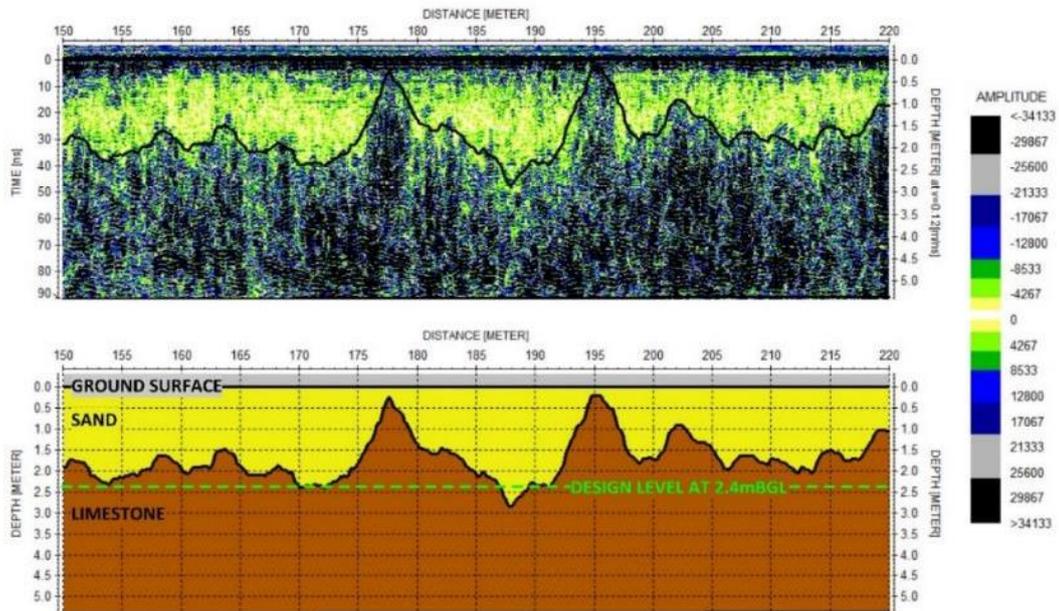


Schematic illustration of the principle behind ground penetrating radar

DATA ANALYSIS & PRESENTATION

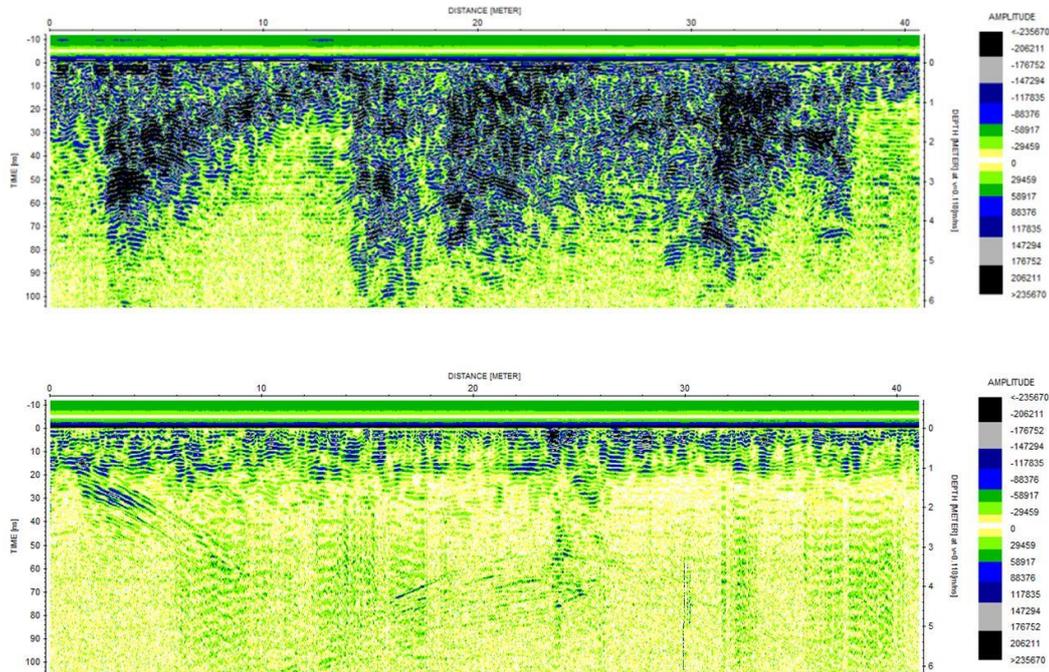
A radar-gram profile is built up of continuous scans along a selected line path and are presented as 2D cross-sections showing the variations in reflection amplitude as a colour scale. The recorded reflections can be processed, filtered and subsequently analysed in terms of shape, phase, travel time and signal amplitude to provide information about a target or layer size, depth and orientation in relation to the material around it.

The depth of investigation achievable with the GPR method is largely a function of the antenna frequency used. Lower frequencies in the order of 100 MHz are typically used for geological mapping to a maximum depth of approximately 20 m, whilst high frequencies in the order of 1 GHz are used for high resolution investigations of structures including building, bridges and tunnels.



Processed radar-gram (top) and interpretation (bottom) showing sand overlying variable depth limestone at a site in Perth WA.

GROUND PENETRATING RADAR



Processed radar-gram section showing interpreted subsurface voiding (top) and section with no interpreted voiding (bottom) from an iron ore mine in the Pilbara WA.

LIMITATIONS ON IMAGING DEPTH AND TARGET RESOLUTION

The imaging depth achieved with GPR is a function of the electric conductivity and dielectric constant of the soil type in which it is carried out. The method is highly susceptible to signal attenuation within electrically conductive materials such as clay rich soils where the transmitted radar-energy experiences an increase degree of absorption resulting in reduced imaging depths.

Imaging depths can also be reduced by signal scattering in heterogeneous conditions such as rocky soils and where surface layers are present such as road pavement, concrete slabs or compacted sediment.

Target resolution of the GPR method is a function of the antenna frequency used and the depth of the object being detected. Typically to be detectable, small targets are required to be at shallow depths using higher frequency antennas, whilst lower frequency antennas can image deeper, larger targets.

Whether an object or layer is imaged with GPR is also dependent on the contrast in dielectric constant of the target and surrounding material. For example, the dielectric contrast between a clay rich soil and extremely weathered rock may not be high enough to image the interface between the two layers. Conversely the contrast between dry sand and fresh rock will result in a detectable reflection interface.

SJC Heritage Consultants Pty Ltd.

SJC Heritage Consultants
PO BOX 746
KALAMUNDA WA 6926

25 February 2025

Ms Carol Littlefair
Arts and Cultural Heritage Officer
Shire of York
PO Box 22,
York WA 6302

Dear Carol

**PRELIMINARY ADVICE – ARCHAEOLOGICAL EXCAVATION OF A GROUND PROBING RADAR TARGET
FINDS NO ABORIGINAL CULTURAL HERITAGE MATERIAL AT YORK PONY CLUB,**

As instructed, I have carried out an archaeological excavation at the York Pony Club grounds.
No evidence of any burial or human remains was found.

We excavated in the area where a geophysical anomaly had been detected by GB Geotechnics (Australia) Pty Ltd. on 31 March 2023 at Test Site B, measuring approximately 2m by 1m in lateral extent and at a depth of 0.60m to .90m below ground level. The location was marked using pegs and pickets.

The anomaly was been interpreted as a possible **unmarked grave** so Shire of York consulted the Ballardong Aboriginal Corporation representing the Noongar Native Title Holders and the Ballardong Cultural Committee, expressed a preference to find out what if anything may exist. DPLH advised that a Section 16 permit was not required to excavate the site as the ACMC had determined it was not currently a place under the AHA 1972 .

Excavations were undertaken on Monday 24 and Tuesday 25th February 2025.

All works were undertaken with Ballardong Noongar Elders present to monitor the work.

The archaeologist was assisted by Ballardong Noongar Aboriginal Corporation's Cultural Heritage Coordinator Ms Jolene Brown who has a degree in Archaeology.

Shire of York provided a mini excavator and operator who undertook initial clearing of the surface grass. The archaeologists proceed to excavate the site by hand to determine if any artefacts were present. The excavation proceed to 120cm below surface, 20cm or more below the point that was targeted. No evidence of any burial or human remains was found.

The anomaly appears to have been a large steel road sign, along with an amount of steel wire with a small amount of china and plentiful charcoal. A coin was recovered from a sample spit 65cm below ground surface, framing the site at no earlier than 1982; the year on the coin.

Kind Regards

Stephen Corsini BA Hons Archaeology, Grad. Cert.. Applied Anthropology
Principal, SJC Heritage Consultants Pty Ltd
Mobile: 042 993 7071

25th February 2025

SJC Heritage Consultants is a 100% Australian owned company.
The Company Office is located in the City of Kalamunda (locality of Pickering Brook).

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SJC Heritage Consultants PL & The Shire of York, Western Australia.

Background to a Proposed Archaeological Investigation

York Pony Club Grounds

60 Ulster Road, York

Shire of York, Western Australia.

Prepared for the Shire of York

By

Corsini, S.J. & Littlefair, C.

11 November 2024

Corsini & Littlefair 2024
 Background to the York Pony Club Archaeological Investigation Shire of York,

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Figures

Figure 1. Map of part of the York townsite and the location of the Pony Club Grounds

Figure 2. Aerial photomap of the York Pony Club Grounds

Figure 3. FT Gregory’s map of 1855 (Cons.3868 Item 421), which shows Lot 14 with a square marked “C” within the Lot, just above the orange triangle at centre of the image.

Figure 4. Detail from FT Gregory’s 1855 map showing the Cemetery area, within Lot 14.

Figure 5: Aerial photo pf the York Pony Club grounds showing all GPR test locations.

Figure 6. Aerial photomap showing the location of the anomaly in GPR Survey Site B.

Figure 7: Example radar gram section showing an anomaly related to an interpreted potential burial (Source; Asad & Spyrou 2023 GPR report, page 5)

Figure 8 Example depth slice (at 0.6m Below Ground Level) showing an anomaly related to an interpreted potential burial (Source Asad & Spyrou 2023 GPR report, page 5.

Appendices

Appendix One – Letter of Support from Ballardong Aboriginal Corporation PBC

Apoappendix Two – Letters of Support from Noongar People resident in the town of York

Appendix Three – Copy of Advice received from the DPLH 15 October 2024

Corsini & Littlefair 2024

Background to the York Pony Club Archaeological Investigation Shire of York,

Introduction and Summary of the Project

This document provides background information and a proposed methodology for an Archaeological Investigation within the York Pony Club grounds. The investigation target is a potential unmarked grave, identified through a Ground Penetrating Radar survey. An area inside the Pony Club grounds is known to have been a cemetery from c.1855 to 1904. It may also have been an Aboriginal Burial Ground. The area has been reported as an Aboriginal Cultural Heritage Place and is currently on the DPLH AHIS as Lodged Place 3348.

This report was drafted in support of an Application under Section 16 of the WA Aboriginal Heritage Act 1972, seeking authorisation to conduct an archaeological excavation.

The report has been drafted by Heritage Consultant Mr Stephen Corsini and the Shire of York's Arts and Cultural Heritage Officer Ms Carol Littlefair, who provided most of the historical information and undertook consultation with the Ballardong Community.

In summary, It is proposed to undertake an archaeological excavation of an anomaly which was identified in a Ground Penetrating Radar (GPR) survey at the York Pony Club grounds (Asad & Spyrou 2023). The anomaly has been interpreted as a possible unmarked grave.

Documentary records reveal that part of the Pony Club grounds were gazetted as a cemetery and oral history suggest that the area was an Aboriginal burial ground. It is not clear whether the burial ground existed prior to English colonisation or if it was only used after the town was established.

Ms Carol Littlefair, Arts and Heritage Officer for the Shire of York has consulted with the Ballardong Aboriginal Corporation Native Title Prescribed Body Corporate, and has also consulted with individual Noongar People resident in York and surrounds, and they have provided letters of support for the archaeological investigation.

The work is wholly funded by the Shire of York.

The initial aim of the archaeological excavation is to determine whether the GPR anomaly is actually a grave at all. Excavation of the surface of the GPR anomaly may reveal features in the strata above the potential grave, well before intersecting any human remains. The manner of such indications will vary depending on whether the burial is a pre-colonial Traditional Burial or a historic inhumation.

If the presence of a grave is confirmed, a secondary aim will be to determine if the grave is that of:

- a) An Aboriginal person whose burial conforms to Traditional Noongar practices
- b) An Aboriginal Person buried after Colonial settlement; or
- c) A Colonial era burial of a Non-Aboriginal person.

It should be noted that at this stage there is no intention to remove any remains from the site. If a Permit is granted under Section 16, the archaeological excavation will proceed only to the point that evidence is uncovered that confirms that the GPR anomaly is a grave.

I

Corsini & Littlefair 2024

Background to the York Pony Club Archaeological Investigation Shire of York,

If any human remains are found the appropriate authorities will be notified. If any skeletal remains are discovered they will NOT be further disturbed or removed until further consultation is undertaken to determine the wishes of the Ballardong Community .

While it is currently uncertain that the GPR feature is a grave at all, the excavation will be conducted on the assumption that it is – Therefore, all archaeological work would be conducted in accordance with Sections 20 and 21 of the ATSIHPA1984 – the works will be carried out under the direction of representatives of the Ballardong Noongar Community, through the Ballardong Aboriginal Corporation as the Prescribed Body Corporate for the Ballardong Noongar Native Title Settlement Indigenous Land Use Agreement.

It was originally intended that the archaeological investigation would be conducted subject to the issuing of a Permit under Section 16 of the WA Aboriginal Heritage Act 1972, and that work would be carried out in accordance with any conditions set by the Registrar in the Section 16 permit. However subsequent advice from the DPLH Assistant Manager Aboriginal Heritage Conservation (ADV-10003750 / A00010-24 dated 15 October 2024) is that a Section 16 Permit was not required.

Corsini & Littlefair 2024

Background to the York Pony Club Archaeological Investigation Shire of York,

Background

During a Cultural Heritage Mapping project commissioned by the Shire of York, members of the Ballardong Noongar Community identified the York Pony Club grounds as a location where Aboriginal burials may have occurred (Rochelle 2021).

In accordance with Section 15 of the AHA1972 this information was reported to the DPLH and the location is currently recorded as Aboriginal Cultural Heritage Lodged Place 3348.

It is not certain whether this belief arises from knowledge handed down from pre-colonial times or if it refers to such use in the Historical period. Subsequent consultation has affirmed a strong oral-traditional amongst Noongar People that the Pony Club grounds were a burial area. Research has not yet discovered any contemporary written records of Aboriginal burials in the area during historic times. One reference (W.A. Record Thu 12 Feb 1891 Page 8) reported on an unnamed Aboriginal woman, a convert to Catholicism, being buried at the Catholic graveyard.

An extract from the WA Government Gazette in May 1904 confirmed a portion of the Pony Club land Lot 14, was officially gazetted as a cemetery. In October. The land was then vested in the Municipal Council of York in October 1904, being described as 'formerly a cemetery' and having 'old graves' which required fencing as a condition of vesting. A town Council meeting minute from October 1904 refers to management of gravestones on the land.

It is not known how many burials actually occurred within the cemetery. It is not certain when the land was first used for this purpose: Although the land was only officially gazetted as a cemetery in 1904, it seems that the land was used for burials before this time. The earliest published reference found so far is a newspaper article from 1852 which reported that the body of William Davey, who died after falling from his horse, was about to be buried in the cemetery "about one mile north of the Town", when a member of the burial party recalled that the cemetery was not consecrated, so the body was taken back to town and interred in the graveyard of St John's Anglican Church. The description of an un-consecrated graveyard located about a mile north of the town fits the description of the cemetery shown in a survey plan of York dated 1855.

Newspaper articles and letters to the editor from the 1870's and 1880's complain about the condition of the cemetery until it is gazetted and then apparently closed down in favour of the current York Cemetery which lies on the opposite side of the Avon river.

In 2013 the Shire of York commissioned Ground Penetrating Radar surveys over the former St John's Anglican Church burial ground, and the western half of the current York Cemetery (this western portion is the oldest part of the cemetery where it appears that a number of graves exist with no headstones or other markers. As part of that survey the Shire of York also requested GPR over parts of the Pony Club Grounds. As a result one GPR anomaly was identified as a possible grave.

After consultation with Ballardong Aboriginal Corporation, and local Noongar Residents, the Shire of York has proposed an archaeological excavation of the anomaly.

The purpose of the excavation is to investigate whether the GPR anomaly is actually an unmarked grave.

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Background to the York Pony Club Archaeological Investigation Shire of York,

The presence of a grave might be indicated by the discovery of stratigraphic features, displaced or disturbed soils, artefacts, a coffin or shroud or the discovery of skeletal remains. The proposed archaeological excavation will target only the identified anomaly which is located from 60cm below the current ground surface down to around 1.2 metres below surface.

It should be noted that ground penetrating radar produces contour maps which indicate variations in soil reflectivity. GPR does not provide information that would allow for the clear differentiation of skeletal remains from other potential causes of anomalous reflection. These variations may be due to sub-surface rock or different soils, or may indicate disturbance from tree roots or animal burrows.

It should also be noted that the GPR report states that it is possible that there may be burials which were not detected owing to ground reflectivity characteristics and adverse preservation factors.

The Shire of York engaged Heritage Consultant Stephen Corsini to undertake the excavation. Mr Corsini has unparalleled experience in the investigation and management of unmarked graves discovered through accidental disturbance or exposure by natural erosion, as a former Heritage Officer for the WA Department of Aboriginal Sites/Aboriginal Affairs Department and as a consultant to the AAD and the Department of Aboriginal Affairs (Corsini, Underwood, & Bennell 1995; Corsini 1997; Corsini 1998; Corsini 1999; Corsini 2000; Corsini 2003a; Corsini 2003b; Corsini 2003c; Corsini 2004; Corsini 2005).

The Land

Landgate records show that the land containing the possible burial site is Lot S14 on Deposited Plan 223250, Certificate of Title LR3016/973 and the official address is 60 Ulster Road, YORK 6302, although the Pony Club ground is accessed via Dinsdale Road. The Lot is Crown Land vested in the Shire of York and is one of four contiguous land parcels leased to the York Pony Clubs for equestrian activities..

The land used by the Pony Club encompasses 10.5 Ha, of gently sloping open woodland, bounded by Ulster Road, Ford Street, Dinsdale Street, and the rear boundary of residential properties along Forbes Street. Approximately 2.5 Ha of the land has been levelled and mostly cleared for horse stalls, a dressage ring and a show jumping ring, clubrooms, sheds and parking areas for vehicles and floats. The remainder of the land, around 8 Ha, consists of open woodland with a variety of native trees and a grass understorey which is subject to regular mowing using a tractor drawn mower. This area has a number of jumping fences and is used for general hacking and cross-country events.

The land rises gently towards the northwest, and to the east slopes slightly downwards towards the Avon River, which is around 1200m to the south east. Aerial Photos show that to the north and south there are drainage lines running east to the Avon River so that the land forms a spur between two drainage lines.

Geologically York is underlain by granites of the Darling Range, with basalt intrusions. Soils in the area of the Pony Club are primarily grey quartz sands derived from the weathering and decay of the underlying granite. Secondary deposits of clays and sands occur from erosion and transportation of the adjacent Walwalying/Mount Bakewell.

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History of Land Use

Landgate shows that the land containing the possible burial site is Lot S14 on Deposited Plan 223250, Certificate of Title LR3016/973 and the official address is 60 Ulster Road, YORK 6302.

The land in question is currently Crown Land vested in the Shire of York and is one of four contiguous land parcels leased to the York Pony Clubs for equestrian activities.

Prior to this the land appears to have been a cemetery. A cemetery was gazetted in May 1904, and was then vested in the Municipal Council of York in October 1904, being described as 'formerly a cemetery' and having 'old graves' which required fencing as a condition of vesting. Prior to the officially gazetting the land appears to have been set aside for burials; a plan of York dated 1855 shows a cemetery. The exact dates that the land was used for burials are not known, nor is the number of people who may have been interred.

A number of records confirm that there were burial grounds established next to the Anglican Church, built in 1840 by Peter Barrow, on his property on Avon Terrace. Dedicated to St John, it was consecrated in 1848. Being made of simple mud brick, the first church soon fell into disrepair, and was demolished and a replacement church, built on the same site, was dedicated in 1861. The site of St John's Anglican Church and Cemetery served as a multi-denominational cemetery until 1874. There is not a complete list of burials as this cemetery and many of the graves are now under the road. It has not been used since the new cemetery opened except to inter remains found when the road was dug up..

The Holy Trinity church, on the other side of the Avon River was constructed in 1854, and both churches were operating and maintained until 1905 when the second Saint Johns was moved to the Holy Trinity site and became the parish hall.

An article in *The Inquirer* dated Wed 3 Nov 1852 reported on the unfortunate death of Mr J.W. Davey who died from a broken neck after falling from his horse which had bolted. The article notes that following an inquest which found the cause of death was accidental,

“ ... The remains of the deceased were buried on Saturday at York. Through some accident, the grave was dug at the cemetery situated about a mile out of York. The funeral service was read, and the earth was about to be thrown on the coffin, when it was recollected that the Bishop had not consecrated the ground. The coffin was then removed, and conveyed back to York, and finally deposited in consecrated ground adjoining the church. The funeral was attended by a large number of persons”.

The description of the unconsecrated cemetery as being “About a mile outside of York” corresponds to the location of the Pony Club Grounds, which are 1300m northeast of the town centre. It seems most likely that the consecrated ground was at the Anglican Church, St Johns. The Catholic church of St Patrick was not founded until 1859.

Three years after Mr Davey's unfortunate accident and burial, it appears that the cemetery was still unconsecrated. In a report published in the *The Inquirer* dated 10 Jan 1855, under the heading “Local and Domestic Intelligence” ...

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“ ... From York we hear that great dissatisfaction has been occasioned from the want of a Cemetery for general purposes, at that place. A few days ago a Roman Catholic from the [convict] depôt died here, and was interred in unconsecrated ground near the school-house. This circumstance gave rise to a feeling on the occasion which it is hoped will not be repeated. We certainly wonder that, in a district like York, there has been as yet no site marked out for a burying ground.

The Inquirer Wednesday, 10 Januray 1855, page 2.

The current York Cemetery was allocated in 1874 and divided into five denominations. The new Church of England Cemetery was consecrated on the 21st November 1890 by Bishop Parry, although it is likely that burials were being performed before that date as the "old" cemetery had been condemned in 1886 when "dreadful effluvia" was emanating from the ground.

A letter to the Editor of the West Australian (25 December 1886 signed "Caution" refers to a proposed new Cemetery at York, although where it was situated is not clear: the description of the location as being on the banks of the Avon River "4 miles [6.4km] from the town" is at odds with the location of the Pony Club Grounds which are about a mile from the town (the SW corner is around 1300m). Nor does it accord with the current York Cemetery, which is 800m east of the Avon River and is not located 4 miles (6.4km) from the town. It is believed this proposed cemetery was suggested to be located at Gwambygine, but opposition from residents led to the proposal being abandoned.

To the Editor. Sir - It's a pity the Government did not ascertain the position of the new cemetery, before orders were given to close the present one. It is four miles away from the town, and situated on the sloping banks of the River Avon! To say nothing of the inconvenient distance to all parties concerned, The sanitary considerations involved cannot nor should be overlooked. It would be cruelty and madness to do so. It wants no great amount of foresight to see the serious effects which in course of time a cemetery on the sloping banks of a river must have upon the health of a community. The Government therefore is bound by the highest considerations possible, to intervene, and prevent the cemetery referred to, being used. No argument on the plea of the expense incurred, can have any weight whatever against the health of a people. A health officer should have been employed before any decision had been arrived at. The days have gone by for the repudiation of common-sense. The Government will be held responsible for the sad results which are inevitably connected with a cemetery on the sloping banks of the river Avon. Caution. York, 22 Dec 1886.

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Background to the York Pony Club Archaeological Investigation Shire of York,

Ground Penetrating Radar Survey Results

On 31 March 2023, a geophysical subsurface investigation was carried out at the York Pony Club by GB Geotechnics Australia Pty Ltd. During the investigation, geophysical data was acquired by way of Ground Penetrating Radar (GPR) across 5 test sites (Site A to Site E), nominated by Ballardong Community representatives. The Ground Penetrating Radar data was processed and interpreted to obtain information relating to potential unmarked burials within the site.

Following detailed analysis of the processed datasets a total of 7 anomalies were identified: six of the anomalies were interpreted as being of probable natural or geological origin (buried rocks, tree roots etc). One anomaly was interpreted as being of anthropogenic (human-made) origin, and that it may be an interment or burial.

The methods used during the investigation are geophysical and as such the results are based on indirect measurements and the processing and interpretation of radar wave signals. The findings in their report represent the professional opinions of the authors, based on experience gained during previous similar investigations and with correlation to known and assumed subsurface ground conditions at the site.

The authors of the GPR report noted that the results “do not preclude the existence of other burials not visible in the GPR dataset due to the old age of the burials”.

The earliest map that has been found in research to date, is FT Gregory’s map of 1855, Cons.3868 Item 421, which shows Lot 14 in pink with the Govt broad arrow and a square marked C within that.

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Background to the York Pony Club Archaeological Investigation Shire of York,

Traditional Aboriginal Burials

There is ample evidence for Aboriginal burials in Southern Western Australia, from reports by early settlers (Moore, Lyon), ethnographers (Bates 1904) and from DPLH site files and reports on various archaeological discoveries of unmarked graves found either naturally eroding or accidentally disturbed by trenching or earthworks.

Burial sites make up a very small proportion of Registered and Reported sites across the State: Using the DPLH ACHIS function "Find Specific Site" and the parameter Site Name "Burial" the DPLH has 176 Registered Sites across the entire State with the descriptor Burial. There are a further 144 sites which have been "Lodged" but not assessed by the ACMC, and 15 sites classed as Historic. It is highly unusual for Aboriginal burials to be discovered at all, and anecdotal evidence suggests many burials that are discovered are not reported to the DPLH.

There have been only two academic studies on the occurrence and distribution of burial sites in Western Australia; a brief summary by Davidson in 1949, and a UWA archaeology honours project where Paul Raaff (1994) analysed Aboriginal Cultural Heritage Site files with the type Burial/skeletal material, and classed as Open Access, and found "of the numerous case files examined only 11 contained enough information for use in further detailed examination of the ethnographic model" (Raaff 1994:45). Since 1994, several more burials have been discovered and subject to archaeological investigations and management (Corsini, Underwood, & Bennell 1995; Corsini 1997; Corsini 1998; Corsini 1999; Corsini 2000; Corsini 2003a; Corsini 2003b; Corsini 2003c; Corsini 2004; Corsini 2005).

Those burials which have been reported and subject of archaeological recording have been found either in actively eroding sand dunes or riverbanks, or have been discovered after being disturbed by activities such as trenching for cables or pipelines, land clearing, levelling of land using earthmoving machinery or ploughing. In some cases human remains have been found in deposits of fill indicating the original burial was in another location in sand dunes which had been excavated for fill. Burials have been discovered when skeletal elements were found in spoil heaps or soil stock piles on building developments, and some burials have been found at least partially in-situ and there is little or no disturbance. Most of the known burials have occurred in densely populated areas where ground disturbing activities have occurred.

Expanding on a paper by Davidson (1949), Raaff (1994) in his Honours Thesis, examined the records of Registered Aboriginal Sites held by the Department of Aboriginal Sites (now the DPLH). He found that where the context of the burial was known, most occurred on elevated land near to known or suspected camping areas and water sources, but not so close as to risk either contamination of water sources, nor for the spirits of the deceased to be able to menace the living.

Subsequent work by the applicant has confirmed that burials tend to be located on elevated sand dunes, overlooking rivers or lakes and most have been discovered in areas near the coast. There have been almost no burials subject to archaeologically salvage in inland areas.

Moore (1884) actually witnessed several Noongar funerary ceremonies and burials and asserts that he observed a distinction between the burial practices of the hills and plains tribes.

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“The mountain tribes bury the body north and south; the head to the south, the body on the right side, with face looking to the rising sun, and earth from the grave formed into one crescentic mound on the west side of the grave. This mode of burial is called “Gotyt”. The lowland tribes lay the body east and west on its back, the face turned towards the mid-day sun; the clay thrown out in two heaps, one at the head one at the foot. This mode of burial is called “D-yur”. The lowland tribes place the head to the east” (Moore1884:11,26).

If Moore is correct, and if the anomaly is in fact a traditional burial, it might conform to his description of “Mountain Tribe” burial practices.

Janet Millett, author of *An Australian Parsonage*, lived in York from 1863-69 and published her reminiscences in 1872. In it she describes seeing the grave of an Aboriginal person, which must have been in the York area.

“A friend once took me to see a native's grave; it was made in somewhat of a semicircular form, and on the day of the funeral had been covered, she said, with swansdown, of which when I visited the spot the wind had left no vestige. Green boughs are generally arched hutwise over the burial-place, which give it a pretty appearance whilst the leaves continue fresh; and even when the twigs and foliage are withered, the deserted mound impresses the mind of the beholder less painfully than does the solitary grave of a Christian in unconsecrated ground.” (Millett 1872)

Potential Archaeological Evidence

On the basis of ethnographic and archaeological information regarding burials, for a traditional burial archaeological indications may include evidence of disturbed soil; the outline of an oval pit with ash, charcoal or humic soils; Evidence of tree limbs and leaves (commonly placed over the deceased), and ultimately the discovery of the remains of a deceased human, generally lying on their side and laid in a position which may be described as “foetal-like”, “flexed” or “curled” with the hips and knees bent and drawn up to near the chest, the arms bent at the elbows and the hand under the chin or over the face.

If it is a Traditional burial, Moore’s (1884) report of a distinction between the burial practices of the hills and plains tribes may be evident. It is presumed that the “Mountain tribes” would have been those people living in the lands to the east of the Darling ranges which would include the Ballardong.

For coffin burials indications would include disturbed soils within a rectangular area, a pit with straight sides dug with shovels (in rare circumstances shovel marks may be preserved); the depth of disturbed soil; the discovery of artefacts such as fragments of wood which indicate a wooden coffin or metal (brass) coffin furniture; and the discovery of human remains laid out in a position variously described as “Extended”, “Supine” lying horizontally with the face and torso facing up, the arms may be folded over the chest.

It should be noted that post-colonial Aboriginal burials may retain some or even most of the traditional cultural practices such as the flexed position.

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The Christian ideal is for a body to lie east west with the head to the west, so that at the second coming and the resurrection the deceased will arise facing the sunrise. Although this is the ideal, many cemeteries are laid out in relation to land tenure boundaries or the contours of the plot and may not always conform to this ideal east west orientation.

It should also be noted that Colonial burials might not necessarily always occur within a wooden coffin. In some instances the body may have been wrapped in a blanket or in a sheet of canvas. Evidence of this may be preserved as intact cloth, or as fibres in the soil or in the case of a canvas sheet by bronze eyelets.

It is the authors understanding that, if human remains are discovered, the Ballardong Aboriginal community have expressed a wish to have DNA testing undertaken to establish ethnic origins. There are a number of constraints with DNA testing which limit its utility for this purpose – Firstly, as with Radio carbon dating, under the Commonwealth Protection of Movable Cultural Heritage Act 1986 Regulations 2018, it is an offence to export any Aboriginal Human remains outside of Australia, Therefore any DNA test MUST be carried out by a laboratory within Australia.

Further, the identification of the ancestry of a deceased person from a sample of their DNA requires a database of samples from known individuals. An indigenous ancestry might be detected by the absence of any European, Asian or African DNA. But, currently the database for Aboriginal DNA is so small that it is unlikely that any familial connections could be identified.

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Background to the York Pony Club Archaeological Investigation Shire of York,

Excavation Project Plan.

The archaeological excavations will use techniques typical for the investigation of burial sites (Connor 2007, Dupras et al 2006, Roberts 2009). The proposed methodology is set out below, however depending on a) what is discovered as the excavation proceeds and b) the wishes of the Ballardong Community representatives, there may some variation in the methodology.

Proposed Methodology;

- Ballardong Noongar representatives will be on site to monitor all ground disturbing works.
- A qualified archaeologist from the Ballardong Aboriginal Coporation has also been invited to participate.
- Ballardong Elders may wish to undertake appropriate ceremonial activities before and after the ground disturbance.
- A GPS will be used to confirm the location identified by the GPR survey as the centre-point for the anomaly.
- It is the understanding of the applicant that the Pony Club Grounds are subject to regular mowing. It will be desirable to have the investigation area mown or slashed with a brush-cutter to determine if the vegetation might show “crop marks” – In some instances the disturbed soil may affect the growth of plants and the outline of a grave might be visible.
- The Shire of York will procure/arrange for a mini excavator to be on-site to undertake the initial clearing of the surface vegetation (grass, herbaceous pants and weeds). Ideally the excavator will be fitted with a wide bucket 1200mm to clear the vegetation from the site area to a depth of 20-25cm.
- All displaced, disturbed and excavated soils will be dry sieved through a 10mm mesh screen to retrieve any artefacts or other evidence of soil disturbance.
- The archaeologist will examine the area cleared of vegetation to determine if there are any visible indications of any features.
- The archaeologist will then use a trenching shovel to excavate a series of parallel lines to a depth of 10cm, across the supposed burial site. The aim of this trenching is to discern any variation on the soil profile. The 10cm trench will also provide a guide to the digger operator in removing the next spit (level) of soil.
- Excavation will proceed to the point that any features are discovered – these include evidence of soil disturbance; the visible outline of an oval grave, or a square sided grave; the discovery of artefacts, wood or cloth; or the discovery of buried human remains.
- NO human remains the remains will be removed from the ground, unless directed by the Ballardong Monitors on site..

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- If the presence of human remains is confirmed, then under the WA Coroners Act the discovery must be reported to the WA Police. The Police must determine whether the remains are of potential Coronial interest. Note however, if the remains are suspected of being Aboriginal Cultural Heritage the provisions of the WA ACHA2021 will apply.
- Unless it is clear that the remains are non-Aboriginal, any remains that are found will be presumed to constitute Aboriginal Cultural Heritage material, under the Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984. Under Section 21, Aboriginal remains are the property of the relevant Aboriginal Community, being the Ballardong Aboriginal Corporation representing the Noongar Native Title Holders.
- Consultation with the Ballardong Aboriginal Corporation would then occur to determine what course of action should be undertaken.
- No allowance has been made in the budget for Radiocarbon dating of skeletal remains. Any such dating would have to be conducted by a laboratory in Australia: Under the Protection of Movable Cultural Heritage Act 1986 Regulations 2018, it is an offence to export ANY Aboriginal human remains or material outside of Australia.
- If radio carbon dating is to occur, it would be preferable to test non-human material, if there is organic material within the grave fill rather than testing of bone, as the test destroys the material which is tested.
- It is not intended that any object(s) (within the definition of section 6 of the Aboriginal Heritage Act 1972) would be removed from the Site;
- The remediation of the site will involve backfilling of the excavation;
- There will be no significant impact on the land. Other than the actual excavation, there will be very little impact.
- The Ballardong Aboriginal Corporation are the Prescribed Body Corporate for the Ballardong Noongar Native Title holders. Copies of their response is attached .
- Relevant shapefiles and maps to enable accurate mapping or checking of information on DPLH's mapping system.

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Figures

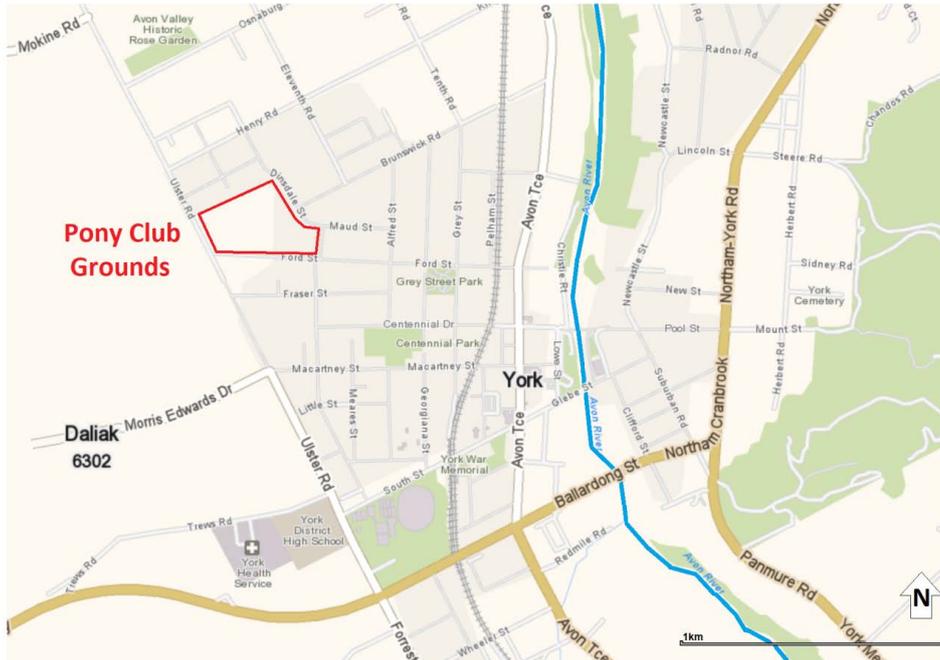


Figure 1. Map of part of the York townsite and the location of the Pony Club Grounds



Figure 2. Aerial photomap of the York Pony Club Grounds

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Figure 3. FT Gregory’s map of 1855 (Cons.3868 Item 421), which shows Lot 14 with a square marked “C” within the Lot, just above the orange triangle at the centre of the image.



Figure 4. Detail from FT Gregory’s 1855 map showing the Cemetery area, within Lot 14.

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Figure 5: Aerial photo of the York Pony Club grounds showing all GPR test locations.



Figure 6. Aerial photomap showing the location of the anomaly in GPR Survey Site B.

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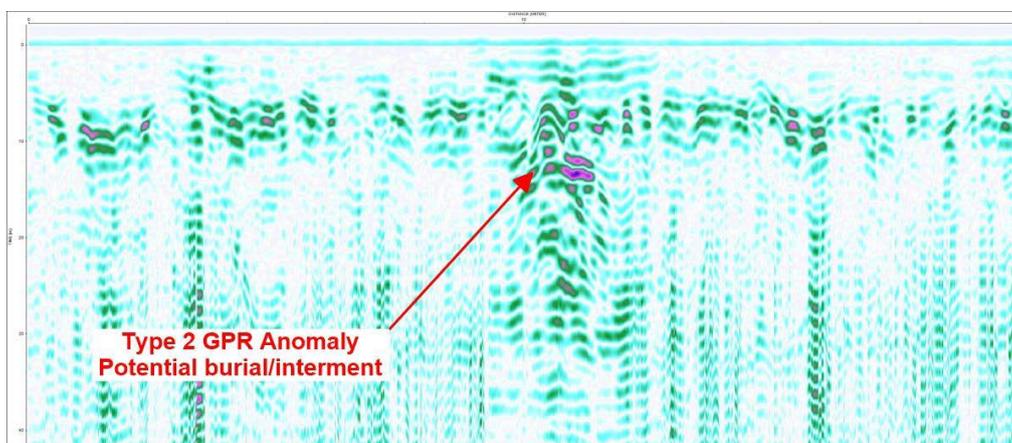


Figure 7: Example radar gram section showing an anomaly related to an interpreted potential burial (Source; Asad & Spyrou 2023 GPR report, page 5)

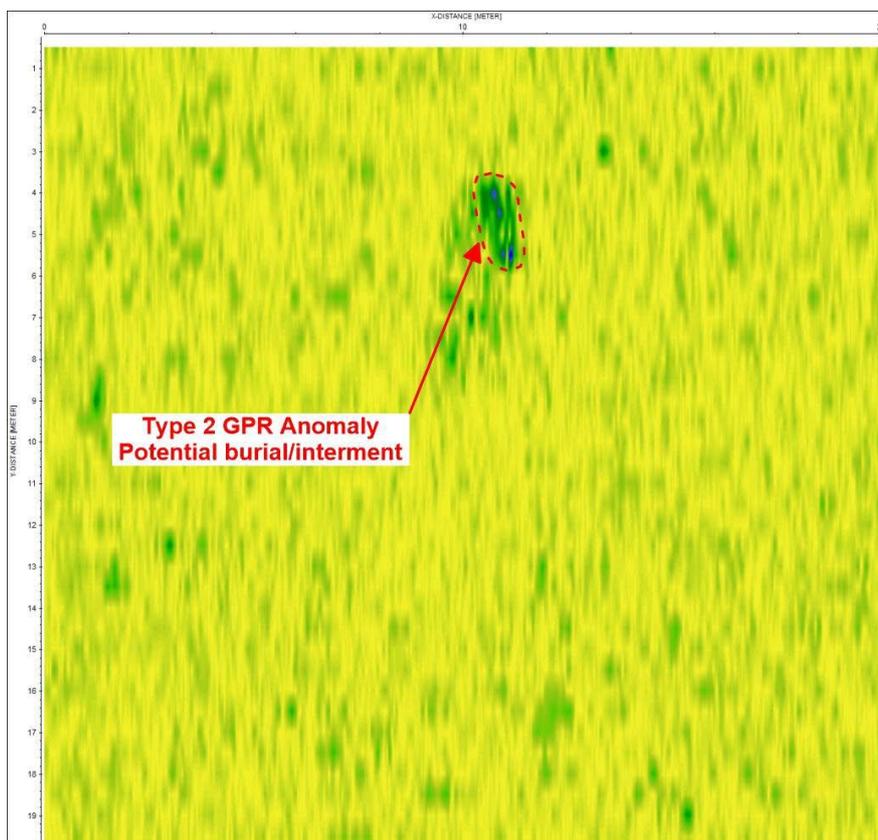


Figure 8 Example depth slice (at 0.6m Below Ground Level) showing an anomaly related to an interpreted potential burial (Source Asad & Spyrou 2023 GPR report, page 5).

**Ballardong Aboriginal Corporation**

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ICN 9605

ABN 38 206 793 433

15 May 2024

Chris Linnell
CEO, Shire of York
Joaquina Street
York WA 6302

Dear Chris

LETTER OF SUPPORT – ARCHAEOLOGICAL EXCAVATION OF POSSIBLE GRAVE AT YORK PONY CLUB GROUNDS

The Ballardong Aboriginal Corporation is pleased to provide this letter of support for your intentions to undertake archaeological excavation of a possible gravesite at the Shire of York's Pony Club grounds.

We appreciate that you have kept us informed and involved the whole way through this process, which started when the Pony Club grounds were identified as a site of future Aboriginal heritage interest, being outside the area of the formal Noongar Cultural Heritage Survey and Noongar Standard Heritage Agreement that was undertaken by the Shire in 2021.

We understand that the Shire funded a Ground Penetrating Radar survey of five test sites on the Pony Club grounds in 2023 and one has been identified as a soil discrepancy that could indicate a burial. We are pleased that these test sites were selected by the local Ballardong Elders and community, including two Elders who had participated in the Noongar Cultural Heritage Survey.

Since the inception of the Ballardong Aboriginal Corporation, we have liaised closely with the Shire of York over all matters concerning Aboriginal cultural heritage in the Shire. This project has been discussed and approval given for excavation and testing of any remains found, by our Cultural Advice Committee.

We understand that local Ballardong people are supportive of this archaeological investigation and of any necessary testing on remains that may need to be done to establish ethnic origins. We have confidence through previous dealings with the Shire that this matter will be done with all due sensitivity and respect, fully involving local Elders and community.

The Ballardong Aboriginal Corporation supports the Shire of York in their endeavours and we recognise the positive benefits that archaeology can bring to the local community in terms of acknowledgement and respect for their cultural heritage.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Mathew Wilson'.

Mathew Wilson
CEO
Ballardong Aboriginal Corporation



Department of Planning,
Lands and Heritage

Our ref: ADV-10003750 / A00010-24
Enquiries: Moss Wilson Ph: (08) 6552 4056

Ms Carol Littlefair
City of York

Via email: carol.littlefair@york.wa.gov.au

Dear Ms Littlefair

ABORIGINAL CULTURAL HERITAGE – ARCHAEOLOGICAL INVESTIGATIONS, YORK PONY CLUB

Thank you for your enquiry dated 15 February 2024 seeking comment from the Department of Planning, Lands and Heritage regarding the proposed archaeological investigations located within the grounds of the York Pony Club.

Thank you also for the ongoing discussion regarding this location and the management approach to the proposed investigations. A review of the Register of Places and Objects, as well as the DPLH Aboriginal Heritage Database, concludes that the subject area is within the boundary of York (ID 3348), which has been assessed as not meeting section 5 of the *Aboriginal Heritage Act 1972* (AHA).

After considering the matter further, it has been determined that the proposed investigations do not require approval under the AHA.

Therefore, based on the current information held by DPLH, no approvals under the *Aboriginal Heritage Act 1972* (AHA) are required in this instance.

Please note that it is unknown if there is Aboriginal remains present. Therefore, the Shire of York needs to be made aware of their obligations under the AHA should Aboriginal cultural material or Aboriginal remains come to light.

Further, the Shire should be aware of the requirements of the *Coroner's Act 1996* should human remains (Aboriginal or non-Aboriginal) come to light, including that the police are notified. If after the police have undertaken their process and the remains are determined to be ancestral Aboriginal remains, then the Registrar of Aboriginal site must be notified.

A cautious and sensitive approach is therefore recommended for these investigations.

Page 1 of 2

Postal address: Locked Bag 2506 Perth WA 6001 Street address: 140 William Street Perth WA 6000
Tel: (08) 6551 8002 info@dplh.wa.gov.au www.dplh.wa.gov.au
ABN 68 565 723 484
wa.gov.au

Should you have any queries in relation to the above, please contact me on (08) 6552 4056 or email moss.wilson@dph.wa.gov.au.

Yours sincerely

A handwritten signature in blue ink that reads "Moss Wilson". The signature is written in a cursive style and is placed on a light yellow rectangular background.

Moss Wilson

ASSISTANT MANAGER
ABORIGINAL HERITAGE CONSERVATION

15 October 2024



Shire of York
 1 Joaquina Street, York WA 6302
 PO Box 22, York WA 6302
 Tel: (08) 9641 2233
 Fax: (08) 9641 2202
 Email: accounts@york.wa.gov.au
 Website: york.wa.gov.au
 ABN: 55 315 676 247

PURCHASE ORDER

Creditor: 4822

SJC HERITAGE CONSULTANTS PTY LTD

To: PO BOX 746
 KALAMUNDA WA 6926

Order No: 15826

Order Date: 16/08/2024
Required By: 16/08/2024

Please supply the following in accordance with instructions:

QTY	UoM	Description	Unit Value	Amount	GST
1.00	Each (ea)	ABORIGINAL CULTURAL HERITAGE INVESTIGATION, POTENTIAL BURIAL SITE, YORK PONY CLUB, SHIRE OF YORK	\$4,790.0000	\$4,790.00	\$435.45

Total Including GST: \$4,790.00

Order Number must be quoted on all packing slips and invoices

Special Instructions:

Deliver To:

Authorised By: EMCCS
 Executive Manager Corporate and Community Services

SY039-04/25 COMMUNITY GRANT FUNDING ACQUITTAL - WHEATBELT ARTS & EVENTS INC. BALLARDONG FIRST 2025

File Number:	4.7711
Author:	Sam Good, Manager Community & Place
Authoriser:	Rebecca Palumbo, Acting Executive Manager Corporate & Community Services
Previously before Council:	17 December 2024 (141224)
Disclosure of Interest:	Nil
Appendices:	1. Acquittal Report ↓

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

This report presents the acquittal of Community Grant Funding from Wheatbelt Arts and Events Inc (WAEi), for the delivery of Balladong First 2025.

BACKGROUND

Policy C3 - Community Funding: Grants and Sponsorship and Policy C4 - Sponsorship of Tourism Events provided the parameters for considering applications for Shire financial and in-kind support. These policies were superseded by Policy C8 – Funding: Grants & Sponsorship adopted by Council at its March 2025 Ordinary Meeting (Resolution 060325). However, the community grant funding was provided to WAEi under the previous policies.

Two (2) rounds of sponsorship are opened to the community each year for a minimum four (4) week period. Applications are considered against the criteria contained in Council policies and guidelines and recommendations approved by Council at its next available meeting.

Historically, the Shire has provided support for activities, infrastructure improvements for facilities and funding for events that contribute to the Shire's community, social and economic objectives.

In certain circumstances, where Council sees significant benefit to the community of maintaining support for a project or activity on an on-going basis it may resolve to consider, via the Integrated Planning and Reporting Framework review cycle or the Annual Budget process, inclusion as a Multiyear Funding Agreement.

In both instances, acquittal reporting is a requirement of sponsorship. Dependant on the size, scale and frequency of funding, acquittal reporting detail varies. At minimum acquittal reports must include:

1. Key outcomes
2. Lessons learned
3. Community benefits
4. How the Shire was acknowledged
5. Budget detailing how the monies were spent

WAEi's application for funding for Balladong First 2025 was received as part of the Shire's October 2024 Community Grant Funding round and was considered by Council at its December 2024 Ordinary Meeting where it resolved (141224):

“That, with regard to Community Funding Applications, Council:

- 1. Approves the following community funding requests, as presented in confidential Appendix 3, totalling \$5,870, to be funded from the following budget allocations:**

	APPLICANT	APPROVED AMOUNT	GL ACCOUNT
a.	York Croquet Club	\$3,870	113167
b.	Wheatbelt Arts & Events Inc	\$2,000	132145

COMMENTS AND DETAILS

The following table summarises WAEi’s acquittal for Balladong First 2025 delivered on the Australia Day weekend Saturday 25 to Monday 27 January 2025.

TABLE 1.

ORGANISATION	PURPOSE	PROVISION	ACQUITTAL SUMMARY
WAEi	Balladong First 2025	\$2,000 ex. GST	<p>Balladong First 2025 was an inclusive celebration of Aboriginal history and culture, through storytelling, language, art, music, dance and food, held over the Australia Day long weekend at Avon Park and the Gogulyar Bilya/Avon River. The program was developed by a dedicated planning group from York’s First Nations community and supported by WAEi. The event brought together indigenous artists, Elders and the wider community to share knowledge and cultural understanding.</p> <p>Attendance numbers and how many people benefitted from the event:</p> <p>281</p> <p>Key lessons learned:</p> <p>Many helpers make light work.</p> <p>How was the Shire of York acknowledged:</p> <p>In social media & media releases, posters, signage, the event program, on their website and in speeches.</p>

In Summary:

- Council contributed \$2,000 of Community Grant Funding to support the delivery of Balladong First 2025. This represented approximately 10% of WAEi’s total event expenditure of \$19,819.32. The Shire’s contribution was specifically put towards foodstuffs, water and cooking equipment for the Bushtucker BBQ and damper, print production costs and radio advertising, totalling \$2,009.54 ex. GST.
- WAEi have provided a breakdown of expenses and copies of promotional items and advertising that acknowledge the Shire’s support presented in Appendix 1.

OPTIONS

Council has the following options:

Option 1: Council could choose to accept the acquittal as presented in Appendix 1.

Option 2: Council could choose not to accept the acquittal as presented.

Option 3: Council could choose to seek further details from the funded organisation.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

In preparation of this report:

1. Review of acquittal documents received.
2. Telephone debrief with the funded organisation (Project Coordinator).

Strategic

Strategic Community Plan 2020-2030

Goal 1: The Place to Be

To be a close-knit community, full of life, in a welcoming and accessible place for all.

Goal 2: Driving the York Economy Forward

To have a vibrant, diverse and prosperous local economy which creates local jobs, business opportunities and a positive image for the Shire.

Goal 5: Strong Leadership and Governance

To have effective and responsive leadership and governance, where a sense of collective purpose and shared direction combine to work together.

Policy Related

C3 Community Funding; Grants & Sponsorship

As mentioned above, this policy was superseded by Policy C8 – Funding: Grants & Sponsorship adopted by Council at its March 2025 Ordinary Meeting (Resolution 060325). However, the funding being acquitted was provided to WAEi under the previous policy.

Financial

The financial implications have been detailed earlier in this report and are included in the acquittal report. Council could request more detailed financial reporting and/or audited financial statement from funded organisation.

Legal and Statutory

Nil in relation to the receipt of the acquittal.

Risk Related

Should Council choose not to accept the acquittal, this poses a reputational and compliance risk which is considered moderate and a potential financial risk which is also rated moderate. Regular reporting in accordance with funding agreements and policy requirements including acceptance of acquittals through resolution provides acceptable treatment controls to manage the risks identified.

Workforce

Time to review and monitor the acquittal reporting process is managed within existing resources.

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION**070425****Moved: Cr Peter Wright****Seconded: Cr Chris Gibbs****That, with regard to Community Grant Funding Acquittal - Wheatbelt Arts & Events Inc. Ballardong First 2025, Council:**

- 1. Accepts the acquittal report from Wheatbelt Arts & Events Inc., as presented in Appendix 1.**

In Favour: Crs Kevin Trent, Denis Warnick, Chris Gibbs, Kevin Pyke, Denese Smythe and Peter Wright

Against: Nil

CARRIED 6/0



COMMUNITY FUNDING; GRANTS & SPONSORSHIP ACQUITTAL FORM

Please complete this form no later than 90 days following the conclusion of your sponsored event / project and return to the Shire. Please attach an expenditure budget should you need more space than provided below and ensure it is signed by a duly authorised officer of your organisation (i.e. Treasurer, Accountant or Executive Office bearer)

Expenditure receipts are not required however Council can request copies of this expenditure at anytime.

Type of Project Funded(Sporting, Tourism Festival, Community based event/workshop):

Organisation Name (name of group funded): Wheatbelt Arts+ Events, Inc.

Date funding was granted: Dec 2024

Date project was delivered: Jan 26 2024

Describe the key outcomes of your project: The event brought together Indigenous artists, Elders + wider community to share knowledge + cultural understanding

What were the key lessons your organisation learned while delivering the project?

Many helpers make light work!

How many people benefited from your project?

Attendance numbers 180+ 40+ 10+ 36+ 15 = 281

Club / Group membership increases (if applicable) N/A

Community engagement undertaken (school incursions, pre or post event workshops, drop in sessions)

Other

Numerous (>10) meetings with First Nations community

How was the Shire of York acknowledged throughout this project?

- Annual report
- Social Media
- Letters to supporters
- Media release
- Newsletter, flyers, brochures
- Signage
- Website
- Speeches
- Other

Please include copies of the relevant promotional material acknowledging the Shire's sponsorship

Did your organisation spend all sponsorship funds granted? If not, why? *Yes.*

Did your club or organisations derive revenue from the sponsorship? *No*

If yes, what is the derived revenue being spent on?

Please list the income and expenditure relating to your project:

INCOME	AMOUNT (\$)
ITEM/PROGRAM/PROJECT COSTS	
SUBTOTAL	\$
In Kind Support	
SUBTOTAL	\$
FUNDING AMOUNT FROM SHIRE OF YORK	\$
TOTAL INCOME	\$

SEE ATTACHED BUDGET

EXPENDITURE		AMOUNT (\$)
ITEM/PROGRAM/PROJECT COSTS		

SUBTOTAL		\$
In Kind Support		

SUBTOTAL		\$
TOTAL EXPENDITURE		\$

Declaration

In affixing my name to this form my organisation is making the following declarations:

- We declare to the best of our knowledge that the statements made in this report are true.
- We have recorded and retained original invoices and receipts in accordance with the Funding Agreement. We acknowledge that Shire of York may audit the organisation to verify the accuracy of the information contained in this acquittal.
- The information contained within the Statement of Expenditure or Explanation is complete and accurate and does not contain any misleading or fraudulent information.
- Relevant statutes, regulations, by-laws and requirements on any Federal, State or Local Government have been complied with.

Acquittal report duly authorised by:

Name: D Bryant

Position Held: Program Coordinator

Date: 10/3/25

(must be signed by a duly authorised officer i.e. Treasurer, Chief Executive Officer or similar)

	BALLARDONG FIRST 2025	*ALL EX. GST
INCOME	ACTUAL	(REF: Jo Bryant 2/04/2025 @ 2:30pm: SG)
Australia Day Council	4500	
Shire of York - Comm fund	2000	
DLGSCi	9888	
Regional Arts - Next Gen	3000	
Earned Income		
Everlasting Painting class - 10 pax	431	
Sub-total Income	19819	
EXPENSES	ACTUAL	Source
Operating		
Administration	0	
Audit/Accounting	350	DGLSCI
Bank Fees	6.97	DGLSCI
Insurance	0	
Office IT	0	
Telephone/Comms	0	
Per Diems and Travel Allowances	0	
Superannuation	0	
Sub-Total	356.97	
Program		
WTC	450	DGLSCI
Entertainment - Natasha Blurton	2200	Australia Day Council
Entertainment - Cultural Performance	2200	Australia Day Council
Story Tellers	1368.18	Aus Day Council /Community Funding/DGLSCI
Sausages and chutneys - 350 pax	909.66	Community Funding
Containers	68.22	Community Funding
Water, foil, trays for BBQ	92.53	Community Funding
Ice	12	DGLSCI
BBQ Masters / food service	400	DGLSCI
Damper maker	350	DGLSCI
Damper Materials	44.93	Community Funding
Mural (Facilitator / materials)	4129.54	Regional Arts
RCS - Everlasting intro	100	DGLSCI

Everlasting workshop - facilitator	650	DGLSCI
Everlasting workshop - materials	118.09	DGLSCI
Sub-Total	13093.15	
Marketing		
Marketing inc GD, PR, social media management and website management	250	DGLSCI
Rebrand artwork - Michelle K	0	DGLSCI
Print Collateral	310	Community Funding
Posters A3	123	Community Funding
Flyers	100.1	Community Funding
Radio Advertising	361.1	Community Funding
EDM - Brevo	59.4	DGLSCI
Photography	0	DGLSCI
Program Distro - petrol	283	DGLSCI
Social Media - Facebook ads	0	DGLSCI
Sub-Total	1486.6	
Production		
Lighting	200	DGLSCI
Generator Hire	0	
Audio	500	DGLSCI
Staging	0	
Production	300	DGLSCI
Sub-Total	1000	
Staff		
Festival Director	0	
Co-ordinator	3000	DGLSCI
Co-ordinator Superannuation	345	
Accounts Manager	0	
Production Manager	0	
Marketing Manager	0	
Sub-Total	3345	
Misc		
Eventbrite fees	0	DGLSCI

Venue Hire	100	DGLSCI
Marquee install	200	DGLSCI
Accommodation	0	
Travel / perdiems (inc airfare)	237.6	DGLSCI
Contingency	0	
Sub-Total	537.6	
Total Expenses	19819.32	
Income - Expenses	0	

POSTER

BALLARDONG FIRST 2025

presented by *Wheatbelt Arts & Events*

FREE COMMUNITY EVENTS & ACTIVITIES

An inclusive celebration of Aboriginal history and culture through storytelling, language, art, music, dance and food.

- SAT 25 JAN - BUSH MEDICINE AND TUCKER TALK - 11am
- SAT 25 JAN - FLORA TALK & ART WORKSHOP - 2pm
- SUN 26 JAN - BUSHTUCKER BBQ & CULTURAL PERFORMANCE - 6pm
- MON 27 JAN - TRUTHTELLING SESSION - 11am
- MON 27 JAN - ELDERS YARNING CIRCLE - 2pm

Visit: yorkfestival.com.au for more info or click here

25, 26, 27 JANUARY 2025
Avon Park and The Gogulyar Bilya Environmental Centre, 7 Glebe St, York WA

Australia Day Reflect. Respect. Celebrate. | Department of Local Government, Sport and Cultural Industries | SHIRE OF York

Social media acknowledgement



THANK YOU

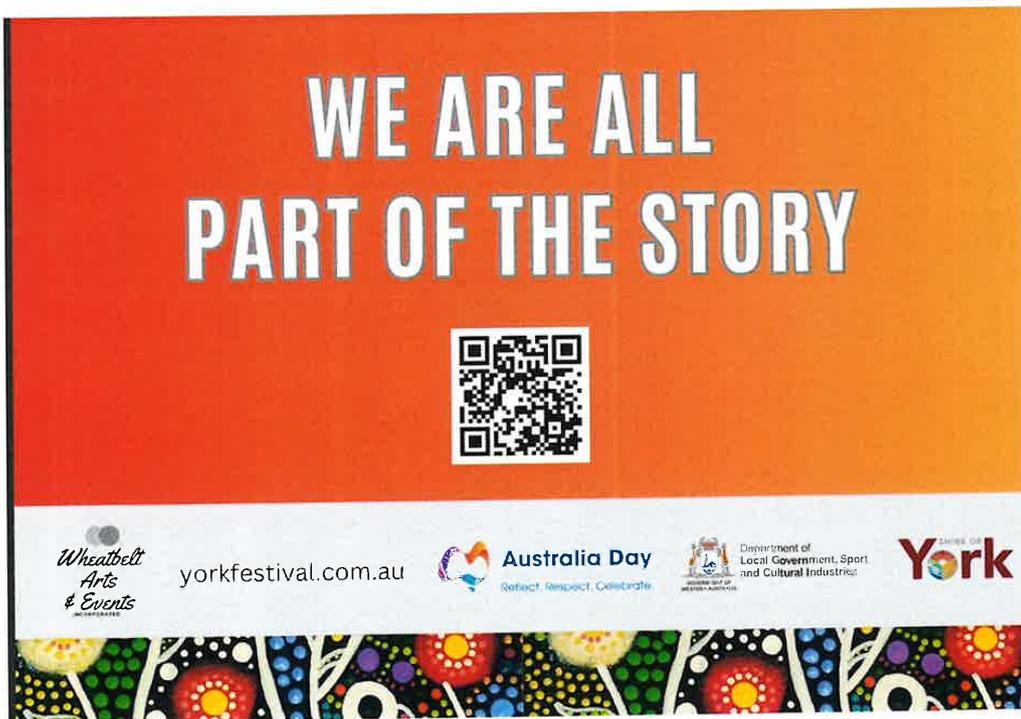
We are deeply grateful to the West Australian Government, the Shire of York, and the Australia Day Council for their support of Ballardong First.

Their contributions have enabled us to deliver an event that brings people together on Australia Day to celebrate connection, culture, and community. At its heart, Ballardong First reflects the spirit of reconciliation, fostering understanding and respect by sharing stories, traditions, and perspectives.

Thank you for helping us create a space where we can come together and recognise that WE ARE ALL PART OF THE STORY.

#DLGSCI
#WeAreAllPartOfTheStory
Shire of York

ROAD SIDE BANNER



PROGRAM



BALLARDONG FIRST 2025

Ballardong First
25 - 27 January 2025
Presented by Wheatbelt Arts & Events

An inclusive celebration of First Nations history and culture through storytelling, language, art, music, dance and food.

Ballardong First is a special program developed by a dedicated planning group from York's First Nations community, supported by Wheatbelt Arts & Events, inc.

This small but significant event offers an opportunity for unity, reflection, and celebration. Together, we honor our shared history, confront past truths with honesty, and work towards a brighter, more inclusive future.

We invite you to join us for this meaningful event and be part of a journey of understanding, connection, and progress.

**25, 26, 27
JANUARY 2025**

WE ARE ALL PART OF THE STORY.

Avon Park and The Gogulyar Bilya
Environmental Centre, 7 Glebe St, York WA

Wheatbelt Arts & Events
yorkfestival.com.au



Australia Day
Respect. Respect. Celebrate.

Department of Local Government, Sport and Cultural Industries

City of York

SY040-04/25 MULTIYEAR FUNDING ACQUITTAL - YORK MOTOR SHOW 2024/25**Disclosure of Interest – Cr Trent – Financial – Multiyear Funding Acquittal - York Motor Show 2024/25**

Cr Trent read the Financial Declaration - ... With regard to Multiyear Funding Acquittal - York Motor Show 2024/25, the matter in Item SY040-04/25, I disclose that I have an association with the applicant (or person seeking a decision). The association is I am a financial member of YMI. As a consequence, I will leave the meeting.

At 5:41pm, Cr Kevin Trent left the meeting.

Cr Denis Warnick, Deputy Shire President, assumed the Chair.

File Number:	4.7711
Author:	Sam Good, Manager Community & Place
Authoriser:	Rebecca Palumbo, Acting Executive Manager Corporate & Community Services
Previously before Council:	25 May 2021 (080521) 25 March 2025 (040325)
Disclosure of Interest:	Nil
Appendices:	1. Acquittal Report ↓

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

This report presents the acquittal from the Veteran Car Club of WA, York Branch (VCC) for the delivery of the 2024 Motor Show in 2024/25.

BACKGROUND

Policy C3 - Community Funding: Grants and Sponsorship and Policy C4 - Sponsorship of Tourism Events provide the parameters for considering applications for Shire financial and in-kind support. These policies were superseded by Policy C8 – Funding: Grants & Sponsorship adopted by Council at its March 2025 Ordinary Meeting (Resolution 060325). However, the community grant funding was provided to VCC under the previous policies

Two (2) rounds of sponsorship are opened to the community each year for a minimum four (4) week period. Applications are considered against the criteria contained in Council policies and guidelines and recommendations approved by Council at its next available meeting.

Historically, the Shire has provided support for activities, infrastructure improvements for facilities and funding for events that contribute to the Shire's community, social and economic objectives.

In certain circumstances, where Council sees significant benefit to the community of maintaining support for a project or activity on an on-going basis it may resolve to consider, via the Integrated Planning and Reporting Framework review cycle or the Annual Budget process, inclusion as an MFA.

In both instances, acquittal reporting is a requirement of sponsorship. Dependant on the size, scale and frequency of funding, acquittal reporting detail varies. At minimum acquittal reports must include:

1. Key outcomes
2. Lessons learned

3. Community benefits
4. How the Shire was acknowledged
5. Budget detailing how the monies were spent

The request for a multi-year funding agreement, to support delivery of the York Motor Show, was considered by Council at its Ordinary Council Meeting on 25 May 2021, where it resolved (080521):

“That Council:

1. **Authorises the Chief Executive Officer to renew multi-year funding agreements for the following activities and events that occur on an annual basis to commence following the adoption of the 2021/22 financial budget:**
 - **York Agricultural Society – York Show (\$11,000)**
 - **Premiere Events – York Motorcycle Festival (\$22,500)**
2. **Authorises the Chief Executive Officer to negotiate new funding agreements for the following activities and events that occur on an annual basis to commence following the adoption of the 2021/22 financial budget:**
 - **York Veteran Car Club – York Motor Show (\$10,000)**
 - **York RSL – ANZAC day (\$3,000)**
3. **Authorises the Chief Executive Officer to make any necessary minor typographical and formatting changes to the funding agreements.**
4. **Approves the Shire President and Chief Executive Officer to engross the final agreements.**
5. **Requests the Chief Executive Officer to include the above amounts in the 2022/23 and 2023/24 financial years budgeting process.”**

Funding was approved in accordance with the following table:

TABLE 1.

RECIPIENT	START	EXPIRY	PROVISIONS (all amounts are ex GST)
York Motor Show	1 July 2021	30 June 2024	\$10,000 per annum paid as milestone payments Financial contribution to deliver the annual York Motor Show Hire of Shire buildings and reserves not included (charged at a not-for-profit rate) Agreement proposed to include extending the Motor Show into a two (2) day event

In March 2025, the VCC sought a variation to their existing MFA and approval to carry-over unspent funds from 2023/24 financial year to support delivery of the 2024 Motor Show. The request was considered by Council at its March 2025 Ordinary Meeting where it resolved (040325):

“That, with regard to the Request to vary Multi-Year Funding Agreement - York Motor Show, Council:

1. **Receives the request from York Motoring Events for the re-allocation of funds from 2022/23 to support the delivery of the 2024 York Motor Show in 2024/25.**
2. **Approves the retention of \$4,248.85 in underspent funds from previous events to fund the delivery of the 2024/25 Motor Show.**

3. **Notes there is a proposed allocation of \$5,751.15 in the Mid-Year Budget Review to fund the 2024/25 Motor Show.**
4. **Notes that funds will be made available to the Veteran Car Club of WA – York Branch upon acquittal of the 2024/25 funding allocation.**
5. **Directs the Chief Executive Officer to provide written notice of Council’s resolution to the Veteran Car Club of WA and York Motoring Events Inc.”**

Table 2 below, summarises agreed funding and event delivery for the three (3) years covered under the Motor Shows multi-year agreement.

TABLE 2.

YEAR OF MFA	PROVISION	EVENT DELIVERY
2021/22	\$ 10,000 ex GST	2021 Motor Show delivered. Objectives met. Acquitted November 2021 Resolution 011121
2022/23	\$ 10,000 ex GST No Funds Paid	2022 Motor Show cancelled due to COVID
2023/24	\$ 10,000 ex GST	2023 Motor Show delivered. Objectives met. Acquitted March 2025 Resolution 030325
2024/25	\$ 10,000 ex GST	2024 Motor Show delivered. Objectives met. Acquittal from the VCC is presented in Appendix 1

The following table summarises the VCC acquittal for the 2024 Motor Show.

TABLE 3.

ORGANISATION	PURPOSE	PROVISION	ACQUITTAL SUMMARY
VCC	Support delivery of the York Motor Show 2024 2024/25 MFA Year 3 of 3	\$4,248.85 ex GST (retained in unspent funds from 2023/24) plus allocation of \$5,751.15 ex GST (allocated in 2024/25 budget)	<ul style="list-style-type: none"> • The York Motor Show 2024 was held on 1 September 2024 <p>Key Lessons Learned</p> <ul style="list-style-type: none"> • Engage with local businesses to encourage their involvement and sponsorship. • Having the event coincide with Father’s Day and other rally events resulted in lower attendance than previous years. Organisers are going to trial alternative dates for future Shows. <p>How many people benefitted from the project?</p> <ul style="list-style-type: none"> • Attendance numbers estimated at 3,000. • Whilst the event was run under the banner of the VCC, local organisers were restricted in the class of vehicles that could be displayed. Multi-year funding for future Motor Shows will be

			<p>sought by York Motoring Events Inc (YMEI) who collaborated with VCC to deliver this year’s event. YMEI will be able to lift this restriction thereby increasing the appeal of the event to a wider demographic. This has already resulted in an injection of younger people with fresh ideas and enthusiasm and an increase in YMEI memberships, which has grown from the initial small group of nine (9) members to thirty (30) within the first year.</p> <p>Community engagement</p> <ul style="list-style-type: none"> Local community members were encouraged to display their vehicles alongside entrants from all over WA. Positive relationship building with local business to encourage sponsorship, support and participation over the Motor Show weekend.
--	--	--	---

In Summary:

- The VCC have met the key objectives of providing a free York based, community event that promotes York as a destination, supports tourism and economic development and encourages community groups, residents and local businesses to participate.
- The Shire is acknowledged in their annual report, social media posts, in media releases, on the website, letters to supporters, radio and newspaper advertisements, event announcements, during opening speeches, in newsletters/flyers, on signage and in award sponsorships.
- It should be noted that 2024 was the 14th Annual York Motor Show and the last year under the existing MFA with the VCC. YMEI have met with the Shire and expressed a commitment to the continued development and growth of the event and intention to apply for a new MFA in time for the 15th Annual Motor Show, scheduled for Sunday 5 October 2025.
- Council authorised the VCC to retain \$4,248.85 in unspent Shire funds from the previous financial year to support the delivery of the 2024 Motor Show and made a further allocation of \$5,751.15 in the 2024/25 Mid-Year Budget Review, subject to satisfactory acquittal as per Resolution 040325.
- The VCC have provided a breakdown of Income and Expenses which is presented in Appendix 1. This indicates Total Income of \$12,840.00 (minus in-kind contributions) and Total Expenditure of \$11,513.88. This represents an underspend of \$1,326.12. Officers therefore recommend that Council reduce the final payment of funds to \$4,425.03 to reconcile this amount.

OPTIONS

Council has the following options:

- Option 1:** Council could choose to accept the acquittal report from the VCC, as presented in Appendix 1 and request the Chief Executive Officer to reduce the final milestone to \$4,425.03 excluding GST to reconcile unspent funds.
- Option 2:** Council could choose not to accept the acquittal report from the VCC, as presented in Appendix 1

Option 3: Council could choose to seek further details from the funded organisation.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

In preparation of this report:

1. Meeting/discussions with funded organisation and Shire Officers
2. Debrief meetings with the Shire Events Team and Manager of Tourism & Economic Development
3. Review of received acquittal documents and the organisation's MFA

Strategic

Strategic Community Plan 2020-2030

Goal 1: The Place to Be

To be a close-knit community, full of life, in a welcoming and accessible place for all.

Goal 2: Driving the York Economy Forward

To have a vibrant, diverse and prosperous local economy which creates local jobs, business opportunities and a positive image for the Shire.

Goal 5: Strong Leadership and Governance

To have effective and responsive leadership and governance, where a sense of collective purpose and shared direction combine to work together.

Policy Related

C3 Community Funding; Grants & Sponsorship

C4 Sponsorship of Tourism Events

As mentioned above, these policies were superseded by Policy C8 – Funding: Grants & Sponsorship adopted by Council at its March 2025 Ordinary Meeting (Resolution 060325). However, the funding being acquitted was provided to the VCC under the previous policies.

Financial

The financial implications have been detailed earlier in this report and are included in the acquittal report. Council could request more detailed financial reporting and/or audited financial statements from the funded organisation.

Legal and Statutory

Nil in relation to the receipt of the acquittal.

Risk Related

Should Council choose not to accept the acquittal, this poses a reputational and compliance risk which is considered moderate and a potential financial risk which is also rated moderate. Regular reporting in accordance with funding agreements and policy requirements including acceptance of acquittals through resolution provides acceptable treatment controls to manage the risks identified.

Workforce

Time to review and monitor the acquittal reporting process is managed within existing resources.

VOTING REQUIREMENTS**Absolute Majority: No****RESOLUTION****080425****Moved: Cr Denese Smythe****Seconded: Cr Chris Gibbs****That, with regard to Multiyear Funding Acquittal - York Motor Show 2024/25, Council:**

- 1. Accepts the acquittal report from the Vintage Car Club of WA Inc. – York Branch, as presented in Appendix 1.**
- 2. Requests the Chief Executive Officer to reduce the final milestone payment to \$4,425.03 excluding GST to reconcile unspent funds.**

In Favour: Crs Denis Warnick, Chris Gibbs, Kevin Pyke, Denese Smythe and Peter Wright**Against: Nil*****CARRIED 5/0***

At 5:42pm, Cr Kevin Trent returned to the meeting and resumed the Chair.



PO Box 326 YORK WA 6302

yorkmotoringevents@gmail.com

30th March 2025

Samantha Good
Community & Place Manager
Shire of York
Joaquina Street
YORK WA 6302

Dear Samantha,
Re: Acquittal Form for YORK MOTOR SHOW 2024

Please find attached the acquittal of funds for the 2024 York Motor Show. Included are the funds carried over from 2023 and the retrospective request for Shire Funding of 5751.15 as per Council resolution number 050325.

Thank you to Chris & Alina, along with help from the staff at Shire of York and Councillors for helping us work through this transition from VCCC of WA Inc to YORK MOTORING EVENTS Inc. We look forward to working with you on delivering a successful 14th York Motor Show on Sunday 5th October, 2025.

Attached is a Certificate of Appreciation. All other copies of relevant promotional material can be provided if required eg Posters, Copies of announcements, advertising and printed media, along with Social Media.

Kind regards
Tricia Byfield 
Secretary – YORK MOTORING EVENTS INC



**COMMUNITY FUNDING; GRANTS & SPONSORSHIP
ACQUITTAL FORM**

Please complete this form no later than 90 days following the conclusion of your sponsored event / project and return to the Shire. Please attach an expenditure budget should you need more space than provided below and ensure it is signed by a duly authorised officer of your organisation (i.e. Treasurer, Accountant or Executive Office bearer)

Expenditure receipts are not required however Council can request copies of this expenditure at anytime.

Type of Project Funded(Sporting, Tourism Festival, Community based event/workshop):

TOURISM FESTIVAL

Organisation Name (name of group funded):

THE VETERAN & CLASSIC CAR CLUB OF WA (INC) YORK BRANCH

Date funding was granted:

27th MARCH 2025

Date project was delivered:

1st SEPTEMBER 2024

Describe the key outcomes of your project: _____

TO PROVIDE A FAMILY FRIENDLY FOR LOCAL RESIDENTS
VISITOR & CAR ENTHUSIASTS WHILST SHOWCASING
OUR HISTORIC TOWN OF YORK & SURROUNDS.

What were the key lessons your organisation learned while delivering the project?

LIASE WITH LOCAL BUSINESS FOR FURTHER
INVOLVEMENT & SPONSORSHIP. SUPPORT FROM
THESE HAS SHOWN POSITIVE SUPPORT.

How many people benefited from your project?

Attendance numbers 3000

Club / Group membership increases (if applicable) ENROLMENT INCREASED IN LOCAL MEMBERS

Community engagement undertaken (school incursions, pre or post event workshops, drop in sessions)

Other

LOCAL COMMUNITY MEMBERS PROUDLY DISPLAYED
THEIR VEHICLES ALONG WITH ENTRANTS FROM
ALL OVER WA.

How was the Shire of York acknowledged throughout this project?

- Annual report Social Media Letters to supporters
- Media release Newsletter, flyers, brochures Signage
- Website Speeches
- Other

Please include copies of the relevant promotional material acknowledging the Shire's sponsorship

COPIES OF ANNOUNCEMENTS/ARTICLE IN PRINT/SOCIA MEDIA ALL AVAILABLE
 Did your organisation spend all sponsorship funds granted? If not, why? *YES*

Did your club or organisations derive revenue from the sponsorship? *NO*

If yes, what is the derived revenue being spent on?

Please list the income and expenditure relating to your project: *SEE ATTACHED FF INFO*

INCOME	AMOUNT (\$)
ITEM/PROGRAM/PROJECT COSTS	
SUBTOTAL	\$
In Kind Support	
SUBTOTAL	\$
FUNDING AMOUNT FROM SHIRE OF YORK	\$
TOTAL INCOME	\$

EXPENDITURE	AMOUNT (\$)
ITEM/PROGRAM/PROJECT COSTS	
SUBTOTAL	\$
In Kind Support	
SUBTOTAL	\$
TOTAL EXPENDITURE	\$

Declaration

In affixing my name to this form my organisation is making the following declarations:

- We declare to the best of our knowledge that the statements made in this report are true.
- We have recorded and retained original invoices and receipts in accordance with the Funding Agreement. We acknowledge that Shire of York may audit the organisation to verify the accuracy of the information contained in this acquittal.
- The information contained within the Statement of Expenditure or Explanation is complete and accurate and does not contain any misleading or fraudulent information.
- Relevant statutes, regulations, by-laws and requirements on any Federal, State or Local Government have been complied with.

Acquittal report duly authorised by:

Name: ARRIN BYFIELD

Position Held: CHAIRPERSON VULLDEWA INC
YORK BRANCH

Date: 30.03.2025

(must be signed by a duly authorised officer i.e. Treasurer, Chief Executive Officer or similar)

YORK MOTOR SHOW 2024 – ACQUITTAL

INCOME:

Sponsorship carried forward from York Motor Show 2023	4,248.85
Bendigo Bank Sponsorship	1,000.00
Shannon’s Insurance Sponsorship	1,000.00
Local Business’s Sponsorship	600.00
Vendor Fees	<u>240.00</u>
	SUBTOTAL \$7,088.85

In Kind Support:

Vouchers & Gifts	500.00
Radio Advertising	<u>5,000.00</u>
	SUBTOTAL \$5,500.00

FUNDING FROM SHIRE OF YORK:

(as per Council resolution – funds to be allocated)	<u>\$5,751.15</u>
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TOTAL INCOME:	<u>\$18,340.00</u>
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EXPENDITURE:

Shire of York Fees	272.00
Traffic Management Fees	6,375.33
Event Insurance	1,149.50
First Aid Post	484.00
*Signage/Advertising/Website fees/Entertainment	<u>3,233.05</u>
	SUBTOTAL \$11,513.88

In Kind Support:

Graphic’s Design/Social Media/printing	1,300.00
Avon Waste	600.00
D & A Plumbing	800.00
Triple <i>MMM radio</i>	<u>5,000.00</u>
	SUBTOTAL \$7,700.00

TOTAL EXPENDITURE:	<u>\$19,213.88</u>
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Breakdown of items

Community Matters ads Aug & Sept 2024	568.40
Website fees (Oliver Rural IT)	227.00
Sign Supermarket (Banners & Signage)	858.00
Generations DJ	300.00
Red Sax Guy	400.00
Supplies of printing Material (officeworks etc) (for production of promotional material)	349.65
Bus Preservtion Society	530.00
TOTAL	<u>3233.05</u>



TAX INVOICE

YORK MOTORING EVENT INC.

Invoice Date
27 Aug 2024

Unit 6
61 Farrall Road
(Cnr Rothschild Place)
MIDVALE WA 6056
Tel: 08 9250 4433

Invoice Number
23611

Reference
Aframes & Pull Up
Banner Reskin

ABN
28 882 528 339

Description	Quantity	Unit Price	GST	Amount AUD
A-Frame 600mm (W) x 900mm (H) 2x Corflute Inserts Full Colour Print on Self Adhesive Vinyl UV Laminate [ARTWORK AS APPROVED]	2.00	330.00	10%	660.00
Pull Up Banner (Reskin) 850mm (W) x 2200mm (H) [ARTWORK AS APPROVED]	1.00	198.00	10%	198.00
		INCLUDES GST 10%		78.00
		TOTAL AUD		858.00

Due Date: 3 Sep 2024

Payment terms are COD unless previously arranged otherwise.
All goods remain the property of Sign Supermarket until payment is received in full.
Visa and Mastercard payments will incur a surcharge of 1.75%
Interest is charged on overdue amounts.

Direct Deposit Details
National Australia Bank - BSB No: 086-006 - Account No: 575-111-633
Please quote invoice number(s).



[View and pay online now](#)

SHIRE ACKNOWLEDGEMENTS .

Points for noting :

*We have a DJ in the park with a list of announcements to make through the event. We have him highlight our main sponsors.

*Our announcer in Avon Tce acknowledges Shire of York and other sponsors throughout the day and when presenting the trophies.

*We appreciate the Shire of York President opening the event and acknowledging Shire of York Sponsorship and assistance.

*Trophy's Awarded (showing Sponsorship) are acknowledged and listed on website (YORK MOTOR SHOW). This list of trophies was also printed in the October 24 Community Matters, along with acknowledgement of Shire of York Sponsorship and local business's support etc.



- **YORK MOTORING EVENTS A GROUP OF MOTORING ENTHUSIASTS WITH THE SUPPORT OF YORK SHIRE AND LOCAL BUSINESS'S, HOPE YOU ENJOY THE DAY OF MOTORS AND ALL THAT YORK HAS TO OFFER.**
- **THE DAY IS RUN BY WONDERFUL VOLUNTEERS from the club and the community who help out on the day.**
A great deal of behind the scenes work for weeks goes into the running and organisation of the YORK MOTOR YORK SPECIAL MENTION TO ARRIN & GEMMA for there hard work and organisation
- **DRIVE SAFE. REMEMBER THE LIMIT ON LAKES ROAD 100**



YORK MOTOR SHOW 2024

(notes to be repeated by DJ throughout the Show)

- **EVENT GOES TO 2PM BUT STAY AND ENJOY ALL THAT YORK HAS TO OFFER**
- **HOSTED BY YORK MOTORING EVENTS WITH SPONSORSHIP & SUPPORT FROM THE SHIRE OF YORK AND LOCAL BUSINESS'S**
- **ENJOY THE ADVENTURE PLAYGROUND BUT WATCH CHILDREN AROUND THE RIVER 😊**
- **ST JOHN AMBULANCE YORK VOLUNTEERS HAVE A FIRST AID POST ON CORNER OF MCARTNEY STREET AND AVON TCE. NEXT TO INFORMATION CENTRE**
- **THANKS TO LET'S ROCKON FOR KICKSTARTING THE WEEKEND WITH SHOWS ON FRIDAY NIGHT AND SATURDAY NIGHT THEY HAVE RAISED FUNDS FOR THE YORK AMBULANCE SUB CENTRE**
- **OUR VENDORS IN THE PARK AND THE CAFES & RESTAURANTS IN YORK CATER FOR EVERYONES TASTE**
- **PRESENTATION OF TROPHIES AT MAIN STAGE IN AVON TCE**
- **TAKE CARE ON DRIVING, ENJOY THE RIDE**
- **DISPLAYS OF VEHICLES ARE THROUGHOUT AVON TCE, MONGERS RESERVE (by Carriage Diner) and here in LOWE ST**

THANK YOU TO EVERYONE WHO HAS COME ALONG AND HAPPY FATHERS DAY 😊

YORK MOTOR SHOW 2024 SPONSORS

SHIRE OF YORK – all there assistance

BENDIGO COMMUNITY BANK – supporting local community

SHANNON' INSURANCE – for all insurance needs (see Glenn front of Motor Museum)

YORK MOTOR MUSUEM – run by local volunteers

THE SOCK FACTORY – in Stephen st – well worth visiting

M.A.L.'s AUTO's – for all your mechanical needs

SETTLERS HOUSE YORK – enjoy old fashioned hospitality & entertainment

TRIPLE MMM RADIO – great supporters of community events

YORK & DISTRICTS CO-OP IGA for all your grocery needs

MITRE 10 your local hardware

AVON VALLEY TYRE SERVICE – family run business, great service

SMITHS SHELL GARGE – the oldest continuously operating garage in Australia.

THE GOOD LIFE STORE – where sustainable shopping

PATCHWORK ON AVON – speciality patchwork & quilting supplies

CORRUGATED FARM -local handmade artwork

PINEFIELD'S OF YORK – DRAFTING SERVICE servicing Avon Valley for over 40years

AVON WASTE – proud supporters of local community events

D & A PLUMBING – family run business

BUDISELIK IT – for your IT needs

MICHAEL CHRISTOPHER GRAPHICS

DJASE RACING – promoting BORMSA (Beverley offroad motor sport assoc)



TROPHY AWARDS 2024

BEST UNDER BONNET

Sponsored by M.A.L.'S AUTOMOTIVES
 Awarded to #49 HQ PANEL VAN- Anthony Leathley

BEST CARAVAN

Sponsored by D'JASE RACING CREATIONS
 Awarded to 1967 Original (DE5940) – Kevin Collins

BEST HOTROD

Sponsored by CORRUGATED FARM
 #32 Ford Model A – Greg Smith

BEST CLUB DISPLAY

Sponsored by SHANNON'S INSURANCE
 VCCC WA Great Southern Branch

BEST MOTORCYCLE

Sponsored by SETTLERS HOUSE YORK
 #93 HARLEY – Mark Matthews

BEST COMMERCIAL VEHICLE

Sponsored by AVON VALLEY TYRE SERVICE
 #52 77 Toyota Landcruiser – Warren Plumb

BEST IN SHOW

Sponsored by THE SHIRE OF YORK
 #17 1989 Nissan Pao – Peter Kerkjof

BEST PRE 1940

Sponsored by YORK MOTOR MUSEUM
 #40 1936 Ford Roadster – Greg Purser

BEST CLASSIC

Sponsored by SETTLERS HOUSE YORK
 #55 MGA – Craig Freebairn

BEST MODERN

Sponsored by THE SOCK FACTORY
 #65 2000 VX Commodore – Jack Miller



2024

**THANK YOU TO ALL OUR SPONSORS & SUPPORT FROM
LOCAL BUSINESS'S**

SHIRE OF YORK

BENDIGO COMMUNITY BANK

SHANNON'S INSURANCE

YORK MOTOR MUSEUM

THE SOCK FACTORY

M.A.L.'S AUTO'S

SETTLERS HOUSE YORK

TRIPLE MMM

AVON VALLEY TYRE SERVICE

YORK & DISTRICTS CO-OP

MITRE 10

SMITHS SHELL GARAGE

THE GOOD LIFE STORE

PATCHWORK ON AVON

CORRUGATED FARM

PINEFIELD'S OF YORK

AVON WASTE

D & A PLUMBING

BUDISELIK IT

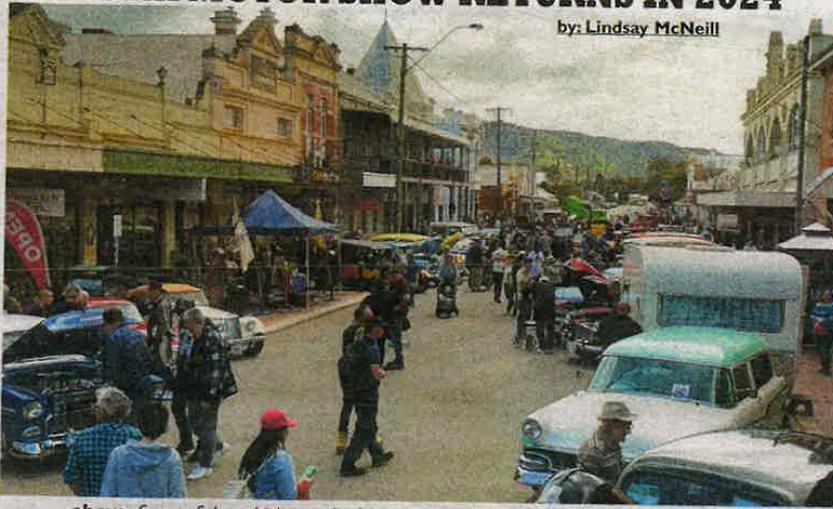
MICHAEL CHRISTOPHER GRAPHICS

D'JASE RACING CREATIONS



The YORK & DISTRICTS COMMUNITY MATTERS - August 2024, Page 5.
YORK MOTOR SHOW RETURNS IN 2024

by: Lindsay McNeill



above: Some of the vehicles on display along Avon Terrace at last year's York Motor Show.

The popular motor show is on again in York next month run by a new local not for profit, volunteer community group.

The 14th annual York Motor Show on Fathers' Day, September 1, is being run by the volunteer motoring enthusiasts who formed York Motoring Events Inc and previously ran the event as York Branch of the Veteran and Classic Car Club of WA. The open-air event is based in Avon Park, south along the river behind the coffee and in Avon Terrace between 9.00am and 2.00pm.

The program includes prizes for the best in class: caravan, hot-rod, motorcycle, commercial vehicle, club display and best vehicle in show. Trophies will be presented in Avon Terrace at 1.30pm.

Displays will include tractors, buses, bikes, stationary engines and items from the Hand Tool Preservation Society. There will also be demonstrations of remote-control model cars and trucks. Vendors will have stalls in Avon Park and there will

be tours of the town in vintage buses.

Spokesperson, Tricia Byfield, said the displays of all sorts of vehicles will be enhanced by the backdrop of York's historic buildings and the great selection of cafes and other shops along Avon Terrace.

"Motoring clubs and individuals from throughout WA are invited to showcase vehicles along the main street. Smith's Shell garage is providing an opportunity for car enthusiasts to take a photo of their car in front of the oldest continuously operating Shell garage in Australia.

"The band, Let's Rockon, will return again this year to provide entertainment on the Friday and Saturday nights as well as add extra colour and dance during the motor show. Profits go to local emergency services such as the York St John Ambulance Sub Centre," Tricia said.

York Motoring Events Inc receives support from the Shire of York and local businesses to stage the Motor Show.

SY041-04/25 POLICY REVIEW - VARIOUS GOVERNANCE POLICIES

File Number:	4.8285
Author:	Anneke Birleson, Manager Governance & People
Authoriser:	Alina Behan, Acting Chief Executive Officer
Previously before Council:	28 January 2016 (120116) 24 October 2016 (121016) 25 November 2019 (291119) 22 June 2021 (130621) 26 October 2021 (061021)
Disclosure of Interest:	Nil
Appendices:	1. G1 - Record Keeping - Current ↓ 2. G1 - Record Keeping - Draft (Reviewed) ↓ 3. G6 - Community Access to Information - Current ↓ 4. G31 - Flags - Draft (Reviewed) ↓

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

The purpose of this report is to present three (3) policies that have been reviewed to Council for consideration.

BACKGROUND

In accordance with Section 2.7(2) of the *Local Government Act 1995*, Council is to determine the policies of the Shire. Operational policies are adopted at the Executive Leadership Team level. In the interests of good governance, it is important that the Shire regularly reviews its policies for relevance, currency and compliance with relevant legislation.

The reviews featured in this report form a precursor to a larger body of work which, is to undertake a policy analysis. This is to involve comparing existing and proposed Shire policies with those of other local governments and resulting in the formulation of a program of delivery of policy development and review.

COMMENTS AND DETAILS

The following Policies have been reviewed:

G1 – Record Keeping

Adopted: 28 January 2016 (120116)

Previous Reviews: 24 October 2016 (121016)

25 November 2019 (291119)

Due to the extent of the changes in this policy, enabling tracked changes made it difficult to see the changes in a meaningful way. Therefore, this policy is being presented as the current version, presented in Appendix 1, and the updated, reviewed version presented in Appendix 2. The majority of the changes relate to clarifying wording and removing procedural elements, making it a clearer policy for all to refer to. The procedures underlying this will remain operational.

G6 – Community Access to Information

Adopted: 28 January 2016 (120116)
 Previous Reviews: 24 October 2016 (121016)
 25 November 2019 (291119)
 22 June 2021 (130621)

The current version of this policy is presented in Appendix 3. When reviewing this policy, Officers noted that the majority of the content was either covered in other policies and Council documents or was a repeat of legislation. For example, under Section 94 of the *Freedom of Information Act 1992*, the Shire must publish an annual Information Statement, the content of which has the same sentiment and information as this policy. The Information Statement is presented to Council and published on the Shire’s website. There are also some statements within the policy that do not align with current operational practices.

In addition, privacy is to be addressed via the new *Privacy and Responsible Information Sharing Act 2024*, a requirement of which is for the Shire to implement a Privacy Policy and Data Breach Policy.

Officers researched other local government websites and no other local government appeared to have a similar policy to the current one. Therefore, Officers are recommending the policy be rescinded, with acknowledgement that the relevant matters are addressed via other policies, the annual Information Statement and the new Community Engagement Plan.

G31 – Flags

Adopted: 26 October 2021 (061021)
 Previous Reviews: N/A

Proposed changes are presented in a tracked change version of the policy, presented in Appendix 4. This policy was first adopted in October 2021 to provide clear guidance on protocols in relation to flag flying at the Shire of York particularly in relation to conditions when flying at half-mast is required. The review includes some rewording for clarity and consistency in protocols when flying flags at half-mast.

Considering the reviews, Officers are recommending the following:

TABLE 1.

POLICY	RECOMMENDATION
G1 – Record Keeping	Endorse review
G6 – Community Access to Information	Rescind Policy as it is to be incorporated into the future Community Engagement Plan
G31 – Flags	Endorse review

The next reviews of these policies are to occur within the next three (3) years and are scheduled in the Shire’s monitoring and reporting software, Cascade. The Shire’s website is to be updated accordingly.

OPTIONS

Council has the following options:

- Option 1:** Council could choose to approve rescinding Policy G6 and endorsing the review of Policies G1 and G31.
- Option 2:** Council could choose not to approve the recommended actions.
- Option 3:** Council could choose to suggest further changes to the review of the Policies and identify what those changes are.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

Comparison of other Local Governments' Policies

Australian Flags Booklet, published by the Department of the Prime Minister and Cabinet

Executive Leadership Team

Strategic

Strategic Community Plan 2020-2030

Goal 5: Strong Leadership and Governance

To have effective and responsive leadership and governance, where a sense of collective purpose and shared direction combine to work together.

Policy Related

These policies were last reviewed in 2019 and 2021. Policies should be reviewed at least every three (3) years to ensure compliance and relevance.

Financial

Nil

Legal and Statutory

Section 2.7(2)(b) of the *Local Government Act 1995* is applicable to Council's role in relation to policies and states:

"2.7. Role of council

- (1) *The council governs the local government's affairs and, as the local government's governing body, is responsible for the performance of the local government's functions.*
- (2) *The council's governing role includes the following —*
 - (a) *overseeing the allocation of the local government's finances and resources;*
 - (b) *determining the local government's policies;*
 - (c) *planning strategically for the future of the district;*
 - (d) *determining the services and facilities to be provided by the local government in the district;*
 - (e) *selecting the CEO and reviewing the CEO's performance;*
 - (f) *providing strategic direction to the CEO.*
- (3) *For the purpose of ensuring proper governance of the local government's affairs, the council must have regard to the following principles —*
 - (a) *the council's governing role is separate from the CEO's executive role as described in section 5.41;*
 - (b) *it is important that the council respects that separation.*
- (4) *The council must make its decisions —*
 - (a) *on the basis of evidence, on the merits and in accordance with the law; and*
 - (b) *taking into account the local government's finances and resources.*
- (5) *The council must have regard to the need to support an organisational culture for the local government that promotes the respectful and fair treatment of the local government's employees.*

(6) *The council has the other functions given to it under this Act or any other written law.”*

Risk Related

There is a moderate risk to Council if it does not regularly review its Policies.

Workforce

The scope of this report is managed within current operational capacity.

VOTING REQUIREMENTS

Absolute Majority: No

<p>RESOLUTION 090425</p> <p>Moved: Cr Denese Smythe Seconded: Cr Kevin Pyke</p> <p>That, with regard to Policy Review - Various Governance Policies, Council:</p> <ol style="list-style-type: none"> 1. Resolves to rescind Policy G6 – Community Access to Information. 2. Adopts the following reviewed policies: <ol style="list-style-type: none"> a. G1 – Record Keeping, as presented in Appendix 2. b. G31 – Flags, as presented in Appendix 4. 3. Authorises the Chief Executive Officer to make any minor formatting and typographical changes to the Policies prior to publication. <p><u>In Favour:</u> Nil</p> <p><u>Against:</u> Crs Kevin Trent, Denis Warnick, Chris Gibbs, Kevin Pyke, Denese Smythe and Peter Wright</p> <p style="text-align: right;">LOST 0/6</p>
--

During debate, Cr Chris Gibbs foreshadowed an Alternate Motion.

<p>RESOLUTION 100425</p> <p>Moved: Cr Chris Gibbs Seconded: Cr Denese Smythe</p> <p>That, with regard to Policy Review - Various Governance Policies, Council:</p> <ol style="list-style-type: none"> 1. Resolves to delay rescinding Policy G6 – Community Access to Information pending further detailed information from the Administration. 2. Resolves to delay adopting the following reviewed policy G1 – Record Keeping, as presented in Appendix 2 pending additional detailed information from the Administration. 3. Resolves to adopt the reviewed Policy G31 – Flags, as presented in Appendix 4. 4. Authorises the Chief Executive Officer to make any minor formatting and typographical changes to the Policy G31 prior to publication. <p><u>In Favour:</u> Crs Kevin Trent, Denis Warnick, Chris Gibbs, Kevin Pyke, Denese Smythe and Peter Wright</p>
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<p><u>Against:</u> Nil</p>	<p><i>CARRIED 6/0</i></p>
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GOVERNANCE POLICIES**Record Keeping**

Policy Number:	G1
Relevant Delegation:	Not Applicable
Adoption Details:	28 January 2016
Last Review Details:	25 November 2019

POLICY OBJECTIVE:

To provide Councillors and employees with clear guidelines on how they will comply with their responsibilities under the State Records Act 2000 and to establish a Council wide consistency in the management of records and a framework for the creation, capture, access, management, storage and disposal of records of all agency functions, irrespective of format within the Shire of York.

POLICY SCOPE:

This policy applies to all Shire of York Councillors, employees, consultants, contractors, casual staff and volunteers and relates to discharge of responsibilities as set out by the State Records Act 2000 and the State Records Commission. The policy applies regardless of the format (e.g. written or electronic) and where it was received.

POLICY STATEMENT:**INTRODUCTION**

Records and documents belonging to the Shire of York are important assets and therefore must be managed properly for business purposes and compliance with the *State Records Act 2000*. In accordance with requirements of the Act, the Shire of York has developed a Record Keeping Plan as an instrument of accountability. The Record Keeping Plan has been approved by the Council and has been implemented to fulfil the Shire of York's compliance obligations and to benefit the Shire of York's business information needs.

COUNCILLORS

The *State Records Act 2000* identifies certain records held by Councillors as State records and requires that these be protected and preserved. The State Records Commission sets out guidelines to assist local government and Councillors to identify which records must be retained. This can include electronic as well as written records. The Commission's policy regarding the records of local government elected members requires the retention of records of the:

"...communications and transactions of elected members which constitute evidence affecting the accountability of the Council and the discharge of its business."

Councillors may hold records which must be made available in relation to Freedom of Information requests. Just as direct Council held records must be searched for information relevant to a Freedom of Information request, Councillor records, including computer records, must also be available for searching.

It is important that Councillors are aware of what must be retained and made available in order to comply with the intent and provisions of the State Records Act 2000 and the policies of the State Records Commission.

This policy should also be read in conjunction with the Policy G 2.2 Community Access to Information and G 1.1. Councillors: Code of Conduct.

PRINCIPLES

- (a) Retention of records is key to ensuring the transparency and accountability of local government decision-making.
- (b) Retention of records is an important tool in protecting and retaining the heritage and memory of local communities.
- (c) Ensuring the availability of information in a timely way is an important part of the democratic process.
- (d) A conservative approach should be taken to retention of records: i.e. if in doubt retain the records.

PROVISIONS

- 1.1 Councillors must keep records of communications or transactions, which convey information relating to local government business or functions. These records should be forwarded regularly to the Shire of York administration for capture into the official recordkeeping system.
 - 1.2 The following records must be created and retained and forwarded to the Shire of York administration on a regular basis and at the retirement of a sitting member:
 - (a) Communications from residents and ratepayers such as:
 - complaints and compliments
 - correspondence concerning corporate matters
 - submissions, petitions and lobbying
 - information on Council's interests relating to local government business activity and functions
 - (b) Telephone, meetings and other verbal communications between an elected member and another party, regarding local government projects or business activities
 - (c) Work diaries – containing information that may be significant to the conduct of the elected member on behalf of local government,
 - (d) Presentations and speeches delivered as part of an elected member's official duties.
 - 1.3 Councillors must sign an annual declaration that they have forwarded required records to the Shire of York's Records Officer for retention or storage. (Note: this declaration is not a mandatory requirement under the State Records Act but exists to remind Councillors of their compliance responsibilities and to assist the Chief Executive Officer (CEO) discharging requirements under Section 17 *Local Government (Audit) Regulations 1996*.
 - 1.4 Councillors must make available records held relevant to a Freedom of Information request in a timely way that ensures Council compliance with the statutory response times.
 - 1.5 Councillors should consult the CEO if they need assistance in deciding whether a record should be retained.
-

-
- 1.6 Destruction of the above records or failure to make them available for storage or Freedom of Information requests will place an Elected Member in contravention of statutory requirements.
- 1.7 The following records do not need to be forwarded to the Shire of York for retention:
- duplicate (unmarked) copies – of Council meeting agenda, minutes & papers. Note: any such document with notations or marked in any way is a record under the *State Records Act 2000*.
 - draft documents or working papers which are already captured in Shire of York records
 - publications – such as newsletters, reports, circulars and journals.
 - invitations – to community events where an elected member is not representing Council or the local government.
 - telephone, meetings & other verbal conversations which:
 - convey routine information only; or
 - do not relate to local government business or functions.
 - electioneering – or party political information.
 - personal records – not related to an elected member’s official duties.
- Note: if any of these documents have been marked or contain notations they are considered to be records required for retention.

EMPLOYEES, CONSULTANTS, CONTRACTORS, CASUAL STAFF AND VOLUNTEERS

PRINCIPLES

- (a) All employees are responsible and accountable for keeping accurate and appropriate records of their activities and must do so in accordance with this policy.
- (b) This responsibility includes appropriately securing records to protect the commercial confidentiality, privacy and sensitivity of records and in using and sharing them internally and externally.
- (c) All corporate records and documents belonging to the Shire of York must not be shared or distributed to external persons or organisations unless authorised to do so by the Administration and Governance Coordinator, Executive Manager or Chief Executive Officer.
- (d) All records must be stored, physically or electronically, in the Shire of York’s Records Management System so that they can be classified, secured, accessible, published as well as retained in one central location and in accordance with this Policy and the Shire of York’s approved Disposal Authority.

PROVISIONS

1. Capture of Records

- 1.1 All Employees are responsible to ensure records they create, send and receive in the course of their work for the Shire of York are captured, regardless of the format. This includes but is no limited to:
- Authorisations
-

-
- Contracts
 - Emails
 - File Notes
 - Internal Correspondence
 - Legal Documents
 - Letters (Signed)
 - Memos
 - Minutes of Meetings eg Events Committee Minutes
 - Reports
 - Spreadsheets

- 1.2 Employees must sign an annual declaration that they have registered required records in the Shire of York's Records Management Systems for retention or storage. (Note: this declaration is not a mandatory requirement under the State Records Act 2000 but exists to remind Employees of their compliance responsibilities and to assist the Shire of York discharging requirements under Section 17 Local Government (Audit) Regulations.

2. Retention and Disposal of Records

- 2.1 A record must be retained, even if the legal retention period has expired, if it is required for existing or anticipated legal matters, including Freedom of Information applications, until it is no longer required.
- 2.2 Any records scheduled for disposal are to be identified and presented by the Records Officer for review by the responsible department officer/s. Records for disposal will then be formally authorised by the Administration and Governance Coordinator, Executive Manager Corporate and Community Services and the Chief Executive Officer.
- 2.3 Ephemeral records and documents are to be destroyed once reference to them ceases.
- 2.4 The Records Officer will arrange for the records to be destroyed by appropriate means.
- 2.5 Records which are disposed of will be recorded in a systematic manner by the Records Officer.

3. Drafts and Revisions

- 3.1 Drafts or revisions recording the progress of changes to official policy and management decisions should be fully documented as these can provide evidence of the processes involved or contain significantly more information than the final draft or revision.
- 3.2 A draft or revision of a document is a record under this policy if the draft or revision conveys new information or substantially different information from the previous draft or revision then the draft or revision must be retained as a record. If changes to any draft or revision are of a minor cosmetic nature, it is not necessary to keep a copy of the previous revision.

PENALTIES:

Under the *State Records Act 2000* Part 10 it is an offence to:

- (a) Not keep a record in accordance with the records keeping plan of the organisation.
- (b) Transfer or offer to transfer a record to a person who is not entitled to possession of the records.
- (c) Destroy a record without appropriate authorisation in accordance with the record keeping plan.
- (d) Destroy a record while the record is subject of a notice to deliver or under court action to recover.

Current penalty under the *State Records Act 2000* is \$10,000. Officers and/or Councillors and/or the Shire of York may also be penalised under other legislation such as the *Evidence Act 1906* or *Freedom of Information Act*.

KEY TERMS/DEFINITIONS:

In accordance with the *State Records Act 2000* a **record** is defined as:

“any record of information however recorded and includes —

- (a) anything on which there is writing or Braille.*
- (b) a map, plan, diagram or graph.*
- (c) a drawing, pictorial or graphic work, or photograph.*
- (d) anything on which there are figures, marks, perforations, or symbols, having a meaning for persons qualified to interpret them.*
- (e) anything from which images, sounds or writings can be reproduced with or without the aid of anything else.*
- (f) anything on which information has been stored or recorded, either mechanically, magnetically, or electronically.”*

Under the *State Records Act 2000* a **state record** is defined as:

- “(a) a parliamentary record, or*
- (b) a government record.”*

Drafts and revisions: In creating or preparing records, one or more significant drafts or revisions may have been created until the record is finalised and accepted as final.

Disposal authority: The General Disposal Authority for Local Governments, approved by the State Records Office is a legal document adopted by the Shire of York for the retention and disposal requirements of records. It requires the Shire of York to retain and dispose of corporate records and documents, electronic or hard copy, in accordance with specified retention and disposal periods.

Ephemeral records: Ephemeral records are those which have only short-term value to Shire of York with little or no ongoing administrative, fiscal, legal, evidential, or historical value. An ephemeral document includes:

- (a) duplicates or extract copies of records, documents, circulars, forms etc. Including reports printed from databases for reference purposes as the database contains the official corporate record or document.
- (b) information material including price lists, catalogues, advertising material, brochures etc produced by other organisations.
- (c) messages in the form of voice mail, electronic mail, telephone messages or post-it notes when the message does not relate to the business functions of the Shire of York.
- (d) transitory messages giving minor instructions and of a routine instructional nature that are used to further some activity in either a paper-based or electronic format e.g. correcting typing errors, requesting file creation or retrieval, filing a letter, formatting documents, duplicating
- (e) background notes and reference material used to prepare or complete other documents (other than policy documents and documents relating to significant events in regard to core functions).
- (f) Excess copies or duplicates of documents that have been captured in the record keeping system already may be disposed of.

If there is any doubt as to whether a record or document should be retained or destroyed, you should retain the record or document.

Responsible Officer: Executive Manager Corporate and Community Services
 Contact Officer: Executive Manager Corporate and Community Services
 Relevant Legislation: State Records Act 2000
 Local Government (Model Code of Conduct) Regulations 2021

Review History:

Date Review Adopted:	Resolution Number
Adopted – 28 January 2016	
Reviewed – 24 October 2016	
Reviewed – 25 November 2019	291119
Former Policy No:	G1.8

GOVERNANCE POLICIES

Record Keeping



Policy Number:	G1
Relevant Delegation:	Not Applicable
Adoption Details:	28 January 2016
Last Review Details:	TBC

POLICY OBJECTIVE

To provide Councillors and employees with clear guidelines for fulfilling their responsibilities under the *State Records Act 2000*, and to establish consistent practices across the Shire of York in the management of records.

POLICY SCOPE

This policy applies to all Councillors, employees, consultants, contractors, and volunteers of the Shire of York, concerning their responsibilities under the *State Records Act 2000* and the guidelines established by the State Records Commission. The policy applies irrespective of the format (e.g. written or electronic) and the manner of which it was received.

POLICY STATEMENT

INTRODUCTION

Records and documents belonging to the Shire of York are vital assets that must be managed effectively to support business operations and ensure compliance with the *State Records Act 2000*. In alignment with the Acts requirements, the Shire of York has developed a Record Keeping Plan as a tool for accountability. The Record Keeping Plan has received Council approval and has been implemented to meet compliance obligations while addressing the Shire of York's business information needs.

PRINCIPLES

- (a) Retention of records is key to ensuring the transparency and accountability of local government decision-making.
- (b) Retention of records is an important tool in protecting and retaining the heritage and memory of local communities.
- (c) Ensuring the availability of information in a timely way is an important part of the democratic process.

PROVISIONS

CREATION AND MANAGEMENT

All Councillors and employees including consultants, contractors, and volunteers are responsible for ensuring that records they create, send, and receive in the course of their work for the Shire of York are captured, regardless of format. This includes, but is not limited to, authorisations, contracts, emails, file notes, internal correspondence, legal documents, signed letters, memos, meeting minutes, reports, and spreadsheets.

Councillors must sign an annual declaration that they have forwarded required records to the Shire of York's Records Officer for retention or storage. Employees must also sign an annual declaration confirming that they have registered the necessary records in the Shire of York's Records Management System for retention or storage. While these declarations are not required by the *State Records Act 2000*, it serves as a reminder of Councillors' and employees' compliance responsibilities and helps the Shire fulfill its obligations under Section 17 of the *Local Government (Audit) Regulations 1996*.

RETENTION AND DISPOSAL

The Shire is to retain and dispose of its records in accordance with General Retention and Disposal Authority for Local Government as issued by the State Records Office WA.

Records scheduled for disposal should be identified by the Records Officer and reviewed by the responsible department officer(s) before formal authorisation for disposal is given by the Manager Governance & People, Executives and the Chief Executive Officer.

Records must be retained beyond the legal retention period if required for current or anticipated legal matters, including Freedom of Information requests, until no longer needed.

Ephemeral records and documents are to be destroyed once they are no longer needed. The Records Officer is responsible for arranging the appropriate destruction of records, and the disposal process must be systematically documented by the Records Officer.

DRAFTS AND REVISIONS

Drafts or revisions that document the progress of changes to official policy and management decisions should be fully recorded, as they can provide valuable evidence of the processes involved or contain more detailed information than the final version.

A draft or revision qualifies as a record under this policy if it introduces new or substantially different information compared to the previous version; in such cases, the draft or revision must be retained. However, if changes are purely cosmetic, there is no need to retain previous versions.

PENALTIES:

Under the *State Records Act 2000* Part 10 it is an offence to:

- (a) Not keep a record in accordance with the records keeping plan of the organisation.
- (b) Transfer or offer to transfer a record to a person who is not entitled to possession of the records.
- (c) Destroy a record without appropriate authorisation in accordance with the record keeping plan.
- (d) Destroy a record while the record is subject of a notice to deliver or under court action to recover.

Current penalty under the *State Records Act 2000* is \$10,000. Officers and/or Councillors and/or the Shire of York may also be penalised under other legislation such as the *Evidence Act 1906* or *Freedom of Information Act 1992*.

KEY TERMS/DEFINITIONS:

In accordance with the *State Records Act 2000* a **record** is defined as:

“any record of information however recorded and includes —

- (a) anything on which there is writing or Braille.*
- (b) a map, plan, diagram or graph.*
- (c) a drawing, pictorial or graphic work, or photograph.*
- (d) anything on which there are figures, marks, perforations, or symbols, having a meaning for persons qualified to interpret them.*
- (e) anything from which images, sounds or writings can be reproduced with or without the aid of anything else.*
- (f) anything on which information has been stored or recorded, either mechanically, magnetically, or electronically.”*

Under the *State Records Act 2000* a **state record** is defined as:

- “(a) a parliamentary record, or*
- (b) a government record.”*

Drafts and revisions: In creating or preparing records, one or more significant drafts or revisions may have been created until the record is finalised and accepted as final.

Disposal authority: The General Retention and Disposal Authority for Local Governments, approved by the State Records Office is a legal document adopted by the Shire of York for the retention and disposal requirements of records. It requires the Shire of York to retain and dispose of corporate records and documents, electronic or hard copy, in accordance with specified retention and disposal periods.

Ephemeral records: Ephemeral records are those which have only short-term value to Shire of York with little or no ongoing administrative, fiscal, legal, evidential, or historical value.

If there is any uncertainty regarding whether a record or document should be retained or destroyed, you should retain the record or document.

Responsible Officer: Chief Executive Officer
 Contact Officer: Manager Governance & People
 Relevant Legislation: State Records Act 2000
 Local Government (Model Code of Conduct) Regulations 2021
 General Retention and Disposal Authority for Local Governments
 State Records Commission Standards
 Freedom of Information Act 1992

Review History				
Former Policy No.: G1				
Council Adoption	Date	28 January 2016	Resolution No.	120116
Reviewed	Date	24 October 2016	Resolution No.	121016
Reviewed	Date	25 November 2019	Resolution No.	291119
Reviewed	Date	TBC	Resolution No.	TBC

GOVERNANCE POLICIES

Community Access to Information



Policy Number:	G6
Relevant Delegation:	Not Applicable
Adoption Details:	28 January 2016
Last Review Details:	22 June 2021

POLICY OBJECTIVE:

To ensure that the community has timely access to information in relation to Council activities and decision-making in a way that is easy to use.

To provide a clear framework for the discharge of Shire of York accountabilities under the *Freedom of Information Act 2000* and the *Local Government Act 1995*.

POLICY SCOPE:

This policy applies to all aspects of Council activities.

POLICY STATEMENT:

INTRODUCTION

An informed community is at the heart of any well-functioning local democracy. Essential to this is having access to information about Council activities and decisions being made on behalf of the community. While the Freedom of Information Act 1992 (FOI Act) provides a statutory protection in terms of access to information, it is important as a general principle this be seen as a mechanism of last resort, in effect that every effort is made to publish reports and documents that provide background to decision-making. Ensuring residents and ratepayers have access to information held by the Shire in a way that is consistent with and embraces the overall intent of the FOI Act for an informed community and accountable democratic processes, is an essential aspect of Shire business.

This policy sets out the internal responsibilities and processes to be followed in supporting an informed local community.

PRINCIPLES

The Shire of York:

- (a) believes access to information is essential to having an informed community which has trust in the local democratic process and decision-making.
 - (b) will promote access to all Council information with a positive customer service philosophy.
 - (c) will be proactive in ensuring access to reports documents and papers of interest to the community and will ensure that these are easily accessible.
 - (d) will act as an advocate to external agencies for community access to information on issues and decisions affecting the Shire of York.
 - (e) will manage corporate reporting mechanisms to elected members in a way that maximises where possible community understanding of projects of interest to the community.
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- (f) will actively work to achieve access to documents promptly and at lowest reasonable cost for requests under the FOI Act.
 - (g) will monitor and report on Council performance in relation to community access to information.
 - (h) will ensure the protection of privacy and personal information.

PROVISIONS

1. MAXIMISING COMMUNITY ACCESS TO INFORMATION

All Council held information, with some limited exceptions set out in the FOI Act and the LG Act, is public information available for public reference and scrutiny. Much of this information comprises internal and external communication as well as reports, agendas and more substantial documents. A local authority has the capacity to assist people with access to much of this information by providing access to, in a sense 'publishing', hard or electronic copies. By doing so, this reduces the need for people to make formal requests for much of the information held by Council, with the Freedom of Information Act available for people to request more detailed information on a particular matter.

- 1.1 The Council will publish access to the following documents as a matter of course on its website:
- agendas, agenda reports and minutes of Council meetings.
 - publicly available agendas, reports and minutes of meetings associated with projects and cross-agency initiatives where the Council is a formal participant.
 - reports by Councillors on conferences etc. made under the Councillor Professional Development Policy E2.
 - other documents required to be published under statute.
 - Asset management plans.
 - finalised reports associated with significant projects including:
 - o background information reports
 - o progress update reports
 - o decision reports
 - land-use information via the Council's GIS system, where this can be achieved technically and at reasonable cost.
 - externally generated and published reports associated with audit and scrutiny by statutory agencies which have been formally made available to Council.
 - monitoring reports on complaints and community engagement and consultation register (See also the G5 Comprehensive Complaints Response Policy and the G13 Community Engagement and Consultation Policy) and an annual summary of Freedom of Information requests as part of the corporate reporting framework.
 - final project briefs for significant works and commissioned work from external providers.
 - links to published documents developed by external agencies associated with issues of interest to the Shire and/or links to external agency websites.
 - media statements.
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- consultation and engagement feedback used in consultation and engagement processes (see also the Community Engagement and Consultation G13).
 - 1.2 The Council will work to a performance measure of achieving upload of Council documents or links to the Council website within 10 working days of the material being in its final form.
 - 1.3 The Council will provide for access to electronic Council documents on the Council website, at the Shire of York library and in partnership with the Community Resource Centre.
 - 1.4 The Council will wherever possible, provided information requests are not excessive in terms of resource time and cost, work with the local school to provide information that will contribute to teaching programs.
 - 1.5 The Council will work with the York Community Resource Centre to provide access to Council information through that mechanism in a timely and effective way.
 - 1.6 Where an issue is of significance to the community and external public agencies are either seeking community input or proposing a project to be undertaken within the District, the Council will advocate for the maximum publication of information and documents.
 - 1.7 Where Council is formally involved in external processes or cross-agency initiatives Council representatives will:
 - advocate that the lead agency publish relevant documents in an accessible way and that access to information is maximised at all times.
 - provide links to externally published documents associated with that process.

2. LOCAL GOVERNMENT ACT 1995

As per the Local Government Act, all documents listed within section 5.94 will be made available to the public for inspection, free of charge, unless contrary to section 5.95, 5.96 and the Local Government Administration Regulations 1996 section 29B.

29B. Copies of certain information not to be provided (Act s.5.96)

A local government must not make available to a person copies of information referred to in section 5.94(m) or (s) unless –

- (a) the request for the information is made in the manner and form approved by the CEO of the local government; and
- (b) the CEO of the local government is satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes.

3. REQUESTS FOR INFORMATION UNDER THE FREEDOM OF INFORMATION ACT 2000.

The Council recognises that from time-to-time members of the community will seek access to more detailed information which is not available under the Council's active information publication policy.

- 3.1 The process to be followed when dealing with a request is set out under the Freedom of Information Act 1992. Where a request has been made the Council will:
 - assist with timely access to information outside the FOI process where this can lead to a better outcome.
 - engage wherever possible in direct face-to-face, early and meaningful discussion with the applicant to clarify the scope of any application.
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- assist the public to ensure that personal information contained in documents is accurate, complete, up-to-date and does not mislead.

3.2 Management and sign-off of all FOI Act responses will be carried out by the Executive Manager Corporate and Community Services.

4. APPEALS UNDER THE FREEDOM OF INFORMATION ACT 1992

4.1 Division 5 of the Freedom of Information Act 1992 provides for people who have made requests for information to have a right of internal appeal on any FOI Act decision made by the Shire. All appeals will be received, reviewed and responded to by the Chief Executive Officer.

4.2 In addition, a person has a further right of appeal to the Freedom of Information Commission. If an appeal is made externally to the Freedom of Information Commission, the Shire will respond in a timely and positive manner to any requests by the Commission for information on the matter raised.

PENALTIES:

Not applicable.

KEY TERMS/DEFINITIONS:

To publish, publishing means: the uploading of information in an electronic form to the Council website.

Responsible Officer: Chief Executive Officer
 Contact Officer: Executive Manager Corporate and Community Services
 Relevant Legislation: Freedom of Information Act 1992
 Local Government Act 1995 – Sections 5.94 to 5.96
 Local Government Administration Regulations 1996 – Section 29B

Review History:

Date Review Adopted:	Resolution Number
Adopted 28 January 2016	
Reviewed – 24 October 2016	
Reviewed – 25 November 2019	291119
Reviewed – 22 June 2021	130621
Former Policy No:	G2.2

GOVERNANCE POLICIES

Flags



Policy Number: G31
 Relevant Delegation: Not Applicable
 Adoption Details: 26 October 2021
 Last Review Details: NEWTBC

POLICY OBJECTIVE:

To provide clear guidance on the protocols associated with the use and flying of the Australian National Flag and other official flags of Australia ~~practice of flying, displaying and lowering flags to ensure a consistent, respectful and appropriate manner~~ at Shire buildings.

POLICY SCOPE:

This policy applies to official flags flown at Council buildings and reserves. ~~Order is relevant to the number of poles available at that site and does not insinuate a requirement for additional poles.~~

POLICY STATEMENT:

Flags will be flown in accordance with the Australian National Flag Protocols (the Protocols) and the Flags Act 1953 (Cth).

The Australian National Flag must be used with respect and dignity, to acknowledge and demonstrate its importance. It ~~The Australian National Flag~~ is to be flown/displayed at Shire buildings ~~in~~ during ordinary working hours on ordinary working days. Where a flag is illuminated it may be flown at night.

~~Where~~ if additional flag poles exist, other flags may be flown/displayed in the following order of ~~priority~~ precedence, in accordance with the Protocols:

1. Australian National Flag
2. National flag of other nations
- ~~2-3.~~ Western Australia State Flag State and Territory flags
4. Other flags prescribed by the Flags Act 1953 including:
 - ~~3-a.~~ Aboriginal Flag
 - ~~4-b.~~ Torres Strait Islander Flag
5. Ensigns and pennants – For example the Shire of York Flag

FLAGS AT HALF MAST

~~The~~ The Shire may fly flags at ~~half mast~~ half-mast on specific occasions to commemorate a solemn occasion, including:

- ~~1.~~ When advised by the Commonwealth and/or State Government, for example on days of national Commemoration. To coincide with national, state or regionally significant events

~~(generally at the behest of the various levels of government protocol arrangements), where possible.~~

~~2. On days of National Commemoration being:~~

~~a. ANZAC Day — flags will be flown at half mast until noon, then at the peak for the remainder of the day.~~

~~b.1. Remembrance Day flags will be flown at peak until 10.30am, at half mast from 10.30am to 11.03am, then at peak for the remainder of the day~~

~~3.2. When a current or former Elected Member of the Shire of York passes away, including the day of the funeral, between 8.30am until and 1.00pm.~~

~~4.3. When a Freeman of the Shire of York passes away, including the day of the funeral, between 8.30am until and 1.00pm.~~

~~5.4. When a current Shire of York employee passes away, including the day of the funeral, between 8.30am until and 1.00pm.~~

~~6.5. When a local citizen passes away (where deemed appropriate by the Shire President and Chief Executive Officer), including the day of the funeral, between 8.30am until and 1.00pm.~~

Where the above such occasions fall outside ordinary working days, staff will endeavour to make arrangements for flags to be flown at half mast, where possible. If arrangements cannot be made the flags will not be flown.

Approval to fly the flags at ~~half mast~~ half mast is to be given by the Chief Executive Officer on agreement ~~from with~~ the Shire President.

When flags are flown at ~~half mast~~ half mast acknowledgement of the reason will be made via a post on the Shire’s Facebook page and/or website.

PENALTIES:

Not applicable.

KEY TERMS/DEFINITIONS:

Not applicable.

Responsible Officer:	Chief Executive Officer
Contact Officer:	Executive Manager Corporate & Community Services <u>Manager Governance & People</u>
Relevant Legislation:	Department of the Prime Minister and Cabinet – Australian National Flag Protocols <u>Australian Flags Act 1953 (Cth)</u> <u>Local Government Act 1995 (WA)</u> Not applicable

Review History:

<u>Review History</u>
<u>Former Policy No.: N/A</u>

<u>Date</u> <u>Review Council</u> <u>Adoption</u> <u>Adopted:</u>	<u>Date</u> 26 October 2021	<u>26 October 2021</u> <u>Former</u> <u>Policy No:</u>	<u>Resolution</u> <u>No.</u> <u>Resolution</u> <u>Number</u>	061021
<u>Reviewed</u>	<u>Date</u>	<u>TBC</u>	<u>Resolution No.</u>	<u>TBC</u>

SY042-04/25 PROPOSED SHIRE OF YORK BUSH FIRE BRIGADES LOCAL LAW 2025

- File Number:** 4.8286, 4.7712
- Author:** Anneke Birleson, Manager Governance & People
- Authoriser:** Alina Behan, Acting Chief Executive Officer
- Previously before Council:** 26 October 2023 (041023)
28 May 2024 (060524)
24 September 2024 (090924)
- Disclosure of Interest:** Nil
- Appendices:**
1. Government Gazette - March 1941 [↓](#)
 2. WALGA - Information Page - January 2023 [↓](#)
 3. Joint Standing Committee on Delegated Legislation - Report 16 - June 2019 [↓](#)
 4. Submissions - January 2024 [↓](#)
 5. Joint Standing Committee on Delegated Legislation - Report 4 - November 2023 [↓](#)
 6. Submissions - July 2024 [↓](#)
 7. Submissions - November 2024 [↓](#)
 8. Proposed Shire of York Bush Fire Brigade Local Law 2025 [↓](#)
 9. Proposed Changes to Model Local Law - Summary Table [↓](#)

NATURE OF COUNCIL’S ROLE IN THE MATTER

Legislative

PURPOSE OF REPORT

The purpose of this report is to present Council with an updated draft Shire of York Bush Fire Brigades Local Law, for consideration. Council’s approval is sought to recommence the law-making process and authorise the Chief Executive Officer (CEO) to give local public notice of the proposed local law.

The Purpose and Effect of the proposed local law is as follows:

Purpose:	To make provisions for the organisation, establishment, maintenance and equipment of bush fire brigades.
Effect:	To ensure the bush fire brigades are established and managed in accordance with the <i>Bush Fires Act 1954</i> .

BACKGROUND

The Shire of York currently has five (5) operating bush fire brigades. The management of these brigades has occurred through provisions in the *Bush Fires Act 1954* (BF Act).

Under Section 41 of the BF Act, the Shire may establish and maintain one (1) or more bush fire brigades (BFB) and may equip each brigade with appliances, equipment and apparatus. The establishment of brigades is to be in accordance with the Shire’s local laws.

The Shire of York already has a local law relating to the establishment, maintenance and equipment of Bush Fire Brigades, published in the Government Gazette on 21 March 1941. The local law was

made under the former *Bush Fires Act 1937*. The relevant pages from the Government Gazette are presented in Appendix 1.

Advice from the WA Local Government Association (WALGA) states any validly made local laws establishing BFBs under the *Bush Fires Act 1937* continue to have effect under the 1954 BF Act. This includes any brigades established under the local law. However, given the time that has elapsed it is considered likely that the existing local law is no longer fit for purpose. WALGA's advice is presented in Appendix 2.

WALGA recommend the Shire ensures an adequate number of Bush Fire Control Officers (BFCO) are appointed under Section 38(1) of the BF Act, to conduct normal brigade activities and manage fires in the interim, and establish a local law under the BF Act, repealing the local law made under the *Bush Fires Act 1937*.

WALGA's advice provides reassurance that volunteers will be covered for compensation and protected from liability if conducting normal brigade activities under the direction of a BFCO.

In June 2019, the Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) reported on the validity of local laws made under the BF Act. The report is presented in Appendix 3, of particular relevance is Section 2.

It is prudent that the Shire of York moves to adopt a new Bush Fire Brigades Local Law to ensure its BFBs are properly established and managed and brigade officers are properly registered and empowered.

COMMENTS AND DETAILS

To comply with the BF Act, Officers drafted a local law based on the WALGA model template and presented it to Council's October 2023 Ordinary Meeting where it resolved (041023) to commence the law-making process and give public notice of the proposed local law.

In accordance with the procedure for making local laws, Section 3.12 of the *Local Government Act 1995* (LG Act), the proposed Local Law was sent to the Minister for Emergency Services and the Minister for Local Government and advertised statewide and locally. The submission period ended on 26 January 2024.

Two (2) submissions were received, one (1) from the Commissioner of Department of Fire and Emergency Services (DFES), the other from the Minister for Local Government. These are presented in Appendix 4.

In accordance with Section 3.13 of the LG Act, if any changes make the proposed local law significantly different the process must be restarted. The JSCDL takes this into consideration when making determinations. 'Significant changes' was one of the reasons sighted in the JSCDL Report 4 in 2023 (presented in Appendix 5) recommending disallowance of the City of Gosnells Bush Fire Brigade Local Law 2023.

As a direct result of the feedback received, the Shire recommended, and Council, at its Ordinary Meeting of Council, held on 28 May 2024 Council resolved to recommence the law-making process and give public notice of the proposed local law (010524).

According to procedure, the proposed Local Law was sent to the Minister for Emergency Services and the Minister for Local Government and advertised statewide and locally. The submission period ended on 19 July 2024.

Four (4) submissions were received including a joint submission from local BFCOs:

1. Commissioner of DFES referred by the Minister for Emergency Services.
2. Brigade member.
3. Joint submission from local Bush Fire Control Officers (BFCOs).
4. Brigade member.

All submissions received are presented in Appendix 6.

The Chief Executive Officer and Officers of the Shire met with a representative group of BFCOs to address their concerns and work through their submissions to identify where their requests could reasonably be accommodated within the limits of the legislation.

The proposed changes would result in the revised draft being considered significantly different, in line with Section 3.13 of the LG Act. Therefore, the Shire recommended to Council again that the law-making process be recommenced. At its Ordinary Meeting of Council, held on 24 September 2024 Council resolved (090924):

“That, with regard to the Proposed Shire of York Bush Fire Brigades Local Law 2024, Council:

- 1. Commences the law-making process for the Shire of York Bush Fire Brigades Local Law 2024. The purpose and effect of the local law being as follows:**

Purpose: To make provisions about the organisation, establishment, maintenance and equipment of bush fire brigades.

Effect: Ensure the Shire of York’s Bush Fire Brigades are created in accordance with the Bush Fires Act 1954.

- 2. Authorises the Chief Executive Officer to carry out the law-making procedures under Section 3.12(3) of the Local Government Act 1995, by:**
 - a. Giving local public notice of the proposed Bush Fire Brigades Local Law 2024***
 - b. Giving a copy of the proposed Bush Fire Brigades Local Law 2024 and public notice to the Minister for Local Government and the Minister for Emergency Services.***
- 3. Authorises the Chief Executive Officer to make any minor formatting or typographical changes to the proposed Shire of York Bush Fire Brigades Local Law 2024 prior to advertising.**
- 4. Notes that the Chief Executive Officer, after the close of the public consultation period, will submit a report to Council on any submissions received on the proposed Bush Fire Brigades Local Law 2024 to enable Council to consider the submissions and determine whether to make the local law, in accordance with Section 3.12(4) of the Local Government Act 1995.”**

According to procedure at the time, the proposed Local Law was sent to the Minister for Emergency Services and the Minister for Local Government and advertised statewide and locally. The submission period ended on 22 November 2024. This was extended by one week to allow for the local Bush Fire Control Officers (BFCOs) to make a submission.

Two (2) submissions were received:

1. Commissioner of DFES referred by the Minister for Emergency Services.
2. Joint submission from local Bush Fire Control Officers (BFCOs).

All submissions received are presented in Appendix 7.

The Chief Executive Officer and Officers of the Shire met with a representative from the group of BFCOs to address their concerns and work through their submission to identify where their requests could reasonably be accommodated within the limits of the legislation.

The proposed changes would result in the revised draft being considered significantly different, in line with Section 3.13 of the LG Act. Therefore, it is in the Shire’s best interest to recommend to Council that the law-making process be recommenced.

Appendix 8 presents a fully marked-up version of the WALGA Model Local Law, showing all the proposed changes. For clarity, Appendix 9 presents a table of where changes have been made, excluding typographical errors or formatting changes.

The proposed local law is divided into six (6) parts, summarised as follows, with key amendments identified:

Part 1 – Preliminary

Provides basic information about the local law including its name, definitions of key terms used, its application and commencement.

Part 2 – Establishment of Bush Fire Brigades

Part 2, Division 1 provides for the Shire to establish BFBs. It specifies the positions to be appointed. Following the first Annual General Meeting of the BFB committee, these positions are thereafter appointed by the brigade.

Existing BFBs within the Shire of York are non-financial entities and therefore, the positions of Secretary and Treasurer have been removed. Equipment is currently managed by the Shire’s CESM. Should a need for these positions arise, clause 2.2(1)(v) allows for any other position deemed necessary to be appointed.

Part 2, Division 2 specifies the chain of command in relation to a fire ground. This part also refers to the Rules (Schedule 1) of each brigade. Upon commencement of the local law, existing brigades will continue to operate as if they were established under the local law.

Part 3 – Organisation and Maintenance of Bush Fire Brigades

The Shire is to ensure there is an appropriate structure under which BFBs can operate and are to supply each brigade officer with relevant legislation, policies and procedures. The Chief BFCO has primary managerial responsibility for the organisation and maintenance of the BFBs. Each BFB must hold Annual General Meetings and nominate brigade members to serve as BFCOs for the brigade area and represent the brigade on the Bush Fire Advisory Committee (BFAC).

Part 4 – Types of Bush Fire Brigade Membership

The membership types included in the proposed local law reflect the existing BFB structures with the addition of the requirement to undergo any training as specified by the Shire. Feedback from DFES recommended adding in a clause relating to fire fighting members aged between sixteen (16) and eighteen (18) years of age.

Part 5 – Appointment Dismissal and Management of Members

This part refers to the Rules (First Schedule) in relation to the appointment and dismissal of members.

Part 6 – Equipment of Bush Fire Brigades

This part provides for the option to establish policies around funding for the brigades and a BFB's ability to request funding from the Shire. This funding is in addition to current Local Government Grant Scheme funds.

First Schedule – Rules Governing the Operation of Bush Fire Brigades

The Schedule outlines the rules under which the BFBs are to operate and includes the following matters:

1. Membership
2. Functions of Brigade Officers (Duties of the Captain and Lieutenants)
3. Responsibilities of the Committee
4. Meetings of the BFB
5. Meetings of the Committee
6. General administration
7. Issuing of notices and appointing proxies

Financial reporting requirements have been removed as none of the existing BFBs are incorporated bodies and do not charge fees for membership. Some BFBs in other local government areas are incorporated and therefore legally bound to report on annual financials.

Process for Making Local Law

The procedure for making local laws is prescribed in Sections 3.12 to 3.17 of the LG Act. The first step is for the person presiding at a Council meeting to give notice to the meeting of the purpose and effect of the proposed local law. This is to be recorded in the agenda and minutes of the meeting.

Recent changes to the LG Act have resulted in a few changes to the process since the last time the draft local law was advertised. As there are proposed changes to the wording of some provisions the Shire must follow the process according to Section 3.12(3) of the LG Act:

1. Give local public notice of the proposed local law in the prescribed way.
2. Invite submissions about the proposed local law for a period no less than six (6) weeks.
3. Provide a copy of the proposed local law to the Departmental CEO (Director General of DLGSC) and the CEO of the Department of Fire and Emergency Services (The Commissioner).

After the last day for submissions the Shire must consider any submissions made and either restart the process or formally make the local law by an Absolute Majority decision of Council. The process only needs to be restarted if any changes make the proposed local law significantly different to what has been proposed (Section 13.13 of the LG Act).

Once a local law is made, it is to be published in the Government Gazette and local public notice given including publishing on the Shire's website. The Minister *may* require the Shire to provide copies to Parliament along with any explanatory material. The local law comes into force fourteen (14) days after gazettal.

OPTIONS

Council has the following options:

- Option 1:** Council could choose not to adopt a new Bush Fire Brigades Local Law and continue to operate under the existing local law made in 1941.
- Option 2:** Council could choose to obtain independent legal advice as to whether a new local law is required prior to making a determination.
- Option 3:** Council could choose to authorise the Chief Executive Officer to recommence the law-making process in accordance with Section 3.12 of the LG Act.

Option 3 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

Community Emergency Services Manager – Beverley and York

Shire of York BFCOs

WALGA

JSCDL Reports

Should Council choose to commence the law-making process, Officers will publish a local public notice of the proposed local law, inviting submissions. The submission period is to be no less than six (6) weeks. After this period, Officers will consider any submissions received and report back to Council.

Strategic

Strategic Community Plan 2020-2030

Goal 5: Strong Leadership and Governance

To have effective and responsive leadership and governance, where a sense of collective purpose and shared direction combine to work together.

Policy Related

There are currently no policies relating directly to BFBs. However, an updated Work Health and Safety Policy was presented to Council in May 2024 and includes volunteers.

Financial

There will be costs associated with the advertising and gazettal of the proposed Bush Fire Brigade Local Law. These costs are unlikely to exceed \$5,000.

Legal and Statutory

Various Sections of the *Bush Fires Act 1954* are applicable and state:

“38. Local government may appoint bush fire control officer

- (1) *A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.*

41. Bush fire brigades

- (1) *For the purpose of carrying out normal brigade activities a local government may, in accordance with its local laws made for the purpose, establish and maintain one or more bush fire brigades and may, in accordance with those local laws, equip each bush fire brigade so established with appliances, equipment and apparatus.*
- (2) *A local government shall keep a register of bush fire brigades and their members in accordance with the regulations and shall register therein each bush fire brigade established by it under subsection (1) and each member of each such brigade.*
- (2a) *A local government is to notify the FES Commissioner as soon as practicable after any changes occur in any of the details required to be recorded in the register under subsection (2).*
- (3) *A local government may at any time cancel the registration of a bush fire brigade.*

43. Election and duties of officers of bush fire brigades

A local government which establishes a bush fire brigade shall by its local laws provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of the bush fire brigade, and prescribe their respective duties.

44. Powers and authorities of officers of bush fire brigade

- (1) *Subject to this Act, and except as provided in section 45 for the purpose of controlling and extinguishing or preventing the occurrence or spread or extension of a bush fire, or for any other prescribed purpose, the captain, or, in his absence, the next senior officer of a bush fire brigade, or in the absence of the captain and all other officers, any other member of the bush fire brigade, after consulting with the occupier of the land if he be present, has and may exercise all or any of the following powers and authorities, he may —*
 - (a) *control and direct the bush fire brigade at the fire or a person who voluntarily places his service at his disposal;*
 - (b) *either alone or with others under his command or direction, enter on land or into premises which may be on fire or in the neighbourhood of a fire for the purpose of taking such steps as he deems necessary for the control or extinguishment or for the prevention of the spread or extension of the fire, or take or give directions for taking such apparatus required to be used at a fire into, through, or upon land or premises as he considers convenient for the purpose;*
 - (c) *take any measures which in the circumstances are reasonable and appear to him to be necessary or expedient for the protection of life and property; and, for the purpose of controlling or extinguishing or for preventing the spread or extension of a fire, cause fences to be pulled down or removed, and bush or other inflammable material to be burnt, or otherwise destroyed or removed;*
 - (d) *enter or give directions for entering land or premises, and take or cause to be taken water from any source whatsoever, other than that for use at a school or the domestic supply of an occupier contained in a tank at his dwelling-house, whether the water is upon private land or other land, and in all other respects, when and as often as in his opinion he deems it necessary or expedient to do so, exercise all the powers and authorities of a bush fire control officer under this Act;*
 - (e) *either alone or with others under his command or direction enter a building which he believes to be on fire and take such steps as he considers necessary to extinguish such fire or prevent it from spreading*
- (2) *The powers conferred by subsection (1)(e) shall not be exercised —*
 - (a) *in an area which has been declared a fire district under the Fire Brigades Act 1942, unless at the express request of an officer of a fire brigade established under that Act;*
or

- (b) *in an area in which there is a fire brigade or volunteer fire brigade formed under the provisions of that Act, unless at the express request of an officer of the fire brigade or volunteer fire brigade as the case may be.*
- (3) *Subject to the provisions of sections 13(6) and 45, where the bush fire brigade of a local government is present at a fire which is burning within the district of the local government, if a bush fire control officer of the local government is not present, the captain or in his absence the next senior officer of the bush fire brigade of the local government, or in the absence of the captain and all other officers of that bush fire brigade, any other member of that bush fire brigade has and shall take supreme control and charge of all operations and the officers and members of another bush fire brigade if present are subject to and shall act under his orders and directions.*
- (4) *Subject to the provisions of sections 13(6) and 45, where a bush fire control officer of a local government is present at a fire which is burning in the district of the local government, he has supreme control and charge of all operations, and the officers and members of all bush fire brigades present at the fire are subject to and shall act under his orders and directions.*

62. Local government may make local laws

- (1) *A local government may make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the Local Government Act 1995 for and in relation to —*
- (a) *the appointment, employment, payment, dismissal and duties of bush fire control officers; and*
- (b) *the organisation, establishment, maintenance and equipment with appliances and apparatus of bush fire brigades to be established and maintained by the local government; and*
- (c) *any other matters affecting the exercise of any powers or authorities conferred and the performance of any duties imposed upon the local government by this Act.*
- (2) *Where a regulation made by the Governor under this Act is inconsistent with or repugnant to a local law previously made by a local government under subsection (1) and still in force, the regulation prevails and the local law to the extent by which it is inconsistent with or repugnant to the regulation is deemed to be repealed.”*

Various Sections of the *Local Government Act 1995* are applicable and state:

“3.5. Legislative power of local governments

- (1) *A local government may make local laws under this Act prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.*

3.12. Procedure for making local laws

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2A) *Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.*
- (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) *Subject to subsection (3A), the local government is to —*
- (a) *give local public notice stating that —*
- (i) *the local government proposes to make a local law the purpose and effect of which is summarised in the notice; and*
- (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*

(iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;

and

(b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to —

(i) the Departmental CEO; and

(ii) if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made — the chief executive officer of that other department;

and

(c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

(3A) The local government may, at the council meeting referred to in subsection (2), determine to proceed under subsection (3C) instead of subsection (3) if all the proposed local law would do is adopt, wholly and without modification —

(a) a model local law; or

(b) a model local law except certain provisions that the local government determines, at the council meeting referred to in subsection (2), are not relevant to the local government and the district.

(3B) In subsection (3A)(a) and (b), references to a model local law include an amendment of a model local law.

(3C) If the local government determines to proceed under this subsection, the local government must —

(a) publish a notice on the local government’s official website stating that —

(i) the local government proposes to make a local law the purpose and effect of which is summarised in the notice; and

(ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and

(iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 3 weeks after the notice is published;

and

(b) as soon as the notice is published, give a copy of the notice to —

(i) the Departmental CEO; and

(ii) if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is proposed to be made — the chief executive officer of that other department;

and

(c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

(4) After the last day for submissions under subsection (3) or (3C) (as the case requires), the local government is to consider any submissions made and may make the local law as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

(5) After making a local law, the local government must —

- (a) *publish the local law in the Gazette; and*
 - (b) *give a copy of the local law to —*
 - (i) *the Departmental CEO; and*
 - (ii) *if a department of the Public Service other than the Department assists in the administration of an Act under which the local law is made — the chief executive officer of that other department.*
- (6) *After the local law has been published in the Gazette the local government is to give notice in the required way —*
- (a) *stating the title of the local law; and*
 - (b) *summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) *advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.*
- (6A) *For the purposes of subsection (6), the **required way** for giving a notice is as follows —*
- (a) *if the local government proceeded under subsection (3) — by local public notice;*
 - (b) *if the local government proceeded under subsection (3C) — by notice published on the local government's official website.*
- (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*
- (8) *In this section —*
- making** *in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.*

3.13. Procedure where significant change in proposal

If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

3.14. Commencement of local laws

- (1) *Unless it is made under section 3.17, a local law comes into operation on the 14th day after the day on which it is published in the Gazette or on such later day as may be specified in the local law.*
- (2) *A local law made under section 3.17 comes into operation on the day on which it is published in the Gazette or on such later day as may be specified in the local law.*

3.15. Local laws to be publicised

A local government is to take reasonable steps to ensure that the inhabitants of the district are informed of the purpose and effect of all of its local laws.

3.16. Periodic review of local laws

- (1) *Within a period of 15 years after the day on which a local law commenced or a determination in respect of the local law was last made under subsection (4), as the case requires, a local government must carry out a review of the local law to determine whether it considers that the local law should be repealed, be amended or remain unchanged.*
- (2) *The local government is to give local public notice stating that —*
 - (a) *the local government proposes to review the local law; and*
 - (b) *a copy of the local law may be inspected or obtained at any place specified in the notice; and*

- (c) *submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*

[(2a) deleted]

- (3) *After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.*
- (4) *When its council has considered the report, the local government may determine* whether or not it considers that the local law should be repealed or amended.*

* *Absolute majority required.*

- (5) *If no determination is made under subsection (4) within the applicable 15-year period under subsection (1), the local law is repealed at the end of that period.*
- (6) *If a local law is repealed by subsection (5), the local government must, not later than 14 days after the end of the applicable 15-year period —*
- (a) *give notice of the repeal to —*
- (i) *the Departmental CEO; and*
- (ii) *if a department of the Public Service other than the Department assists in the administration of an Act under which the local law was made — the chief executive officer of that other department;*
- and*
- (b) *publish notice of the repeal in the Gazette; and*
- (c) *give local public notice of the repeal.*
- (7) *If different provisions of a local law commenced on different days, the local law is taken, for the purposes of this section, to have commenced on the earliest of those days.*
- (8) *This section does not apply to a local law if all it does is amend the text of, or repeal, a local law.*

3.17. Governor may amend or repeal local laws

- (1) *The Governor may make local laws to amend the text of, or repeal, a local law.*
- (2) *Subsection (1) does not include the power to amend a local law to include in it any provision that bears no reasonable relationship to the local law as in force before the amendment.*
- (3) *The Minister is to give a local government notice in writing of any local law that the Governor makes to amend the text of, or repeal, any of the local government's local laws.*
- (4) *Section 5.94 applies as if a local law made under this section by the Governor were a local law made by the local government in accordance with section 3.12.*
- (5) *The reference in the Interpretation Act 1984 section 42(8)(b) to local laws includes local laws made under this section by the Governor."*

Risk Related

Under the BF Act, the Shire is required to adopt a Bush Fire Brigades Local Law to ensure its brigades are properly established and brigade officers are properly appointed and empowered. The risks are outlined within the advice received from WALGA presented in Appendix 1.

The Shire already has a local law, made under the former *Bush Fires Act 1937*. However, this local law is likely not fit for purpose. Existing brigades can continue to operate until a new local law is made.

The compliance risk is Insignificant (1) due to the Shire having an existing local law.

The likelihood of occurrence is Possible (3) presenting an overall risk rating of Low (3).

Workforce

The process associated with adopting the new proposed bush fire brigade local law is within current operational capacity.

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION**110425****Moved: Cr Denese Smythe****Seconded: Cr Chris Gibbs**

That, with regard to the Proposed Shire of York Bush Fire Brigades Local Law 2025, Council:

- 1. Commences the law-making process for the Shire of York Bush Fire Brigades Local Law 2024. The purpose and effect of the local law being as follows:**

Purpose: To make provisions about the organisation, establishment, maintenance and equipment of bush fire brigades.

Effect: Ensure the Shire of York's Bush Fire Brigades are created in accordance with the *Bush Fires Act 1954*.

- 2. Authorises the Chief Executive Officer to carry out the law-making procedures under Section 3.12(3) of the *Local Government Act 1995*, by:**
 - a. Giving local public notice of the proposed Bush Fire Brigades Local Law 2025.**
 - b. Giving a copy of the proposed Bush Fire Brigades Local Law 2025 and the notice to the Director General of the Department Local Government Sport and Cultural Industries and the Commissioner of the Department of Fire and Emergency Services.**
- 3. Authorises the Chief Executive Officer to make any minor formatting or typographical changes to the proposed Shire of York Bush Fire Brigades Local Law 2025 prior to advertising.**
- 4. Notes that the Chief Executive Officer, after the close of the public consultation period, will submit a report to Council on any submissions received on the proposed Bush Fire Brigades Local Law 2025 to enable Council to consider the submissions and determine whether to make the local law, in accordance with Section 3.12(4) of the *Local Government Act 1995*.**

In Favour: Crs Kevin Trent, Denis Warnick, Chris Gibbs, Kevin Pyke, Denese Smythe and Peter Wright

Against: Nil

CARRIED 6/0

(3) Fire-fighting members shall be those persons, being able-bodied men over 18 years of age who are willing to render service at any bush fire when called upon, and who sign an undertaking in the form contained in the First Schedule to these by-laws.

(4) Associate members shall be those persons who are willing to supply free motor transport for fire-fighters or equipment, or are prepared to render other approved assistance, and who sign an undertaking in the form contained in the Second Schedule to these by-laws.

(5) No fees or subscriptions shall be payable either by fire-fighting members or associate members, and the enrolment of persons as such members shall in every case be subject to the approval of the Board.

(6) A subscribing member shall be eligible for enrolment as a fire-fighting member.

Finance.

8. The expenditure incurred by the Board in the purchase of equipment, etc., payment for services and generally for the purposes of this Act, shall be a charge on the ordinary revenue of the Board, but the secretary shall keep a separate record of the expenditure incurred under this Act.

Meetings of Brigade.

9. Meetings of the Brigade will be held as required.

These by-laws, under the Bush Fires Act, 1937, were passed by a resolution of the Bridgetown Road Board (a local authority under the provisions of such Act) at a meeting held at Bridgetown on 20th day of September, 1940.

WALTER TOYER,
Chairman.
C. V. DRAPER,
Secretary.

First Schedule.

FORM OF ENROLMENT—FIRE-FIGHTING MEMBER.

I, the undersigned, hereby make application to be enrolled as a Fire-fighting Member of the.....
.....Bush Fire Brigade.

My private address is.....
My business address is.....

I can be communicated with by Telephone No.....
If needed, I can provide my own transport to the scene of any outbreak. (This line to be struck out if not applicable.)

I hereby declare that I am over 18 years of age, and in good health.

On election by the Committee as a Fire-fighting Member I hereby undertake—

1. to promote the objects of the Brigade as far as shall be in my power;
2. to be governed by the provisions of the constitution and such by-laws and regulations as may from time to time be made thereunder;
3. to use my best endeavours to give assistance in fire-fighting measures when called upon, and on such occasions to obey all orders and instructions issued by duly authorised officers of the Brigade.

Applicant's signature.....
Date.....

Second Schedule.

FORM OF ENROLMENT—ASSOCIATE MEMBER.

I, the undersigned, hereby make application for enrolment as an Associate Member of the.....
.....Bush Fire Brigade.

(a) I am prepared to offer to transport fire-fighting members and/or equipment to the scene of any outbreak when called upon. I have a motor vehicle of the following type.....
.....available for such purpose.

(b) I am prepared to offer my services in the following capacity:—
.....
.....

(Paragraph (a) or (b) above may be struck out if both do not apply.)

My private address is.....
My business address is.....
I can be communicated with by Telephone No.....

On election as an Associate Member by the Committee I hereby undertake—

1. to promote the objects of the Brigade as far as shall be in my power;
2. to be governed by the provisions of the constitution and such by-laws and regulations as may from time to time be made thereunder;
3. to use my best endeavours to assist in fire suppression work in the above capacity when called upon.

Applicant's signature.....
Date.....

THE BUSH FIRES ACT, 1937.

Department of Lands and Surveys,
Corres. No. 3884/40. Perth, 19th March, 1941.

IT is hereby notified, for general information, that the York Road Board Bush Fire Brigade (Personnel—Captain William H. Robinson, Lieutenants Newton P. Burges, C. M. Thorn, A. J. McDougall, L. T. Davies, T. W. Marwick, and G. B. Wood) was duly registered as a Bush Fire Brigade on the 29th day of November, 1940, in accordance with the provisions of the above Act, and His Excellency the Lieutenant-Governor in Executive Council has been pleased to approve of the following by-laws for the establishment, maintenance, and equipment of the said Bush Fire Brigade.

G. L. NEEDHAM,
Under Secretary for Lands.

BUSH FIRES ACT, 1937.

By-laws of the York Road Board relating to the Establishment, Maintenance and Equipment of Bush Fire Brigades for the Road District of York.

Establishment of Brigade.

1. On the resolution of the Board to establish, maintain, and equip a Bush Fire Brigade under the provisions of the Bush Fires Act, 1937, and regulations thereunder, the Brigade shall be formed in accordance with these by-laws, and a name shall be given to the Brigade and application accompanied by a copy of these by-laws shall be made to the Minister for Lands for its registration accordingly.

A Bush Fire Brigade may be established for the whole of the road district or for any specified area thereof: Provided that, unless the resolution of the Board establishing a Bush Fire Brigade specifies therein only a part of the district as the area for which such Brigade is established, the Brigade shall be deemed to be established for the whole of the said road district.

Appointment of Officers.

2. The Board shall appoint a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as it shall deem necessary to act as officers of the Brigade, and who in the Board's opinion have the necessary qualification and knowledge of the district required in such capacities.

3. The secretary of the Board, or such other person as the Board may appoint, shall be the secretary of the Brigade.

4. The Board may appoint an Equipment Officer, who shall be responsible for the custody and maintenance in good order and condition of all equipment and appliances acquired by the Board for the purposes of the Brigade. Such officer may station such equipment at a depot approved by the captain, where, if possible, motor trucks can easily be called upon. If there are more than one such depots in the area, the Equipment Officer shall appoint at each depot a person to look after the equipment and have it ready for immediate use when required.

5. The Board shall appoint Bush Fire Control Officers in accordance with the requirements of the District and may prescribe the area over which each such officer shall have jurisdiction. The employment, dismissal, and payment for services of persons (other than officers) employed for duties under this Act, shall be vested in the chairman and secretary of the Board jointly.



INFOPAGE

BUSH FIRE BRIGADE LOCAL LAWS, January 2023

WALGA was recently contacted by the Department of Fire and Emergency Services (DFES), who informed of State Solicitor's Office advice questioning the legality of Bush Fire Brigades established by Local Governments in the absence of an associated Bush Fire Brigades Local Law.

WALGA obtained its own separate, independent legal advice that confirmed the same; having established a Bush Fire Brigade, it is a requirement that the Local Government also adopt an associated Bush Fire Brigades Local Law.

WALGA has identified your Local Government as potentially falling into this category, following a search of your Local Government website for a BFB Local Law.

The Issues

1. DFES and WALGA have received separate, independent legal advice on the establishment of Bush Fire Brigades (BFB) by Local Governments under s.41 of the *Bush Fires Act 1954* (BF Act);
2. The consistent legal position is that a Local Government, having exercised discretion to establish a BFB, **must do so by making a Local Law** – ref s.41(1) of the BF Act;
3. The head of power to make a BFB Local Law is under s.62 of the BF Act.
4. The Parliamentary Joint Standing Committee on Delegated Legislation has reported a similar requirement: 'Where a local government elects to establish a bush fire brigade it must do so in accordance with local laws it has made for that purpose' (Ref: Report 16, June 2019 at 2.2)

Relevant Consequences

5. Where a BFBs has been established in the absence of a Local Law, WALGA's legal advice indicates that the registration of the Brigade and Brigade membership under s.41(2) is likely to be invalid;
6. In the absence of a Local Law, the election and duties of BFB officers under s.43 is likely to be invalid.
7. In the absence of a Local Law, the powers of BFB officers relevant to preventing, controlling and extinguishing a bush fire under s.44 is likely to be invalid.

WALGA's requested legal advice on other matters that we believe will provide some reassurances in the short term.

Although not having adopted a BFB Local Law will mean that Brigades are not properly constituted, we have been advised that the appointment of Bush Fire Control Officers will mean that Local Governments can effectively ensure the conduct of normal brigade activities, including responding to bush fires and directing firefighting assets and volunteers.

Our legal advice provides further reassurances that volunteers will be covered for compensation and protected from liability if conducting normal brigade activities under the direction of a BFCO.

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Arrangements – Short Term

1. In the short term, Local Governments should ensure that a sufficient number of bush fire control officers (BFCO) are appointed under s.38(1) of the BF Act:
'A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it';
2. BFCO's special powers are set out in s.39 of the BF Act and this appointment will also ensure the proper direction of Brigades in responding to a bush fire, as set out in s.44(4) of the BF Act:
'(4) Subject to the provisions of sections 13(6) and 45, where a bush fire control officer of a local government is present at a fire which is burning in the district of the local government, he has supreme control and charge of all operations, and the officers and members of all bush fire brigades present at the fire are subject to and shall act under his orders and directions.'
3. WALGA's legal advice notes that a BFCO could manage a BFB established without a Local Law however this is not recommended as a permanent solution as BFBs will not have direct authority and powers otherwise provided under the BF Act.

Protections

4. WALGA sought legal advice on the application of Part 6B And Part 7 of the Fire and Emergency Services Act 1998 (FES Act);
5. Part 6B applies to compensation entitlements for volunteers engaged in emergency response activities including firefighting;
6. Legal advice is that the compensation provisions will cover a person who engages in volunteer activities by participating in 'normal brigade activities' under the direction of a BFCO;
7. Part 7 applies to protection of persons acting in good faith when performing functions under emergency services Acts, including volunteer firefighters;
8. Similarly, legal advice confirms that a volunteer acting under the direction of a BFCO when carrying out 'normal brigade activities' will be able to rely upon the statutory protection under s.37 of the FES Act.

Arrangements – Intermediate Term

1. The Local Government is required to adopt a BFB Local Law to ensure its Bush Fire Brigades are properly established and Brigade officers are properly registered and empowered.
2. WALGA has developed a template BFB Local Law addressing the BF Act local law-making requirements. This can be made freely available upon request.
3. WALGA can also provide general advice on the local law-making process and the development of a Council agenda item for this purpose;
4. Alternatively, the Local Government can obtain its own legal advice for the purpose of drafting a BFB Local Law.



Validity of Bush Fire Brigades Local Laws (Bylaws)

Introduction

WALGA is assisting the Department of Fire and Emergency Services with communications to Local Governments regarding Bush Fire Brigade Local Laws (BFB LL). WALGA has previously sought and distributed independent legal advice on the contemporary operation of Bush Fire Brigades and the role of appointed Bush Fire Control Officers, in the absence of a Bush Fire Brigades Local Law.

Questions have since been raised by Local Government that adopted, and have not repealed, a BFB LL prior to the commencement of the current *Bush Fires Act 1954*.

WALGA sought specific legal advice on the following question: “...whether local laws (bylaws) which validly established Bush Fire Brigades under *Bush Fires Act 1937 (WA)* validly survive the repeal of that Act and the commencement of the *Bush Fires Act 1954 (WA)* specifically via the operation of section 36 of the *Interpretation Act 1984*.”

Summary of Legal Advice

- Section 6 of the *Bush Fires Act 1954* ‘as passed’ expressly declared that the “repealing and re-enacting of a provision” section of the *Interpretation Act* (s.15 of the *Interpretation Act 1918* (reprinted in 1953) and s.36 of the *Interpretation Act 1984 (WA)*) applies to the *Bush Fires Act 1954*.
- Legal advice is that it is apparent at the time of passing the *Bush Fires Act 1954*, Parliament intended for local laws (formerly ‘bylaws’) establishing Bushfire Brigades under the *Bush Fires Act 1937*, to continue to have effect and therefore for those Brigades to continue. However, it is extremely unlikely that the Parliament would have intended those local laws to have continued in place for an extended period.
- Attention then turns to whether the other requirements of the *Bush Fires Act 1954* have been complied with, namely have there been any substantive changes to s.36(d) following the ‘as passed’ Act.
- Legal advice confirms that the clear and ordinary meaning of s.36(d) of the *Bush Fires Act 1954* has not changed in a manner relevant to the issue of establishment of Bush Fire Brigades between 1954 and 2023. Therefore, a local law made under the *Bush Fires Act 1937* which has not been repealed and where a Local Government does not have a local law to a similar effect made under the *Bush Fires Act 1954*, **is likely to still be in force**.
- Legal advice notes that a local law made under the *Bush Fires Act 1937*, whilst valid, may well not be fit for purpose now.

Note: For the purposes of the legal advice obtained, it was assumed that the local laws which established the Bush Fire Brigade under the *Bush Fires Act 1937*, did so validly at the time they came into effect.



Good Governance Considerations

From the perspective of the legal advice received, it might be said that a BFB LL made under the *Bush Fires Act 1937* is technically valid but likely to be practically obsolete. In accordance with our previous legal advice, it is therefore recommended that Local Governments with a local law established under the *Bush Fires Act 1937*:

- a. ensure there are an adequate number of appointed Bush Fire Control Officer to conduct 'normal brigade activities' and manage fires in its district in the short term; and
- b. consider making a local law to establish the Bush Fire Brigade under *the Bush Fires Act 1954* and to repeal the local law made under the *Bush Fires Act 1937*.

Bush Fire Brigade Local Laws – 1954 to 1996

Further investigation of the Government Gazette has identified that many Local Governments have adopted a BFB LL since the commencement of the *Bush Fires Act 1954* and there is no doubt as to the validity of these local laws.

However it is clear that many Local Governments were until recently, unaware of the existence of a BFB LL (for example, the local law is not published on the Local Government's website) and the *Local Government Act 1995* requirement to conduct an 8 year review of local laws has not been applied to BFB LLs. (Please note that the lack of an 8 year review does not invalidate any local law).

WALGA therefore suggests that Local Governments with BFB LLs adopted as bylaws prior to the commencement of the *Local Government Act* in 1996 give similar consideration as to whether this local law remains fit for purpose to the contemporary operation of Bush Fire Brigades within the district.

WALGA Local Laws Service

If you require assistance with any aspect of the local law-making process relating to Bush Fire Brigades, please contact WALGA's Governance & Procurement team at governance@walga.asn.au or call 9213 2514.



Report 16

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

*City of Rockingham Bush Fire Control and Bush Fire Brigades
Amendment Local Law 2018*

Presented by

Ms Emily Hamilton MLA (Chair)

and

Hon Robin Chapple MLC (Deputy Chair)

June 2019

Joint Standing Committee on Delegated Legislation**Members as at the time of this inquiry:**

Ms Emily Hamilton MLA (Chair)

Hon Robin Chapple MLC (Deputy Chair)

Dr David Honey MLA

Hon Kyle McGinn MLC

Mr Kyran O'Donnell MLA

Hon Martin Pritchard MLC

Mrs Robyn Clarke MLA

Hon Charles Smith MLC

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EXECUTIVE SUMMARY

- 1 On 18 January 2019 the *City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018* (Amendment Local Law) was published in the Government Gazette.
- 2 The Amendment Local Law deleted a series of clauses from the *Bush Fire Control and Bush Fire Brigade Local Law 2001*. Some of the deleted clauses were required by the enabling Act, the *Bush Fires Act 1954* (Act), to be included in the local law. These clauses related to the establishment and maintenance of bush fire brigades, equipping the brigades and appointment of relevant officers.
- 3 The Joint Standing Committee on Delegated Legislation is of the view that the Amendment Local Law is inconsistent with sections 41(1) and 43 of the Act.
- 4 As a result of that inconsistency, the Amendment Local Law is not within power of the enabling Act and as such offends the Committee’s Term of Reference 10.6(a).

Recommendation

The recommendation is listed as it appears in the text at the page number indicated:

RECOMMENDATION 1	Page 4
<p>The <i>City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018</i> be disallowed.</p>	

1 Reference and procedure

- 1.1 On 18 January 2019 the *City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018* (Amendment Local Law) was published in the Government Gazette.
- 1.2 Upon gazettal, the Amendment Local Law stood referred to the Joint Standing Committee on Delegated Legislation (Committee).
- 1.3 Once the Amendment Local Law was tabled in the Legislative Council, it became an instrument that may be subject to disallowance.

2 Local laws relating to bush fire brigade matters

- 2.1 Under the *Bush Fires Act 1954* (Act) a local government may establish and maintain one or more bush fire brigades for the purpose of carrying out normal brigade activities.¹
- 2.2 Where a local government elects to establish a bush fire brigade it must do so in accordance with local laws it has made for that purpose:

Bush fire brigades

For the purpose of carrying out normal brigade activities a local government may, in accordance with its local laws made for the purpose, establish and maintain one or more bush fire brigades and may, in accordance with those local laws, equip each bush fire brigade so established with appliances, equipment and apparatus.²

- 2.3 The Act also provides for the appointment or election of brigade officers and the prescribing of their duties through a local law:

Election and duties of officers of bush fire brigades

A local government which establishes a bush fire brigade shall by its local laws provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of the bush fire brigade, and prescribe their respective duties.³

- 2.4 Section 62(1) of the Act provides a general power to make local laws relating to bushfire brigade matters:

Local government may make local laws

A local government may make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* for and in relation to -

- (a) the appointment, employment, payment, dismissal and duties of bush fire control officers; and
- (b) the organisation, establishment, maintenance and equipment with appliances and apparatus of bush fire brigades to be established and maintained by the local government; and

¹ *Bush Fires Act 1954*, section 41(1).

² *ibid.*

³ *ibid.*, section 43.

- (c) any other matters affecting the exercise of any powers or authorities conferred and the performance of any duties imposed upon the local government by this Act.⁴

3 Inconsistency with the Bush Fires Act 1954

- 3.1 The Committee is of the view that the Amendment Local Law is inconsistent with the Act.
- 3.2 The City of Rockingham (City) advised the Committee that the purpose of the Amendment Local Law was to:
- remove matters from the City of Rockingham Bush Fire Control and Bush Fire Brigades Local Law 2001 that can be better dealt with by other means.⁵
- 3.3 The Amendment Local Law deletes clauses from the *Bush Fire Control and Bush Fire Brigade Local Law 2001* (Principal Local Law) that are required by sections 41(1) and 43 of the Act and provides for the appointment of brigade officers, officer duties and equipping of the brigade as follows:
- clauses 3.2(2)-(5) which prescribed that the local government must have regard to the qualifications and experience required to fill each brigade officer position, the length of appointment of officers and the procedure for appointing vacant positions
 - clauses 7.1-7.4 which prescribed the requirements for seeking funding for protective clothing, equipment and appliances of the bush fire brigade.
- 3.4 The deletion of the required clauses makes the Amendment Local Law inconsistent with the Act. Subsidiary legislation must not be inconsistent with the provisions of the written law under which it is made.⁶
- 3.5 The Amendment Local Law also deletes the following clauses which are the subject matter of section 62(1):
- clauses 4.3-4.5, which prescribed the role and duties of the Chief Bush Fire Control Officer
 - clauses 4.6-4.8, which prescribed the holding of an annual general meeting and the nomination of one brigade member to be the brigade representative to the Bush Fire Advisory Committee
 - clauses 4.10-4.12, which prescribed the nomination and election of Bush Fire Control Officers.
- 3.6 In the Committee's view the regulatory scheme created by the Act contemplates that where a local government decides to regulate areas that are the subject matter of section 62(1) it is required do so by way of local law.

4 Scrutiny of the Amendment Local Law

- 4.1 The Committee first scrutinised the Amendment Local Law at its meeting on 20 March 2019. At this meeting, the Committee resolved to:
- write to the Council of the City requesting an undertaking that it would re-insert the necessary clauses into the Amendment Local Law

⁴ *ibid.*, section 62(1).

⁵ City of Rockingham, Explanatory Memorandum, *Bush Fire Control and Bush Fire Brigade Local Law 2018*.

⁶ *Interpretation Act 1984*, section 43(1).

- give notice of motion to disallow the Amendment Local Law in the Legislative Council to protect Parliament's right to disallow the Amendment Local Law should the Committee recommend disallowance.
- 4.2 On 21 March 2019 the Committee wrote to the City outlining the issues identified by the Committee and requesting an undertaking from the Council that the City would re-insert the necessary clauses. This letter is attached as Appendix 1.
- 4.3 On 4 June 2019 the Committee received a letter from the City advising the Committee that a Council Resolution had been made on 28 May 2019 as follows:
- That Council advises the Joint Standing Committee on Delegated Legislation that it has no issue with the City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 being disallowed.
- 4.4 This letter is attached as Appendix 2.
- 4.5 At the Committee's meeting of 12 June 2019, the Committee resolved to recommend disallowance of the Amendment Local Law.

The City's preference for disallowance

- 4.6 The City stated it did not disagree with the Committee's position.⁷ However, rather than undertaking to re-insert the relevant clauses into the Principal Local Law, the City advised it had no issue with the Legislative Council disallowing the Amendment Local Law.
- 4.7 The City advised that the management of the City's bush fire brigades would shortly be taken over by the Department of Fire and Emergency Services (DFES) and therefore:
- [g]iven that in six months the City will have no Bush Fire Brigades to manage, the most pragmatic approach to this issue is for the JSCDL to disallow the amendment local law and for the City to commit to the repeal of the City of Rockingham Bush Fire Control and Bush Fire Brigades Local Law 2001 upon transition of the Singleton VBFB.⁸
- 4.8 The Committee is disappointed with the City's position. It is the responsibility of local governments to ensure that their local laws comply with all statutory requirements in legislation passed by the State Parliament. When a local law offends the Committee's terms of reference, and an undertaking to correct the local law is requested and not given, the Committee has no option but to recommend disallowance.
- 4.9 The tabling of this disallowance report could have been avoided if the City had given the requested undertakings or repealed the Amendment Local Law, regardless of the transitioning of the management of its bush fire brigades.

5 Conclusion

- 5.1 The Committees Term of Reference 10.6(a) states that:
- [i]n its consideration of an instrument [including a local law], the Committee is to inquire whether the instrument ... is within power.
- 5.2 The Committee concludes that the Amendment Local Law is inconsistent with the provisions of the Act and consequently offends the Committee's Term of Reference 10.6(a).

⁷ See Appendix 2, p 12.

⁸ *ibid.*

- 5.3 The Committee notes the WALGA Model Bush Fire Brigades law reflects the Committee's position in these matters.
- 5.4 The Committee therefore recommends to the Parliament that the Amendment Local Law be disallowed.
- 5.5 Disallowing invalid local laws ensures that they are removed from the public record, thereby reducing the risk of public misinformation.

6 Recommendation

- 6.1 The Committee makes the following recommendation.

RECOMMENDATION 1

The *City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018* be disallowed.



Hon Robin Chapple MLC

Deputy Chair

APPENDIX 1

LETTER TO CITY OF ROCKINGHAM

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION



Your ref: GOV/27-04 D19/13163
Our ref: A745149 & 4045/02 DW

21 March 2019

Mr Barry Sammels
Mayor
City of Rockingham
PO Box 2142
Rockingham DC WA 6967

Attention: Mr Peter Varris
Manager Governance and Councillor Support
By email: barry.sammels@rockingham.wa.gov.au
peter.varris@rockingham.wa.gov.au

Dear Mayor

City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 (Amendment Local Law)

I refer to a letter dated 25 January 2019 from Mr Peter Varris, Manager Governance and Councillor Support, City of Rockingham, which enclosed a copy of the Amendment Local Law and the associated explanatory material.

The Joint Standing Committee on Delegated Legislation considered the Local Law at its meeting yesterday and resolved to write to you regarding the following issues.

Inconsistent with the Act— Amendment Local Law

Section 62(1) of the *Bush Fires Act 1964 (Act)* provides the general power to make local laws relating to bush fire brigade matters:

62. Local government may make local laws

- (1) A local government may make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* for and in relation to —
 - (a) the appointment, employment, payment, dismissal and duties of bush fire control officers; and
 - (b) the organisation, establishment, maintenance and equipment with appliances and apparatus of bush fire brigades to be established and maintained by the local government; and
 - (c) any other matters affecting the exercise of any powers or authorities conferred and the performance of any duties

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imposed upon the local government by this Act. (underlining added)

Further, bush fire brigade local laws must provide for the following matters:

43. Election and duties of officers of bush fire brigades

A local government which establishes a bush fire brigade shall by its local laws provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of the bush fire brigade, and prescribe their respective duties.

The advice given to the City's Council was that many matters prescribed in the principal local law¹ did not have to be prescribed, and could instead be regulated administratively by the City.² There appears to have been a fundamental misunderstanding about what matters had to be dealt with by a bush fire brigades local law, and that misunderstanding has led to many matters being removed from the principal local law—matters which the Act contemplates will be regulated by local laws.

The misunderstanding appears to have arisen because of the word 'may' in section 62(1) of the Act (quoted above). As the word 'may' is permissive, the adviser has interpreted section 62(1) to mean that the City, if it wishes to regulate the matters listed in that section, does not need to regulate those matters by local law.

The word 'may' is *prima facie* permissive and gives the City a discretion as to whether it will make a local law regulating those matters. The power to make such local laws is permissive because local governments are not compelled to make bush fire brigade local laws. However, if a local government chooses to regulate bush fire brigade matters, it must do so by local law, not by another method.

The City's advisers consider the Act outdated and notes that, while a review of the Act has been mooted 'for some time', no changes are imminent.³ The City may consider the Act to be outdated but that does not mean it can ignore the statutory scheme that has been laid out by that Act.

The Committee is of the view that the following clauses should not have been deleted from the principal local law:

- Clauses 3.2(2)–(5). These clauses provide more detail about how the Captain, First Lieutenant and other bush fire brigade officers are to be appointed and what should happen if, for example, the positions become vacant. These clauses should be re-inserted in order for the principal local law to comply with section 43 of the Act.
- Part 4, Division 2 (clauses 4.3–4.5). These clauses deal with the role and duties of the Chief Bush Fire Control Officer. They should be re-inserted in order for the principal local law to comply with section 62(1)(a) of the Act.
- Part 4, Division 3 (clauses 4.6–4.8). These clauses deal with, for example, when a brigade must hold its annual general meeting, how a brigade must nominate one of its members to be considered by the City when it appoints a bush fire brigade officer. These clauses should be re-inserted in order for the principal local law to comply with sections 62(1)(a) and (b) of the Act.

¹ *City of Rockingham Bush Fire Control and Bush Fire Brigades Local Law.*

² City of Rockingham, Minutes of ordinary Council meeting, 26 June 2018, pp 165–6.

³ *ibid.*, p 165.

- Clauses 4.10–4.12. These clauses deal further with nominations and recommendations for bush fire control officers, to be considered by the City when it appoints such an officer. They should be re-inserted in order for the principal local law to comply with section 62(1)(a) of the Act.
- Part 5 (clauses 5.1–5.6). These clauses determine the types of membership which are available in a brigade, the eligibility requirements for each type of membership and the role of each type of member. They should be re-inserted in order for the principal local law to comply with section 62(1)(b) of the Act.
- Part 7 (clauses 7.1–7.4). These clauses provide for how a brigade is to ensure that it receives the equipment it requires from the City. For example, the brigade must make funding requests for additional equipment. These clauses should be re-inserted in order for the principal local law to comply with section 62(1)(b) of the Act.

The clauses of the Amendment Local Law which delete the clauses listed above are inconsistent with the Act and are therefore not 'within power' of that Act. This is in breach of the Committee's Term of Reference 10.6(a). Further, local laws which are inconsistent with an Act and other written laws are inoperative and void to the extent of that inconsistency.⁴

Inconsistent with the Act—principal local law

Clause 6.1 of the principal local law provides that:

The appointment, dismissal and management of brigade members by the bush fire brigade are governed by the Rules [the Rules Governing the Operation of Bush Fire Brigades⁵] as set out in the City of Rockingham Policy and Procedures Manual.

The matters contained in the Rules are quite detailed and extensive and deal with the day-to-day operation of bush fire brigades. The Rules usually appear in a schedule to bush fire brigade local laws (as is the case with the WALGA template), meaning that they form part of the local law. When the principal local law was made in 2001, the City opted to deliberately leave the Rules out of the local law and maintain them as a policy document.

In doing so, the City exercised its power to make bush fire brigade local laws unlawfully because:

- section 62(1)(b) required the City to include such matters in its bush fire brigade local law—put another way, the principal local law is (and has, since its making, been) inconsistent with that section. The Rules also deal with, for example, duties of the Captain of a bush fire brigade, which section 43 of the Act requires to be prescribed in a bush fire brigades local law
- it subdelegated its power to regulate these matters to a differently constituted Council. Local laws must be made by an absolute majority of the Council, whereas City policies would only require simple majority resolutions. This subdelegation is not authorised by the Act.

Request for undertakings

The Committee requests that the City's Council provide written undertakings that:

⁴ *Local Government Act 1995* s 3.7; *Interpretation Act 1984* s 43(1).

⁵ Definition of 'Rules': Principal local law cl 1.2(1).

1. within six months, the City will:
 - (a) re-insert the following clauses into the principal local law:
 - (i) Clauses 3.2(2)–(5).
 - (ii) Part 4, Division 2 (clauses 4.3–4.5).
 - (iii) Part 4, Division 3 (clauses 4.6–4.8).
 - (iv) Clauses 4.10–4.12.
 - (v) Part 5 (clauses 5.1–5.6).
 - (vi) Part 7 (clauses 7.1–7.4).
 - (b) make any necessary consequential amendments.
2. until the principal local law is amended in accordance with undertaking 1, the City will not enforce the principal local law in a manner that is inconsistent with undertaking 1.
3. until the principal local law is amended in accordance with undertaking 1, the City will, when making the principal local law available to the public (whether in hard copy or electronic form—including on the City’s website), ensure that it is accompanied by a copy of these undertakings.

To assist you, I **enclose** a suggested form of Council resolution to provide the undertakings.

The undertakings should be given in the form of a letter signed by you as Mayor, not the Chief Executive Officer or other officer of the City. This is because, pursuant to section 2.8(1)(d) of the *Local Government Act 1995*, the ‘Mayor or President speaks on behalf of the local government’ to the Parliament of Western Australia.

I note that your Council will meet on 23 April 2019 and therefore request that the undertakings be provided to the Committee by **Friday 3 May 2019**.

Suggestion for further amendment to principal local law

The Committee also strongly suggests that the City insert its Rules Governing the Operation of Bush Fire Brigades into the principal local law as soon as possible.

Notice to disallow

The Committee resolved to give notice of motion in the Legislative Council to disallow the Amendment Local Law. Notice will be given on 4 April 2019. The reasons for giving notice are:

- to protect the Parliament’s right to disallow the Amendment Local Law should the Committee recommend disallowance
- to provide the Committee with additional time to scrutinise the Amendment Local Law and, if necessary, obtain further information.

The giving of the notice should not be taken as indicating that the Committee has resolved to recommend disallowance at this stage.

4

Confidentiality

Notwithstanding the confidential status of this letter, the Committee authorises the City to discuss the contents of this letter with the Department of Local Government, Sport and Cultural Industries, WALGA and the City's legal advisers.

If you have any queries in relation to this matter, please contact one of the Committee's Advisory Officers, Ms Denise Wong, on 9222 7408 or at dwong@parliament.wa.gov.au.

Yours sincerely



Hon Robin Chapple MLC
Deputy Chair

Enc: Suggested form of Council resolution

This document (including any enclosures) is confidential and privileged. You should not use, disclose or copy the material unless you are authorised by the Committee to do so. Please contact Committee staff if you have any queries.

Suggested form of Council resolution to provide the undertaking

The Council of the City of Rockingham undertakes to the Joint Standing Committee on Delegated Legislation that:

1. within six months, the City will:
 - (a) re-insert the following clauses into the *City of Rockingham Bush Fire Control and Bush Fire Brigades Local Law*:
 - (i) Clauses 3.2(2)–(5).
 - (ii) Part 4, Division 2 (clauses 4.3–4.5).
 - (iii) Part 4, Division 3 (clauses 4.6–4.8).
 - (iv) Clauses 4.10–4.12.
 - (v) Part 5 (clauses 5.1–5.6).
 - (vi) Part 7 (clauses 7.1–7.4).
 - (b) make any necessary consequential amendments.
2. until that local law is amended in accordance with undertaking 1, the City will not enforce the principal local law in a manner that is inconsistent with undertaking 1.
3. until that local law is amended in accordance with undertaking 1, the City will, when making the principal local law available to the public (whether in hard copy or electronic form— including on the City's website), ensure that it is accompanied by a copy of these undertakings.

APPENDIX 2

LETTER FROM CITY OF ROCKINGHAM

Our Ref: LWE/67-03 D19/87962
 Your Ref: A745149 & 4045/02 DW
 Enquiries to: Peter Varris on 9528 0333



4 June 2019

Hon Robin Chapple MLC
 Deputy Chair
 Joint Standing Committee on Delegated Legislation
 Legislative Council Committee Office
 Parliament House
 4 Harvest Terrace
 West Perth WA 6005

Dear Hon Robin Chapple MLC

City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 (Amendment Local Law)

I refer to your letter dated 21 March 2019 regarding a Notice to disallow the City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 (Amendment Local Law). Ms Denise Wong one of the Committee's Advisory Officers provided approval to extend the time to provide the undertakings until after the City of Rockingham 28 May 2019 Council Meeting.

A report regarding the Amendment Local Law was presented to the 28 May 2019 Council Meeting. An extract of the report from the City of Rockingham 28 May Council Meeting is enclosed.

Summary of the information from the Report:

- At the start of the Bush Fire Control and Bush Fire Brigades Local Law 2001 being reviewed the City of Rockingham had two Volunteer Bush Fire Brigades (VBFB) from Baldivis and Singleton.
- During the review process the Baldivis VBFB was transformed into a Department of Fire and Emergency Services (DFES) Volunteer Fires and Emergency Service (VFES). The City also transitioned the management of the City's Incident Control Vehicle (ICV) to DFES.
- The Singleton VBFB in December 2018 voted to become managed by DFES.
- The City received a letter in May 2019 from the DFES Commissioner confirming an agreement in principle to transition Singleton VBFB to a DFES VFES. The expectation is that this work will be completed within 6 months and before the commencement of the next bushfire season.
- After the transition is complete the City will no longer have any Volunteer Bush Fire Brigades (VBFB). Therefore the City will begin the process to repeal the Bush Fire Control and Bush Fire Brigades Local Law 2001 within 3 months of the completed transition.



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- 2 -

- It will take 4 to 6 months to process a further amendment local law which reinstates the matter required by the JSCDL. As such, the City could advise the JSCDL that it has no issue with the City of Rockingham Bush Fire Brigades Amendment Local Law 2018 being disallowed.
- The effect of this is that when Parliament accepts the JSCDL motion that the Amendment Local Law be disallowed, the original requirements of the Bush Fire Brigades Local Law will revert to what they were before amendment and as they have operated since 2001.
- This does not mean that the City disagrees with the committee's correspondence; the position of the JSCDL is acknowledged and respected. It is simply that the City will shortly have no bush fire brigades to manage and no need for a local law at all; making an amendment would be pointless.

Below is the Council Resolution adopted on 28 May 2019:

Council Resolution

That Council:

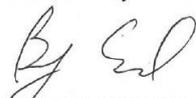
1. **ADVISES** the Joint Standing Committee on Delegated Legislation (JSCDL) that it has no issue with the City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 being disallowed;
2. **ADVISES** the JSCDL that this does not mean that the City disagrees with its position which is acknowledged and respected, but simply that the City of Rockingham's only remaining Bush Fire Brigade will soon transition to a Volunteer Fire and Emergency Service and responsibility will be assumed by the WA Department of Fires and Emergency Services (DFES), making further amendments to the local law pointless; and
3. **COMMITTS** to the JSCDL that the City will begin the process to repeal the City of Rockingham Bush Fire Control and Bush Fire Brigades Local Law 2001 within 3 month of transferring responsibility of the existing brigade to DFES.

Carried en bloc

The City advises the Joint Standing Committee on Delegated Legislation (Committee) that it has no issue with the City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 being disallowed. The City does not disagree with the Committee's decision which is acknowledged and respected but simply that the City of Rockingham's only remaining Bush Fire Brigade will soon transition to a Volunteer Fire and Emergency Service and responsibility will be assumed by the WA Department of Fires and Emergency Services (DFES), making further amendments to the local law pointless.

The City will begin the process to repeal the City of Rockingham Bush Fire Control and Bush Fire Brigades Local Law 2001 within 3 months of transferring responsibility of the existing brigade to DFES.

Yours sincerely



BARRY W SAMMELS
MAYOR

Enc. Council Report GM-014/19 Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018

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Council Resolution – En bloc Resolution

Moved Cr Stewart, seconded Cr Liley:

That the committee recommendations in relation to Agenda Items GM-013/19 and GM-014/19 be carried en bloc.

Carried – 9/0

General Management Services Governance and Councillor Support	
Reference No & Subject:	GM-014/19 Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018
File No:	LWE/67-03
Proponent/s:	
Author:	Mrs Jelette Edwards, Governance Coordinator
Other Contributors:	Mr Peter Varris, Manager Governance and Councillor Support Mr David Caporn, Manager Compliance and Emergency Liaison
Date of Committee Meeting:	21 May 2019
Previously before Council:	26 June 2018 (GM-017/18), 27 November 2018 (GM-034/18)
Disclosure of Interest:	
Nature of Council's Role in this Matter:	Legislative
Site:	
Lot Area:	
Attachments:	
Maps/Diagrams:	

Purpose of Report

To propose a response to a request by the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) to further amend the City's Bush Fire Control and Bush Fire Brigades Local Law 2001.

Background

At the 27 November 2018 Council Meeting, Council resolved to make a Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 which was published in the Government Gazette on 18 January 2019.

The intent of the amendments was to remove matters set out in the City of Rockingham Bush Fire Control and Bush Fire Brigades Local Law 2001 that were not required to be regulated by the Bush Fires Act 1954 and could be dealt with by other means.

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Subsidiary legislation such as local laws are subject to scrutiny by the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL). The committee has advised the City that it considers a number of the changes made by the Amendment Local Law to be inconsistent with the Bush Fires Act 1954 (the Act) and has requested the City to reinstate a number of the clauses deleted by the amendment local law, failing which it will recommend to Parliament that the amendment local law be disallowed.

In November 2016, the Baldy Volunteer Bush Fire Brigade (VBFB) was transformed into a Department and Fire and Emergency Services (DFES) Volunteer Fire and Emergency Service (VFES) and assigned additional responsibilities in keeping with its evolving area of operation. In the case of the Baldy VFES this included structural; fire-fighting capability.

In 2017 the City transitioned the management of the City's Incident Control Vehicle (ICV) to DFES. The volunteer group that managed the ICV on behalf of the City have been retained but with increased support and training opportunities under the management of DFES.

These changes (Baldy VFES and DFES managed ICV) have not led to any change in 'area of operation' and have derived significant benefits for the City and the community, with greater presence of DFES in the City's district; additional training and support for volunteers; and increased localised capability to combat emergencies.

The Singleton VBFB is managed by the City of Rockingham and provides first response services for bushfire in the localities of Karnup and Keralup. Singleton VBFB was established in 1979 and currently has 50 registered members. Brigade members have been in discussions with the City and representatives of the DFES over several months in 2018 about the future of the brigade and the potential for increased functions and responsibilities within the City's district.

At the Singleton VBFB general meeting held on 19 December 2018, members voted in favour of becoming a DFES managed VFES. During the consultation, DFES representatives have indicated that if the Singleton VBFB is converted to a VFES, it would be allocated 'natural hazards' training and responsibilities whilst maintaining its primary role in combating bushfires. There would be no change to its primary area of operation.

Details

Clauses that the amendment local law deleted, which the JSCDL require to be reinstated, relate to matters about which the Act provides that a local government may make local laws, and in particular under s62 of the Act:

62. Local government may make local laws

- (1) *A local government may make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the Local Government Act 1995 for and in relation to*
 - (a) *the appointment, employment, payment, dismissal and duties of bush fire control officers; and*
 - (b) *the organisation, establishment, maintenance and equipment with appliances and apparatus of bush fire brigades to be established and maintained by the local government; and*
 - (c) *any other matters affecting the exercise of any powers or authorities conferred and the performance of any duties imposed upon the local government by this Act.*

The JSCDL may have misunderstood the City's intent. In correspondence to the Mayor, the Deputy Chair of the JSCDL advises that the minutes of the Council meeting of 26 June 2018 (pp165-6) state that the City is deleting a number of clauses from the local law as the matters dealt with can be 'regulated administratively by the City'.

The agenda and meeting minutes do not say that. The actual words used are that these matters can be dealt with by 'other means'. This does not mean 'regulation' - the objective of the amendment local law was to change the Bush Fire Brigades local law to the effect that only those matters required to be dealt with by a local law by s43 of the Act are regulated.

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In addition, while it did not take issue with any of the other matters deleted from the Bush Fire Brigades local law, while not part of the Amendment Local Law the JSCDL also noted that clause 6.1 of the Bush Fire Control and Bush Fire Brigades Local Law 2001 refers to 'Rules'; and that the clause amounts to a subdelegation which is unlawful. It has strongly recommended that the Rules be inserted as a schedule to the local law.

All this aside, City's only Volunteer Bush Fire Brigade (Singleton) is soon to be managed by DFES. The Baldivis VBFB and ICV volunteer group have already been transformed into a DFES VFES. The City received a letter in May 2019 from the DFES Commissioner confirming an agreement in principle to transition Singleton VBFB to a DFES VFES. The expectation is that this work will be completed within 6 months and before the commencement of the next bushfire season.

Due to this it may be more pragmatic to deal with this issue as outlined in the 'comment' section below rather than further amend the Bush Fire Control and Bush Fire Brigades Local Law 2001.

Implications to Consider

a. Consultation with the Community

It would be quite straightforward to make a local law to address the matters required by the JSCDL. Section 62 of the Bush Fires Act 1954 provides that a local government may make local laws about bush fire brigades using the process set out in section 3.12 of the Local Government Act 1995.

Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

An amendment local law would need to state its purpose and effect, be advertised for community feedback for a period of 6 weeks, and copies sent to the Ministers for Local Government and Fire and Emergency Services.

The results of the community consultation and feedback from the Ministers are to be considered by Council before it makes the local law.

b. Consultation with Government Agencies

As noted above, if an amendment local law is preferred, the relevant Ministers must be given a copy and also invited to provide comments.

c. Strategic

Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration and Strategic Objective(s) contained in the Strategic Community Plan 2019-2029:

Aspiration 4: *Deliver Quality Leadership and Business Expertise*

Strategic Objective: *Effective governance: Apply systems of governance which empower the Council to make considered and informed decisions within a transparent, accountable, ethical and compliant environment.*

d. Policy

Not Applicable

e. Financial

Not Applicable

f. Legal and Statutory

Section 3.12 of the Local Government Act 1995 (the Act) is the procedure for making local laws.

Section 3.12(2) of the Act provides that - at a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

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Section 3.12(3) of the Act provides that – the local government is to –

- (3) The local government is to —
 - (a) give Statewide public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
 - and
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
 - (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.

g. Risk

All Council decisions are subject to risk assessment according to the City's Risk Framework.

Implications and comment will only be provided for the following assessed risks.

*Customer Service / Project management / Environment : High and Extreme Risks
 Finance / Personal Health and Safety : Medium, High and Extreme Risks*

Nil

Comments

The review of the Bush Fush Fire Control and Bush Fire Brigades Local Law commenced early in 2018. Much has transpired in respect to the operational management of Bush Fire Brigades since that time.

The City received a letter in May 2019 from the DFES Commissioner confirming an agreement in principle to transition Singleton VBFB to a DFES VFES. The expectation is that this work will be completed within 6 months and before the commencement of the next bushfire season. The Baldavis VFES and ICV are already under the management of DFES.

It will take 4 to 6 months to process a further amendment local law which reinstates the matter required by the JSCDL. As such, the City could advise the JSCDL that it has no issue with the City of Rockingham Bush Fire Brigades Amendment Local Law 2018 being disallowed.

The effect of this is that when Parliament accepts the JSCDL motion that the Amendment Local law be disallowed, the original requirements of the Bush Fire Brigades Local Law will revert to what they were before amendment and as they have operated since 2001.

This does not mean that the City disagrees with the committee's correspondence; the position of the JSCDL is acknowledged and respected. It is simply that the City will shortly have no bush fire brigades to manage and no need for a local law at all; making an amendment would be pointless.

When the Singleton VBFB is transferred to DFES and no longer under the control of the City, the Bush Fire Control and Bush Fire Brigades local law can be repealed altogether.

If Council prefers to instead amend the local law as advised by the JSCDL, Council needs to resolve the following:

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That Council:

1. **UNDERTAKES** to the Joint Standing Committee on Delegated Legislation (JSCDL) that it will;
 - (a) re-insert the following clauses into the City of Rockingham Bush Fire Control and Bush Fire Brigades Local law 2001:
 - (i) Clauses 3.2(2)-5
 - (ii) Part 4, Division 2 (clauses 4.3-4.5)
 - (iii) Part 4, Division 3 (clauses 4.6-4.8)
 - (iv) Clauses 4.10-4.12
 - (v) Part 5 (clauses 5.1-5.6)
 - (vi) Part 7 (clauses 7.1-7.4)
 - (b) make any necessary consequential amendments.
2. Until the City of Rockingham Bush Fire Control and Bush Fire Brigades Local law 2001 is amended in accordance with undertaking 1, the City will not enforce the principal local law in a manner that is consistent with undertaking 1.
3. Until the City of Rockingham Bush Fire Control and Bush Fire Brigades Local law 2001 is amended in accordance with undertaking 1, the City will, when making the principal local law available to the public (whether in hard copy or electronic form – including on the City’s website), ensure that it is accompanied by a copy of these undertakings.

The Officers agree to the JSCDL amendments on the following clauses:

- Reinsert clauses 3.2(2)-(5). These clauses provide more detail about how the Captain, First Lieutenant and other bush fire brigade officers are to be appointed and what should happen if, for example, the positions become vacant. These clauses should be re-inserted in order for the principal local law to comply with section 43 of the Act.
- Reinsert Part 4, Division 2 (clauses 4.3-4.5). These clauses deal with the role and duties of the Chief Bush Fire Control Officer. They should be re-inserted in order for the principal local law to comply with section 62(1)(a) of the Act.
- Reinsert Part 4, Division 3 (clauses 4.6-4.8). These clauses deal with, for example, when a brigade must hold its annual general meeting, how a brigade must nominate one of its members to be considered by the City when it appoints a bush fire brigade officer. These clauses should be re-inserted in order for the principal local law to comply with sections 62(1)(a) and (b) of the Act.
- Reinsert clauses 4.10-4.12. These clauses deal further with nominations and recommendations for bush fire control officers, to be considered by the City when it appoints such an officer. They should be re-inserted in order for the principal local law to comply with section 62(1)(a) of the Act.
- Reinsert Part 5 (clauses 5.1-5.6). These clauses determine the types of membership which are available in a brigade, the eligibility requirements for each type of membership and the role of each type of member. They should be re-inserted in order for the principal local law to comply with section 62(1)(b) of the Act.
- Reinsert Part 7 (clauses 7.1-7.4). These clauses provide for how a brigade is to ensure that it receives the equipment it requires from the City. For example, the brigade must make funding requests for additional equipment. These clauses should be re-inserted in order for the principal local law to comply with section 62(1)(b) of the Act.

Given that in six months the City will have no Bush Fire Brigades to manage, the most pragmatic approach to this issue is for the JSCDL to disallow the amendment local law and for the City to commit to the repeal of the City of Rockingham Bush Fire Control and Bush Fire Brigades Local Law 2001 upon transition of the Singleton VBFB.

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Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. **ADVISES** the Joint Standing Committee on Delegated Legislation (JSCDL) that it has no issue with the City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 being disallowed;
2. **ADVISES** the JSCDL that this does not mean that the City disagrees with its position which is acknowledged and respected, but simply that the City of Rockingham's only remaining Bush Fire Brigade will soon transition to a Volunteer Fire and Emergency Service and responsibility will be assumed by the WA Department of Fires and Emergency Services (DFES), making further amendments to the local law pointless; and
3. **COMMITTS** to the JSCDL that the City will begin the process to repeal the City of Rockingham Bush Fire Control and Bush Fire Brigades Local Law 2001 within 3 month of transferring responsibility of the existing brigade to DFES.

Committee Recommendation

That Council:

1. **ADVISES** the Joint Standing Committee on Delegated Legislation (JSCDL) that it has no issue with the City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 being disallowed;
2. **ADVISES** the JSCDL that this does not mean that the City disagrees with its position which is acknowledged and respected, but simply that the City of Rockingham's only remaining Bush Fire Brigade will soon transition to a Volunteer Fire and Emergency Service and responsibility will be assumed by the WA Department of Fires and Emergency Services (DFES), making further amendments to the local law pointless; and
3. **COMMITTS** to the JSCDL that the City will begin the process to repeal the City of Rockingham Bush Fire Control and Bush Fire Brigades Local Law 2001 within 3 month of transferring responsibility of the existing brigade to DFES.

Committee Voting – 4/0

The Committee's Reason for Varying the Officer's Recommendation

Not Applicable

Implications of the Changes to the Officer's Recommendation

Not Applicable

Council Resolution

That Council:

1. **ADVISES** the Joint Standing Committee on Delegated Legislation (JSCDL) that it has no issue with the City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 being disallowed;
2. **ADVISES** the JSCDL that this does not mean that the City disagrees with its position which is acknowledged and respected, but simply that the City of Rockingham's only remaining Bush Fire Brigade will soon transition to a Volunteer Fire and Emergency Service and responsibility will be assumed by the WA Department of Fires and Emergency Services (DFES), making further amendments to the local law pointless; and

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3. **COMMITTS** to the JSCDL that the City will begin the process to repeal the City of Rockingham Bush Fire Control and Bush Fire Brigades Local Law 2001 within 3 month of transferring responsibility of the existing brigade to DFES.

Carried en bloc

The Council's Reason for Varying the Committee's Recommendation

Not Applicable

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HELD ON TUESDAY 25 JUNE 2019

MAYOR (B W SAMMELS)

Joint Standing Committee on Delegated Legislation

Date first appointed:

15 June 2017

Terms of Reference:

The following is an extract from Schedule 1 of the Legislative Council Standing Orders:

'10. Joint Standing Committee on Delegated Legislation

- 10.1 A *Joint Standing Committee on Delegated Legislation* is established.
- 10.2 The Committee consists of 8 Members, 4 of whom are appointed from each House. The Chair must be a Member of the Committee who supports the Government.
- 10.3 A quorum is 4 Members of whom at least one is a Member of the Council and one a Member of the Assembly.
- 10.4 (a) A report of the Committee is to be presented to each House by a member of each House appointed for the purpose by the Committee.

(b) Where a notice of motion to disallow an instrument has been given in either House pursuant to recommendation of the Committee, the Committee shall present a report to both Houses in relation to that instrument prior to the House's consideration of that notice of motion. If the Committee is unable to report a majority position in regards to the instrument, the Committee shall report the contrary arguments.
- 10.5 Upon its publication, whether under section 41(1)(a) of the *Interpretation Act 1984* or another written law, an instrument stands referred to the Committee for consideration.
- 10.6 In its consideration of an instrument, the Committee is to inquire whether the instrument -
 - (a) is within power;
 - (b) has no unintended effect on any person's existing rights or interests;
 - (c) provides an effective mechanism for the review of administrative decisions; and
 - (d) contains only matter that is appropriate for subsidiary legislation.
- 10.7 It is also a function of the Committee to inquire into and report on -
 - (a) any proposed or existing template, *pro forma* or model local law;
 - (b) any systemic issue identified in 2 or more instruments of subsidiary legislation; and
 - (c) the statutory and administrative procedures for the making of subsidiary legislation generally, but not so as to inquire into any specific proposed instrument of subsidiary legislation that has yet to be published.
- 10.8 In this order-
 - "instrument" means -
 - (a) subsidiary legislation in the form in which, and with the content it has, when it is published;
 - (b) an instrument, not being subsidiary legislation, that is made subject to disallowance by either House under a written law;
 - "subsidiary legislation" has the meaning given to it by section 5 of the *Interpretation Act 1984*.



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Website: <http://www.parliament.wa.gov.au>



Government of Western Australia
Department of Fire & Emergency Services



Our Ref: D32551; 24/000881
Your Ref: 4.6765 / OUT23/2508884D

Alina Behan
Executive Manager – Corporate and Community Services
Shire of York
PO Box 22
YORK WA 6302

By email: records@york.wa.gov.au

Dear Ms Behan

SHIRE OF YORK BUSH FIRE BRIGADES LOCAL LAW

I refer to your correspondence dated 19 December 2023 sent to the Minister for Emergency Services regarding the Shire's proposed *Bush Fire Brigades Local Law*. The Minister has referred a copy of the proposed local law to DFES to provide a response.

DFES notes the Shire's unconfirmed Minutes from its Ordinary Council Meeting of 26 October 2023 indicating that the Shire had regard both to the Joint Standing Committee of Delegated Legislation's Report 16,¹ and the model template law developed by the Western Australian Local Government Association.

Please note that DFES cannot provide legal advice, the Shire should consider obtaining its own independent legal advice as it determines necessary.

Below are comments on the *Bush Fire Brigades Local Law* for the Shire's consideration:

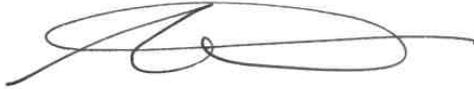
- While the term "normal brigade activities" is defined within the Rules (set out in the First Schedule), this term is first referenced in the body of the local law (at clause 2.1). For ease of reference, it is recommended the Shire consider including the definition in clause 1.2 Definitions.
- Section 43 of the *Bush Fires Act 1954 (WA)* provides: "A local government that establishes a bush fire brigade shall, by its local laws, provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary ... and prescribe their respective duties." (emphasis added). DFES notes that while the duties of the Captain are provided for in clause 3.2 of the Rules, these relate only to brigade meetings and there are no further duties of the Captain or other officers provided for otherwise.

¹ Joint Standing Committee on Delegated Legislation, [Report 16 City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018](#).

- The *Fire Brigades Regulations 1943 (WA)* stipulate eligibility criteria for volunteer brigades formed under the *Fire Brigades Act 1954 (WA)*. Regulation 159C provides for eligibility of probationary members from 16 years if they have parental / guardian consent and the brigade's captain is satisfied that the prospective member is able to perform the requisite duties. As a matter of policy, the Shire may wish to consider adding these protective mechanisms within their clause 4.2 Fire Fighting members.

I trust this information is of assistance.

Yours sincerely



**DARREN KLEMM AFSM
COMMISSIONER**

15 January 2024

4/19/24, 9:44 AM

Rich Text Editor, frmDialogWebEditor.editContent

Good afternoon Anneke

This email is regarding the Shire's proposed local law. No major issues have been identified, but some standard comments and the Minister's directions are below.

Bush Fire Brigades Local Law

1. Local law made under Bush Fires Act

The Department is aware that this local law is made under the Bush Fires Act, in addition to the Local Government Act.

Accordingly, the Shire should ensure that it has sent a draft of the local law to the Minister for Emergency Services, presuming it has not done so already. If the Minister does not receive a copy, the local law's validity may be affected.

The Minister for Emergency Services and DFES are the subject experts on bush fire legislation and local laws. Accordingly, any advice they give regarding the local law's content should be strongly considered.

2. Minor edits

The following minor edits are suggested:

- Front page - add the wording Shire of York above the wording BUSH FIRE BRIGADES LOCAL LAW
- Front page - BUSH FIRE BRIGADES LOCAL LAW change to BUSH FIRES BRIGADE LOCAL LAW 2024
- Proxy vote form - [INSERT NAME] BUSH FIRE BRIGADE change to SHIRE OF YORK BUSH FIRE BRIGADE

The Shire should also ensure that all references and cross references are accurate.

Minister's Directions – pursuant to s 3.12(7) of the Local Government Act 1995

Please note: Once the Shire has published a local law in the *Government Gazette*, the Shire must comply with the requirements of the Minister's *Local Laws Explanatory Memoranda Directions 2010*. The Shire must, within 10 working days of the Gazetted publication date, forward the signed Explanatory Memoranda material to the Committee at the current address:

Committee Clerk
Joint Standing Committee on Delegated Legislation
Legislative Council Committee Office
GPO Box A11
PERTH WA 6837
Email: delleg@parliament.wa.gov.au
Tel: 9222 7404
Fax: 9222 7805

A copy of the Explanatory Memoranda forms can be downloaded from the Department of Local Government, Sport and Cultural Industries website at www.dlgsc.wa.gov.au. A copy of the Directions is also available at the Committee's webpage at the Parliament WA website. Failure to comply with the Directions may render the local law inoperable.

Please note that my comments:

- have been provided to assist the Shire with drafting matters in relation to the local law;

<https://content.york.wa.gov.au:8443/altusecm/secure/doc.jsf?reclId=06bb8b3e-bd62-4a49-a6bf-7fc10fa86c16>

1/2

4/19/24, 9:44 AM

Rich Text Editor, frmDialogWebEditor.editContent

- do not constitute legal advice;
- have been provided in good faith for the Shire's consideration; and
- should not be taken as an approval of content.

The Shire should ensure that a detailed editorial analysis of the proposed local law has been undertaken and that the content of the local law is in accordance with the Shire's policies and objectives.

Kind regards

[REDACTED]

Legislation Officer
Department of Local Government, Sport and Cultural Industries
140 William Street, Perth WA 6000
PO Box 8349 Perth Business Centre WA 6849

[REDACTED]

Web www.dlgsc.wa.gov.au

 Department of Local Government, Sport and Cultural Industries logo

 Our values: customer focused, responsive, respectful, accountable, innovative



Report 4

JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

City of Gosnells Bush Fire Brigade Local Law 2023

Presented by

Mr Geoff Baker MLA (Chair)

and

Hon Lorna Harper MLC (Deputy Chair)

November 2023

Joint Standing Committee on Delegated Legislation**Members as at the time of this inquiry:**

Mr Geoff Baker MLA (Chair)

Mr Stuart Aubrey MLA

Hon Stephen Pratt MLC

Mr Paul Lilburne MLA

Hon Lorna Harper MLC (Deputy Chair)

Hon Steve Martin MLC

Hon Martin Pritchard MLC

Ms Magenta Marshall MLA

Staff as at the time of this inquiry:

Felicity Mackie (Advisory Officer (Legal))

Maddison Evans (Committee Clerk)

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EXECUTIVE SUMMARY

1 The Joint Standing Committee on Delegated Legislation (Committee) has concluded that the *City of Gosnells Bush Fire Brigade Local Law 2023* (Gosnells Local Law) is invalid and offends its term of reference (a) because it:

- is not authorised by the *Local Government Act 1995* (LGA)
- is inconsistent with section 62(1)(a) of the *Bush Fires Act 1954* (Bush Fires Act)
- contains an unauthorised sub-delegation of legislative making power.

Not authorised by the *Local Government Act 1995*

2 The Committee has concluded that the City of Gosnells (City) did not follow the correct procedure when it made the Gosnells Local Law.

3 In making a local law, a local government is to follow the procedure set out in section 3.12 of the LGA. This includes a requirement to give local public notice of the proposed local law and invite submissions.

4 The LGA provides that the local government, after considering any submissions received, may make a local law that is not significantly different from the proposed local law. If the local government decides to make a local law that is significantly different from the proposed local law, it is to recommence the law making procedure.

5 The Gosnells Local Law is invalid because it is significantly different from the proposed local law and the City did not recommence the law making procedure. The proposed local law, of which local public notice was given, did not deal with the governance of bush fire brigade meetings and its operational structure. In contrast, the adopted local law did.

6 The Gosnells Local Law is invalid and offends the Committee's term of reference (a) because it is not authorised by the LGA.

Inconsistent with section 62(1)(a) of the *Bush Fires Act 1954*

7 The regulatory scheme created by the Bush Fires Act contemplates that where a local government decides to regulate matters specified in section 62(1)(a), it is required to do so by local law.

8 The Gosnells Local Law does not deal with the appointment, employment, payment, dismissal and duties of bush fire control officers. It presumably leaves to the bush fire brigade operating procedures (Procedures) substantive matters governing its structure.

9 The Gosnells Local Law is invalid by failing to regulate the matters covered by section 62(1)(a) of the Bush Fires Act. Subsidiary legislation, including local laws, must not be inconsistent with the provisions of the written law under which it is made.

Unauthorised sub-delegation of legislative making power

10 The Gosnells Local Law, in providing for the Chief Executive Officer to establish and implement the Procedures, contains an unauthorised sub-delegation of legislative making power.

11 The Gosnells Local Law is invalid and offends the Committee's term of reference (a) as the sub-delegation is not authorised by the Bush Fires Act.

12 The Committee has recommended that the Gosnells Local Law be disallowed.

Recommendation

The recommendation appears in the text at the page number indicated:

RECOMMENDATION 1	Page 9
The <i>City of Gosnells Bush Fire Brigade Local Law 2023</i> be disallowed.	

1 Reference and procedure

- 1.1 On 9 June 2023 the *City of Gosnells Bush Fire Brigade Local Law 2023* (Gosnells Local Law) was published in the *Government Gazette*.
- 1.2 Upon gazettal, the Gosnells Local Law stood referred to the Joint Standing Committee on Delegated Legislation (Committee).¹

2 Breach of section 3.12(4) of the *Local Government Act 1995*

- 2.1 The Committee has concluded that the City of Gosnells (City) did not follow the correct procedure when it made the Gosnells Local Law. The Gosnells Local Law is invalid and offends the Committee’s term of reference (a) because it is not authorised by the empowering enactment.

Statutory procedure for making a local law

- 2.2 The power to make the Gosnells Local Law was derived from section 3.5(1) of the *Local Government Act 1995* (LGA) and section 62(1)(a) of the *Bush Fires Act 1954* (Bush Fires Act). Section 3.5(1) of the LGA states:

A local government may make local laws under this Act prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions² under this Act.

- 2.3 Section 62(1) of the Bush Fires Act is at Appendix 1.
- 2.4 Part 3, Division 2, Subdivision 2 of the LGA sets out the procedure that a local government must follow when making a local law. In the case of the Gosnells Local Law, sections 3.12(4) and 3.13 are most relevant. Sections 3.12 and 3.13 of the LGA are at Appendix 2.
- 2.5 Importantly, section 3.12(4) requires that, after local public notice of a proposed local law has been given and after the last day for submissions, the local government:

is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed. (underlining added)

*Absolute majority required.

- 2.6 Section 3.13 of the LGA states:

Procedure where significant change in proposal

If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure. (underlining added)

¹ Committee term of reference 10.5: [Standing Orders of the Legislative Council](#), Schedule 1, clause 10.5, accessed 7 November 2023.

² The general function of a local government is ‘to provide for the good government of persons in its district’: s 3.1 [Local Government Act 1995](#), accessed 7 November 2023.

- 2.7 The Department of Local Government, Sport and Cultural Industries (Department) created a Statutory Procedures Checklist to assist local governments complete the mandatory procedural steps prescribed by section 3.12 of the LGA to pass a valid local law. Part C of the checklist contains the requirements of section 3.12(4) of the LGA.³

The procedure for making the *City of Gosnells Bush Fire Brigade Local Law 2023*

- 2.8 The City proposed the Gosnells Local Law at an Ordinary Council Meeting on 28 February 2023 (Proposed Local Law). The Proposed Local Law is at Appendix 3.
- 2.9 The stated purpose of the Proposed Local Law was to:
- provide for the establishment and administration of a bush fire brigade.⁴
- 2.10 The Proposed Local Law included clauses 2.1, 2.2 and 2.3 which deal with:
- the establishment of a bush fire brigade
 - the naming of, and appointment of officers to, the bush fire brigade
 - the duties of the captain and other officers of the bushfire brigade.
- 2.11 The Proposed Local Law also contained clause 3.1 which deals with responsibility for administrative arrangements.
- 2.12 The Proposed Local Law was then advertised for public comment pursuant to section 3.12(3) of the LGA.⁵ Two submissions were received.
- 2.13 One submission was received from the Department which advised it has no significant issues with the Proposed Local Law.⁶
- 2.14 The second submission was received from the Department of Fire and Emergency Services (DFES). DFES noted that the Proposed Local Law dealt only with the provision of appliances, equipment, apparatus, and funding for the bush fire brigade.⁷ DFES suggested that the City should consider including other administrative provisions in the Proposed Local Law. This was based on a 2019 report by the Committee⁸ on what should be included in a bush fire brigade local law.⁹
- 2.15 On review of DFES's submission, the City of Gosnells Council (Council) adopted several amendments to the Proposed Local Law. The amendments:
- inserted 2 new definitions:
 - *bush fire brigade operating procedures* means the Brigade Operating Procedures approved by the Chief Executive Officer as amended from time to time

³ Government of Western Australia, 1 September 2023, see: [Statutory Procedures Checklist](#), accessed 7 November 2023.

⁴ *City of Gosnells Bush Fire Brigade Local Law 2023*, Explanatory Memorandum, p 1.

⁵ The proposed Local Law appeared on the City of Gosnells website, was advertised in the *Gosnells Examiner* Newspaper, on notice boards at the City of Gosnells Civic Centre and every library and posted on the City of Gosnells Facebook page.

⁶ City of Gosnells [Minutes](#), Ordinary Council Meeting, 23 May 2023, p 31, accessed 7 November 2023.

⁷ Clause 3.2(1) of the Proposed Local Law.

⁸ Joint Standing Committee on Delegated Legislation, report 16, [City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018](#), Western Australia, Legislative Council, June 2019, accessed 7 November 2023.

⁹ City of Gosnells [Minutes](#), Ordinary Council Meeting, 23 May 2023, accessed 7 November 2023, p 31.

- *Chief Executive Officer* means the Chief Executive Officer of the City of Gosnells
 - inserted a new clause 2.4 which deals with bush fire brigade meetings
 - amended clause 3.1(1) and inserted new clauses 3.1(2) and (3) which deal with the administration of bush fire brigades.
- 2.16 The Proposed Local Law, including these amendments, was adopted by the Council on 23 May 2023.¹⁰ The Gosnells Local Law is at Appendix 4.
- 2.17 In summary, the Proposed Local Law did not contain provisions about how meetings of the bush fire brigade are to be conducted or operating procedures for the bush fire brigade. The adopted Gosnells Local Law contained these provisions.

Instrument is 'significantly different' from what was proposed

- 2.18 The Committee is of the view that the Gosnells Local Law is 'significantly different' from the Proposed Local Law.
- 2.19 The LGA does not define 'significantly different'.
- 2.20 Edleman J in a 2017 High Court judgment stated:
- where a statute employs a term in its ordinary sense, there can be no warrant for the extension of the meaning beyond its ordinary sense.¹¹
- 2.21 The Macquarie Dictionary defines 'significant' to mean 'important; of consequence'¹² and 'different' to mean 'differing in character; having unlike qualities; dissimilar'.¹³
- 2.22 There is limited legislative guidance on the meaning of 'significantly different'.
- 2.23 In *Clark v Cook Shire Council* [2008] 1 Qd R 327, the Queensland Court of Appeal unanimously approved of a 'macrocosm' view of the legal test for 'significantly different'. The Court found that the modifications to a proposed planning scheme must have the consequence that the modified scheme as a whole is significantly different from the proposed scheme as notified.¹⁴ (underlining added)
- 2.24 A former committee has observed that in determining if a law made is significantly different from a proposed law, each case turns on its own facts.¹⁵
- 2.25 Examples of where the Committee has found a local law to be 'significantly different' from an adopted local law include:
- *City of Kalamunda Dogs Local Law 2021*: The proposed local law permitted 4 dogs to be kept on certain premises, whereas the adopted local law only permitted 2 dogs to be kept. The Legislative Council disallowed the local law on the Committee's recommendation.¹⁶

¹⁰ City of Gosnells [Minutes](#), 23 May 2023, accessed 7 November, p 32.

¹¹ *SZTAL v Minister for Immigration and Border Protection* [2017] HCA 34 at para 94.

¹² *Macquarie Dictionary*, 2023, Macquarie Dictionary Publishers 2023. See: [Macquarie Dictionary](#), accessed 14 September 2023.

¹³ [Macquarie Dictionary](#), accessed 14 September 2023.

¹⁴ *Clark v Cook Shire Council* [2008] 1 Qd R 327, para 5.

¹⁵ Western Australia, Legislative Council, Joint Standing Committee on Delegated Legislation, report 62, [City of Nedlands Parking and Parking Facilities Local Law 2012](#), November 2012, accessed 7 November 2023, p 6.

¹⁶ Western Australia, Legislative Council, Joint Standing Committee on Delegated Legislation, report 1, [City of Kalamunda Dogs Local Law 2021](#), September 2021, accessed 7 November 2023.

- *City of Subiaco Waste Local Law 2022*: The adopted local law increased a penalty for breach of a provision from \$50 to \$250. The City of Subiaco undertook to repeal the local law and make a new one complying with section 3.12 of the LGA.
- 2.26 Former committees have found a significant difference between proposed local laws and those which, after local public notice had been given, were adopted. Examples include local laws which:
- lowered the thickness threshold for reusable plastic bags from 60 microns to 35 microns¹⁷
 - inserted a clause which prevented the owner or occupier of premises adjacent to a verge charging a fee for parking on the verge¹⁸
 - prescribed prickly lettuce as a pest plant, where the main purpose of the local law was to prescribe pest plants for the district¹⁹.

The City of Gosnells Bush Fire Brigade Local Law 2023

- 2.27 The Committee concludes that inserting clauses that deal with the governance of bush fire brigade meetings and its operational structure is a significant change.
- 2.28 Further, the Committee's view is that these additional clauses are a material aspect of the Gosnells Local Law. The governance of bush fire brigade meetings and its operational structure are key provisions of the Gosnells Local Law. Inserting these additional clauses changes the Gosnells Local Law as a whole.
- 2.29 The modification to the Proposed Local Law after the consultation period had closed meant the public was not consulted about how bush fire brigade meetings are to be conducted. Clauses 2.4(1) and 3.1(2) of the Gosnells Local Law contain the only references to the bush fire brigade operating procedures (Procedures). Members of the public should have had an opportunity to comment on these clauses and the reference to the Procedures. There was no opportunity to consider the new clauses prior to the adoption of the Gosnells Local Law.
- 2.30 The Committee's view is that this is contrary to one of the intents of sections 3.12 and 3.13 of the LGA, which is to:
- ensure that local governments engage in community consultation prior to making a local law. This consultation process is particularly important when new laws are being proposed or inserted into a local law.²⁰
- 2.31 The consultation process required by the LGA is rendered meaningless if the proposed local law is then adopted with significant changes.

¹⁷ Western Australia, Legislative Council, Joint Standing Committee on Delegated Legislation, report 6, [*Town of East Fremantle Plastic Bag Reduction Local Law 2017*](#), November 2017.

¹⁸ Western Australia, Legislative Council, Joint Standing Committee on Delegated Legislation, report 62, [*City of Nedlands Parking and Parking Facilities Local Law 2012*](#), November 2012, accessed 7 November 2023.

¹⁹ Western Australia, Legislative Council, Joint Standing Committee on Delegated Legislation, report 9, [*Issues of concern raised by the Committee between December 20 2003 and June 30 2004 with respect to Local Laws*](#), August 2004, accessed 7 November 2023.

²⁰ Western Australia, Legislative Council, Joint Standing Committee on Delegated Legislation, report 62, [*City of Nedlands Parking and Parking Facilities Local Law 2012*](#), November 2012, accessed 7 November 2023, p 6.

Can section 3.12(2A) of the *Local Government Act 1995* save the instrument from invalidity?

- 2.32 Section 3.12(2A) of the LGA provides that:
- Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.
- 2.33 The Committee is of the view that in failing to recommence the procedure for making the Gosnells Local Law, it is invalid by reason of non-compliance with sections 3.12(4) and 3.13 of the LGA.
- 2.34 It is not possible to comply substantially with the local law-making procedure if the requirements of section 3.12(4) of the LGA are not satisfied. It is a vital step in the process.
- 2.35 Consequently, section 3.12(2A) of the LGA cannot be relied upon to save the Gosnells Local Law from invalidity due to that non-compliance.

3 Inconsistency with section 62(1)(a) of the *Bush Fires Act 1954*

- 3.1 The Committee has concluded that the Gosnells Local Law is inconsistent with section 62(1)(a) of the Bush Fires Act and offends the Committee's term of reference (a) in that it is not authorised by the empowering enactment.
- 3.2 Section 62(1) of the Bush Fires Act is at Appendix 1.

Exercise of power under section 62(1)(a) of the *Bush Fires Act 1954*

- 3.3 In its Report 16,²¹ the former Committee found that the *City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018* was not within power of section 62(1) of the Bush Fires Act.
- 3.4 The former Committee stated:
- the regulatory scheme created by the Act contemplates that where a local government decides to regulate areas that are the subject matter of section 62(1) it is required do so by way of local law.²²
- 3.5 It noted:
- The advice given to the City's Council was that many matters prescribed in the principal local law did not have to be prescribed, and could instead be regulated administratively by the City. There appears to have been a fundamental misunderstanding about what matters had to be dealt with by a bush fire brigades local law, and that misunderstanding has led to many matters being removed from the principal local law-matters which the Act contemplates will be regulated by local laws.
- The misunderstanding appears to have arisen because the word 'may' in section 62(1) of the Act (quoted above). As the word 'may' is permissive, the adviser has

²¹ Joint Standing Committee on Delegated Legislation, report 16, [City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018](#), Western Australia, Legislative Council, 27 June 2019, accessed 7 November 2023.

²² Joint Standing Committee on Delegated Legislation, [report 16](#), accessed 7 November 2023, p 2.

interpreted section 62(1) to mean that the City, if it wishes to regulate the matters listed in that section, does not need to regulate those matters by local law.

The word 'may' is *prima facie* permissive and gives the City a discretion as to whether it will make a local law regulating those matters. The power to make such local laws is permissive because local governments are not compelled to make bush fire brigade local laws. However, if a local government chooses to regulate bush fire brigade matters, it must do so by local law, not by another method.²³

3.6 The Parliament endorsed the former Committee's view and disallowed the *City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018*.²⁴

3.7 The Committee's position regarding the interpretation of section 62(1)(a) of the Bush Fires Act has not changed. This is based on the following additional factors:

- The view that section 62(1)(a) conveys a discretionary power ignores High Court case law on the modern approach to statutory interpretation. This requires the context of the provision as well as the purpose of the legislation as a whole to be considered rather than the strict literal or grammatical meaning of the words. Statutory interpretation is not just concerned with the classification of a provision as mandatory or discretionary but also with whether an act done in breach of the provision is invalid.²⁵ The classification is the end of the enquiry, not the beginning.
- Statutory powers of the type set out in section 62(1)(a) are not mere powers a local authority has an option to exercise or not according to its unfettered choice. They are powers conferred for the purpose of attaining statutory objects. Parliament has conferred an authority on local governments to make local laws. It must therefore be exercised if a local government has decided to establish, maintain and equip a bush fire brigade. In this sense, 'may' means 'must'.
- In identifying the purpose behind section 62(1)(a), assistance can be obtained from the Long Title of the Bush Fires Act, in the absence of an 'objects and purposes' provision. It states:

An Act to make better provision for diminishing the dangers resulting from bush fires, for the prevention, control and extinguishment of bush fires, for the repeal of the *Bush Fires Act 1937* and for other purposes.

Section 62(1)(a) confers a local government with authority. That authority must be exercised if the circumstances call for it. Long Title's purposes are achieved when local governments make local laws for the matters they contain. The Parliament has considered these matters to be critical in better providing for diminishing bush fire danger.

- One purpose in the Long Title is to prevent, control and extinguish bush fires. This purpose would be defeated without departmental and parliamentary oversight of the subject matters covered by section 62(1)(a). If a local government chose to regulate these matters by administrative action rather than by a local law, the matters would:
 - not be transparent to residents and ratepayers
 - exclude the community in the democratic process of law making on a subject matter of particular historical and current importance to those residents and ratepayers

²³ Joint Standing Committee on Delegated Legislation, [report 16](#), Appendix 1, accessed 7 November 2023, p 2.

²⁴ Legislative Council, [Debates](#), 7 August 2019, accessed 7 November 2023, p 5095.

²⁵ [Project Blue Sky v Australian Broadcasting Authority](#), (1998) 194 CLR 355, at paragraph 78, accessed 7 November 2023.

- exclude Ministerial and departmental oversight
 - not be referred to the Parliament for scrutiny.
- 3.8 In summary, the Parliament intended that when a local government decides to establish a bush fire brigade and regulate the matters in section 62(1)(a) it must do so by making a local law.

The City of Gosnells Bush Fire Brigade Local Law 2023

- 3.9 Appointment, employment, payment, dismissal and duties of bush fire control officers are matters covered by section 62(1)(a) of the Bush Fires Act. The Gosnells Local Law does not provide for these matters.
- 3.10 The Gosnells Local Law is invalid by failing to regulate all matters covered by section 62(1)(a) of the Bush Fires Act. Subsidiary legislation, including local laws, must not be inconsistent with the provisions of the written law under which it is made.²⁶

4 Sub-delegation of legislative power

- 4.1 The Committee has concluded that providing for the Chief Executive Officer to establish and implement the Procedures in clause 3.1(2) of the Gosnells Local Law amounts to an unauthorised sub-delegation of legislative making power. This offends the Committee's term of reference (a) in that it is not authorised by the empowering enactment.
- 4.2 Clause 3.1(2) of the Gosnells Local Law is contained in Appendix 4.

Principles of sub-delegation

- 4.3 It is a fundamental principle that legislative power should only be delegated in appropriate cases and to appropriate persons. Further, there is a general rule against sub-delegation; namely, a person cannot, without authority, delegate legislative power that has been delegated.²⁷ This rule is based on the principle that a body that has been delegated the power to make legislation cannot itself delegate this power.
- 4.4 However, there is a distinction to be drawn between the sub-delegation of administrative and legislative power.
- 4.5 It has been said that:
- The wider the field of operation left to the subdelegate, the more likely it is that the court will take the view there has been a subdelegation of legislative power. Where, on the other hand, the matters left to be carried out by the subdelegate are questions of detail which merely fill the gaps left in the legislation itself, or which are to be carried out in accordance with guidelines laid down in the legislation, the more likely it will be that the courts will determine that the subdelegate is exercising administrative powers only, and the subdelegation will be valid.²⁸
- 4.6 The distinction between legislative powers and administrative powers is not always clear. The terminology used by the courts in identifying a valid sub-delegation of administrative power

²⁶ [Interpretation Act 1984](#), s 43(1), accessed 7 November 2023.

²⁷ DC Pearce and S Argument, *Delegated Legislation in Australia*, Fifth Edition, LexisNexis Butterworths, Australia, 2017, p 391.

²⁸ DC Pearce and S Argument, *Delegated Legislation in Australia*, p 391.

is not consistent. However, in general, the following principles apply and assist the Committee in identifying possibly invalid sub-delegations:

- legislative power:
 - establishes a broad policy framework
 - is expressed in mandatory or prohibitive terms
 - includes penalties for breaches of its provisions
- administrative power:
 - does not involve any wide policy considerations
 - is the application of general rules to particular cases
 - provides the details under the broad policy framework established by legislative power
 - is often exercised by express reference to guidelines established by legislative power.

The City of Gosnells Bush Fire Brigade Local Law 2023

- 4.7 Establishing and implementing Procedures involves developing a broad policy framework. The requirement to do so is expressed in clause 3.1(2) in mandatory terms by the use of the words ‘is to establish and implement’. This is a legislative power.
- 4.8 Clause 3.1(2) is not authorised by the Bush Fires Act. If Parliament intended for chief executive officers to make Procedures, it would have provided for that in the Bush Fires Act. The Bush Fires Act does not authorise or contemplate a chief executive officer to make Procedures.
- 4.9 Clause 3.1(2), in purporting to authorise the Chief Executive Officer to establish and implement the Procedures, is an unauthorised sub-delegation of legislative making power. The Bush Fires Act does not authorise this to occur when the Gosnells Local Law intends for the Procedures to deal with matters required to be dealt with by a local law.

5 Conclusion

- 5.1 The Committee’s term of reference 10.6(a) states:
 - In its consideration of an instrument, the Committee is to inquire whether the instrument—(a) is within power.
- 5.2 The Gosnells Local Law offends the Committee’s term of reference (a) in that it is not authorised by the empowering enactment on the basis of:
 - non-compliance with mandatory requirements in the LGA
 - inconsistency with the Bush Fires Act
 - unauthorised sub-delegation of legislative power.

Benefits to recommending disallowance

- 5.3 There are a number of benefits to recommending the disallowance of invalid instruments. These include ensuring that invalid laws are quickly removed from the public record and reducing the risk of public misinformation.

6 Recommendation

6.1 The Committee makes the following recommendation:

RECOMMENDATION 1

The *City of Gosnells Bush Fire Brigade Local Law 2023* be disallowed.

A handwritten signature in black ink that reads "Geoff Baker". The signature is written in a cursive, slightly slanted style.

Mr Geoff Baker MLA
Chair

APPENDIX 1

SECTION 62 OF THE *BUSH FIRES ACT 1954*

Bush Fires Act 1954
Miscellaneous **Part V**

s. 62

62. Local government may make local laws

- (1) A local government may make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* for and in relation to —
 - (a) the appointment, employment, payment, dismissal and duties of bush fire control officers; and
 - (b) the organisation, establishment, maintenance and equipment with appliances and apparatus of bush fire brigades to be established and maintained by the local government; and
 - (c) any other matters affecting the exercise of any powers or authorities conferred and the performance of any duties imposed upon the local government by this Act.
- (2) Where a regulation made by the Governor under this Act is inconsistent with or repugnant to a local law previously made by a local government under subsection (1) and still in force, the regulation prevails and the local law to the extent by which it is inconsistent with or repugnant to the regulation is deemed to be repealed.

[Section 62 amended: No. 14 of 1996 s. 4.]

APPENDIX 2

SECTIONS 3.12 AND 3.13 OF THE LOCAL GOVERNMENT ACT 1995

Local Government Act 1995	
Functions of local governments	Part 3
Legislative functions of local governments	Division 2
	s. 3.12

3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
 - (a) give local public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;

and

 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

[(3a) deleted]

Local Government Act 1995**Part 3** Functions of local governments**Division 2** Legislative functions of local governments**s. 3.12**

- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

* *Absolute majority required.*

- (5) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the *Gazette* the local government is to give local public notice —
- (a) stating the title of the local law; and
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —
- making** in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

[Section 3.12 amended: No. 1 of 1998 s. 8; No. 64 of 1998 s. 6; No. 49 of 2004 s. 16(4) and 23; No. 26 of 2016 s. 5; No. 16 of 2019 s. 8.]

3.13. Procedure where significant change in proposal

If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

APPENDIX 3

PROPOSED CITY OF GOSNELLS BUSH FIRE BRIGADE LOCAL LAW 2023

OCM 28 FEBRUARY 2023

APPENDIX 13.5.7B

LOCAL GOVERNMENT ACT 1995
BUSH FIRES ACT 1954

CITY OF GOSNELLS BUSH FIRE BRIGADE LOCAL LAW 2023

Under the powers conferred by the *Local Government Act 1995*, the *Bush Fires Act 1954* and under all other powers enabling it, the Council of the City of Gosnells resolved on **dd** **Month Year** to make the following local law.

PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the City of Gosnells Bush Fire Brigade Local Law 2023.

1.2 Commencement

This local law will come into operation 14 days after the day on which it is published in the *Government Gazette*.

1.3 Interpretation

(1) In this local law unless the context otherwise requires—

Act means the *Bush Fires Act 1954*;

brigade area means the district;

bush fire brigade is defined in section 7 of the Act;

brigade officer means a person holding a position referred to in clause 2.2(1)(b);

district means the district of the local government;

local government means the City of Gosnells;

normal brigade activities is defined by section 35A of the Act; and

State Government means the State Government of Western Australia.

1.4 Application

This local law applies throughout the district.

OCM 28 FEBRUARY 2023

APPENDIX 13.5.7B

PART 2 - BUSH FIRE BRIGADE**2.1 Establishment of Bush Fire Brigade**

- (1) The local government may establish a bush fire brigade for the purpose of carrying out normal brigade activities.
- (2) A bush fire brigade is established on the date of the local government's decision under subclause (1).
- (3) A bush fire brigade established by the local government prior to the day on which this local law comes into operation is to be taken to be a bush fire brigade established under and in accordance with this local law.

2.2 Name and Officers of a Bush Fire Brigade

- (1) On establishing a bush fire brigade under clause 2.1(1), the local government is to—
 - (a) give a name to the bush fire brigade;
 - (b) ensure appropriate processes are in place to appoint—
 - (i) a Captain;
 - (ii) a First Lieutenant;
 - (iii) a Second Lieutenant; and
 - (iv) additional Lieutenants if the local government considers it necessary.
- (2) When considering the appointment of a person to the positions in subclause (1)(b), the local government is to have regard to the qualifications and experience which may be required to fill the position.

2.3 Duties of Captain

- (1) The duties of the Captain are to—
 - (a) provide leadership to the bush fire brigade;
 - (b) liaise with the local government concerning bushfire risk mitigation and brigade activities.
- (2) The duties of other brigade officers are to support the Captain in the exercise of their duties.

PART 3 - ADMINISTRATION OF BUSH FIRE BRIGADE**3.1 Local government responsible for structure**

The local government is to ensure appropriate administrative arrangements exist for the operation of its bush fire brigade.

OCM 28 FEBRUARY 2023

APPENDIX 13.5.7B

3.2 Equipment in bush fire brigade area

- (1) The local government is to provide the bush fire brigade with appliances, equipment and apparatus for which funding has been provided by the State Government.
- (2) The local government may provide the bush fire brigade with additional appliances, equipment or funding at its discretion.

The Common Seal of the City of Gosnells was affixed by authority of a resolution of the Council in the presence of—

TERRESA LYNES
MAYOR

IAN COWIE PSM
CHIEF EXECUTIVE OFFICER

APPENDIX 4

CITY OF GOSNELLS BUSH FIRE BRIGADE LOCAL LAW 2023

LOCAL GOVERNMENT ACT 1995

BUSH FIRES ACT 1954

City of Gosnells

BUSH FIRE BRIGADE LOCAL LAW 2023

Under the powers conferred by the *Local Government Act 1995*, the *Bush Fires Act 1954* and under all other powers enabling it, the Council of the City of Gosnells resolved on 23 May 2023 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the City of Gosnells Bush Fire Brigade Local Law 2023.

1.2 Commencement

This local law will come into operation 14 days after the day on which it is published in the *Government Gazette*.

1.3 Interpretation

In this local law unless the context otherwise requires—

Act means the *Bush Fires Act 1954*;

brigade area means the district;

brigade officer means a person holding a position referred to in clause 2.2(1)(b);

bush fire brigade is defined in section 7 of the Act;

bush fire brigade operating procedures means the Brigade Operating Procedures approved by the Chief Executive Officer as amended from time to time;

Chief Executive Officer means the Chief Executive Officer of the City of Gosnells;

district means the district of the local government;

local government means the City of Gosnells;

normal brigade activities are defined by section 35A of the Act; and

State Government means the State Government of Western Australia.

1.4 Application

This local law applies throughout the district.

PART 2—BUSH FIRE BRIGADE

2.1 Establishment of Bush Fire Brigade

(1) The local government may establish a bush fire brigade for the purpose of carrying out normal brigade activities.

(2) A bush fire brigade is established on the date of the local government's decision under subclause (1).

(3) A bush fire brigade established by the local government prior to the day on which this local law comes into operation is to be taken to be a bush fire brigade established under and in accordance with this local law.

2.2 Name and Officers of a Bush Fire Brigade

(1) On establishing a bush fire brigade under clause 2.1(1), the local government is to—

(a) give a name to the bush fire brigade;

(b) ensure appropriate processes are in place to appoint—

(i) a Captain (also a Bush Fire Control Officer);

(ii) a First Lieutenant;

(iii) a Second Lieutenant; and

(iv) additional Lieutenants if the local government considers it necessary.

(2) When considering the appointment of a person to the positions in subclause (1)(b), the local government is to have regard to the qualifications and experience which may be required to fill the position.

2.3 Duties of Captain and other brigade officers

(1) The duties of the Captain are to—

(a) provide leadership to the bush fire brigade;

(b) liaise with the local government concerning bushfire risk mitigation and brigade activities.

(2) The duties of other brigade officers are to support the Captain in the exercise of their duties.

2.4 Meetings of bush fire brigade

(1) All bush fire brigade meetings are to be conducted in accordance with the bush fire brigade operating procedures.

(2) In this clause, a reference to a bush fire brigade meeting means—

(a) an annual general meeting of a bush fire brigade to be held in June of each year;

(b) an ordinary meeting of a bush fire brigade; or

(c) a special meeting of a bush fire brigade.

(3) The Captain is to forward a copy of the minutes of the annual general meeting of the bush fire brigade to the local government within one month after the meeting.

PART 3—ADMINISTRATION OF BUSH FIRE BRIGADE

3.1 Local government responsible for structure

- (1) The local government is to ensure that there is an appropriate structure through which the organisation of bush fire brigades is maintained.
- (2) The Chief Executive Officer is to establish and implement bush fire brigade operating procedures.
- (3) The local government may make other applicable rules, policies and procedures as determined necessary by the local government.

3.2 Equipment in bush fire brigade area

- (1) The local government is to provide the bush fire brigade with appliances, equipment and apparatus for which funding has been provided by the State Government.
- (2) The local government may provide the bush fire brigade with additional appliances, equipment, or funding at its discretion.

Dated 1st June 2023.

The Common Seal of the City of Gosnells was affixed by authority of a resolution of the Council in the presence of—

TERRESA LYNES, Mayor.
IAN COWIE PSM, Chief Executive Officer.

GLOSSARY

Term	Definition
Bush Fires Act	<i>Bush Fires Act 1954</i>
City	City of Gosnells
Committee	Joint Standing Committee on Delegated Legislation
Council	City of Gosnells Council
Department	Department of Local Government, Sport and Cultural Industries
DFES	Department of Fire and Emergency Services
LGA	<i>Local Government Act 1995</i>
Gosnells Local Law	<i>City of Gosnells Bush Fire Brigade Local Law 2023</i>
Procedures	Bush fire brigade operating procedures
Proposed Local Law	The <i>City of Gosnells Bush Fire Brigade Local Law 2023</i> proposed by the City of Gosnells at an Ordinary Council Meeting on 28 February 2023

Joint Standing Committee on Delegated Legislation

Date first appointed:

25 May 2021

Terms of Reference:

The following is an extract from Schedule 1 of the Legislative Council Standing Orders:

'10. Joint Standing Committee on Delegated Legislation

- 10.1 A *Joint Standing Committee on Delegated Legislation* is established.
- 10.2 The Committee consists of 8 Members, 4 of whom are appointed from each House. The Chair must be a Member of the Committee who supports the Government.
- 10.3 A quorum is 4 Members of whom at least one is a Member of the Council and one a Member of the Assembly.
- 10.4 (a) A report of the Committee is to be presented to each House by a member of each House appointed for the purpose by the Committee.
 (b) Where a notice of motion to disallow an instrument has been given in either House pursuant to recommendation of the Committee, the Committee shall present a report to both Houses in relation to that instrument prior to the House's consideration of that notice of motion. If the Committee is unable to report a majority position in regards to the instrument, the Committee shall report the contrary arguments.
- 10.5 Upon its publication, whether under section 41(1)(a) of the *Interpretation Act 1984* or another written law, an instrument stands referred to the Committee for consideration.
- 10.6 In its consideration of an instrument, the Committee is to inquire whether the instrument -
 - (a) is within power;
 - (b) has no unintended effect on any person's existing rights or interests;
 - (c) provides an effective mechanism for the review of administrative decisions; and
 - (d) contains only matter that is appropriate for subsidiary legislation.
- 10.7 It is also a function of the Committee to inquire into and report on -
 - (a) any proposed or existing template, *pro forma* or model local law;
 - (b) any systemic issue identified in 2 or more instruments of subsidiary legislation; and
 - (c) the statutory and administrative procedures for the making of subsidiary legislation generally, but not so as to inquire into any specific proposed instrument of subsidiary legislation that has yet to be published.
- 10.8 The Standing Orders of the Legislative Council relating to Standing Committees will be followed as far as they can be applied.
- 10.9 In this order-
 - "instrument" means -
 - (a) subsidiary legislation in the form in which, and with the content it has, when it is published;
 - (b) an instrument, not being subsidiary legislation, that is made subject to disallowance by either House under a written law;
 - "subsidiary legislation" has the meaning given to it by section 5 of the *Interpretation Act 1984*.*



Parliament House,
4 Harvest Terrace, West Perth WA 6005
Telephone: +61 8 9222 7300
Email: lcco@parliament.wa.gov.au
Website: <http://www.parliament.wa.gov.au>



Government of Western Australia
Department of Fire & Emergency Services



Our Ref: D27965; 24/184129
Your Ref: 4.6765 / OUT23/2508884D

Mr Chris Linnell
Chief Executive Officer
Shire of York
PO Box 22
YORK WA 6302

By email: records@york.wa.gov.au

Dear Mr Linnell

SHIRE OF YORK BUSH FIRE BRIGADES LOCAL LAW 2024

I refer to the Shire’s correspondence dated 5 June 2024 to the Minister for Emergency Services regarding the Shire’s proposed *Bush Fire Brigades Local Law 2024*. The Minister has referred a copy of the local law to DFES for review and direct response.

I acknowledge the Shire’s unconfirmed Minutes from its Ordinary Council Meeting (OCM) of 28 May 2024 in which the Shire elected to re-draft its 2023 local law, previously forwarded to the Minister on 19 December 2023. I note the OCM minutes reference the Shire’s consideration of feedback received, including my comments of 15 January 2024.

While noting that the Shire has undertaken to use the “model” local law developed by the Western Australian Local Government Association, I make the following further comments for the Shire’s consideration:

- In relation to clause 4.2, while the Shire has included parental/guardian consent and endorsement from the brigade Captain in relation to members under the age of 17 years, the Shire may wish to consider extending this requirement to persons under 18 years. Further, the Shire may wish to consider removing reference to the *Fire Brigade Regulations* which are not applicable to bush fire brigades.

I trust this information is of assistance.

Yours sincerely



**DARREN KLEMM AFSM
COMMISSIONER**

4/7/2024

Chief Executive Officer

Shire of York

P.O. Box 22

York, W.A. 6302

16th July 2024

Dear Chris,

RE : Draft Bush Fire Brigades Local Law 2024 – Submission.

I write in reference to the above with respect for the need to refresh our 1942 Local Law for Bush Fire Brigades.

The draft is particularly prescriptive with multitudinous detail which will be a difficult to garner support for with the members of local brigades. Brigade Volunteers are already struggling with what they view as burdensome regulation when it comes to fire “rules” and we have noticed too many able-bodied volunteers, who are experienced fire fighters, dropping out of the brigades due to ever increasing directives and rulings.

Surely the opportunity here is to construct a Local Law that meets the necessary requirements, yet is as simple and unobtrusive as possible. I don't believe the draft as presented satisfies this objective, and will likely meet with subsequent resistance from local volunteer fire fighters.

The Shire of Beverley and the City of Swan are two LGA's who have good examples of concise and simple Local Laws for Bush Fire Brigades.

Further observations :

1. Committees are not clearly defined. The word committee is used regularly in the draft doc' and seems to refer to both the Bush Fire Advisory Committee and the Bush Fire Brigade Committee without clarity. “Committee” is not determined under definitions. I would recommend a clear distinction is made with an explanation of how each will be populated.

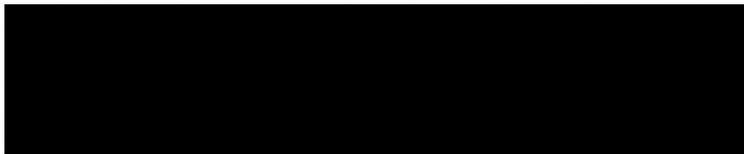
2. 3.7 determines..... “one brigade member is to be nominated to the Bush Fire Advisory Committee” whereas 3.10 determines the BFAC population will be “determined by the Local Government”

So is it one brigade member or more than one to populate the BFAC ??

I would recommend at least two brigade members as determined by each respective brigade be the minimum number for representation on the BFAC, more if desired.

Thanks for the opportunity to comment.

Yours faithfully,

A large black rectangular redaction box covering the signature and name of the person who wrote the comment.A large black rectangular redaction box covering the contact information, such as an address or phone number, of the person who wrote the comment.

Shire of York Bush Fire Brigades Local Law 2024

BFCO Group Submission

Friday, 19th July 2024

Chief Executive Officer
Shire of York
PO Box 22
York WA 6302
Records@york.wa.gov.au

To the Chief Executive Officer,

Re: Submission for Proposed Shire of York Bush Fire Brigades Local Law 2024

This submission has been prepared on behalf of the greater Bush Fire Control Officer (BFCO) group within the Shire of York (SoY) in response to the proposed Shire of York Bush Fire Brigade Local Law 2024 (Local Law). It seeks to address a number of significant concerns that the BFCO's have in regard to the proposed Local Law, which are set out below.

We acknowledge that considerable time and work has been invested into the creation of the Local Law in its draft form. It is worth noting that there is a general understanding that a local law must likely be created for the SoY to meet legislative requirements, and we do not seek to prevent that from occurring. However, we are still effectively bound by local laws and so therefore every effort must be made for these to be practical and representative of either:

- (i) The existing practises of the local bush fire brigades; or
- (ii) Represent an achievable and desirable change that does not significantly differ from the existing practises.

It is our belief that the proposed changes in the Local Law draft are disruptive to the general momentum and operations of the existing bush fire brigades, which are run wholly through volunteers, a fact that the SoY should appreciate and value.

Communication of Proposed Local Law

The key stakeholders of this proposed Local Law are the bush fire brigades within the York district and their respective BFCO's. It is therefore disappointing and unacceptable that the brigade members and in particular their BFCO's were not specifically notified of this proposed Local Law. We feel that this does not lend itself towards an honest, open and transparent process. The Local Law has evidently been drafted by those who are unfamiliar with how bush fire brigades operate. If suitable consultation was held with key stakeholders and taken onboard prior to preparing the draft of the Local Law, it is likely that many of the issues raised with the proposed Local Law would not exist.

Dissolution of Brigades

Under Part 2, Section 2.6, Page 7, the proposed Local Law allows for the SoY to cancel the registration of any brigades operating within the district. The criteria prescribed within the Local Law that allows for this dissolution is subjective and vague and ultimately provides power to the SoY without any consideration to the Chief BFCO and the other BFCO's nominated to represent the various brigades. This does not align with the interests of the bush fire brigades and we therefore request that an addition be made to this section to the effect that:

'any dissolution of a brigade can only occur if a quorum amongst all BFCO's registered within the entire Shire of York approves of the dissolution at a meeting.'

Whilst the Bush Fires Act 1954 does provide authority to Local Government to dissolve a brigade, it does not detail subjective criteria such as this proposed Local Law providing additional justification and other local governments have not felt the need to include it in their own local laws. Therefore, if an addition to the effect of the above is not included, the dissolution section should be removed from the proposed Local Law entirely.

Proposed Dates

A number of dates are specified within the proposed Local Law that are considered impractical with regards to the operation of our brigades. It would be desired that these dates be removed entirely; however, if this is not an achievable outcome, the following changes are proposed to be made:

Section 3.6 (Page 8) Holding of Annual General Meeting.

'31st of May' be changed to the '31st October at the start of each fire season'.

Section 4.6 (Page 10) Notification of Membership.

'30th June' be changed to the '14th November at the start of each fire season'.

These changes are important as our brigades typically hold annual general meetings in September or October, as this is directly prior to the commencement of the fire season. This is the logical time to bring fire related topics to the forefront of member's minds and allows for a more accurate forecast of which members are active and their personal capacity to contribute to the brigades. This is of particular importance to seasonal workers for farming operations that may not be present at earlier times of the year. The proposed Local Law as it currently stands would place all of our brigades in contempt of complying with the Local Law with our AGM meetings and arguably provide sufficient justification for the SoY to cancel our registration if it so desired.

Proposed Committees

The Local Law is somewhat unclear but makes reference to both a brigade specific committee as well as an overarching advisory committee for all brigades within the SoY.

The brigade specific committee, as discussed on page 14, is constituted by the captains and relevant lieutenants, but provides no clarity as to whether all BFCO's are automatically included. An extended hierarchy

amongst officers is also further required in section 3.3 (4) on page 13, which is not in the interests of a harmonious brigade and this section must be removed to prevent creating an unhealthy culture. An additional definition section should be added to the effect that:

‘All BFCO’s registered to a brigade are to be considered lieutenants of that brigade.’

The existing collection of BFCO’s within the SoY have previously been termed an advisory committee. Under the proposed Local Law, the advisory committee representing all brigades appears to be constituted by only a single member from each brigade as set out in section 3.7 on page 8. This will significantly reduce the number of leaders within the brigades that are having input into making important decisions. The current configuration, where BFCO’s from all brigades sit on an effective advisory committee for important decision making is key to ensuring that well rounded decisions are made that encompass a variety of opinions and solutions. We therefore request that sections relating to an advisory committee within the Local Law be removed where unnecessary to simplify the document and an additional definition section should be added to the effect that:

‘The Advisory Committee shall consist wholly of all registered BFCO’s within the Shire of York.’

Other Local Governments

Other local governments have also produced proposed local laws in relation to bush fire brigades to address the same concerns that have presumably prompted the SoY’s proposed Local Law. It is worth noting that of those reviewed, including the City of Swan and the Shire of Beverley, these are considerably smaller documents that allow for far greater flexibility and freedom of operation to their bush fire brigades with less reference to providing authority to the respective local government. The City of Swan’s proposed local law is significantly more concise and aligns better with our current operations. Given the size of the City of Swan and its associated available resources, it is asserted that their proposed local law will still suitably meet the legislative requirements of the Bush Fires Act 1954. We therefore recommend that the majority of the Shire of York’s BFB Local Law draft be replaced with the content contained in the City of Swan’s BFB Local Law draft.

Conclusion

As volunteers providing an essential service to our community and as leaders within our brigades, we trust that you will pay regard to all of the points that have been raised within this submission and appropriately integrate all of them to achieve a Local Law that serves the residents of York and the continuation of our volunteer bush fire service.

Yours Sincerely,



On Behalf of the CBFCO and the Wider BFCO Group.

ATTACHMENT: LIST OF BFCO’s REGISTERED IN AGREEANCE WITH SUBMISSION

Anneke Birleson

To: Chris Linnell
Subject: RE: Wednesday Meeting

From: [REDACTED]
Sent: Monday, August 5, 2024 6:50 AM
To: Chris Linnell [REDACTED]
Subject: Wednesday Meeting

Hi Chris,

A few questions in regards to concerns of the volunteers that have been raised with me. Maybe we could cover these points on wednesday?

Regards [REDACTED]

- What is wrong with the current law and what or who doesn't it cover.
- Who is saying it needs to be amended and why.
- I have read the Minutes from the Oct 2023 York council meeting. It stated in there three options, with writing a new Law as option 3 and recommended (if it's only a recommendation why are we changing it).
- I have heard that other Council's submissions have failed, how and why? In addition to this rather than us writing a submission for us to hang ourselves with why doesn't the relevant dept or bureaucrat tell us what needs changing and why.
- Why was this decision made with, to my understanding, no consultation to any of the BFCO's, Capt or Vice Captains or BFB's for that matter.
- We must have our local Shire fighting for us and pushing back with the assistance of all regional shire's standing as ONE with the bureaucracy gone mad approach!! Most of our Volunteers are generational, if we lose them they will NOT be replaced!!!
- Will this new law beneficially change the way fires are controlled and fought or will it turn out to have a negative effect.



Government of Western Australia
Department of Fire & Emergency Services



Our Ref: D27965; 24/288630
Your Ref:

Mr Chris Linnell
Chief Executive Officer
Shire of York
PO Box 22
YORK WA 6302

By email: records@york.wa.gov.au

Dear Mr Linnell

SHIRE OF YORK BUSH FIRE BRIGADES LOCAL LAW 2024

I refer to your correspondence dated 9 October 2024 to the Minister for Emergency Services regarding the Shire's proposed *Bush Fire Brigades Local Law 2024*. The Minister has referred a copy of the local law to DFES for review and direct response.

I acknowledge the Shire's unconfirmed Minutes from its Ordinary Council Meeting (OCM) of 24 September 2024, and the Shire's decision to recommence its law-making process due to feedback received on previous versions of the proposed local law

I note the OCM minutes reference the Shire's consideration of feedback received, including my comments of 15 January 2024 and 4 July 2024, and have no further feedback.

Yours sincerely

**DARREN KLEMM AFSM
COMMISSIONER**

27 November 2024

Shire of York Bush Fire Brigades Local Law 2024

BFAC Group Submission

Friday, 6th December 2024

Chief Executive Officer
Shire of York
PO Box 22
York WA 6302
Records@york.wa.gov.au

To the Chief Executive Officer,

Re: Submission for Proposed Shire of York Bush Fire Brigades Local Law 2024

This submission has been prepared on behalf of the Bush Fire Advisory Committee (BFAC) group within the Shire of York (SoY) in response to the proposed Shire of York Bush Fire Brigade Local Law 2024 (Local Law). This is the second submission made by the BFAC group in relation to the proposed Local Law and specifically refers to the revised proposed Local Law as published for review on the SoY's website, dated 30th September 2024. This submission seeks to address a number of significant concerns that the BFAC still have in regard to the proposed Local Law, which are set out below.

The primary factors for our concerns outlined below relate to both the culture of our brigades and safety of our crews on the fireground. As volunteers, safety for our brigade fire suppression activities is of paramount importance. A healthy culture is also essential within our brigades in maintaining adequate active members in the long-term future. Therefore, the implementation of any Local Law cannot afford to compromise on either of these factors and every effort must be made to ensure that the Local Law supports a practical framework of operations harmonious and complimentary to our current practises.

On the 2nd December, 2024, a meeting was held between relevant representative members from the SoY and the BFAC in an effort to rewrite the specific sections of concern within the proposed Local Law. All points were suitably resolved at this meeting with all parties voicing their acceptance of the group formed resolutions. The following requested changes outlined throughout this document embody those resolutions formed between the parties at the meeting and therefore they are reasonably expected to be implemented in essence.

It should be noted that the document advertised for the second review does not have page numbers and therefore all page numbers referenced in this submission refer to the overall page numbers of the document.

Bush Fire Advisory Committee (BFAC)

The existing collection of BFCO's and captains within the SoY have previously been termed an advisory committee. Under the proposed Local Law, the advisory committee representing all brigades appears to be constituted by only a single member from each brigade as set out in section 3.7 on page 10. This will significantly reduce the number of leaders within the brigades that are having input into making important decisions. The current configuration, where BFCO's and captains from all brigades sit on the advisory

committee for important decision making is key to ensuring that well rounded decisions are made that encompass a variety of opinions and solutions. We therefore request that changes to the following effect be applied:

- (i) Existing section 3.7, Division 3, in regards to nominations for the BFAC at each fire brigade's AGM is to be deleted.
- (ii) Existing section 3.8, Division 3, in regards to nominations in the absence of an existing BFAC is to be deleted.
- (iii) An additional section to be added in Division 3 to the effect that at least one brigade member is to be nominated for the position of fire control officer at the brigade AGM.
- (iv) An additional section be added in Division 4 to the effect that:
'The Advisory Committee shall consist wholly of all registered BFCO's and captains within the Shire of York.'
- (v) All other related sections are modified as required to align with the above changes.

BFAC Hierarchy Within Brigades

The brigade specific committee, as discussed on page 16, is constituted by the captains and relevant lieutenants, but provides no clarity as to whether all BFCO's are automatically included. A previous change was implemented to resolve this but created further issues that would be detrimental to the culture within individual brigades. As an effective solution, we request that changes to the following effect be applied:

- (i) Existing section 4.2 (1) to be modified to the following:
"The Committee of the bush fire brigade is to consist of the brigade officers being the captain, the lieutenants and all bush fire control officers of the bush fire brigade."
- (ii) Existing section 4.2 (2) stating the following to be deleted:
'All BFCO's registered to a brigade are to be considered lieutenants of that brigade.'

It is also noted through extended discussion on this section that the Bushfires Act 1954 would reasonably be interpreted to infer that the voting in of a first and second lieutenant at each brigade AGM is required. In an effort to avoid unnecessary hierarchy being introduced to the BFAC group, it is noted that these roles would ideally go to active brigade members that are not nominated to the position of bush fire control officers.

Incident Control on Fireground

The proposed Local Law stipulates in section 2.3 (2) on page 7 that in the case of fire control officers being present at a fire, the effective incident control rest with the most senior officer, with the inference that this automatically changes ownership as soon as a more senior officer arrives. As a result, ownership and responsibility of command on the fireground could become unclear to crews and would result in the incident controller having no effective handover and minimal knowledge of the incident. It could also result in their being a significant number of command changes in a short period, which would not be conducive to

implementing effective fire suppression strategies. This presents a significant safety risk for our operational crews as they would be forced to receive directions from newly arriving officers that do not have an effective understanding of the inherent risks and opportunities relating to the incident. We therefore request that changes to the following effect be applied:

(i) Existing Section 2.3 (2) to be modified to the following:

“Where a bushfire control officer is in attendance at a fire which the members of the bush fire brigade have command of under the Act and the Bush Fire Operating Procedures, the first arriving bushfire control officer is to assume the role of incident controller and has full control over other persons fighting the fire and is to issue instructions as to the methods to be adopted by the fire fighters.”

(iii) An additional section be added as Section 2.3 (3), as deemed appropriate:

“Any change in incident controller is to be mutually agreed between both relinquishing and receiving bushfire control officers and requires an effective handover; unless a more senior ranked fire bushfire control officer deems the effective command of the incident controller to be inadequate in which case they have the right to re-assign the role.”

Conclusion

We appreciate the efforts the SoY have shown throughout this second review process towards consulting with the BFAC on changes required to the proposed Local Law. We look forward to being notified and receiving the final revision of the Local Law once it is published.

Yours Sincerely,



On Behalf of the CBFCO and the Entire BFAC Group.

ATTACHMENT: LIST OF BFCO’s & CAPTAINS REGISTERED IN AGREEANCE WITH SUBMISSION

SHIRE OF YORK

BUSH FIRE BRIGADES LOCAL LAW 2025

BUSH FIRES ACT 1954

LOCAL GOVERNMENT ACT 1995

DRAFT

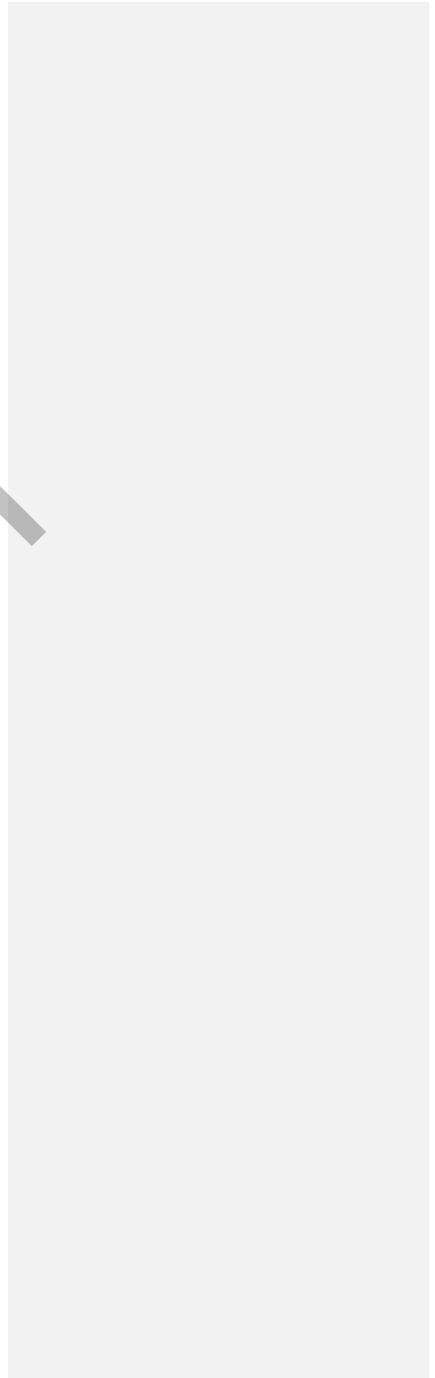


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- 4.6 *Notification of membership*

PART 5 – APPOINTMENT DISMISSAL AND MANAGEMENT OF MEMBERS

5.1 Rules to govern

PART 6 – EQUIPMENT OF BUSH FIRES BRIGADES

6.1 Policies of local government

6.2 Equipment in brigade area

6.3 Funding from local government budget

6.4 Consideration in the local government budget

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**BUSH FIRES ACT 1954
LOCAL GOVERNMENT ACT 1995**

~~INSERT NAME OF LOCAL GOVERNMENT~~ SHIRE OF YORK

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BUSH FIRE BRIGADES LOCAL LAW 2025

Under the powers conferred by the *Bush Fires Act 1954* and under all other powers enabling it, the Council of the ~~insert name of local government~~ Shire of York resolved on ~~insert date~~ to make the following local law.

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PART 1 - PRELIMINARY

1.1 Citation

This local law may be cited as the ~~insert name of local government~~ Shire of York Bush Fire Brigades Local Law 2025.

1.2 Definitions

(1) In this local law unless the context otherwise requires –

“Act” means the *Bush Fires Act 1954*;

“brigade area” is defined in clause 2.2(1)(b);

“brigade member” means ~~any member referred to in clause 4.1 a fire fighting member, associate member or a cadet member of a bush fire brigade;~~

“brigade officer” means a person holding a position referred to in clause 2.2 (1)(c), whether or not he or she was appointed by the local government or elected at an annual general meeting of a bush fire brigade or otherwise appointed to the position;

“bush fire brigade” is defined in section 7 of the Act;

“Bush Fire Operating Procedures” means the Bush Fire Operating Procedures adopted by the local government as amended from time to time;

“CEO” means the ~~chief~~ Chief executive ~~Executive officer~~ Officer of the ~~insert name of local government~~ Shire of York;

“Council” means the Council of the local government;

“Department” means the Department of Fire and Emergency Services of Western Australia;

“district” means the district of the local government;

“fire fighting member” ~~means a registered operational member of a brigade and is defined in clause 4.2;~~

“local government” means the ~~Shire of York~~ *[insert name of local government]*;

“normal brigade activities” is defined by section 35A of the Act

“Regulations” means Regulations made under the Act; and

“Rules” means the Rules Governing the Operation of Bush Fire Brigades set out in the First Schedule.

- (2) In this local law, unless the context otherwise requires, a reference to –
- (a) a Captain;
 - (b) a First Lieutenant;
 - (c) a Second Lieutenant;
 - (d) any additional Lieutenants;
 - ~~(e) an Equipment Officer;~~
 - ~~(f) a Secretary;~~
 - ~~(g) a Treasurer; or~~
 - ~~(h) a Secretary / Treasurer combined;~~

means a person holding that position in a bush fire brigade.

1.3 Repeal

The ~~By-Laws of the Shire of York relating to the establishment, maintenance and equipment of Bush Fire Brigades for the District of York, published in the Government Gazette on 21 March 1941~~ ~~Local Laws relating to _____~~ are repealed.

1.4 Application

This local law applies throughout the district.

1.5 Commencement

This local law comes into operation on the fourteenth (14th) day after the date of its publication in the Government Gazette.

PART 2 – ESTABLISHMENT OF BUSH FIRE BRIGADES

Division 1 – Establishment of a bush fire brigade

2.1 Establishment of a bush fire brigade

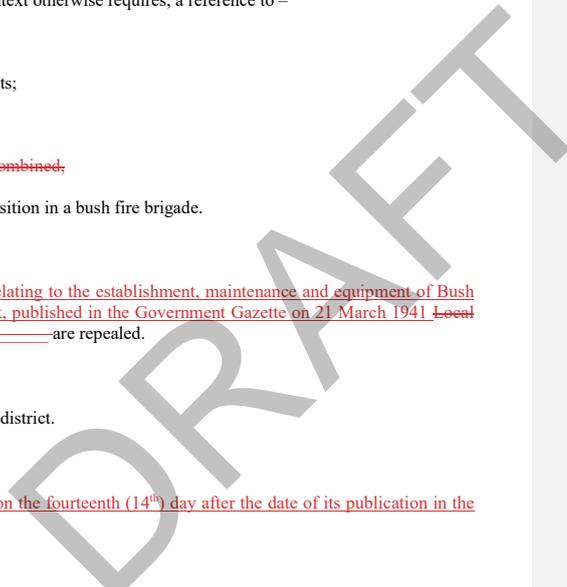
- (1) The local government may establish a bush fire brigade for the purpose of carrying out normal brigade activities.
- (2) A bush fire brigade is established on the date of the local government’s decision under subclause (1).

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2.2 Name and officers of bush fire brigade

- (1) On establishing a bush fire brigade under clause 2.1(1) the local government is to –
 - (a) give a name to the bush fire brigade;
 - (b) specify the area in which the bush fire brigade is primarily responsible for carrying out the normal brigade activities (the “brigade area”); and
 - (c) appoint –
 - (i) a Captain;
 - (ii) a First Lieutenant;
 - (iii) a Second Lieutenant;
 - (iv) additional Lieutenants if the local government considers it necessary; and
 - (v) ~~any other position deemed necessary for the effective management of brigade activities.~~
 - (vi) ~~an Equipment Officer;~~
 - (v) ~~a Secretary; and~~
 - (vi) ~~a Treasurer; or~~
 - (vii) ~~a Secretary/Treasurer combined.~~
- (2) When considering the appointment of persons to the positions in subclause (1)(c), the local government is to have regard to the qualifications and experience which may be required to fill each position.
- (3) A person appointed to a position in subclause (1)(c) is to be taken to be a brigade member.
- (4) The appointments referred to in subclause (1)(c) expire at the completion of the first annual general meeting of the bush fire brigade.
- (5) ~~An election is to be held at the first annual general meeting by the members of the bush fire brigade for appointments to the positions referred to in clause 2.2(1)(c) and every subsequent annual general meeting.~~
- (4)(6) If a position referred to in subclause (1)(c) becomes vacant prior to the completion of the first annual general meeting, then the local government is to appoint a person to fill the vacancy in accordance with subclause (2)

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Division 2 – Command at a fire

2.3 Ranks within the bush fire brigade

- (1) Where under the Act and Bush Fire Operating Procedures members of the bush fire brigade have command of a fire, unless a bushfire control officer is in attendance at the fire, the Captain has full control over other persons fighting the fire, and is to issue instructions as to the methods to be adopted by the firefighters. In the absence of the Captain, the first Lieutenant, and in the absence of the first, the second Lieutenant and so on, in the order of seniority determined, is to exercise all the powers and duties of the Captain.
- (2) Where a bushfire control officer is in attendance at a fire which the members of the bush fire brigade have command of under the Act and the Bush Fire Operating Procedures, the ~~first arriving bush fire control officer~~ ~~most senior bushfire control officer~~ has full control over other persons fighting the fire and is to issue instructions as to the methods to be adopted by the fire fighters. ~~Any change over in control must be mutually agreed upon or be on the instruction of a more senior ranked bush fire control officer. A handover must be completed with any change in command.~~

Division 3 – Application of Rules to a bush fire brigade

2.4 Rules

- (1) The Rules govern the operation of a bush fire brigade.
- (2) A bush fire brigade and each brigade member is to comply with the Rules as set out in Schedule 1.

Division 4 – Transitional

2.5 Existing Bush Fire Brigades

- (1) Where a local government has established a bush fire brigade prior to the commencement date, then on and from the commencement day –
 - (a) the bush fire brigade is to be taken to be a bush fire brigade established under and in accordance with this local law;
 - (b) the provisions of this local law apply to the bush fire brigade save for clause 2.2; and
 - (c) any rules governing the operation of the bush fire brigade are to be taken to have been repealed and substituted with the Rules.
- (2) In this clause –
“**commencement day**” means the day on which this local law comes into operation.

Division 5 – Dissolution of bush fire brigade

2.6 Dissolution of bush fire brigade

In accordance with section 41(3) of the Act, the local government may cancel the registration of a bush fire brigade if it is of the opinion that the bush fire brigade is not complying with the Act, this local law, the Bush Fire Operating Procedures or the Rules, or is not achieving the objectives for which it was established.

2.7 New arrangement after dissolution

If a local government cancels the registration of a bush fire brigade, alternative fire control arrangements are to be made in respect of the brigade area.

PART 3 - ORGANISATION AND MAINTENANCE OF BUSH FIRE BRIGADES

Division 1 – Local government responsibility

3.1 Local government responsible for structure

The local government is to ensure that there is an appropriate structure through which the organisation of bush fire brigades is maintained.

3.2 Officers to be supplied with Act

The local government is to supply each brigade officer with a copy of the Act, the Regulations, the Bush Fire Operating Procedures, this local law and any other written laws which may be relevant to the performance of the brigade officers' functions, and any amendments which are made thereto from time to time.

Division 2 – Chief Bush Fire Control Officer

3.3 Managerial role of Chief Bush Fire Control Officer

Subject to any directions by the local government the Chief Bush Fire Control Officer has primary managerial responsibility for the organisation and maintenance of bush fire brigades.

3.4 Chief Bush Fire Control Officer may attend meetings

The Chief Bush Fire Control Officer or her or his nominee (who is to be a bush fire control officer) may attend as a non-voting representative of the local government at any meeting of a bush fire brigade.

3.5 Duties of Chief Bush Fire Control Officer

The duties of the Chief Bush Fire Control Officer include –

- (a) provide leadership to volunteer bush fire brigades;
- (b) monitor bush fire brigades' resourcing, equipment (including protective clothing) and training levels and report thereon with recommendations at least once a year to the local government;
- (c) liaise with the local government concerning fire prevention / suppression matters generally and directions to be issued by the local government to bush fire control officers (including those who issue permits to burn) bush fire brigades or brigade officers;
- (d) ensure that bush fire brigades are registered with the local government and that lists of brigade members are maintained.

Division 3 – Annual general meetings of bush fire brigades

3.6 Holding of annual general meeting

A bush fire brigade is to hold its annual general meeting ~~during the month of March prior to 7 October~~ each year.

3.7 Nomination of bush fire control officers to Bush Fire Advisory Committee

At the annual general meeting of a bush fire brigade, ~~at least~~ one brigade member is to be nominated to the Bush Fire Advisory Committee to serve as the bush fire control officer for the brigade area until the next general meeting.

3.8 Nomination of bush fire control officer to the local government

If the local government has not established a Bush Fire Advisory Committee, then at the annual general meeting of a bush fire brigade, the bush fire brigade is to nominate ~~at least~~ one brigade member to the local government to serve as the bush fire control officer for the brigade area until the next annual general meeting.

3.9 Minutes to be tabled before the Bush Fire Advisory Committee

- (1) ~~The Secretary~~ Each bush fire brigade is to forward a copy of the minutes of ~~the its~~ annual general meeting of a bush fire brigade to the Chief Bush Fire Control Officer within one month after the meeting.
- (2) The Chief Bush Fire Control Officer is to table the minutes of a bush fire brigade's annual general meeting at the next meeting of the –
 - (a) Bush Fire Advisory Committee; or
 - (b) Council, if there is no Bush Fire Advisory Committee, following their receipt under subclause (1).

Division 4 – Bush Fire Advisory Committee

3.10 Functions of Advisory Committee

The Bush Fire Advisory Committee is to have the functions set out in section 67 of the Act and is to ~~typically comprise of all local government appointed bush fire control officers, all bush fire brigade~~

~~Captains, at least one Elected member of Shire Council and any other member as the local government sees fit, include such number of nominees of the bush fire brigades as is determined by the local government.~~

3.11 Advisory Committee to nominate bush fire control officers

As soon as practicable after the annual general meeting of each bush fire brigade in the district, the Bush Fire Advisory Committee is to nominate to the local government ~~from the all~~ persons nominated by each bush fire brigade ~~a person~~ for the position of a bush fire control officer for the brigade area.

3.12 Local government to have regard to nominees

When considering persons for the position of a bush fire control officer, the local government is to have regard to those persons nominated by the Bush Fire Advisory Committee, but is not bound to appoint the persons nominated.

3.13 Advisory Committee to consider bush fire brigade motions

The Bush Fire Advisory Committee is to make recommendations to the local government on all motions received by the Bush Fire Advisory Committee from bush fire brigades.

PART 4 – TYPES OF BUSH FIRE BRIGADE MEMBERSHIP

4.1. Types of membership of bush fire brigade

The membership of a bush fire brigade consists of the following –

- (a) fire fighting members;
- (b) associate members;
- (c) cadet members; and
- (d) honorary life members.

4.2 Fire fighting members

- (1) Fire fighting members are those persons being at least ~~16-18~~ years of age who undertake all normal bush fire brigade activities, ~~and have completed the required training qualifications as determined by the local government.~~
- (2) ~~A junior member who has reached 16 years of age and is under 18 years of age is eligible to be registered as a fire fighting or associate member if the brigade’s Captain is satisfied that the prospective member is able to perform the requisite duties and if they have parental/guardian consent.~~

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4.3 Associate members

Associate members are those persons who are willing to supply free vehicular transport for fire fighting members or fire fighting equipment, or who are prepared to render other assistance required by the bush fire brigade.

4.4 Cadet members

Cadet members are –

- (a) to be aged 11 to 15 years;
- (b) to be admitted to membership only with the consent of their parent or guardian;
- (c) admitted for the purpose of training and are not to attend or be in attendance at an uncontrolled fire or other emergency incident;
- (d) to be supervised by a fire fighting member when undertaking normal brigade activities as defined by paragraphs (c), (d), (e), (f) and (g) of section 35A of the Act;
- (e) ineligible to vote at bush fire brigade meetings;
- (f) not to be assigned ranks under the Department’s rank structure.

4.5 Honorary life member

~~(1)~~ The bush fire brigade may by a simple majority resolution appoint a person as an honorary life member in recognition of services by that person to the bush fire brigade.

~~(2)~~ Life members are to have a minimum of ten (10) years of service.

~~(3)~~ No membership fees are to be payable by an honorary life member.

4.6 Notification of membership

No later than ~~31 May~~ 14 November in each year, the bush fire brigade is to report to the Chief Fire Control Officer the name, contact details and type of membership of each brigade member.

PART 5 – APPOINTMENT DISMISSAL AND MANAGEMENT OF MEMBERS

5.1 Rules to govern

The appointment, dismissal and management of brigade members by the bush fire brigade are governed by the Rules.

PART 6 – EQUIPMENT OF BUSH FIRES BRIGADES

6.1 Policies of local government

The local government may make policies under which it –

- (a) provides funding to bush fire brigades for the purchase of protective clothing, equipment and appliances ~~and the provision of training~~; and
- (b) keeps bush fire brigades informed of opportunities for funding from other bodies.

~~6.2 Equipment in brigade area~~

~~Not later than 31 May in each year, the bush fire brigade is to report to the local government the nature, quantity and quality of all protective clothing, equipment and appliances of the bush fire brigade which are generally available within the brigade area (or at a station of the bush fire brigade).~~

~~6.2.2~~ Funding from local government budget

A request to the local government from the bush fire brigade for funding of protective clothing, equipment or appliance needs is to be received by the local government by 31 March in order to be

considered in the next following local government budget, ~~and is to be accompanied by the last audited financial statement and a current statement of assets and liabilities of the bush fire brigade.~~

6.46.3 Consideration in the local government budget

~~In addition to funding made available through emergency services grants, the local government may approve or refuse an application for provide further funding depending upon the assessment of budget priorities for the year in question, in accordance with Part 6 of the *Local Government Act 1995*.~~

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FIRST SCHEDULE

RULES GOVERNING THE OPERATION OF BUSH FIRE BRIGADES

PART 1 - PRELIMINARY

1.1 Interpretation

- (1) In these Rules, unless the context otherwise requires, where a term is used in these Rules and is defined in the local law, the Act or the Regulations, then the term is to be taken to have the meaning assigned to it in the local law, the Act or the Regulations, as the case may be.
- (2) In these Rules, unless the context otherwise requires –
 - “**absolute majority**” means a majority of more than 50% of the number of:
 - (a) brigade members of the bush fire brigade, whether in attendance at the meeting or not, if the majority is required at a meeting of the bush fire brigade; or
 - (b) brigade officers of the bush fire brigade, whether in attendance at the meeting or not, if the majority is required at a meeting of the Committee.
 - “**Committee**” means the Committee of the bush fire brigade;
 - “**local law**” means the ~~insert name of local government~~ Shire of York Bush Fire Brigades Local Law 2025; and
 - “**normal brigade activities**” is defined by section 35A of the Act
- (3) Subject to these Rules, where a decision is to be made by the bush fire brigade, then the decision may be made by a resolution passed by a simple majority of the brigade members who are present in person or by proxy at the meeting.
- (4) Subject to these Rules, where a decision is to be made by the Committee, then the decision may be made by a resolution passed by a simple majority of the brigade officers who are present in person or by proxy at the meeting.

PART 2 – OBJECTS AND MEMBERSHIP OF BUSH FIRE BRIGADE

2.1 Objects of bush fire brigade

The objects of the bush fire brigade are to carry out –

- (a) the normal brigade activities; and
- (b) the functions of the bush fire brigade which are specified in the Act, the Regulations and the local law.

2.2 Committee to determine applications

Applications for membership are to be determined by the Committee.

2.3 Conditions of membership

In relation to any type of membership, as described in Part 4 of the local law, the bush fire brigade may establish policies pertaining to –

- ~~(a)~~ the qualifications required;
- ~~(b)~~ ~~(a) fees payable, if any;~~
- ~~(c)~~ ~~(b) a requirement to serve a probationary period;~~

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~~(d)~~(c) procedures to be employed by the Committee prior to approval of an application for membership, and the Committee is to act within the parameters of any such policy in determining applications for membership.

2.4 Applications for membership

An application for membership ~~is to be in writing and is to be submitted to the Secretary and in the ease of must –~~

- ~~(a) be in the form determined by the CEO;~~
- ~~(b) be signed by the applicant;~~
- ~~(c) provide the information required in the form; and~~
- ~~(d) be forwarded to the Committee.~~
- ~~(a) an application for firefighting membership is to be accompanied by a completed form in the form of that in Appendix I.~~
- ~~(b) an application for associate membership is to be accompanied by a completed form in the form of that in Appendix II.~~
- ~~(c) an application for cadet membership is to be accompanied by a completed form in the form of that in Appendix III.~~

2.5 Decision on application for membership

- (1) The Committee may –
 - (a) approve an application for membership unconditionally or subject to any conditions; or
 - (b) refuse to approve an application for membership.
- (2) If the Committee refuses to approve an application for membership, it is to give written reasons for the refusal, as soon as practicable after the decision is made, to the applicant and the advice that the applicant has the right to object to the local government.

2.6 DFES to be notified of registrations

If any application for membership is approved, the ~~Secretary~~Committee of the bush fire brigade is to supply registration details to the ~~Department~~Shire of York within 14 days of a person being admitted to membership in the form required by the ~~Department~~Shire of York from time to time.

2.7 Termination of membership

- (1) Membership of the bush fire brigade terminates if the member –
 - (a) dies;
 - (b) gives written notice of resignation to the ~~Secretary~~Committee;
 - (c) is, in the opinion of the Committee, permanently incapacitated by mental or physical ill-health;
 - (d) is dismissed by the Committee; or
 - (e) ceases to be a member or is taken to have resigned under subclause (2)
- ~~(2) A brigade member whose membership fees are more than one year in arrears is to be taken to have resigned from the bush fire brigade.~~

2.8 Suspension of membership

- (1) Membership of the bush fire brigade may be suspended at any time if, in the opinion of the Committee, circumstances warrant suspending the member.
- (2) The period of suspension shall be at the discretion of the Committee.
- (3) Upon the expiry of the period of suspension the Committee may:
 - (a) extend the period of suspension;
 - (b) terminate the membership; or
 - (c) reinstate the membership.

2.9 Existing liabilities to continue

⊕ The resignation, or dismissal of a member under clause 2.7 does not affect any liability of the brigade member arising prior to the date of resignation or dismissal.

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2.10 Member has right of defence

A brigade member is not to be dismissed under clause 2.7(1)(d) without being given the opportunity to meet with the Committee and answer any charges which might give grounds for dismissal.

2.11 Objection Rights

A person whose -

- (a) application for membership is refused under clause 2.5(1)(b);
- (b) membership is terminated under clause 2.7(1)(c), clause 2.7(1)(d) or clause 2.8(3)(b); or
- (c) membership is suspended under clause 2.8(1) or clause 2.8(3)(a),

has the right of objection to the local government which may dispose of the objection by –

- (a) dismissing the objection;
- (b) varying the decision objected to; or
- (c) revoking the decision objected to, with or without –
 - (i) substituting for it another decision; or
 - (ii) referring the matter, with or without directions, for another decision by the Committee.

PART 3 – FUNCTIONS OF BRIGADE OFFICERS

3.1 Chain of command during fire fighting activities

Subject to the Act and the local law, the command procedures to apply during fire fighting activities are as detailed in the local government’s Bush Fire Operating Procedures.

3.2 Duties of Captain

- (1) Responsible for the leadership and management of the Brigade and its activities.
- (2) Act as a role model and mentor for members of the Brigade, acting with integrity and considering each member equally.
- (3) All decisions should be in the interest of the Brigade and its members.
- (4) Conduct Brigade briefings and post incident analysis of any incident involving firefighting or Brigade management matters.

⊕ Subject to subclauses (2) and (3) below, the Captain is to preside at all meetings.

- (6) The Captain may appoint another brigade officer to preside at a meeting.

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~~(2)(7)~~ In the absence of the Captain, the meeting may elect another person to preside at the meeting.

3.3 Duties of a Lieutenant

- ~~(1) Responsible for the operational management of the Brigade and its activities.~~
- ~~(2) The position reports to the Captain, providing both operational and administrative support in managing the Brigade.~~
- ~~(3) In the absence of the Brigade Captain, the Lieutenant assumes all powers, responsibilities and duties of that officer.~~
- ~~(4) The Brigade must rank all Lieutenants in seniority. This is to be determined by resolution at the Annual General Meeting.~~

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3.3 Secretary

- ~~(1) The Secretary is to –~~
 - ~~(a) be in attendance at all meetings and keep a correct minute and account of the proceedings of the bush fire brigade in a book which shall be open for inspection by brigade members at any reasonable time;~~
 - ~~(b) answer all correspondence or direct it appropriately, and keep a record of the same;~~
 - ~~(c) prepare and send out all necessary notices of meetings;~~
 - ~~(d) receive membership fees, donations and other monies on behalf of the bush fire brigade, and remit them to the Treasurer upon receipt;~~
 - ~~(e) complete and forward an incident report form in the form required by the Department to the Chief Bush Fire Control Officer and the Department within 14 days after attendance by the bush fire brigade at an incident;~~
 - ~~(f) maintain a register of all current brigade members which includes each brigade member's contact details and type of membership;~~
 - ~~(g) provide no later than 31 May in each year, a report to the Chief Bush Fire Control Officer detailing the name, contact details and type of membership of each brigade member.~~
- ~~(2) Where a bush fire brigade attends an incident on more than one day, the incident report form is to be completed and forwarded under subclause (1)(e) within 14 days after the last day of attendance.~~

3.4 Treasurer

The Treasurer is to –

- ~~(a) receive donations and deposits from the Secretary, and deposit all monies to the credit of the bush fire brigade's bank account;~~
- ~~(b) pay accounts as authorized by the Committee;~~
- ~~(c) keep a record of all monies received and payments made, maintain the accounts and prepare the balance sheet for each financial year;~~
- ~~(d) be the custodian of all monies of the bush fire brigade; and~~
- ~~(e) regularly inform the Secretary of the names of those brigade members who have paid their membership fees.~~
- ~~(f) report on the financial position at meetings of the bush fire brigade or Committee.~~

3.5 Equipment Officer

~~The Equipment Officer is responsible for the custody and maintenance in good order and condition of all protective clothing, equipment and appliances provided by the local government to the bush fire brigade (or of the bush fire brigade).~~

~~3.6 — Storage of equipment~~

- ~~(1) The Equipment Officer may store all of the equipment of the bush fire brigade at a place approved by the Captain (the "station").~~
- ~~(2) If there is to be more than one station in the brigade area, the Equipment Officer is to appoint in respect of each station a person who is responsible for the custody and maintenance in good order and condition of all equipment and appliances at the station, subject to any direction of the Equipment Officer.~~

~~3.7 — Equipment Officer to report~~

~~The Equipment Officer is to provide, no later than 31 May of each year, a report to the local government and bush fire brigade captain describing the nature, quantity and quality of all protective clothing, equipment and appliances of the bush fire brigade which are generally available within the bush fire brigade area (or at a station of the bush fire brigade).~~

PART 4 – COMMITTEE

4.1 Management of bush fire brigade

- (1) Subject to the provisions of these Rules, the administration and management of the affairs of the bush fire brigade are vested in the Committee.
- (2) Without limiting the generality of subclause (1), the Committee is to have the following functions –
 - (a) to recommend to the local government amendments to these Rules;
 - ~~(b) to draft the annual budget for the bush fire brigade and present it at the annual general meeting of the bush fire brigade;~~
 - ~~(c)~~ ~~(b)~~ to propose a motion for consideration at any meeting of the bush fire brigade;
 - ~~(d)~~ ~~(c)~~ to recommend to the local government equipment which needs to be supplied by the local government to the bush fire brigade;
 - ~~(e) to invest or place on deposit any of the funds of the bush fire brigade not immediately required to perform the normal brigade activities;~~
 - ~~(d)~~ ~~(d)~~ to delegate to a person, as from time to time thought fit, any functions (being less than the total functions of the Committee) on any conditions it thinks fit;
 - ~~(e)~~ ~~(c)~~ to do all things necessary or convenient in order to perform any of its functions and to secure the performance of the normal brigade activities by the bush fire brigade; and
 - ~~(f)~~ ~~(f)~~ deal with membership applications, grievances, disputes and disciplinary matters.

4.2 Constitution of Committee

- ~~(1)~~ The Committee of the bush fire brigade is to consist of the brigade officers being the Captain, Secretary, Treasurer, Equipment Officer and the Lieutenants of the bush fire brigade and all formally appointed bush fire control officers representing the brigade area.
- ~~(2)~~ ~~(2)~~ The brigade officers are to –
 - (a) be elected at the annual general meeting of the bush fire brigade;
 - (b) hold office until the next annual general meeting; and
 - (c) be eligible for re-election at the next annual general meeting.
- ~~(3)~~ ~~(3)~~ Any brigade officer may be removed from office by an absolute majority decision of the brigade members present in person or by proxy at a special meeting called for such a purpose.
- ~~(4)~~ ~~(4)~~ The Committee may appoint a brigade member to fill a vacancy in any office arising from a resolution under subclause (3) or which has arisen for any other reason.

PART 5 – MEETINGS OF BUSH FIRE BRIGADE

5.1 A meeting may be held –

- ~~(1)~~ in person;
- ~~(2)~~ via Microsoft Teams (or similar video conferencing solution); or
- ~~(3)~~ via telephone or conference call.

5.2 Ordinary meetings

- (1) Ordinary meetings may be called at any time by ~~the Secretary~~ any member of the Committee by giving at least 7 days notice to all brigade members and to the Chief Fire Control Officer, for the purpose of –

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- (a) organising and checking equipment;
 - (b) requisitioning new or replacement equipment;
 - (c) organising field excursions, training sessions, hazard reduction programs, and the preparation of fire-breaks;
 - (d) establishing new procedures in respect of any of the normal brigade activities; and
 - (e) dealing with any general business.
- (2) In a notice given under subclause (1), the ~~Secretary-notice~~ is to specify the business which is to be conducted at the meeting.
 - (3) Business may be conducted at an ordinary meeting of the bush fire brigade notwithstanding that it was not specified in a notice given under subclause (1) in relation to that meeting.

5.32 Special meetings

- (1) The ~~Secretary-Committee~~ is to call a special meeting when ~~five~~ (5) or more brigade members request one in writing.
- (2) At least ~~two~~ (2) days notice of a special meeting is to be given by the ~~Secretary-Committee~~, to all brigade members and to the Chief Bush Fire Control Officer.
- (3) In a notice given under subclause (2) the ~~Secretary-notice~~ is to specify the business which is to be conducted at the meeting.
- (4) No business is to be conducted at a special meeting beyond that specified in a notice given under subclause (2) in relation to that meeting.

5.34 Annual ~~general-General meeting~~Meeting

- (1) At least 7 days notice of the annual general meeting is to be given by the ~~Secretary-Committee~~ to all brigade members and to the Chief Bush Fire Control Officer.
- (2) At the annual general meeting the bush fire brigade is to –
 - (a) elect the brigade officers from among the brigade members;
 - (b) consider the Captain's report on the year's activities;
 - ~~(c) adopt the annual financial statements;~~
 - ~~(d) appoint an Auditor for the ensuing financial year in accordance with clause 5.6; and~~
 - ~~(c)~~ deal with any general business.
- (3) In a notice given under subclause (1), the ~~Secretary-Committee~~ is to specify the business which is to be conducted at the meeting.
- (4) Business may be conducted at an annual general meeting notwithstanding that it was not specified in a notice given under subclause (1) in relation to that meeting.

5.45 Quorum

- (1) The quorum for a meeting of the bush fire brigade is at least 50% of the number of offices (whether vacant or not) ~~and five (5) additional-of~~ members of the bush fire brigade.
- (2) No business is to be transacted at a meeting of the bush fire brigade unless a quorum of brigade members is present in person or by proxy.

5.56 Voting

Each brigade member is to have one vote, however in the event of an equality of votes, the Captain (or person presiding) may exercise a casting vote.

~~5.67 Auditor~~

- ~~(1) At the annual general meeting a person, not being a brigade member, is to be appointed as the Auditor of the bush fire brigade for the ensuing financial year.~~
- ~~(2) The Auditor is to audit the accounts of the bush fire brigade not less than 7 days before the annual general meeting and is to certify to their correctness or otherwise and present a report at the annual general meeting.~~

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PART 6 – MEETINGS OF COMMITTEE

6.1 Meetings Of Committee

- (1) The Committee is to meet for the despatch of business, adjourn and otherwise regulate its meeting as it thinks fit.
- (2) The Captain or ~~Secretary~~ Lieutenant may convene a meeting of the Committee at any time.

6.2 Quorum

No business is to be transacted at a meeting of the Committee unless a quorum of 3 brigade officers are present in person.

6.3 Voting

Each brigade officer is to have one vote, however in the case of an equality of votes, the Captain (or person presiding) may exercise a casting vote.

PART 7 – GENERAL ADMINISTRATION MATTERS

~~7.1 Fees~~

- ~~(1) The membership fees, if any, for each type of member for the ensuing 12 months are to be determined by the bush fire brigade at the annual general meeting.~~
- ~~(2) Subject to subclause (3), a member is to pay the membership fees for her or his type of membership on or before 1 May.~~
- ~~(3) The bush fire brigade may exempt a brigade member, or a class of membership, from the payment of membership fees, for such period and on such conditions as the bush fire brigade may determine.~~

~~7.2 Funds~~

~~The funds of the bush fire brigade are to be used solely for the purpose of promoting the objects of the bush fire brigade.~~

~~7.3 Financial year~~

~~The financial year of the bush fire brigade is to commence on 1 July and is to end on 30 June of the following year.~~

~~7.4 Banking~~

- ~~(1) The funds of the bush fire brigade are to be placed in a bank account and are to be drawn on only by cheques signed jointly by any 2 of the Captain, Secretary or Treasurer.~~
- ~~(2) If the Secretary/Treasurer is a combined position, the Captain and Secretary/Treasurer are to sign the cheques referred to in subclause (1).~~

7.5 Disclosure of interests

- (1) A brigade member shall disclose to the bush fire brigade or Committee any financial interest (whether direct or indirect) he or she may have in any matter being considered by the bush fire brigade or Committee, as appropriate.
- (2) If a financial interest has been disclosed under subclause (1), then the bush fire brigade or Committee, as appropriate, is to decide, in the absence of the brigade member who disclosed that interest, whether or not the brigade member is to be permitted to vote on that matter.
- (3) Where the bush fire brigade or Committee, as appropriate, decides under subclause (2), that a brigade member is not to be permitted to vote on a matter, and the brigade member votes on the matter, then her or his vote is to be taken to have no effect and is not to be counted.

7.6 Disagreements

- (1) Any disagreement between brigade members may be referred to either the Captain or to the Committee.
- (2) Where a disagreement in subclause (1) is considered by the Captain or the Committee to be of importance to the interests of the bush fire brigade, then the Captain or the Committee, as the case may be, is to refer the disagreement to the annual general meeting, an ordinary meeting or a special meeting of the bush fire brigade.
- (3) The local government is the final authority on matters affecting the bush fire brigade, and may resolve any disagreement which is not resolved under subclause (1) or (2).

PART 8 – NOTICES AND PROXIES

8.1 Notices

- (1) Notices of meetings of the bush fire brigade are to be in writing and sent by ordinary post ~~or~~ electronic communication to the registered address of each brigade member.
- (2) Notices of meetings of the Committee may be given in writing in accordance with subclause (1) or by such other means as the Committee may decide (by an absolute majority) at a meeting of the Committee.
- (3) Any accidental omission to give notice of a meeting to, or non-receipt by a person entitled to receive such notice, is not to invalidate the meeting the subject of the notice or any resolutions passed at the meeting.
- (4) Where any notice other than a notice of meeting is to be given under these Rules, the notice is to be –
 - (a) in writing;
 - ~~(b) unless otherwise specified, given to or by the Secretary;~~
 - ~~(b)~~ given by –
 - (i) personal delivery;
 - ~~(ii) electronic communication;~~
 - ~~(iii)~~ post; or
 - ~~(iii)~~ (iv) facsimile transmission;
 - ~~(c)~~ taken to have been received, as the case may be –
 - ~~(i) at the time of personal delivery;~~
 - ~~(ii) on the following day after sending an electronic communication;~~
 - ~~(iii)~~ 2 business days after posting; or
 - ~~(iii)~~ (iv) on the printing of the sender’s transmission report.

8.2 Proxies

- (1) Where under these Rules a brigade member may vote by proxy, in order for the proxy to so vote, the brigade member or the proxy shall give a notice in the form of that appearing in this clause, to the ~~Secretary-Committee~~ or the person presiding at the meeting before the start of the meeting at which the proxy is to be used.
- (2) A proxy is to be valid for the meeting for which it is given and for any adjournments of that meeting.
- (3) A proxy shall be valid for the number of votes to which the brigade member is entitled.
- (4) If the donor of the proxy does not give any indication of the manner in which the proxy is to vote, the proxy shall be entitled to vote or not vote as he or she thinks fit.
- (5) A proxy shall be entitled to speak on behalf of the donor of the proxy.
- (6) All forms appointing proxies deposited under subclause (1) are to be retained by the ~~Secretary-Committee~~ for not less than 28 days after the conclusion of the meeting to which they relate but if there is any objection to the validity of any vote -at the meeting, they are to be retained until the determination of that objection.
- (7) The form appointing a proxy shall be in writing and signed by the brigade member appointing the proxy and shall be in or substantially in the form set out below -

“PROXY

~~[INSERT NAME]~~ SHIRE OF YORK BUSH FIRE BRIGADE
~~[INSERT BRIGDE NAME]~~

[ANNUAL] [EXTRAORDINARY] GENERAL MEETING
TO BE HELD ON [DATE]

I, _____,
Being a brigade member appoint _____
to be my proxy and vote on my behalf at the meeting of
the bush fire brigade to be held on [insert date] and at any
adjournment of it. The proxy shall vote as follows:

MOTION FOR AGAINST ABSTAIN

- 1.
- 2.

If there is no instruction to the proxy as to the way to vote,
the proxy shall exercise her or his discretion as to how to
vote or whether to vote at all. In respect of any vote taken
at the meeting on a matter which does not appear on the
agenda, the proxy shall exercise her or his discretion as to
the way he or she casts the vote or whether it is cast at all.

Date: _____

Signed: _____

NOTE: To be valid this proxy must be completed and
returned to the ~~Secretary~~ Committee of the bush fire
brigade (or the presiding member) prior to the
commencement of the meeting for which the proxy is
valid.

Dated this day of 20~~0~~.....

APPENDIX I

APPLICATION FOR MEMBERSHIP FIRE FIGHTING MEMBER

I make application to be a fire fighting member of the Bush Fire Brigade:

Applicant's Name _____

My private address is _____

My business address is _____

Usual Occupation _____

I can be contacted on:

Telephone No: (Home) (Work) Mobile _____

Fax No: (Home) (Work) _____

CB Radio Channel Call Sign _____

If needed, I can provide my own transport to the scene of any outbreak. (This line to be struck out if not applicable)

I hold a current driver's licence No. _____ Classes _____

I declare that I am at least 16 years of age and in good health with no known medical conditions which might limit my capacity to fight fires.

I give these undertakings—

- (1) to promote the objects of the bush fire brigade as far as is in my power;
- (2) to be governed by the provisions of the Bush Fires Act 1954 and the Regulations made under that Act, and the local law and policies of the *insert name of local government* relevant to fire control and bush fire brigades;
- (3) to use my best endeavours to give assistance in fire fighting measures when called upon and on such occasions to obey all orders and instructions issued by duly authorized officers of the bush fire brigade or the local government;
- (4) to comply with the Rules of the bush fire brigade.

Date _____

Applicant's signature _____

Please list here any fire fighting equipment owned by you.

- 1. _____
- 2. _____
- 3. _____

BUSH FIRE BRIGADE USE ONLY:

APPROVED / DECLINED

Signed: _____
Brigade Captain

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APPENDIX H
APPLICATION FOR MEMBERSHIP—ASSOCIATE MEMBER

I make application to be an associate member of the _____ Bush Fire Brigade.

(a) I am prepared to offer to transport fire fighting members and/or equipment to the scene of any outbreak when called upon. I have a motor vehicle of the following type _____ available for such purpose.

MDL No: _____ Classes: _____

(b) I am prepared to offer my services in the following capacity:-

(paragraph (a) or (b) above may be struck out if not applicable)

Applicant's Name _____

My private address is _____

My business address is _____

I can be contacted on:

Telephone No: _____ (Home) _____ (Work) _____ Mobile _____

Fax No: _____ (Home) _____ (Work) _____

CB Radio: _____ Channel _____ Call Sign _____

I give these undertakings—

- (1) to promote the objects of the bush fire brigade as far as is in my power;
- (2) to be governed by the provisions of the *Bush Fires Act 1954* and any Regulations made under the Act and the local law and policies of the *insert name of local government* relevant to fire control and bush fire brigades;
- (3) to use my best endeavours to assist in normal bush fire brigade activities as an associate member when called upon;
- (4) to comply with the Rules of the bush fire brigade.

Date _____

Applicant's signature _____

BUSH FIRE BRIGADE USE ONLY:

APPROVED / DECLINED

Signed: _____

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**APPENDIX III
APPLICATION FOR MEMBERSHIP – CADET MEMBER**

I make application to be a cadet member of the _____ Bush Fire Brigade.

Applicant's Name _____

My private address is _____

I can be contacted on:

Telephone No: _____ (Home) _____ (Work)

Fax No: _____ (Home) _____

CB Radio: _____ Channel _____ Call Sign _____

I declare that I am _____ years of age and in good health.

Date of Birth: _____

I give these undertakings—

- (1) to promote the objects of the bush fire brigade as far as is in my power;
- (2) to be governed by the provisions of the *Bush Fires Act 1954* and the Regulations made under that Act, and the local law and policies of the *insert name of local government* relevant to the activities of cadet members;
- (3) to obey all orders and instructions issued by duly authorized officers of the bush fire brigade or the local government;
- (4) to comply with the Rules of the bush fire brigade.

Date _____

Applicant's signature _____

PARENT / GUARDIAN CONSENT:

I _____ being the parent/guardian of the above applicant, consent to him/her being a cadet member of the _____ Bush Fire Brigade, in accordance with the rules applicable to cadet membership.

Signed _____

BUSH FIRE BRIGADE USE ONLY:

APPROVED / DECLINED

Signed: _____
_____ Brigade Captain

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SHIRE OF YORK BUSH FIRE BRIGADES LOCAL LAW 2024 - NOTES		
Clause No.	Action	Comment
PART 1 - PRELIMINARY		
1.2 (1)	Modify	Change definition of “brigade member” to better suit York brigade structures.
1.2 (1)	Modify	Modify definition of “fire fighting member” to include the requirement to be registered.
1.2 (1)	New	Added definition of “normal brigade activities” on recommendation of DFES.
1.2(2)	Delete	Remove Equipment Officer, Secretary, Treasurer from list of positions of bush fire brigade. These positions are not held within Shire of York Bush Fire Brigades.
1.3	Add	Addition of details around repealing old By-Law, published in the Government Gazette on 21 March 1941.
1.5	New	New clause regarding when Local Law takes effect.
PART 2 – ESTABLISHMENT OF BUSH FIRE BRIGADES		
2.2 (1)(c)	Modify	Shire of York Bush Fire Brigades are non-financial and do not operate with the roles of Secretary or Treasurer. Removal of The Community Emergency Services Manager is responsible for managing bush fire brigade PPE and equipment. Addition of option to appoint other positions if the need arises in the future.
2.2 (5)	New	Provides additional clarity for how and when positions are appointed, at the Annual General Meetings (AGM).
2.3 (2)	Modify	Add clarity around seniority of the bush fire control officer and the control of persons fighting a fire.
PART 3 – ORGANISATION AND MAINTENANCE OF BUSH FIRE BRIGADES		
3.6	Modify	Change AGM date from March to October on request of Shire of York Bush Fire Control Officers (BFCOs) as it is best to occur prior to the fire season.
3.7	Modify	Change nominations to be at least one brigade member as most brigades have more than one BFCO.
3.8	Modify	Change nominations to be at least one brigade member as most brigades have more than one BFCO.
3.9(1)	Modify	Responsibility of each brigade to provide AGM minutes to the Chief BFCO.
3.10		Specify membership of BFAC to ensure all appointed BFCOs and Captains are automatically included, in addition to the legislated Elected Member.
3.11	Modify	Wording change to allow for more than one BFCO per brigade.
PART 4 – TYPES OF BUSH FIRE BRIGADE MEMBERSHIP		
4.2	Modify	Change age limit to 18 years and addition of requirement to have completed training as determined by the Shire, in line with new Work Health and Safety legislation (<i>Work Health and Safety Act 2020</i>). Any member over 16 years and under 18 years is to have parental/guardian consent and have the brigade Captain’s endorsement.
4.5 (2)	New	Additional requirement for life members to have at least 10 years of service.
4.6	Modify	Change 31 May to 14 November to be in line with fire season.

<i>PART 5 – APPOINTMENT AND DISMISSAL AND MANAGEMENT OF MEMBERS</i>		
<i>PART 6 – EQUIPMENT OF BUSH FIRE BRIGADES</i>		
6.1(a)	Modify	The Shire is to provide training in addition to PPE, equipment and appliances.
6.2	Delete	Removal of requirement for brigade to report on equipment, appliances and PPE. These are the responsibility of the Shire’s Community Emergency Services Manager.
6.3	Delete	Removal of requirement to provide audited financial statement and statement of assets and liabilities. Shire of York bush fire brigades are not financial.
6.4	Modify	Provision of additional clarity around funding – in addition to grants, funding may be available through the Shire’s budget setting process.
<i>FIRST SCHEDULE</i>		
<i>PART 1 - PRELIMINARY</i>		
<i>PART 2 – OBJECTS AND MEMBERSHIP OF BUSH FIRE BRIGADE</i>		
2.3 (b)	Delete	Delete clause relating to paying fees.
2.4	Modify	Change requirements for how to apply for membership to suit current process via DFES standard form and allow for changes in the future
2.6	Modify	No secretary so onus is on each brigade committee, and registration details are to be provided to the Shire.
2.7(1)(b)	Modify	Resignation to be provided to the Committee as there is no Secretary.
2.7(2)	Delete	Removal of default clause as no fees applicable.
<i>PART 3 – FUNCTIONS OF BRIGADE OFFICERS</i>		
3.2	Modify	Added description of Captain’s duties and option for Captain to nominate another brigade officer to preside at the meeting.
3.3	New	Added description of responsibilities of a Lieutenant.
3.3	Delete	No Secretary.
3.4	Delete	No Treasurer.
3.5	Delete	No Equipment Officer – Managed by CESM.
3.6	Delete	Equipment is managed by CESM.
3.7	Delete	Equipment is managed by CESM.
<i>PART 4 - COMMITTEE</i>		
4.1(2)(b)	Delete	No budget brigades are non-financial.
4.1(2)(e)	Delete	No budget brigades are non-financial.
4.2(1)	Delete	Remove Secretary, Treasurer and Equipment Officer.
4.2(1)	Modify	Include appointed BFCOs for the brigade area as committee members of a bush fire brigade.
<i>PART 5 – MEETINGS OF BUSH FIRE BRIGADE</i>		
5.1	New	Additional clause to enable remote attendance to meetings to ensure they can occur with a quorum.
5.2(1)	Modify	Meetings can be called by anyone on the Committee given there is no secretary.
5.2(2)	Modify	The notice is to specify the business, not specifically provided by the secretary.
5.3(1)	Modify	Meetings can be called by anyone on the Committee.
5.3(2)	Modify	Committee to provide notice
5.3(3)	Modify	The notice is to specify the business, not specifically the secretary
5.4(1)	Modify	Replace Secretary with Committee.
5.4(2)(c)	Delete	Non-financial, no financial statements to adopt.
5.4(2)(d)	Delete	Non-financial, no audit requirement.
5.4(3)	Modify	Replace Secretary with Committee.

5.5(1)	Modify	Add requirement for 5 other members to vote to ensure good governance.
5.7	Delete	Removal of requirement for auditor.
<i>PART 6 – MEETINGS OF COMMITTEE</i>		
6.1(2)	Modify	Replace Secretary with Lieutenant to better represent committee structure.
<i>PART 7 – GENERAL ADMINISTRATION MATTERS</i>		
7.1	Delete	Not financial – no membership fees.
7.2	Delete	Not financial – no funds that are brigade managed.
7.3	Delete	Not financial – no requirement to specify financial year.
7.4	Delete	Not financial – no requirement to bank any funds.
<i>PART 8 – NOTICES AND PROXIES</i>		
8.1(1)	Modify	Add ability to send notice of meeting via electronic means.
8.1(4)(b)	Delete	No Secretary.
8.1(4)(c)	Modify	Add option to provide notice by electronic communication.
8.1(4)(d)	Modify	Add specification for when an electronic communication can be assumed to have been received.
8.2(1)	Modify	Replace Secretary with Committee.
8.2(6)	Modify	Replace Secretary with Committee.
PROXY FORM	Modify	Replace Secretary with Committee
Appendix1-3	Delete	Applications are made using standard DFES forms.

SY043-04/25 DRAFT LAND LEASE - YORK & DISTRICT CO-OPERATIVE LTD**Disclosure of Interest – Cr Trent – Financial – SY043-04/25 - Draft Land Lease - York & District Co-operative Ltd**

Cr Trent read the Financial Declaration - ... With regard to Draft Land Lease - York & District Co-operative Ltd, the matter in Item SY043-04/25, I disclose that I have an association with the applicant (or person seeking a decision). The association is I am a shareholder in the York & District Co-Operative. In accordance with the correspondence from the Department of Local Government, Sport and Cultural Industries dated 22 April 2025 Ref E25078222, via authority delegated by the Minister for Local Government, approval has been granted under Section 5.69(3)(a) of the Local Government Act 1995 for me to participate in the debate and vote on the matter.

Disclosure of Interest – Cr Smythe – Financial – SY043-04/25 - Draft Land Lease - York & District Co-operative Ltd

Cr Smythe read the Financial Declaration - ... With regard to Draft Land Lease - York & District Co-operative Ltd, the matter in Item SY043-04/25, I disclose that I have an association with the applicant (or person seeking a decision). The association is I am a shareholder in the York & District Co-Operative. In accordance with the correspondence from the Department of Local Government, Sport and Cultural Industries dated 22 April 2025 Ref E25078222, via authority delegated by the Minister for Local Government, approval has been granted under Section 5.69(3)(a) of the Local Government Act 1995 for me to participate in the debate and vote on the matter.

Disclosure of Interest – Cr Wright – Financial – SY043-04/25 - Draft Land Lease - York & District Co-operative Ltd

Cr Wright read the Financial Declaration - ... With regard to Draft Land Lease - York & District Co-operative Ltd, the matter in Item SY043-04/25, I disclose that I have an association with the applicant (or person seeking a decision). The association is I am a shareholder in the York & District Co-Operative. In accordance with the correspondence from the Department of Local Government, Sport and Cultural Industries dated 22 April 2025 Ref E25078222, via authority delegated by the Minister for Local Government, approval has been granted under Section 5.69(3)(a) of the Local Government Act 1995 for me to participate in the debate and vote on the matter.

A copy of the correspondence from the Department of Local Government, Sport and Cultural Industries which contains the approval given and any conditions imposed is presented in Appendix 4.

File Number: 4.4919

Author: Anneke Birleson, Manager Governance & People

Authoriser: Alina Behan, Acting Chief Executive Officer

Previously before Council: 20 December 2022 (081222)
28 March 2023 (370323)
19 December 2023 (071223)
27 February 2024 (080224)

Disclosure of Interest: Nil

Appendices:

1. Quick Win Project #3 - York CBD Revitalisation Plan Report [↓](#)
2. Current MOU - Updated February 2024 [↓](#)
3. Draft Lease Agreement - Portion Lot 4 (142) Avon Tce, York - Confidential
4. Ministerial Approval for Participation [↓](#)

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

This report presents a draft land lease agreement with the York & District Co-operative Ltd (York Co-op) to Council for consideration.

BACKGROUND

Enacting the Shire's Strategic Community Plan and Access and Inclusion Plan, the Shire engaged Town Team Movement, in 2022 to refine the community voice through purposeful and focused community engagement specifically around revitalisation of the York Central Business District.

The outcome of this work was a CBD Revitalisation Plan and toolkit. Part of the plan included Quick Win projects, activation ideas and longer term projects. Around the time of this taking place, the York Home Hardware store at 142 Avon Terrace, York had closed and been re-located.

The section of Macartney Street between Avon Terrace and Lowe Street was identified as a Quick Win Project location within the York CBD Revitalisation Plan. An excerpt from the Plan is presented in Appendix 1.

The demolition of the existing building and Quick Win Project presented an opportunity for York Co-op and the Shire to work together to realise value to the community in activating these spaces and to address community's desire for more street greening, shade, seating and toilets.

York Co-op are the owners of Lot 4 (142) Avon Terrace, York, shown on aerial image below:



To formalise an in-principle agreement between both parties as to shared objectives and commitments for the future use of all or part of the land, a Memorandum of Understanding (MOU) has been in place since December 2022. The parties have met regularly and the MOU has been reviewed and updated as progress is made towards the intended outcomes.

The MOU was last updated in February 2024 and is presented as Appendix 2 for reference.

At its December 2023 Meeting Council considered the Concept Plan and resolved (071223):

“That, with regard to the Concept Plan - York & District Co-operative Ltd - Old Hardware Site - Lot 4 (142) Avon Terrace, York, Council:

- 1. Accepts the Concept Plan for Lot 4 (142) Avon Terrace, York, as presented in Appendix 1.***
- 2. Directs the Chief Executive Officer to continue working with the York & District Co-operative Ltd to develop detailed designs for the site and determine the legal agreement for the long-term use of the land (Lot 4 (142) Avon Terrace, York).***

3. Notes the detailed designs and draft legal agreement(s) will be presented to Council for consideration once developed.”

COMMENTS AND DETAILS

The Shire are now in a position where some initial development of the site can commence. To enable this, the Shire and York Co-op need to have a legal agreement in place, defining responsibilities and liabilities and how the relationship is to be managed long term.

A draft lease for the portion of land that the Shire is to develop as a community space, is presented in Confidential Appendix 3.

The draft lease has been endorsed by the York Co-op Board, confirmed via email from the York Co-op Chief Executive Officer on 7 April 2025.

By entering into this lease, the Shire is effectively acquiring a land asset. In addition, clause 15.4 of the draft lease agreement specifies that if the Lessor (York Co-op) decides to sell the land the Lessee (the Shire) will have first offer to negotiate said purchase.

Section 3.59 of the *Local Government Act 1995* specifies a process in relation to commercial enterprises by local governments. For example, when a local government enters into a land transaction that is preparatory to entry into a major land transaction it is considered a commercial enterprise. Entering an agreement where the Shire is to develop the land would be considered a land transaction under Section 3.59 and the potential future purchase of the land could be considered a major land transaction, depending on the value at the time purchase.

However, in accordance with Regulation 8 of *Local Government (Functions and General) Regulations 1996*, a land transaction is exempt for the purposes of section 3.59 if the Shire enters into it without intending to produce profit to itself and without intending that another person will be sold, or given joint or exclusive use of, all or any of the land involved in the transaction.

The intent of the Shire is utilise this space for community purpose. There is no plan to generate a profit from the activities on the land or from the land itself. Therefore, the Shire is exempt from the requirements of Section 3.59 in relation to the agreement and potential purchase of this portion of land.

Key proposed lease terms are provided below:

Proposed Lease Terms

a. Purpose

Community Purpose, including toilets, shade structures, walkways and gardens and uses reasonably ancillary thereto.

b. Rent

Equal to the rates charged on the entire of Lot 4, excluding additional charges for services, imposed on the non-leased portion of Lot 4.

c. Term

An initial term of ten (10) years is proposed commencing 1 May 2025 with the option of a further three (3) five (5) years terms.

d. Insurance

The Shire (Lessee) must effect and maintain the following insurances as a minimum:

- a. Public Liability of not less than twenty million dollars (\$20,000,000)
- b. Contents insurance to cover the Lessee's equipment
- c. Any applicable employer's insurance (for example, workers compensation insurance)
- d. Insurances to cover any damage and/or theft to the Lessee's property

The York Co-op (Lessor) is not required to take out or maintain any insurance in respect of the land or the improvements.

e. Firebreaks

The Shire is responsible for the management of the land including installing and maintaining the firebreaks, in accordance with the *Bush Fires Act 1954* and the Lessor's reasonable requirements.

f. Development

Any development proposals would require a development approval.

g. Casual Hire

The lessee may hire out the Grounds on a casual basis, provided the use is consistent with the permitted purpose and the lessee obtains prior written consent from the York Co-op. This clause will enable the Shire to provide the space to the community.

OPTIONS

Council has the following options:

Option 1: Council could choose to authorise the Shire President and Chief Executive Officer to sign the land lease agreement between the Shire of York and the York Co-op, as presented in Appendix 3.

Option 2: Council could choose to reject the request for endorsement of the lease with the York Co-op.

Option 3: Council could choose to request changes to the terms and conditions of the draft lease.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

York Co-op representatives

Community engagement and consultation

Strategic

Strategic Community Plan 2020-2030

Goal 1: The Place to be

To be a close-knit community, full of life, in a welcoming and accessible place for all.

Goal 4: Our Built Environment

To have a built environment which support community, economy and the environment, respects the past and creates a resilient future.

Goal 5: Strong Leadership and Governance

To have effective and responsive leadership and governance, where a sense of collective purpose and shared direction combine to work together.

Policy Related

Nil

Financial

The 2024/25 Rates and Emergency Services Levy for the entire property totalled \$5023.66. Considering the proposed developments on the land under the lease, the future impact to the Gross Rental Value and therefore, the rates and ESL is likely to be immaterial.

Legal and Statutory**Local Government Act 1995****“3.59. Commercial enterprises by local governments**

(1) *In this section —*

acquire has a meaning that accords with the meaning of **dispose**;

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

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

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

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

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

major trading undertaking means a trading undertaking that —

- (a) in the last completed financial year, involved; or
- (b) in the current financial year or the financial year after the current financial year, is likely to involve, expenditure by the local government of more than the amount prescribed for the purposes of this definition, except an exempt trading undertaking;

trading undertaking means an activity carried on by a local government with a view to producing profit to it, or any other activity carried on by it that is of a kind prescribed for the purposes of this definition, but does not include anything referred to in paragraph (a) or (b) of the definition of **land transaction**.

(2) *Before it —*

- (a) commences a major trading undertaking; or
- (b) enters into a major land transaction; or
- (c) enters into a land transaction that is preparatory to entry into a major land transaction, a local government is to prepare a business plan.

(3) *The business plan is to include an overall assessment of the major trading undertaking or major land transaction and is to include details of —*

- (a) its expected effect on the provision of facilities and services by the local government; and
- (b) its expected effect on other persons providing facilities and services in the district; and
- (c) its expected financial effect on the local government; and
- (d) its expected effect on matters referred to in the local government's current plan prepared under section 5.56; and
- (e) the ability of the local government to manage the undertaking or the performance of the transaction; and
- (f) any other matter prescribed for the purposes of this subsection.

(4) *The local government is to —*

- (a) give Statewide public notice stating that —
 - (i) the local government proposes to commence the major trading undertaking or enter into the major land transaction described in the notice or into a land transaction that is preparatory to that major land transaction; and
 - (ii) a copy of the business plan may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed undertaking or transaction may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;and
 - (b) make a copy of the business plan available for public inspection in accordance with the notice; and
 - (c) publish a copy of the business plan on the local government's official website.
- (5) After the last day for submissions, the local government is to consider any submissions made and may decide* to proceed with the undertaking or transaction as proposed or so that it is not significantly different from what was proposed.
- * Absolute majority required.
- (6) If the local government wishes to commence an undertaking or transaction that is significantly different from what was proposed it can only do so after it has complied with this section in respect of its new proposal.
- (7) The local government can only commence the undertaking or enter into the transaction with the approval of the Minister if it is of a kind for which the regulations require the Minister's approval.
- (8) A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.
- (9) A local government can only enter into an agreement, or do anything else, as a result of which a land transaction would become a major land transaction if it has complied with the requirements of this section that apply to entering into a major land transaction, and for the purpose of applying this section in that case a reference in it to entering into the transaction includes a reference to doing anything that would result in the transaction becoming a major land transaction.
- (10) For the purposes of this section, regulations may —
- (a) prescribe any land transaction to be an exempt land transaction;
 - (b) prescribe any trading undertaking to be an exempt trading undertaking.”

Local Government (Functions and General) Regulations 1996

“8. Exempt land transactions prescribed (Act s. 3.59)

- (1) A land transaction is an exempt land transaction for the purposes of section 3.59 of the Act if the local government enters into it —
- (a) without intending to produce profit to itself; and
 - (b) without intending that another person will be sold, or given joint or exclusive use of, all or any of the land involved in the transaction.

2. **Authorises the Shire President and Chief Executive Officer to endorse the lease documentation and apply the common seal, as per the terms and conditions of the lease.**
3. **Notes any development proposals will require development approval to be in line with the permitted use.**
4. **Authorises the Chief Executive Officer to make any minor typographical and formatting changes to the lease prior to signing.**

In Favour: Crs Kevin Trent, Denis Warnick, Chris Gibbs, Kevin Pyke, Denese Smythe and Peter Wright

Against: Nil

CARRIED 6/0

QUICK WIN PROJECT #3

McCartney Street Prototype

Location: McCartney Street between Avon Terrace and Lowe Street

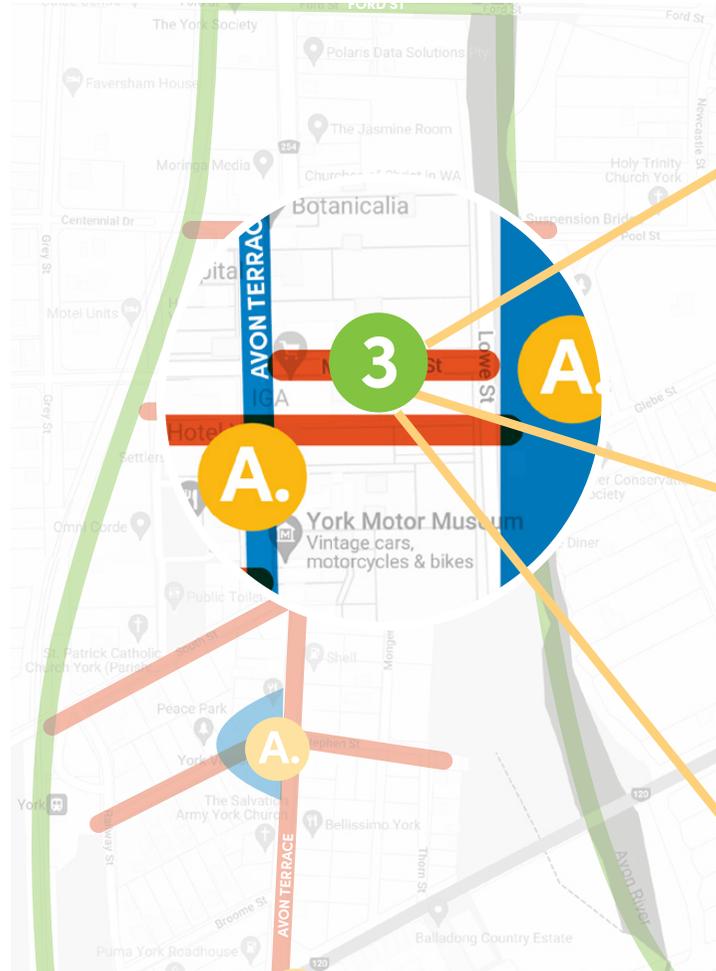
Core Objectives

- Implement temporary seating and shade options
- Create a safe, enlivened and playful space which improves connectivity between Avon Terrace and Avon Park
- Trial Road Closure
- Explore opportunities for window activation with building owners (posters or displays)

Details

- Opportunity to include additional quick win action items like: bike racks, wayfinding, history and artistic components, containers for change, refillable water station and recycling bins
- Social seating not decorative seating - creating linger nodes is important to activating the CBD and giving visitors a reason to stay there longer.
- Opportunity for children to be involved in the design and ongoing activations / School Art Mural
- Develop connections to Avon Terrace as a more pedestrian friendly environment

Quick Win Items Addressed: 1, 2, 5, 6, 8, 10, 11, 12



Potential Features



Window Displays on Empty Walls / Window



Local Food Vendor Pop Ups
Food Truck / Coffee Van Cafe



Trial new wayfinding incorporating Shire QR code



Playful, temporary and moveable



Kid friendly and prioritises people
Linear park and play style



Natural, accessible and green



Memorandum of Understanding

Shire of York

-and-

York & District Co-operative Ltd



Property: Lot 4 (142) Avon Tce, York WA 6302**1. The Agreement**

This Memorandum of Understanding (MOU) is an interim agreement between the Shire of York and the York & District Co-operative Ltd for the period 1 February 2024 to 31 December 2024 until either party provides thirty (30) days' notice to terminate the agreement herewith.

This is the second MOU for this project, with the original MOU being in place between 1 April 2023 to 30 June 2023, and the Concept Plan being presented to Council in December 2023.

2. Description of the Land and Premises

The agreement relates to the property addressed as 142 Avon Tce, comprising the whole of the land described as Lot 4 on Deposited Plan 223261, Certificate of Title Volume 1105, Folio 182, owned by York & District Co-operative Ltd. Consideration will also be given to the future functionality of Macartney Street (between Avon Tce and Lowe St).

3. Objective

This agreement is an in-principle agreement to work together towards a more formal agreement as to the use of a portion of the described land for future community projects within York's Central Business District. The intention being to utilise a portion of the land described for future placemaking as part of the Shire's Avon Terrace Revitalisation Plan.

This agreement is not intended to create any legally binding obligations for either party.

4. Acknowledgement of Work Completed

The following activities have taken place since establishment of the original MOU:

- Installation of temporary pop-up community space in front of old York Home Hardware building.
- Community Engagement by Shire of York to contribute to development of Concept Plan for future use of site in line with Shire of York's CBD Revitalisation Plan.
- Shareholder and Community Consultation by York & District Co-operative Ltd's Board 'Co-op Vision for the Future' Concept Plan for development of York Co-op.
- Home Hardware building demolished.
- Both Shire Council and York Co-op Board sign-off on the Concept Plan.

5. York & District Co-operative Ltd's Commitment

The York & District Co-operative Ltd agrees to:

- Work in cooperation with the Shire of York regarding future use of the land described, including Parking Plan developed by certified traffic engineers.
- Work in cooperation with the Shire of York towards formalising an agreement regarding the ownership and management of the land.

- Allow access to the property by Shire of York representatives, for the purposes of planning future site activation.
- Financial contribution towards the cost of implementing this MOU.
- Adoption of detailed designs by York Co-op Board.

6. Shire of York’s Commitment

The Shire of York agrees to:

- Work in cooperation with the York & District Co-operative Ltd regarding future use of the land described, including Parking Plan developed by certified traffic engineers.
- Undertake community engagement.
- Notify York & District Co-operative Ltd of any site visits.
- Investigate formation of a Working Group and consult with York & District Co-operative Ltd regarding any proposals for the use of the land.
- Work in cooperation with York & District Co-operative Ltd towards formalising an agreement regarding the ownership and management of the land.
- Adoption of Detailed Designs by Council.

7. Output

- Delivery of a Detailed Design for the activation of the site described in Part 2, which will be presented to the Shire of York Council and the York & District Co-operative Ltd Board for endorsement and future staging.
- Formation of Working Group.
- Formalise an agreement between the Shire of York and the York & District Co-operative Ltd regarding ownership and/or management of the land.

8. Duration of Agreement

This agreement is valid for the period 1 February 2024 to 31 December 2024.

9. Acknowledgement and Agreement

By signing this Memorandum of Understanding the Shire of York and York & District Co-operative Ltd acknowledge this agreement.

 Alina Behan
 Acting Chief Executive Officer
 Shire of York

 Glen Scott
 Chief Executive Officer
 York & District Co-operative Ltd

Date: _____

Date: _____

Appendices

Appendix 1 - Council Resolution 081222

Appendix 2 – Council Resolution 370323



Department of
**Local Government, Sport
and Cultural Industries**



Our ref Y1-18-2025-18; E25078222
Enquiries Kimberley Craik
Phone (08) 6552 1530
Email legislation@dlgsc.wa.gov.au

Mr Lindon Mellor
A/Chief Executive Officer
Shire of York

Email: records@york.wa.gov.au

Dear Mr Mellor

I refer to your correspondence dated 14 April 2025 and advise that, in accordance with the authority delegated by the Minister for Local Government, I have approved your application, under section 5.69(3) of the *Local Government Act 1995* (the Act).

Approval has been granted under section 5.69(3)(a) of the Act to allow disclosing members Cr Wright, Cr Smythe and Cr Trent to participate and vote on the following item at the Shire's Ordinary Council Meeting on 22 April 2025.

SY043-04/25 DRAFT LAND LEASE – YORK AND DISTRICT CO-OPERATIVE LTD

Subject to the following conditions:

1. *The approval is only valid for the 22 April 2025 Ordinary Council Meeting when agenda item SY043-04/25 is considered;*
2. *The abovementioned councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;*
3. *The Chief Executive Officer (CEO) is to provide a copy of the Department of Local Government, Sport and Cultural Industries (DLGSC) letter of approval to the abovementioned councillors;*
4. *The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;*
5. *The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the DLGSC, to allow the DLGSC to verify compliance with the conditions of this approval; and*

246 Vincent Street Leederville WA 6007
Gordon Stephenson House, 140 William Street Perth WA 6000
PO Box 8349 Perth Business Centre WA 6849
Telephone (08) 9492 9800
Email legislation@dlgsc.wa.gov.au

- 2 -

6. *The approval granted is based solely on the interests disclosed by the abovementioned councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.*

Should you require further information in relation to this matter, please contact Ms Kimberley Craik, Senior Legislation Officer, via the details provided above.

Yours sincerely



Laura Hunter
A/EXECUTIVE DIRECTOR, LOCAL GOVERNMENT – SUPPORT AND COMPLIANCE

22 April 2025

SY044-04/25 MAJOR STRATEGIC REVIEW - INAUGURAL COUNCIL PLAN 2025-2035

File Number:	4.8484
Author:	Vanessa Green, Council & Executive Support Officer
Authoriser:	Alina Behan, Acting Chief Executive Officer
Previously before Council:	30 June 2020 (060620) 25 August 2020 (060820) 26 October 2023 (051023)
Disclosure of Interest:	Nil
Appendices:	1. Public Consultation Outcomes Report ↓ 2. Final Draft Council Plan ↓ 3. Addendum released 16 April 2025 ↓

NATURE OF COUNCIL'S ROLE IN THE MATTER

Legislative

PURPOSE OF REPORT

This report presents the major review of the Strategic Community Plan (SCP) and Corporate Business Plan (CBP) to Council for consideration.

BACKGROUND

All local governments in Western Australia are required to develop a Plan for the Future to incorporate a SCP and a CBP. The SCP is the main strategy and planning document that reflects the community's long-term vision, aspirations and priorities, covering a period of ten (10) years. The CBP is responsible for translating the strategic direction of the Shire, articulated within the SCP, into specific priorities and actions at an operational level and covers a four (4) year period.

Council adopted the SCP 2020-2030 at its June 2020 Ordinary Meeting (060620) and CBP 2020-2024 at its August 2020 Ordinary Meeting (060820). Council adopted the minor review of the SCP and CBP at its October 2023 Ordinary Meeting (051023).

Three (3) major parties are involved in the development of the Plan for the Future - the Administration, the Council and the community. Each party has a unique role and responsibilities for effective and sustainable integrated planning and reporting (IPR).

The ongoing Local Government Act Reform proposes that local governments prepare, adopt and publish a council plan to plan for the future services and facilities that are to be provided by the local government for the district. This is intended to replace the requirement for the SCP & CBP.

COMMENTS AND DETAILS

Via a Request for Quote process, INK Strategy was engaged to lead the major review.

Through the major review, the Shire has shifted to a Council Plan format, combining the functions of the SCP and CBP into one consolidated document (this Plan). As well as meeting the Act Reform requirements, this brings the benefit of having one (1) cohesive document that outlines a clear pathway from community aspirations to Council priorities and deliverables.

The results from the most recent Community Scorecard were considered as part of the review process as they clearly articulate that the York community continues to see culture, arts, events and tourism as a major contributing factor to our social fabric. A continuing need to focus on improved road maintenance and renewal has also been highlighted as being of major importance. There was

also a greater emphasis on Council leadership and governance. A copy of the Public Consultation Outcomes Report is presented in Appendix 1.

A copy of the Plan is presented in Appendix 2.

OPTIONS

Council has the following options:

Option 1: Council could choose to accept the changes of the major review and adopt the Plan.

Option 2: Council could choose to reject the changes of the major review and not adopt the Plan.

Option 3: Council could choose to make further amendments to the major review of the Plan and advise what those amendments are.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

The review included a targeted program of community and stakeholder engagement to test the overall strategic direction and intent of the Plan.

A summary of engagement channels for internal and external stakeholders undertaken for the major review is detailed below:

TABLE 1.

	WORKSHOP (23 November 2024)	SURVEY (ONLINE, HARD COPY)	ROUND TABLE / DIRECT ENGAGEM ENT	COMMENT ON DRAFT COUNCIL PLAN	VIA ESTABLISHED ENGAGEMENT MECHANISM
INTERNAL / SHIRE STAKEHOLDERS					
Council	✓	✓		✓	
Executive Leadership Team	✓			✓	
Shire Staff		✓		✓	
COMMUNITY STAKEHOLDERS					
Business, local economy and tourism		✓	✓	✓	
Cultural heritage and environment		✓	✓	✓	
Young people		✓	✓	✓	
New residents		✓	✓	✓	
Surrounding rural / farming communities - Greenhills, Talbot		✓	✓	✓	
Traditional Custodians				✓	✓

General community (interested parties)		✓		✓	
--	--	---	--	---	--

Stakeholders were notified of the opportunity to participate in the minor review via:

1. The Shire’s social media and local newspaper content, with reference/links to an online survey
2. The Shire’s e-newsletter database
3. Direct invitation to round tables
4. Hard copy surveys available from Shire venues
5. Direct communication with Traditional Custodians via the Shire’s Arts & Cultural Heritage Officer

The draft Plan was advertised for public submission from 18 March 2025 to 2 April 2025. A drop-in consultation session has conducted at the CRC on Wednesday 26 March 2025 with six (6) people attending. No written submissions or further feedback was received.

Strategic

Strategic Community Plan 2020-2030

Goal 5: Strong Leadership and Governance

To have effective and responsive leadership and governance, where a sense of collective purpose and shared direction combine to work together.

Policy Related

- G13 Community Engagement and Consultation
- G17 Integrated Planning and Reporting – Planning
- G18 Integrated Planning and Reporting - Reporting

Financial

An allocation for the major strategic review was included in the 2024/25 Budget at GL: 041124 – Strategic Planning.

Subject to adoption of the Council Plan, the Long-Term Financial Plan will be reviewed to ensure relevance.

Legal and Statutory

Section 5.56 of the *Local Government Act 1995* is applicable and states:

“5.56. Planning for the future

- (1) *A local government is to plan for the future of the district.*
- (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.”*

Regulations 19C, 19DA and 19D of the *Local Government (Administration) Regulations 1996* are applicable and state:

“19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) *A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*

- (3) *A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*
- (4) *A local government is to review the current strategic community plan for its district at least once every 4 years.*
- (5) *In making or reviewing a strategic community plan, a local government is to have regard to —*
 - (a) *the capacity of its current resources and the anticipated capacity of its future resources; and*
 - (b) *strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*
 - (c) *demographic trends.*
- (6) *Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*
- (7) *A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*

**Absolute majority required.*
- (8) *If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*
- (9) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*
- (10) *A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.*

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
 - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
 - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*

**Absolute majority required.*

- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

19D. Public notice of adoption of strategic community plan

- (1) *If a strategic community plan is adopted, the CEO must —*
- (a) *give local public notice that the plan has been adopted; and*
 - (b) *publish the plan on the local government's official website.*
- (2) *If modifications to a strategic community plan are adopted, the CEO must —*
- (a) *give local public notice that modifications to the plan have been adopted; and*
 - (b) *publish the modified plan on the local government's official website."*

Risk Related

Council risks non-compliance with the legislative requirements by not reviewing and adopting its Plan. This report mitigates that risk.

The reputational risk to Council is considered low as the community has been consulted in the development of the reviewed Plan.

Workforce

The Shire engaged a suitably qualified consultancy to facilitate the major strategic review.

Actions and outcomes identified in the Plan will have resourcing implications. Subject to adoption of the Council Plan, the Workforce Plan will be reviewed.

VOTING REQUIREMENTS

Absolute Majority: Yes

RESOLUTION

130425

Moved: Cr Denese Smythe

Seconded: Cr Peter Wright

That, with regard to the Major Strategic Review - Inaugural Council Plan 2025-2035, Council:

- 1. Notes the community engagement and feedback received on the major review of the Council Plan 2025-2035, as presented in Appendix 1.**
- 2. Adopts the major review of the Council Plan 2025-2035, which incorporates the Strategic Community Plan and Corporate Business Plan, as presented in Appendix 2, subject to the corrections identified in the Addendum released on 16 April 2025, presented in Appendix 3.**
- 3. Requests the Chief Executive Officer to provide local public notice of the adoption of the major review of the Council Plan 2025-2035 in accordance with Regulation 19D of the *Local Government (Administration) Regulations 1996*.**
- 4. Notes the minor review of the Council Plan is due in the 2026/27 financial year.**
- 5. Authorises the Chief Executive Officer to make minor formatting and typographical changes to the Council Plan 2025-2035 prior to publication.**

In Favour: Crs Kevin Trent, Denis Warnick, Chris Gibbs, Kevin Pyke, Denese Smythe and Peter Wright

Against: Nil

CARRIED 6/0 BY ABSOLUTE MAJORITY



2025 – 2035 Council Plan
Public consultation outcomes report

2 April 2025

Prepared by:
INK Strategy



*We acknowledge the Traditional Custodians the Ballardong Noongar People.
We respect their Elders past, present and emerging, their enduring culture and connection to Country.*

1. PUBLIC CONSULTATION FINDINGS – SURVEY



Public consultation for the draft Shire of York Council Plan ran from 19 March – 2 April 2025.

Communications tools and channels

Stakeholders were notified of the opportunity to participate in the major review via

- The Shire’s Facebook page and local newspaper content (Community Matters), with reference / links to an online survey
- Shire website – dedicated project page and profiling in Latest News
- The Shire’s e-newsletter database
- Direct communication with those who participated in Community Engagement in December 2024.

- An online survey generated 53 responses:
 - The survey was live from 19 March – 2 April 2025;
 - Stakeholders spent an average of 7 minutes on the survey, with a completion rate of 64%.
- A stakeholder drop in session was held at the York Community Resource Centre on Wednesday, 26 March 2025 (3 – 7pm). Seven members attended to provide feedback in person.

Survey respondent profile – connection to the Shire

- **83% live** in Shire of York
- **5.5% work** in Shire of York
- **2.7% own property** within Shire of York
- **8.3% other** (responses: live, work and own a business within the Shire, regular visitor, 'private)

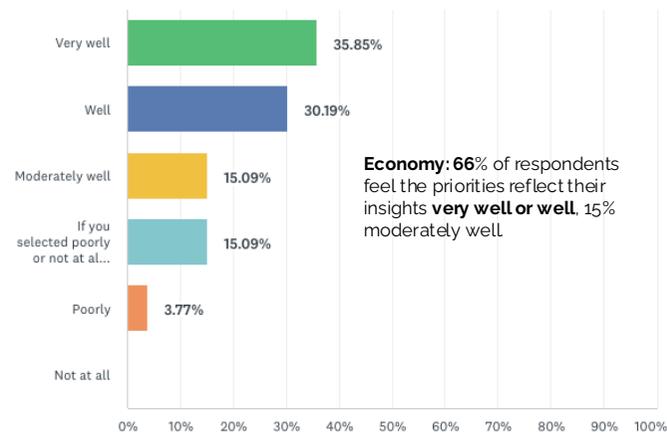
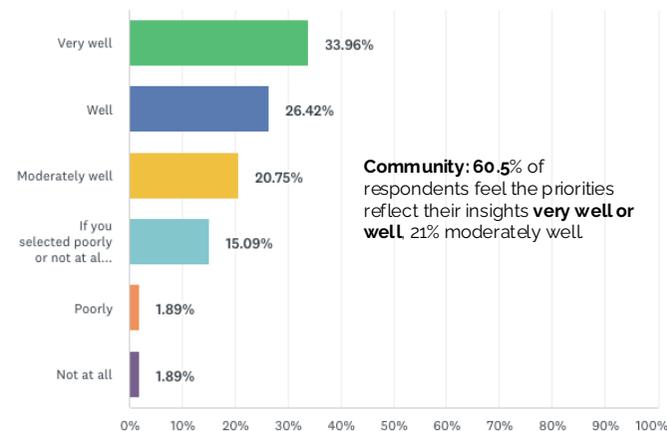
86% of respondents nominated York as their closest town, followed by Gwambygine (8%) and Greenhills / Talbot (both 2.8%)

Survey respondent profile – demographics

- The largest age group was **55-64 years (27.78%)**, followed by 25-44 years and 65-74 years (both 25%). The 45-54 years group represented 13.89%, and the smallest age group was 75-84 years (8.33%).
- **91.67% of respondents do not identify as Aboriginal or Torres Strait Islander**, 5.56% identify as Other, and 2.78% identify as Aboriginal or Torres Strait Islander.
- **English is the primary language** spoken at home (97%), with only 2.8% indicating another language.

1: Reflecting community engagement priorities

How well do the community priorities outlined in the Council Plan reflect the insights and priorities shared during community engagement?

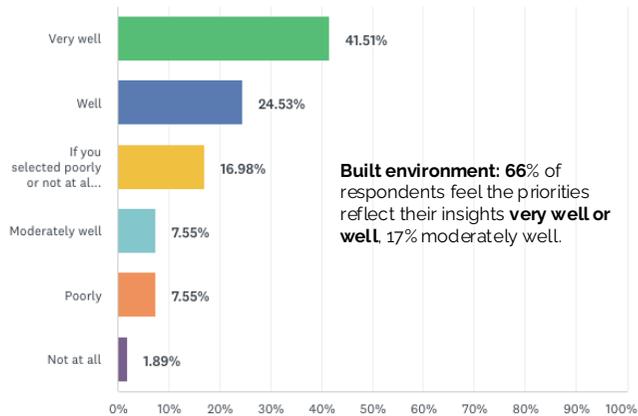
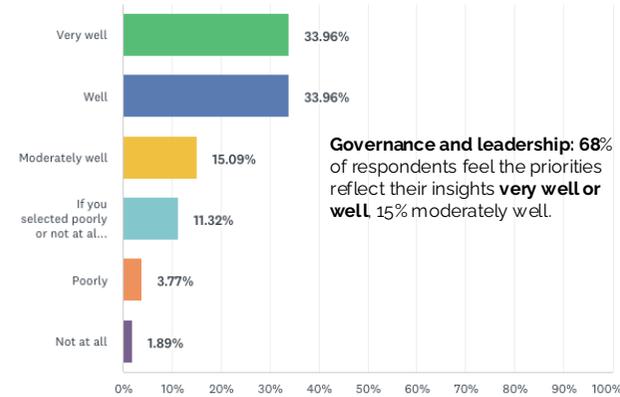
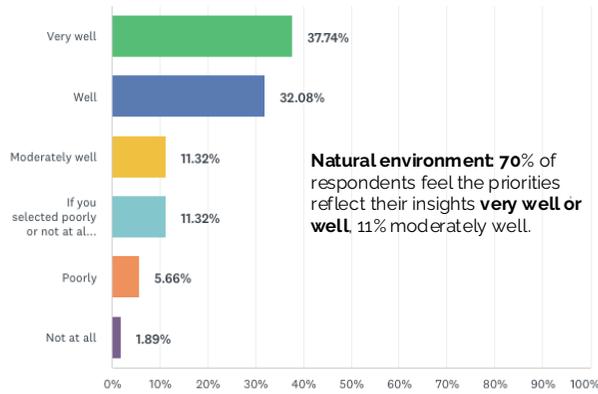


1. PUBLIC CONSULTATION FINDINGS – SURVEY



1: Reflecting community engagement priorities (continued)

How well do the community priorities outlined in the Council Plan reflect the insights and priorities shared during community engagement?



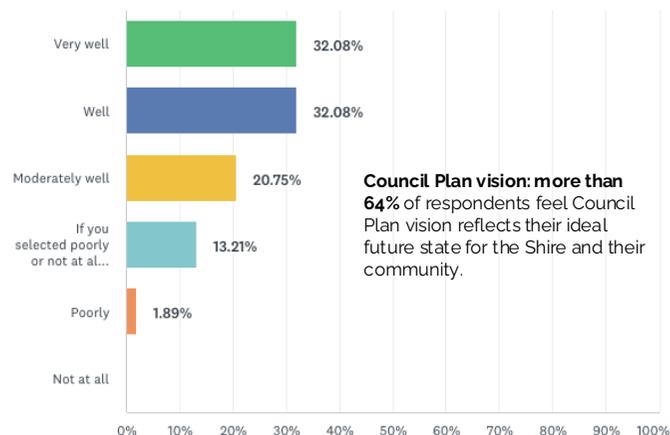
1. PUBLIC CONSULTATION FINDINGS – SURVEY



2: COUNCIL PLAN VISION:

The Draft Council Plan includes a new vision statement that articulates the Shire's 10 year aspiration. "A vibrant, family-friendly regional hub and cultural destination, offering opportunity and lifestyle connected to nature."

How well does this reflect your ideal future state for Shire of York?



Comments on vision statement:

- Noted Northam as regional hub (vs York)
- Statement lacks substance
- York not viewed as a cultural destination

Other commentary – not linked to vision statement

- *The town needs entry statements on all main entrances to town. More work required on achieving family friendly aspects of the aspiration*
- *Complaint about school, recreation centre and roads*
- *York is not a huge industrial town there is only a certain amount of business in York so what are these young families to do for work to support their families. Reminder that York was built on the back of farming and agriculture so listen to the farmers.*

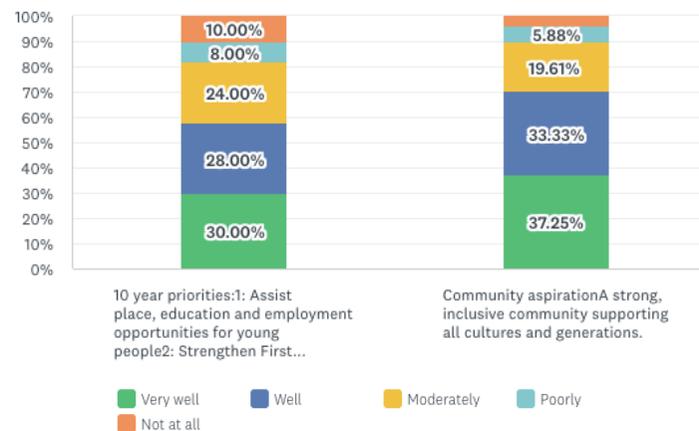
3: COUNCIL PLAN PILLARS AND PRIORITIES:

For each Pillar below, respondents were asked how well:

- a) the aspiration statement reflects your ideal state
- b) the set of strategic priorities reflect your future priorities (please consider these together and rate overall)

Pillar 1 – Community and cultural vitality

- Aspiration statement: **70%** of respondents feel the **aspiration** statement reflects their ideal state **very well or well**, 19.5% moderately
- Set of strategic priorities: **58%** of respondents feel the **priorities** reflects their future priorities **very well or well**, 24% moderately



Comments - key themes:

- Seeking clarification on deliverables
- First Nations culture should not be second priority as York already does this well. Homelessness is a bigger issue
- Concern around "infill" (strongly against) as it will ruin the main benefit of living in a rural setting
- Concerned the aquatic facility will precipitate a large rate rise
- Comments on detailed structuring and implementation of youth strategy – to include early childhood, primary and high school
- Concern over welcome to country / level of cultural and First Nations inclusion
- Shire needs to support ageing well by prioritising social connection, supportive environments and health promotion, using existing partnerships and grants (e.g. Healthway, Act Belong Commit, Fuel to Go & Play).

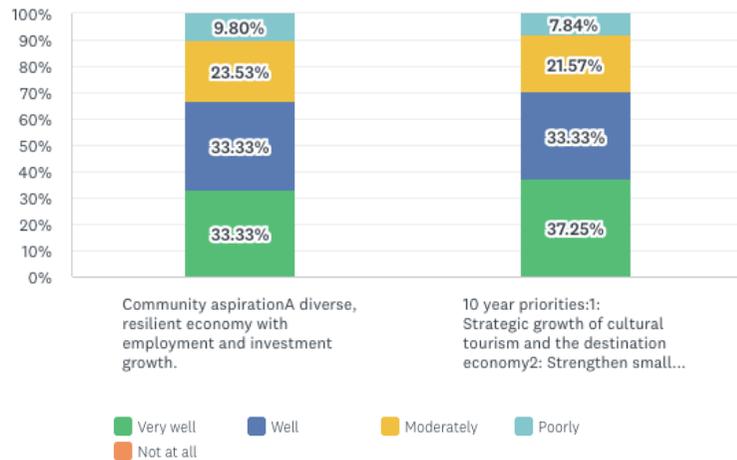
1. PUBLIC CONSULTATION FINDINGS – SURVEY



3: COUNCIL PLAN PILLARS AND PRIORITIES:

Pillar 2 – Future ready economy

- Aspiration statement: **66.5%** of respondents feel the **aspiration** statement reflects their ideal state **very well or well**, 23.5% moderately
- Set of strategic priorities: **70.5%** of respondents feel the **priorities** reflects their future priorities **very well or well**, 21.5% moderately



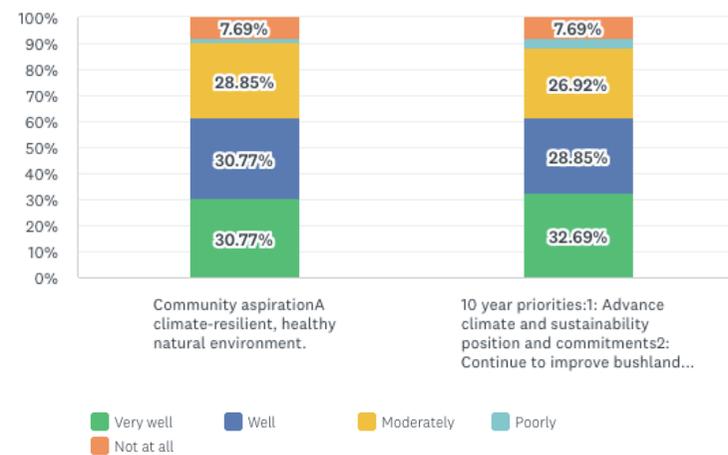
Comments - key themes:

- More focus on festivals and events needed
- Dual lane roads during festivals to prevent people from leaving early due to traffic jams
- Shire would benefit from more cottage industries being allowed to work from home
- People seeking tactical implementation plan and accountability measures
- Farming and agriculture noted as not being mentioned in the 10 year priorities.
- Seeking tactical implementation plans / step by step implementation
- *One complaint not linked to Pillar or question.*

3: COUNCIL PLAN PILLARS AND PRIORITIES:

Pillar 3 – Thriving natural environment

- Aspiration statement: **61.5%** of respondents feel the **aspiration** statement reflects their ideal state **very well or well**, 29% moderately
- Set of strategic priorities: **61.5%** of respondents feel the **priorities** reflects their future priorities **very well or well**, 27% moderately



Comments - key themes:

- Control of Avon River noted as river corporations – Shire can make limited impact
- Move away from Shire positions on sustainability and climate
- Visitation appeal of environment and heritage buildings noted
- Survey should have included joint naming

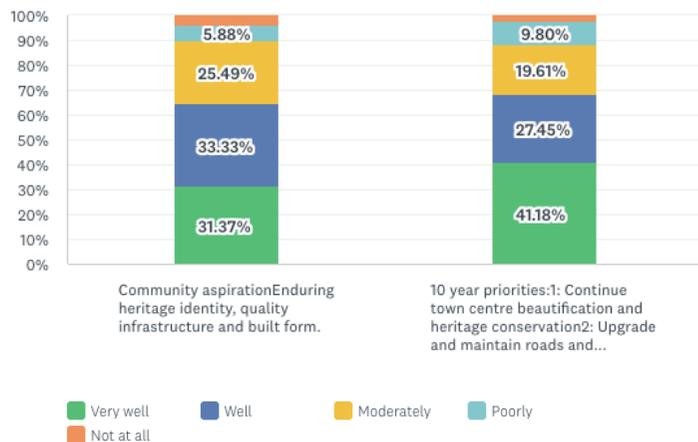
1. PUBLIC CONSULTATION FINDINGS – SURVEY



3: COUNCIL PLAN PILLARS AND PRIORITIES:

Pillar 4 – Comfortable and connected places

- Aspiration statement: **66.5%** of respondents feel the **aspiration** statement reflects their ideal state **very well or well**, 25.5% moderately
- Set of strategic priorities: **68.5%** of respondents feel the **priorities** reflects their future priorities **very well or well**, 19.5% moderately



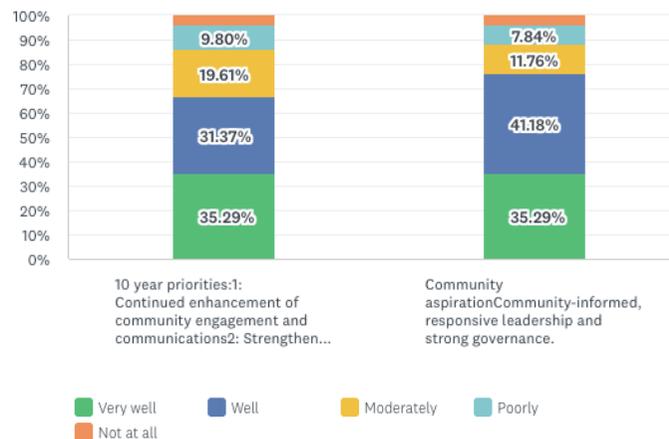
Comments - key themes:

- Need dual lane roads, more shaded areas and more toilets
- Noted roads will be extra busy with dump trucks from Perth but also coming Beverly Quairading and Northam soon
- Pedestrianisation (where it might result in loss or reduction in space Avon Terrace) or speed limit reduction not supported.
- Greater emphasis needed on supporting a health promoting community through built environments that enables people to be physically active and live well e.g. Healthy active by design
- *Complaints / comments related to welcome to county not relevant to Pillar.*

3: COUNCIL PLAN PILLARS AND PRIORITIES:

Pillar 5 – Strong governance and responsive leadership

- Aspiration statement: **76%** of respondents feel the **aspiration** statement reflects their ideal state **very well or well**, 12% moderately
- Set of strategic priorities: **66.5%** of respondents feel the **priorities** reflects their future priorities **very well or well**, 19.5% moderately



Comments on capability strategies - key themes:

- Improved communication – responded noted rarely knows what is happening in York (lives slightly outside town)
- The elected and members of staff need to be encouraged to engage with the residents
- Don't feel draft Plan is reflective of community suggested changes needed for improvement (greater emphasis on transparency, accountability and fair leadership especially at executive level.) Strong community desire to see a shift towards improved financial efficiency and optimised value for ratepayers and residents and less influence by external lobby groups
- *Single issue comment – SAT related to boundary fence*

1. PUBLIC CONSULTATION FINDINGS – SURVEY



4: COUNCIL PLAN 4-YEAR DELIVERABLES:

For each Pillar, respondents were asked how well the 4-year deliverables will be in delivering on the strategic priorities

- The 4-year deliverables for Comfortable and connected places rated most highly by respondents (combined 57.14% for very well and well)
- The deliverables for Community and cultural vitality rated lowest (combined 48% for very well and well) closely followed by Strong leadership, responsible governance (combined 49% for very well and well).



Comments - key themes:

- Seeking a plan that is specific, measurable and accountable. Draft noted for being broad and aspirational but lacking specific KPIs
- Look for opportunities to get ahead with economic opportunities e.g. an electric power outlet for Motor vehicles. Seeking Council to 'move with the times'
- Seeking more focus on early childhood and youth
- Responsive governance needs to improve
- Comment on WALGA 'imposed' regulation
- Comment on leadership (trust and delegation) missing from current Council
- Single issue comment – pool
- Comment on misalignment between Council agenda and ratepayer priorities
- Comment on need for improved (hard copy) communication

Pillar 1 – Community and cultural vitality	<ul style="list-style-type: none"> • 24% of respondents feel the 4-year deliverables will deliver on the strategic priorities very well • 27% well • 34% moderately • 9.76% poorly
Pillar 2 – Future ready economy	<ul style="list-style-type: none"> • 25% of respondents feel the 4-year deliverables will deliver on the strategic priorities very well • 30% well • 32% moderately • 12.5% poorly
Pillar 3 – Thriving natural environment	<ul style="list-style-type: none"> • 24% of respondents feel the 4-year deliverables will deliver on the strategic priorities very well • 34% well • 31% moderately • 7% poorly
Pillar 4 – Comfortable and connected places	<ul style="list-style-type: none"> • 19% of respondents feel the 4-year deliverables will deliver on the strategic priorities very well • 44% well • 22% moderately • 12% poorly
Pillar 5 – Strong governance and responsive leadership	<ul style="list-style-type: none"> • 17% of respondents feel the 4-year deliverables will deliver on the strategic priorities very well • 32% well • 34% moderately • 7% poorly

Overall satisfaction with Draft Council Plan
 The final question asked participants to indicate overall satisfaction with Draft Council Plan using a sliding scale from 0 – 100.
Based on 35 responses (accounting for those who skipped the question), the overall satisfaction rating is 56.67%
**NB: INK Strategy has omitted 4 responses (0,0,1,5) from this rating considered outliers for their consistently negative commentary unrelated to Council Plan questions provided throughout the survey.*

2. PUBLIC CONSULTATION FINDINGS – DROP IN SESSION



1: COUNCIL PLAN PILLARS AND PRIORITIES:

Attendees were asked to place a tick in the box to reflect how well the Draft Council Plan aspiration and 10-year priorities reflected the insights and priorities shared during community engagement. Responses summarised as follows:

	Very well	Well	Moderately well	Poorly	Not at all
Pillar 1 – Community and cultural vitality	4 ticks				
Pillar 2 – Future ready economy	2 ticks		2 ticks		
Pillar 3 – Thriving natural environment	1 tick	4 ticks			
Pillar 4 – Comfortable and connected places	2 ticks	2 ticks			
Pillar 5 – Strong governance and responsive leadership		2 ticks	2 ticks		

COMMENTS / QUERIES BY PILLAR

Community and cultural vitality:

- Does the Shire have a cultural consultant who guides programs and services to Aboriginal and broader community?
- Seeking specific outdoor facilities / playground for those living with a disability
- Community currently lack facilities for younger population (under 5 years) – Avon Park not suitable / not suited to all abilities (Cundi and Quairading referenced as benchmarks)
- Improved recreation facilities for young people and families
- Seeking clarification on future location of play group, library noted as getting small for activities such as Rhyme Time.

Future ready economy:

- Lack of facilities for young families linked to supporting spending and small business within the town.
- Benchmarks: Cundie and Beverley have free monthly events → Cundie CRC messy play, water play days at local fenced park. This attracts residents from York and associated spend in cafe / IGA / pubs instead (leakage from York).
- Noted recent closure of York businesses – a shame.

Thriving natural environment:

- Nil comments.

Comfortable and connected places:

- Avon Terrace: Close Avon Terrace on weekends and assist event organisers with traffic management plans; traffic calming/speed bump(s), within the 40kmh zone
- Avon park – design weak, boring, unable to safely watch children near road & river with poles that do nothing in the way of little kids unable to walk.
- Improving all parks, picnic areas & pathways is very important. Shade on main street as well.

Strong governance and responsive leadership:

- Noted community needs to elect community-minded Councillors
- Nominees need to not be single minded.

2. PUBLIC CONSULTATION FINDINGS – DROP IN SESSION



2: COUNCIL PLAN 4-YEAR DELIVERABLES:

For each Pillar, respondents were asked how well the 4-year deliverables will be in delivering on the strategic priorities by placing a tick in the box. Responses summarised as follows:

	Very effective	Effective	Moderately effective	Poorly	Not at all
Pillar 1 – Community and cultural vitality	1 tick	3 ticks	1 tick		
Pillar 2 – Future ready economy		5 ticks	1 tick		
Pillar 3 – Thriving natural environment		5 ticks	1 tick		
Pillar 4 – Comfortable and connected places	1 tick	4 ticks			
Pillar 5 – Strong governance and responsive leadership		5 ticks			

COMMENTS / QUERIES BY PILLAR

Community and cultural vitality:

- Would like to see KPI's
- Concerns / clarity over definition of youth – needs to include yearly childhood, primary and youth
- Seeking a young people's / children's area to be incorporated into new Aquatic Centre

Future ready economy:

- Nil comments

Thriving natural environment:

- Gwambygine needs to be cleaned up
- Importance of stormwater management plan and implementation emphasised

Comfortable and connected places:

- Shire advocacy for power and water upgrades to State Government emphasised

Strong governance and responsive leadership:

- Nil comments

3: COUNCIL PLAN VISION STATEMENT:

Two respondents indicated the draft Vision statement reflected their future aspirations for the Shire as 'very well', one as 'well'.

2025-2035

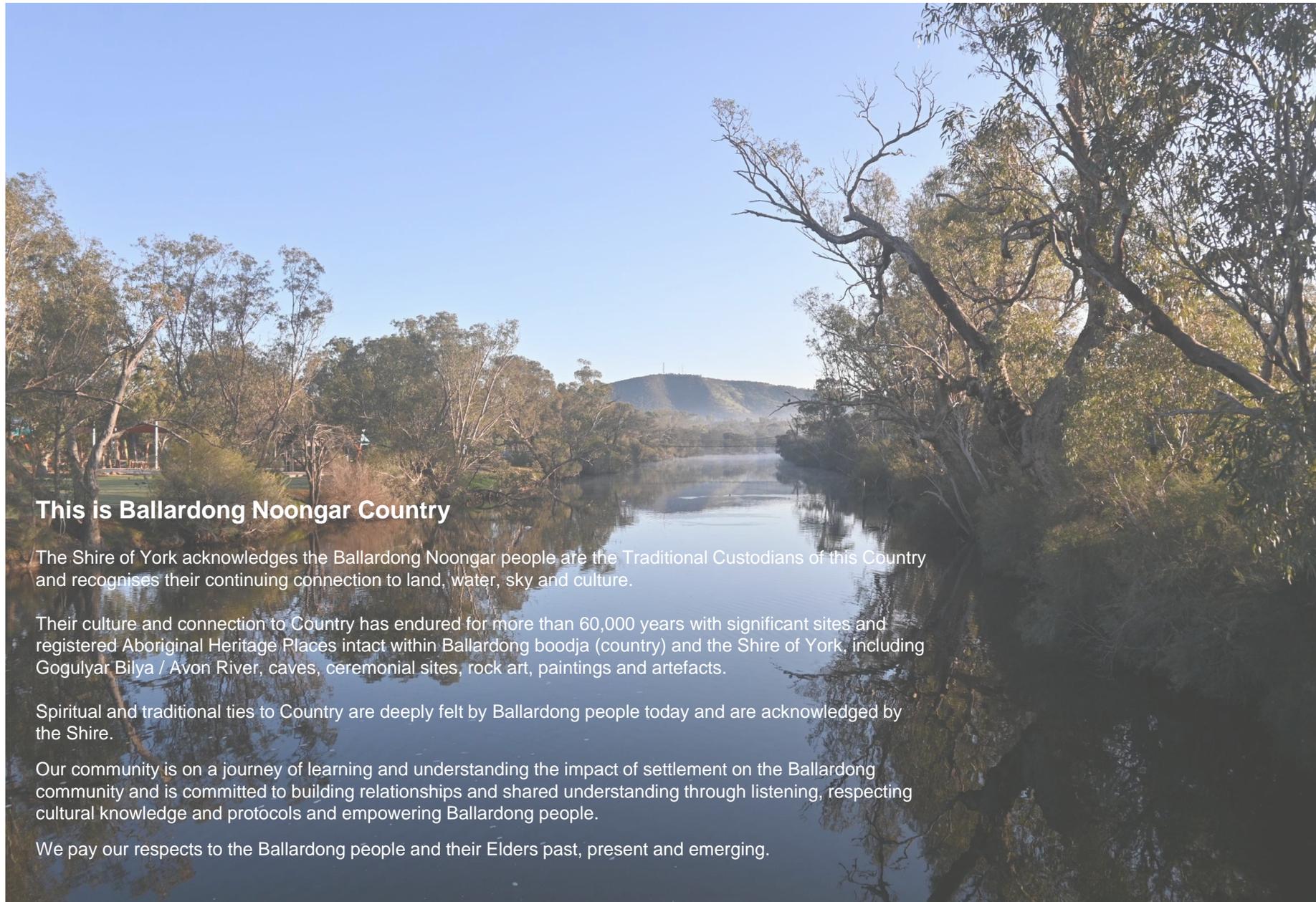


YORK 2035
TOGETHER WE THRIVE

Shire of York Council Plan

Draft for Council Adoption
April 2025





This is Ballardong Noongar Country

The Shire of York acknowledges the Ballardong Noongar people are the Traditional Custodians of this Country and recognises their continuing connection to land, water, sky and culture.

Their culture and connection to Country has endured for more than 60,000 years with significant sites and registered Aboriginal Heritage Places intact within Ballardong boodja (country) and the Shire of York, including Gogulyar Bilya / Avon River, caves, ceremonial sites, rock art, paintings and artefacts.

Spiritual and traditional ties to Country are deeply felt by Ballardong people today and are acknowledged by the Shire.

Our community is on a journey of learning and understanding the impact of settlement on the Ballardong community and is committed to building relationships and shared understanding through listening, respecting cultural knowledge and protocols and empowering Ballardong people.

We pay our respects to the Ballardong people and their Elders past, present and emerging.

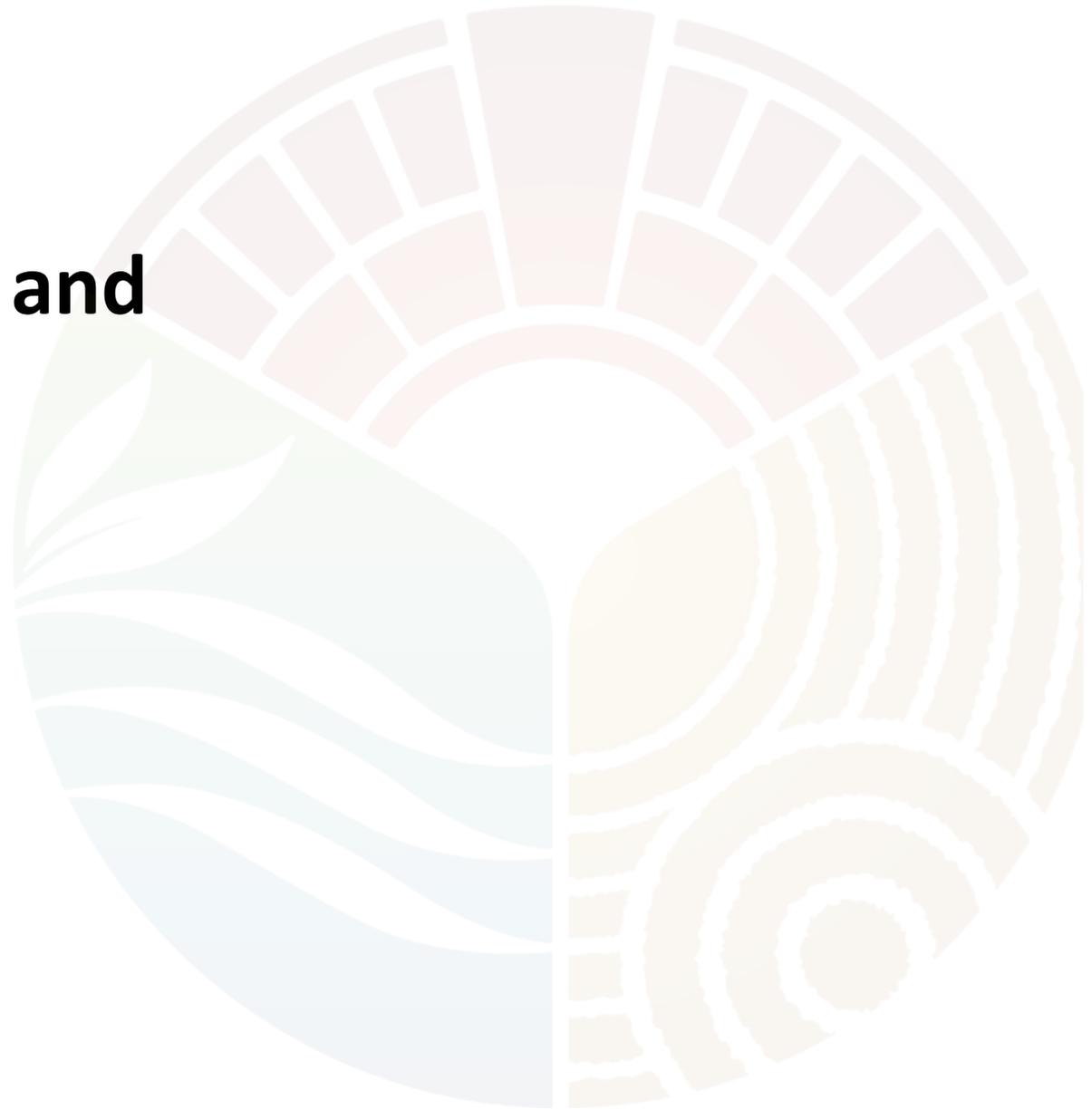
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Part 1.

Introduction and context



Message from the Shire President



Welcome to the Shire of York's Council Plan 2025-2035.

York is a town with a rich past, a strong community spirit, and an exciting future. We are proud of our heritage, our people, and the natural beauty that surrounds us. As we look ahead, the Shire of York remains committed to delivering on key priorities that will strengthen our community, protect our environment, and support a thriving local economy.

Over the years, we have worked closely with our residents to understand what matters most and where we should focus our efforts. This plan reflects those priorities—ensuring York remains a great place to live, work, and visit. From advocating for improved healthcare services and housing options to assisting the growth of employment opportunities and enhancing tourism, we are focused on building a sustainable and connected future.

The protection and enhancement of our natural environment also remain a key focus. We are committed to preserving our bushland, improving the ecology of Gogulyar Bilya / Avon River, and taking steps towards a more sustainable future. At the same time, we will continue to invest in our town centre, road networks, and public spaces, ensuring that York remains both beautiful and accessible for everyone.

Strong leadership and good governance underpin all that we do. We are dedicated to working closely with our community, strengthening communication, and ensuring transparency in decision-making. Achieving these goals will take collective effort, and we look forward to working together to bring this vision to life.

Thank you to everyone who has contributed to shaping this plan. Your input is invaluable in helping York move forward as a thriving, inclusive, and prosperous community.

Cr. Kevin Trent
OAM; RFD; JP
Shire President

Foreword from the Chief Executive Officer



Welcome to the Shire of York's Council Plan 2025-2035.

It is with great enthusiasm that I present the Shire of York's new Council Plan, a roadmap that reflects our shared aspirations for the future of our community. This plan replaces the previous Strategic Community Plan and Corporate Business Plan, bringing them together into a single, integrated document that will guide our decision-making and investment over the coming years.

York is a community rich in history, natural beauty, and opportunity. We want to ensure that our Shire remains a place where people feel connected, where businesses can thrive, and where our environment and culture are valued and protected. This plan has been shaped by extensive community input with over 1000 insights contributed by a broad cross section of our community ensuring the plan is built upon key themes that reflect what matters most to our residents.

We are committed to making York an inclusive and supportive place for people of all ages and backgrounds. Strengthening our community means fostering opportunities for young people, celebrating the cultural identity of the Ballardong Noongar people, and advocating for improved healthcare and diverse housing options to meet the needs of our growing population. A strong and diverse economy is essential to York's future, and we will continue working to attract new businesses, work on new ways to support small enterprises, and enhance cultural tourism to position York as a leading regional destination.

Our natural environment is at the heart of what makes York special, and we are dedicated to protecting and enhancing our bushland, improving the ecology of Gogulyar Bilya / Avon River, and driving sustainability initiatives to ensure our unique landscape is preserved for future generations. At the same time, we recognise the importance of maintaining and improving the spaces that bring our community together. From preserving our heritage to maintaining and upgrading roads, footpaths, and public spaces, we are committed to making York greener, more inviting, and easier to navigate.

Supporting all of this is our commitment to strong leadership, transparency, and meaningful engagement with our community. We are committed to improving how we engage and listen to our residents, strengthen governance, and for the Council to be informed, so they can make the considered strategic decisions that serve the best interests of York both now and into the future.

I would like to thank everyone who took the time to contribute to this inaugural Council Plan. This plan is not just about the Shire's priorities – it is about the collective vision of our community. Its success depends on collaboration, innovation, and a shared commitment to making York an even better place to live, work, and visit.

I look forward to working alongside our Council, staff, and community members as we bring this vision to life.

Chris Linnell
Chief Executive Officer



Integrated Planning and Reporting Framework

In accordance with section 5.56 of the Local Government Act 1995, all local governments in Western Australia are required to effectively plan for the future, in line with the requirements of the Department of Local Government, Sport and Cultural Industries (DLGSC) Integrated Planning and Reporting Framework (IPR).

The intent of the IPR framework is to ensure that priorities and services provided by the Shire are aligned with community needs and aspirations and, in doing so, facilitate a shift from short-term resource focus to a long-term value creation. The Shire's current Strategic Community Plan (SCP) and Corporate Business Plan (CBP) was developed in 2020, with a minor review completed in 2023 and a major review undertaken in 2025. Through the major review, the Shire has shifted to a Council Plan format, combining the functions of the SCP and CBP into one consolidated document (this Plan).

This brings the benefit of having one cohesive document that outlines a clear pathway from community aspirations to Council priorities and deliverables.

A suite of informing plans outline how the Council Plan is managed and resourced, which are available on the Shire's website and include:

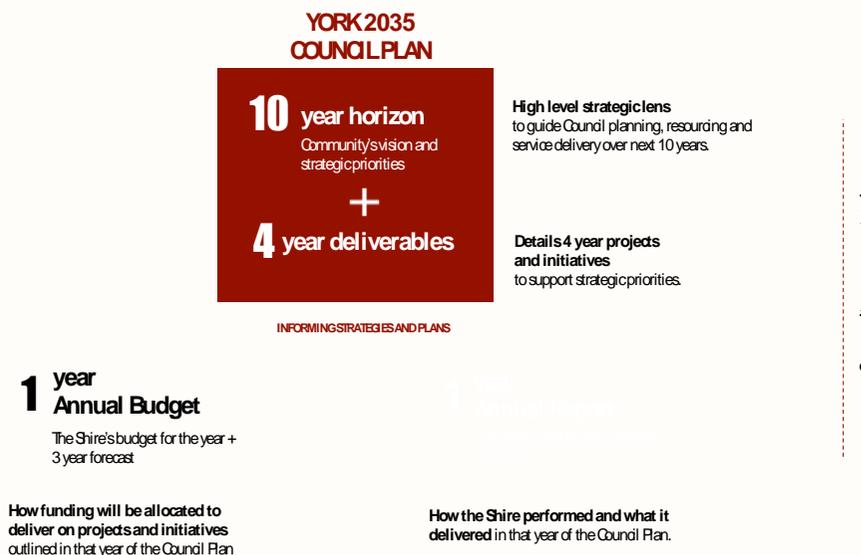
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Access and Inclusion Plan
- Risk Management Framework
- Aged Friendly Community Plan
- Business Continuity Plan
- Reconciliation Action Plan
- Wellbeing Plan
- CBD Revitalisation Plan

The Council Plan format and content is customised to the Shire's unique community context, needs, financial and other resources.

It forecasts a long term, 10-year vision and 10-year strategic priorities.

10-year strategic priorities are enabled through specified four-year deliverables. The annual budget and three-year financial forecast allocates funding aligned to the four-year deliverables, in context of the Shire's finite financial resources. Four-year deliverables are supported by detailed internal project and operational plans to guide implementation and measure outcomes.

The Annual Report, available on the Shire's website and in hard copy from the Shire's office, provides a detailed report on performance each year.



- This Council Plan is next scheduled for review in 2027, this will be a minor review.



How to read this Council Plan

10 year horizon

The future aspiration:

A strong, inclusive community supporting all cultures and generations



Council Plan 10-year priorities

- 1.1 Assist, place, education and employment opportunities for young people
- 1.2 Strengthen First Nations and cultural identity
- 1.3 Advocate for housing supply and diversity
- 1.4 Advocate for improvements in healthcare services and infrastructure for an aging population
- 1.5 Facilitate access to community facilities for all life stages
- 1.6 Strengthen community stewardship and volunteerism

Example of the relationship between the Shire's Council Plan and Annual budget (indicative only)

This diagram demonstrates how to read the Council Plan, showing the relationship between:

- Its 10-year strategic horizon – the vision and 10-year priorities
- The four-year deliverables (to achieve to the strategic horizon)
- The annual budget, which allocates funding to achieve the four-year deliverables in line with forecast timing and available resources.

4 year deliverables

4 year deliverables

	25/26	26/27	27/28	28/29
1.1.1 A youth strategy developed to identify and prioritise needs and opportunities	x			
1.1.2 In line with youth strategy, initiatives defined in key areas such as: <ul style="list-style-type: none"> • Place (public realm / entertainment / hang out spaces) • Infrastructure and facilities (recreation, cultural, other) • Connectivity (including wifi) • Recreation programs • Wellbeing programs 		x		
1.1.3 Partnerships with local employers and tertiary and training providers in place		x		
1.1.4 Shire facilities such as the Community Resource Centre (CRC) are 'fit for purpose' to facilitate community networks and training opportunities			x	

1 year Annual Budget

Funding is allocated in the Annual Budget for actions specified in that year.



Evaluation and risk management

How will we evaluate the success of the Council Plan and ensure its delivery?

Council closely monitors implementation of the Council Plan. It has adopted an Integrated Planning and Reporting (Reporting) Policy (G4.2) which provides a mechanism for Council, on the advice of the CEO, to identify which projects (in addition to statutory requirements) it would like to see reported on a regular basis each year.

The intent of the policy is to provide Council with a mechanism to monitor progress of strategically significant and/or high expenditure projects.

The Shire will test community’s satisfaction with progress against the Council Plan during the Minor and Major Strategic Review processes, every two years. The next review will be a Minor Review, in 2027.

The Shire’s Risk Management Framework (March 2024) assists the Shire to understand and document its approach to the identification, assessment, management, reporting and monitoring of risks.

By monitoring the following risk categories, the Shire will safeguard delivery of Council Plan priorities:

Risk management objectives

1. Optimise the achievement of our vision, experiences, strategies, goals and objectives.
2. Provide transparent and formal oversight of the risk and control environment to enable effective decision making.
3. Enhance risk versus return within our risk appetite.
4. Embed appropriate and effective controls to mitigate risk.
5. Achieve effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
6. Enhance organisational resilience.
7. Identify and provide for the continuity of critical operations

Risk management categories

- Injury or Death
- Failure/Loss of Infrastructure
- Theft Fraud Misconduct
- Climate Change/Environmental Damage
- Failure to Deliver Key Projects
- Loss of Financial Viability
- Reputational Damage
- Failure of Legislative Compliance

Progress updates will be visible to the community via reporting dashboards on the Shire’s website, as well as via the Annual Report.

About the Shire of York



As Western Australia’s oldest inland town, located only 97 kilometres from Perth, York is deeply connected to its heritage, with strong ties to Ballardong Noongar culture and Gogulyar Bilya / Avon River. The Shire includes key town sites of York, Gwambygine, Mount Hardey, Talbot, Greenhills and Kauring.

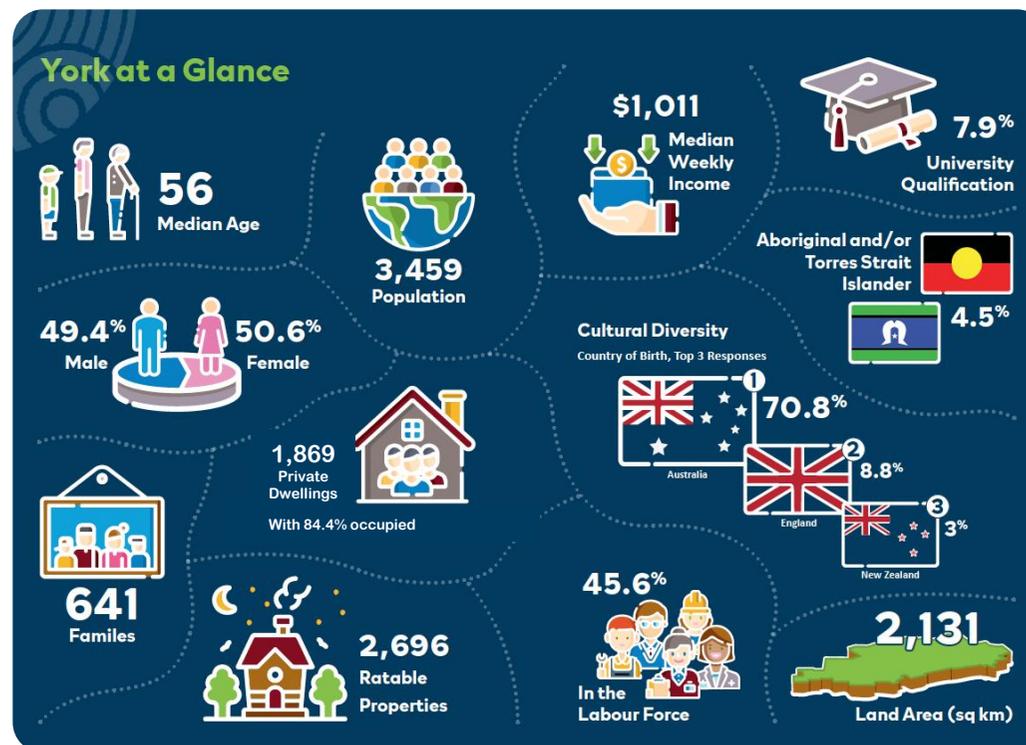
These elements, along with its rich Aboriginal and post-settlement history, draw visitors from across the state and beyond, contributing to York’s strong positioning as a charming and accessible lifestyle and visitor destination.

In the years during and recently following the COVID-19 pandemic, the Shire’s population grew significantly, predominantly with young families seeking an accessible and safe lifestyle, and older residents seeking a “tree change.”

Agriculture (cropping and grazing) is the cornerstone of York’s local economy with some 136,135ha of agricultural land holdings generating approximately \$46.2M in production value per annum. Other economic sectors include manufacturing, transport and logistics, retail and tourism. Housing availability and new supply has become a priority, with a dual need to accommodate both new residents and workers, along with the unique needs of an ageing population. This is a significant consideration and priority for the coming decade.

Looking to the future, key opportunities for the Shire include attracting and meeting the needs of new residents – with a focus on families and young people – and growing the cultural tourism sector – including leveraging its position as a Film Friendly Town, along with diversifying the local economy. Continuing to deliver high service levels across community wellbeing, economic development and environmental sustainability, advocating for heritage conservation and delivering strong leadership and governance are of key importance to the community.

York is on an exciting trajectory towards a prosperous, sustainable future as a lifestyle and cultural hub, positioned for innovation and growth.



Population and demographic data source: ABS Census 2021

York has become one of Australia's regional hotspots, with a remarkable 244% annual growth in migration from capital cities, as identified by the Regional Australia Institute in 2022.



Shire of York Elected Members

Elected Members are responsible for governing the Shire’s activities, overseeing its finances and resources and determining its policies.

The Shire of York has seven Councillors, elected for a term of four years and responsible for representing the interests of all electors, residents and ratepayers.

The Shire President and Deputy Shire President are elected by Councillors. The Shire President is responsible for chairing Council meetings, carrying out civic and ceremonial duties, speaking on behalf of Council and providing leadership and guidance to the community.



Shire President
Cr Kevin Trent OAM, RFD, JP
Term: Oct 2025



Deputy President
Cr Denis Warnick
Term: Oct 2025



Councillor
Chris Gibbs
Term: Oct 2027



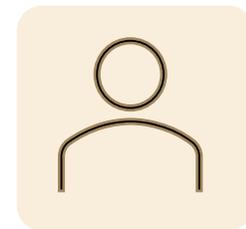
Councillor
Kevin Pyke
Term: Oct 2027



Councillor
Denee Smythe
Term: Oct 2027



Councillor
Peter Wright
Term: Oct 2025



Councillor
Vacant
*James Adamini
resigned effective 19
Nov 2024.
An ordinary election
will be held in 2025.*

Part 2.

Towards 2035 Our community's aspirations





Towards 2035 – the big picture

The following broad themes have been highlighted by Elected Members and community, as key context for the decade ahead and have informed strategic direction for the Council Plan.

Changing population
 York’s appeal to ‘tree changers’ and as an affordable lifestyle proposition for families, is expected to continue. In context of broad housing affordability and access pressures, York is well positioned to harness demand, however housing and land supply needs to be readily available.

 A more diverse community demographic of families and young people is emerging, and they require services, amenities, infrastructure, business and employment pathways that retain them into the future.

Economy and jobs
 York’s predominantly agricultural economy is undergoing structural change in terms of farming practice, technology, government policy (ceasing live exports) and more.

 Continuing to support this sector through strong road networks and infrastructure is critical. Economic diversification is also needed, through tourism, industrial and small business opportunities that also provide local employment opportunities – this is a key focus for 2025-2035.

Culture and heritage
 Conserving the heritage value and character of York as the state’s oldest inland town, with intact streetscapes and heritage listed places – is an enduring focus.

 York’s potential as a cultural destination and hub for cultural tourism is undefined and a significant opportunity that requires resourcing and focus, also leveraging its Film Friendly Town status.

 Improved acknowledgement of Ballardong Noongar heritage and strong partnerships that build capacity, are needed.

Climate and environment
 Challenges including a drying climate, limited water and increasing urban heat effect are being experienced in York.

 A focus on renewables (solar and wind), greening the town centre and private properties and maintaining focus on the health and management of Gogulyar Bilya / Avon River are of ongoing importance. Improving community access, amenity and connection to the river is a significant opportunity, along with places such as Mt Brown.

Health and wellbeing
 Access to high quality healthcare at all life stages remains a significant issue, as in many regional towns. State government upgrades to York Hospital is required. A population ‘ageing in place’ requires specific support including in home, aged care and allied services.

 Continual improvement of recreational facilities, wellbeing services and programs targeted at young people and support for volunteer clubs and community groups require ongoing future focus.

Governance and leadership
 Strong , responsive and accountable governance is essential to develop community engagement and trust.

 Clear and confident decision making and consistent communication of a strong, future-focussed vision for York are key drivers for the community. An ongoing focus on multi-channel communications, community engagement practices and supporting community understanding of the role of the Shire and Council, remain of paramount importance.



Towards 2035 – the big picture

In the decade to 2035, the following opportunities and challenges are anticipated for the Shire:

Structural challenges

- **Economy and workforce:** Historic dependence on agriculture and tourism may leave York vulnerable to future economic shifts. Limited and narrow employment opportunities and lack of affordable housing means young people leave town, further compounding local skills shortages.
- **Ageing population and youth retention:** York’s ageing population presents unique needs / challenges for services and infrastructure. Young people leave town for employment opportunities, housing and lifestyle. Addressing these challenges are critical to ensure York offers lifestyle options for families and all community members.



Considerations

- ❖ **Failure to protect and leverage unique identity:** York risks losing its heritage and cultural identity without proactive management and protection. Challenges to visitor attraction include lack of visitor amenities and weaker destination marketing compared to competing towns / regions.
- ❖ **Infrastructure and connectivity:** Ageing infrastructure, road maintenance, limited transport options, digital connectivity and finite financial resources are impediments to growth and impact response to population demands.
- ❖ **Environmental sustainability:** Climate change, rising temperatures, and water scarcity are threats to York’s agriculture, natural bushland, waterways, and overall liveability. Land and environmental management needs to be prioritised to prevent decline, including salinity, tree loss, and quality of the Gogulyar Bilya/Avon River. The landfill proposal near York will further emphasise these issues.
- ❖ **Volunteerism and emergency services:** Volunteer groups face burnout, with a small number of people shouldering responsibilities. Fire and Emergency Services struggle to attract and retain volunteers, presenting a risk to community safety and emergency response capabilities.



Opportunities

- ✓ **Tourism, heritage, and culture:** Positioning York as an arts, culture and heritage destination by developing cultural tourism infrastructure and experiences (events, festivals) and supporting filming opportunities. Conserving the Shire’s heritage buildings and landscapes connected to Balladong Noongar and colonial history.
- ✓ **Natural environment and sustainability:** Restore and protect the Gogulyar Bilya/Avon River and natural bushland to support tourism, recreation and environmental stewardship. Supporting and facilitating sustainability and renewable energy initiatives.
- ✓ **Infrastructure and built form:** Enhance town centre infrastructure, including roads, footpaths and recreation facilities. Explore a dedicated cultural hub and create safe, welcoming public spaces. Enable community participation in planning and decision making.
- ✓ **Economic development and business support:** Attract and support diverse businesses and reduce red tape. Focus on job creation, local economic growth and population retention, especially for families and young people. Encourage creative industries and innovative ventures, including digital infrastructure improvements.
- ✓ **Young people, families and lifestyle infrastructure:** Housing, schools, and recreational activities to attract young families and support community vibrancy. Promote outdoor lifestyle opportunities such as trails, bike paths, and family-friendly facilities.



Community engagement: Informing the Council Plan

As the highest order strategic document, the Council Plan will inform the Shire’s decision making, resourcing and budgeting over the next 10 years.

As such, this major review process was informed by a robust program of community and stakeholder engagement, including with Elected Members, aligned with the Shire’s ongoing outreach activities and commensurate with the community’s size and capacity for engagement.

The engagement approach aimed to maximise community and stakeholder participation, leveraging the Shire’s existing networks.

Engagement objectives

1. Position and build excitement for the major review
2. Deliver a program which provides all aspects of the community with equal opportunity to be involved and contribute
3. Utilise engagement to educate stakeholders around the role and importance of the major review process
4. Clearly articulate project scope, objectives, process to manage expectations and build ongoing trust with the community.

Communications tools and channels

Stakeholders were notified of the opportunity to participate in the major review via:

- The Shire’s Facebook page and local newspaper content (Community Matters), with reference / links to an online survey
- Shire website – dedicated project page and profiling in Latest News
- The Shire’s e-newsletter database
- Direct invitation to York Business Association (YBA) workshop
- The Farming community SMS database
- York Arts network promotion
- Hard copy surveys available at York CRC, YRCC and Shire venues
- Direct communication with Traditional Custodians, disability groups and CALD community, family playgroup and York Senior High School.

Key touchpoints with community:



99 survey responses



~52 people attended **7 drop-in sessions** at York Town Hall



- 1** Elected Member workshop
- 1** York Business Assoc workshop
- 1** Farmers Breakfast
- 1** Recreation Club workshop



Meeting with York Playgroup



1 creative engagement with York District Highschool students



Over **1,000** insights contributed to development of the Council Plan

Community engagement: Informing the Council Plan



The community told us what they valued most about the Shire’s community identity and way of life:

- ❖ **Unique heritage:** including farming, historic streetscapes and buildings, status as WA’s first inland town, and Ballardong Noongar cultural heritage
- ❖ **The lifestyle:** family-friendly, relaxed environment that celebrates natural beauty and is an alternative to city life
- ❖ **Destination appeal:** A vibrant visitor destination with cultural tourism, scenic landscapes, small businesses, and special events
- ❖ **Arts and culture:** A strong and still emerging arts scene, festivals, and creative initiatives, which contribute to York’s character
- ❖ **Community connection:** A welcoming community that values collaboration across generations and lifestyles
- ❖ **Environmental sustainability:** A growing focus on sustainability, managing natural assets like Golgulgar Bilya / Avon River
- ❖ **Pride and resilience:** Community pride in heritage, culture, and achievements; a strong rural identity

The special and unique qualities that need to be safeguarded into the future are:

1. York’s historic streetscapes, heritage buildings, and places of European settler and Ballardong Noongar significance
2. Gogulyar Bilya / Avon River, bushland, reserves, and wildlife while addressing environmental challenges
3. Maintaining the town’s agricultural and rural identity, open spaces and small-town feel
4. Retaining its appeal as a visitor destination, and ensuring a vibrant, friendly town
5. Supporting the strong sense of community, collaboration, and inclusivity amongst residents
6. Supporting and promoting the creative community, cultural events and festivals
7. Supporting local businesses and strengthening economic opportunities
8. Providing high quality facilities, recreational opportunities and safe, accessible public spaces to enhance quality of life.



Community engagement: Informing the Plan

“10 years from now, I would be proud if York had achieved recognition for...”

- ❖ Being a welcoming, inclusive, and supportive community where people of all ages and backgrounds thrive
- ❖ Establishing itself as a must-visit destination in WA, known for its vibrant events, thriving small businesses, and rich cultural history
- ❖ A reputation as a dynamic cultural hub, honouring Aboriginal and agricultural heritage, rivalling iconic towns like Daylesford and Hahndorf
- ❖ Leading the way in environmental care with recognition for enhancing biodiversity, water quality, and tree coverage, balancing agriculture and development
- ❖ A modern town with strong heritage identity, a vibrant and accessible Main Street, and an inviting entry statements
- ❖ Investment in high quality facilities, such as a new aquatic centre, improved roads, and sustainable housing
- ❖ A hub of sustainable economic growth, with thriving local businesses, diverse industries, and employment opportunities.

“The most important investment the Shire can make for its future is...”

"The most important investment York can make is in its **youth**. Without them, the town will age and die."

"The Shire must focus on **roads, pathways, and sustainable infrastructure** to grow and thrive."

"**Supporting local businesses and clubs** is essential to building a balanced and rewarding community."

"The future lies in protecting what we value while **creating opportunities for youth, tourism, and sustainable development**."

"Address **gaps in essential services** such as medical and improve local infrastructure in line with community needs."

Focus on **attracting 35–55-year-olds** to provide labour for local businesses, ensuring a vibrant workforce

"Preserving the **natural environment and heritage** while supporting tourism is the key to York’s future success."

"**Protect and conserve heritage buildings** and ensure the town maintains its traditional appeal."

"Actively promote and support **First Nations culture and arts**."

"We need **bold plans to ensure York’s relevance**, attracting new residents and fostering economic growth."

"Investing in **culture, arts, and heritage** will make York a standout destination and a proud community."

"**Strong leadership and governance**, with a focus on transparency and effective decision-making."

A snapshot of contributions to the community engagement program Nov-Dec 24

The vision and five pillars that will guide our Council Plan

2035 Community Vision

A vibrant, family-friendly lifestyle and cultural destination where rich heritage, sense of place and connected community shape a thriving future.



Community:
Community and cultural vitality



Economy:
Future-ready economy



Environment:
Thriving natural environment



Built form:
Comfortable and connected places



Governance:
Strong governance, responsive leadership

Part 3.

10-year priorities and 4-year deliverables



Pillar 1: Community and cultural vitality



Community would like to see:

- ✦ York’s cultural identity and creative talent strengthened
- ✦ More young people and families living in York and choosing to stay and improved facilities for early childhood, primary and high school needs
- ✦ First Nations community and cultural understanding and recognition
- ✦ A range of diverse housing options enabled, for all generations
- ✦ Enhanced health care services and facilities for an ageing population
- ✦ Improved recreation facilities and options for young people and families
- ✦ Volunteer clubs and community groups well supported.

Recent achievements in this area:

- ✦ Delivery of the Updated Access and Inclusion Plan
- ✦ Transitioning to a Shire run Community Resource Centre and expanding our community delivery
- ✦ Delivery of the annual YorKIDS festival
- ✦ Development of the Shire’s reflect Reconciliation Action Plan

The future aspiration:

A strong, inclusive community supporting all cultures and generations.



Council Plan 10-year priorities

- 1.1 Assist place, education and employment opportunities for young people
- 1.2 Strengthen First Nations and cultural identity
- 1.3 Advocate for housing supply and diversity
- 1.4 Advocate for improvements in healthcare services and infrastructure for an aging population
- 1.5 Facilitate access to community facilities for all life stages
- 1.6 Strengthen community stewardship and volunteerism



Image credit: Lisa Astle

Pillar 1: Community and cultural vitality



10-year Priorities

- 1.1 Assist place, education and employment opportunities for young people
- 1.2 Strengthen recognition of Ballardong Noongar cultural identity
- 1.3 Advocate for housing supply and diversity
- 1.4 Advocate for improvements in healthcare services and infrastructure for an aging population
- 1.5 Facilitate access to community facilities for all life stages
- 1.6 Strengthen community stewardship and volunteerism

Funding status key

Funded	\$
Funded subject to budget adoption	(\$)
Part funded, seeking further support	**
Not funded, seeking grant support	-
Service / program delivery	O

10-yr Priority	4-year deliverables	Funding status FY 25-26	Delivery			
			25/26	26/27	27/28	28/29
1.1	1.1.1 A youth strategy developed and adopted, to include early childhood, primary and high school-aged needs, incorporating: <ul style="list-style-type: none"> • Place (public realm / entertainment / play equipment and meeting spaces) • Infrastructure and facilities (recreational, cultural and other) • Connectivity (including free public Wi-Fi) • Recreation and wellbeing programs 	\$	x			
	1.1.2 Two youth strategy priority projects endorsed and funded within 12 months of adoption	(\$)		x	x	x
	1.1.3 Partnerships with local employers and tertiary and training providers in place	O		x	x	x
	1.1.4 Shire facilities such as the Community Resource Centre (CRC) are fit for purpose, to facilitate community networks and training opportunities	\$	x	x	x	x
1.2	1.2.1 Continue dual naming of key places, included in interpretation signage, in collaboration with Ballardong Elders <ul style="list-style-type: none"> • Walwayling / Mt Bakewell • Wongborel / Mt Brown • Gogulyar Bilya / Avon River 	O	x	x	x	x
	1.2.2 Ballardong cultural heritage is expressed in community and cultural programs and events	O	x	x	x	x
	1.2.3 'Innovate' stage Reconciliation Action Plan developed	(\$)	x	x		
	1.2.4 'Waugal Rising' project (collection of oral histories, artworks, trails) implementation in progress	**	x	x		
1.3	1.3.1 Private landowner advocacy to undertake 'infill' development within the York townsite	O		x		
	1.3.2 Local Planning Scheme review to enable quality, innovative and diverse housing supply	(\$)		x	x	x
	1.3.3 Facilitate partnerships and opportunities that deliver diverse housing outcomes such as adaptable housing, tiny houses, seniors accommodation etc	O		x	x	x

Pillar 1: Community and cultural vitality



10-year Priorities

- 1.1 Assist place, education and employment opportunities for young people
- 1.2 Strengthen recognition of Ballardong Noongar cultural identity
- 1.3 Advocate for housing supply and diversity
- 1.4 Advocate for improvements in healthcare services and infrastructure for an aging population
- 1.5 Facilitate access to community facilities for all life stages
- 1.6 Strengthen community stewardship and volunteerism

Funding status key

Funded	\$
Funded subject to budget adoption	(\$)
Part funded, seeking further support	**
Not funded, seeking grant support	-
Service / program delivery	O

10-yr Priority	4-year deliverables	Funding status FY 25-26	Delivery			
			25/26	26/27	27/28	28/29
1.4	1.4.1 Engage with government agencies and WA Country Health Service (WACHS) to improve York health service and infrastructure (including York hospital)	O	x	x		
	1.4.2 Age Friendly Community Plan reviewed and updated	\$	x			
	1.4.3 Access and Inclusion Plan (AIP) reviewed and updated	(\$)				x
	1.4.4 Wellbeing Plan reviewed and updated	(\$)			x	x
	1.4.5 Advocacy and support for sustained home care package service providers and programs	O	x	x		
1.5	1.5.1 York's new aquatic facility funded and in delivery	**	x	x	x	
	1.5.2 Community assets and facilities, such as York Town Hall, Recreation Centre and Residency Museum are optimised for current community use	O	x	x	x	x
1.6	1.6.1 Strategic support available to build volunteer groups' capacity and capability and strengthen governance practices	(\$)		x	x	x
	1.6.2 York CRC facilitates high quality community networks, resources and training for volunteer groups	\$	x	x	x	x



Our service / program delivery includes:

- Civic and Community Events
- Disability Access and Inclusion Planning
- Fire and Emergency Management
- Ranger Services
- Environmental Health
- Aboriginal relationships and reconciliation
- Museum
- Library
- Recreation Services & facilities
- Community Funding and leases
- Community Facilities, Halls and Toilets
- Youth support
- Older Persons' Support and Community Housing



Pillar 2: Future-ready economy

Community would like to see:

- ✦ Cultural tourism, heritage and arts promoted
- ✦ New cultural attractions developed to position promote York as a cultural attraction and visitor destination
- ✦ Support for growth of existing businesses, and new businesses established
- ✦ Economic growth and employment stimulated through new businesses in the light industrial area
- ✦ Responsible growth in the town centre, while retaining heritage character
- ✦ Simplified approvals and red tape reduced to support business establishment and growth.

The future aspiration:

A diverse, resilient economy with employment and investment growth.



Council Plan 10-year priorities

- 2.1 Strategic growth of cultural tourism and the destination economy
- 2.2 Strengthen small business support
- 2.3 Position York as investment ready to attract diverse business and industries

Recent achievements in this area:

- ✦ Working with The Twelve and Runt production companies to produce significant direct and ongoing economic returns
- ✦ Supporting the York Business Association to delivery small business focussed support
- ✦ Progress of upgrades to the Light Industrial Area
- ✦ MOU signed with five shires to form the Avon Valley Alliance and work closely on regional promotion





Pillar 2: Future-ready economy

10-year Priorities

2.1 Strategic growth of cultural tourism and the destination economy

2.2 Strengthen small business support

2.3 Position York as investment ready to attract diverse business and industries

Funding status key

Funded	\$
Funded subject to budget adoption	(\$)
Part funded, seeking further support	**
Not funded, seeking grant support	
Service / program delivery	O

10-yr Priority	4-year deliverables	Funding status FY 25-26	Delivery			
			25/26	26/27	27/28	28/29
2.1	2.1.1 Project and funding advocacy for York Cultural Infrastructure improvements, such as a cultural hub project	-	x	x		
	2.1.2 Trails Master Plan staged delivery and funding in line with 10-year implementation plan	(\$)	x	x	x	x
	2.1.3 Strong destination brand for cultural tourism established	O		x	x	x
	2.1.4 Aboriginal cultural tourism partnerships, experiences and capacity building established, such as the Waugal Rising project	**	x	x	x	x
2.2	2.2.1 Businesses have access to capacity building and incentive programs for establishment and growth	(\$)	x	x	x	x
	2.2.2 Small business approvals are simplified to support, establishment and growth	O		x	x	x
	2.2.3 Small business is promoted as a key pillar of the local economy and destination appeal	O	x	x	x	x
2.3	2.3.1 Economic Development Strategy in place as a framework for: <ul style="list-style-type: none"> • Agricultural sector • Cultural tourism and destination economy • Economic diversification 	(\$)	x	x		
	2.3.2 Planning framework (through Local Planning Scheme Review) facilitates tourism and economic development in appropriate areas, for example short stay accommodation, wellness retreats	(\$)		x	x	
	2.3.3 York is strategically positioned as WA's film friendly town of choice	O	x	x	x	x
	2.3.4 Industry and private sector investment opportunities are clearly defined and marketed	O		x	x	x

Our service / program delivery includes:

- Economic Development, Tourism and Marketing
- Visitor Information Services
- Festivals and events





Pillar 3: Thriving natural environment

Community would like to see:

- ✦ Continued focus on protecting and managing Gogulyar Bilya/Avon River and natural bushland
- ✦ Action on climate change including supporting local efforts through recycling, green initiatives and renewable energy
- ✦ Improved waste recovery systems and community driven initiatives
- ✦ Sustainable agricultural practices encouraged
- ✦ Spaces for nature-based tourism including walking and cycling trails.

Recent achievements in this area:

- ✦ Award winning traditional mosaic burning program established for management of Wongboral/Mt Brown
- ✦ Launch of the street greening program
- ✦ Continued support of the River Conservation Society and the Gogulyar Bilya Environmental Hub
- ✦ Promoting recycling through the Containers for Change facility

The future aspiration:

A climate-resilient, healthy natural environment.



Council Plan 10-year priorities

- 3.1 Advance climate and sustainability position and commitments
- 3.2 Continue to improve the quality of bushland and Gogulyar Bilya/Avon River ecology
- 3.3 Enhance access to and enjoyment of the Gogulyar Bilya / Avon River and bushland





Pillar 3: Thriving natural environment

10-year Priorities

- 3.1 Advance climate and sustainability position and commitments
- 3.2 Continue to improve the quality of bushland and Gogulyar Bilya/Avon River ecology
- 3.3 Enhance access to and enjoyment of the Gogulyar Bilya/Avon River and bushland

Funding status key

Funded	\$
Funded subject to budget adoption	(\$)
Part funded, seeking further support	**
Not funded, seeking grant support	-
Service / program delivery	O

10-yr Priority	4-year deliverables	Funding status FY 25-26	Delivery			
			25/26	26/27	27/28	28/29
3.1	3.1.1 Climate and sustainability framework in place (policy, strategy and resilience action plan)	(\$)			x	x
	3.1.2 Sustainable community practices and programs, including waste management, are in place	o		x	x	x
3.2	3.2.1 Stormwater Management Plan development and implementation	-		x	x	x
	3.2.2 Support for community stewardship of the natural environment in place, such as: <ul style="list-style-type: none"> • River Conservation Society’s work in river management and recovery • Aboriginal Ranger Program established in collaboration with Ballardong Noongar Community 	**	x	x	x	x
	3.2.3 Implementation of Wongborel / Mt Brown Environmental Management Plan, including Traditional Ecological Knowledge (TEK) practices	**	x	x	x	x
3.3	3.3.1 Implementation of interpretive and educational signage, to support community understanding, including the Waugal Rising project	**	x	x		
	3.3.2 Improved connectivity and access to Gogulyar Bilya/Avon River to enable recreational use (e.g. walking and cycle paths) such as: <ul style="list-style-type: none"> • Completion of walk trails in York town centre • Completion of the Loop • Connecting strategic places such as Gwambygine 	(\$)	x	x		x
	3.3.3 Improved awareness to support community use of existing river access infrastructure including ramps for canoeing, kayaking	(\$)			x	x

Our service / program delivery includes:



- Environmental Services
- Waste Management
- Containers for Change Recycling Facility



Pillar 4: Comfortable and connected places

Community would like to see:

- ✦ Improvements to road and footpath maintenance and connectivity
- ✦ Revitalisation of the town centre and main street, encouraging context-sensitive development, building and streetscape improvements
- ✦ More greenery and innovative shade to mitigate heat in streets and public places
- ✦ Improved public spaces such as picnic areas, playgrounds, walking trails and seating
- ✦ New and / or improved entry statements at key intersections.

Recent achievements in this area:

- ✦ Restoration of Mackie Siding crossing after storm damage
- ✦ Annual delivery of the shoulder grading program
- ✦ Annual road construction program including Spencers Brook intersection upgrades, Quellington Road reconstruction and York-Tammin Road widening
- ✦ Annual road maintenance program including tree pruning, draining clearing and grading
- ✦ Completion of the Transport, Building and Open Spaces Asset Management Plans
- ✦ Upgrades to the Oliver Battista Motocross Track and Off-road Vehicle Area

The future aspiration:

Enduring heritage identity, quality infrastructure and built form.



Council Plan 10-year priorities

- 4.1 Safe and accessible road infrastructure and connectivity
- 4.2 Upgrade and maintain roads and footpaths in line with asset management plans
- 4.3 Enhance streets and places with a focus on greening to support climate resilience
- 4.4 Continue town centre beautification and heritage conservation



Pillar 4: Comfortable and connected places



10-year Priorities

- 4.1 Safe and accessible road infrastructure and connectivity
- 4.2 Upgrade and maintain roads and footpaths in line with asset management plans
- 4.3 Enhance streets and places with a focus on greening to support climate resilience
- 4.4 Continue town centre beautification and heritage conservation

Funding status key

Funded	\$
Funded subject to budget adoption	(\$)
Part funded, seeking further support	**
Not funded, seeking grant support	-
Service / program delivery	O

10-yr Priority	4-year deliverables	Funding status FY 25-26	Delivery			
			25/26	26/27	27/28	28/29
4.1	4.1.1 Road upgrade priorities are maintained in line with data-informed review of road hierarchy, and risk assessment	**	X	X	X	X
	4.1.2 Operational Plan and Capital Works programs implemented in line with Transport Asset Management Plan	O	X	X	X	X
	4.1.3 Advocacy for further grant funding secured to facilitate capital and road programs	O	X	X	X	X
4.2	4.2.1 Continued upgrade of road and footpath network in line with road hierarchy and asset management plans • Prioritise footpath network completion to improve connectivity, including cycle networks	-	X	X	X	X
4.3	4.3.1 Improved green canopy and shade coverage in priority places, in line with asset and town centre revitalisation plans	(\$)	X	X		
	4.3.2 Private land owners supported to implement improved shade and appropriate greening selections	(\$)	X	X	X	X
4.4	4.4.1 Staged implementation of York CBD Revitalisation Plan and toolkit, including: • Heritage streetscape conservation, management and advocacy • Accessibility and pedestrianisation • Improve presentation – seating, shading, waste, signage	**	X	X		
	4.4.2 Funding models for larger CBD revitalisation project / programs identified and progressed	-		X	X	X
	4.4.3 Staged delivery of new entry statements at key intersections	-		X	X	



Our service / program delivery includes:

- Building Control
- Mainstreet and Heritage Protection and Restoration
- Cemetery Operations
- Council Heritage Buildings
- Planning (Heritage Protection)
- Planning Administration
- Strategic Land Use Planning
- Parks and Open Space
- Drainage and Catchment Management
- Roads and Bridges
- Streetscaping, Footpaths and Trails



Pillar 5: Strong governance, responsive leadership

Community would like to see:

- ✦ Improved communication and responsiveness to community feedback
- ✦ A mix of communications and community engagement methods – online and offline
- ✦ Proactive and visible engagement and attendance at community events, by Elected Members
- ✦ A shift to a collaborative, community informed decision-making approach
- ✦ Strong governance, financial management and ethical behaviour.

Recent achievements in this area:

- ✦ Delivery of the Risk Management Framework
- ✦ Transition of key reporting through the Integrated Planning and Reporting software for greater visibility
- ✦ Successive un-qualified audit opinions
- ✦ Continued growth of community consultation and communication methods

The future aspiration:

Community-informed, responsive leadership and strong governance.



Council Plan 10-year priorities

- 5.1 Continued enhancement of community engagement and communications
- 5.2 Strengthen Elected Member community outreach and engagement
- 5.3 Facilitate community understanding of responsible governance
- 5.4 Continued improvement in governance and service delivery





Pillar 5: Strong governance, responsive leadership

10-year Priorities

- 5.1 Continued enhancement of community engagement and communications
- 5.2 Strengthen Elected Member community outreach and engagement
- 5.3 Facilitate community understanding of responsible governance
- 5.4 Continued improvement in governance and service delivery

Funding status key

Funded	\$
Funded subject to budget adoption	(\$)
Part funded, seeking further support	**
Not funded, seeking grant support	-
Service / program delivery	O

10-yr Priority	4-year deliverables	Funding status FY 25-26	Delivery			
			25/26	26/27	27/28	28/29
5.1	5.1.1 Communications and engagement framework revised and implemented	O	x	x		
	5.1.2 Continuous improvement of online content design and functionality (website, socials etc)	O	x	x	x	x
	5.1.3 Shire and Council decisions, priorities and work focus are communicated quickly to foster community awareness and trust	O	x	x	x	x
5.2	5.2.1 Elected Member engagement calendar developed and implemented	O	x	x	x	x
	5.2.2 A clear, future-facing, community-informed vision is consistently communicated	O	x	x	x	x
5.3	5.3.1 Information on Council's role, responsibilities and processes is available online and in Shire facilities	O	x	x	x	x
	5.3.2 Elected Members and Shire Executive actively promote the role and impact of local government at community engagements	O	x	x	x	x
5.4	5.4.1 Service plans and operational plans developed including system and technology requirements	O	x	x		
	5.5.1 Priorities for Shire business system improvements identified and in delivery	(\$)	x	x	x	
	5.5.2 Future business requirements determined for information technology systems	(\$)	x	x	x	x



Our service / program delivery includes:

- Governance Support
- Strategic and Corporate Planning
- Monitoring and Reporting
- Advocacy and Collaboration
- Community Engagement and Consultation
- Community Access to Information
- Organisation Development
- Human Resources
- Payroll and Records
- Administration and Customer Services
- Works Asset Management
- Works Operations
- Buildings and Property Asset Management
- Planning
- Finance Services
- External Grants Funding
- Licensing

Part 4.

Achieving our priorities – Council Plan implementation





Implementing the Council Plan

The Shire of York plays a vital role in shaping community and balancing service delivery, regulation, and advocacy. It provides infrastructure, manages development, supports local businesses and tourism, and ensures community well-being. While its responsibilities are broad, its focus is on sustaining York’s unique character and future growth.



DELIVERY LEAD

We direct-deliver services, programs and initiatives important to the community.

- Providing parks, roads, drainage, waste management, and cultural facilities.
- Maintaining infrastructure assets such as parks, playgrounds, and buildings.
- Offering non-asset based services such as events, social services including childcare, aged care and library services.



REGULATOR

We regulate to ensure safety, fairness, and compliance

- Ensuring public health standards in food premises.
- Regulating compliance for new buildings and land use.
- Balancing operational requirements with potential community impact.



PARTNER / ENABLER

We build partnerships and enable others to assist in delivering initiatives.

- Establishing and maintaining formal and informal partnerships and alliances to strategically leverage Shire capacity and resources to maximise our reach and impact.
- Building capacity of community groups and others to support delivery through volunteer programs, grant funding and sponsorships.



ADVOCATE

We advocate on behalf of the community and stakeholders, for initiatives important to the Shire.

- Advocating for community interests to regional agencies, Federal and State Government.
- Engaging in statutory processes such as State level planning.

Responsible governance

The Council Plan is informed by asset, financial management and workforce planning, along with business unit plans and issue-specific operational plans. The Asset Management Plan, Long Term Financial Plan and Workforce Plan each play a key role to ensure responsible governance:

Asset Management Plan: Guides the protection and enhancement of the Shire’s natural and built environment – including constructing, maintaining and renewing the Shire’s assets in a financially sustainable manner.

Long Term Financial Plan: Guides the Shire’s allocation of financial resources to maintain services, deliver and maintain infrastructure. It also determines the level of rates required to fund services and projects.

Workforce Plan: Aims to enhance workforce capacity to meet community needs, by ensuring the organisation has the required staff, capabilities, and resources for current and future service demands.



Major projects and initiatives

Revitalisation of Old Home Hardware site

The Shire of York and the York & Districts Co-operative are partnering to transform the Old Home Hardware site into a safe, green, and functional community space. This project includes the demolition of the existing building and a Quick Win activation initiative, creating an opportunity for collaborative community value.

The Shire intends to lease part of the site long-term.

The community co-design process delivered in 2023 as part of the Town Teams work has provided the inspiration for the concept planning. Currently in the design phase, the Shire is working with a landscape architect and traffic engineer to finalise plans.

A land use agreement is being drafted with the Co-op to support the project's future use.

Project Timeline:

- **Concept Plan Development:** Commenced October 2024
- **Formal Lease Agreement:** Commenced December 2024
- **Community Engagement:** Mid 2025
- **Stage 1 Construction:** Scheduled to commence 2025

York Aquatic Facility Renewal

The renewal of York's aquatic facility is more than just replacing an aging pool—it's about creating a modern community space that will serve generations to come. With the existing infrastructure deteriorating, a new pool is essential to meet York's future needs.

Following feasibility studies, the Council resolved in April 2024 to plan for a 50-metre pool. Geotechnical investigations of potential sites have been completed, with planning now focused on Site B in the Recreation Precinct (corner of South and Forrest) as the preferred location for the new aquatic facility.

Key project milestones include the approval of the Concept Design, Detailed Design, and Business Case, alongside securing funding. The Shire remains committed to engaging the community throughout the process to ensure the new facility supports York's health, well-being, and social connection for the next 50 years.

Project Timeline:

- **Engagement with user groups** to plan for relocation – 2025
- Establishment of **Project Advisory Group** - 2025
- **Concept Designs and Business Case** commencing 2025; presented to Council by March 2026

Key Decision Point– funding confidence.

Industrial area upgrades

The Shire of York is upgrading the light industrial area to accommodate Restricted Access Vehicles (RAVs), improving freight movement and supporting local businesses. Currently, RAV 4 vehicles cannot legally enter the area, limiting deliveries and business access to essential services.

The project will upgrade four key intersections to support heavy vehicles and renew the road and drainage network, including pavement removal, underground service adjustments, power line relocation, drainage upgrades, and new road construction. Signage, pavement marking, and improvements to business interfaces will also be completed.

Project Timeline:

- **Concept Plan Development:** Complete 2023/24
- **Funding Confirmed:** July 2024
- **Design phase:** May – October 2025
- **Land Acquisition:** from March 2025
- **Construction:** commencing mid 2026

All projects subject to funding, budget and other approvals.

Managing our assets

The Shire of York is built on a strong foundation of infrastructure, supporting both everyday life and future growth.

From roads to community spaces that bring people together, these assets are essential for residents, businesses, and visitors alike.

The Shire takes a proactive approach to asset management, ensuring infrastructure remains functional, sustainable, and delivers long-term value.

Roads and pathways	Paths, roads, car parks, street furniture, streetlights, street signs and drainage.
Recreation and Parks	Playgrounds, parks, ovals, public spaces, public art, water bodies, trees and gardens, irrigation, lighting, signage, waste receptacles.
Buildings	Sporting facilities, community facilities, staff facilities, depots, social and commercial properties, public toilets.
Plant and Equipment	Maintenance equipment, fleet, information technology.





Investment in core services

The Shire is committed to responsible financial management and expenditure that enhances services and infrastructure for residents and business. The figures below show expenditure against key services along with a three-year forecast, utilising WA Treasury expected CPI increases. Major projects investment is not reflected in these figures.

		2.90%	2.75%	2.50%
	23/24 expenditure*	24/25 forecast	25/26 forecast	26/27 forecast
ROAD CONSTRUCTION	\$2,092,641	\$2,153,328	\$2,212,544	\$2,267,858
RECREATION AND SPORT	\$2,298,647	\$2,365,307	\$2,430,353	\$2,491,112
ECONOMIC DEVELOPMENT	\$465,590	\$479,092	\$492,267	\$504,574
TOURISM & AREA PROMOTION	\$557,890	\$574,069	\$589,856	\$604,602
ANIMAL CONTROL	\$216,822	\$223,110	\$229,245	\$234,976
FIRE PREVENTION	\$29,8918	\$307,586	\$316,045	\$323,946

*As per Annual Report



Shire of York
Council Plan 2025-2035
Draft for Council Adoption
April 2025

1 Joaquina Street, York WA 6302
(08) 9641 0500
www.york.wa.gov.au



Ordinary Council Meeting

22 April 2025

ADDENDUM

SY044-04/25 – Major Strategic Review – Inaugural Council Plan 2025-2035

Following the release of the April 2025 Council Agenda, an error was identified in the Council Plan (page 294 of the Agenda, page 32 of the Council Plan Appendix 2). The third dot point under Delivery Lead should read:

“Providing non-asset-based services, including tourism, economic development, and a range of social services, such as library facilities and the Community Resource Centre.”

An error was also identified on Page 297 of the Agenda, page 35 of the Council Plan Appendix 2 with the comma in the incorrect place in 23/24 expenditure Fire Prevention. This can be corrected in the final document through point 5 of the Officer’s recommendation. The figure should read \$298,918.

As the agenda has been distributed there is a requirement to update the Recommendation to Council. The new Recommendation is as follows:

That, with regard to the Major Strategic Review - Inaugural Council Plan 2025-2035, Council:

- 1. Notes the community engagement and feedback received on the major review of the Council Plan 2025-2035, as presented in Appendix 1.**
- 2. Adopts the major review of the Council Plan 2025-2035, which incorporates the Strategic Community Plan and Corporate Business Plan, as presented in Appendix 2, subject to the corrections identified in the Addendum released on 16 April 2025, presented in Appendix 3.**
- 3. Requests the Chief Executive Officer to provide local public notice of the adoption of the major review of the Council Plan 2025-2035 in accordance with Regulation 19D of the *Local Government (Administration) Regulations 1996*.**
- 4. Notes the minor review of the Council Plan is due in the 2026/27 financial year.**
- 5. Authorises the Chief Executive Officer to make minor formatting and typographical changes to the Council Plan 2025-2035 prior to publication.**

SY045-04/25 SUPPORT FOR THE AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION'S 2025 FEDERAL ELECTION PRIORITIES

File Number:	4.9313
Author:	Vanessa Green, Council & Executive Support Officer
Authoriser:	Alina Behan, Acting Chief Executive Officer
Previously before Council:	Not applicable
Disclosure of Interest:	Nil
Appendices:	Nil

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

This report presents a proposal to support the Australia Local Government Association's 2025 federal election priorities and its national 'Put Our Communities First' advocacy campaign.

BACKGROUND

The next Federal Election will be held on Saturday 3 May 2025.

Working in conjunction with its member state and territory associations, the Australian Local Government Association (ALGA) has developed a framework and resources for a national advocacy campaign that will run in the lead up to this election.

Based around the tagline of "Put Our Communities First", the goal is to secure additional federal funding that will support every council to play a bigger role delivering local solutions to national priorities.

All Australian councils have been asked to participate in this campaign to ensure a coordinated approach that will deliver the best possible outcomes.

COMMENTS AND DETAILS

The 'Put Our Communities First' campaign will advocate for new federal funding to be distributed to all councils on a formula-basis, similar to the Commonwealth's Roads to Recovery Program, or the previous Local Roads and Community Infrastructure Program.

This will ensure that every council and community benefits and support local decision making based on local needs.

ALGA has developed free campaign resources that can be adapted and used by all councils to ensure a consistent and effective approach.

Participating in a national advocacy campaign does not preclude the Shire from advocating on additional local needs and issues, but it will strengthen the national campaign and support all 537 Australian local governments.

The five (5) national funding priorities have been determined by the ALGA Board – comprised of representatives from each of Australia's state and territory local government associations – and align with key national priorities.

These five (5) funding priorities are:

\$1.1 billion per year for enabling infrastructure to unlock housing supply

\$500 million per year for community infrastructure

\$600 million per year for safer local roads

\$900 million per year for increased local government emergency management capability and capacity

\$400 million per year for climate change adaptation

Further information on each of these priorities is listed below.

Housing enabling infrastructure

A lack of funding for enabling infrastructure – including roads, and water and sewerage treatment connections and facilities – is a significant barrier to increasing housing supply across the country.

Research from [Equity Economics](#) found that forty (40) percent of local governments have cut back on new infrastructure developments because of inadequate enabling infrastructure funding.

This research also shows that achieving the National Housing Accord's housing targets would incur an additional \$5.7 billion funding shortfall on top of infrastructure funding gaps already being felt by councils and their communities.

A (5) five year, \$1.1 billion per annum program would fund the infrastructure that is essential to new housing developments, and Australia reaching its housing targets.

Community Infrastructure

ALGA's [2024 National State of the Assets report](#) indicates that \$8.3 billion worth of local government buildings and \$2.9 billion worth of parks and recreation facilities are in poor condition and need attention.

Introduced in 2020, the Local Roads and Community Infrastructure Program supported all councils to build, maintain and upgrade local facilities, with \$3.25 billion allocated on a formula basis.

This program had a significant impact, driving an almost \$1 billion improvement in the condition of local government buildings and facilities; and a \$500 million per year replacement fund would support all councils to build, upgrade and revitalise the community infrastructure all Australians rely on.

Safer Roads

Councils manage more than seventy-five (75) percent of Australia's roads by length, and tragically more than half of all fatal road crashes in Australia occur on these roads.

In 2023 the Australian Government announced that it would double Roads to Recovery funding over the forward estimates, providing councils with an additional \$500 million per year.

However, recent independent research by the [Grattan Institute](#) highlighted a \$1 billion local government road maintenance funding shortfall, meaning there is still a significant funding gap.

Providing local government with \$600 million per year tied to road safety programs and infrastructure upgrades would support all councils to play a more effective role addressing Australia's road toll.

Climate adaptation

Local governments are at the forefront of grappling with climate impacts as both asset managers and land use decision makers.

However, funding and support from other levels of government has failed to keep pace, placing an inequitable burden on councils and communities to fund this work locally.

A \$400 million per year local government climate adaptation fund would enable all councils to implement place-based approaches to adaptation, delivering local solutions to this national challenge.

Emergency management

Fires, floods and cyclones currently cost Australia [\\$38 billion per year, and this is predicted to rise to \\$73 billion by 2060](#).

Australian councils play a key role preparing for, responding to and recovering from natural disasters, but are not effectively funded to carry out these duties.

The Government's \$200 million per year Disaster Ready Fund is significantly oversubscribed, especially considering the scale and cost of disaster mitigation projects.

Numerous national reviews – including the [Colvin Review](#) and [Royal Commission into Natural Disaster Arrangements](#) – have identified the need for a significant uplift in local government emergency management capability and capacity.

A \$900 million per year fund would support all councils to better prepare their communities before natural disasters, and more effectively carry out the emergency management responsibilities that have been delegated to them.

Local Impact

The updated Asset Management Plans identify significant funding shortfalls for infrastructure renewal and any increase in funding would greatly assist in delivering these services.

Although with the date of Council's April 2025 Ordinary Meeting meaning there is limited time between Council's consideration of this matter and the Federal Election, it is still considered important for the Shire of York to support and participate in ALGA's campaign to increase federal funding for all local governments. To enable a quick turn around on Council's resolution, if supported, Officers have prepared the letters referenced in the Officer's recommendation.

OPTIONS

Council has the following options:

Option 1: Council could choose to support ALGA's 2025 federal election priorities, and its national 'Put Our Communities First' advocacy campaign and direct the Chief Executive Officer to write to the local federal member(s) of Parliament, all known election candidates in local federal electorates and the President of the Australian Local Government Association expressing support for ALGA's federal election funding priorities.

Option 2: Council could choose not to support ALGA's 2025 federal election priorities, and its national 'Put Our Communities First' advocacy campaign.

Option 1 is the recommended option

IMPLICATIONS TO CONSIDER

Consultative

Executive Leadership Team

Strategic

Strategic Community Plan 2020-2030

Goal 1: The Place to Be

To be a close-knit community, full of life, in a welcoming and accessible place for all.

Goal 4: Built for Lifestyle and Resilience

To have a built environment which supports community, economy and the environment, respects the past and creates a resilient future.

Goal 5: Strong Leadership and Governance

SY046-04/25 FINANCIAL REPORT - MARCH 2025

File Number:	4.7714
Author:	Codey Redmond, Manager Finance
Authoriser:	Rebecca Palumbo, Acting Executive Manager Corporate & Community Services
Previously before Council:	Not Applicable
Disclosure of Interest:	Nil
Appendices:	<ol style="list-style-type: none">1. Monthly Financial Statement - March 2025 ↓2. Creditors Payment Listing - March 2025 ↓3. Credit Card Report - February 2025 ↓4. Fuel Card Transaction Listing - March 2025 ↓5. Fuel Card Transaction Listing - November 2024 ↓

NATURE OF COUNCIL'S ROLE IN THE MATTER

Legislative

PURPOSE OF REPORT

This report presents the statement of financial activity, creditors payment listing and purchasing card transactions to Council for noting.

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. In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid is to be presented to Council and be recorded in the minutes of the meeting at which the list was presented.

COMMENTS AND DETAILS

This report is presented for Council's consideration and provides information for the period ending 31 March 2025 and includes the following:

1. Monthly Statements
2. List of Creditor Payments
3. Business Card Statement and Transaction Summary
4. List of Purchasing Card Transactions

The November 2024 Fuel Card Listing is included as it has not previously been presented. In 2024 the fuel transactions were presented two months in arrears while in 2025 this was updated to just the previous month. In the changeover the November statement was omitted. It is now presented.

The following information provides balances for key financial areas for the Shire of York's financial position as at 31 March 2025. The opening figures for this month's report have been updated to reflect the annual financial report.

List of Payments for March 2025

A list of accounts paid from the Municipal Fund and Trust Fund under the Chief Executive Officer's delegated authority for the month of March 2025 is presented to Council for noting.

Outstanding Rates and Services

The total outstanding rates balance at the end of March 2025 was \$1,948,767 compared to \$2,688,097 at the end of March 2024. Earlier budget adoption meant rates were levied in August this year compared to September last year resulting in earlier payments. Total outstanding rates are trending at roughly the same levels as last year with the current years' final instalment due March rather than April as was the case in 2024.

TABLE 1.

CURRENT YEAR	PROPERTIES	31/03/2025	%		PROPERTIES	31/03/2024	%
3 years and over	96	\$556,563	29%		84	\$735,531	27%
2 years and over	122	\$172,407	9%		108	\$207,234	8%
1 year and over	213	\$324,658	17%		181	\$330,408	12%
Total Aged		\$1,053,628	54%			\$1,273,172	47%*
Current Rates	571	\$895,139	46%		1,368	\$1,414,925	53%
Total Rates Outstanding		\$1,948,767				\$2,688,097	

Council has appointed an appropriately qualified and experienced debt collection contractor to assist in resolving both younger and older outstanding debts. Officers continue to administer payment arrangements outside of the ordinary payment options in line with the current Policy F1 - Revenue Collection.

**Minor differences in percentage calculations are due to rounding errors as percentages are displayed as whole numbers.*

Outstanding Sundry Debtors

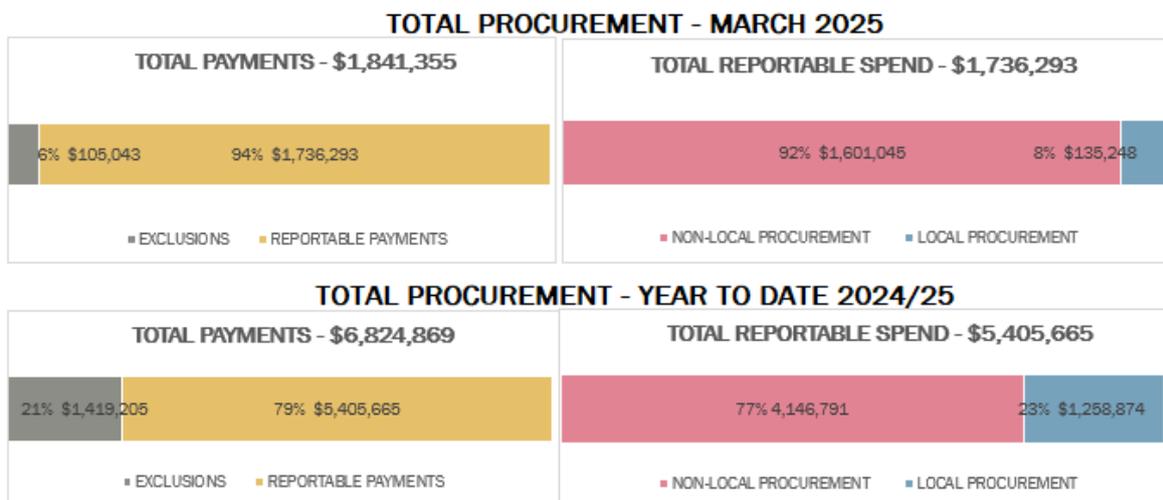
The figure for total outstanding sundry debtors as at 31 March 2025 was \$27,682 compared to \$15,398 as at 31 March 2024. Sundry debtors are reduced this month due to the resolution of many current debts. Aged debts are made up of a number of small debts with no single issue dominating.

TABLE 2.

CURRENT YEAR	31/03/2025	%		31/03/2024	%
90 days and over	\$14,654	46%		\$5,288	34%
60 days and over	\$10,821	34%		\$3,202	21%
30 days and over	\$846	3%		\$3,708	24%
Current	\$5,458	17%		\$3,201	24%
Total Debtors Outstanding	\$31,779	100%		\$15,399	100%
Credits	-\$4,098				
Total Including Credits	\$27,681				

Local Procurement

To support the local economy, Council commits to spending locally where possible and reasonably practicable. For the month of March 2025, Officers report the following in relation to local procurement, noting that 8% of payments were made to local businesses by the end of March with the year-to-date (YTD) figure currently standing at 23%.



The above figures provide an indication of the levels of local procurement as a percentage of reportable payments. It is important to note that in the development of the above tables, several exclusions apply and are not included in the reportable totals. These include, but are not limited to, payments made for the following:

1. Superannuation
2. Goods and Services Tax
3. Department of Fire and Emergency Services
4. Local Government Insurance Services
5. WA Local Government Association
6. WA Treasury Corporation
7. Office of the Auditor General
8. Utilities (Synergy, Telstra, Water Corporation)
9. Placement of Shire term deposits

OPTIONS

Not applicable

IMPLICATIONS TO CONSIDER

Consultative

Not applicable

Strategic

Strategic Community Plan 2020-2030

Goal 5: Strong Leadership and Governance

To have effective and responsive leadership and governance, where a sense of collective purpose and shared direction combine to work together.

Policy Related

- F2 Procurement
- F6 Credit Cards
- F5 Authority to make payments from Trust and Municipal Funds
- DL 1.1.17 Payments from the Municipal or Trust Funds

Financial

This report and its appendices provide a summary of the financial position of the Shire at the end of the reporting period. The figures reported are an estimate only and are subject to adjustments prior to finalisation of the 2024/25 annual financial report.

Legal and Statutory

Section 6.10 of the *Local Government Act 1995* is applicable and states:

“6.10. Financial management regulations

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.”*

Regulations 13, 13A, 34 and 35 of the *Local Government (Financial Management) Regulations 1996* are applicable and state:

“13. Payments from municipal fund or trust fund by CEO, CEO’s duties as to etc.

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

13A. Payments by employees via purchasing cards

- (1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —*

- (a) *the payee's name;*
 - (b) *the amount of the payment;*
 - (c) *the date of the payment;*
 - (d) *sufficient information to identify the payment.*
- (2) *A list prepared under subregulation (1) must be —*
- (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) *recorded in the minutes of that meeting.*

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 the previous month (the **relevant 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 relevant month; and*
 - (c) *actual amounts of expenditure, revenue and income to the end of the relevant month; 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 relevant month and a note containing a summary explaining the composition of the net current assets.*
- (1B) *The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a).*
- (1C) *Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
- [(a) deleted]*
 - (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 must be shown according to nature classification.*
- (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 relevant month; 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.*

35. Financial position statement required each month

- (1) *A local government must prepare each month a statement of financial position showing the financial position of the local government as at the last day of the previous month (the **previous month**) and —*
 - (a) *the financial position of the local government as at the last day of the previous financial year; or*
 - (b) *if the previous month is June, the financial position of the local government as at the last day of the financial year before the previous financial year.*
- (2) *A statement of financial position must be —*
 - (a) *presented at an ordinary meeting of the council within 2 months after the end of the previous month; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.”*

Risk Related

It is a requirement of the *Local Government (Financial Management) Regulations 1996* that local governments prepare a Statement of Financial Activity within two (2) months after the end of the reporting period. This report mitigates the risk of non-compliance with the Regulations.

Workforce

The scope of this report can be managed within current operational capacity.

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION	
150425	
Moved: Cr Denese Smythe	Seconded: Cr Chris Gibbs
That, with regards to the Financial Report - March 2025, Council:	
1. Receives the Monthly Financial Report and the list of payments drawn from the Municipal and Trust accounts for the period ending 31 March 2025 as summarised below:	
March 2025	
MUNICIPAL FUND	AMOUNT
Cheque Payments	0
Payroll Debits	344,202.00
Electronic Funds Payments	763,795.00
Payroll Debits - Superannuation	75,341.00
Bank Fees	1,053.00
Corporate Cards	4,873.00

Sub total - Municipal	1,189,264.00
TRUST FUND	
Electronic Funds Payments	1,781.00
Cheque Payments	0
Direct Debits Licensing	97,566.00
Sub total - Trust	99,347.00
TOTAL DISBURSEMENTS	1,288,611.00
<u>In Favour:</u>	Crs Kevin Trent, Denis Warnick, Chris Gibbs, Kevin Pyke, Denese Smythe and Peter Wright
<u>Against:</u>	Nil
	<i>CARRIED 6/0</i>

SHIRE OF YORK
MONTHLY FINANCIAL REPORT
(Containing the required statement of financial activity and statement of financial position)
For the period ended 31 March 2025

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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SHIRE OF YORK
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MARCH 2025

Note	Amended Budget Estimates (a)	YTD Budget Estimates (b)	YTD Actual (c)	Variance* (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
	\$	\$	\$	\$	%	
OPERATING ACTIVITIES						
Revenue from operating activities						
General rates	8,121,167	6,090,858	8,047,499	1,956,641	32.12%	▲
Grants, subsidies and contributions	621,696	466,245	329,394	(136,851)	(29.35%)	▼
Fees and charges	1,915,379	1,436,382	1,760,596	324,214	22.57%	▲
Interest revenue	301,362	225,999	224,332	(1,667)	(0.74%)	▼
Other revenue	293,259	219,897	452,493	232,596	105.77%	▲
Profit on asset disposals	487,397	365,526	0	(365,526)	(100.00%)	▼
	11,740,260	8,804,907	10,814,314	2,009,407	22.82%	
Expenditure from operating activities						
Employee costs	(6,771,772)	(5,078,385)	(4,633,149)	445,236	8.77%	▲
Materials and contracts	(4,533,983)	(3,399,480)	(2,698,939)	700,541	20.61%	▲
Utility charges	(508,499)	(381,204)	(260,892)	120,312	31.56%	▲
Depreciation	(6,817,295)	(5,112,918)	(1,161,019)	3,951,899	77.29%	▲
Finance costs	(49,335)	(36,999)	(27,856)	9,143	24.71%	▲
Insurance	(324,955)	(324,946)	(433,481)	(108,535)	(33.40%)	▼
Other expenditure	(674,972)	(506,097)	(204,074)	302,023	59.68%	▲
Loss on asset disposals	(4,645)	(3,483)	0	3,483	100.00%	▲
	(19,685,456)	(14,843,512)	(9,419,410)	5,424,102	36.54%	
Non cash amounts excluded from operating activities	6,334,543	4,750,875	1,161,019	(3,589,856)	(75.56%)	▼
Amount attributable to operating activities	(1,610,653)	(1,287,730)	2,555,923	3,843,653	298.48%	
INVESTING ACTIVITIES						
Inflows from investing activities						
Proceeds from capital grants, subsidies and contributions	3,652,340	2,497,293	450,429	(2,046,864)	(81.96%)	▼
Proceeds from disposal of assets	879,000	0	0	0	0.00%	▼
	4,531,340	2,497,293	450,429	(2,046,864)	(81.96%)	
Outflows from investing activities						
Payments for property, plant and equipment	(1,698,000)	(648,535)	(116,659)	531,876	82.01%	▲
Payments for construction of infrastructure	(3,319,872)	(1,469,180)	(1,518,709)	(49,529)	(3.37%)	▼
	(5,017,872)	(2,117,715)	(1,635,368)	482,347	22.78%	
Amount attributable to investing activities	(486,532)	379,578	(1,184,939)	(1,564,517)	(412.17%)	
FINANCING ACTIVITIES						
Inflows from financing activities						
Transfer from reserves	75,000	0	0	0	0.00%	▼
	75,000	0	0	0	0.00%	
Outflows from financing activities						
Repayment of borrowings	(147,320)	(90,154)	(90,154)	0	0.00%	▼
Transfer to reserves	(560,000)	0	0	0	0.00%	▼
	(707,320)	(90,154)	(90,154)	0	0.00%	
Amount attributable to financing activities	(632,320)	(90,154)	(90,154)	0	0.00%	
MOVEMENT IN SURPLUS OR DEFICIT						
Surplus or deficit at the start of the financial year	3,652,527	3,652,527	3,566,300	(86,227)	(2.36%)	▼
Amount attributable to operating activities	(1,610,653)	(1,287,730)	2,555,923	3,843,653	298.48%	▲
Amount attributable to investing activities	(486,532)	379,578	(1,184,939)	(1,564,517)	(412.17%)	▼
Amount attributable to financing activities	(632,320)	(90,154)	(90,154)	0	0.00%	▼
Surplus or deficit after imposition of general rates	923,022	2,654,221	4,847,130	2,192,909	82.62%	▲

KEY INFORMATION

▲▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data outside the adopted materiality threshold.

▲ Indicates a variance with a positive impact on the financial position.

▼ Indicates a variance with a negative impact on the financial position.

Refer to Note 3 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF YORK
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 31 MARCH 2025**

	Actual 30 June 2024	Actual as at 31 March 2025
	\$	\$
CURRENT ASSETS		
Cash and cash equivalents	6,508,882	6,882,653
Trade and other receivables	1,695,075	2,712,576
Inventories	52,481	66,491
TOTAL CURRENT ASSETS	8,256,438	9,661,720
NON-CURRENT ASSETS		
Trade and other receivables	219,021	219,021
Other financial assets	83,171	83,171
Property, plant and equipment	47,493,206	47,377,094
Infrastructure	138,257,476	138,850,320
Right-of-use assets	975,323	972,940
TOTAL NON-CURRENT ASSETS	187,028,197	187,502,546
TOTAL ASSETS	195,284,635	197,164,266
CURRENT LIABILITIES		
Trade and other payables	1,657,175	1,781,629
Other liabilities	232,933	232,933
Borrowings	147,321	57,167
Employee related provisions	769,684	769,684
TOTAL CURRENT LIABILITIES	2,807,113	2,841,413
NON-CURRENT LIABILITIES		
Borrowings	712,655	712,655
Employee related provisions	341,365	341,365
TOTAL NON-CURRENT LIABILITIES	1,054,020	1,054,020
TOTAL LIABILITIES	3,861,133	3,895,433
NET ASSETS	191,423,502	193,268,833
EQUITY		
Retained surplus	25,145,197	26,990,530
Reserve accounts	2,537,273	2,537,273
Revaluation surplus	163,741,032	163,741,030
TOTAL EQUITY	191,423,502	193,268,833

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF YORK
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MARCH 2025**

1 BASIS OF PREPARATION AND MATERIAL ACCOUNTING POLICIES

BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

Local Government Act 1995 requirements

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Local Government (Financial Management) Regulations 1996, regulation 34 prescribes contents of the financial report. Supplementary information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 03 April 2025

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements.

MATERIAL ACCOUNTING POLICIES

Material accounting policies utilised in the preparation of these statements are as described within the 2024-25 Annual Budget. Please refer to the adopted budget document for details of these policies.

Critical accounting estimates and judgements

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

As with all estimates, the use of different assumptions could lead to material changes in the amounts reported in the financial report.

The following are estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year and further information on their nature and impact can be found in the relevant note:

- Fair value measurement of assets carried at reportable value including:
 - Property, plant and equipment
 - Infrastructure
- Impairment losses of non-financial assets
- Expected credit losses on financial assets
- Assets held for sale
- Investment property
- Estimated useful life of intangible assets
- Measurement of employee benefits
- Measurement of provisions
- Estimation uncertainties and judgements made in relation to lease

**SHIRE OF YORK
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MARCH 2025**

2 NET CURRENT ASSETS INFORMATION

	Amended Budget Opening	Actual as at 30 June 2024	Actual as at 31 March 2025
(a) Net current assets used in the Statement of Financial Activity			
Current assets	\$	\$	\$
Cash and cash equivalents	5,771,069	6,508,882	6,882,653
Trade and other receivables	1,722,299	1,695,075	2,712,576
Inventories	52,481	52,481	66,491
	<u>7,545,849</u>	<u>8,256,438</u>	<u>9,661,720</u>
Less: current liabilities			
Trade and other payables	(863,213)	(1,657,175)	(1,781,629)
Other liabilities	(267,735)	(232,933)	(232,933)
Borrowings	(147,320)	(147,321)	(57,167)
Employee related provisions	(680,904)	(769,684)	(769,684)
Other provisions	(51,124)	0	0
	<u>(2,010,296)</u>	<u>(2,807,113)</u>	<u>(2,841,413)</u>
Net current assets	5,535,553	5,449,325	6,820,307
Less: Total adjustments to net current assets	2(b) (1,883,026)	(1,883,025)	(1,973,179)
Closing funding surplus / (deficit)	3,652,527	3,566,300	4,847,128
(b) Current assets and liabilities excluded from budgeted deficiency			
Adjustments to net current assets			
Less: Reserve accounts	(2,537,273)	(2,537,273)	(2,537,273)
Add: Current liabilities not expected to be cleared at the end of the year			
- Current portion of borrowings	147,320	147,321	57,167
- Current portion of employee benefit provisions held in reserve	506,927	506,927	506,927
Total adjustments to net current assets	2(a) (1,883,026)	(1,883,025)	(1,973,179)
(c) Non-cash amounts excluded from operating activities			
Adjustments to operating activities			
Less: Profit on asset disposals	(487,397)	(365,526)	0
Add: Loss on asset disposals	4,645	3,483	0
Add: Depreciation	6,817,295	5,112,918	1,161,019
Total non-cash amounts excluded from operating activities	6,334,543	4,750,875	1,161,019

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the local governments' operational cycle.

AASB 101.10(e) **SHIRE OF YORK**
 AASB 101.51 **NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**
 AASB 101.112 **FOR THE PERIOD ENDED 31 MARCH 2025**

FM Reg 34 (2)(b) **3 EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.
 The material variance adopted by Council for the 2024-25 year is \$10,000 or 10.00% whichever is the greater.

Description	Var. \$	Var. %	
	\$	%	
Revenue from operating activities			
General rates	1,956,641	32.12%	▲
Budget apportioned 9/12th		Timing	
Rates Due 18/09/2024			
Grants, subsidies and contributions	(136,851)	(29.35%)	▼
Budget apportioned 9/12th		Timing	
Fees and charges	324,214	22.57%	▲
Greater than budgeted revenue at new sites - CRC & Recreation Centre		Timing	
Profit on asset disposals	(365,526)	(100.00%)	▼
Budget apportioned 9/12th capital acquisitions process timing			
Expenditure from operating activities			
Employee costs	445,236	8.77%	▲
Under budget in Admin salaries due to timing of employment engagement		Permanent	
Materials and contracts	700,541	20.61%	▲
Under budget in maintenance expenditure and consultant fees		Timing	
	120,312	31.56%	▲
		Timing	
	3,951,899	77.29%	▲
		Timing	
	9,143	24.71%	▲
		Timing	
	(108,535)	(33.40%)	▼
		Timing	
	302,023	59.68%	▲
		Timing	
	3,483	100.00%	▲
Non cash amounts excluded from operating activities	(3,589,856)	(75.56%)	▼
Depreciation not started until annual report approved		Timing	
Inflows from investing activities			
Proceeds from capital grants, subsidies and contributions	(2,046,864)	(81.96%)	▼
Timing of term deposit maturity		Timing	
Budget apportioned 9/12th			
Outflows from investing activities			
Payments for property, plant and equipment	531,876	82.01%	▲
Budget apportioned 9/12th		Timing	
Payments for construction of infrastructure	(49,529)	(3.37%)	▼
Budget apportioned 9/12th capital acquisitions process timing		Timing	

SHIRE OF YORK
SUPPLEMENTARY INFORMATION
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BASIS OF PREPARATION - SUPPLEMENTARY INFORMATION

Supplementary information is presented for information purposes. The information does not comply with the disclosure requirements of the Australian Accounting Standards.

SHIRE OF YORK
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2025

1 KEY INFORMATION

Funding Surplus or Deficit Components

Funding surplus / (deficit)				
	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$3.65 M	\$3.65 M	\$3.57 M	(\$0.09 M)
Closing	\$0.92 M	\$2.65 M	\$4.85 M	\$2.19 M

Refer to Statement of Financial Activity

Cash and cash equivalents		
	\$	% of total
Unrestricted Cash	\$4.17 M	60.6%
Restricted Cash	\$2.71 M	39.4%

Refer to 3 - Cash and Financial Assets

Payables		
	\$	% Outstanding
Trade Payables	\$0.03 M	
0 to 30 Days		100.0%
Over 30 Days		0.0%
Over 90 Days		0.0%

Refer to 9 - Payables

Receivables		
	\$	% Collected
Rates Receivable	\$1.93 M	73.3%
Trade Receivable	\$0.78 M	
Over 30 Days		95.1%
Over 90 Days		52.6%

Refer to 7 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$1.61 M)	(\$1.29 M)	\$2.56 M	\$3.84 M

Refer to Statement of Financial Activity

Rates Revenue		
	\$	% Variance
YTD Actual	\$8.05 M	
YTD Budget	\$6.09 M	32.1%

Grants and Contributions		
	\$	% Variance
YTD Actual	\$0.33 M	
YTD Budget	\$0.47 M	(29.4%)

Refer to 12 - Grants and Contributions

Fees and Charges		
	\$	% Variance
YTD Actual	\$1.76 M	
YTD Budget	\$1.44 M	22.6%

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.49 M)	\$0.38 M	(\$1.18 M)	(\$1.56 M)

Refer to Statement of Financial Activity

Proceeds on sale		
	\$	%
YTD Actual	\$0.00 M	
Amended Budget	\$0.88 M	(100.0%)

Refer to 6 - Disposal of Assets

Asset Acquisition		
	\$	% Spent
YTD Actual	\$1.52 M	
Amended Budget	\$3.32 M	(54.3%)

Refer to 5 - Capital Acquisitions

Capital Grants		
	\$	% Received
YTD Actual	\$0.45 M	
Amended Budget	\$3.65 M	(87.7%)

Refer to 5 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.63 M)	(\$0.09 M)	(\$0.09 M)	\$0.00 M

Refer to Statement of Financial Activity

Borrowings	
Principal repayments	(\$0.09 M)
Interest expense	(\$0.03 M)
Principal due	\$0.77 M

Refer to 10 - Borrowings

Reserves	
Reserves balance	\$2.54 M
Net Movement	\$0.00 M

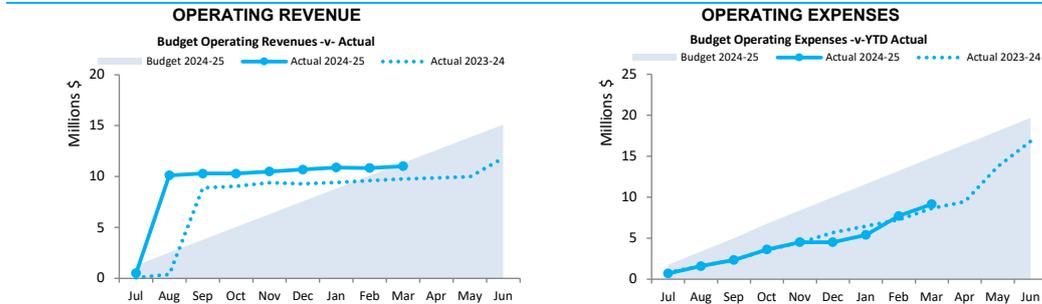
Refer to 4 - Cash Reserves

This information is to be read in conjunction with the accompanying Financial Statements and notes.

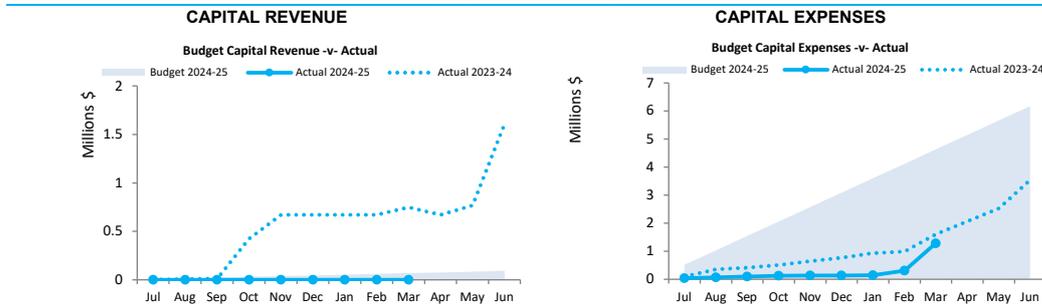
SHIRE OF YORK
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2025

2 KEY INFORMATION - GRAPHICAL

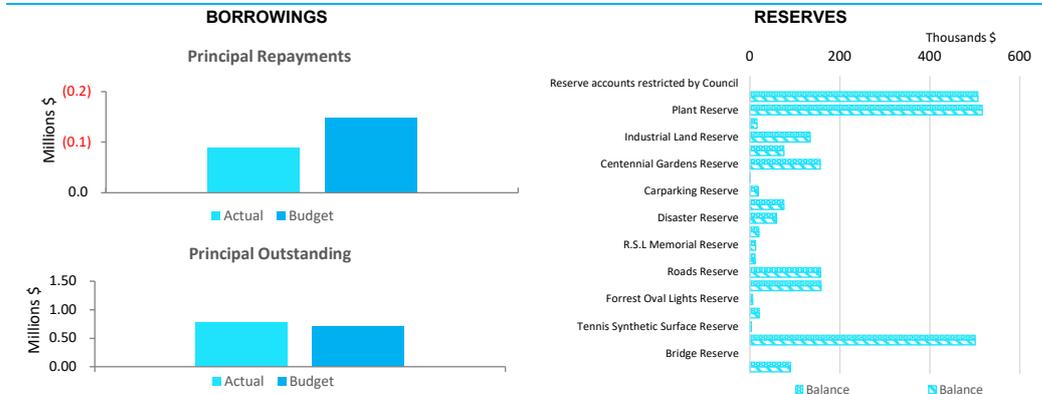
OPERATING ACTIVITIES



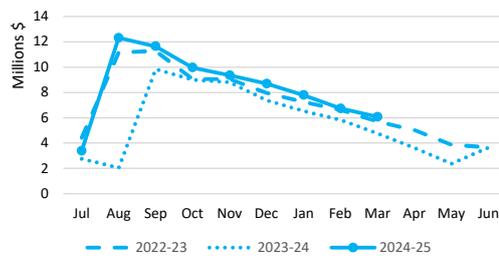
INVESTING ACTIVITIES



FINANCING ACTIVITIES



Closing funding surplus / (deficit)



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

**SHIRE OF YORK
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2025**

3 CASH AND FINANCIAL ASSETS AT AMORTISED COST

Description	Classification	Unrestricted	Reserve Accounts	Total	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Cash on Hand	Cash and cash equivalents	1,330	0	1,330	0	N/A	N/A	N/A
Muni Bank		2,017,997	0	2,017,997	0	N/A	N/A	N/A
Westpac Flexi	Cash and cash equivalents	5,402	0	5,402	0	Westpac	Variable	N/A
AMP	Cash and cash equivalents	28,796	0	28,796	0	AMP	Variable	N/A
AMP at Call	Cash and cash equivalents	301,890	0	301,890	0	AMP	Variable	N/A
Municipal Term Deposit	Cash and cash equivalents	510,900	0	510,900	0	AMP	5.40%	Aug 24
		821,845		821,845				
Reserves Bank	Cash and cash equivalents	0	2,711,059	2,711,059	0	NAB	Variable	Dec 24
Trust Bank	Cash and cash equivalents	483,434	0	483,434	58,422	N/A	N/A	N/A
Total		4,171,594	2,711,059	6,882,653	58,422			
Comprising								
Cash and cash equivalents		4,171,594	2,711,059	6,882,653	58,422			
		4,171,594	2,711,059	6,882,653	58,422			

KEY INFORMATION

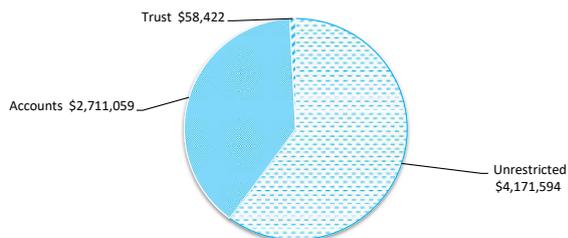
Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 8 - Other assets.



**SHIRE OF YORK
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2025**

4 RESERVE ACCOUNTS

Reserve account name	Budget				Actual			
	Opening Balance	Transfers In (+)	Transfers Out (-)	Closing Balance	Opening Balance	Transfers In (+)	Transfers Out (-)	Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$
Reserve accounts restricted by Council								
Leave Reserve	506,927	0	0	506,927	506,927	0	0	506,927
Plant Reserve	516,688	85,046	0	601,734	516,688			516,688
Avon River Mtce Reserve	15,426	0	0	15,426	15,426			15,426
Industrial Land Reserve	134,010	0	0	134,010	134,010			134,010
Refuse Site Develop Reserve	75,519	0	0	75,519	75,519			75,519
Centennial Gardens Reserve	156,162	0	0	156,162	156,162			156,162
Pioneer Memorial Lodge Reserve	533	60,000	0	60,533	533			533
Carparking Reserve	18,623	0	0	18,623	18,623			18,623
Building Reserve	75,380	100,000	0	175,380	75,380			75,380
Disaster Reserve	59,281	0	0	59,281	59,281			59,281
Tied Grant Funds Reserve	19,557	0	0	19,557	19,557			19,557
R.S.L Memorial Reserve	12,600	0	0	12,600	12,600			12,600
Greenhills Townsite Development Reserve	11,221	0	0	11,221	11,221			11,221
Roads Reserve	156,884	0	0	156,884	156,884			156,884
Land & Infrastructure Reserve	158,104	0	0	158,104	158,104			158,104
Forrest Oval Lights Reserve	6,161	0	0	6,161	6,161			6,161
Bowls Synthetic Surface Reserve	20,444	0	0	20,444	20,445			20,445
Tennis Synthetic Surface Reserve	3,155	0	0	3,155	3,155			3,155
Recreation Reserve	500,598	0	(75,000)	425,598	500,597			500,597
Bridge Reserve	0	100,000	0	100,000	0			0
Swimming Pool Reserve	90,000	214,954	0	304,954	90,000			90,000
	2,537,273	560,000	(75,000)	3,022,273	2,537,273	0	0	2,537,273

**SHIRE OF YORK
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2025**

INVESTING ACTIVITIES

5 CAPITAL ACQUISITIONS

Capital acquisitions	Amended		YTD Actual	YTD Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Land - freehold land	31,500	13,125	0	(13,125)
Buildings - specialised	237,500	83,330	31,461	(51,869)
Furniture and equipment			78,641	78,641
Plant and equipment	1,429,000	552,080	6,557	(545,523)
Acquisition of property, plant and equipment	1,698,000	648,535	116,659	(531,876)
Infrastructure - Roads	2,857,192	1,276,410	1,407,968	131,558
Infrastructure - Bridges			266	266
Infrastructure - Other	411,480	171,440	64,145	(107,295)
Infrastructure - Drainage	51,200	21,330	46,330	25,000
Acquisition of infrastructure	3,319,872	1,469,180	1,518,709	49,529
Total of PPE and Infrastructure.	5,017,872	2,117,715	1,635,368	(482,347)
Total capital acquisitions	5,017,872	2,117,715	1,635,368	(482,347)
Capital Acquisitions Funded By:				
Capital grants and contributions	3,652,340	2,497,293	450,429	(2,046,864)
Lease liabilities	0	0	(1,364,969)	(1,364,969)
Other (disposals & C/Fwd)	879,000	0	0	0
Reserve accounts				
Recreation Reserve	75,000		0	0
Contribution - operations	411,532	(379,578)	2,549,908	2,929,486
Capital funding total	5,017,872	2,117,715	1,635,368	(482,347)

KEY INFORMATION

Initial recognition

An item of property, plant and equipment or infrastructure that qualifies for recognition as an asset is measured at its cost.

Upon initial recognition, cost is determined as the amount paid (or other consideration given) to acquire the assets, plus costs incidental to the acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Local Government (Financial Management) Regulation 17A(5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

Individual assets that are land, buildings and infrastructure acquired between scheduled revaluation dates of the asset class in accordance with the Shire's revaluation policy, are recognised at cost and disclosed as being at reportable value.

Measurement after recognition

Plant and equipment including furniture and equipment and right-of-use assets (other than vested improvements) are measured using the cost model as required under *Local Government (Financial Management) Regulation 17A(2)*. Assets held under the cost model are carried at cost less accumulated depreciation and any impairment losses being their reportable value.

Reportable Value

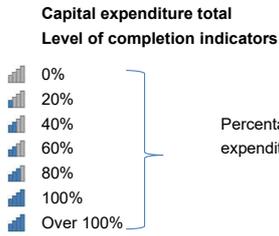
In accordance with *Local Government (Financial Management) Regulation 17A(2)*, the carrying amount of non-financial assets that are land and buildings classified as property, plant and equipment, investment properties, infrastructure or vested improvements that the local government controls.

Reportable value is for the purpose of *Local Government (Financial Management) Regulation 17A(4)* is the fair value of the asset at its last valuation date minus (to the extent applicable) the accumulated depreciation and any accumulated impairment losses in respect of the non-financial asset subsequent to its last valuation date.

SHIRE OF YORK
 SUPPLEMENTARY INFORMATION
 FOR THE PERIOD ENDED 31 MARCH 2025

INVESTING ACTIVITIES

5 CAPITAL ACQUISITIONS (CONTINUED) - DETAILED



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

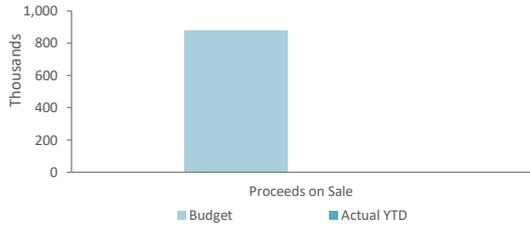
	Account Description	Amended		YTD Actual	Variance (Under)/Over
		Budget	YTD Budget		
					0
068302	PML BUILDING CAPITAL	22,500	1,875	0	1,875
112302	SWIMMING POOL CAPITAL (STAGE 1) - BUILDINGS	200,000	16,666	16,880	(214)
113029	TOWN HALL BUILDING	0	0	1,123	(1,123)
143304	DEPOT BUILDING CAPITAL	0	0	4,535	(4,535)
113329	FORREST OVAL REC CENTRE BUILDINGS	15,000	1,250	0	1,250
109383	CEMETRY INFRASTRUCTURE	0	0	17,859	(17,859)
113346	MOTOCROSS TRACK INFRASTRUCTURE	0	0	262	(262)
042339	ADMINISTRATION VEHICLES	52,000	4,333	0	4,333
051339	RANGER VEHICLE FIRE CONTROL	52,000	4,333	6,156	(1,823)
127304	PLANT PURCHASES CAPITAL	1,221,000	101,750	0	101,750
133319	PLANT & EQUIP - VEHICLE (Y000)	52,000	4,333	0	4,333
143301	DEPOT PLANT CAPITAL PURCHASE	52,000	4,333	0	4,333

**SHIRE OF YORK
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2025**

OPERATING ACTIVITIES

6 DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment								
	Plant and equipment	396,248	879,000	487,397	(4,645)	0	0	0	0
		396,248	879,000	487,397	(4,645)	0	0	0	0

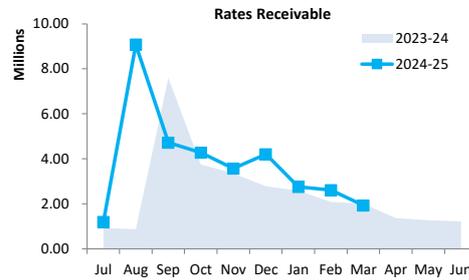


**SHIRE OF YORK
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2025**

OPERATING ACTIVITIES

7 RECEIVABLES

Rates receivable	30 June 2024	31 Mar 2025
	\$	\$
Opening arrears previous year	1,057,710	1,170,219
Levied this year	8,100,167	8,047,499
Less - collections to date	(7,466,219)	(6,760,374)
Gross rates collectable	1,691,658	2,457,344
Allowance for impairment of rates receivable	(521,439)	(525,272)
Net rates collectable	1,170,219	1,932,072
% Collected	81.5%	73.3%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(4,098)	5,459	946	10,821	14,554	27,682
Percentage	(14.8%)	19.7%	3.4%	39.1%	52.6%	
Balance per trial balance						
Trade receivables						27,682
Other receivables						422,769
GST receivable						292,643
Receivables for employee related provisions						37,410
Total receivables general outstanding						780,504

Amounts shown above include GST (where applicable)

KEY INFORMATION

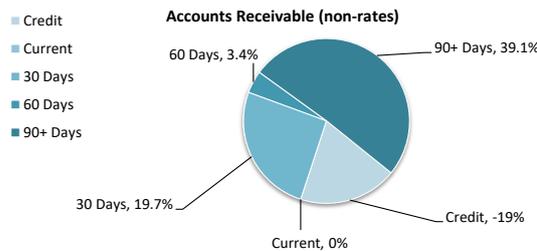
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



**SHIRE OF YORK
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2025**

OPERATING ACTIVITIES

8 OTHER CURRENT ASSETS

	Opening Balance 1 July 2024	Asset Increase	Asset Reduction	Closing Balance 31 March 2025
	\$	\$	\$	\$
Other current assets				
Inventory				
Fuel	52,481	125,278	(111,268)	66,491
Total other current assets	52,481	125,278	(111,268)	66,491

Amounts shown above include GST (where applicable)

KEY INFORMATION

Inventory

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

**SHIRE OF YORK
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2025**

OPERATING ACTIVITIES

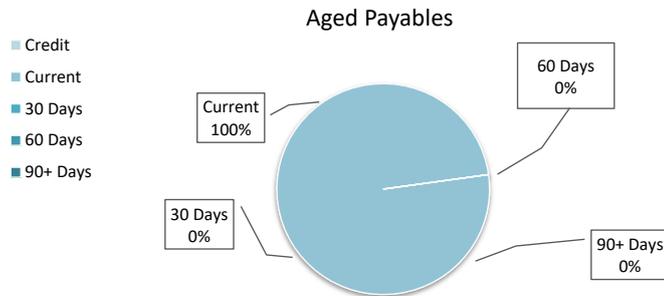
9 PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	25,732	0	0	0	25,732
Percentage	0.0%	100.0%	0.0%	0.0%	0.0%	
Balance per trial balance						25,732
Sundry creditors						117,747
ATO liabilities						193,632
Other payables						1,438,825
Bonds & Deposits						5,693
Accrued interest on long term borrowings						
Total payables general outstanding						1,781,629

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



SHIRE OF YORK
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2025

FINANCING ACTIVITIES

10 BORROWINGS

Repayments - borrowings

Information on borrowings Particulars	Loan No.	New Loans			Principal Repayments		Principal Outstanding		Interest Repayments	
		1 July 2024	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Forrest Oval Stage 1	62	659,307	0	0	(38,196)	(77,596)	621,111	581,711	(20,768)	(40,333)
Forrest Oval Stage 2	63	78,390	0	0	(20,296)	(27,237)	58,094	51,153	(2,769)	(3,517)
Forrest Oval Stage 3	64	122,278	0	0	(31,662)	(42,487)	90,616	79,791	(4,319)	(5,485)
Total		859,975	0	0	(90,154)	(147,320)	769,821	712,655	(27,856)	(49,335)
Current borrowings		147,320					57,167			
Non-current borrowings		712,655					712,654			
		859,975					769,821			

All debenture repayments were financed by general purpose revenue.

KEY INFORMATION

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Non-current borrowings fair values are based on discounted cash flows using a current borrowing rate.

**SHIRE OF YORK
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2025**

OPERATING ACTIVITIES

11 OTHER CURRENT LIABILITIES

	Note	Opening Balance 1 July 2024	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 31 March 2025
		\$	\$	\$	\$	\$
Other current liabilities						
Other liabilities						
Contract liabilities		232,933	0	0	0	232,933
Total other liabilities		232,933	0	0	0	232,933
Employee Related Provisions						
Provision for annual leave		509,194	0	0	0	509,194
Provision for long service leave		216,390	0	0	0	216,390
Other employee leave provisions		44,100	0	0	0	44,100
Total Provisions		769,684	0	0	0	769,684
Total other current liabilities		1,002,617	0	0	0	1,002,617

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 12

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee Related Provisions

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

SHIRE OF YORK
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2025

OPERATING ACTIVITIES

12 GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent grant, subsidies and contributions liability					Grants, subsidies and contributions revenue		
	Liability	Increase in Liability	Decrease in Liability (As revenue)	Liability	Current Liability	Amended Budget Revenue	YTD Budget	YTD Revenue
	1 July 2024			31 Mar 2025	31 Mar 2025			
	\$	\$	\$	\$	\$	\$	\$	\$
Grants and subsidies								
GRANT FUNDS (UNTIED)	0	0	0	0	0	182,210	136,656	111,536
GRANT LOCAL ROAD (UNTIED)	0	0	0	0	0	131,459	98,586	112,088
AUSTRALIA DAY COUNCIL	0	0	0	0	0	15,000	11,250	9,000
LGGS GRANTS	0	0	0	0	0	46,990	35,235	35,664
OTHER GRANTS	0	0	0	0	0	8,500	6,372	
GRANT RRG - DIRECT	0	0	0	0	0	237,537	178,146	0
GOVERNMENT GRANTS - WAUGAL RISING PROJECT				0	0	0	0	61,106
	0	0	0	0	0	621,696	466,245	329,394

SHIRE OF YORK
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2025

INVESTING ACTIVITIES

13 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities				Capital grants, subsidies and contributions revenue			
	Liability 1 July 2024	Increase in Liability	Decrease in Liability (As revenue)	Liability 31 Mar 2025	Current Liability 31 Mar 2025	Amended Budget Revenue	YTD Budget	YTD Revenue Actual
	\$	\$	\$	\$	\$	\$	\$	\$
Capital grants and subsidies								
CEMETERY GRANT INCOME	0	0	0	0	0	9,000	6,750	0
RECREATION GRANTS - TAXABLE	0	0	0	0	0	135,000	101,250	0
ROAD TO RECOVERY GRANTS	0	0	0	0	0	701,427	526,068	0
GRANT - RRG - ROADS	224,431	0	0	224,431	34,801	1,883,783	1,654,776	366,572
GRANT GOVT-BLACK SPOT FUNDING	0	0	0	0	0	437,240	469,530	83,857
GRANT - RRSP - ROADS	34,801	0	0	34,801	34,801	34,801	26,100	0
GRANTS - LRCIP	8,502	0	0	8,502	8,502	128,502	96,372	0
	267,734	0	0	267,734	78,104	3,329,753	2,880,846	450,429

**SHIRE OF YORK
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2025**

14 TRUST FUND

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance 1 July 2024	Amount Received	Amount Paid	Closing Balance 31 March 2025
	\$	\$	\$	\$
Cash in Lieu - Public Open Space	58,422	0	0	58,422
	58,422	0	0	58,422

**SHIRE OF YORK
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 MARCH 2025**

15 BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
			\$	\$	\$	\$
Budget adoption						923,022
122300 - York Tammin Road	020924	Capital expenses		125,000		1,048,022
122300 - Quellington Road	020924	Capital expenses		111,294		1,159,316
122401 - Quellington Road RRG	020924	Operating expenses		322,587		1,481,903
122407 - Spencers Brook Road Black Spot	020924	Capital expenses		16,125		1,498,028
125203 - RRG Grant Income	020924	Capital revenue			322,587	1,820,615
122400 - RTR Road Renewals	020924	Capital expenses			132,511	1,953,126
13350 - Building Reserve	020924	Non cash item			45,000	1,998,126
127308 - Plant Reserve	020924	Non cash item			54,908	2,053,034
122506 - Bridge Reserve	020924	Non cash item			20,000	2,073,034
				575,006	575,006	1,150,012

Date: 04/04/2025
Time: 1:50:28PM

Shire of York

USER: Susan Krousecky
PAGE: 1

Cheque /EFT No	Date Name	Invoice Description	Bank Code	INV Amount	Amount
EFT33672	10/03/2025 AMI HANNINGTON	STAFF REIMBURSEMENT - POLICE CLEARANCE - AMI HANNINGTON	1		99.00
INV 27022025	27/02/2025 AMI HANNINGTON	STAFF REIMBURSEMENT - POLICE CLEARANCE - AMI HANNINGTON	1	99.00	
EFT33673	10/03/2025 ANIMAL ARK PTY LTD	STAFF TRAINING SNAKE HANDLING COURSE - MARK APPLETON	1		451.00
INV 17271	17/02/2025 ANIMAL ARK PTY LTD	STAFF TRAINING SNAKE HANDLING COURSE - MARK APPLETON	1	451.00	
EFT33674	10/03/2025 AREA SAFE PRODUCTS PTY LTD	PURCHASE OF EMERGENCY ASSEMBLY AREA SIGNS & EMERGENCY EQUIPMENT	1		1,111.88
INV IN18047397	26/02/2025 AREA SAFE PRODUCTS PTY LTD	PURCHASE OF EMERGENCY ASSEMBLY AREA SIGNS & EMERGENCY EQUIPMENT	1	1,111.88	
EFT33675	10/03/2025 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS	1		179.50
INV 114	06/03/2025 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS		26.50	
INV 114	06/03/2025 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS		26.50	
INV 114	06/03/2025 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS		26.50	
INV 114	06/03/2025 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS		26.50	
INV 114	06/03/2025 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS		26.50	
INV 114	06/03/2025 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS		20.50	
INV 114	06/03/2025 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS		26.50	
EFT33676	10/03/2025 AVON VALLEY AG	4 X FITTINGS AS SPECIFIED BY SHIRE OF YORK	1		62.92
INV Y139436	17/02/2025 AVON VALLEY AG	4 X FITTINGS AS SPECIFIED BY SHIRE OF YORK	1	62.92	
EFT33677	10/03/2025 AVON WASTE	GENERAL WASTE PERIOD ENDING 07 FEBRUARY 2025	1		13,729.62
INV 00067880	07/02/2025 AVON WASTE	GENERAL WASTE PERIOD ENDING 07 FEBRUARY 2025	1	13,729.62	
EFT33678	10/03/2025 CHRIS GIBBS	COUNCILLOR ATTENDANCE FEES AND COMMUNICATIONS ALLOWANCE - FEBRUARY 2025	1		1,329.91
INV FEB 2025	10/03/2025 CHRIS GIBBS	COUNCILLOR ATTENDANCE FEES AND COMMUNICATIONS ALLOWANCE - FEBRUARY 2025	1	1,329.91	
EFT33679	10/03/2025 CHRISTOPHER HERON ROBINSON T/AS ROBINSON SPORTS LAND	BRUSHING OF 8 TENNIS COURTS TO REJUVENATE FIBRES. AS PER QUOTE DATED 1/02/25 - FINAL PAYMENT	1		3,811.00
INV 28022025	28/02/2025 CHRISTOPHER HERON ROBINSON T/AS ROBINSON SPORTS LAND	BRUSHING OF 8 TENNIS COURTS TO REJUVENATE FIBRES. AS PER QUOTE DATED 1/02/25 - FINAL PAYMENT	1	3,811.00	

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EFT33680	10/03/2025 CLINIPATH PATHOLOGY	10 X ONSITE DRUG & ALCOHOL TESTS (INCLUDING TEN TEST SETS, LABOUR & CONSUMABLES)	1		150.00
INV 122149	28/02/2025 CLINIPATH PATHOLOGY	10 X ONSITE DRUG & ALCOHOL TESTS (INCLUDING TEN TEST SETS, LABOUR & CONSUMABLES)	1	150.00	
EFT33681	10/03/2025 CODEY REDMOND	STAFF REIMBURSEMENT - PARKING FOR MOORE TRAINING	1		25.24
INV 25022025	25/02/2025 CODEY REDMOND	STAFF REIMBURSEMENT - PARKING FOR MOORE TRAINING	1	25.24	
EFT33682	10/03/2025 CONNY THE CLOWN	CONNY THE CLOWN PROVIDING ENTERTAINMENT AT THE YORK MEMORIAL SWIMMING POOL ON AUSTRALIA DAY 26 JANUARY 2025	1		800.00
INV 2501	25/01/2025 CONNY THE CLOWN	CONNY THE CLOWN PROVIDING ENTERTAINMENT AT THE YORK MEMORIAL SWIMMING POOL ON AUSTRALIA DAY 26 JANUARY 2025	1	800.00	
EFT33683	10/03/2025 COUNTRY COPIERS	YORK VISITOR CENTRE - SERVICE COST - PHOTOCOPIER - 09/12/2024-16/01/2025	1		160.40
INV 223237	06/01/2025 COUNTRY COPIERS	YORK VISITOR CENTRE - SERVICE COST - PHOTOCOPIER - 09/12/2024-16/01/2025	1	160.40	
EFT33684	10/03/2025 CREDIT MANAGEMENT AUSTRALIA POST	MONTHLY POSTAGE CHARGES - ADMIN OFFICE - JANUARY 20205	1		419.45
INV 1013787086	03/02/2025 CREDIT MANAGEMENT AUSTRALIA POST		1	419.45	
EFT33685	10/03/2025 DARRYS PLUMBING AND GAS	TRENCH NEXT TO BASKETBALL HALL WALL TO EXPOSE ROOTS INGRESS HALL INCLUDING ELECTRICAL LOACTION BEFORE EXCAVATIONS	1		982.00
INV IV02350	28/02/2025 DARRYS PLUMBING AND GAS	TRENCH NEXT TO BASKETBALL HALL WALL TO EXPOSE ROOTS INGRESS HALL INCLUDING ELECTRICAL LOACTION BEFORE EXCAVATIONS	1	850.00	
INV IN02351	28/02/2025 DARRYS PLUMBING AND GAS	ATTEND TO BLOCKED TOILET AT YRCC - 28/02/2025	1	132.00	
EFT33686	10/03/2025 DENESE EILEEN SMYTHE	COUNCILLOR SMYTHE ATTANDANCE FEE AND COMMUNICATIONS ALLOWANCE FEBRUARY 2025	1		1,329.91
INV FEB 2025	10/03/2025 DENESE EILEEN SMYTHE	COUNCILLOR SMYTHE ATTANDANCE FEE AND COMMUNICATIONS ALLOWANCE FEBRUARY 2025	1	1,329.91	
EFT33687	10/03/2025 DENIS CHARLES WARNICK	DEPUTY PRESIDENT WARNICK ATTENDANCE FEE, DEPUTY PRESIDENTS ALLOWANCE AND COMMUNICATIONS ALLOWANCE FEBRUARY 2025	1		1,829.76
INV FEB 2025	10/03/2025 DENIS CHARLES WARNICK	DEPUTY PRESIDENT WARNICK ATTENDANCE FEE, DEPUTY PRESIDENTS ALLOWANCE AND COMMUNICATIONS ALLOWANCE FEBRUARY 2025	1	1,829.76	
EFT33688	10/03/2025 FAMILY HISTORY AUSTRALIA PTY LTD	YOUR FAMILY HISTORY STEP BY STEP GUIDE + WORKBOOK FAMILY TREE RESEARCH PACKAGE - FOR RESALE AT THE YORK RESIDENCY MUSEUM - INCLUDES DELIVERY	1		100.00

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INV 1775	19/02/2025 FAMILY HISTORY AUSTRALIA PTY LTD	YOUR FAMILY HISTORY STEP BY STEP GUIDE + WORKBOOK FAMILY TREE RESEARCH PACKAGE - FOR RESALE AT THE YORK RESIDENCY MUSEUM - INCLUDES DELIVERY	1	100.00	
EFT33689	10/03/2025 FUEL DISTRIBUTORS OF WESTERN AUSTRALIA PTY LTD	SUPPLY AND DELIVER 10000LITRES OF DISTILLATE TO THE SHIRE OF YORK WORKS DEPOT - 28/02/2025	1		17,814.00
INV 63104276	28/02/2025 FUEL DISTRIBUTORS OF WESTERN AUSTRALIA PTY LTD	SUPPLY AND DELIVER 10000LITRES OF DISTILLATE TO THE SHIRE OF YORK WORKS DEPOT - 28/02/2025	1	17,814.00	
EFT33690	10/03/2025 GDR CIVIL CONTRACTING PTY LTD	HOWICK STREET ACCESS AND INCLUSION WORKS AWARDED BY RFQ 01/2425. CONDITIONS AS SPECIFIED IN CONTRACT. PROGRESS PAYMENT 1	1		107,809.90
INV 2483	28/02/2025 GDR CIVIL CONTRACTING PTY LTD	HOWICK STREET ACCESS AND INCLUSION WORKS AWARDED BY RFQ 01/2425. CONDITIONS AS SPECIFIED IN CONTRACT. PROGRESS PAYMENT 1	1	107,809.90	
EFT33691	10/03/2025 KEVIN PYKE	COUNCILLOR PYKE ATTENDANCE FEES AND COMMUNICATIONS ALLOWANCE - FEBRUARY 2025	1		1,329.91
INV FEB 2025	10/03/2025 KEVIN PYKE	COUNCILLOR PYKE ATTENDANCE FEES AND COMMUNICATIONS ALLOWANCE - FEBRUARY 2025	1	1,329.91	
EFT33692	10/03/2025 KEVIN RICHARD TRENT	PRESIDENT TRENT ATTENDANCE FEE, PRESIDENT ALLOWANCE AND COMMUNICATIONS ALLOWANCE FEBRUARY 2025	1		3,976.97
INV FEB 2025	10/03/2025 KEVIN RICHARD TRENT	PRESIDENT TRENT ATTENDANCE FEE, PRESIDENT ALLOWANCE AND COMMUNICATIONS ALLOWANCE FEBRUARY 2025	1	3,976.97	
EFT33693	10/03/2025 KLK FARMS PTY LTD	SUPPLY FOR COLLECTION 224M3 OF GRAVEL FOR THE WORKS ON GWAMBYGINE EAST ROAD	1		862.40
INV INV-0144	06/02/2025 KLK FARMS PTY LTD	SUPPLY FOR COLLECTION 224M3 OF GRAVEL FOR THE WORKS ON GWAMBYGINE EAST ROAD	1	862.40	
EFT33694	10/03/2025 LLOYD FAMILY TRUST - YORK COMMUNITY MATTERS	COMMUNITY MATTERS FOR MARCH 2025	1		1,652.70
INV 3948	01/03/2025 LLOYD FAMILY TRUST - YORK COMMUNITY MATTERS	COMMUNITY MATTERS FOR MARCH 2025	1	1,652.70	
EFT33695	10/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS	1		60.00
INV 114	06/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	

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INV 114	06/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
EFT33696	10/03/2025 MAL AUTOMOTIVES	COMPLETE REPAIRS TO THE WATER CART Y8284 - AS PER QUOTE 33013	1		5,076.09
INV 31646	07/02/2025 MAL AUTOMOTIVES	COMPLETE REPAIRS TO THE WATER CART Y8284 - AS PER QUOTE 33013	1	3,560.42	
INV 31706	21/02/2025 MAL AUTOMOTIVES	COMPLETE A 27000KM SERVICE ON P136 - Y770 2014 ISUZU EXTRA CAB UTE - FRIDAY 21.02.2025	1	577.83	
INV 31710	24/02/2025 MAL AUTOMOTIVES	80,000KM VEHICLE SERVICE - FORD RANGER UTILITY - 1HMZ024 (MANAGER DEVELOPMENT SERVICES VEHICLE) - 24 FEBRUARY 2025	1	625.12	
INV 31718	25/02/2025 MAL AUTOMOTIVES	69,000KM VEHICLE SERVICE - 2022 HYUNDAI VENUE - 1HSZ886 (EHO VEHICLE) - 25 FEBRUARY 2025	1	312.72	
EFT33697	10/03/2025 METRO COUNT	SUPPLY METRO COUNT TRAINING AT THE ESPLANADE FREMANTLE TO 2X SHIRE OF YORK EMPLOYEES - CLAIRE REGENT AND TIM CUMMINGS - AS PER QUOTE-DL0425	1		1,320.00
INV CREDT00780	18/02/2025 METRO COUNT	CANCELLATION 1 X TRAINING REFER TO INV033476	1	-1,320.00	
INV INV033476	18/02/2025 METRO COUNT	SUPPLY METRO COUNT TRAINING AT THE ESPLANADE FREMANTLE TO 2X SHIRE OF YORK EMPLOYEES - CLAIRE REGENT AND TIM CUMMINGS - AS PER QUOTE-DL0425	1	2,640.00	
EFT33698	10/03/2025 MINUTEMAN PRESS MIDLAND	BUSINESS CARD ORDER - GEORGIA BOLWELL, ALINA BEHAN	1		357.50
INV 26434	24/02/2025 MINUTEMAN PRESS MIDLAND	BUSINESS CARD ORDER - GEORGIA BOLWELL, ALINA BEHAN	1	357.50	
EFT33699	10/03/2025 MOORE AUSTRALIA	PROGRESSIVE BILLING ANNUAL FINANCIAL REPORT 2023/2024 AUDIT SUPPORT	1		3,437.50
INV 439391	30/11/2024 MOORE AUSTRALIA	PROGRESSIVE BILLING ANNUAL FINANCIAL REPORT 2023/2024 AUDIT SUPPORT	1	1,787.50	
INV 439734	17/12/2024 MOORE AUSTRALIA	ANNUAL FINACIAL REPORT 2023/24 AUDIT SUPPORT	1	1,650.00	

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EFT33700	10/03/2025 NUTRIEN AG SOLUTIONS	SUPPLY FOR COLLECTION 1X CP45102 FILTER ELEMENT 100 MESH - 4X POLY TIP STRAINERS 100MESH - 40X MULTI K TR 25KG BAG	1		1,364.00
INV 912174926	06/02/2025 NUTRIEN AG SOLUTIONS	SUPPLY FOR COLLECTION 1X CP45102 FILTER ELEMENT 100 MESH - 4X POLY TIP STRAINERS 100MESH - 40X MULTI K TR 25KG BAG	1	1,364.00	
EFT33701	10/03/2025 PAULA ARMSTRONG	STAFF REIMBURSEMENT - NON SLIP SAFETY SHOES - PAULA ARMSTRONG	1		103.99
INV 05032025	05/03/2025 PAULA ARMSTRONG	STAFF REIMBURSEMENT - NON SLIP SAFETY SHOES - PAULA ARMSTRONG	1	103.99	
EFT33702	10/03/2025 PETER ALLAN WRIGHT	COUNCILLOR WRIGHT ATTENDANCE FEE AND COMMUNICATIONS ALLOWANCE FEBRUARY 2025	1		1,329.91
INV FEB 2025	10/03/2025 PETER ALLAN WRIGHT	COUNCILLOR WRIGHT ATTENDANCE FEE AND COMMUNICATIONS ALLOWANCE FEBRUARY 2025	1	1,329.91	
EFT33703	10/03/2025 PHILIP SWAIN	PROVISION OF ENVIRONMENTAL HEALTH SERVICES FOR THE PERIOD FEBRUARY 2025	1		14,347.00
INV 250202	28/02/2025 PHILIP SWAIN	PROVISION OF ENVIRONMENTAL HEALTH SERVICES FOR THE PERIOD FEBRUARY 2025	1	14,347.00	
EFT33704	10/03/2025 PORTER CONSULTING ENGINEERS	TECHINCAL SUPPORT FROM 13/09/2024 TO 28/02/2025	1		1,815.00
INV 00025077	28/02/2025 PORTER CONSULTING ENGINEERS	TECHINCAL SUPPORT FROM 13/09/2024 TO 28/02/2025	1	1,815.00	
EFT33705	10/03/2025 RJD CONTRACTING (WA) PTY LTD	FLOAT HIRE ROLLER BACK TO PERTH FRIDAY 07.02.2025 AND COLLECT BOMAG ROLLER P179 FROM TUTT BRYANT WELSHPOOL AND DELIVER TO ALLEN ROAD	1		1,941.50
INV INV-2397	25/02/2025 RJD CONTRACTING (WA) PTY LTD	MOBILISE BOMAG MULTI TYRE ROLLER TO TUTTS PERTH	1	550.00	
INV INV-2399	25/02/2025 RJD CONTRACTING (WA) PTY LTD	FLOAT HIRE ROLLER BACK TO PERTH FRIDAY 07.02.2025 AND COLLECT BOMAG ROLLER P179 FROM TUTT BRYANT WELSHPOOL AND DELIVER TO ALLEN ROAD	1	1,391.50	
EFT33706	10/03/2025 ROBERT WILLIAM PAMPLING	PROVIDE PHOTOGRAPHY SERVICES FOR AUSTRALIA DAY CEREMONY SUNDAY 26TH JANUARY 2025	1		350.00
INV 0006-470	26/01/2025 ROBERT WILLIAM PAMPLING	PROVIDE PHOTOGRAPHY SERVICES FOR AUSTRALIA DAY CEREMONY SUNDAY 26TH JANUARY 2025	1	350.00	
EFT33707	10/03/2025 ROUS ELECTRICAL	REPAIR FAULTY LIGHT SWITCH AT TOWN HALL	1		154.00
INV 00004152	27/02/2025 ROUS ELECTRICAL	REPAIR FAULTY LIGHT SWITCH AT TOWN HALL	1	154.00	
EFT33708	10/03/2025 SCAVENGER SUPPLIES AND FIRE SAFETY	PERSONAL PROTECTIVE EQUIPMENT FOR BUSH FIRE BRIGADE VOLUNTEERS	1		9,003.50

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INV 114	06/03/2025 SHIRE OF YORK SOCIAL CLUB - LOTTO INSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 SHIRE OF YORK SOCIAL CLUB - LOTTO INSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 SHIRE OF YORK SOCIAL CLUB - LOTTO INSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 SHIRE OF YORK SOCIAL CLUB - LOTTO INSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 SHIRE OF YORK SOCIAL CLUB - LOTTO INSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 SHIRE OF YORK SOCIAL CLUB - LOTTO INSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 SHIRE OF YORK SOCIAL CLUB - LOTTO INSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 SHIRE OF YORK SOCIAL CLUB - LOTTO INSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 SHIRE OF YORK SOCIAL CLUB - LOTTO INSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 SHIRE OF YORK SOCIAL CLUB - LOTTO INSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 114	06/03/2025 SHIRE OF YORK SOCIAL CLUB - LOTTO INSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
EFT33711	10/03/2025 SMITHS SHELL SERVICE	SUPPLY 1000 LITRES OF DIESEL FUEL FOR DEPOT	1		1,978.16
INV 18286162	27/02/2025 SMITHS SHELL SERVICE	SUPPLY 1000 LITRES OF DIESEL FUEL FOR DEPOT	1	1,978.16	
EFT33712	10/03/2025 SPECIALE SMASH REPAIRS	ISUZU DMAX Y96 - PANEL REPAIR INSURANCE EXCESS OF \$300.00	1		330.00
INV 25461	27/02/2025 SPECIALE SMASH REPAIRS	ISUZU DMAX Y96 - PANEL REPAIR INSURANCE EXCESS OF \$300.00	1	330.00	
EFT33713	10/03/2025 TOCOJEPA PTY LTD T/A T-QUIP	SHARPEN AND SET 5X REELS ON THE TORO 3575 P130 - CARRIED OUT AT T-QUIP MONDAY 17.02.2025 - COLLECTION DATE TO BE ADVISED - AS PER QUOTE 29178	1		2,431.20
INV 136868	21/02/2025 TOCOJEPA PTY LTD T/A T-QUIP	SHARPEN AND SET 5X REELS ON THE TORO 3575 P130 - CARRIED OUT AT T-QUIP MONDAY 17.02.2025 - COLLECTION DATE TO BE ADVISED - AS PER QUOTE 29178	1	2,431.20	
EFT33714	10/03/2025 TARRAN NELSON PTY LTD T/A YORK AUTO ELECTRICS	SUPPLY AND INSTALL REVERSE CAMERA KIT TO RANGER VEHICLE P138	1		1,193.70
INV INV-3848	27/02/2025 TARRAN NELSON PTY LTD T/A YORK AUTO ELECTRICS	SUPPLY AND INSTALL REVERSE CAMERA KIT TO RANGER VEHICLE P138	1	1,193.70	
EFT33715	10/03/2025 TEAM GLOBAL EXPRESS PTY LTD	FREIGHT TO STATE LIBRARY 24/01/2025 - FOR LIBRARY USED EXCHANGES	1		48.94
INV 0579-5337610	09/02/2025 TEAM GLOBAL EXPRESS PTY LTD	FREIGHT TO STATE LIBRARY 24/01/2025 - FOR LIBRARY USED EXCHANGES	1	48.94	
EFT33716	10/03/2025 THE FLOUR MILL CAFE YORK	COUNCIL CATERING FEBRUARY 2025	1		240.00
INV #15304	19/02/2025 THE FLOUR MILL CAFE YORK	COUNCIL CATERING FEBRUARY 2025	1	240.00	
EFT33717	10/03/2025 VANESSA JAYDE GREEN	STAFF REIMBURSEMENT - REPAIR COUNCILLOR SMYTHES I-PAD - VANESSA GREEN	1		75.00

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INV 28022025	28/02/2025 VANESSA JAYDE GREEN	STAFF REIMBURSEMENT - REPAIR COUNCILLOR SMYTHES I-PAD - VANESSA GREEN	1	75.00	
EFT33718	10/03/2025 WHEATBELT ARTS & EVENTS	AUSTRALIA DAY GRANT FOR BALLARDONG FIRST EVENT - SUNDAY 26TH JANUARY 2025 RUN BY WHEATBELT ARTS & EVENTS	1		4,500.00
INV 00000137	28/01/2025 WHEATBELT ARTS & EVENTS	AUSTRALIA DAY GRANT FOR BALLARDONG FIRST EVENT - SUNDAY 26TH JANUARY 2025 RUN BY WHEATBELT ARTS & EVENTS	1	4,500.00	
EFT33719	10/03/2025 YORK ELECTRICAL SERVICE	CARRY OUT REPAIRS TO FAULTY LIGHT SWITCH IN THE SQUASH COURT AREA	1		78.03
INV INV-0083	02/03/2025 YORK ELECTRICAL SERVICE	CARRY OUT REPAIRS TO FAULTY LIGHT SWITCH IN THE SQUASH COURT AREA	1	78.03	
EFT33720	11/03/2025 BUILDING AND ENERGY	BSL COLLECTION FOR FEBRUARY 2025	2		850.53
INV T6	05/03/2025 BUILDING AND ENERGY	BSL COLLECTION FOR FEBRUARY 2025	2	850.53	
EFT33721	11/03/2025 SHIRE OF YORK	BSL COLLECTION - AGENCY FEE FEB 2025	2		30.00
INV T6	05/03/2025 SHIRE OF YORK	BSL COLLECTION - AGENCY FEE FEB 2025	2	30.00	
EFT33722	13/03/2025 CATHERINE ANNE DARBY	CATHERINE DARBY REFUND CAT TRAP BOND # 275689	2		100.00
INV T1	12/03/2024 CATHERINE ANNE DARBY	CATHERINE DARBY REFUND CAT TRAP BOND # 275689	2	100.00	
EFT33723	13/03/2025 JANINE KOEFOED	REFUND TOWN HALL BOND # 244030	2		550.00
INV T83	12/03/2025 JANINE KOEFOED	REFUND TOWN HALL BOND # 244030	2	550.00	
EFT33724	13/03/2025 STACEY LEANNE STEVENS	STACEY STEVENS REFUND CAT TRAP BOND #	2		100.00
INV T1	12/03/2025 STACEY LEANNE STEVENS	STACEY STEVENS REFUND CAT TRAP BOND #	2	100.00	
EFT33725	13/03/2025 VALERIE ANN MENEZES	REFUND TOWN HALL BOND # 275515	2		150.00
INV T83	12/03/2025 VALERIE ANN MENEZES	REFUND TOWN HALL BOND # 275515	2	150.00	
EFT33726	17/03/2025 3 MONKEYS AUDIOVISUAL PTY LTD	ONSITE AUDIO ADJUSTMENTS TO COUNCIL CHAMBERS	1		792.00
INV 24272	07/03/2025 3 MONKEYS AUDIOVISUAL PTY LTD	ONSITE AUDIO ADJUSTMENTS TO COUNCIL CHAMBERS	1	792.00	

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EFT33727	17/03/2025 ASH & RAIN PTY LTD THE JAHAYA REIGN FAMILY TRUST (IMPRINT PLASTIC)	NAME BADGES X 8 - GEMMA BOVINGTON - PROJECT OFFICER COMMUNITY SERVICES, PHIL SWAIN - ENVIRONMENTAL HEALTH OFFICER, GEORGIA BOLWELL - CLUB DEVELOPMENT OFFICER, SHAUN O'DONNELL - PROJECT TECHNICAL OFFICER, SYDNEY FOGARTY - DEPOT ADMINISTRATION OFFICER, TIM CUMMINGS - GRADUATE ENGINEER, REBECCA PALUMBO - ACTING EXECUTIVE MANAGER CORPORATE & COMMUNITY SERVICES & AMI HANNINGTON - HUMAN RESOURCES & ORGANISATIONAL DEVELOPMENT OFFICER PLUS FREIGHT	1		154.00
INV INV-4238	25/02/2025 ASH & RAIN PTY LTD THE JAHAYA REIGN FAMILY TRUST (IMPRINT PLASTIC)	NAME BADGES X 8 - GEMMA BOVINGTON - PROJECT OFFICER COMMUNITY SERVICES, PHIL SWAIN - ENVIRONMENTAL HEALTH OFFICER, GEORGIA BOLWELL - CLUB DEVELOPMENT OFFICER, SHAUN O'DONNELL - PROJECT TECHNICAL OFFICER, SYDNEY FOGARTY - DEPOT ADMINISTRATION OFFICER, TIM CUMMINGS - GRADUATE ENGINEER, REBECCA PALUMBO - ACTING EXECUTIVE MANAGER CORPORATE & COMMUNITY SERVICES & AMI HANNINGTON - HUMAN RESOURCES & ORGANISATIONAL DEVELOPMENT OFFICER PLUS FREIGHT	1	154.00	
EFT33728	17/03/2025 AUSCO MODULAR PTY LTD	ANNUAL HIRE OF OFFICE - 1/3/2025 - 31/3/2025 - DEPOT	1		916.06
INV 7475553	01/03/2025 AUSCO MODULAR PTY LTD	ANNUAL HIRE OF OFFICE - 1/3/2025 - 31/3/2025 - DEPOT	1	916.06	
EFT33729	17/03/2025 BLING DESIGN	REDESIGN OF YORK VISITORS GUIDEAND MAP PAD	1		2,600.00
INV 2038	07/03/2025 BLING DESIGN	REDESIGN OF YORK VISITORS GUIDEAND MAP PAD	1	2,600.00	
EFT33730	17/03/2025 BOC GASES	SUPPLY VARIOUS GAS & CONTAINER RENTAL 29/01/2025 - 25/02/2025 - DEPOT AND OXYGEN MECIAL C SIZE FOR THE SWIMMING POOL	1		37.99
INV 5006587368	26/02/2025 BOC GASES	SUPPLY VARIOUS GAS & CONTAINER RENTAL 29/01/2025 - 25/02/2025 - DEPOT AND OXYGEN MECIAL C SIZE FOR THE SWIMMING POOL	1	37.99	
EFT33731	17/03/2025 BUNNINGS WAREHOUSE	SUPPLY REPLACEMENT ROLLERS OF OFFICE SLIDING DOOR AT DEPOT	1		31.92
INV 2182/0039438	26/02/2025 BUNNINGS WAREHOUSE	SUPPLY REPLACEMENT ROLLERS OF OFFICE SLIDING DOOR AT DEPOT	1	31.92	
EFT33732	17/03/2025 CALTEX AUSTRALIA PTY LTD	CALTEX STAR FUEL CARDS - FEBRUARY 2025	1		2,486.51
INV 141718338-9	28/02/2025 CALTEX AUSTRALIA PTY LTD	CALTEX STAR FUEL CARDS - FEBRUARY 2025	1	2,486.51	
EFT33733	17/03/2025 COUNTRY COPIERS	YORK VISITOR CENTRE - SERVICE COST - PHOTOCOPIER - 05/02/2025 TO 09/03/2025	1		210.38
INV 223847	09/03/2025 COUNTRY COPIERS	YORK RESIDENCY MUSEUM - PHOTOCOPIER CHARGE - 16/01/2025 TO 09/03/2025	1	48.27	
INV 223849	09/03/2025 COUNTRY COPIERS	YORK VISITOR CENTRE - SERVICE COST - PHOTOCOPIER - 05/02/2025 TO 09/03/2025	1	162.11	

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EFT33734	17/03/2025 CREDIT MANAGEMENT AUSTRALIA POST	AUSTRALIA POST - ADMINISTRATION POSTAGE CHARGES - FEBRUARY 2025	1		1,528.51
INV 1013862967	03/03/2025 CREDIT MANAGEMENT AUSTRALIA POST	AUSTRALIA POST - ADMINISTRATION POSTAGE CHARGES - FEBRUARY 2025	1	1,528.51	
EFT33735	17/03/2025 D&L STUDIO PTY LTD T/AS METAL ARTWORK BADGES	CHAMBERS DESK AND NAME PLAQUES – ACTING OFFICERS	1		133.10
INV 31048	27/02/2025 D&L STUDIO PTY LTD T/AS METAL ARTWORK BADGES	CHAMBERS DESK AND NAME PLAQUES – ACTING OFFICERS	1	133.10	
EFT33736	17/03/2025 DARRYS PLUMBING AND GAS	REPAIR LEAKING TAPS IN LADIES CHANGE ROOM AND PLANTROOM, REPAIR FOOT VALVE ON RETIC PUMP	1		745.82
INV IV02352	28/02/2025 DARRYS PLUMBING AND GAS	REPAIR LEAKING TAPS IN LADIES CHANGE ROOM AND PLANTROOM, REPAIR FOOT VALVE ON RETIC PUMP	1	395.82	
INV IV02366	06/03/2025 DARRYS PLUMBING AND GAS	SUNDAY CALL OUT TO TOILETS BLOCKAGE AT AVON PARK - PLASTIC CUPS IN DRAINAGE SYSTEM	1	350.00	
EFT33737	17/03/2025 ENVIRONEX INTERNATIONAL PTY LTD	4 X 200LT LIQUID POOL CHLORINE @ \$230.00 EA	1		1,012.00
INV 330089	19/02/2025 ENVIRONEX INTERNATIONAL PTY LTD	4 X 200LT LIQUID POOL CHLORINE @ \$230.00 EA	1	1,012.00	
EFT33738	17/03/2025 FOCUS NETWORKS	AGREEMENT MONTHLY MPS DEVICE MARCH 2025	1		6,791.95
INV INV-11101G	25/02/2025 FOCUS NETWORKS	CREATE 2 SECURITY GROUPS TO DEFINE ACCESS	1	407.00	
INV INV-11157G	26/02/2025 FOCUS NETWORKS	5 X BUSINESS PREMIUM LICENSES	1	175.45	
INV MPSD-14643	07/03/2025 FOCUS NETWORKS	AGREEMENT MONTHLY MPS DEVICE MARCH 2025	1	6,209.50	
EFT33739	17/03/2025 GDR CIVIL CONTRACTING PTY LTD	HOWICK STREET ACCESS AND INCLUSION WORKS AWARDED BY RFQ 01/2425. CONDITIONS AS SPECIFIED IN CONTRACT.	1		122,333.53
INV 2485	11/03/2025 GDR CIVIL CONTRACTING PTY LTD	HOWICK STREET ACCESS AND INCLUSION WORKS AWARDED BY RFQ 01/2425. CONDITIONS AS SPECIFIED IN CONTRACT.	1	122,333.53	
EFT33740	17/03/2025 JOANNE LISA MOORE	STAFF REIMBIURSEMENT - POLICE CLEARANCE - JOANNE MOORE	1		63.80
INV 04032025	04/03/2025 JOANNE LISA MOORE	STAFF REIMBIURSEMENT - POLICE CLEARANCE - JOANNE MOORE	1	63.80	
EFT33741	17/03/2025 JUSTIN MARTIN LEE	ATTENDANCE FEE FOR AUDIT AND RISK COMMITTEE - JUSTIN LEE - 11/3/2025	1		172.00
INV 13032025	13/03/2025 JUSTIN MARTIN LEE	ATTENDANCE FEE FOR AUDIT AND RISK COMMITTEE - JUSTIN LEE - 11/3/2025	1	172.00	

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EFT33742	17/03/2025 MCLEODS LAWYERS	PROVISION OF LEGAL ADVICE & SERVICES, GREAT SOUTHERN LANDFILL (ALLAWUNA FARM) - 12/03/2025 - SAT DR 165/2020: AMI ENTERPRISES PTY LTD AND REGIONAL JDAPL ALLAWUNA LANDFILL	1		3,690.50
INV 144147	12/03/2025 MCLEODS LAWYERS	PROVISION OF LEGAL ADVICE & SERVICES, GREAT SOUTHERN LANDFILL (ALLAWUNA FARM) - 12/03/2025 - SAT DR 165/2020: AMI ENTERPRISES PTY LTD AND REGIONAL JDAPL ALLAWUNA LANDFILL	1	3,690.50	
EFT33743	17/03/2025 MUNNOST PTY LTD T/AS TRAINWEST	STAFF HEALTH & SAFETY REPRESENTATIVE REFRESHER TRAINING - ANNIE QUINN MEDLEY AND PAULA ARMSTRONG	1		3,300.00
INV 41207	31/01/2025 MUNNOST PTY LTD T/AS TRAINWEST	STAFF HEALTH & SAFETY REPRESENTATIVE REFRESHER TRAINING - ANNIE QUINN MEDLEY AND PAULA ARMSTRONG	1	3,300.00	
EFT33744	17/03/2025 OFFICEWORKS	WALKIE TALKIE UHF RADIO 3 PACK FOR EMERGENCY EVACUATION KITS	1		96.95
INV 619018266	15/01/2025 OFFICEWORKS	WALKIE TALKIE UHF RADIO 3 PACK FOR EMERGENCY EVACUATION KITS	1	96.95	
EFT33745	17/03/2025 PAULA ARMSTRONG	STAFF REIMBURSEMENT - UNIFORMS - PAULA ARMSTRONG	1		230.00
INV 10032025	10/03/2025 PAULA ARMSTRONG	STAFF REIMBURSEMENT - UNIFORMS - PAULA ARMSTRONG	1	230.00	
EFT33746	17/03/2025 PHILLIP JOHN BATEMAN	ELDERS CONSULTATION FEE FOR HALF DAY CULTURAL BURNING PLANNING MEETING 18 FEBRUARY 2025	1		308.50
INV 65	03/03/2025 PHILLIP JOHN BATEMAN	ELDERS CONSULTATION FEE FOR HALF DAY CULTURAL BURNING PLANNING MEETING 18 FEBRUARY 2025	1	308.50	
EFT33747	17/03/2025 RJD CONTRACTING (WA) PTY LTD	MOBILISE AND DEMOBILISE AND WT HIRE 14 FOOT VOLVO G940,MOBILISE AND DRY HIR DYNAPAC CP21 MULTI ROLLER AND MOBILISE 6 WHEEL WATER CART WET HIRE	1		76,670.00
INV INV-2400	25/02/2025 RJD CONTRACTING (WA) PTY LTD	MOBILISE AND DEMOBILISE AND WT HIRE 14 FOOT VOLVO G940,MOBILISE AND DRY HIR DYNAPAC CP21 MULTI ROLLER AND MOBILISE 6 WHEEL WATER CART WET HIRE	1	58,685.00	
INV INV-2401	25/02/2025 RJD CONTRACTING (WA) PTY LTD	SUPPLY MOBILISE AND DEMOBILISE WET HIRE VOLVO GRADER, DYNAPAC CP21 MULIT ROLLER AND 6 WHEELER CART FOR ROAD MAINTENANCE	1	17,985.00	
EFT33748	17/03/2025 SEAN EDWARD O'DONNELL	STAFF REIMBURSEMENT - PRE EMPLOYMENT MEDICAL - SEAN O'DONNELL	1		148.50
INV 10032025	10/03/2025 SEAN EDWARD O'DONNELL	STAFF REIMBURSEMENT - PRE EMPLOYMENT MEDICAL - SEAN O'DONNELL	1	148.50	
EFT33749	17/03/2025 SHONA ZULSDORF	ATTENDANCE FEE AUDIT RISK COMMITTEE - 11/3/2025 - SHONA ZULSDORF	1		172.00
INV 13032025	13/03/2025 SHONA ZULSDORF	ATTENDANCE FEE AUDIT RISK COMMITTEE - 11/3/2025 - SHONA ZULSDORF	1	172.00	

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EFT33750	17/03/2025 ST JOHN AMBULANCE WESTERN AUSTRALIA LTD (NORTHAM)	COUNTRY EVENT STANDBY AUSTRALIA DAY 2025 26/01/2025 - FIRST AID POST FORREST OVAL 4HR PLUS 1HR SET UP/PACK UP	1		484.00
INV FAINV0126462	30/01/2025 ST JOHN AMBULANCE WESTERN AUSTRALIA LTD (NORTHAM)	COUNTRY EVENT STANDBY AUSTRALIA DAY 2025 26/01/2025 - FIRST AID POST FORREST OVAL 4HR PLUS 1HR SET UP/PACK UP	1	484.00	
EFT33751	17/03/2025 STATEWIDE TRAFFIC SERVICES	SUPPLY TRAFFIC CONTROL FOR TOP BEVERLEY ROAD DOCKET 2852/3583 11/11/2024, YORK/TAMMIN ROAD DOCKET 3584 12/11/2024 AND YORK TAMMIN ROAD DOCKET 3585/3586 13/11/2025	1		7,158.82
INV 00000829	21/11/2024 STATEWIDE TRAFFIC SERVICES	SUPPLY TRAFFIC CONTROL FOR TOP BEVERLEY ROAD DOCKET 2852/3583 11/11/2024, YORK/TAMMIN ROAD DOCKET 3584 12/11/2024 AND YORK TAMMIN ROAD DOCKET 3585/3586 13/11/2025	1	7,158.82	
EFT33752	17/03/2025 TALIS CONSULTANTS	CONSULTANCY SERVICE TO PROVIDE PROJECT MANAGEMENT SUPPORT SERVICES TO ASSIST WITH THE 2024/25 ROAD CONSTRUCTION PROGRAM.	1		23,581.25
INV 33950	28/02/2025 TALIS CONSULTANTS	PREPARE CAD PLANS FOR SUBMISSION TO WESTERN POWER, UP TO 16 HOURS WORK	1	3,080.00	
INV 33951	28/02/2025 TALIS CONSULTANTS	CONSULTANCY SERVICES PERIOD ENDING 28/02/2025 - PROJECT WORK - CONCEPT DESIGN YORK MACARTNEY STREET - FIRST PAYMENT	1	5,511.00	
INV 34030	28/02/2025 TALIS CONSULTANTS	CONSULTANCY SERVICE TO PROVIDE PROJECT MANAGEMENT SUPPORT SERVICES TO ASSIST WITH THE 2024/25 ROAD CONSTRUCTION PROGRAM.	1	14,990.25	
EFT33753	17/03/2025 TIM DAVIES LANDSCAPING PTY LTD	DEVELOP CONCEPT DESIGN FOR 142 AVON TERRACE - GREEN SPACE AS PER SCOPE OF WORKS AND QUOTE DATED 19/11/2024	1		6,019.20
INV SI-132959	28/02/2025 TIM DAVIES LANDSCAPING PTY LTD	DEVELOP CONCEPT DESIGN FOR 142 AVON TERRACE - GREEN SPACE AS PER SCOPE OF WORKS AND QUOTE DATED 19/11/2024	1	6,019.20	
EFT33754	17/03/2025 TOURIST DESIGNS	SUPPLY VISITORS CENTER STOCK - MAGNETS, KEY RINGS, POSTCARDS, STICKERS, HANGSELL POUCHS AND DELIVERY	1		635.65
INV TD06004	13/02/2025 TOURIST DESIGNS	SUPPLY VISITORS CENTER STOCK - MAGNETS, KEY RINGS, POSTCARDS, STICKERS, HANGSELL POUCHS AND DELIVERY	1	560.85	
INV TD06004	13/02/2025 TOURIST DESIGNS	TOURIST DESIGNS - SUPPLY OF COASTERS FOR RESALE AT THE YORK VISITOR CENTRE	1	74.80	
EFT33755	17/03/2025 XCEED MEDICAL SERVICES PTY LTD T/A YORK GENERAL PRACTICE	PRE-EMPLOYMENT MEDICAL - GEMMA BOVINGTON	1		148.50
INV 14185	30/01/2025 XCEED MEDICAL SERVICES PTY LTD T/A YORK GENERAL PRACTICE	PRE-EMPLOYMENT MEDICAL - GEMMA BOVINGTON	1	148.50	

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EFT33756	17/03/2025 YORK & DISTRICT CO-OPERATIVE LTD	IGA PURCHASES FOR FEBRUARY 2025 AND REVERSAL JANUARY - DEPOT	1		152.78
INV 000064120734	28/02/2025 YORK & DISTRICT CO-OPERATIVE LTD	IGA PURCHASES FOR FEBRUARY 2025 AND REVERSAL JANUARY - DEPOT	1	130.60	
INV 000064120721	28/02/2025 YORK & DISTRICT CO-OPERATIVE LTD	SUPPLY OF MISCELLANEOUS ITEMS/REFRESHMENTS FOR YORK RESIDENCY MUSEUM - IGA FEBRUARY 2025	1	22.18	
EFT33757	17/03/2025 YORK ELECTRICAL SERVICE	REPLACE 2 LIGHT FITTINGS IN UNIT 5/40 MACARTNEY STREET	1		274.25
INV INV-0087	07/03/2025 YORK ELECTRICAL SERVICE	REPLACE 2 LIGHT FITTINGS IN UNIT 5/40 MACARTNEY STREET	1	274.25	
EFT33758	20/03/2025 ANIMAL ARK PTY LTD	DELIEVER VENOMOUS SNAKE HANDLING TRAINING COURSE (JAYDEN STRAHAN, ROB MACEY, CAMERON HEPBURN, AND MIKE GLEDHILL) AT ANIMAL ARK TRAINING CENTRE AS PER QUOTE QU6049	1		1,804.00
INV 17400	14/03/2025 ANIMAL ARK PTY LTD	DELIEVER VENOMOUS SNAKE HANDLING TRAINING COURSE (JAYDEN STRAHAN, ROB MACEY, CAMERON HEPBURN, AND MIKE GLEDHILL) AT ANIMAL ARK TRAINING CENTRE AS PER QUOTE QU6049	1	1,804.00	
EFT33759	20/03/2025 AVON VALLEY TYRE SERVICE	SUPPLY AND FIT 8.5R17.5 REAR TYRE STAKED AT FIREGROUND ON THE BURGES FIRE TRUCK	1		395.00
INV IV0000000864	07/03/2025 AVON VALLEY TYRE SERVICE	SUPPLY AND FIT 8.5R17.5 REAR TYRE STAKED AT FIREGROUND ON THE BURGES FIRE TRUCK	1	395.00	
EFT33760	20/03/2025 AVON WASTE	SUPPLY GENERAL WASTE SERVICES FOR 11/02/2025 TO 21/02/2025	1		50,713.31
INV 00067362	24/01/2025 AVON WASTE	PROVIDE GENERAL WASTE SERVICE FROM 14/01/2025-24/01/2025	1	25,273.93	
INV 00067978	21/02/2025 AVON WASTE	SUPPLY GENERAL WASTE SERVICES FOR 11/02/2025 TO 21/02/2025	1	25,439.38	
EFT33761	20/03/2025 CHG-MERIDIAN AUSTRALIA PTY LTD	ANNUAL RENTAL AGREEMENT CHG MERIDIAN FOR HIRE OF GYM EQUIPMENT AT YORK RECREATION AND CONFERENCE CENTRE AS PER CONTRACT	1		1,342.02
INV 690013167	03/03/2025 CHG-MERIDIAN AUSTRALIA PTY LTD	ANNUAL RENTAL AGREEMENT CHG MERIDIAN FOR HIRE OF GYM EQUIPMENT AT YORK RECREATION AND CONFERENCE CENTRE AS PER CONTRACT	1	1,342.02	
EFT33762	20/03/2025 CLAIRE REGENT	STAFF REIMBURSEMENT - PARKING WHILST AT TRAINING - CLAIRE REGENT	1		55.00
INV 12032025	12/03/2025 CLAIRE REGENT	STAFF REIMBURSEMENT - PARKING WHILST AT TRAINING - CLAIRE REGENT	1	55.00	
EFT33763	20/03/2025 CORSIGN WA	SUPPLY AND DELIVER VIA THE SHIRE OF YORK TOLL ACCOUNT 1X SNP-150 ST NAME PLATE 150EXT GREEN ON WHITE CL400 REF D/SD MACKIE SIDING RD (NO LOGO) AS PER QUOTE 93400	1		53.90

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INV 00093400	12/03/2025 CORSIGN WA	SUPPLY AND DELIVER VIA THE SHIRE OF YORK TOLL ACCOUNT 1X SNP-150 ST NAME PLATE 150EXT GREEN ON WHITE CL400 REF D/SD MACKIE SIDING RD (NO LOGO) AS PER QUOTE 93400	1	53.90	
EFT33764	20/03/2025 COUNTRY COPIERS	MONTHLY PHOTOCOPYING CHARGES FOR SHIRE OF YORK AND CUSTOMERS AT YORK COMMUNITY RESOURCE CENTRE - 5/2/25 - 9/3/2025	1		445.04
INV 223848	09/03/2025 COUNTRY COPIERS	MONTHLY MAINTENANCE CHARGE FOR THE SHIRE OF YORK DEPOT PRINTER - 5/2/2025 - 9/3/2025	1	121.28	
INV 223940	09/03/2025 COUNTRY COPIERS	MONTHLY PHOTOCOPYING CHARGES FOR SHIRE OF YORK AND CUSTOMERS AT YORK COMMUNITY RESOURCE CENTRE - 5/2/25 - 9/3/2025	1	323.76	
EFT33765	20/03/2025 DARRYS PLUMBING AND GAS	COMPLETE RETIC REPAIRS ON FORREST OVAL SUPPLY AND REPLACE SOLENOID VALVE	1		1,012.88
INV IV02363	06/03/2025 DARRYS PLUMBING AND GAS	COMPLETE RETIC REPAIRS ON FORREST OVAL SUPPLY AND REPLACE SOLENOID VALVE	1	902.88	
INV IV02394	10/03/2025 DARRYS PLUMBING AND GAS	REPAIR THE TAP AT THE RV PARK DUMP POINT	1	110.00	
EFT33766	20/03/2025 EASTERN HILLS CHAINSAWS AND MOWERS PTY LTD	SUPPLY FOR COLLECTION 5X STP3670 000 0064 SAW CHAIN LOPP 1/4P 043 64DL 3X STP3005 008 3405 GUIDE BAR ROLLOMATIC MINI 12IN 6X STP5605 771 3206 AS PER QUOTE 3452	1		487.35
INV 53234#4	06/03/2025 EASTERN HILLS CHAINSAWS AND MOWERS PTY LTD	SUPPLY FOR COLLECTION 5X STP3670 000 0064 SAW CHAIN LOPP 1/4P 043 64DL 3X STP3005 008 3405 GUIDE BAR ROLLOMATIC MINI 12IN 6X STP5605 771 3206 AS PER QUOTE 3452	1	487.35	
EFT33767	20/03/2025 FOCUS NETWORKS	AGREEMENT MONTHLY SAAS (SOFTWARE AS A SERVICE) - MARCH 2025	1		8,510.66
INV SAAS-14670	13/03/2025 FOCUS NETWORKS	AGREEMENT MONTHLY SAAS (SOFTWARE AS A SERVICE) - MARCH 2025	1	8,357.21	
INV 14687	14/03/2025 FOCUS NETWORKS	MONTHLY MPS SUPPORT - CYBER SECURITY DIRECTION - RESTRICTIONS ON THE USE OF DEEP SEEK AI	1	153.45	
EFT33768	20/03/2025 GREENHILLS PROGRESS ASSOCIATION	GREENHILLS HALL ANNUAL SPONSORSHIP 2024/25	1		4,200.00
INV 29	13/09/2024 GREENHILLS PROGRESS ASSOCIATION	GREENHILLS HALL ANNUAL SPONSORSHIP 2024/25	1	4,200.00	
EFT33769	20/03/2025 INK STRATEGY	MAJOR STRATEGIC REVIEW IN ACCORDANCE WITH RFQ Q10-2425 - PHASE 4 DRAFT COUNCIL PLAN	1		22,123.75
INV INV-0160	17/03/2025 INK STRATEGY	MAJOR STRATEGIC REVIEW IN ACCORDANCE WITH RFQ Q10-2425 - PHASE 4 DRAFT COUNCIL PLAN	1	22,123.75	

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EFT33770	20/03/2025 JAKE MCMENAMIN	REFUND TO CUSTOMER AS OUR AGENT AT THE GYM COULD NOT ATTEND INDUCTION	1		217.00
INV 05032025	05/03/2025 JAKE MCMENAMIN	REFUND TO CUSTOMER AS OUR AGENT AT THE GYM COULD NOT ATTEND INDUCTION	1	217.00	
EFT33771	20/03/2025 KLK FARMS PTY LTD	SUPPLY FOR THE SHIRE OF YORK 56M3 OF GRAVEL	1		277.20
INV INV-0193	13/03/2025 KLK FARMS PTY LTD	SUPPLY FOR THE SHIRE OF YORK 56M3 OF GRAVEL	1	277.20	
EFT33772	20/03/2025 LANDGATE	CERTIFICATE OF TITLE - LOT 292 (45) SOUTH STREET, YORK (YRCC FOR BOWLING CLUB)	1		31.60
INV 75513109	25/02/2025 LANDGATE	CERTIFICATE OF TITLE - LOT 292 (45) SOUTH STREET, YORK (YRCC FOR BOWLING CLUB)	1	31.60	
EFT33773	20/03/2025 LEIGH BROWNYN BARRETT	HERITAGE ADVISOR SERVICES SEPTEMBER 2024 TO FEBRUARY 2025	1		433.80
INV SOY30	17/03/2025 LEIGH BROWNYN BARRETT	HERITAGE ADVISOR SERVICES SEPTEMBER 2024 TO FEBRUARY 2025	1	433.80	
EFT33774	20/03/2025 MAL AUTOMOTIVES	REPAIR LEAKING TANK ON THE Y711 700S HINO SIDE TIPPER - QUOTE MAY VARY DEPENDING ON THE SUPPLIER FOR THE REPAIRS	1		4,743.50
INV 31770	10/03/2025 MAL AUTOMOTIVES	COMPLETE A 27000KM SERVICE - 2014 EXTRA CAB 4X2 - Y482 - FRIDAY 07.03.2025	1	622.50	
INV 31782	11/03/2025 MAL AUTOMOTIVES	REPAIR LEAKING TANK ON THE Y711 700S HINO SIDE TIPPER - QUOTE MAY VARY DEPENDING ON THE SUPPLIER FOR THE REPAIRS	1	4,121.00	
EFT33775	20/03/2025 MOORE AUSTRALIA	INVOICE 4587 PAID 14/02/2025 DID NOT INCLUDE GST. GST PORTION NOW PAID	1		388.00
INV 4587	29/01/2025 MOORE AUSTRALIA	INVOICE 4587 PAID 14/02/2025 DID NOT INCLUDE GST. GST PORTION NOW PAID	1	180.00	
INV 4587	29/01/2025 MOORE AUSTRALIA	INVOICE 4587 PAID 14/02/2025 DID NOT INCLUDE GST. GST PORTION NOW PAID	1	208.00	
EFT33776	20/03/2025 NETLINK GROUP PTY LTD	NEW PHONE USER SET UP CONFIGURING AND JOB CO-ORDINATION WORKING WITH I.T. FOR REMOTE ACCESS.	1		310.20
INV 71623	12/03/2025 NETLINK GROUP PTY LTD	NEW PHONE USER SET UP CONFIGURING AND JOB CO-ORDINATION WORKING WITH I.T. FOR REMOTE ACCESS.	1	310.20	
EFT33777	20/03/2025 PHILLIP JOHN BATEMAN	PROVIDE HALF DAY ABORIGINAL MONITORING SERVICE FOR POSSIBLE BURIAL SITE EXCAVATION AT PONY CLUB GROUNDS	1		308.50
INV 64	03/03/2025 PHILLIP JOHN BATEMAN	PROVIDE HALF DAY ABORIGINAL MONITORING SERVICE FOR POSSIBLE BURIAL SITE EXCAVATION AT PONY CLUB GROUNDS	1	308.50	

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EFT33778	20/03/2025 REBECCA LEE-ANNE ATKINSON	STAFF REIMBURSEMENT PARKING FOR SCREENWEST WORKSHOP - REBECCA ATKINSON	1		14.64
INV 17032025	17/03/2025 REBECCA LEE-ANNE ATKINSON	STAFF REIMBURSEMENT PARKING FOR SCREENWEST WORKSHOP - REBECCA ATKINSON	1	14.64	
EFT33779	20/03/2025 RJD CONTRACTING (WA) PTY LTD	10 DAY HIRE DYNAPAC CP21 @ \$450 PER DAY WITH MOBILISATION FEE OF \$650.	1		5,665.00
INV INV-2396	25/02/2025 RJD CONTRACTING (WA) PTY LTD	10 DAY HIRE DYNAPAC CP21 @ \$450 PER DAY WITH MOBILISATION FEE OF \$650.	1	5,665.00	
EFT33780	20/03/2025 SHIRE OF NORTHAM	OLD QUARRY ROAD TIPPING FEES FEBRUARY 2025	1		19,456.00
INV 31759	10/03/2025 SHIRE OF NORTHAM	OLD QUARRY ROAD TIPPING FEES FEBRUARY 2025	1	19,456.00	
EFT33781	20/03/2025 SHIRE OF QUAIRADING	FINANCE FOR NON FINANCIAL PEOPLE TRAINING - 27 NOVEMBER 2024 - JACK NUNN	1		282.26
INV 20224	09/12/2024 SHIRE OF QUAIRADING	FINANCE FOR NON FINANCIAL PEOPLE TRAINING - 27 NOVEMBER 2024 - JACK NUNN	1	282.26	
EFT33782	20/03/2025 SMITHS SHELL SERVICE	SUPPLY 8 X KEYS SINGLE SIDED	1		72.00
INV 18286471	04/03/2025 SMITHS SHELL SERVICE	SUPPLY 8 X KEYS SINGLE SIDED	1	72.00	
EFT33783	20/03/2025 TARRAN NELSON PTY LTD T/A YORK AUTO ELECTRICS	REPLACE APPLIANCE ISOLATION CHARGING SYSTEM AT MALEBELLING FIRE BRIGADE SHED	1		457.60
INV INV-3867	10/03/2025 TARRAN NELSON PTY LTD T/A YORK AUTO ELECTRICS	REPLACE APPLIANCE ISOLATION CHARGING SYSTEM AT MALEBELLING FIRE BRIGADE SHED	1	457.60	
EFT33784	20/03/2025 TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES FOR THE SHIRE OF YORK WORKS DEPOT - CORSIGNS 12/03/2025	1		56.94
INV 0581-S337610	16/03/2025 TEAM GLOBAL EXPRESS PTY LTD		1	56.94	
EFT33785	20/03/2025 THE GOOD LIFE STORE	LOCAL YORK GIFTS FOR CITIZENSHIP CEREMONIES - YORK OLIVE OIL AND HERITAGE DELIGHTS JAM 18/03/2025	1		117.50
INV INV-1033	18/03/2025 THE GOOD LIFE STORE	LOCAL YORK GIFTS FOR CITIZENSHIP CEREMONIES - YORK OLIVE OIL AND HERITAGE DELIGHTS JAM 18/03/2025	1	117.50	
EFT33786	20/03/2025 TITE SECURITY	GPRS SECURITY MONITORING ADMINISTRATION BUILDING 2ND QTR 1/4/2025 TO 30/06/2025	1		271.70
INV 618141	03/03/2025 TITE SECURITY	GPRS SECURITY MONITORING ADMINISTRATION BUILDING 2ND QTR 1/4/2025 TO 30/06/2025	1	271.70	

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EFT33787	20/03/2025 TOTALLY WORK WEAR	SUPPLY AND DELIVER VIA THE SHIRE OF YORK TOLL ACCOUNT AS PER QUOTE QMD4264 - 4 X BISLEY WORK UNIFORMS AND 1 X PAIR OF BLUNDSTONE WORK BOOTS WITH EMBROIDERY AND NAME - CAMERON	1		444.98
INV MD38621	23/05/2023 TOTALLY WORK WEAR	CREDIT NOTE - RGH RIDER STRCH DEN JEANS 92R BLUE	1	-131.87	
INV MD42982	17/08/2023 TOTALLY WORK WEAR	RETURNED - 1 X KING GEE PANTS AND 1 X BOM JACKET AS PER CREDIT NOTE MD42982	1	-152.90	
INV MD43873.D1	30/11/2023 TOTALLY WORK WEAR	SUPPLY OF RANGER UNIFORMS - NOVEMBER 2023 - VARIATION APPROVED FOR EMBROIDERY	1	186.78	
INV MD46791.D2	02/10/2024 TOTALLY WORK WEAR	SUPPLY AND DELIVER VIA THE SHIRE OF YORK TOLL ACCOUNT THE UNIFORM ORDER FOR THE WORKS DEPOT - AS PER QUOTE 3856	1	188.95	
INV MD48517.D1	06/03/2025 TOTALLY WORK WEAR	SUPPLY AND DELIVER VIA THE SHIRE OF YORK TOLL ACCOUNT AS PER QUOTE QMD4264 - 4 X BISLEY WORK UNIFORMS AND 1 X PAIR OF BLUNDSTONE WORK BOOTS WITH EMBROIDERY AND NAME - CAMERON	1	233.87	
INV MD48517.D2	17/03/2025 TOTALLY WORK WEAR	SUPPLY AND DELIVER VIA THE SHIRE OF YORK TOLL ACCOUNT AS PER QUOTE QMD4264 - 2 X BISLEY YELLOW/NAVY UNIFORM WORKSHIRTS WITH EMBROIDERY AND NAME CAMERON	1	120.15	
EFT33788	20/03/2025 TRACEY SHARON KICKETT	ABORIGINAL MONITORING OF ARCHAEOLOGY AT PONY CLUB GROUNDS - HALF DAY	1		308.50
INV 00043	12/03/2025 TRACEY SHARON KICKETT	ABORIGINAL MONITORING OF ARCHAEOLOGY AT PONY CLUB GROUNDS - HALF DAY	1	308.50	
EFT33789	20/03/2025 TREE TECH AUSTRALIA	REMOVE TWO LARGE DEAD TREES AGAINST THE FIRE SHED AND PRUNE DEADWOOD AND UNSAFE TREE LIMBS ON ADDITIONAL 5 TREES AS PER QUOTE0190 FOR MALEBELLING FIRE SHED	1		5,000.00
INV INV-0304	12/03/2025 TREE TECH AUSTRALIA	REMOVE TWO LARGE DEAD TREES AGAINST THE FIRE SHED AND PRUNE DEADWOOD AND UNSAFE TREE LIMBS ON ADDITIONAL 5 TREES AS PER QUOTE0190 FOR MALEBELLING FIRE SHED	1	5,000.00	
EFT33790	20/03/2025 VOCUS PTY LTD	SUPPLY MARCH 2025 LANDLINE PHONE SERVICE - SIP 10 PREMIUM AND 6 X IP TEL SINGLE NUMBERS AND 1 X 100 NUMBER RANGE UTILISED CREDIT OF \$133.42	1		819.44
INV P1272126	01/03/2025 VOCUS PTY LTD	VOCUS PTY LTD - MONTHLY INTERNET SERVICE - MARCH 2025	1	385.00	
INV 81021-020325	02/03/2025 VOCUS PTY LTD	SUPPLY MARCH 2025 LANDLINE PHONE SERVICE - SIP 10 PREMIUM AND 6 X IP TEL SINGLE NUMBERS AND 1 X 100 NUMBER RANGE UTILISED CREDIT OF \$133.42	1	434.44	
EFT33791	20/03/2025 WATERLOGIC AUSTRALIA PTY LTD	WATER FILTRATION UNIT FOR ADMINISTARTION BUILDING MARCH 2025	1		78.45
INV 4704173	02/03/2025 WATERLOGIC AUSTRALIA PTY LTD	WATER FILTRATION UNIT FOR ADMINISTARTION BUILDING MARCH 2025	1	78.45	

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EFT33792	20/03/2025 WESTERN AUSTRALIAN POLICE FORCE	VOLUNTEER POLICE CLEARANCES - JOANNE MAE BURGESS	1		18.00
INV 127092708	04/03/2025 WESTERN AUSTRALIAN POLICE FORCE	VOLUNTEER POLICE CLEARANCES - JOANNE MAE BURGESS	1	18.00	
EFT33793	20/03/2025 WHEATBELT ARTS & EVENTS	AUSTRALIA DAY GRANT FOR BALLARDONG FIRST EVENT - SUNDAY 26TH JANUARY 2025 RUN BY WHEATBELT ARTS & EVENTS GST WAS NOT INCLUDED ON FIRST INVOICE	1		450.00
INV 00000137	14/01/2025 WHEATBELT ARTS & EVENTS	AUSTRALIA DAY GRANT FOR BALLARDONG FIRST EVENT - SUNDAY 26TH JANUARY 2025 RUN BY WHEATBELT ARTS & EVENTS GST WAS NOT INCLUDED ON FIRST INVOICE	1	450.00	
EFT33794	20/03/2025 WILLIAM NUNN	STAFF REIMBURSEMENT - ON RENT PAID IN ADVANCE 38 FRASER STREET YORK	1		267.12
INV 19032025	19/03/2025 WILLIAM NUNN	STAFF REIMBURSEMENT - ON RENT PAID IN ADVANCE 38 FRASER STREET YORK	1	267.12	
EFT33795	20/03/2025 XCEED MEDICAL SERVICES PTY LTD T/A YORK GENERAL PRACTICE	PRE EMPLOYMENT MEDICAL - SYDNEY FOGARTY (DEPOT ADMIN OFFICER)	1		148.50
INV 16270	05/03/2025 XCEED MEDICAL SERVICES PTY LTD T/A YORK GENERAL PRACTICE	PRE EMPLOYMENT MEDICAL - SYDNEY FOGARTY (DEPOT ADMIN OFFICER)	1	148.50	
EFT33796	20/03/2025 YORK & DISTRICT CO-OPERATIVE LTD	CONSUMABLES FOR YORK COMMUNITY RESOURCE CENTRE - FEBRUARY 2025 - IGA	1		15.45
INV 000082876	28/02/2025 YORK & DISTRICT CO-OPERATIVE LTD	CONSUMABLES FOR YORK COMMUNITY RESOURCE CENTRE - FEBRUARY 2025 - IGA	1	15.45	
EFT33797	24/03/2025 AUSTRALIAN TAXATION OFFICE	ATO BUSINESS ACTIVITY STATEMENT FEBRUARY 2025 - GST INCOME COLLECTED, GST EXPENSES PAID, PAYG WITHOLDING TAX AND FUEL TAX	1		73,395.00
INV BAS JUNE 2024	30/06/2024 AUSTRALIAN TAXATION OFFICE	BUSINESS ACTIVITY STAEMENT REVERSAL JUNE 2024	1	8,092.00	
INV BAS JUNE 2024	30/06/2024 AUSTRALIAN TAXATION OFFICE	BUSINESS ACTIVITY STATEMENT JUNE 2024 REVERSAL CREDIT NOTE B17578	1	-8,092.00	
INV BAS FEB 2025	21/03/2025 AUSTRALIAN TAXATION OFFICE	ATO BUSINESS ACTIVITY STATEMENT FEBRUARY 2025 - GST INCOME COLLECTED, GST EXPENSES PAID, PAYG WITHOLDING TAX AND FUEL TAX	1	73,395.00	
EFT33798	28/03/2025 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS	1		179.50
INV 115	20/03/2025 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS		26.50	
INV 115	20/03/2025 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS		26.50	
INV 115	20/03/2025 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS		26.50	
INV 115	20/03/2025 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS		26.50	
INV 115	20/03/2025 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS		20.50	

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INV 115	20/03/2025 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS		26.50	
INV 115	20/03/2025 AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS		26.50	
EFT33799	28/03/2025 AVON VALLEY TYRE SERVICE	SUPPLY 1X TYRE 23X8.50-12BKT AND 1X CENTURY ONE BATTERY - HAKO SWEEPER	1		515.00
INV IV0000000856	13/02/2025 AVON VALLEY TYRE SERVICE	WHEEL ALIGNMENT FOR THE RANGER VEHICLE P138	1	110.00	
INV IV0000000864	07/03/2025 AVON VALLEY TYRE SERVICE	SUPPLY 1X TYRE 23X8.50-12BKT AND 1X CENTURY ONE BATTERY - HAKO SWEEPER	1	405.00	
EFT33800	28/03/2025 AVON WASTE	SUPPLY SERVICE 2010 GENERAL WASTE SERVICES - 25/02/2025 - 07/03/2025	1		13,877.23
INV 00068477	07/03/2025 AVON WASTE	SUPPLY SERVICE 2010 GENERAL WASTE SERVICES - 25/02/2025 - 07/03/2025	1	13,877.23	
EFT33801	28/03/2025 BELLISSIMO YORK	SUPPLY LIGHT CUISINE FOR SHIRE MEETING HELD ON 19TH FEB - 12 X MIXED SANDWICHES AND 12 X SLICES	1		120.00
INV 00000274	19/03/2025 BELLISSIMO YORK	SUPPLY LIGHT CUISINE FOR SHIRE MEETING HELD ON 19TH FEB - 12 X MIXED SANDWICHES AND 12 X SLICES	1	120.00	
EFT33802	28/03/2025 BLUE ASSIST PTY LTD T/A THE TRUSTEE FOR BLUE ASSIST TRUST	BLUE ASSIST MONTHLY ALARM MONITORING SERVICES - YORK VISITOR CENTRE - 13/03/2025 TO 13/4/2025	1		20.00
INV INV-16742	13/03/2025 BLUE ASSIST PTY LTD T/A THE TRUSTEE FOR BLUE ASSIST TRUST	BLUE ASSIST MONTHLY ALARM MONITORING SERVICES - YORK VISITOR CENTRE - 13/03/2025 TO 13/4/2025	1	20.00	
EFT33803	28/03/2025 CARTER ROAD FARM	PURCHASE OF STOCK FOR RESALE AT THE YORK VISITOR CENTRE - BUTTON EARRINGS. HAIR TIES, HAIR CLIPS AND COSMETINC BAGS	1		479.00
INV #36	17/03/2025 CARTER ROAD FARM	PURCHASE OF STOCK FOR RESALE AT THE YORK VISITOR CENTRE - BUTTON EARRINGS. HAIR TIES, HAIR CLIPS AND COSMETINC BAGS	1	422.00	
INV #36	17/03/2025 CARTER ROAD FARM	PURCHASE OF STOCK FOR RESALE AT THE YORK VISITOR CENTRE - HEADBANDS	1	57.00	
EFT33804	28/03/2025 FOCUS NETWORKS	SUPPLY AND INSTALL HP ELITEBOOKS, HP DRAGONFLY TOUCHSCREENS, DESKTOPS DOCKING STATIONS, CARRY CASES INCLUDING FREIGHT COSTS	1		34,005.94
INV INV-11114GB	24/03/2025 FOCUS NETWORKS	SUPPLY AND INSTALL HP ELITEBOOKS, HP DRAGONFLY TOUCHSCREENS, DESKTOPS DOCKING STATIONS, CARRY CASES INCLUDING FREIGHT COSTS	1	34,005.94	
EFT33805	28/03/2025 FULTON HOGAN INDUSTRIES PTY LTD	SUPPLY AND DELIVER VIA THE SHIRE OF YORK TOLL ACCOUNT 5X 20KILO EZ STREET RED	1		270.88
INV 5193999	21/03/2025 FULTON HOGAN INDUSTRIES PTY LTD	SUPPLY AND DELIVER VIA THE SHIRE OF YORK TOLL ACCOUNT 5X 20KILO EZ STREET RED	1	270.88	

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EFT33806	28/03/2025 HOT SAUCE HUNTERS AUSTRALIA	PURCHASE OF STOCK FOR RESALE AT THE YORK VISITOR CENTRE - HUNTERS OWN VARIOUS SPICE SAUCES	1		80.00
INV 14032025	14/03/2025 HOT SAUCE HUNTERS AUSTRALIA	PURCHASE OF STOCK FOR RESALE AT THE YORK VISITOR CENTRE - HUNTERS OWN VARIOUS SPICE SAUCES	1	80.00	
EFT33807	28/03/2025 KIM MARIE ALLISON	REIMBURSEMENT OF CREDIT BALANCE OF RATES PAID - A7950	1		1,760.00
INV 25032025	25/03/2025 KIM MARIE ALLISON	REIMBURSEMENT OF CREDIT BALANCE OF RATES PAID - A7950	1	1,760.00	
EFT33808	28/03/2025 KLEENWEST DISTRIBUTORS	SUPPLY OF CLEANING SUPPLIES FOR COUNCIL BUILDINGS - 05/03/2025	1		1,949.20
INV 00105898	05/03/2025 KLEENWEST DISTRIBUTORS	SUPPLY OF CLEANING SUPPLIES FOR COUNCIL BUILDINGS - 05/03/2025	1	1,018.71	
INV 00106479	19/03/2025 KLEENWEST DISTRIBUTORS	CLEANING PRODUCTS FOR SHIRE BUILDINGS 19/3/2025	1	231.44	
INV 00106479	19/03/2025 KLEENWEST DISTRIBUTORS	SUPPLY CLEANING PRODUCTS TO SHIRE BUIDINGS 19/03/2025 CONT	1	699.05	
EFT33809	28/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS	1		60.00
INV 115	20/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 115	20/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 115	20/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 115	20/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 115	20/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 115	20/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 115	20/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 115	20/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 115	20/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 115	20/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
INV 115	20/03/2025 LOTTO - OUTSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	
EFT33810	28/03/2025 MOORE AUSTRALIA	PREPEARATION AND LODGEMENT OF THE ACTIVITY STATEMENTS FOR 24/25 FINANCIAL YEAR SEPTEMBER 2024 - JANUARY 2025	1		4,125.00
INV 440669	27/02/2025 MOORE AUSTRALIA	PREPEARATION AND LODGEMENT OF THE ACTIVITY STATEMENTS FOR 24/25 FINANCIAL YEAR SEPTEMBER 2024 - JANUARY 2025	1	4,125.00	
EFT33811	28/03/2025 OFFICEWORKS	EQUIPMENT PRESCRIBED ERGONNOMIC ASSESSMENTS OCTOBER/NOVEMBER 2024	1		1,138.60

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INV 619874781	06/02/2025 OFFICEWORKS	EQUIPMENT PRESCRIBED ERGONNOMIC ASSESSMENTS OCTOBER/NOVEMBER 2024	1	1,138.60	
EFT33812	28/03/2025 RAECO	SUPPLY BOOK COVERING MATERIALS FOR LIBRARY	1		870.54
INV 602502	19/03/2025 RAECO	SUPPLY BOOK COVERING MATERIALS FOR LIBRARY	1	870.54	
EFT33813	28/03/2025 REBECCA LEE-ANNE ATKINSON	STAFF REIMBURSEMENT FOR PARKING, GIVEAWAYS,MEALS AND TRAIN FARE - CARAVAN AND CAMPING SHOW	1		326.83
INV 26032025	26/03/2025 REBECCA LEE-ANNE ATKINSON	STAFF REIMBURSEMENT FOR PARKING, GIVEAWAYS,MEALS AND TRAIN FARE - CARAVAN AND CAMPING SHOW	1	326.83	
EFT33814	28/03/2025 RICOH AUSTRALIA PTY LTD	SUPPLY 1 X PRINTER CARTRIDGE SP3710X (PRINTER 5171Z330141)	1		191.40
INV 15346923	21/03/2025 RICOH AUSTRALIA PTY LTD	SUPPLY 1 X PRINTER CARTRIDGE SP3710X (PRINTER 5171Z330141)	1	191.40	
EFT33815	28/03/2025 RJD CONTRACTING (WA) PTY LTD	EMERGENCY FIREFIGHTING BULK WATER TANKER SUPPLY OF HELENA ROAD MT OBSERVATION REMOTE AREA FIRE 29/01/2025	1		893.75
INV INV-2398	25/02/2025 RJD CONTRACTING (WA) PTY LTD	EMERGENCY FIREFIGHTING BULK WATER TANKER SUPPLY OF HELENA ROAD MT OBSERVATION REMOTE AREA FIRE 29/01/2025	1	893.75	
EFT33816	28/03/2025 SANOKIL	MONTHLY SUPPLY OF SANITARY WASTE UNITS AND SERVICING FOR SHIRE BUILDING TOILETS EXCLUDING YRCC 2024/25	1		625.90
INV 20173087	01/03/2025 SANOKIL	MONTHLY SUPPLY OF SANITARY WASTE UNITS AND SERVICING FOR SHIRE BUILDING TOILETS EXCLUDING YRCC 2024/25	1	336.60	
INV 20173087	01/03/2025 SANOKIL	10 X SANITARY WASTE UNITS AND 2 X NAPPY WASTE UNITS AT YRCC MARCH 2025	1	289.30	
EFT33817	28/03/2025 SAVING AVON VALLEY ANIMALS INCORPORATED	IMPOUNDED CATS BETWEEN 1/2/2025 - 28/2/2025	1		975.00
INV YORK2502	16/03/2025 SAVING AVON VALLEY ANIMALS INCORPORATED	IMPOUNDED CATS BETWEEN 1/2/2025 - 28/2/2025	1	975.00	
EFT33818	28/03/2025 SHARLA SIMUNOV	STAFF REIMBURSEMENT FOR UNLEADED PETROL FOR ENORONMENTAL VEHICLE UNTIL FUEL CARD ARRIVED FOR THE PERIOD 5/2/2024 TO 4/3/2025	1		289.51
INV 18032025	18/03/2025 SHARLA SIMUNOV	STAFF REIMBURSEMENT FOR UNLEADED PETROL FOR ENORONMENTAL VEHICLE UNTIL FUEL CARD ARRIVED FOR THE PERIOD 5/2/2024 TO 4/3/2025	1	289.51	
EFT33819	28/03/2025 SHIRE OF YORK SOCIAL CLUB - LOTTO INSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS	1		135.00
INV 115	20/03/2025 SHIRE OF YORK SOCIAL CLUB - LOTTO INSIDE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		5.00	

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INV FAINV0127903	13/03/2025 ST JOHN AMBULANCE ASSOCIATION - YORK	ATTENDANCE OF ST JOHNS PROVIDE AID COURSE ON THURSDAY 13TH MARCH 2025 - GEOFFERY ALLEN HEATON	1	170.00	
EFT33821	28/03/2025 TARRAN NELSON PTY LTD T/A YORK AUTO ELECTRICS	COMPLETE MAINTENANCE ON REVERSING CAMERA ON P180 JOHN DEERE EXCAVATOR AS PER QUOTE QU0258	1		921.80
INV INV-3918	24/03/2025 TARRAN NELSON PTY LTD T/A YORK AUTO ELECTRICS	COMPLETE MAINTENANCE ON REVERSING CAMERA ON P180 JOHN DEERE EXCAVATOR AS PER QUOTE QU0258	1	550.00	
INV INV-3908	24/03/2025 TARRAN NELSON PTY LTD T/A YORK AUTO ELECTRICS	SUPPLY AND/OR REPAIR BEACON ON P108 Y4099 FUSO CANTER 3T AS PER QUOTE QU-0253 BOOKED IN FOR 21.03.2025	1	371.80	
EFT33822	28/03/2025 THE FLOUR MILL CAFE YORK	SANDWICH PLATTERS FOR JACK NUNNS FAREWELL MORNING TEA.	1		140.00
INV 15315	25/03/2025 THE FLOUR MILL CAFE YORK	SANDWICH PLATTERS FOR JACK NUNNS FAREWELL MORNING TEA.	1	140.00	
EFT33823	28/03/2025 THE TRUSTEE FOR NOVOFIT UNIT TRUST	MAINTENANCE SERVICE CALL OUT FOR FAULTY GYM EQUIPMENT - 17/03/2025	1		407.00
INV INV0051434	17/03/2025 THE TRUSTEE FOR NOVOFIT UNIT TRUST	MAINTENANCE SERVICE CALL OUT FOR FAULTY GYM EQUIPMENT - 17/03/2025	1	407.00	
EFT33824	28/03/2025 WATERLOGIC AUSTRALIA PTY LTD	WATER FILTRATION UNIT ADMINISTRATION BUILDING SEPTEMBER 2024	1		78.45
INV 4463762	20/09/2024 WATERLOGIC AUSTRALIA PTY LTD	WATER FILTRATION UNIT ADMINISTRATION BUILDING SEPTEMBER 2024	1	78.45	
EFT33825	28/03/2025 WCP CIVIL PTY LTD	ROAD CONSTRUCTION WORKS AWARDED BY TENDER 01/2425. CONDITIONS AS SPECIFIED IN CONTRACT	1		1,053,021.36
INV 32892	28/02/2025 WCP CIVIL PTY LTD	SP1 YORK TAMMIN ROAD (SLK 18.10 TO SLK 21.50) - PROGRESS PAYMENT 1	1	445,589.55	
INV 32893	28/02/2025 WCP CIVIL PTY LTD	ROAD CONSTRUCTION WORKS AWARDED BY TENDER 01/2425. CONDITIONS AS SPECIFIED IN CONTRACT	1	334,379.25	
INV 32894	28/02/2025 WCP CIVIL PTY LTD	SP1 YORK TAMMIN ROAD (SLK 18.10 TO SLK 21.50) - PROGRESS PAYMENT 1	1	273,052.56	
EFT33826	28/03/2025 WOOLWORTHS GROUP LIMITED	PURCHASE OF NEW RELEASES BOOKS AND REQUESTED ITEMS FOR THE LIBRARY	1		294.00
INV TI-018B2-1790	15/03/2025 WOOLWORTHS GROUP LIMITED	PURCHASE OF NEW RELEASES BOOKS AND REQUESTED ITEMS FOR THE LIBRARY	1	104.00	
INV TI-018B2-1790	16/03/2025 WOOLWORTHS GROUP LIMITED	PURCHASE OF NEW RELEASES BOOKS AND REQUESTED ITEMS FOR THE LIBRARY	1	190.00	

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EFT33827	28/03/2025 YORK & DISTRICT CO-OPERATIVE LTD	SAFETY BONUS - 14.8 SAFETY BONUS FOR OUTSIDE STAFF - SUPPLY \$100 VOUCHERS ROB MACKENZIE (24), ROB WINDSOR (33), TREVOR BARRATT (76), MARK APPLETON (407) AND CAMERON HEPBURN (451)	1		802.61
INV 000064120592	28/02/2025 YORK & DISTRICT CO-OPERATIVE LTD	IGA FEBRUARY 2025 SUPPLIES & REFRESHMENTS (ADMIN)	1	154.07	
INV 000064120592	28/02/2025 YORK & DISTRICT CO-OPERATIVE LTD	IGA FEBRUARY 2025 SUPPLY OF MISCELLANEOUS ITEMS FOR YORK VISITOR CENTRE	1	38.00	
INV 000064120592	28/02/2025 YORK & DISTRICT CO-OPERATIVE LTD	SAFETY BONUS - 14.8 SAFETY BONUS FOR OUTSIDE STAFF - SUPPLY \$100 VOUCHERS ROB MACKENZIE (24), ROB WINDSOR (33), TREVOR BARRATT (76), MARK APPLETON (407) AND CAMERON HEPBURN (451)	1	500.00	
INV 000064120592	28/02/2025 YORK & DISTRICT CO-OPERATIVE LTD	SUPPLY CLEANING AND TOILETRY PRODUCTS FOR 2 DINSDALE ROAD	1	46.49	
INV 000064120592	28/02/2025 YORK & DISTRICT CO-OPERATIVE LTD	IGA FEBRUARY 2025 SUPPLY REFRESHMENTS FOR WANGAL PROJECT - COMMUNITY CONSULTATION	1	64.05	
EFT33828	28/03/2025 YORK BOWLING CLUB INC	PROVISION OF WAGES CONTRIBUTION AS PER COUNCIL RESOLUTION #160624/2 - MARCH 2025	1		7,000.00
INV INV-0065	06/03/2025 YORK BOWLING CLUB INC	PROVISION OF WAGES CONTRIBUTION AS PER COUNCIL RESOLUTION #160624/2 - MARCH 2025	1	7,000.00	
EFT33829	28/03/2025 YORK FAMILY PLAYGROUP	COMMUNITY GRANT FUNDING 23/24 (111123) - PAINT YORK READ 2024 HATCHING EVENT FINAL PAYMENT OF ACQUITTAL	1		76.80
INV 21102024	21/10/2024 YORK FAMILY PLAYGROUP	COMMUNITY GRANT FUNDING 23/24 (111123) - PAINT YORK READ 2024 HATCHING EVENT FINAL PAYMENT OF ACQUITTAL	1	76.80	
DD17721.1	06/03/2025 PRECISION ADMINISTRATION SERVICES PTY LTD (BEAM SUPER)	SUPERANNUATION CONTRIBUTIONS FOR PAYROLL ENDING 04/03/2025	1		36,767.06
INV SUPERANNUA'	06/03/2025 PRECISION ADMINISTRATION SERVICES PTY LTD (BEAM SUPER)	SUPERANNUATION CONTRIBUTIONS FOR PAYROLL ENDING 04/03/2025	1	36,767.06	
DD17740.1	20/03/2025 PRECISION ADMINISTRATION SERVICES PTY LTD (BEAM SUPER)	SUPERANNUATION CONTRIBUTIONS FOR PAYROLL ENDING 18 MARCH 2025	1		38,512.55
INV SUPERANNUA'	20/03/2025 PRECISION ADMINISTRATION SERVICES PTY LTD (BEAM SUPER)	SUPERANNUATION CONTRIBUTIONS FOR PAYROLL ENDING 18 MARCH 2025	1	38,512.55	
DD17742.1	21/03/2025 PRECISION ADMINISTRATION SERVICES PTY LTD (BEAM SUPER)	SUPERANNUATION CONTRIBUTIONS FOR PAYROLL ENDING 18/03/2025	1		60.99
INV SUPERANNUA'	21/03/2025 PRECISION ADMINISTRATION SERVICES PTY LTD (BEAM SUPER)	SUPERANNUATION CONTRIBUTIONS FOR PAYROLL ENDING 18/03/2025	1	60.99	

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Cheque /EFT No	Date Name	Invoice Description	Bank Code	INV Amount	Amount
DD17749.1	25/03/2025 PETTY CASH	PETTY CASH REIMBURSEMENT FLOAT ADMINISTRATION - 25/03/2025	1		438.05
INV 25032025	25/03/2025 PETTY CASH	PETTY CASH REIMBURSEMENT FLOAT ADMINISTRATION - 25/03/2025	1	438.05	
DD17767.1	01/03/2025 YORK COMMUNITY FINANCIAL SERVICES - BENDIGO BANK	BANK FEES - 01/03/2025 - MONTHLY TRANSACTION SUMMARY FEBRUARY 2025 AND TRANSFER FEES	1		16.60
INV 01032025	01/03/2025 YORK COMMUNITY FINANCIAL SERVICES - BENDIGO BANK	BANK FEES - 01/03/2025 - MONTHLY TRANSACTION SUMMARY FEBRUARY 2025 AND TRANSFER FEES	1	16.60	
DD17768.1	01/03/2025 YORK COMMUNITY FINANCIAL SERVICES - BENDIGO BANK	BPAY MONTHLY FEE - 01/03/2025	1		140.14
INV 01032025	01/03/2025 YORK COMMUNITY FINANCIAL SERVICES - BENDIGO BANK	BPAY MONTHLY FEE - 01/03/2025	1	140.14	
DD17769.1	03/03/2025 YORK COMMUNITY FINANCIAL SERVICES - BENDIGO BANK	BANK FEES 03/03/2025 - DIRECT DEBIT FEE - CBA MERCHANT FEES AND TYRO FEES 03/03/2025	1		855.12
INV 03032025	03/03/2025 YORK COMMUNITY FINANCIAL SERVICES - BENDIGO BANK	BANK FEES 03/03/2025 - DIRECT DEBIT FEE - CBA MERCHANT FEES AND TYRO FEES 03/03/2025	1	855.12	
DD17770.1	07/03/2025 NODE1 INTERNET	BUSINESS BROADBAND LINK - 01/03/2025 - 31/03/2025 - ADMINISTRATION, MUSEUM, DEPOT AND 30/IP ADDRESS RANGE	1		1,547.70
INV 6186279	01/03/2025 NODE1 INTERNET	BUSINESS BROADBAND LINK - 01/03/2025 - 31/03/2025 - ADMINISTRATION, MUSEUM, DEPOT AND 30/IP ADDRESS RANGE	1	1,547.70	
DD17771.1	06/03/2025 SYNERGY	ELECTRICITY CHARGES USAGE AND SUPPLY 08/01/2025 - 11/02/2025 FOR ADMINISTRATION BUILDING, TOWN HALL AND VISITORS CENTRE	1		6,726.26
INV 435029400	13/02/2025 SYNERGY	ELECTRICITY CHARGES USAGE 08/01/2025 - 20/01/2025 SUPPLY CHARGE 21/01/25 TO 11/02/2025 YRCC LOT 292 SOUTH STREET	1	4,349.97	
INV 335462800	13/02/2025 SYNERGY	ELECTRICITY CHARGES USAGE AND SUPPLY 08/01/2025 - 11/02/2025 FOR ADMINISTRATION BUILDING, TOWN HALL AND VISITORS CENTRE	1	2,376.29	
DD17772.1	12/03/2025 BOSLEY HOLDINGS PTY LTD (SWOOP NO REGISTERED)	BUSINESS BROADBAND LINK - 06/03/2025 - 05/04/2025 - CRC	1		109.00
INV 6206634	06/03/2025 BOSLEY HOLDINGS PTY LTD (SWOOP NO REGISTERED)	BUSINESS BROADBAND LINK - 06/03/2025 - 05/04/2025 - CRC	1	109.00	
DD17773.1	12/03/2025 SYNERGY	ELECTRICITY CHARGES USAGAE AND SUPPLY - 14/12/2025 - 17/02/2025 - DEPOT	1		2,985.53
INV 435837760	19/02/2025 SYNERGY	ELECTRICITY CHARGES USAGE AND SUPPLY - 17/12/2024 - 18/02/2025 - CRC	1	1,191.70	

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Cheque /EFT No	Date Name	Invoice Description	Bank Code	INV Amount	Amount
INV 254322430	19/02/2025 SYNERGY	ELECTRICITY CHARGES USAGAE AND SUPPLY - 14/12/2025 - 17/02/2025 - DEPOT	1	1,793.83	
DD17792.1	06/03/2025 YORK COMMUNITY FINANICAL SERVICES - BENDIGO BANK	BANK FEES 06/03/2025 - DIRECT DEBIT DE-FEES-203610	1		11.25
INV 06032025	06/03/2025 YORK COMMUNITY FINANICAL SERVICES - BENDIGO BANK	BANK FEES 06/03/2025 - DIRECT DEBIT DE-FEES-203610	1	11.25	
DD17793.1	10/03/2025 YORK COMMUNITY FINANICAL SERVICES - BENDIGO BANK	BANK FEES 10/03/2025 - DIRECT DEBIT DE-FEES-203610	1		7.20
INV 10032025	10/03/2025 YORK COMMUNITY FINANICAL SERVICES - BENDIGO BANK	BANK FEES 10/03/2025 - DIRECT DEBIT DE-FEES-203610	1	7.20	
DD17795.1	14/03/2025 YORK COMMUNITY FINANICAL SERVICES - BENDIGO BANK	BANK CHARGES 14/03/2025 - DIRECT DEBIT DE FEES - 203610	1		0.90
INV 14032025	14/03/2025 YORK COMMUNITY FINANICAL SERVICES - BENDIGO BANK	BANK CHARGES 14/03/2025 - DIRECT DEBIT DE FEES - 203610	1	0.90	
DD17796.1	14/03/2025 YORK COMMUNITY FINANICAL SERVICES - BENDIGO BANK	CREDIT CARD PAYMENT EMDIS FEBRUARY 2025	1		2,200.75
INV M202 FEB 202	14/03/2025 YORK COMMUNITY FINANICAL SERVICES - BENDIGO BANK	CREDIT CARD PAYMENT EMDIS FEBRUARY 2025	1	2,200.75	
DD17797.1	17/03/2025 SYNERGY	ELECTRICITY CHARGES USAGE AND SUPPLY 20/12/2024-21/02/2025 - AVON PARK TOILETS	1		352.76
INV 468663930	24/02/2025 SYNERGY	ELECTRICITY CHARGES USAGE AND SUPPLY 20/12/2024-21/02/2025 - AVON PARK TOILETS	1	352.76	
DD17798.1	25/03/2025 SYNERGY	ELECTRICITY CHARGES SUPPLY 01/12/2025 - 31/12/2025 - POWERWATCH 1000 MH WP	1		1,186.00
INV 785488350	25/02/2025 SYNERGY	ELECTRICITY CHARGES SUPPLY 01/12/2025 - 31/12/2025 - POWERWATCH 1000 MH WP	1	1,186.00	
DD17798.3	19/03/2025 SYNERGY	ELECTRICITY CHARGES USAGE AND SUPPLY - 18/12/2025 - 24/02/2025 - ULSTER DAM	1		139.47
INV 102393870	25/02/2025 SYNERGY	ELECTRICITY CHARGES USAGE AND SUPPLY - 18/12/2025 - 24/02/2025 - ULSTER DAM	1	139.47	
DD17798.4	18/03/2025 SYNERGY	ELECTRICITY CHARGES - USAGE AND SUPPY WITH BUYBACKS (\$67.78) - 20/12/2024 - 24/02/2025 - 17 FORBES STREET	1		387.13

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Cheque /EFT No	Date Name	Invoice Description	Bank Code	INV Amount	Amount
INV 640233070	25/02/2025 SYNERGY	ELECTRICITY CHARGES USAGE AND SUPPLY 18/12/2024 - 21/02/2025 - WAR MEMORIAL	1	133.41	
INV 749237470	25/02/2025 SYNERGY	ELECTRICITY CHARGES USAGE AND SUPPLY - 20/12/2024 - 24/02/2025 - MT BAKEWELL REPEATER STATION	1	153.68	
INV 333626240	25/02/2025 SYNERGY	ELECTRICITY CHARGES - USAGE AND SUPPLY WITH BUYBACKS (\$67.78) - 20/12/2024 - 24/02/2025 - 17 FORBES STREET	1	100.04	
DD17799.1	18/03/2025 YORK COMMUNITY FINANCIAL SERVICES - BENDIGO BANK	BANK FEES - 18/03/2025 - DIRECT DEBIT DE-FEES-203610	1		4.80
INV 18032025	18/03/2025 YORK COMMUNITY FINANCIAL SERVICES - BENDIGO BANK	BANK FEES - 18/03/2025 - DIRECT DEBIT DE-FEES-203610	1	4.80	
DD17800.1	19/03/2025 SYNERGY	ELECTRICITY CHARGES USAGE AND SUPPLY - 18/12/2023 - 21/02/2025 - FORREST OVAL BORE	1		133.41
INV 512901920	26/02/2025 SYNERGY	ELECTRICITY CHARGES USAGE AND SUPPLY - 18/12/2023 - 21/02/2025 - FORREST OVAL BORE	1	133.41	
DD17801.1	20/03/2025 YORK COMMUNITY FINANCIAL SERVICES - BENDIGO BANK	BANK FEES - 20/03/2025 - DIRECT DEBIT DE-FEES-203610	1		11.70
INV 20032025	20/03/2025 YORK COMMUNITY FINANCIAL SERVICES - BENDIGO BANK	BANK FEES - 20/03/2025 - DIRECT DEBIT DE-FEES-203610	1	11.70	
DD17802.1	21/03/2025 YORK COMMUNITY FINANCIAL SERVICES - BENDIGO BANK	BANK FEES 21/03/2025 - DIRECT DEBIT DE-FEES-203610	1		6.00
INV 21032025	21/03/2025 YORK COMMUNITY FINANCIAL SERVICES - BENDIGO BANK	BANK FEES 21/03/2025 - DIRECT DEBIT DE-FEES-203610	1	6.00	
DD17803.1	26/03/2025 SYNERGY	ELECTRICITY CHARGES USAGE AND SUPPLY 30/01/2025 - 27/02/2025 - SWIMMING POOL	1		2,678.01
INV 108761310	26/03/2025 SYNERGY	ELECTRICITY CHARGES USAGE AND SUPPLY 30/01/2025 - 27/02/2025 - SWIMMING POOL	1	2,678.01	
DD17804.1	24/03/2025 SYNERGY	ELECTRICITY CHARGES 25/12/2025 - 24/01/2025 - STREETLIGHT TARIFF ON 404 STREETLIGHTS	1		8,892.20
INV 314003710	04/03/2025 SYNERGY	ELECTRICITY CHARGES USAGES AND SUPPLY CHARGES 25/12/2025 - 28/02/2025 - CEMETERY	1	133.41	

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Cheque /EFT No	Date Name	Invoice Description	Bank Code	INV Amount	Amount
INV 522515390	04/03/2025 SYNERGY	ELECTRICITY CHARGES USAGE AND SUPPLY CHARGES 24/12/2024 - 26/02/2025 - FORREST OVAL LOWE STREE	1	409.44	
INV 573203950	04/03/2025 SYNERGY	ELECTRICITY CHARGES USAGE AND SUPPLY 25/12/2024 - 28/02/2025 - MUSEUM	1	468.08	
INV 584238150	04/03/2025 SYNERGY	ELECTRICITY CHARGES USAGE AND SUPPLY 24/12/2024 - 26/02/2025 - AVON PARK RETIC PUMP	1	173.84	
INV 467568350	03/02/2025 SYNERGY	ELECTRICITY CHARGES 25/12/2025 - 24/01/2025 - STREETLIGHT TARIFF ON 404 STREETLIGHTS	1	7,707.43	
DD17805.1	25/03/2025 YORK COMMUNITY FINANCIAL SERVICES - BENDIGO BANK	BANK FEES 25/03/2025 DIRECT DEBIT DE FEES-203610	1		0.15
INV 25032025	25/03/2025 YORK COMMUNITY FINANCIAL SERVICES - BENDIGO BANK	BANK FEES 25/03/2025 DIRECT DEBIT DE FEES-203610	1	0.15	
DD17806.1	28/03/2025 YORK COMMUNITY FINANCIAL SERVICES - BENDIGO BANK	BANK FEES 28/03/2025 - DIRECT DEBIT DE FEES-203610	1		4.80
INV 28032025	28/03/2025 YORK COMMUNITY FINANCIAL SERVICES - BENDIGO BANK	BANK FEES 28/03/2025 - DIRECT DEBIT DE FEES-203610	1	4.80	
DD17807.1	28/03/2025 EXETEL PTY LTD	INTERNET NBN SERVICE - WORKS DEPOT - 01/04/2025 TO 30/04/2025	1		210.00
INV E76914433	14/03/2025 EXETEL PTY LTD	MONTHLY INTERNET CHARGES - SHIRE ADMINISTRATION - 1/4/2025 - 30/04/2025	1	105.00	
INV E76915127	14/03/2025 EXETEL PTY LTD	INTERNET NBN SERVICE - WORKS DEPOT - 01/04/2025 TO 30/04/2025	1	105.00	

REPORT TOTALS

Bank Code	Bank Name	TOTAL
1	MUNICIPAL FUND BANK	1,912,070.38
2	TRUST FUND BANK	1,780.53
TOTAL		1,913,850.91



SHIRE OF YORK
BUSINESS CREDIT CARD SUMMARY
FEBRUARY 2025

BUSINESS CARD 1 (M202) – EXECUTIVE MANAGER INFRASTRUCTURE AND DEVELOPMENT SERVICES

Total purchases FEBRUARY 2025		\$2,200.75
06.02.2025	KMART AUSTRALIA – PAYPAL – FURNISHINGS FOR 2 DINSDALE STREET	\$942.50
06.02.2025	KMART AUSTRALIA – PAYPAL – FURNISHINGS FOR 2 DINSDALE STREET	\$64.00
12.02.2025	JACAR PTY LTD - PURCHASE MEGAGPONES FOR EMERGENCY RESPONSE	\$394.25
13.02.2025	STEPHEN DORAN – TRAINING AI IN LOCAL GOVERNMENT	\$796.00
27.02.2025	MONTHLY CREDIT CARD FEE - BENDIGO BANK	\$4.00

BUSINESS CARD 2 (M203) – EXECUTIVE MANAGER CORPORATE AND COMMUNITY SERVICES

Total purchases FEBRUARY 2025		\$2,675.83
02.02.2025	BLACKTOWN CITY COUNCIL – REGISTRATION FOR EXECUTIVE ASSISTANCE CONFERENCE - V GREEN	\$610.00
04.02.2025	FLIGHT CENTRE – FLIGHTS AND ACCOMMODATION TO SYDNEY FOR EXECUTIVE ASSISTANCE CONFERENCE - V GREEN	\$1,664.98
26.02.2025	IPWEA WA 2024-2025 MEMBERSHIP RENEWAL – LINDON MELLOR	\$223.85
26.02.2025	COMMISSIONER OF POLICE – GUN LICENCE RENEWAL	\$173.00
28.02.2025	MONTHLY CREDIT CARD FEE – BENDIGO BANK	\$4.00



**MONTHLY LIST OF FUEL CARD
TRANSACTIONS MARCH REPORT
2025**

DATE	SUPPLIER	REGO	MODEL	ODOMETER	AMOUNT
2/03/2025	NIGHTOWL BELLEVUE	1HMZ024	FORD RANGER DUAL CAB UTILITY	81169	\$ 88.46
2/03/2025	WEX AUSTRALIA	1HMZ024	FORD RANGER DUAL CAB UTILITY	81169	\$ 0.50
3/03/2025	PUMA ENERGY YORK ROADHC	1HVF884	MAZDA CX5 MAXX AWD WAGON	10735	\$ 65.01
3/03/2025	BP CONNECT WEMBLEY	1IBY541	SUBARU OUTBACK WAGON	39125	\$ 1.51
3/03/2025	BP CONNECT WEMBLEY	1IBY541	SUBARU OUTBACK WAGON	39125	\$ 94.96
3/03/2025	WEX AUSTRALIA	1IBY541	SUBARU OUTBACK WAGON	39125	\$ 0.50
4/03/2025	PUMA ENERGY YORK ROADHC	1HMZ024	FORD RANGER DUAL CAB UTILITY	81592	\$ 132.35
4/03/2025	PUMA ENERGY YORK ROADHC	Y8804	MAZDA 3 TOURING SEDAN	14569	\$ 75.10
6/03/2025	BP CONNECT WEMBLEY	1IBY541	SUBARU OUTBACK WAGON	39752	\$ 1.77
6/03/2025	BP CONNECT WEMBLEY	1IBY541	SUBARU OUTBACK WAGON	39752	\$ 111.15
6/03/2025	WEX AUSTRALIA	1IBY541	SUBARU OUTBACK WAGON	39752	\$ 0.50
7/03/2025	AMPOL GREENFIELDS	1HMZ024	FORD RANGER DUAL CAB UTILITY	82085	\$ 142.63
7/03/2025	AMPOL GREENFIELDS	1HMZ024	FORD RANGER DUAL CAB UTILITY	82085	\$ 0.50
8/03/2025	CALTEX MUNDARING	1ICQ468	MAZDA CX-8 SPORT AUTO	41449	\$ 94.99
10/03/2025	PUMA ENERGY YORK ROADHC	1HSA231	MAZDA CX5 SEDAN WAGON	57308	\$ 85.93
12/03/2025	PUMA ENERGY YORK ROADHC	Y8804	MAZDA 3 TOURING SEDAN	15091	\$ 78.99
14/03/2025	PUMA ENERGY YORK ROADHC	1HSZ886	HYUNDAI ELETE SUV SEDAN	70786	\$ 79.84
16/03/2025	CALTEX MUNDARING	1ICQ468	MAZDA CX-8 SPORT AUTO	42125	\$ 92.78
18/03/2025	PUMA ENERGY YORK ROADHC	Y8804	MAZDA 3 TOURING SEDAN	15551	\$ 75.14
19/03/2025	AMPOL GREENFIELDS	1HMZ024	FORD RANGER DUAL CAB UTILITY	83522	\$ 136.16
19/03/2025	AMPOL GREENFIELDS	1HMZ024	FORD RANGER DUAL CAB UTILITY	83522	\$ 0.50
20/03/2025	CALTEX GLEN FORREST	1HSA231	MAZDA CX5 SEDAN WAGON	57705	\$ 65.45
21/03/2025	PUMA ENERGY YORK ROADHC	1HSR598	TATRA T815-7 4 X 4		\$ 169.65
21/03/2025	PUMA ENERGY YORK ROADHC	1HSZ886	HYUNDAI ELETE SUV SEDAN	71152	\$ 54.29
21/03/2025	PUMA ENERGY YORK ROADHC	1ICQ468	MAZDA CX-8 SPORT AUTO	42866	\$ 107.01
25/03/2025	PUMA ENERGY YORK ROADHC	1HMZ024	FORD RANGER DUAL CAB UTILITY	83992	\$ 86.93
25/03/2025	PUMA ENERGY YORK ROADHC	1IBY541	SUBARU OUTBACK WAGON	4162	\$ 80.00
26/03/2025	BP THE LAKES 1903	Y8804	MAZDA 3 TOURING SEDAN	16109	\$ 1.39
26/03/2025	BP THE LAKES 1903	Y8804	MAZDA 3 TOURING SEDAN	16109	\$ 86.91
26/03/2025	WEX AUSTRALIA	Y8804	MAZDA 3 TOURING SEDAN	16109	\$ 0.50
29/03/2025	CALTEX MUNDARING	1ICQ468	MAZDA CX-8 SPORT AUTO	43501	\$ 91.92
				TOTAL	\$ 2,103.32



**MONTHLY LIST OF FUEL
CARD TRANSACTIONS
NOVEMBER 2024 REPORT**

DATE	SUPPLIER	REGO	MODEL	ODOMETER	AMOUNT
1/11/2024	COLES EXPRESS DUNSBOR	1IBY541	SUBARU OUTBACK WAGON	28035	80.94
1/11/2024	SMITHS SHELL SERVICE	1ICQ468	MAZDA CX-8 SPORT AUTO	27589	104.50
4/11/2024	CALTEX GLEN FORREST	1IBY541	SUBARU OUTBACK WAGON	28660	89.57
4/11/2024	PUMA ENERGY YORK ROAD	1HSZ886	HYUNDAI ELETE SUV SEDAN	626213	77.11
4/11/2024	S24 SAWYERS VALLEY	1IBY541	SUBARU OUTBACK WAGON	28952	80.01
5/11/2024	S24 SAWYERS VALLEY	1ICQ468	MAZDA CX-8 SPORT AUTO	48884	77.71
7/11/2024	PUMA ENERGY YORK ROAD	1HIF924	MAZDA 3 TOURING SEDAN	8154	86.42
8/11/2024	S24 SAWYERS VALLEY	1HSA231	MAZDA CX5 SEDAN WAGON	49459	73.66
9/11/2024	AMPOL MUNDARING	1ICQ468	MAZDA CX-8 SPORT AUTO	29613	84.49
10/11/2024	AMPOL JOONDALUP	1IBY541	SUBARU OUTBACK WAGON	29170	94.35
11/11/2024	PUMA ENERGY YORK ROAD	1HSZ886	HYUNDAI ELETE SUV SEDAN	62716	71.74
12/11/2024	AMPOL MUNDARING	1ICQ468	MAZDA CX-8 SPORT AUTO	30305	87.18
12/11/2024	PUMA ENERGY YORK ROAD	1HVF884	MAZDA CX5 MAXX AWD WAGON	8575	75.01
14/11/2024	PUMA ENERGY YORK ROAD	1HIF924	MAZDA 3 TOURING SEDAN	8705	81.69
14/11/2024	PUMA ENERGY YORK ROAD	1HSA231	MAZDA CX5 SEDAN WAGON	50084	87.21
14/11/2024	S24 SAWYERS VALLEY	1IBY541	SUBARU OUTBACK WAGON	29670	91.12
15/11/2024	AMPOL MECKERING	1HSR598	TATRA T815-MALEBELLING FIRE TRUCK		169.70
18/11/2024	PUMA ENERGY YORK ROAD	1HSZ886	HYUNDAI ELETE SUV SEDAN	63481	72.76
18/11/2024	S24 SAWYERS VALLEY	1IBY541	SUBARU OUTBACK WAGON	30212	83.58
19/11/2024	BP THE LAKES 1903	1ICQ468	MAZDA CX-8 SPORT AUTO	31024	96.01
19/11/2024	PUMA ENERGY YORK ROAD	1HVF884	MAZDA CX5 MAXX AWD WAGON	8765	38.00
20/11/2024	BP THE LAKES 1903	1HIF924	MAZDA 3 TOURING SEDAN	9217	73.11
21/11/2024	CALTEX MUNDARING	1HSA231	MAZDA CX5 SEDAN WAGON	50700	102.68
22/11/2024	S24 SAWYERS VALLEY	1IBY541	SUBARU OUTBACK WAGON	30761	89.64
26/11/2024	CALTEX WOOROLOO	1HSZ886	HYUNDAI ELETE SUV SEDAN	64083	64.81
26/11/2024	AMPOL MUNDARING	1ICQ468	MAZDA CX-8 SPORT AUTO	31440	59.40
26/11/2024	S24 SAWYERS VALLEY	1IBY541	SUBARU OUTBACK WAGON	31386	91.49
27/11/2024	S24 SAWYERS VALLEY	1HSA231	MAZDA CX5 SEDAN WAGON	51338	115.89
				TOTAL	2,399.78

SY047-04/25 INVESTMENTS - MARCH 2025

File Number:	4.7714
Author:	Codey Redmond, Manager Finance
Authoriser:	Rebecca Palumbo, Acting Executive Manager Corporate & Community Services
Previously before Council:	Not Applicable
Disclosure of Interest:	Nil
Appendices:	1. Investment Register - March 2025 ↓

NATURE OF COUNCIL'S ROLE IN THE MATTER

Legislative

PURPOSE OF REPORT

This report presents the balance and distribution of investments held by the Shire of York to Council.

BACKGROUND

Policy F4 - Investment requires Council to review the performance of its investments monthly. 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:

1. Council's Investments
2. Application of Investment Funds
3. Investment Performance

There were no maturing investments in March 2025.

2024/25 Year to Date (YTD) Municipal and Trust interest totalling \$150,165.38 has been received and receipted or reinvested as of 31 March 2025.

Further details of the Shire's current term deposits and bank balances are presented in Appendix 1.

OPTIONS

Not applicable

IMPLICATIONS TO CONSIDER**Consultative**

Standard and Poor's Australia - Global ratings

Financial institutions

Strategic

Strategic Community Plan 2020-2030

Goal 5: Strong Leadership and Governance

To have effective and responsive leadership and governance, where a sense of collective purpose and shared direction combine to work together.

The Shire's public finances are sustainable in the short and long-term.

Policy Related

F4 Investment

Delegation 1.1.19 - Power to Invest and Manage Investments

Financial

Revenue from investments is a funding source for the Shire and assists in maintaining the value of reserve funds. Policies and procedures are in place to ensure appropriate, responsible, and accountable measures protect the Shire's funds.

Legal and Statutory

Section 6.14 of the *Local Government Act 1995* is applicable and states:

“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.”*

Regulations 19 and 19C of the *Local Government (Financial Management) Regulations 1996* are applicable and state:

“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 —



SHIRE OF YORK INVESTMENT PORTFOLIO
31 March 2025

Reference	Deposit Institution	S & P's	Investment Date	Maturity Date		Investment Value	% of total portfolio	Investment Rate	Value at maturity	Total Interest to be paid at maturity
MUNICIPAL - Interest Bearing NCDs/TDs										
	AMP Banking	BBB	Monday, 13 January 2025	Monday, 14 April 2025	91	510,900.44	8%	5.05%	517,332.89	6,432.45
MUNICIPAL - Interest Bearing NCDs/TDs						510,900.44	8%	5.05%	517,332.89	6,432.45
MUNICIPAL - Other funds										
	Municipal Account 118630623	BBB+				2,017,997.48	33%		518,663.44	0.00
	Westpac Flex-i	AA-				5,402.13	0%		5,402.13	0.00
	AMP Banking At call	BBB				28,795.86	0%		28,795.86	0.00
	AMP Banking Notice	BBB				301,889.89	5%		301,889.89	0.00
MUNICIPAL - Other						2,354,085.36	39%		854,751.32	0.00
RESERVE - Interest Bearing NCDs/TDs										
	AMP Banking	BBB	Thursday, 12 December 2024	Monday, 16 June 2025	186	1,003,684.94	17%	5.00%	1,029,258.35	25,573.41
	AMP Banking	BBB	Thursday, 23 January 2025	Wednesday, 23 April 2025	90	607,141.99	10%	5.00%	614,627.30	7,485.31
	Bendigo Reserve				0	550,116.01	9%	4.00%	550,116.01	0.00
RESERVE - Interest Bearing NCDs/TDs						2,160,942.94	36%	5.00%	2,194,001.66	33,058.72
RESERVE - Other funds										
	Reserve Acct 119521748	BBB+				550,116.01	9%		550,116.01	0.00
RESERVE - Other						550,116.01	9%		550,116.01	0.00
TRUST - Interest Bearing NCDs/TDs										
T2/SUBDIVISIONS	Bendigo Bank	BBB+	Wednesday, 29 January 2025	Thursday, 29 January 2026	365	37,710.74	0.62%	4.50%	39,421.12	1,710.38
T40 I/SECTIONS 2513	Bendigo Bank	BBB+	Wednesday, 29 January 2025	Thursday, 29 January 2026	365	35,378.81	0.58%	4.50%	36,983.42	1,604.61
T77 C/OVERS 2514	Bendigo Bank	BBB+	Wednesday, 29 January 2025	Thursday, 29 January 2026	365	68,063.59	1.12%	4.50%	71,150.62	3,087.03

TRUST - Interest Bearing NCDs/TDs			141,153.14	2%	4.50%	147,555.16	6,402.02
TRUST - Other funds							
Trust Acct 118630649	BBB+		342,281.50	6%		342,281.50	0.00
TRUST - Other			342,281.50	6%		342,281.50	0.00
TOTALS			6,059,479	100%	4.85%	4,606,039	45,893

Reconciliation

by rating	Value of Investments/Bank accounts	
AA-	5,402.13	0%
BBB+	3,051,548.13	55%
BBB	2,452,413.12	45%
TOTAL	5,509,363.38	100%

Summary of Amounts				
TD's by bank		Bank Accounts - Bendigo Bank		
Bendigo Bank	141,153.14	6%	Municipal	2,864,985.80
AMP Banking	2,121,727.37	94%	Reserve	2,711,058.95
National Australia Banl	0.00	0%	Trust	330,332.43
Westpac Bank	0.00	0%	AMP At call	28,795.86
			AMP Notice	301,889.89
			Wespac Flex-l	5,402.13
	2,262,880.51	100%	31-Mar-25	\$ 6,242,465.06
			Total Cash	8,505,345.57

Interest Earnings			Total Cash by Fund	
Fund	Adopted Budget	Year to Date Actual	Fund	
Municipal	\$ 70,000.00	\$ -	Municipal	2,864,985.80
Reserve	\$ 47,000.00	\$ -	Reserve	2,711,058.95
Trust	\$ -	\$ -	Trust	483,434.6
Total	\$ 117,000.00	\$ -	Total	\$ 6,059,479.39

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11 QUESTIONS FROM MEMBERS WITHOUT NOTICE

<i>Cr Peter Wright</i>	<i>Caravan Park, could matter be presented to Concept Forum</i>
<i>Response from Acting CEO</i>	<i>Yes</i>

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

The anticipated Late Item regarding the 2025 Ordinary Local Government Elections will now be presented to Council's May 2025 Ordinary Meeting as the notification required as the Appendix to the report is yet to be received from the WA Electoral Commission.

13 MEETING CLOSED TO THE PUBLIC

13.1 Matters for which the Meeting may be closed

RESOLUTION	
170425	
Moved: Cr Chris Gibbs	Seconded: Cr Peter Wright
That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 5.23(2) of the <i>Local Government Act 1995</i> :	
SY048-04/25 - Confidential - Outstanding Rates and Sundry Debts - Debt Recovery	
This matter is considered to be confidential under Section 5.23(2)e(iii) of the <i>Local Government Act 1995</i> , and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government.	
<u>In Favour:</u>	Crs Kevin Trent, Denis Warnick, Chris Gibbs, Kevin Pyke, Denese Smythe and Peter Wright
<u>Against:</u>	Nil
CARRIED 6/0	

The Gallery left the meeting at 6.07pm and the doors were closed.

SY048-04/25 - CONFIDENTIAL - OUTSTANDING RATES AND SUNDRY DEBTS - DEBT RECOVERY

**RESOLUTION
180425**

Moved: Cr Denese Smythe Seconded: Cr Kevin Pyke

That, with regard to Outstanding Rates and Sundry Debts - Debt Recovery, Council:

- 1. **Receives the summary of Outstanding Rates and Sundry Debtors as at 31 March 2025, as presented in confidential Appendices 1 and 2.****
- 2. **Directs the Chief Executive Officer to refer the thirty-one (31) debts identified in confidential Appendix 1 as “debts > 3 years” to McLeods Lawyers to commence or continue actions in accordance with Section 6.64 of the *Local Government Act 1995*.****
- 3. **Directs the Chief Executive Officer to refer seventy-four (74) debts identified in confidential Appendix 1 as ‘debts aged 2-3 years’, and “debts aged 1-2 years’, to McLeods Lawyers to commence debt recovery actions.****

In Favour: Crs Kevin Trent, Denis Warnick, Kevin Pyke and Denese Smythe

Against: Crs Chris Gibbs and Peter Wright

CARRIED 4/2

**RESOLUTION
190425**

Moved: Cr Peter Wright Seconded: Cr Chris Gibbs

That Council opens the meeting to the public at 6.13pm.

In Favour: Crs Kevin Trent, Denis Warnick, Chris Gibbs, Kevin Pyke, Denese Smythe and Peter Wright

Against: Nil

CARRIED 6/0

13.2 Public Reading of resolutions to be made public

The Shire President read aloud the one (1) resolution made Behind Closed Doors.

14 CLOSURE

The Shire President thanked everyone for their attendance and closed the meeting at 6.15pm.

The minutes were confirmed by the Council as a true and accurate record at the Council Meeting held on 27 May 2025.

SHIRE PRESIDENT
Cr Kevin Trent

TO:

**Cr Kevin Trent OAM,
President, Shire of York
kevin.trent@york.wa.gov.au**

COPY:

Cr. Denis Warnick denis.warnick@york.wa.gov.au
Cr. Chris Gibbs chris.gibbs@york.wa.gov.au
Cr. Kevin Pyke kevin.pyke@york.wa.gov.au
Cr. Denese Smythe denese.smythe@york.wa.gov.au
Cr. Peter Wright peter.wright@york.wa.gov.au

April 11 2025

PETITION TO THE SHIRE OF YORK

WE, the citizens of the Shire of York whose names, addresses and signatures appear in Attachment 1 that is attached hereto, **HEREBY PETITION THE SHIRE OF YORK:**

- (a) To formerly acknowledge **AS/NZS 4819:2011 Rural and Urban Street Addressing Standard** (hereinafter called the “*Australian Standard*”) as the criteria for assigning all Rural and Urban Street address numbers within the Shire of York;
- (b) To adopt a new Local By-Law as proposed in Attachment 3 that formally describes what WE suggest should be the Shire’s minimum performance expectations and responsibilities for all property owners to properly display assigned street address numbers;
- (c) To publish the new By-Law on the Shire’s website.

For and on behalf of the Petitioners



Brian Humphries

*Geo-Spatial Systems Engineer / Planning Consultant / Licenced Surveyor
Honours Graduate -Surveying & Mapping UNSW*

Mobile [REDACTED]
[REDACTED] Street York

Attachments

- 1- The Names, addresses and signatures of the Petitioners
- 2- Photos evidencing some of the current problems
- 3- Proposal for a new “*Urban & Rural Street Addressing*” By-Law
- 4- Endnote – Historical Notes

1) THE JUSTIFICATION FOR THIS PETITION

WE THE PETITIONERS have concerns that some people's lives and properties in York are potentially at risk because of the **poor display** and/or the **non-display** of assigned street numbers and/or the numbers are positioned in **inappropriate locations** and/or the Shire is using the **wrong method of street numbering** in certain areas of the gazetted townsite the consequences of which make it potentially difficult for the emergency responders, or indeed difficult also for anyone else, in response to a triple 000 emergency call or for any other reason, to find us and our properties when WE are in need of urgent help.

The more specific reasons for our concerns are four-fold:

- i. Firstly, the sighting of the numbers in the Residential built-up area of the York Townsite on most properties is moderately achievable in most areas during daylight hours to actually find the displayed numbers. **Critically, it is almost impossible to find those same numbers at night;**
- ii. Secondly, as WE understand, the Shire has not previously given property owners any advice of what it considers to be the **"appropriate display"** of street numbers excepting to verbally advise that **"the numbers are to be fixed on or adjacent to a letter-box."** WE are disappointed to learn that is the best advice that the Shire can give to residents;
- iii. Thirdly, the Shire has applied the traditional **"sequential 2/4/6/8 Urban numerics"** method in the built-up urban Residential zoned areas of the York Townsite (**see image 1**).



Image 1 - The Urban Residential zone of the Townsite



Image 2 -
The semi-Rural zone of the Townsite

This method of street numbering is appropriate only where the frontage dimensions of the properties are relatively uniform. **The Shire has then wrongly applied that same numbering method** in the fringe semi-Rural zoned areas of the York Townsite (**see Image 2**) where the frontage dimensions of properties are very much larger and variable one to another. Consequently, the street numbering in these latter areas is very confusing. Finding street numbers in both areas is overwhelmingly further accentuated by the widespread very **poor display** of the numbers.

iv. Fourthly, it has previously been reported in the past (**see endnote**) elsewhere in WA by St Johns Ambulance that some people's lives were jeopardised and some were lost, and similarly by the Fire and Emergency services that some properties were damaged or destroyed where, in both cases, the negative outcomes were caused by the difficulties and resultant delays that the emergency responders each had in trying to find properties at night. The WA Police also reported their difficulties to locate properties at night.

It is very disturbing that those same issues which historically caused peoples' lives and properties to be threatened are now clearly evident and widespread in York.

2) IDENTIFICATION OF ISSUES

The physical characteristics of the street addressing issues that we have identified to justify our concerns of the potential risks to people's lives and properties and which have thus precipitated this Petition, are summarised as follows:

(a) In the built-up Residential zoned area of the gazetted Townsite:

- Many of the numbers are far too small, some are damaged and/or are illegible or damaged;
- Some have a dark colour against a dark background;
- Some are obscured by vegetation;
- Others are not near the front gate or the letter-box but are on a verandah; and which are thus very difficult to quickly recognise, most particularly at night, whereas the numbers need to be viewable at all times in both directions of potential travel from an emergency responder's vehicle.

(b) In the Semi-Rural zoned areas:

- Many of the roads in the Semi-Rural gazetted area of the York Townsite have address numbers assigned by the traditional sequential "2/4/6/8" Urban numbering method that is inappropriate in those fringe areas that are better suited to the Rural Road numbering method. The latter has been applied in Bland Road and North Road but, inexplicably, nowhere else(?) in that zoned area.
- Some properties have no number displayed / could not be found. Some are very poorly displayed, are damaged, are inappropriately located and not near a letterbox or are on an intersecting road that has the conflicting urban numeric method of numbering (such as Eleventh Rd, Tenth Rd etc) the collective effect of which is very confusing and contributes to further delays in locating properties at night.

(c) In the Rural zoned areas:

Overwhelmingly, most Rural zoned properties that historically relied upon Roadside Mail Box (RMB) numbers and Survey Lot numbers as their "*defacto street address*" now have numbers based on the Rural Road numbering method and locating properties is now so much easier, quicker and with locational certainty. However, a few properties in York are still displaying **inappropriate subdivision Survey Lot numbers** and, presumably, have not been assigned a Rural Road number?

(d) In York's Commercial/Industrial areas:

Very few businesses physically display a street address number even though those industrial businesses have a higher risk of accidents that may warrant an emergency triple 000 call.

3) POSITIVE OUTCOMES

The *Australian Urban & Rural Street Addressing Standard* was adopted in 2011 and since then the emergency responders in WA now advise that their previous difficulties and delays in locating properties have largely been eliminated by the distance-based numbering criteria for **all address numbering** that is promoted by the *Australian Standard*. This positive outcome is also enhanced by the specification that the actual numbers need to be made from industrial grade reflective vinyl on both sides of the anodised aluminium heritage green-coloured metal sign.

In all situations, St Johns Ambulance responders expect to find the access point that directs the responders straight to the front door of the property and not to a side garage or shed that should not have any street "number" displayed. St Johns also needs the access driveway to not be obstructed by overhanging vegetation that may block a reversing ambulance in situations where there is a need to off-load a patient trolley and/or, equally causing troubling delays, the location involves steps.

4) OTHER ISSUES PRESENTING AS RISKS TO PEOPLES' LIVES AND PROPERTIES

WE also discovered there are some properties in York on which there are dwellings (shown on satellite imagery) but which on Landgate's digital maps no legal access is shown. This conflicts with the tenets of Cadastral Law and the mandates of statutory planning schemes that demand **every Lot must have a legal street access**. These properties thus have no street address and no address can be registered on the Certificate's of Title. The lives of the occupiers of these properties are at serious risk if ever they have need to make a triple 000 emergency call.

Landgate's maps also show a number of instances in York where some street address numbers are inexplicably duplicated on adjoining Lots on which dwellings have been constructed (as observed on satellite imagery) over the common boundaries. This situation conflicts with the mandates of statutory planning schemes that prescribe minimum acceptable offsets from Lot boundaries as a development approval condition.

Questions are raised as to how or whether the Shire is collecting annual Rates from each of the single Lots and /or also from each of the multiple Lots of these properties?

5) OTHER USERS OF ADDRESS NUMBERS

Aside from the dependency that WE all have on the proper display of street numbers in times of an emergency, the street address numbers are also relied upon by the public utilities - such as Western Power, Water Corp and Telstra/NBN and others - as well as by trades people and increasingly by e-commerce delivery service couriers all of whom are reliant on accurate and reliable street address information and, most importantly, upon proper display.

The National Committee that assessed and approved the *Australian Standard* for street addressing in 2011 has reported serious deficiencies in the way State and Local government agencies each currently record street address information differently in their computer systems. **This was exposed as a serious issue during the COVID-19 pandemic**. The Committee's concern is currently focused on resolving those deficiencies which, unless rectified, will limit the future benefits of new emerging technologies such as for in-home and e-health services, aged-care support services, and expansion of e-commerce and other similar new services.

6) CONCLUSION – ANTICIPATED OUTCOMES - THE NEED FOR A NEW LOCAL BY-LAW

WE conclude that the evidence that WE have brought forward of the Shire's adoption of inappropriate methods for the assignment of street numbers, the very poor display of many numbers and the Shire's apparent historical tolerance or indifference towards the consequences of the resultant issues, validates our concerns that there is an existential threat to the lives and properties of the citizens of York if ever any person has reason to call triple 000 in an emergency.

To mitigate those threats, **WE first need the Shire to now exhibit good governance**.

WE THE PETITIONERS are aware that all local authorities have statutory powers under the **Local Government Act** to adopt Local Laws on a wide diversity of matters which includes the responsibility to assign street numbers and to respect and protect the well-being of its citizens.

With intent to now resolve all of the issues that we have highlighted and to mitigate the potential threats to the lives and properties of the citizens of York, WE implore the Shire of York to formally adopt a new "**Urban and Rural Street Address Numbering**" Local Law as proposed in Attachment 3.

ATTACHMENT 2

Photos evidencing some of the current problems



Dark numbers
Dark background
Obscured by vegetation



Very small numbers
Not adjacent to letter box



Inappropriate use
of Lot numbers



White numbers
on white background



Illegible



Illegible



Inappropriate use
of Lot numbers



ATTACHMENT 3

Anticipated outcomes of the petition

PROPOSAL FOR AN "URBAN AND RURAL STREET ADDRESSING" LOCAL LAW

(a) The **minimum mandatory outcomes** for the **proper display of assigned street numbers** shall be that the numbers on the signs:

- i. must be of a minimum size,
- ii. must not be obstructed by vegetation,
- iii. must have a strong colour (e.g. black) contrasted against the background colour (e.g. white) to enhance view-ability at night;

where the technical specifications for the above are described in the **Addendum below**.

(b) Non-compliance to these **minimum mandatory outcomes** shall be an offence of the Local Law with a penalty being the cost to the Shire to source and install an appropriately new numbered sign.

(c) The Australian Standard **Rural Road Numbering** distance-based method shall be adopted for all **Rural and Semi-Rural zoned** areas where the frontage dimensions of properties along a road are not consistently uniform.

Special Situations

Special situations exist in the Shire of York where a road (for example Ulster Rd) is partially within the **Urban Residential zoned** area of the gazetted Townsite where the traditional sequential urban numbering method is suitable for those properties because they have relatively uniform road frontage dimensions, but where there are also some **Semi-Rural zoned** properties on the same road which have much larger frontages where the Rural Road numbering method is more suitable. In these Special situations, the two methods can co-exist on the same road. The datum point for the distance-based measurements for the rural road numbering section of the road shall be at the beginning of the road from where the traditional sequential urban numbers (presumably South St or the Southern Highway?) will have commenced.

ADDENDUM

TECHNICAL SPECIFICATIONS to achieve the **minimum mandatory outcomes** for the proper display of assigned street numbers.

A: FOR URBAN PROPERTIES WITH THE GAZETTED YORK TOWNSITE:

A-1 The Size and Colour

(a) The height of the numbers shall be **no less than 65 mm** (such as the black coloured 'stick-on' numbers on a white poly material that are available from Bunnings/Mitre 10 [at \$2.75ea.]

(b) The colour of the numbers and its backing plate shall exhibit a **strong colour contrast** – such as described above - or alternately as white numbers on a black background. Other number colours, if not in strong contrast with the background colour, shall not be acceptable

A-2 The Placement Location

(a) It is most important that an emergency responder shall be able to initially recognise the location of the numbered sign (but not necessarily read the actual number) **from distances in the Urban area of up to 20 metres in both directions along the road as if viewed by the driver of a responder's vehicle at night.** This means that the location, which is typically on a letter box, or a separate post, **must not be obscured by any vegetation.**

(b) The reading of the actual numbered sign will be enhanced by the size and colour contrast of the number against its background as specified in (A-1a) and (A-1b) above.

(c) If the letter box is too small to accommodate the minimum sized numbers, then the numbers can be

fixed onto a metal or timber backing plate (the colour of which must contrast with the colour of the number) and fixed onto the fence or a sturdy post but, once again and most importantly, the location must be clearly recognisable as described in (A-2a) above.

B: FOR ALL THE SEMI-RURAL PROPERTIES WITHIN THE GAZETTED YORK TOWNSITE, AND FOR ALL RURAL PROPERTIES OUTSIDE THE YORK TOWNSITE.

B-1 The Placement Location

The sign's intended location shall be:

- (a) Adjacent to the entrance gate of the property;
- (b) Recognisable (but not necessarily readable) **from distances up to 50 or more metres in both directions along the road as if viewed by the driver of a responder's vehicle at night** (noting that the reflective numbers can typically be detected up to 100 or more metres in the headlights of a vehicle at night);
- (c) In a position that ensures it will not be damaged by large vehicles entering and exiting the property;
- (d) It will be an offence if the located sign is subsequently shifted without approval from the Shire with penalty being the cost to the Shire to source and install a new numbered sign.

B-2 The Numbered Sign

- (a) The sign's number is to be determined and geo-coded by the Shire or Landgate (noting that the number is a distance measurement from a datum point established at the beginning of a road);
- (b) The sign itself is to be manufactured from a heritage green-coloured anodised aluminium plate;
- (c) The assigned number is to be made with **industrial grade reflective vinyl** on both sides of the sign. Ordinary non-reflective material or painted numbers are not accepted.
- (d) The sign should be fixed to a star picket or sturdy post in accord with the specifications at (B-2a);

B-3 Special Provisions for Rural Properties

Some rural properties are to be permitted to have more than one uniquely numbered and geo-coded sign in situations where there is a separate (secondary) entrance gate for access to a machinery shed and/or a separate (tertiary) gate for access to a shearing shed that may each be separated and distant from the (primary) entrance gate that leads to the homestead. In these situations, each sign should have its own unique geo-coded number that is installed adjacent to the respective entrance gate as described in (B-2a) above.

In these special situations, the primary numbered sign is to be retained as the legal address of the property whilst the other geo-coded numbered sign(s) are to be used **only in the event of a need to call triple 000 in an emergency** or for the transport of farm goods and materials. In these special emergency situations, the primary number is not to be advised to the triple 000 operator.

B-4 The Shire's responsibilities shall be to

- i. first confirm the placement location of the numbered sign;
- ii. to **geo-code the position of the entrance gate(s)** and determine the new number by distance measurement from the beginning of the road;
- iii. to source the manufacture of the numbered sign for the property owner, for which the Shire may impose a nominal cost recovery fee;
- iv. to confirm proper installation by the property owner.

ENDNOTE

Historical Background

Circa 1980-85, the undersigned was tasked to design and implement a new computer system for the WA Government in response to concerns that the historical manual paper-based methods of registration of transfers of ownership, bank mortgages and other encumbrances on Certificates of Title in the Office of Titles was on the verge of administrative collapse. Those concerns arose due to the very significant surge in population in WA attributable to the mining boom in the late 1960's and early 1970's with consequential demands for many new homes, bank loans and urgent registration of mortgages. Delays of 6 months or more in the Office of Titles was politically intolerable for the government of Premier Sir Charles Court.

One of the intents of the new computer system was to facilitate the merger of the Office of Titles, the Department of Lands and Surveys, the Office of the Surveyor-General and the Office of the Valuer-General to create "DOLA" - the new amalgamated Department of Land Administration.

Historical Street Addressing Issues.

*There were several critical issues impacting on that merger none-the-least of which was the long-established historical widespread use of Survey Lot numbers and rural RMB numbers as '**defacto street addresses**' pending formal assignment of street address numbers by local governments.*

It was not uncommon that those assignments – particularly in the large new residential estates that were emerging on the fringes of the Perth Metropolitan area - could take "a few years" and be actioned by local governments, embarrassingly, "only when a sufficient number of residents had complained."

Serious Risks to Peoples' Lives & Properties

More relevantly, it was in the timeframe of 1980-85 that St Johns Ambulance advised the undersigned that people's lives had been jeopardised and some unfortunately had been lost, and similarly, the WA Fire & Emergency advised that some properties had been damaged or destroyed all because of their respective difficulties and delays in quickly finding the street address numbers of properties at night.

*Resolving the legacy of those "**defacto street addresses**" upon which the public utility providers - Water Corp, Western Power, Telstra, banks, and many others all also relied on for their accounts billing of property owners – was pivotal to the ultimate design and development of that new computer system which is now called **LANDGATE** and which is administered by the WA Land Information Authority.*

The Australian Street Addressing Standard

*The undersigned's proposal circa 1980-85 to resolve those historical street addressing issues – the idea for which he sourced from a previous consultancy assignment in the City of Sao Paulo in Brazil - was later approved in 2011 as the new **Australian Urban & Rural Street Addressing Standard** method of distance-based street numbering.*

That method is now mandatory in all the Australian States and in New Zealand and has been widely reported to the undersigned to have saved people's lives and properties from damage or destruction.
