UNCONFIRMED MINUTES

Ordinary Council Meeting
Tuesday, 24 June 2025

Date: Tuesday, 24 June 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, 24 JUNE 2025 AT 5:00PM

1 OPENING

1.1 Declaration of Opening

Cr Kevin Trent, Shire President, declared the meeting open at 5.00pm.

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 - SY062-06/25 - Multiyear Funding Acquittal 2024/25 - RSL York Subbranch

Cr Kevin Trent - SY063-06/25 - Multiyear Funding Acquittal 2024/25 - York Society Inc

Cr Kevin Trent - SY068-06/25 - Community Funding Applications

Cr Kevin Trent - SY069-06/25 - Community Funding Application - Request for Tourism Funding - York Motoring Events Inc.

1.7 Disclosure of Impartiality Interest

Cr Denese Smythe - SY063-06/25 - Multiyear Funding Acquittal 2024/25 - York Society Inc

2 ATTENDANCE

2.1 Members

Cr Kevin Trent, Shire President; Cr Denis Warnick, Deputy Shire President

Cr Chris Gibbs; Cr Kevin Pyke (via electronic means); Cr Denese Smythe; Cr Peter Wright

In accordance with Regulation 14C of the Local Government (Administration) Regulations 1996, the Shire President has authorised Cr Kevin Pyke to attend this meeting via electronic means, having given consideration to the location from which Cr Pyke 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; Lindon Mellor, Executive Manager Infrastructure & Development Services; 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

2.4 Leave of Absence Previously Approved

Nil

2.5 Number of People in the Gallery at Commencement of Meeting

There were twenty (20) 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

DIANNE BUCKLEY

Why did it cost $13,191.75 to install a new stainless steel BBQ into existing fittings with a gas operating system at Gwambygine Park?

Response provided by the Shire President:

The total cost to replace three (3) BBQ's at Gwambygine Park was $24,975.00 (excluding GST). The initial payment of $14,280.75 was made in November 2024 (presented to Council's December 2024 Ordinary Meeting).

In accordance with Policy F2 – Procurement, it is a requirement to seek three (3) quotes for any purchases above $20,001 to $50,000. Officers subsequently sought quotes from three (3) suppliers with two (2) of the suppliers declining to quote.

The existing BBQ's were over twenty (20) years old and damaged with parts unable to be sourced to repair them. They were therefore required to be replaced in their entirety,

requiring matching control systems and push button operation to be retrofitted into the existing fittings.

3.2 Response to Unasked Questions from the Previous Meeting

Nil

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 5.05pm.

4.1 Written Questions – Current Agenda

Nil

4.2 Public Question Time

KAREN THOMAS

ON BEHALF OF YORK BUSINESS ASSOCIATION

Question 1

As the State government have abandoned the idea of eradicating the shot hole borer in favour of a containment plan will the Shire be making any contact with the appropriate Minister to ensure there are adequate regulations to stop the spread of this insidious insect into the regional agricultural and forest areas and confirm they will be rigorously enforced?

Response provided by the Shire President

The Shire has not received any official notification from the relevant Minister's office. However, informal advice containing a link to the State Government announcement was shared with the sector via the Western Australian Local Government Association on 19 June 2025.

While the funding announced for Local Government is welcome, more is needed, particularly for those outside the quarantine zones to ensure a long-term Integrated Pest Management Plan appropriately addresses the spread risk. It is unacceptable that Local Governments now face the additional, ongoing costs of managing the Polyphagous Shot-hole Borer response.

WALGA advise it will continue to advocate for increased support, greater transparency and a long-term financial commitment from the State Government to ensure that Polyphagous Shot-hole Borer is appropriately managed. The Shire of York will participate in that campaign if able, as that will likely produce a better effect than an individual approach.

Question 2

Will the Shire also put out some information to local rate payers regarding bringing timber, plants etc from other areas into York and surrounds?

Response provided by the Shire President

In June 2022 the Shire of York made the decision to reject any green waste brought in from outside the Shire boundary to reduce the risk of the borer spreading to the York area. This is checked on receipt of green waste material to the Waste Transfer site and has been communicated to the community on various occasions since.

The Shire can distribute information to the community again through its normal channels and can consider including a specific notice with the distribution of the 2025/26 rates notices.

JANE FERRO

Question 1

Several people in our community have brought to my attention that they are confused and distressed at how their rate payments are being handled of late by the Shire when the rates are overdue. Some are saying they didn't believe they owe as much as the Shire is claiming that they owe.

Can you explain why they are receiving unpleasant, even threatening letters from the debt collector, instead of notices originating from the Shire first? I've been told that even those who have payment agreements are receiving letters from the debt collector.

Response provided by the Acting Chief Executive Officer

The Shire sends notices to ratepayers for approximately twelve (12) months prior to any other debt recovery action being undertaken. The Shire has recently engaged an external debt collection agency to follow up on outstanding rates debt.

It is acknowledged there was a recent issue with pensioner deferments, with thirteen (13) ratepayers being affected. This has since been resolved. Ratepayers who are having difficulty in paying their rates are encouraged to contact the Shire to enable arrangements to be made.

Response provided by the Acting Executive Manager Corporate & Community Services

Those referred to the debt collection agency relate to aged debts in excess of three (3) years and for ratepayers who have not engaged with previous requests for payment from the Shire, or have defaulted on their existing payment arrangements.

Sending outstanding debts to a debt collection agency is one step in a well-established process, however it is not the first step. There is the opportunity for people to make contact with the Shire regarding their outstanding rates prior to transfer to a debt collection agency.

DIANE BUCKLEY

Question 1

Regarding Gwambygine Park - was there an assessment completed as to how many people are utilising the BBQ area prior to spending $24,000 to refurbish BBQ's?

Response provided by the Executive Manager Infrastructure & Development Services

While no formal method of assessment was documented, Officers considered anecdotal evidence, such as feedback from site visits undertaken by the Ranger, Depot team and cleaners as part of their normal work processes, in determining the level of use of the site.

Question 2

Was a costing done to repair the walkway down to the river?

Response provided by the Acting Chief Executive Officer

The Shire is seeking a structural assessment for the walkway next financial year, subject to budget adoption, to ascertain whether the structure is too expensive to repair or whether it is a reasonable repair cost enabling reinstatement.

JILLIAN WILLOUGHBY OAM

Question 1

Regarding item SY058-06/25 - Development Application - Animal Establishment and Ancillary Tourist Use (Private Farm Tours) - Lot 1849 (3460) Great Southern Highway, St Ronans, what communications strategy does the landowner have with other residents to deal with complaints and how will those complaints be addressed?

Response provided by the Executive Manager Infrastructure & Development Services

The agenda report details some of the concerns raised by surrounding residents and outlines how those are expected to be mitigated, with the applicant committing to resolving some of those concerns. Any ongoing complaints would be dealt with depending on the type of complaint. There could be times where it would be a civil matter in which case that would be addressed by the relevant parties, whereas complaints relating to noise or a planning matter could be directed to the Shire.

Question 2

[What about the] significant increase in traffic flow to an easement that is maintained by local owners?

Response provided by the Acting Chief Executive Officer

The advice provided in the report is there are three (3) days of operation per week with only two (2) times for access per day. This access is further restricted to one family group per visitation resulting in approximately six (6) additional vehicles per week of operation which is not considered a significant increase.

JOHN MCALPINE

Question 1

Regarding item SY058-06/25 - Development Application - Animal Establishment and Ancillary Tourist Use (Private Farm Tours) - Lot 1849 (3460) Great Southern Highway, St Ronans, where does the Shire stand on the legal obligations if an accident were to occur on the easement with visitors?

Response provided by the Executive Manager Infrastructure & Development Services

That would be dealt with in a similar way to any other accident that occurred on the shared driveway. For example, if you had an accident with one of your neighbours, then each would deal with your own insurance companies (if insured) depending on the individual circumstances of the accident.

DAVID SPARROW

ON BEHALF OF CORAL MIDDLETON

Question 1

What is the future of the heavy freight bypass on Great Southern Highway?

Response provided by the Shire President

There will be no bypass. Main Roads WA (MRWA) have determined the proposal is not financially viable, so traffic will continue to use Gt Southern Highway to access the metropolitan area.

Question 2

Will a traffic count be put in place and what is the Shire doing to manage the noise issues from traffic using Great Southern Highway?

Response provided by the Acting Chief Executive Officer

There has been a previous request for the installation of noise reduction signage. However, advice from MRWA suggests this signage rarely has a result, and could have a negative result. Based on that advice, the matter was not progressed at the time. The Shire has recently received correspondence from the property owner and options are being re-investigated. As there is the risk that noise could increase once the signage is installed, and the Shire understands that once installed MRWA will not remove the signage, this will need to be considered in consultation with the property owner.

SETH PYWELL

Question 1

Regarding item SY058-06/25 - Development Application - Animal Establishment and Ancillary Tourist Use (Private Farm Tours) - Lot 1849 (3460) Great Southern Highway, St Ronans, what happens if visitors using the easement, which is not a gazetted road, exceed the twenty (20) km/hour speed limit and how is that managed?

Response provided by the Acting Chief Executive Officer

The Shire understands a Management Plan will be implemented for management of the easement and this can be covered in that document.

Response provided by the Executive Manager Infrastructure & Development Services

As you have identified, it is not gazetted road hence there is no enforcement the Shire or anyone else can take. Therefore that would be on individual landowners to come to an agreement on. As mentioned, part of application conditions is for the applicant to implement a Management Plan detailing traffic management arrangements.

The Shire sought advice from MRWA regarding access to the easement from Great Southern Highway and MRWA have conditioned that the crossover be upgraded by the applicant. Once on the easement, it is a private matter between the landowners to manage the speed.

As there were no further questions, Public Question Time concluded at 5.28pm.

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PRESENTATIONS

6.1 Petitions

Nil

6.2 Presentations

Nil

6.3 Deputations

6.3.1 Marina Chessa & Dr Marion Kickett

David Sparrow, on behalf of Marina Chessa and Dr Marion Kickett, presented a deputation regarding 1 Wheeler Street, York. A copy of the deputation is presented in Appendix 6.3.1 at the end of these minutes.

6.3.2 Natasha Atkinson

On behalf of York Racing Inc.

Natasha Atkinson presented a deputation regarding item SY059-06/25 - Request for Use - Lots S90, S91, S97 and S98 on Deposited Plan 223250 - Wheatbelt Regional Carriage Driving Club Inc. A copy of the deputation is presented in Appendix 6.3.2 at the end of these minutes.

6.3.3 Oliver Tester

On behalf of the Wheatbelt Regional Carriage Driving Club

Oliver Tester presented a deputation regarding item SY059-06/25 - Request for Use - Lots S90, S91, S97 and S98 on Deposited Plan 223250 - Wheatbelt Regional Carriage Driving Club Inc. A copy of the deputation is presented in Appendix 6.3.3 at the end of these minutes.

6.4 Delegates' reports

6.4.1 Cr Denese Smythe

Cr Denese Smythe advised she had attended the following meetings and events during May 2025:

DAY	MEETING/EVENT DESCRIPTION	VENUE
13/05/2025	Concept Forum	Council Chambers
16/05/2025	Access & Inclusion Forum	Town Hall
20/05/2025	Agenda Briefing & Budget Workshop	Council Chambers
26/05/2025	YDHS Meeting	YDHS
27/05/2025	Shire Safety Award Presentation	Town Hall Foyer
27/05/2025	Ordinary Council Meeting	Council Chambers
31/05/2025	YorKIDS	Various

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RESOLUTION
010625

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

That the minutes of the Ordinary Council Meeting held on 27 May 2025 be confirmed as a correct record of proceedings.

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

Against: **Nil**

CARRIED 6/0

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 May 2025:

DAY	MEETING/EVENT DESCRIPTION	VENUE
06/05/2025	Audit & Risk Committee Meeting	Council Chambers
06/05/2025	A/CEO Meeting	Shire Administration
08/05/2025	National Local Government Awards Meeting	Shire Administration
12/05/2025	AROC Meeting	Toodyay
13/05/2025	A/CEO Meeting	Shire Administration

13/05/2025	Concept Forum	Council Chambers
16/05/2025	Access & Inclusion Expo	Town Hall
20/05/2025	A/CEO Meeting	Shire Administration
20/05/2025	Agenda Briefing & Budget Workshop	Council Chambers
26/05/2025	Radio 101.3FM Interview	Radio 101.3FM
27/05/2025	LEMC Meeting	VFES Building
27/05/2025	A/CEO Meeting	Shire Administration
27/05/2025	Ordinary Council Meeting	Council Chambers

9 OFFICER'S REPORTS

SY057-06/25 PETITION FOR MANDATORY PROPERTY STREET NUMBER SIGNAGE

File Number:	**4.7544**
Author:	**Lindon Mellor, Executive Manager Infrastructure & Development Services**
Authoriser:	**Alina Behan, Acting Chief Executive Officer**
Previously before Council:	**Nil**
Disclosure of Interest:	**Nil**
Appendices:	**1. Petition ⇩**

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

For Council to consider a petition received requesting the adoption of a local law to mandate the use and display of street numbers on all properties in accordance with the Australian Standard, and to assess the most effective method of achieving the desired safety outcomes.

BACKGROUND

The Shire received a petition on 11 April 2025 requesting the introduction of a local law to mandate the display of street numbers on all properties to improve emergency access and visibility. The petition was submitted by York Resident Brian Humphries as the lead petitioner and includes forty-three (43) verified signatures from local electors. A copy of the petition is presented in Appendix 1 (addresses and signatures have been withheld for privacy).

The petition outlines the following concerns:

1. That the poor or non-display of street numbers or placement in inappropriate locations, presents a risk to life and property, particularly in emergency situations.
2. That many street numbers are too small, obscured, illegible, not near letterboxes, or poorly visible at night, particularly in the York townsite.
3. That the traditional sequential urban numbering method has been inappropriately applied in semi-rural zones, causing confusion; distance-based rural numbering should be adopted instead.
4. That St John Ambulance, Fire and Emergency Services, and WA Police have all reported delays in response times in similar scenarios elsewhere, with serious or fatal outcomes.
5. That there has been a lack of guidance from the Shire on how numbers should be displayed (e.g. location, colour contrast, minimum size).
6. That consistent standards should be adopted through a formal local law, aligned with AS/NZS 4819:2011, and published on the Shire's website.

COMMENTS AND DETAILS

Current Powers and Regulations

The Shire of York already has certain powers under existing legislation to address property numbering. Schedule 3.1 of the *Local Government Act 1995* (the Act) includes a provision that allows local governments to require an owner or occupier to place a street number on their land to indicate the address. In addition, the Shire's *Activities on Thoroughfares and Public Places Local Law 2001* (Clause 2.13) empowers the Shire to assign street numbers to lots in the district. These existing provisions mean that the Shire can, by notice, direct a landowner to install a visible street number without the need for a new local law. It should be noted that there is currently no standalone Shire of York local law that expressly makes it an offence for a property owner to not display their street number. Any current enforcement would be on a case-by-case basis. For example, when a complaint is received or an issue is noted, the Shire may instruct the owner to install or repair a number, relying on the general powers above.

Existing Practice and Resource Limitations

In practice, the Shire ensures that new developments are allocated a street number and owners are advised to install them, but there is no ongoing program or dedicated staff resource solely for auditing and enforcing street number signage on all existing properties. The Shire's Development Services team has broad responsibilities (covering animals, firebreaks, local laws, etc.), and routine inspections for missing or hard-to-see street numbers would be challenging to conduct due to limited resources. Creating and enforcing a new mandatory numbering law across the entire district would require significant staff time for inspections, issuing notices or infringements, and follow-up. The Shire currently lacks a dedicated compliance resource to proactively monitor every property's street number display and implementing a comprehensive enforcement regime could divert attention from other critical compliance areas.

Alternative Solution – Policy and Education Approach

Rather than proceeding to a new local law (which involves a lengthy statutory process and ongoing enforcement obligations), Officers have identified an alternative approach that can achieve the petition's safety objectives with a lower resource impact. This approach would include:

1. Developing a Council Policy on Property Street Numbering that clearly outlines the requirement for all properties to display their assigned street number in a prominent, visible manner. The policy can reference the Shire's powers under the Act and local law, set standards (e.g. minimum size, contrast, location for numbers), and encourage compliance as a matter of community responsibility for safety.
2. Targeted compliance action using existing powers, rather than inspecting every property, the Shire can focus on known problem areas or respond to reports from emergency services or the community about properties with missing or incorrect numbering. In those cases, the Shire can issue a notice under Section 3.25 of the Act (Schedule 3.1) to require the owner to install or fix their number within a specified time. This targeted use of existing authority would improve compliance where it is most needed (such as high-risk locations) without the overhead of a Shire-wide enforcement campaign.
3. Following adoption of the policy the Shire can inform residents of the requirements for signage with a clear stance and guidance on the matter. Using existing media platforms such as social media and Community Matters, the Shire can educate residents of the importance of clearly displaying their street number. Residents can then take a proactive approach with guidance from the Shire.

Following receipt of the petition, the Executive Manager Infrastructure & Development Services, Acting Manager Development Services and Manager Governance & People met with Mr Humphries to discuss the matter. That meeting acknowledged the importance of the issue and explored the practicalities of different regulatory and non-regulatory approaches. The meeting concluded with a shared understanding that while a local law may provide a formal mechanism, a policy-based, education-led approach would be more effective and appropriate in the Shire's context. Mr Humphries expressed support for this direction and offered to assist in developing a draft policy and promoting the message to the community.

This policy-based and educational strategy is recommended as a balanced response. It addresses the core concern raised by the petition while avoiding the creation of a new regulatory burden that

would be difficult to enforce uniformly. It leverages existing legislative powers and focuses efforts where they will be most effective. The tone of this approach is also more likely to be more positively received by the community, emphasising cooperation and safety rather than immediately introducing fines or penalties.

OPTIONS

Council has the following options:

Option 1: Council could choose to implement the proposed alternative approach based on developing a Council policy, education, and targeted use of existing powers. This option is supported by the lead petitioner.

Option 2: Council could choose to proceed with developing a new local law to require all property owners to display their assigned street numbers, enforceable by penalties. Please refer to the financial and workforce sections of this report for implications.

Option 3: Council could take no action at all.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

The petition itself indicates there is community concern regarding the visibility of property numbers.

If Council were to pursue a new local law, formal community consultation would be required as part of the law-making process including public notice and a submissions period.

By contrast, adopting a Council policy does not mandate the same level of formal consultation. However, it would be prudent to inform the community of the new policy. The petitioner has offered to assist the Shire in development of the policy.

Should the recommended approach be endorsed, the community education component will itself serve as a form of consultation and awareness-raising, encouraging residents to participate in addressing the issue proactively.

Strategic

Council Plan 2025-2035

Pillar 4: Comfortable and connected places

Enduring heritage identity, quality infrastructure and built form.

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance.

Policy Related

The Shire of York currently does not have a dedicated policy on property street numbering or signage requirements.

The recommended approach would result in the creation of a new Council Policy on Property Street Numbering, providing clear guidance on expectations for visibility, placement, and compliance with the AS/NZS 4819:2011 Standard. This policy can also support consistent application of existing legislative powers and complement broader compliance practices.

Financial

Developing and enforcing a new local law would result in additional costs associated with legal drafting, statutory advertising, community consultation, and potential enforcement actions. These costs are not currently budgeted and would require additional allocations or reallocation of existing funds.

In contrast, the recommended policy approach can be implemented within the Shire's existing operational budget. It includes a community information approach that involves advertising the adopted policy and informing residents of their responsibilities through practical and cost-effective methods such as social media, the Shire's website, and newsletters. This helps promote awareness without incurring significant external costs and can be implemented within the Shire's existing operational budget. It focuses on informing the community about their responsibilities through practical and cost-effective communication methods, which minimises external costs.

Legal and Statutory

Council has existing powers to manage property street numbering without requiring a new law:

1. Schedule 3.1, Item 4 of the Act which allows the Shire to issue notices to owners or occupiers requiring street numbers to be affixed in a conspicuous place.
2. Clause 2.13 of the Shire of York Local Government Property Local Law 2001 permits the Shire to assign or change street numbers.

The recommended policy approach relies on these existing powers.

Should Council wish to pursue a new local law, the process would need to follow Section 3.12 of the Act, including drafting, advertising, consultation, and Ministerial approval.

Risk Related

Failure to ensure clear property numbering presents a public safety risk, particularly for emergency services. The petition outlines community concern about potential delays in emergency response due to inadequate address visibility. A local law approach may also create a compliance risk if enforcement resources are lacking.

A policy-only approach could leave residual non-compliance without sufficient deterrent.

The recommended policy option balances these risks by enabling targeted action under existing legislation and promoting voluntary compliance through clear communication.

Workforce

Developing and enforcing a new local law would require significant staff time over several months. This includes legal drafting, coordinating statutory consultation processes, Council reporting and seeking Ministerial approvals. Ongoing enforcement would also involve resourcing for compliance monitoring, issuing infringement notices, and follow-up actions, particularly through Ranger Services and administrative support.

In comparison, the recommended policy approach can be delivered using existing staff resources. The communication and compliance processes can be phased and targeted based on operational priorities and community needs, allowing the Shire to address the issue pragmatically without overextending current workforce capacity. The recommended approach can be implemented within current operational budgets and staff capacity.

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION
020625

Moved: Cr Denis Warnick **Seconded: Cr Denese Smythe**

That, with regard to Petition for Mandatory Property Street Number Signage, Council:

1. Acknowledges the petition received on 11 April 2025, titled "Mandatory Property Street Number Signage for Improved Emergency Access" containing forty-three (43)

verified signatures, as presented in Appendix 1, and thanks the petitioners for raising their concerns.

2. **Resolves not to proceed with the development of a new local law on mandatory property street numbering at this time, noting Council's existing legislative powers under the *Local Government Act 1995* and the Shire's current local laws are sufficient.**
3. **Endorses the implementation of an alternative approach and directs the Chief Executive Officer to develop a Policy on Property Street Numbering within the next twelve (12) months, subject to Council endorsement, and once the Policy is adopted complete community education regarding the policy requirements.**
4. **Directs the Chief Executive Officer to provide written feedback to the lead petitioner outlining Council's decision and next steps.**

In Favour: **Crs Chris Gibbs, Kevin Pyke and Denese Smythe**

Against: **Crs Kevin Trent, Denis Warnick and Peter Wright**

EQUAL

The Shire President exercised the casting vote and the Motion was LOST 3/4

During debate, Cr Trent had foreshadowed moving the original Recommendation with an Amendment.

RESOLUTION
030625

Moved: Cr Kevin Trent **Seconded: Cr Denis Warnick**

That, with regard to Petition for Mandatory Property Street Number Signage, Council:

1. **Acknowledges the petition received on 11 April 2025, titled "Mandatory Property Street Number Signage for Improved Emergency Access" containing forty-three (43) verified signatures, as presented in Appendix 1, and thanks the petitioners for raising their concerns.**
2. **Resolves not to proceed with the development of a new local law on mandatory property street numbering at this time, noting Council's existing legislative powers under the *Local Government Act 1995* and the Shire's current local laws are sufficient.**
3. **Endorses the implementation of an alternative approach and directs the Chief Executive Officer to develop a Policy on Property Street Numbering within the next twelve (12) months, subject to Council endorsement, and once the Policy is adopted complete community education regarding the policy requirements.**
4. **Directs the Chief Executive Officer to provide written feedback to the lead petitioner outlining Council's decision and next steps.**
5. **Directs the Chief Executive Officer to forward the matter to WALGA to ascertain whether this is an issue which impacts on all local governments.**

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

Against: **Nil**

CARRIED 6/0

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

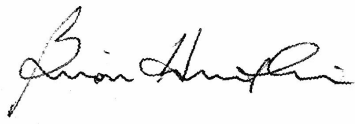
WE, the citizens of the Shire of York whose names, addresses and signatures appear in Attachment 1 that is attached hereto, **HEREBY PETITION THE SHIRE OF YORK**:

(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

[redacted]

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).***

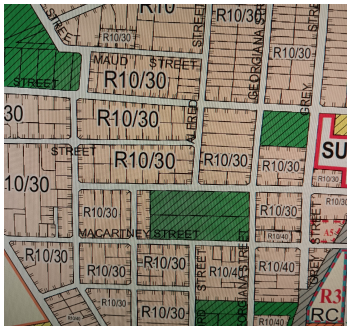


Image 1 - The Urban Residential zone of the Townsite

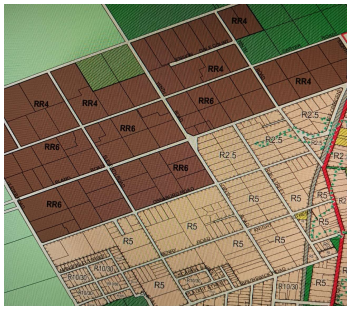


Image 2 -
The semi-Rural zone of the Townsite

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



Ilegible



Ilegible



Inappropriate use
of Lot numbers









ATTACHMENT 3

Anticipated outcomes of the petition

PROPOSAL FOR AN "URBAN AND RURAL STREET ADDRESSSING" 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.

PETITION TO THE SHIRE TO FIX PROBLEMS WITH " STREET ADDRESSING"

SOME PEOPLE'S LIVES & PROPERTIES ARE AT RISK WHENEVER THE EMERGENCY RESPONDERS CANNOT QUICKLY LOCATE PROPERTIES AT NIGHT

NAME	ADDRESS	SIGNATURE
PETER THORP	[redacted] St York	[redacted]
Steph Elliott	[redacted] York	[redacted]
MAX NOTTLE	[redacted] York.	[redacted]
GREG JONES	[redacted] York	[redacted]
CAROL ASHLWORTH	[redacted] York	[redacted]
SIAN SMITH	[redacted] York	[redacted]
Lepe Tadman	[redacted] Street	[redacted]
EDAN ROSS	[redacted] York	[redacted]
Jenine Robinson	[redacted] York.	[redacted]
PAUL CLAUSEN	[redacted] Hwy	[redacted]
Toni Screaigh	[redacted] Rd	[redacted]
Chris Pert	[redacted]	[redacted]
John Pert	[redacted] " " "	[redacted]

PETITION TO THE SHIRE TO FIX PROBLEMS WITH " STREET ADDRESSING"

NAME	ADDRESS	SIGNATURE
ROBIN GENTLE	[redacted] DRIVE	[redacted]
JOHN MACLEOD	[redacted] RD	[redacted]
KRYSTINA MACLEOD	[redacted] Rd	[redacted]
LIZ CHRISTMAS	[redacted] RD	[redacted]
Catherine Stark	[redacted] Rd	[redacted]
Sheryl Russo	[redacted] Rd	[redacted]
Gwen Gentle	[redacted] Rd	[redacted]
LINDA HUMPHRIES	[redacted] YORK	[redacted]
RON STARK	[redacted] YORK 6302	[redacted]
JOHN ROOSENDAAL	[redacted] York 6302	[redacted]
Vanessa Gibson	[redacted] YORK 6302	[redacted]
WARREN GIBSON	[redacted] York	[redacted]
Pat + Eileen Hooper	[redacted] York	[redacted]

PETITION TO THE SHIRE TO FIX PROBLEMS WITH " STREET ADDRESSING"

NAME	ADDRESS	SIGNATURE
COLIN LEE	[redacted] YORK	[redacted]
JULIAN & GLENYS KRIEG	[redacted] YORK	[redacted]
JOHN BENARI + SUE	[redacted] YORK.	[redacted]
ROB CAMERON	[redacted] YORK	[redacted]
LAURIE PARKIN	[redacted] YORK	[redacted]
LINDA FORD	[redacted] YORK	[redacted]
MARK FORD	[redacted] YORK	[redacted]
PETER STONEMAN	[redacted] RD	[redacted]
KATHY BLADDERAS	[redacted]	[redacted]
Joanne Burgess	[redacted] York	[redacted]
Eric Ayling	[redacted] York	[redacted]
Ken Graham	[redacted] YORK.	[redacted]
Gino Osborne	[redacted] York.	[redacted]

PETITION TO THE SHIRE TO FIX PROBLEMS WITH " STREET ADDRESSING"

SOME PEOPLE'S LIVES & PROPERTIES ARE AT RISK WHENEVER THE EMERGENCY RESPONDERS CANNOT QUICKLY LOCATE PROPERTIES AT NIGHT

NAME	ADDRESS	SIGNATURE
ROBERT PARKER	[redacted] YORK 6302	[redacted]
Martine Parker	[redacted] York 6302	[redacted]
Susan Collins	[redacted] York	[redacted]
Wayne Collins	[redacted] York	[redacted]

SY058-06/25 DEVELOPMENT APPLICATION - ANIMAL ESTABLISHMENT AND ANCILLARY TOURIST USE (PRIVATE FARM TOURS) - LOT 1849 (3460) GREAT SOUTHERN HIGHWAY, ST RONANS

File Number:	**4.7544**
Author:	**Sharla Simunov, Planner**
Authoriser:	**Lindon Mellor, Executive Manager Infrastructure & Development Services**
Previously before Council:	**Not Applicable**
Disclosure of Interest:	**Nil**
Appendices:	**1. Location Plan ⇩** **2. Development Plans ⇩** **3. Site Photos ⇩** **4. Summary of Objections - Confidential** **5. Response to Objections - Confidential** **6. Main Roads WA Submission ⇩**

NATURE OF COUNCIL'S ROLE IN THE MATTER

Quasi-judicial

PURPOSE OF REPORT

For Council to consider a development application for an Animal Establishment with an ancillary tourist use at Lot 1849 (3460) Great Southern Highway, St Ronans, known as Rocky Forest Farm. The application proposes private, small-group animal interaction tours for visitors.

BACKGROUND

Lot 1849 (3460) Great Southern Highway, St Ronans (the property) comprises 40.4605 hectares and is zoned 'Rural' under the Shire of York's Local Planning Scheme No. 3 (Scheme). The property includes a single dwelling, ancillary accommodation and associated outbuildings. It is located approximately fourteen (14) kilometres west of the York town centre.

The property benefits from a right of carriageway over Lots 3437, 5772, 12550 and 1336, and carries the burden for access to Lots 1850 and 3439, as registered with Landgate on 15 July 1977. A location plan to identify the location of the easements is presented in Appendix 1.

A development application was received on 18 December 2024 proposing the use of the land for an Animal Establishment and ancillary private farm tours. Under the Scheme, an 'Animal Establishment' is an 'A' use in the Rural Zone, requiring public advertising. The application was advertised under Clause 64 of the Deemed Provisions, resulting in five (5) objections being received. The application is now presented to Council for determination.

COMMENTS AND DETAILS

The application is required to be assessed in accordance with the Scheme and the *Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2* Deemed Provisions.

The property is zoned 'Rural' under the Scheme.

- An ‘Animal Establishment’ is defined as *“premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry — intensive or veterinary centre.”*
- An ‘ancillary tourist use’ is defined as *“a premises used for recreation or entertainment, consumption of food and/or beverages, the sale of produce, the sale of arts and crafts and/or tourist excursions, or workshops and seminars where such use is incidental to an approved use of the land.”*

Use Classifications

- An Animal Establishment is an ‘A’ use in the Rural Zone, meaning that it is not permitted unless Council exercises its discretion and grants development approval after giving public notice.
- An Ancillary Tourist Use is classified as an ‘I’ (Incidental) use, which is permitted if it is consequent on, or naturally attaching, appertaining or relating to the predominant use of the land and if it complies with all relevant development standards and requirements of the Scheme.

In this case, the primary use of the land is rural, with animals kept and cared for on the property as part of its existing land use. The ancillary tourist use — in the form of private farm tours featuring supervised interaction with animals and educational experiences — is directly related to this primary rural activity. The tours depend on the animals already present on the site and are conducted without the need for additional infrastructure or standalone tourist facilities. Operations are low-scale, appointment-only, and designed to complement the established rural use of the land.

Accordingly, the ancillary component of the application meets the criteria for an ‘I’ use under the Scheme and is permissible as it naturally relates to and supports the predominant use of the land.

The Scheme Aims include:

- *“Protect and enhance the natural and cultural values of the Shire, particularly viable agricultural land, significant environmental assets, and cultural heritage values from inappropriate use and development.*
- *Facilitate innovative, creative and diverse business and employment opportunities.*
- *Protect and enhance the amenity and health of the York community.*
- *Facilitate a diversity of lifestyle and housing opportunities that reflect the rural and historic character of the Shire.”*

The objectives of the rural zone are tabled below:

TABLE 1.

OBJECTIVE	COMMENTS
To provide for the maintenance or enhancement of specific local rural character.	The proposal enhances the rural character by promoting experiential learning and interaction with animals in a natural setting. Activities such as animal feeding, grooming, and educational talks are conducted in a manner that highlights traditional rural values and lifestyle. The site retains its existing rural land use patterns and landscape features, including open paddocks, tree belts, and low-scale built form. No new built infrastructure is proposed that would detract from the rural visual character.
To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they	The animal establishment does not replace or undermine existing or potential broadacre agricultural uses. The operation is low-impact and spatially confined, allowing agricultural uses to continue on the remainder of the property. The proposed land use does not involve subdivision,

demonstrate compatibility with the primary use.	fragmentation, or soil modification that could hinder future agricultural productivity.
To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.	The operation is designed with environmental responsibility in mind. Wastewater is managed through an existing septic system; manure is composted and reused on-site; and there is no proposal to alter native vegetation or modify the landscape. No development is proposed near watercourses or environmentally sensitive areas. Tree buffers on the property assist in preserving the rural landscape and provide sound attenuation and habitat value.
To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.	The scale, design, and frequency of the tours (two (2) sessions per day, three (3) days per week) prevent the development from acting as a sensitive land use. No residential or accommodation use is proposed that would limit or conflict with surrounding agricultural operations. The controlled and low-density nature of visitation ensures the proposal does not sterilise rural land or restrict adjoining farming practices.
To provide for a range of non-rural land uses where they have demonstrated social and economic benefit to the community of York and are compatible with surrounding rural uses.	The farm tours promote tourism and education, particularly for families, schools, and disability or aged care groups. The initiative fosters connections between visitors and York's rural landscape while supporting local businesses via secondary spending (e.g., cafes, retail, heritage attractions etc). The proposal introduces social and mental health benefits through animal therapy in a rural setting. These benefits contribute to York's identity as a welcoming, diverse, and economically vibrant rural community.
To encourage the growth of tourism businesses and experiences in York, where they demonstrate compatibility with the primary agricultural use of the land.	The proposal aligns with this objective by integrating tourism activities — specifically, guided farm tours — within an existing agricultural setting. The operation retains the property's core rural function, with livestock (highland cows and pygmy goats) cared for as part of the farm's regular activities. The proposed tourism experience is low-impact, seasonal, and small-scale, and occurs on a pre-booked basis with limited group sizes. This ensures that the agricultural use remains the dominant function of the property while allowing for economic diversification and community engagement. The tours provide educational and therapeutic value, support York's tourism strategy, and are likely to bring secondary benefits to local businesses. By facilitating a unique rural experience that builds on the property's agricultural foundation, the proposal demonstrates a compatible and mutually beneficial relationship between farming and tourism.

The proposal involves the operation of small-scale, appointment-only farm tours for families and individuals, with interaction and education opportunities involving highland cows, pygmy goats, and other animals. Tour highlights include:

- **Days/Times**: Friday to Sunday only
- **Session Times**: 8:30am–10:00am and 3:30pm–5:00pm
- **Capacity**: One (1) family/group per session (max. two (2) sessions per day)
- **Accessibility**: Inclusive of people with disabilities

The applicant has submitted a comprehensive Animal Establishment Management Plan (AEMP) addressing animal care and welfare, visitor safety and accessibility, noise and odour control, waste and wastewater management, complaint handling procedures, and risk assessment and emergency response protocols.

Noise and amenity impacts are reduced by the property's large area and tree buffers. Tour frequency is limited to minimise traffic on the shared carriageway, which the applicant has committed to maintaining.

A copy of the development plans including the AEMP are presented in Appendix 2.

Site photos are presented in Appendix 3.

The proposal was referred to adjoining neighbours inviting comment within a period of fourteen (14) days ending on 17 April 2025. Five (5) objections were received, details on the submissions are presented in Table 3 below.

The existing character and amenity of the area is rural, comprising large landholdings primarily used for agricultural and residential purposes, with low-density development and associated outbuildings. Properties are typically separated by substantial distances, buffered by natural vegetation and open paddocks.

It is considered that the animal establishment will not have a detrimental impact on the amenity of adjoining landowners, or the wider locality and the ancillary tourist use is proposed in a manner to minimise amenity impacts.

On this basis it is recommended that the development application for the animal establishment be supported subject to conditions.

OPTIONS

Council has the following options:

Option 1: Council could choose to approve the application with conditions.

Option 2: Council could choose to refuse the application and list the reasons for refusal.

Option 3: Council could choose to approve the application and list modified conditions.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

The proposal was referred to all adjoining neighbours for a period of fourteen (14) days, closing on 17 April 2025. A total of five (5) submissions were received objecting to the proposal. A full summary of objections is provided in confidential Appendix 4, with the applicant's formal response detailed in confidential Appendix 5.

A summary of the submissions and Officer assessment is outlined in the Schedule of Submissions (Table 3) below:

TABLE 3.

SUBMISSION TOPIC	SUMMARY OF OBJECTION	APPLICANT RESPONSE	OFFICER COMMENT
1. Access, Road Safety & Traffic	Concerns over increased traffic on the privately maintained easement; claims of deterioration, past speed violations, and financial burden. Request for a legally binding maintenance agreement.	Applicants acknowledge the private easement and commit to repairing and maintaining the section used by visitors, at their own cost. A Road Use Agreement for all guests will enforce a twenty (20) km/h speed limit and respectful driving. Legal advice confirms their right to maintain the road.	The applicant has demonstrated a willingness to maintain their section of the easement and enforce responsible guest behaviour. Given the low visitor numbers (six (6) families per week), traffic impact is expected to be minimal. While a formal agreement cannot be enforced by the Shire, the applicant's voluntary commitment is deemed sufficient.
2. Biosecurity	Risk of disease transmission due to increased visitor access; concerns about past alleged unapproved animal slaughter and breaches of livestock health protocols.	Applicants maintain all animals are registered, PIC-compliant (PIC: WFYK0629), and subject to daily health checks. Biosecurity controls include visitor logs, hand sanitiser stations, shoe cleaning, and isolation of sick animals. Allegations regarding slaughtering were investigated and closed by Department of Water and Environmental Regulation and Meat Industry Australia with no findings.	The AEMP addresses biosecurity comprehensively. Measures outlined reflect current best practice. Historical allegations have been resolved and are not relevant to this assessment. Visitor numbers are modest and unlikely to introduce significant biosecurity risk.
3. Privacy and Amenity	Loss of rural lifestyle due to visitors passing by, possible increased crime, unsafe visitor behaviour, and disruptive activity.	Applicants note property setbacks, tree buffers, and low visitation (max. six (6) per week) minimise privacy impact. Guests are vetted, and the setting is designed for families and community groups. No history of disruptive behaviour.	The nature and scale of the operation (small, pre-booked family tours) is unlikely to disrupt rural amenity. Site layout, separation distances, and vegetation significantly reduce potential for noise, intrusion or disturbance.
4. Environmental Concerns	Erosion from vehicle use, waste disposal concerns, and general degradation	Applicants will monitor road conditions, limit movements, compost animal waste, and transport other waste to	Waste and environmental management practices are acceptable. With tours limited to two (2)

	of the area's natural setting.	York Tip. Visitors will be briefed on environmental expectations and litter control.	per day on three (3) days per week, and a responsible management plan in place, environmental impacts are considered low.

The applicant has demonstrated a strong commitment to addressing neighbour concerns through direct investment in infrastructure (carriageway maintenance), clear visitor management protocols, biosecurity safeguards, and a focus on environmental stewardship. While five (5) objections were received, most issues raised are mitigated by the proposal's limited scale, its comprehensive management plan, and the legal access rights of the applicant.

Referral to Main Roads WA

The application was also referred to Main Roads Western Australia (MRWA) due to its access via the Great Southern Highway (Chidlow York Road). MRWA reviewed the proposal and provided the following key advice:

- The existing easement crossover does not meet current standards. To protect the road seal, reduce loose material being dragged onto the highway, and ensure safe ingress/egress, a crossover upgrade condition is required.
- The scale of use proposed is acceptable and only requires minimal crossover improvements.
- To avoid usage creep, MRWA supports a visitor vehicle cap consistent with the proposal.
- Any signage visible from the highway will require separate MRWA approval.

MRWA's full submission is presented in Appendix 6. The advice has been considered in the formulation of the recommended conditions and advice notes within this report.

Officers are satisfied that, subject to compliance with the recommended conditions, the proposal is consistent with the Scheme, aligns with rural zone objectives, and will not adversely impact the amenity of the locality.

Strategic

Council Plan 2025-2035

Pillar 2: Future-ready economy

A diverse, resilient economy with employment and investment growth.

Pillar 4: Comfortable and connected places

Enduring heritage identity, quality infrastructure and built form.

Policy Related

The recommendation does not result in any policy implications for the Shire.

Financial

There are no immediate financial implications for the Shire, aside from the administrative costs associated with processing the application which are provided for in the annual budget and have been offset in part by the development application fee paid by the applicant. All costs associated with the development have and will continue to be met by the landowner.

It is significant to note should the applicant/landowner be aggrieved by Council's final decision in this matter, they have the right seek a formal review of that decision by the State Administrative Tribunal. Should this occur, the Shire would need to respond. The cost to respond to an appeal cannot be determined at this preliminary stage but could be expected, based on the recent experience of other local government authorities in Western Australia, to range anywhere from $5,000 to $60,000 excluding GST depending upon how far the matter proceeds through the review process.

Legal and Statutory

Local Planning Scheme No. 3
Planning and Development Act 2005
Planning and Development (Local Planning Schemes) Regulations 2015

Risk Related

A risk assessment of the proposal has been undertaken, with no medium to high risks identified with the proposal. Standard appeal rights to the State Administrative Tribunal are available to the applicant as explained above.

Workforce

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

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION
040625

Moved: Cr Denese Smythe Seconded: Cr Chris Gibbs

That, with regard to the Development Application - Animal Establishment and Ancillary Tourist Use (Private Farm Tours) - Lot 1849 (3460) Great Southern Highway, St Ronans, Council:

1. **Approves the development application for an Animal Establishment and Ancillary Tourist Use (private farm tours) at Lot 1849 (3460) Great Southern Highway, St Ronans, subject to the following conditions:**
    a. **The development shall be carried out in accordance with the approved plans and supporting documentation, including the submitted Animal Establishment Management Plan (AEMP), to the satisfaction of the Shire of York.**
    b. **Farm tours shall operate by appointment only, with a maximum of two (2) sessions per day, limited to Fridays, Saturdays, and Sundays between the hours of 8:30am–10:00am and 3:30pm–5:00pm.**
    c. **Each tour shall be limited to one (1) family or small group to maintain low visitor volumes and minimise potential impacts on rural amenity.**
    d. **The use approved is for Animal Establishment and Ancillary Tourist Use (private farm tours) only. No events, functions, or accommodation are permitted under this approval.**
    e. **All waste generated by the operation, including animal waste, visitor waste, and general operational waste, shall be managed in accordance with the AEMP. Manure is to be composted on-site or removed to an approved facility. Visitor waste shall be contained and disposed of at the York Waste Disposal Site.**
    f. **The operation shall not cause nuisance through noise or odour emissions. The applicant shall implement odour and noise mitigation measures as outlined in the AEMP and shall respond promptly to any substantiated complaints received by the Shire of York.**
    g. **The applicant shall be responsible for the maintenance of the section of the private carriageway used to access the property (identified in the application) to ensure it remains in a safe and trafficable condition.**
    h. **Prior to attending the site, all visitors shall be required to acknowledge a Road Use Agreement advising them of private access conditions, speed limits**

(maximum twenty (20) km/h), and respectful conduct while travelling the easement.

i. Biosecurity and animal health protocols must be implemented and maintained at all times in accordance with industry best practice and the AEMP.

j. No signage is permitted as part of this approval. Separate development approval is required for any proposed signage under the Shire's Local Planning Scheme No. 3.

k. The applicant shall maintain a log of any complaints received relating to the operation of the business and shall provide a copy to the Shire upon request. Complaints must be responded to within ten (10) business days in accordance with the AEMP.

l. The operation of the Animal Establishment and Ancillary Tourist Use shall comply with the WA Department of Health's Petting Zoo Guideline (2020), including but not limited to:

- **i. Provision of adequate handwashing and/or hand sanitising stations at points of animal contact and prior to consumption of food;**
- **ii. Prominent signage advising visitors to wash or sanitise hands after contact with animals;**
- **iii. Supervision of animal interactions to ensure safe handling by visitors; and**
- **iv. Regular cleaning of animal enclosures, pathways, and visitor areas to maintain hygienic conditions and prevent the spread of zoonotic disease.**

m. The applicant shall provide and maintain an accessible ablution facility on-site for the use of visitors. The facility must:

- **i. Be clearly signposted and accessible to individuals with disabilities in accordance with AS 1428.1 – Design for Access and Mobility;**
- **ii. Be located within reasonable walking distance from visitor activity areas;**
- **iii. Be connected to an approved wastewater disposal system; and**
- **iv. Be regularly cleaned, stocked, and maintained in a sanitary condition to the satisfaction of the Shire of York.**

n. Prior to the commencement of the approved use, suitable arrangements shall be made with Main Roads Western Australia for the upgrading of the vehicular crossover to the Easement that provides access to the property.

ADVICE NOTES:

Note 1: The applicant is encouraged to maintain clear communication with neighbouring landowners to manage amenity and access expectations.

Note 2: This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant/landowners and not the Shire to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire's attention.

Note 3: If the applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within twenty-eight (28) days of the determination.

Note 4: This is a development approval of the Shire of York under its Local Planning Scheme No. 3. It is not an approval to commence or carry out development under

any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.

Note 5: Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of York Local Planning Scheme No. 3 and may result in legal action being initiated by the local government.

Note 6: The applicant is advised that the accessible ablution facility should be designed and constructed in accordance with the requirements of AS 1428.1 – Design for Access and Mobility, and must comply with relevant provisions of the National Construction Code (NCC) and the *Health (Miscellaneous Provisions) Act 1911*.

Note 7: The applicant is advised that the operation of the animal interaction component of the development must comply with the WA Department of Health's Petting Zoo Guideline (2020), which provides best practice guidance for hygiene, animal handling, risk management, and public safety in petting zoo environments. The guideline is available at: www.health.wa.gov.au/Petting-Zoo. Compliance with this guideline will assist in reducing the risk of zoonotic disease transmission and improve visitor safety.

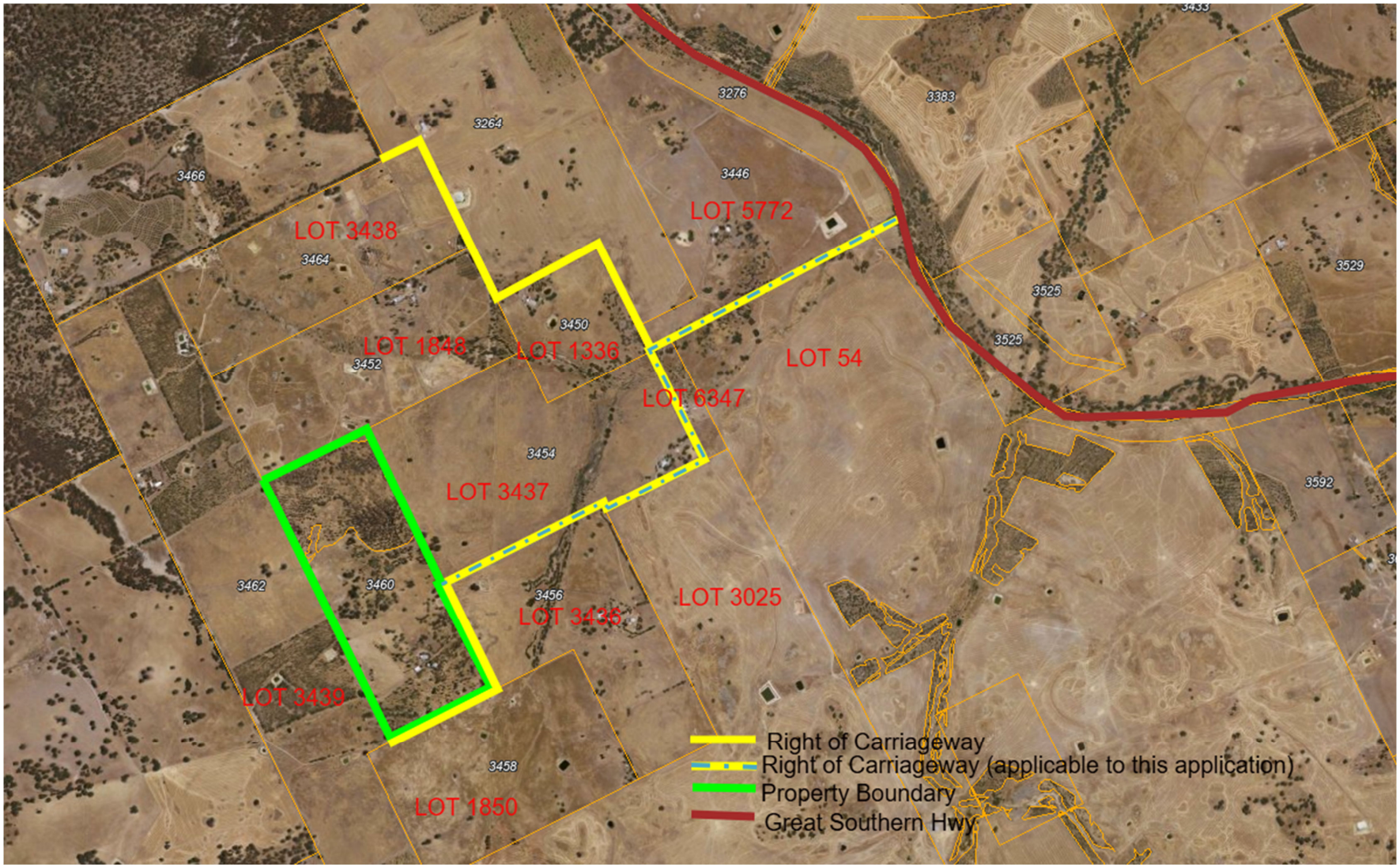
Note 8: Any signage proposed to be installed on or visible from the Great Southern Highway (Chidlow York Road) requires separate approval from Main Roads Western Australia.

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

Against: **Nil**

CARRIED 6/0

Location Plan
Showing location of Right of Carriageway Easements



LOCATION PLAN – LOT 1849 (3460) GREAT SOUTHERN HWY, SAINT RONANS



4/3/2025, 1:43:39 PM

Cadastre Address (LGATE-002) - Large Scale

Main Roads

Main, Sealed

1:18,056

0 0.13 0.25 0.5 mi

0 0.2 0.4 0.8 km

LANDGATE/SLIP, SLIP/LANDGATE, Esri Community Maps Contributors, Esri, TomTom, Garmin, METI/NASA, USGS, Esri, Geoscience Australia, NASA, NGA, USGS, Landgate / SLIP

powered by SLIP

22nd January 2025

3460 Great Southern Hwy
St Ronan's, Western Australia.

Shire of York
PO Box 22
York WA 6302

Application for *Animal Establishment*

To Whom It May Concern,

We are writing to introduce Rocky Forest Farm and outline our intention to provide private farm tours that offer a unique opportunity for individuals, families, and groups to connect with nature and animals in a peaceful, rural setting.

Located on our 100-acre property in Western Australia, Rocky Forest Farm is home to friendly Highland cows, playful pygmy goats, and a variety of other animals. Our farm tours will be designed to provide clients with a respite from the fast pace of everyday life, allowing them to make meaningful connections between people and animals, and immerse themselves in the beauty of the countryside.

About Our Tours

Clients will experience:

- **Guided Animal Interactions**: Feeding, petting, and grooming our animals while learning about their distinct personalities.
- **Mindful Moments**: Opportunities to sit quietly and connect with the animals in their natural environment. Research shows that interacting with animals reduces stress and enhances mood, making our tours a therapeutic experience for many.
- **Scenic Views**: Enjoy the serene landscape that surrounds our farm.
- **Provide Enjoyment for All Ages**: Perfect for anyone seeking a meaningful and memorable outing.

Tour Details

- **Duration**: 1.5 hours (flexible to suit client needs).
- **Availability**: By appointment only to ensure a private and personalised experience.
- **Location**: 3460 Great Southern Hwy, St Ronan's, Western Australia.

We believe our private farm tours will provide an enriching experience for our clients. This unique attraction will bring meaningful benefits to the York community. After enjoying their time at Rocky Forest Farm, clients will be encouraged to extend their visit by heading into York to discover its charming shops, local cafes, historic landmarks, and other attractions.

This approach not only enhances the overall visitor experience but also generates positive economic and social impacts for the community. By driving increased foot traffic to local businesses and fostering connections between tourists and residents, our farm tours contribute to the vibrancy and sustainability of the local economy.

We share a carriageway with our neighbours, and we are committed to dedicating the necessary time and effort to maintaining it, ensuring that it remains in good condition over the long term. This includes regular inspections, timely repairs, and ongoing upkeep to address any wear and tear, ultimately preserving the quality and safety of the road for all users. To minimize the impact of increased traffic on this shared access, we plan to restrict the number of farm tours to a maximum of two per day, scheduled exclusively from Friday to Sunday. This approach ensures that our operations remain manageable and considerate, reducing potential disruptions while maintaining the peaceful environment that both our farm and the surrounding community value.

Rocky Forest Farm will promote York as a welcoming and dynamic destination, highlighting its unique blend of history, culture, and community spirit. We are proud to play a role in boosting local tourism and supporting the growth and vitality of our town.

Thank you for considering our proposal.

Warm regards,

Animal Establishment Management Plan (AEMP) for Private Farm Tours

1. Objectives of the management plan

Objective: *To provide private farm tours that allow visitors, including individuals with disabilities, to interact with a range of animals, including Highland cows and pygmy goats in a safe, educational, and enriching environment. This objective is supported by ensuring high standards of animal welfare, visitor safety, and compliance with all relevant regulations.*

Scope: The Animal Establishment Management Plan (AEMP) applies to all aspects of operating the farm tours, including but not limited to the following:

1. Animal Care:
    - Maintain the health and well-being of all the animals through appropriate nutrition, and hygienic living conditions, and attending to sick animals with the local vet.
    - Provide adequate shelter, access to clean water, and secure fencing to protect animals from harm and prevent escapes.
    - Monitor animal behaviour to identify signs of stress or illness, and take immediate action if issues are detected.
2. Visitor Interactions:
    - Educate visitors on proper animal handling and interaction techniques to ensure the safety of both animals and visitors.
    - Offer guided tours which facilitate safe and positive interactions.
    - Implement special accommodations for visitors with disabilities, including accessible pathways and sensory-friendly interaction opportunities.
3. Safety Protocols:
    - Enforce safety guidelines to prevent accidents, including clear instructions for visitor conduct and restricted areas.
    - Maintain first aid kits on-site and ensure we are trained in basic first aid and emergency response.
    - Conduct regular risk assessments to identify potential hazards and implement corrective measures.

4. Regulatory Compliance:
    - Adhere to all local and national regulations regarding animal welfare, biosecurity, and public safety.
    - Obtain and maintain any necessary permits or licenses required for operating a private farm tour business.
    - Keep detailed records of animal care practices, visitor logs, and compliance activities for inspection purposes.
5. Educational and Enriching Environment:
    - Provide informative sessions on the care, behaviour, and unique characteristics of the animals, in particular the Highland cows and pygmy goats.
    - Offer opportunities for visitors to learn about animal husbandry.
    - Foster a connection between visitors and animals through meaningful, hands-on experiences.

By adhering to this AEMP, we aim to create a memorable and responsible farm tour experience that benefits visitors, animals, and the local community.

2. Proposal & Operation Details

Operating Hours:

- Tours will operate on a pre-booked basis on Friday, Saturday and Sunday, starting at approximately 8.30am and finishing at 10am. This will be followed by a second tour beginning are approximately 3.30pm and finishing at 5pm.
- Closed on public holidays and during extreme weather conditions to ensure the safety of both animals and visitors.
- Flexibility for special group bookings outside standard hours, subject to prior arrangement. For example, the Balladong nursing home in York has expressed interest in a tour for their aged residence.

Capacity:

- Each tour group will be limited to a maximum of 1 family to ensure a safe and intimate experience.

- Daily capacity will be limited - 2 family visits divided into two time slots (am & pm), to minimise stress on animals and maintain quality interactions.
- We will accommodate individuals with disabilities, providing additional time and support if needed.

Staffing:

- Tours will be led by the owners who have hands-on-knowledge in animal care.
- A minimum of one owner will be present during operating hours, but ideally two. One to guide tours and another to oversee animal welfare and site management.
- We will ensure we will stay updated on best practices in animal handling, safety protocols, and customer service.

3. Management of Operation

Noise Control:

- Noise levels will be managed by limiting the number of visitors per tour and ensuring tours operate only during designated hours.
- The property spans 100 acres, with neighbouring houses located approximately 1 kilometre away. This natural buffer significantly reduces the impact of noise on surrounding residents. The property has a substantial number of trees throughout that acts as a natural barrier to noise.

Odour Control:

- Regular cleaning, disposal and maintenance of animal enclosures will minimise the buildup of odours.
- Manure will be collected regularly and stored in designated areas away from visitor pathways and neighbouring properties.
- Organic waste, including manure, will be composted and used as fertiliser, ensuring proper management and odour moderation.

Waste Management:

- **Animal Waste:** Manure from our animals will be collected and processed through a composting system. The compost will be utilised on-site as organic fertiliser for pasture and plant growth, promoting sustainability and reducing waste.
- **Visitor Waste:** Visitors will have access to restroom facilities located in the farmhouse. These facilities will be regularly cleaned and stocked to ensure hygiene standards are maintained. Signage will guide visitors to use waste bins provided for general and recyclable waste, which will be emptied regularly.
- **Operational Waste:** Waste generated from daily operations, including packaging, feed bags, and maintenance materials, will be sorted and disposed of responsibly at the York tip. Recycling will be prioritised wherever possible, and hazardous materials, if any, will be handled in accordance with local regulations.

Wastewater Management:

- Septic systems are used for the farmhouse toilets, and these systems will be maintained in compliance with local regulations.
- Measures will be taken to ensure wastewater does not impact local water sources.

The farm will operate responsibly and sustainably, ensuring a safe and enjoyable experience for all visitors while maintaining high standards of environmental stewardship.

Complaint Management procedures

A complaint management procedure will ensure that all grievances are addressed in a timely manner, so that effective solutions can be successfully managed. The following outlines the steps for handling complaints:

1. **Complaint Submission:**
    - Visitors can lodge complaints via multiple channels, including in-person, phone or through Messenger on the farm's Facebook page.
    - Mob: 0459 804 075

2. **Complaint Acknowledgment:**
    - Upon receipt of a complaint, the complainant will receive an acknowledgment within 24 hours, providing reassurance that their concerns are being reviewed.
3. **Investigation:**
    - Complaints will be reviewed by the farm owners to determine the validity and scope of the issue.
    - Investigations may include speaking with involved parties, reviewing incident records, or inspecting the area related to the complaint.
4. **Resolution:**
    - If the complaint is found valid, corrective actions will be taken promptly. This may include implementing operational changes, issuing apologies, or offering refunds where applicable.
    - For complaints regarding animal welfare, veterinary professionals will be consulted if necessary.
5. **Communication:**
    - The complainant will be informed of the investigation outcome and actions taken to resolve the issue within ten business days.
    - In cases requiring extended investigation, regular updates will be provided to keep the complainant informed.
6. **Record Keeping:**
    - All complaints, investigations, and resolutions will be documented and stored in a secure database for future reference and compliance purposes.
    - Records will include the nature of the complaint, investigation steps, resolution actions, and communication with the complainant.
7. **Continuous Improvement:**
    - Complaint trends will be analysed quarterly to identify recurring issues or areas for improvement.

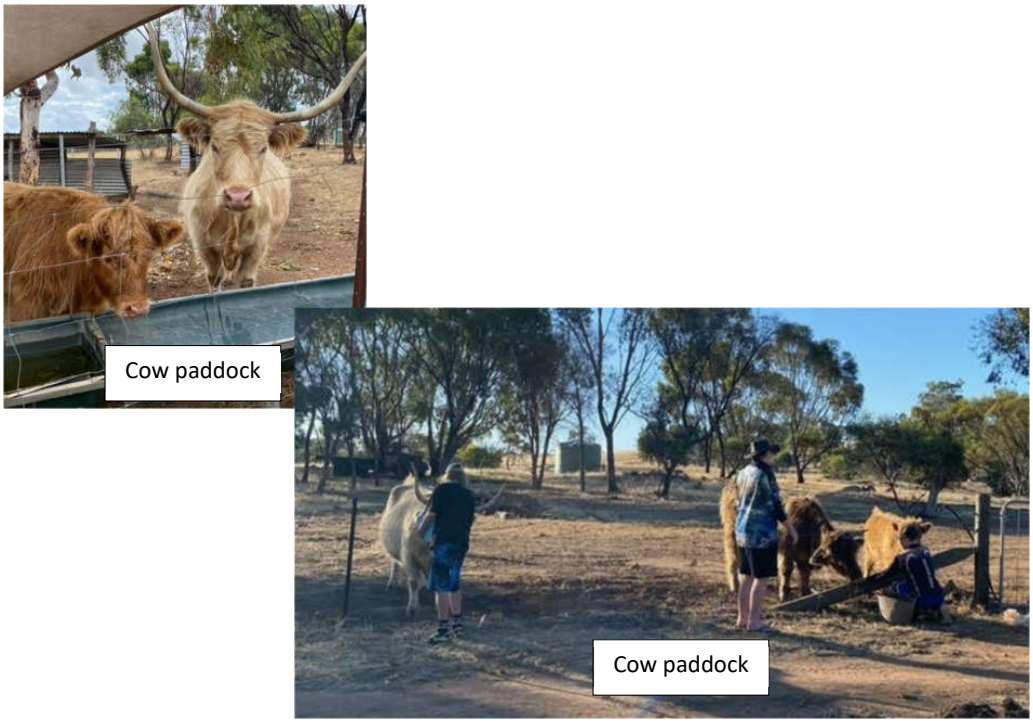
- Feedback from complaints will be used to enhance farm operations, visitor experiences, and overall management practices.

By implementing these procedures, the farm will ensure accountability and foster trust among visitors and the local community, contributing to a positive reputation and long-term success.

By addressing these operational management areas, the farm will operate responsibly and sustainably, ensuring a safe and enjoyable experience for all visitors while maintaining high standards of environmental stewardship.

Site Plan of the property showing:

a. *Locations of all animal enclosures and shelters.*









Goat nursery inside shed



Goats shelter No 2



Horses and Alpaca yards



b. Visitors parking



c. Existing and proposed access ways







d. Location of toilet facilities (inside our house)



Signage

With shire approval, signage on Great Southern Highway will be installed. Several neighbouring properties already have signs. Additionally, we have signage installed at the front entrance of our property.

Additional photos











York Ag Show 2024



Inside the goat nursery















Baptist care residents

SITE PLAN – LOT 1849 (3460) GREAT SOUTHERN HWY, SAINT RONANS



Site Photos - 28 April 2025





















Sharla Simunov

From: Darren Wallace <[redacted]>
Sent: Monday, 26 May 2025 11:18 AM
To: Sharla Simunov
Cc: Gren Putland
Subject: IN25/7753F263: Proposed Development - Lot 1849 (3460) Great Southern Highway, St Ronans - Animal Establishment and Ancillary Tourist Use (Private Farm Tours)

You don't often get email from [redacted] Learn why this is important

OFFICIAL

OFFICIAL

Hi Sharla

Thanks for the opportunity to comment on the Proposed Development - Lot 1849 (3460) Great Southern Highway, St Ronans - Animal Establishment and Ancillary Tourist Use (Private Farm Tours).

Main Roads has considered the proposal and would like to point out the following issues.

The easement that services the property does not meet current driveway standards. To protect the road seal edge and limit the amount of loose material dragged onto the Great Southern Highway (Chidlow York Road) and generally increase the road safety at the intersection Main Roads requires the following condition "**Suitable arrangements being made with Main Roads Western Australia for the upgrading of a vehicular crossover to service the Easement that provides access to the property'** or similar.

As long as the usage and therefore traffic generated, is no greater than the proposal, the upgrade to the driveway should be minimal.

However, to ensure that the usage is no greater than proposed and prevent usage creep, Main Roads requests that as part of any approval the visitor number be limited. **Two visitor vehicles per hour** would be acceptable and being more than the proposal has indicated, would allow a minor business increase.

I would also point out that **any signage on or visible from the Great Southern Highway (Chidlow York Road) would require Main Roads approval**.

Feel free to contact me as per below details if you have any questions in relation to my response.

Kind Regards

Darren Wallace (he/him/his)
Project Contract Manager
Wheatbelt Region
Regional Operations
[redacted]

1

SY059-06/25 REQUEST FOR USE - LOTS S90, S91, S97 AND S98 ON DEPOSITED PLAN 223250 - WHEATBELT REGIONAL CARRIAGE DRIVING CLUB INC

File Number:	**4.7712**
Author:	**Anneke Birleson, Manager Governance & People**
Authoriser:	**Alina Behan, Acting Chief Executive Officer**
Previously before Council:	**Not Applicable**
Disclosure of Interest:	**Nil**
Appendices:	**1. Request for Use ⇩**

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

This report presents a proposal to utilise approximately 15.1 Hectares of land co-owned by the Shire and York Racing Inc, for equestrian purposes.

BACKGROUND

York Racing Inc (York Racing) and the Shire of York were approached by the Wheatbelt Regional Carriage Driving Club Inc (WRCDC) to utilise some of the land at the Racecourse site. Specifically, WRCDC have identified Lots S91, S92, S97 and S98 on Deposited Plan 223250, highlighted in the below aerial image.



The Shire has a Memorandum of Understanding with York Racing that specifies in Clause 12 how land transactions are to be dealt with:

> "*12* ***Management and operation in the interest of horse racing***
>
> *York Racing will manage and operate the racecourse, and facilities on and associated with the racecourse, in the interest of horse racing, provided that York Racing remains accredited by the WA agency or body responsible for the control of Racing and Gaming. Land and improvements cannot be sold or leased, or possession given, and nor can any interest in the land be disposed of without the approval of both parties and without complying with all statutory requirements and limitations on a local government's power to dispose of land or any interest in land. Furthermore, all proceeds of any transaction must be used as provided in clause 6 above."*

The entire Racecourse property, including the four (4) lots, are conditional tenure land, as defined in Section 72 of the *Land Administration Act 1997* (LAA). Therefore, the provisions of Section 75 of the LAA apply. More specifically, the permission of the Minister of Lands must be sought to lease this land.

The Crown Grant in Trust for the racecourse lots specifies that the land is to be used and held solely for the purpose of a Racecourse. Therefore, any proposed lease would need to align with this. Hence any request to use land at the Racecourse site must be considered by both parties, align with the conditions of tenure and any other statutory requirements.

COMMENTS AND DETAILS

Lots S91 and S98 have been leased previously, for York Rodeo, but this is no longer in effect.

The Shire of York Local Planning Strategy, endorsed by the Western Australian Planning Commission in April 2025 refers to an Equine Precinct. This precinct is also identified in the Local Planning Scheme No. 3 as a Rural Residential Special Provisions area (RR4). This area is centred around the historic York Racecourse. The Strategy notes there is currently no adopted structure plan.

The Strategy suggests a Management Plan be developed for the area, which would identify a vision for the area and any facilities or infrastructure required to achieve that vision. Available funding is a limiting factor for the Shire.

The initial proposal, received via York Racing, is presented in Appendix 1.

Officers met with representatives from York Racing and WRCDC on 11 March 2025.

The primary proposed purpose and use of the land is for equestrian activities, including but not limited to:

1. Carriage driving
2. Riding
3. Training
4. Competition
5. Education
6. Recreational use

Additionally, WRCDC are requesting to use the land to support its operations as a not-for-profit entity, including fundraising activities, club educational activities and training sessions, and any other initiatives that align with the Lessor's objectives. Such activities would be considered ancillary to the main use of the land and purpose of the lease.

In addition, WRCDC have expressed an interest to involve other local equestrian clubs. This could be on a sublease arrangement or casual hire basis, with a long-term view to potentially co-locate as many equestrian groups and clubs as possible.

Since engaging with WRCDC, the Shire has received another expression of interest to use the land from the Mt Bakewell Horse & Pony Club. The Club have been referred to WRCDC to discuss the options in relation to this potential lease.

Officers see merit in the proposal and, given York Racing are supportive for WRCDC to lease the land, recommend to Council that negotiations commence to develop a lease to enable WRCDC to utilise these lots for equestrian purposes.

If a lease agreement can be negotiated, Officers will then advertise the intended disposal of property in accordance with Section 3.58 of the *Local Government Act 1995* and seek approval from the Minister for Lands. Following the advertising period, the draft lease will be presented back to Council along with any submissions on the proposal for consideration and determination.

OPTIONS

Council has the following options:

Option 1: Council could choose to provide in principle support to the proposal to lease to WRCDC and direct the Chief Executive Officer to commence formal negotiations.

Option 2: Council could choose not to support the proposal to lease to WRCDC and take no further action.

Option 3: Council could choose not to support the proposal to lease to WRCDC and instead request the Chief Executive Officer to investigate the development of a Management Plan for the Equine Precinct including community consultation.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

York Racing

WRCDC

Mt Bakewell Horse & Pony Club

Strategic

Council Plan 2025-2035

Pillar 1: Community and cultural vitality

A strong, inclusive community supporting all cultures and generations.

Pillar 2: Future-ready economy

A diverse, resilient economy with employment and investment growth.

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance.

Policy Related

G13 Community Engagement and Consultation

Financial

There are minor costs associated with the statutory requirements of entering into a lease.

Legal and Statutory

Sections 72 and 75(6) of the LAA relate to Leases of Crown Land and state:

“72. Terms used

In this Part —

***conditional tenure land** means land transferred in fee simple subject to conditions referred to in section 75(1), which land remains subject to those conditions;*

***employee** has the same meaning as it has in the Public Sector Management Act 1994;*

***owner of a leasehold scheme** has the meaning given in the Strata Titles Act 1985 section 3(1);*

***resolution without dissent** has the meaning given in the Strata Titles Act 1985 section 3(1);*

***scheme by-laws** has the meaning given in the Strata Titles Act 1985 section 3(1);*

***strata company** has the meaning given in the Strata Titles Act 1985 section 3(1);*

***strata lease** has the meaning given in the Strata Titles Act 1985 section 3(1).”*

“75. Transfer of Crown land in fee simple subject to conditions…

…

(6) Conditional tenure land cannot become the subject of any lease, licence, mortgage, charge, security or other encumbrance without the written permission of the Minister, which may be given subject to conditions.”

Section 3.58 of the *Local Government Act 1995* is applicable to the disposal of property and states:

“3.58. Disposing of property

(1) In this section —

***dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;*

***property** includes the whole or any part of the interest of a local government in property but does not include money.*

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

(5) This section does not apply to —

(a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or

(b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or

(c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or

(d) any other disposition that is excluded by regulations from the application of this section."

Regulation 30 of the *Local Government (Functions and General) Regulations 1996* is also applicable to property disposals and states:

"30. Dispositions of property excluded from Act s. 3.58 (Parts 1 & 2)

(1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.

(2) A disposition of land is an exempt disposition if —

(b) the land is disposed of to a body, whether incorporated or not —

(i) the objects of which are of a charitable, benevolent, religious, cultural,

educational, recreational, sporting or other like nature; and

(ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions."

Risk Related

There is a moderate risk to Council if it does not have a lease in place and allows the activities to commence.

The Shire does not have a plan for the use of these lots into the future. The risks associated with entering into a lease or licence is that without a plan, any future uses cannot be considered.

Workforce

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

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION
050625

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

That, with regard to 'Request for Use - Lots S90, S91, S97 and S98 on Deposited Plan 223250 - Wheatbelt Regional Carriage Driving Club Inc', Council:

1. **Resolves to provide in principle support for Wheatbelt Regional Carriage Driving Club Inc to use Lots S90, S91, S97 and S98 on Deposited Plan 223250 via a lease agreement in consultation with York Racing Inc and surrounding property owners.**
2. **Authorises the Chief Executive Officer to commence negotiations with York Racing Inc and Wheatbelt Regional Carriage Driving Club Inc to develop a lease agreement for the use of Lots S90, S91, S97 and S98 on Deposited Plan 223250.**
3. **Requests the Chief Executive Officer to advertise the proposal to dispose of Lots S90, S91, S97 and S98 on Deposited Plan 223250, for the purpose of equestrian activities, for public submissions in accordance with Section 3.58 of the *Local Government Act 1995*.**
4. **Authorises the Chief Executive Officer to request approval from the Minister for Lands to enter into a lease agreement with York Racing Inc and Wheatbelt Regional Carriage Driving Club Inc for the use of Lots S90, S91, S97 and S98 on Deposited Plan 223250, should a lease agreement be negotiated.**
5. **Notes that the negotiated lease, and any public submissions received, will be presented to Council for consideration and determination.**

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

Against: **Nil**

CARRIED 6/0

From: [redacted]>
Sent: Sunday, 9 March 2025 7:28 AM
To: Alina Behan [redacted]@york.wa.gov.au>
Cc: [redacted] <yorkracing@bigpond.com>; secretary.wrcdc@gmail.com
Subject: Equine Precinct – Agreement for Land Use

You don't often get email from [redacted]

Hi Alina,

I hope you're doing well.

Not sure if you're aware, but I'm the new Chair of York Racing Inc.

In the interest of creating an **Equine Precinct**, we're looking to enter into an agreement with the Carriage Driving Club to utilise the vacant lots to the west of the Racecourse (Lots 90, 91, 97 & 98).

Since we share a joint interest in this land, could you please confirm what the Shire will require? Once we have a draft agreement prepared, we're happy to forward it to you for review.

To keep things moving smoothly, please let me know if there are any specific items you'd like included in the agreement. I have cc'd in Shelly from York Racing and Olly from the Carriage Driving Club so we are all aware of any requirements.

Looking forward to your thoughts.

Kind regards,
[redacted]
Chair | York Racing Inc.
[redacted]

SY060-06/25 MULTIYEAR FUNDING ACQUITTAL 2024/25 - HARDWIRED ENTERTAINMENT PTY LTD

File Number:	**4.7711**
Author:	**Rebecca Atkinson, Manager Tourism & Economic Development**
Authoriser:	**Rebecca Palumbo, Acting Executive Manager Corporate & Community Services**
Previously before Council:	**25 February 2025 (080225)**
Disclosure of Interest:	**Nil**
Appendices:	**1. Acquittal Report ⇩**

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

This report presents the multiyear funding acquittal received from Hardwired Entertainment Pty Ltd for the 2025 York Motorcycle Festival.

BACKGROUND

Council has historically provided support for activities, organisations and events that contribute to the Shire's community, social and economic objectives through the Community Funding Program.

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 recurrent sponsorship.

At its 25 February 2025 Ordinary Meeting Council considered entering into a Multiyear Funding Agreement with Hardwired Entertainment Pty Ltd to ensure its activities would be supported with recurrent funding, and resolved (080225):

"That, with regard to Request for new Multiyear Funding Agreement - Hardwired Entertainment, Council:

1. ***Receives the request for multiyear funding from Hardwired Entertainment, as presented in confidential Appendix 2.***
2. ***Requests the Chief Executive Officer to negotiate and document a multiyear funding agreement with Hardwired Entertainment under the following conditions:***
   a. ***The Agreement will commence on 1 March 2025 and expire on 30 June 2027.***
   b. ***The amount of sponsorship will be provided in accordance with the table below:***

FINANCIAL YEAR	*SPONSORSHIP*	*FIRST PROGRESS PAYMENT (80%)*	*FINAL PAYMENT ON ACQUITTAL (20%)*
2024/25	***$30,000 ex GST***	***1 March 2025***	***1 June 2025 or earlier upon successful acquittal***

2025/26	***$35,000ex GST***	***1 February 2026***	***1 June 2026 or earlier upon successful acquittal***
2026/27	***$40,000 ex GST***	***1 February 2027***	***1 June 2027 or earlier upon successful acquittal***

c. Payment will be subject to all milestone conditions of the Agreement being met on an annual basis.

3. Authorises the Shire President and Chief Executive Officer to endorse the final multiyear funding agreement.

4. Directs the Chief Executive Officer to include the above agreed amounts in the 2025/26 and 2026/27 budgeting process."

Acquittal reporting is a requirement, to be received no later than ninety (90) days following the delivery of the event. Dependant on the size, scale and frequency of funding, acquittal reporting detail varies.

COMMENTS AND DETAILS

The 2025 York Motorcycle Festival was widely regarded as a success by attendees, traders, and local stakeholders. It not only delivered strong economic outcomes and community engagement but also reinforced York's profile as a leading regional destination for major events in Western Australia.

TABLE 1.

ORGANISATION	PURPOSE	PROVISION	ACQUITTAL SUMMARY
Hardwired Entertainment Pty Ltd	To deliver a refreshed and expanded York Motorcycle Festival that improves business participation, promotes York as a regional event destination, increases visitation, and continues to support mental health awareness through community engagement and charity alignment.	$30,000 ex GST	The 2025 York Motorcycle Festival was held on Saturday 5 and Sunday 6 April 2025, with Hardwired Entertainment leading event management under a new multiyear agreement. The transition from Premiere Events was smooth, with mentoring in the background and continuity in key programming and community relationships. The Saturday "Launch Party" in Avon Park debuted a new twilight format, featuring BMX stunt shows, fire entertainment, food trucks, a licensed bar, live music, and a Harley-Davidson concert at The Imperial Homestead. Sunday's main event included trade stalls and motorcycle displays lining South Street, a dedicated FMX stunt zone (Eni Stunt Track), live music, a Show and Shine inside York Town Hall, market stalls, and a Black Dog Ride departing from Midland. Estimated attendance exceeded 6,500 across the weekend, with a highly engaged crowd and forty (40) volunteers supporting delivery. Business engagement initiatives

			included a successful “Hide the Harley” promotion in partnership with Settlers House, encouraging attendees to explore the town. Over thirty (30) exhibitors and traders were involved, and multiple York-based businesses actively participated inside activations or hospitality offerings. Hardwired Entertainment noted strong anecdotal support from visitors and repeat attendees, citing improvements in the Festival’s layout, atmosphere and sense of inclusion. Marketing and promotion was significantly expanded in 2025, with targeted advertising across Facebook and Instagram over six (6) weeks, regional radio advertising via Hit FM Northam, and paid digital reach. Posts incorporating the Shire of York’s branding and hashtags (#shireofyork, #experienceyork) consistently reached 2,000+ users per post, with key announcements reaching over 4,800 impressions. The Shire of York was acknowledged across all key platforms including digital marketing, print and promotional material, MC announcements and event signage, ensuring a strong and consistent visibility throughout the Festival. Post-event evaluations identified some operational refinements to be made in 2026, particularly regarding waste management and layout logistics. Waste bins reached capacity earlier than anticipated and some congestion occurred in the activation zones. Hardwired Entertainment has already committed to addressing these areas through earlier planning, increased infrastructure and enhanced coordination with entertainment partners.

As a minimum the acquittal report must provide:

1. Scope of activities undertaken
2. Details of advertising undertaken
3. Actual attendance numbers
4. Expenditure detailing how Shire funding was spent.

A copy of the acquittal report is presented in Appendix 1.

OPTIONS

Council has the following options:

Option 1: Council could choose to accept the acquittal report from Hardwired Entertainment Pty Ltd.

Option 2: Council could choose not to accept the acquittal report from Hardwired Entertainment Pty Ltd.

Option 3: Council could choose to seek further details from Hardwired Entertainment Pty Ltd.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

Hardwired Entertainment Pty Ltd

Shire Events Team

Strategic

Council Plan 2025-2035

Pillar 1: Community and cultural vitality

A strong, inclusive community supporting all cultures and generations.

Pillar 2: Future-ready economy

A diverse, resilient economy with employment and investment growth.

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance.

Policy Related

C8 Funding: Grants and Sponsorship

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 funded organisations.

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 multiyear and policy requirements including acceptance of acquittals through resolution provides acceptable treatment controls to manage the risks identified.

Workforce

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

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION
060625

Moved: Cr Denis Warnick **Seconded: Cr Peter Wright**

That, with regard to Multiyear Funding Acquittal 2024/25 - Hardwired Entertainment Pty Ltd, Council:

1. Accepts the acquittal report received from the Hardwired Entertainment Pty Ltd, 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

Funding Acquittal Form

Acquittal | Office Use Only

FUNDING ACQUITTAL FORM

Instructions to complete the form:

1. Pre-filled information from previously submitted forms connected to your funding will be provided. Please check this information is correct and make any changes necessary.

2. Complete and submit this form no later than 90 days following the conclusion of your project/event.

3. Refer to the relevant guidelines to assist you in providing the most appropriate information.

If you are unsure about what is required or would like some clarity on a particular question, please contact the Shire Officer outlined in the relevant guidelines.

Organisation Information

Name of Organisation
HARDWIRED ENTERTAINMENT PTY LTD

Street Address
83 Pony Place, Oakford, WA, 6121

Postal Address
83 Pony Place, Oakford, WA, 6121

Email:
info@hardwiredentertainment.com.au

Website (if applicable)

Project Name
York Motorcycle Festival

Funding Amount
$ 30,000.00

Funding Category
○ Tourism ○ Outstanding Representation ○ Community ◉ Economic Development

Is your acquittal for one-off or multi-year funding?
○ One-Off ◉ Multi-Year

Date Funding Granted
12/03/2025

Date project was Delivered
05/04/2025

Who is your target sector of the community?*
☐ Youth ☐ Seniors ☐ Disadvantaged ☐ Isolated ☐ Visitors ☑ Other People of all ages

Strategic Alignment*
Describe how your project delivered against the **Strategic Community Plan (SCP) 2020 – 2030** Goals and Priorities selected in your application

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The York Motorcycle Festival has become a staple in the York events calendar and across the entire state. Simply put there is no other place that this event would have the vibrant and historical feel than in York. A mix of old and new is the best description for what makes the festival what it is. Showcasing the show and shine in the historic Town Hall keeps that old feel and uniqueness of York, while having new, modern forms of entertainment, like the Harley Davidson Stunt team, brings the whole event together. Having new meet old and respecting the values of the town, is what makes York the place to be for the Motorcycle Festival.

This year Hardwired Entertainment made getting in touch with local businesses a main priority. Speaking with locals, asking for their advice and listening to their answers gave us a good sense of what could be done better. We made adjustments to the layout of the event to better increase visibility for local businesses, worked with locals to offer advertising support on social media and tried to be as visible and present to the people of York. Not only did we look to support the locals, but the motorcycle festival also brings thousands of people to town, thus boosting tourism. More people driving and riding to York, equals more forward momentum for the York Economy.

Using social media platforms like Facebook and Instagram, Hardwired Entertainment actively promoted York as a desirable destination to not only visit for the festival but as a place that offers so much more. Highlighting local attractions like the Motor Museum and the Historic Town Hall showed people all over Western Australia, Australia and beyond what an amazing place York is. With a large audience reach through our business social media platforms and with all the athletes associated with Hardwired, social media content of York went out to tens of thousands of accounts all over the world. This not only promoted the event but increased awareness of the Shires involvement through "tagging" and mentioning the Shire of York in posts.

Delivery of Stated Outcomes *

Please demonstrate how you successfully delivered the outcomes outlined in your application. How was this success measured? Please attach supporting documentation (if applicable) in addition to your answer below. NOTE: Do not ONLY attach a document.

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For the 2025 York Motorcycle Festival, Hardwired Entertainment wanted to increase the focus on a few particular areas. These areas were, increase participation from stallholders and vendors, have greater local business participation, add to the Saturday program and bring a fresh new vibe to the whole event.

We believe we achieved success in all these areas, how we did this was by utilising our strengths, our passion and knowledge of the motorcycle community and understanding of events.

We went directly to many of the exhibitors and showed our faces, discussing there had been a change in the event organisers and explained who we are, what we stand for and why we do what we do. We believe this approach is the reason we achieved a higher number of stall holders in 2025 than in the previous year. While we would have liked more businesses to attend, we are aware that things can take time, and some people do not like change. To those people, we accepted their answer, asked what they were hoping to see and valued their responses. We believe that these businesses would have seen and heard the success of the event and will have a different attitude for the 2026 event.

To achieve greater local business participation we took the same hands on approach and showed up in the town of York, speaking directly to many of the business owners. We discussed how we could improve the event, to make it more beneficial for the locals, gave advice on what we thought might help and collectively implemented changes that looked to benefit everyone. Making changes to the layout of the event was one key factor, we wanted the event to have a better flow, which would increase visibility for local businesses, avoid congestion of attendees, and give a greater experience for all. Working with local businesses like the Settlers House York was another strategy we implemented. Speaking with the owner, hearing their thoughts and opinions was invaluable. These discussions made way for positive outcomes, and we introduced a partnership that looked to increase the experience for the business owner. Settlers House York provided a "Hide The Harley" promotion in which Hardwired Entertainment gave prizes to be won for attendees. A fun and interactive way to promote the event and business, but also gave a financial boost for the business owner. We would like to increase our level of participation in these areas for the 2026 event and believe more local businesses will get involved after hearing and seeing the success of this years event.

For the Saturday activation, we wanted to bring something that Hardwired is known for, our amazing action sports entertainment. Working alongside VCM Perth Events for the first time, we included our Freestyle BMX team to the list of entertainment provided by VCM. We are excited by the potential that the Saturday event can bring. Seeing this and understanding how it works, we already have new ideas and ways to improve on what is a fun introduction to the main event on the Sunday.

There was a feeling throughout the Sunday in which can only be described as a fresh vibe. We had so many people comment that the day just felt a little different, in a positive way. This was not surprising to us to hear, we were very excited and grateful to hear it but not surprised. Hardwired Entertainment has been built by passion, our mission is to Create, Excite, and Inspire, with this path, we always look to bring a passionate, open minded, and dedicated take on whatever we do. The event needed some fresh blood and open eyes, and we are so honored to be able to bring that.

To measure the success in these areas, we can see the increase in exhibitor numbers from 2024 to 2025, we have had post event conversations with local business owners, and have heard the comments from event attendees. Attached is a list of exhibitors in 2024 and 2025.

Total Attendees (if applicable)

Please upload supporting documents *

File limit has been reached.

Files (1 uploaded)

YMF 2024 - 2025 Exhib List.pdf 289.11KB

Marketing, Media and Promotions

How was the Shire of York support recognised? (eg social media posts, logo on uniform, posters, other media etc. Please attached examples of the support)

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For the 2025 York Motorcycle Festival, Hardwired Entertainment wanted to increase the output of content on social media. This is a critical form of marketing in the modern day, and we understand the importance. With the York Motorcycle Festival social media platforms being created by the old event organisers and not having a lot of effort put into them, it was our task to give them as much attention and effort we could. Brayden Davies, one of the directors of Hardwired Entertainment put in a huge effort to bring the pages to life and have them come to light in the algorithm that is social media. Posts were made exclusively for the event and posted on a regular schedule. Many of these posts included the Shire of Yorks logo and tag name. #shireofyork @experienceyork. These posts had financial backing to increase the exposure and reach.

Radio ads played in the regional areas on Hit FM Northam. These ads included mentions of the Shire of York as a major sponsor of the event. The ads being heard by thousands of people over a 4-week period.

On the event days, we had our MCs making announcements and thanking the involvement and support of the Shire of York. These announcements happened all throughout the day on Sunday and were included in the entertainment portions of the day. The MC would give recognition to the Shire during the Super Motard Races, Freestyle Moto X demos and the Harley Davidson Stunt shows.

Attached are some examples of social media posts including the Shire of York logo.

Please upload supporting documents *

File limit has been reached.

Files (1 uploaded)

York Media Posts.pdf 635.28KB

Feedback from Those Involved

What was the general feedback received from those involved, including volunteers, attendees, competitors etc? (In addition to your answer, please attached examples of the feedback if applicable)

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The feedback we received was very positive. A team member of Hardwired Entertainment, Luke, went and spoke to every local business that was open on the Sunday of the event and asked what they thought of the day and if they had any suggestions. Luke received positive comments and people saying they thought this year was the best year in a very long time.

We received feedback from a member of the town saying more rubbish bins were needed. This is something we have noted and will look to address with the local waste company for 2026. Ordering more bins will rectify this issue.

Feedback from the athletes involved has been incredibly positive. They are all very grateful to be a part of such an iconic event and appreciated the changed layout to better suit everyone.

We received some negative feedback in relation to the Avon Park fair on the Sunday. This was from one of the stallholders involved in the Avon Park activation. This was mainly around communication between the VCM representative and stall holders. We have addressed this by communicating with the stallholder and VCM.

There have been many positive comments on our social media pages from event attendees, negative comments have been around that some people think the event is mainly a Harley Davidson event, this is addressed by informing people that Harley is a major sponsor and that we have approached all the major bike brands in the motorcycle community to be involved.

Please upload supporting documents

Drag and drop up to **1** files here to upload or Choose files

FINANCIALS

Please complete the table below outlining your actual income and expenditure

NOTE: Do not included GST in your amounts provided

NOTE: If you received funding over $10,000, please attach a separate budget with a detailed breakdown, providing only overall totals in the table below.

(If you require more lines than those provided, please click the + icon to add lines in the relevant section – eg Income or Expenditure)

STATEMENT OF INCOME AND EXPENDITURE

INCOME

Description	Amount
Cash	
- Shire of York Funding	$ 30,000.00
- Other Funding Amounts	$ 32,000.00
- Applicant Contribution	$ 1,750.94
- Other	$
In-Kind	
- Shire of York In-Kind	$
- Other In-Kind Contribution	$

TOTAL INCOME

$ 63,750.94

EXPENDITURE

Description	Amount
- Item 1	$
- Item 2	$
- Item 3	$
- etc	$

TOTAL EXPENSE

$ 0.00

Please Upload a PDF containing supporting evidence of expenditure (invoices/receipts etc) here *

File limit has been reached.

Files (1 uploaded)

YMF2025 Budget Report Final.pdf 109.48KB

Did you expend all funds granted by the Shire of York?

(•) Yes ( ) No

Was your overall expenditure what you predicted?

( ) Yes (•) No

Please provide an explanation below

Our predicted budget had costs lower than expected around certain areas.
Insurance costs were a lot higher than expected, this is due to the former event organisers having a different business structure.
Fencing costs went up significantly, this was due to Hardwired Entertainment providing a greater depth to the entertainment portion of the event.
One of the sponsors from previous years did not come on board for 2025, so this was income not received that we believed we would get.

Environmental Impacts and Other Considerations

Did the project/event impact on the environment in any way? If yes, please explain in what way and if negative, what remedial works have been undertaken to restore the impact?

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The only environmental impact the event caused was not having enough waste bins on site. This may have resulted in some rubbish not being suitably placed in a bin. While a post event walkthrough was conducted and no obvious, visible signs of excessive rubbish was noted, we will make sure that the 2026 event has more waste disposal units to rectify this issue.

Lessons Learned

What were the key lessons learned whilst delivering the project?

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Hardwired Entertainment has learnt a great deal from this experience. We completely understand that there is no such thing as perfect, but we will always look to deliver the absolute highest quality event we can, with as much passion and compassion as possible.

Knowing that communication is the key to success in so many facets of life, we have learnt how valuable it is for an event like the York Motorcycle Festival. Communication between all involved is the biggest lesson learned. We believe speaking with locals and trying to work with them as much as possible was a huge factor and will be something we continue to improve on in the coming years. We will look to have even more conversations for the 2026 event, understanding this will be a key factor to delivering a great event.

Checklist*

(•) All Supporting documentation as requested (feedback, financials, promotional etc)

DECLARATION

In affixing my name to this form I the undersigned, on behalf of and with the authority of my organisation, make 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 all original invoices and receipts in accordance with the Funding Agreement. We acknowledge that the 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 Income and Expenditure is complete and accurate and does not contain any misleading or fraudulent information

Relevant statutes, regulations, by-laws and requirements of any Federal, State or Local Government have been complied with

Acquittal report duly authorised by:

Title	First Name ⓘ *	Last Name *
Mr	Matt	Curtis

E-mail (preferred for correspondence) *	Position Held
info@hardwiredentertainment.com.au	Director

By checking the box below and pressing SUBMIT, you are confirming you have the authority to act on behalf of yourself or organisation, and it will be accepted as a digital signature *

☑ I acknowledge selecting this box confirms my authority to submit this application on the behalf of myself and/or the organisation identified in this application and will be received as a digital signature.

Contact Us:

Shire of York 1 Joaquina Street York WA 6302 08 9641 0500 records@york.wa.gov.au ABN: 55 315 676 247

Next

CASH BUDGET			
Cash Income	**Total**		**Notes**
Government sponsorship			
Shire of York	$	30,000.00	
Tourism WA RES funding request	$	10,000.00	
Subtotal	**$**	**40,000.00**	
Corporate sponsorship			
Shannons Insurance	$	10,000.00	
Harley-Davidson	$	10,000.00	
Sin Eyewear	$	1,500.00	
Modern Motor Trimmers	$	500.00	
Subtotal	**$**	**22,000.00**	
Estimated spectator revenue			
Merchandise	$	3,395.00	
Camping	$	72.00	
Stall/market sales	$	8,468.00	
Show and Shine	$	-	
Admin fee	$	1,000.00	
Marquee Hire	$	3,250.00	
Power	$	320.00	
Subtotal	**$**	**16,505.00**	
Total Cash Income	**$**	**78,505.00**	
Cash Expediture	**Total**		
Administration			
Management Fee	$	7,000.00	
Insurance	$	3,833.50	
Travel costs (fuel)	$	430.18	
Fees and Permits	$	-	
Staff Accommodation / Expenses	$	1,390.00	
Casual Staff	$	5,752.50	
Subtotal	**$**	**18,406.18**	
Operational costs			
Venue hire	$	2,950.00	
Camping	$	264.00	
Marquee Hire	$	5,400.00	
Cleaning			
Fencing	$	7,300.00	
Truck hire			
Tables and chairs	$	157.50	
General equipment hire	$	586.43	
Traffic Management	$	8,748.86	
First Aid	$	1,833.00	
Toilets	$	917.00	
VCM Perth Events	$	3,000.00	
Stunt riders	$	12,500.00	
Music/Bands/VCM Entertainment	$	6,870.00	
Stage MC	$	300.00	
Audio Visual	$	2,003.32	
Waste Management	$	480.00	
Dennis Kickett Welcome To Country	$	650.00	
Subtotal	**$**	**53,960.11**	
Marketing and promotions			
Artwork	$	200.00	
Posters and Flyers	$	156.60	
Media Content Filming	$	250.00	
Merchandise	$	3,048.65	
Harley Advertising - Band/Pub	$	500.00	
Newspaper/Local YBD advertising	$	300.00	
Radio advertising	$	1,434.40	
Digital advertising	$	2,000.00	
Subtotal	**$**	**7,889.65**	
Total Cash Expenditure	**$**	**80,255.94**	
Cash Profit / Loss	**$**	**(1,750.94)**	

In-kind contributions			
Item	**Total**		**Notes**
Avon Waste	$	300	
Total	**$**	**300**	

2024 York Motorcycle Festival List

Site Size	Business Name	Stand No
9x3	Coffee Van	
15x4	Harley-Heaven	1
3x3	Festival Merch and Info	2
6x3	Glow Gorgeous Ladies on Wheels	3
9x3	Shannons Insurance	4
9x3	Perth Husqvarna - Gas Gas	5
9x3	CF Moto	6
9x3	Powerhouse Midland	7
9x3	Five Star Yamaha	8
9x3	Kev's Retro Signs	9
2 sites	Perth Harley-Davidson	10A & 10B
6x3	Triumph	11
9x3	Auto Classic Motorrad	12
9x3	Anton's Bratwurst	13
6x3	Hot Jam Donuts	14
6x3	Coffee Van	15
15x3	Black Dog Ride	16
9x3	RAC Insurance Pty Limited	17
12x3	Eni Oils	18
6x3	Helmet House	19
6x3	Clark Johnson & Associates	20
3x3	Aishwarya's Foundation	21
9x3	Rogue Motorcycles	22
6x3	Bikers against child abuse	23
6x3	Retro Moto	24
6x3	WA Women Motorcycle Riders	25





York Motorcycle Festival Stall Holders List

1. **SM Motech/SP Connect – 6m x3m Have allowed 8m**
2. **WA Women Motorcycle Riders/ Helmet Check – 6m x 3m**
3. **Bikers Against Child Abuse – 6m x 3m**
4. **Brenta: Brake Evolution – 6m x 3m**
5. **Rogue Motorcycles – 6m x 3m**
6. **Perth Harley Davidson 6A & 6B – 12m x 3m POWER**
7. **Auto Classic Motorrad – 9m x 3m POWER**
8. **Shogun Motorbike Adventures – 3m x 3m POWER**
9. **Goldfields Sanddrag Association – 6m x 3m POWER**
10. **Footwear Australia – 6m x 3m POWER**
11. **CrossPath - 3m x3m**
12. **Indian Motorcycles - 2 x 9m x 3m sites POWER**
13. **Festival Merch + Info -**
14. **Richaz Barber + Macblends - 3m x 3m POWER**
15. **Khail Tattooer - 3m x 3m POWER**
16. **Macarise Aluminium Parts - 3m x 3m POWER**
17. **Shannons Insurance –**
18. **Glow Gorgeous Ladies on Wheels – 6m x 3m**
19. **Ride for Variety – 3m x 3m**
20. **Ulysses Club – 3m x 3m**
21. **Motorcycle Council of Western Australia Inc – 6m x 3m POWER**
22. **Perth Husqvarna – Gas Gas – 9m x 3m**
23. **Poli Motor Trimming – 3m x 3m**
24. **Antons Bratwurst – 3m x 3m**
25. **Hot Jam Donuts – 6m x 3m**
26. **Black Dog Ride –**
27. **Sin Eyewear Freestyle Moto X –**
28. **Harley Davidson Stunt Track –**
29. **MMT Super Motard Racing Track -**
30. **Town Hall Show n Shine**


.YORK.
MOTORCYCLE FESTIVAL
FREE ENTRY
LOCATED IN THE
TOWN OF YORK!
YORK
MOTORCYCLE
FESTIVAL
WA'S BIGGEST
MOTORCYCLE FESTIVAL!
SUNDAY APRIL 5TH & 6TH
live music
WHATS ON?
APRIL 5TH 4PM ONWARDS
Food trucks
Live music
BMX stunt shows
Kids Entertainment & much more!
APRIL 6TH 10AM ONWARDS
Motorcycle show n shine
Trade Displays
Food trucks
Live Motorcycle Entertainment
SHIRE OF
York
PERTH & ROCKINGHAM
HARLEY-DAVIDSON
SHANNONS
HARDWIRED
ENTERTAINMENT


SHANNONS
.YORK.
MOTORCYCLE FESTIVAL
PERTH & ROCKINGHAM HARLEY-DAVIDSON
VCMPERTH
Vintage Collective
EVENTS
CAMPING AVAILABLE!
YORK MOTORCYCLE FESTIVAL
APRIL 5TH & 6TH
HARDWIRED
ENTERTAINMENT
SHIRE OF
www.yorkmotorcyclefest.com.au


PERTH & ROCKINGHAM HARLEY-DAVIDSON
SHIRE OF York
SHANNONS
·YORK· MOTORCYCLE FESTIVAL
York Motorcycle Festival 2025
EVENT SCHEDULE
6TH APRIL
10:00 AM - 04:00 PM
10:00 AM Show opens
10:30 AM Opening Ceramony
11:00 AM Super Motard Race
11:45 AM Freestyle Motocross
12:30 PM Shannons Giveaway
12:45 PM Harley Davidson Stunts
1:15 PM Super Motard Race
1:45 PM Freestyle Motocross
2:00 PM Show n Shine Presentation
2:30 PM Perth HD Giveaway
2:45 PM Harley Davidson Stunts
4:00 PM Event Closes
YORKMOTORCYCLEFESTIVAL.COM.AU
HARDWIRED ENTERTAINMENT

SY061-06/25 MULTIYEAR FUNDING ACQUITTAL 2024/25 - YORK COMMUNITY RADIO INC. (VOICE OF THE AVON 101.3FM)

File Number:	**4.7711**
Author:	**Sam Good, Manager Community & Place**
Authoriser:	**Rebecca Palumbo, Acting Executive Manager Corporate & Community Services**
Previously before Council:	**22 October 2024 (051024)**
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 received for 2024/25, for funded activities delivered by York Community Radio Inc. (Voice of the Avon 101.3 FM).

BACKGROUND

Policy C3 - Community Funding: Grants and Sponsorship (rescinded March 2025), Policy C4 - Sponsorship of Tourism Events (rescinded March 2025) and Policy C8 – Funding: Grants & Sponsorship (adopted March 2025) provide the parameters for considering applications for Shire financial and in-kind support. 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 (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 a 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 funds were spent.

At its October 2024 Ordinary Meeting Council considered the application for multiyear funding as requested by York Community Radio Inc (YCRI) and resolved (051024):

"That, with regard to the York Community Radio Inc. (Voice of the Avon 101.3FM) - Request for new Multiyear Funding Agreement, Council:

1. ***Receives the request for a multiyear funding agreement from York Community Radio Inc., as presented in confidential Appendix 1.***
2. ***Authorises the Chief Executive Officer to negotiate a multiyear funding agreement with York Community Radio Inc. subject to the following conditions:***
    a. ***The multiyear funding agreement commences in the 2024/25 financial year and expires on 30 June 2027.***
    b. ***Key Performance Indicators aligned to both York Community Radio Inc.'s core operations and the Shire of York's Strategic Community Plan are developed and agreed between both parties.***
    c. ***The amount of sponsorship is provided as milestone payments in accordance with the following table:***

FY	*PER ANNUM*	*MILESTONE PAYMENTS*
2024/25	*$4,000*	*90% November 2024* *10% June 2025 or on receipt of acquittal*
2025/26	*$4,000*	*90% July 2025* *10% June 2026 or on receipt of acquittal*
2026/27	*$4,000*	*90% July 2026* *10% June 2027 or on receipt of acquittal*

3. ***Approves the payment of $4,000 from the Community Funding pool to support the 2024/25 financial year of funding.***
4. ***Requests the Chief Executive Officer to include the amounts detailed in the table above in the 2025/26 and 2026/27 budgeting process.***
5. ***Authorises the Chief Executive Officer to make any minor typographical and formatting changes to the multiyear funding agreement prior to signing.***
6. ***Authorises the Shire President and Chief Executive Officer to endorse the final multiyear funding agreement."***

COMMENTS AND DETAILS

Council invested a total of $4,000 (ex GST) in 2024/25 to support YCRI in the continued delivery of broadcasting activities, with the specific objectives of promoting York as a positive, active and involved community and assisting the Shire in meeting its community, corporate and business goals.

In the delivery of these outcomes YCRI undertook the following activities:

1. The provision of free daily entertainment and local community information for those living throughout the Shire of York and the wider Avon Valley and Central Wheatbelt on FM radio, and worldwide by streaming.
2. Live outdoor broadcasts at the Australia Day breakfast, York Agricultural Show, Antiques and Collectables Fair.
3. Promotion of festivals and community events supported by the Shire of York.
4. Regular on-air interviews with the Shire CEO and Shire President on the "Monday with L-A" program at 10.30am; providing opportunity to further community's understanding of Shire activities and how local government works. This has been well received and appreciated by listeners.

5. The Shire of York is acknowledged for its contribution to YCRI through social media, media releases, letters to supporters, the Voice of Avon website, Annual Reports, Treasurer's Reports, reports to members at public meetings and newsletters and promotional material including flyers and brochures.

A key lesson learnt, reported by YCRI, is the value the Shire's funding offers, enabling YCRI to provide timely and relevant community information as a free service to listeners, especially for local not-for-profit groups.

YCRI total expenditure for 2024/25 was $19,507.78. Against these costs, $15,211.24 was raised primarily through sponsorship from local businesses and the Shire of York. This is the first year of funding under the new MFA.

It should be noted that in accordance with prior Council Resolutions, the Shire further supports YCRI with the provision of leased premises at 26 Barker Street, York for a peppercorn rental of $1 per annum and annual rates exemption. YCRI remain responsible for the Emergency Service Levy, rubbish collection charges and all maintenance costs under the terms of the lease.

YCRI's acquittal, including Treasurer's report and Financial Statement is presented in Appendix 1.

OPTIONS

Council has the following options:

Option 1: Council could choose to accept the acquittal report from YCRI.

Option 2: Council could choose not to accept the acquittal report from YCRI.

Option 3: Council could choose to seek further details from YCRI.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

YCRI

Debrief with Shire Officers

Strategic

Council Plan 2025-2035

Pillar 1: Community and cultural vitality

A strong, inclusive community supporting all cultures and generations.

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance.

Policy Related

C3 Community Funding; Grants & Sponsorship (rescinded March 2025)

C4 Sponsorship of Tourism Events (rescinded March 2025)

C8 Funding: Grants & Sponsorship (adopted March 2025)

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 funded organisations. However, this approach would need to be provided as part of a review of the overall community funding program and engagement options to consult with the community identified as part of this process prior to the inclusions being implemented.

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 MFA and policy requirements including acceptance of acquittals through resolution provides acceptable treatment controls to manage the risks identified.

Workforce

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

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION
070625

Moved: Cr Chris Gibbs **Seconded: Cr Peter Wright**

That, with regard to the Multiyear Funding Acquittal 2024/25 - York Community Radio Inc. (Voice of the Avon 101.3FM), Council:

1. **Accepts the acquittal report received from York Community Radio Inc. (Voice of the Avon 101.3FM), 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

SHIRE OF YORK, WESTERN AUSTRALIA

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.

Club / Group membership increases (if applicable)

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

Community Led Initiative

Organisation name (name of group funded):

York Community Radio Inc. (Voice of the Avon 101.3FM)

Date funding was granted:

February 2025

Date project was delivered:

Ongoing over three years 2025/26/27

Describe the key outcomes of your project:

Providing daily entertainment and information to our community in the Avon Valley and into the Central Wheatbelt 24/7 on FM Radio, and world wide by streaming our output.

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

The importance of bringing timely and relevant community information as a valued free service to our listening audience, especially from local Not For Profit groups, with the assistance of this funding.

How many people benefitted from your project?

Unknown, but a widespread listening audience.

Attendance numbers N/A

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

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

Local outdoor broadcasts at Australia Day Breakfast, the York Agricultural Show, and the Antiques & Collectibles Fairs.

Other We consider it of value to assist other groups within our community by promoting local events, festivals, and especially events supported by the Shire of York. Weseek sponsorship from local businesses so that we can promote local commerce. etc.

How was the Shire of York acknowledged throughout this project?

SHIRE OF YORK, WESTERN AUSTRALIA

✓. Annual Report ✓. Social Media ✓. Letters to supporters

✓. Media release ✓. Newsletters, flyers, brochures ✓. Signage

✓. Website ✓. Speeches

✓. Other: Reports to members at public meetings.

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 organisation 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 also attached sheets

INCOME	AMOUNT ($)
ITEM/PROGRAM/PROJECT COSTS	
Maintenance, replacement and upgrading all equipment and the studios to enable	
FM broadcasting and internet streaming of 24/7 programming;	
Mandated membership of professional bodies;	
Payment of mandated licences	
SUBTOTAL	
In Kind Support	
Volunteer workforce – presenters, Management Committee etc.	
SUBTOTAL	
FUNDING AMOUNT FROM SHIRE OF YORK	**$4 400.00**
TOTAL INCOME	
** PLEASE SEE FINANCIAL OVERVIEW / STATEMENT THAT ACCOMPANIES THIS FORM.	

EXPENDITURE	AMOUNT ($)
ITEM/PROGRAM/PROJECT COSTS	
The running of the radio station, The Voice of the Avon 101.3FM, and all its services -	
Payment of broadcasting licences, mandatory membership of professional bodies;	
The upgrading and maintenance of the equipment used and studios required, located	
At 26 Barker Street, York.	
SUBTOTAL	
In Kind Support	

SHIRE OF YORK, WESTERN AUSTRALIA	
All members of the Committee of Management and all presenters are volunteers and	
Give a great deal of their time to ensure the radio station runs effectively.	
SUBTOTAL	
TOTAL EXPENDITURE	

Declaration

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

. 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: Lesley-Ann Hoare Position Held: Treasurer, Voice of the Avon 101.3FM

Date: 29.05.25

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

VotA Expenditure of Shire of York Grant during 2024/25

Community Radio is a great way of providing a vital communication tool to all the residents in the Avon Valley and Central Wheatbelt. This is particularly so in times of crisis, when roads are closed or residents are at risk from bushfire or vehicular trauma.

As is always the case, the costs associated with running the station are many. Naturally, this includes electrical power and Internet supply to be able to broadcast, Broadcasting Licence and Membership of official community broadcasting associations, (CBAA & ACMA), maintenance of all equipment at the studio, of equipment necessary for outside broadcasting (the 'tie line') and at the antenna on the hill, Mt Bakewell (Walwalling). The studios have to be secure and insurance paid to cover the equipment and liability of those who work as presenters and maintaining the service – all of whom are volunteers. We have both Public Liability and Professional Broadcasting Liability. Last year, in March, we introduced the payment of a $100/month Honorarium to a Technical Officer, who donated much of his time, on call day and night, to keep us on air. This has continued throughout the Financial Year, 24/25.

In July 2024 the York Community Radio Inc. celebrated its 30th Anniversary. We recognised it with a dinner at Faversham House for all who are and were involved in providing this service to our community. This was quite expensive, as we offered free tickets to those who are or were presenters and a discounted price for their partners. We believed that after many years of volunteering, it was appropriate to recognise the support these people had given to the Voice of the Avon.

A recent change in presentation is a regular on-air interview of the Shire CEO and the Shire President on the 'Monday with L-A' program. This happens around 10.30am on Mondays, Week 3 for the CEO and Week 4 for the President, enabling people to find out what is happening in the Shire of York and an opportunity to further people's understanding of how local government works. It has become well listened to and appreciated. We also include Community Service Announcements of activities in our district. (att.) Also attached is a spreadsheet showing income and expenditure, and the Shire acquittal form.

A breakdown of our Income / Expenditure (by month) and Expenditure by Category is as follows:

MONTH	INCOME ($)	EXPENDITURE ($)
JULY 2024	1 673.16	1 783.72
AUGUST 2024	921.14	4 476.05
SEPTEMBER 2024	3 899.44	955.37
OCTOBER 2024	25.89	175.35
NOVEMBER 2024	2 576.79	1 249.15
DECEMBER 2024	608.53	253.72
JANUARY 2025	172.97	582.66
FEBRUARY 2025	4739.13	166.59
MARCH 2025	140.97	3948.20
APRIL 2025	73.48	620.43
MAY 2025	25.53	5296.54
JUNE 2025	354.11	Nil to date
TOTALS	**$15 211.24**	**$19 507.78**

L-A Hoare, Treasurer 8 June, 2025

VotA Expenditure of Shire of York Grant during 2024/25

CATEGORY	AMOUNT ($)
ATO	174.00
Advertising / Promotion (Blue tree)	187.48
Electricity (Synergy)	2 593.28
Equipment (Sundry) (Pigeon Holes)	150.00
Function Costs (30th Anniversary Dinner, AGM, etc.)	3 338.65
Health & Safety (Chair mats, Movt Lights, Cleaning)	312.68
Internet / Telephone (Incl new website)	1 676.51
Insurance	4 592.96
Kitchen etc. Consumables	222.12
Licence (Broadcasting – Gen. P.A)	47.00
Postage (Incl. renewal of PO Box)	201.00
Printing & Stationery	86.43
Rates (Rubbish) & Land Taxes (Rental)	381.10
Repairs & Maintenance (Incl. I/T Honorarium)	1 519.76
Security	257.40
Subs & Memberships (CBAA, ACMA/AMCOS)	3 733.58
Water	33.83
TOTAL EXPENDITURE	**$19 507.78**

These are essential expenditures to keep York Community Radio Inc. on air and broadcasting as The Voice of the Avon, 101.3FM.

The total expenditure for 2024/25 (to date) is **$19 507.78.** Against these costs we raised **$15 211.24** in the financial year 2024/25, mainly through sponsorship by local businesses, and including the $4 000 support given per annum by the Shire of York, under our Multi Year Funding Agreement, which we have just renewed.

Whilst it can be argued that the Shire should not be responsible for some of these costs, they are well above the donation made by the Shire and we consider that they are necessities, all adding to the ability to broadcast through the Avon Valley and into the Central Wheatbelt. These days, with streaming, we have audiences around the globe.

We also greatly appreciate the generosity of the Shire of York in allowing us to use the building at a peppercorn rent and are aware that, under the terms of the lease, we are fully responsible for its maintenance, including payment of the Rubbish Rates.

L-A Hoare, Treasurer 8 June, 2025

YORK COMMUNITY RADIO INC. - THE VOICE OF THE AVON 101.3FM
INCOME/EXPENDITURE FOR FINANCIAL YEAR 2024/25

INCOME 2024/25	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL	Ave p.m.
Sales - Memberships	$ 730.00	$ 100.00	$ 120.00			$ 30.00	$ 40.00		$ 60.00				$ 1,080.00	$90.00
Sales - sponsorships	$ 330.00	$ 165.00	$ 3,750.98		$ 2,550.00	$ 550.00	$ 100.00	$ 415.00	$ 50.00			$ 330.00	$ 8,240.98	$686.75
Sales - Other	$ 385.00	$ 140.00											$ 525.00	$43.75
Donations	$ 200.00	$ 25.00											$ 225.00	$18.75
Grants								$ 4,290.00					$ 4,290.00	$357.50
ATO		$ 462.00								$ 44.00			$ 506.00	$42.17
Interest received	$ 28.16	$ 29.14	$ 28.46	$ 25.89	$ 26.79	$ 28.53	$ 32.97	$ 34.13	$ 30.97	$ 29.48	$ 25.63	$ 24.11	$ 344.26	$28.69
Total Income	**$ 1,673.16**	**$ 921.14**	**$ 3,899.44**	**$ 25.89**	**$ 2,576.79**	**$ 608.53**	**$ 172.97**	**$ 4,739.13**	**$ 140.97**	**$ 73.48**	**$ 25.63**	**$ 354.11**	**$ 15,211.24**	$1,267.60
GST														$0.00
EXPENSES . 2024/25													$	
ATO										$ 174.00			$ 174.00	$14.50
Advertising & Promotion					$ 187.48								$ 187.48	
Bank Fees & Charges													$ -	$0.00
Depreciation - Plant													$	
Electricity	$ 526.24		$ 188.93		$ 526.69		$ 145.90		$ 683.24		$ 522.28		$ 2,593.28	$216.11
Function Costs		$ 2,875.00	$ 203.38				$ 41.94		$ 218.33				$ 3,338.65	$278.22
Equipment - sundry					$ 150.00								$ 150.00	$12.50
Gardening													$ -	$0.00
Health & Safety					$ 135.00				$ 125.00	$ 52.68			$ 312.68	$26.06
Internet/Phone	$ 29.05	$ 1,004.25	$ 63.06	$ 63.34	$ 60.73	149.72	$ 68.13	$ 60.58	$ 45.58	$ 61.75	$ 70.32		$ 1,676.51	$139.71
Insurance											$ 4,592.96		$ 4,592.96	$382.75
Kitchen Cons	$ 42.20	$ 69.23			$ 47.70		$ 62.99						$ 222.12	$18.51
Licences										$ 47.00			$ 47.00	$3.92
Postage			$ 20.00							$ 181.00			$ 201.00	$16.75
Printing & Stationery					$ 40.45		$ 35.00				$ 10.98		$ 86.43	$7.20
Rates & Land taxes			$ 380.00		$ 1.10								$ 381.10	$31.76
Repairs & Maintenanc	$ 100.00	$ 519.76	$ 100.00	$ 100.00	$ 100.00	$ 100.00	$ 100.00	$ 100.00	$ 100.00	$ 100.00	$ 100.00		$ 1,519.76	$126.65
Security	$ 128.70						$ 128.70						$ 257.40	$21.45
Subs & Memb	$ 957.53								$ 2,776.05				$ 3,733.58	$311.13
Telephone													$ -	$0.00
Water		$ 7.81		$ 12.01		$ 4.00		$ 6.01		$ 4.00			$ 33.83	$2.82
Total Expenses	**$ 1,783.72**	**$ 4,476.05**	**$ 955.37**	**$ 175.35**	**$ 1,249.15**	**$ 253.72**	**$ 582.66**	**$ 166.59**	**$ 3,948.20**	**$ 620.43**	**$ 5,296.54**		**$ 19,507.78**	$1,625.65
GST PAID													$ -	$0.00
Profit from ordinary activities														$0.00
before income tax														$0.00
Income tax revenue relating														$0.00
to ordinary activities														
Net Profit attributable														
to the Association														

LESLEY-ANN HOARE, TREASURER 8.06.2025

RECENT LIVE INTERVIEWS ON VOICE OF THE AVON

Live interviews 'on air' always offer the listening audience something new to listen to. I am especially keen to interview representatives of local government bodies in the district to enable local residents to find out what is going on in their Shires. This is particularly helpful for the Local Government Authorities (York, Northam etc.) to let their ratepayers know what is happening with the rates they pay, what plans the LGA has for the immediate and long term future.

Local and visiting artists are always welcome too, to talk about their work and professional history, as are authors or performers. All add to the quality of life in the local rural community.

DATE	INTERVIEWEE	REPRESENTING	INTERVIEWER
26.05.25	Cr Kevin Trent	Shire of York	Lesley-Ann
19.05.25	Simon Nevill	Wildflower specialist/Author	Lesley-Ann
19.05.25	Alina Behan	Shire of York	Lesley-Ann
17.05.25	Will Shepherd	Musician	Lesley-Ann
5.05.25	Alina Behan	Shire of York	Lesley-Ann
28.04.25	Cr Kevin Trent	Shire of York	Lesley-Ann
26.04.25	Don Blue	Musician	Rhonda
21.04.25	Rupert Guenther	Musician	Lesley-Ann
14.04.25	Linden Mellor	Shire of York	Lesley-Ann
5.04.25	Mark Kont	Musician	Rhonda
31.03.25	Cr Kevin Trent	Shire of York	Lesley-Ann
27.01.25	Cr Kevin Trent	Shire of York	Lesley-Ann
21.12.24	Matt Angel	Musician	Rhonda
17.12.24	Cr Chris Antonio	Shire of Northam	Lesley-Ann
17.12.24	Cr Kevin Trent	Shire of York	Lesley-Ann
26.10.24	Craig Skelton	Musician	Tonks (Allen Tonkin)

Lesley-Ann Hoare

Presenter, Voice of the Avon 101.3FM

Voice of the Avon
101.3 FM
PO Box 465 YORK W.A. 6302

Community Service Script

NFP Organisation	SHIRE OF YORK – VISITOR CENTRE		
Earliest START Date	12.05.25	**END Date**	12.06.25
6	Live Read		
Duration		**NFP Contact Person**	

YORK VISITOR CENTRE

Have you taken the time to call in to the Visitor Centre here in York?
Located just inside the York Town Hall is a nationally accredited tourism business, open 7 days a week and most public holidays, from 9.30am to 4.00pm.
In the Centre are staff ready to help with local knowledge and expertise.
There are destination brochures outlining festivals, events and local attractions.
Maps, souvenirs and publications are available, as well as local produce and gifts.

AND, it's the *TransWA Bus Service* Booking Agent.

Call in and find out wildflower, canola and seasonal information! For more information, call 9641 1301, or check out the website: www.visit.york.wa.gov.au.

101.3fm – supporting our community

Voice of the Avon 101.3 FM
PO Box 465 YORK W.A. 6302

Community Service Script

NFP Organisation	**York Festival / Shire of York**		
Earliest START Date	19/05/25	**END Date**	23/05/25
Voice:	Live Read		
Duration		**NFP Contact Person**	

THE YORK REGIONAL WRITERS' WEEKEND

A celebration of writing in all its forms: writing prose, poetry, songs or drama. Workshops in all these forms are being run in various locations throughout York starting on Friday 23 May until Sunday 25 May, 2025.

As well as these workshops, there will also be 'Meet the Author' sessions, Book launches, Exhibitions and theatre performances.

Check out <yorkfestival.com.au> for further information and a timetable of all activities – times and locations.
Come along, join in and find out new skills!!

101.3fm – supporting our community

Sighted & Approved .... Date:...19/05/25 ....

Voice of the Avon
101.3 FM
PO Box 465 YORK W.A. 6302

Community Service Script

NFP Organisation	York Antiques & Collectables Fair		
Earliest START Date	31.03.25	**END Date**	19.04.25
Voice:	Live Read		
Duration		**NFP Contact Person**	RON 0409 680 982

YORK ANTIQUES & COLLECTABLES EASTER FAIR

If you're going to be in York over the Easter weekend, (19 & 20 April)
I'm sure you'll enjoy coming to the **Town Hall** on Saturday and Sunday for the
York Antiques and Collectables Fair.
It's only $5 entry, and accompanying children are free!
With all the stalls in the Town Hall you just might find a real bargain!
If you want to know more, contact the coordinator, Ron Macey,
on 0409 680 982

101.3fm – supporting our community

Sighted & Approved: Date: 31.03.25

SY062-06/25 MULTIYEAR FUNDING ACQUITTAL 2024/25 - RSL YORK SUBBRANCH

Disclosure of Interest – Cr Trent – Financial – Multiyear Funding Acquittal 2024/25 - RSL York Subbranch

Cr Trent read the Financial Declaration - … With regard to Multiyear Funding Acquittal 2024/25 - RSL York Subbranch, the matter in Item SY062-06/25, I disclose that I have an association with the applicant (or person seeking a decision). The association is I am President of the York Subbranch RSL. As a consequence, I will leave the meeting.

At 5:58pm, Cr Kevin Trent left the meeting.

Cr Denis Warnick, Deputy President, assumed the Chair.

An Addendum to this report was released on 23 June 2025, altering the Officer's Recommendation.

File Number:	**4.7711**
Author:	**Sam Good, Manager Community & Place**
Authoriser:	**Rebecca Palumbo, Acting Executive Manager Corporate & Community Services**
Previously before Council:	**27 August 2024 (130824)**
Disclosure of Interest:	**Nil**
Appendices:	**1. Acquittal Report ⇩** **2. Addendum released 23 June 2025 ⇩**

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

This report presents the acquittal received for 2024/25 for funded activities delivered by RSL York Subbranch.

BACKGROUND

Policy C3 - Community Funding: Grants and Sponsorship (rescinded March 2025), Policy C4 - Sponsorship of Tourism Events (rescinded March 2025) and Policy C8 – Funding: Grants & Sponsorship (adopted March 2025) provide the parameters for considering applications for Shire financial and in-kind support. 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 (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 a 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 funds were spent

At its August 2024 Ordinary Meeting Council considered the application for multiyear funding as requested by the RSL York Subbranch and resolved (130824):

"That, with regard to the Request for new Multiyear Funding Agreement - York RSL, Council:

1. ***Receives the request for multiyear funding from the York Returned Services League, as presented in confidential Appendix 1.***
2. ***Requests the Chief Executive Officer to negotiate a multiyear funding agreement with the York Returned Services League under the following conditions:***
   a. ***The Agreement will be in place from 1 July 2024 and expire on 30 June 2027.***
   b. ***The amount of sponsorship will be provided in accordance with the table below:***

FINANCIAL YEAR	*SPONSORSHIP*	*FIRST PROGRESS PAYMENT (80%)*	*FINAL PAYMENT ON ACQUITTAL (20%)*
2024/25	*$3,500 ex GST*	*September 2024*	*1 June 2025 or earlier upon successful acquittal*
2025/26	*$3,500 ex GST*	*July 2025*	*1 June 2026 or earlier upon successful acquittal*
2026/27	*$3,500 ex GST*	*July 2026*	*1 June 2027 or earlier upon successful acquittal*

   c. ***Payment will be subject to all milestone conditions of the Agreement being met on an annual basis.***
3. ***Authorises the Chief Executive Officer to make any necessary minor typographical and formatting changes to the multiyear funding agreement prior to signing.***
4. ***Authorises the Shire President and Chief Executive Officer to engross the final multiyear funding agreement.***
5. ***Directs the Chief Executive Officer to include the above agreed amounts in the 2024/25 - 2026/27 budgeting process."***

COMMENTS AND DETAILS

Council invested a total of $3,500 (ex GST) in 2024/25 to support RSL York Subbranch in the continued delivery of annual ANZAC Day and Remembrance Day commemorative activities, with the specific objectives of promoting York as a positive, active and involved community and assisting the Shire in meeting its community, corporate and business goals to facilitate community led initiatives and to support civic and community events.

The key outcome for the RSL York Subbranch is to continue the long-standing tradition (about 105 years) of acknowledging the service of Australian men and women who gave service in the defence of Australia, starting with the landing at Gallipoli in 1915. Western Australia was amongst the first states to do this in 1919.

In the delivery of these objectives the RSL York Subbranch report the following activities and outcomes:

1. ANZAC Day Services including:
    - Dawn Service at Wongborel/Mount Brown (60–80 attendees).
    - The Gunfire Breakfast at the RSL Hall (90–100 attendees).
    - ANZAC Day march from the RSL Hall.
    - ANZAC Day service at York War Memorial.
2. In addition to the above services, community engagements undertaken included:
    - A Service at Ballardong Nursing Home led by RSL members.
    - Attendance at York District High School's service by the RSL President.
    - The inclusion of the High School Cadets as flag bearers, and the delivery of speeches by the YDHS Captains at the memorial service.
    - The inclusion of local Police, Fire Services and Ambulance Offices in the ANZAC Day march.
    - York Swimming Club and the York Men's Shed assistance at events.
3. Total attendees across these events are estimated at 250-300 people. The community responded well to the events and the RSL York Subbranch have received offers of support for 2026 activities.
4. The Shire of York is acknowledged for its contribution to the RSL York Subbranch through social media, in speeches, on signage, the Order of Service and in flyers. Flyers were displayed in many of the businesses on Avon Terrace. 250 copies of the Order of Service were printed, of which 240 were distributed. Signage acknowledging the support of the Shire of York was displayed at the RSL Hall during and after the Gunfire Breakfast.
5. Key lessons learnt, as reported by the York RSL are:
    - No matter how much information is disseminated, you cannot reach the whole population.
    - Even with road closures and police escorts, traffic movements are impossible to predict and control. Estimating traffic management costs has become increasingly difficult as it is not possible to use previous years' expenses as a guide due to inflation. Traffic control expenses which were initially estimated to the value of $4,500, ended up being $5,890.50. The RSL York Subbranch have included this overrun amount as an expense against Shire of York funding for Council consideration.

In Summary:

Lotterywest funding, managed directly through RSLWA, provided funding for traffic control, foodstuffs for the Gunfire Breakfast and for wreaths. This totalled $6,980.22, resulting in an overrun of $894.42.

The RSL York Subbranch have included this overrun amount in the expenses against the Shire of York funding of $3,500. However, the total expenditure was still only $3,314.42 (ex GST), representing an underspend of $185.58. This may be reconciled by reducing the final milestone payment of 20% to $514.42 (ex GST).

The RSL York Subbranch's acquittal report for 2024/25, including a breakdown of respective expenses, is presented in Appendix 1.

OPTIONS

Council has the following options:

Option 1: Council could choose to accept the acquittal report received from the RSL York Subbranch.

Option 2: Council could choose not to accept the acquittal report received from the RSL York Subbranch.

Option 3: Council could choose to seek further details from the RSL York Subbranch.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

RSL York Subbranch

Debrief with Shire Officers

Strategic

Council Plan 2025-2035

Pillar 1: Community and cultural vitality

A strong, inclusive community supporting all cultures and generations.

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance.

Policy Related

C3 Community Funding; Grants & Sponsorship (rescinded March 2025)

C8 Funding: Grants & Sponsorship (adopted March 2025)

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 funded organisations. However, this approach would need to be provided as part of a review of the overall community funding program and engagement options to consult with the community identified as part of this process prior to the inclusions being implemented.

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 MFA and policy requirements including acceptance of acquittals through resolution provides acceptable treatment controls to manage the risks identified.

Workforce

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

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION
080625

Moved: Cr Peter Wright **Seconded: Cr Denese Smythe**

That, with regard to the Multiyear Funding Acquittal 2024/25 - RSL York Subbranch, Council:

1. **Accepts the acquittal report received from the RSL York Subbranch, as presented in Appendix 1 and the Addendum released 23 June 2025 presented in Appendix 2.**
2. **Notes the total value of funding for the RSL York Subbranch for 2024/25 is reduced to $2,420 (ex GST) based on actual expenditure.**
3. **Requests the Chief Executive Officer to withhold the RSL York Subbranch's final milestone payment and to invoice the RSL York Subbranch for $380 (ex GST) to reconcile the unspent funds.**

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

Against: **Nil**

CARRIED 5/0

At 5:59pm, Cr Kevin Trent returned to the meeting and resumed the Chair.

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):

Anzac Day 2025

Organisation Name (name of group funded):

York Sub Branch RSLWA

Date funding was granted:

31 Jan 2025

Date project was delivered:

25 Apr 2025

Describe the key outcomes of your project: Delivered the long standing tradition (about 105 years) of commemorating the Service of Australian men & women whose gave service in the defence of Australia starting with the landing at Gallipoli in 1915. WA was among the first states to do this in 1919

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

- Assessing costs especially road closures is difficult. It is not possible to use previous cost as a guide.
- Even with road closures & a police escort traffic movement is impossible to totally control.
- The community responded well. With offers of support for 2026

How many people benefited from your project?

250 - 300

Attendance numbers

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

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

Other 1. Dawn Service (Mt Brown) - Approx 60 - 80 people attended.
2 Campfire breakfast at RSL Hall 90-100 attended
3. RSL Members led a service at Ballanding Nursing Home
4 RSL President attended service at York DHS
5 School cadets were flag bearers. School captains gave speeches at service at WW1 Memorial.

6. Emergency Services attended service and the March.

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 you organisation spend all sponsorship funds granted? If not, why?

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	$ 3,500.00
TOTAL INCOME	**$** 3,500.00

ITEM/PROGRAM/PROJECT COSTS	
QTM Road closure plan	1,320.00
York Swimming Club Set up/pack up equipment (service)	500.00
Order of Service x 250	150.00
Cost overrun: Road Closures for the March.	894.42
SUBTOTAL	$ 2,864.42
In Kind Support	
Men's Shed BBQ + 4 + 4 volunteer servers	200.00
Audio equipment & lighting (dawn service)	200.00
Avon waste - extra bins (drop off & pick up)	50.00
SUBTOTAL	$ 450.00
TOTAL EXPENDITURE	$3,314.42

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: MAUREEN TRENT M Trent Position Held: TREASURER

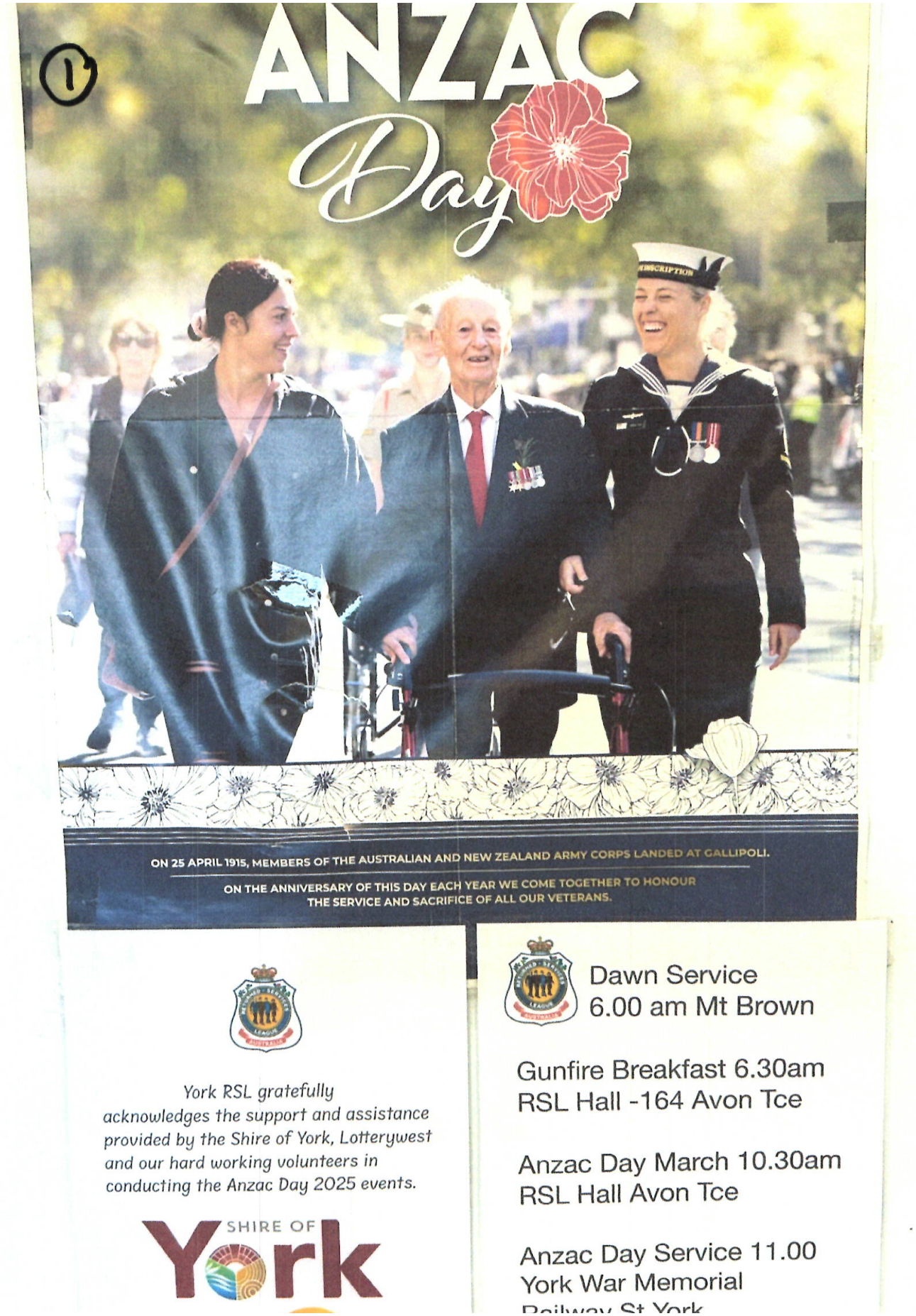
Date: 23 May 2025

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

Overall lotterywest grant $6085.20 - included food (Gorgie B' fest) wreaths, road closures)

overall expenditure $6980.22

claimed as part of road closure overrun $ 894.42


ANZAC
Day
ON 25 APRIL 1915, MEMBERS OF THE AUSTRALIAN AND NEW ZEALAND ARMY CORPS LANDED AT GALLIPOLI.
ON THE ANNIVERSARY OF THIS DAY EACH YEAR WE COME TOGETHER TO HONOUR THE SERVICE AND SACRIFICE OF ALL OUR VETERANS.
York RSL gratefully acknowledges the support and assistance provided by the Shire of York, Lotterywest and our hard working volunteers in conducting the Anzac Day 2025 events.
SHIRE OF York
Dawn Service
6.00 am Mt Brown
Gunfire Breakfast 6.30am
RSL Hall -164 Avon Tce
Anzac Day March 10.30am
RSL Hall Avon Tce
Anzac Day Service 11.00
York War Memorial

GOD DEFEND NEW ZEALAND

God of Nations at Thy feet,
In the bonds of love we meet,
Hear our voices, we entreat,
God defend our free land.
Guard Pacific's triple star
From the shafts of strife and war,
Make her praises heard afar,
God defend New Zealand.

ADVANCE AUSTRALIA FAIR

Australians all let us rejoice, for we are one and free
We've golden soil and wealth for toil, our home is girt by sea.
Our land abounds in nature's gifts of beauty rich and rare
In history's page let every stage Advance
Australia Fair In joyful strains then let us sing
Advance Australia Fair.

DISMISS: Parade Marshall Roger Croucher will dismiss the parade

The York Sub Branch RSLWA thank the following community groups for their support for Anzac Day

- **The York Swimming Club**
- **York District High School**
- **York Men's Shed**

ANZAC DAY
YORK SUB BRANCH
ORDER OF SERVICE
2025

The price of liberty is eternal vigilance

3

York RSL gratefully
acknowledges the support and assistance
provided by the Shire of York, Lotterywest
and our hard working volunteers in
conducting the Anzac Day 2025 events.

SHIRE OF York

lotterywest supported

ADDENDUM

SY062-06/25 – Multiyear Funding Acquittal 2024/25 – RSL York Subbranch

Following the release of the June 2025 Council Agenda, the RSL York Subbranch made contact to advise it had been successful in securing additional funding from Lotterywest, through RSLWA, to cover cost overruns associated with traffic management expenses incurred in the last financial year.

Summary

In the acquittal report presented in Appendix 1, the RSL York Subbranch explained how traffic management and road closure costs associated with the delivery of ANZAC Day celebrations had exceeded their estimates and the funding provided by Lotterywest for those activities.

The RSL York Subbranch had initially requested this overrun amount of $894.42 be included as an expense against the Shire of York's annual funding of $3,500 (ex GST) through the current multiyear agreement. However, correspondence received from the RSL York Subbranch's Treasurer, dated 19 June 2025, advises that Lotterywest will now be covering this amount necessitating the following changes to the expenditure and recommendation to Council.

Financial Breakdown

- The RSL York Subbranch receive $3,500 (ex GST) annually in accordance with the Multiyear Funding Agreement.
- To date the RSL York Subbranch have received the first milestone payment of 80% being $2,800 (ex GST) for 2024/25.
- Against this, the RSL York Subbranch now report a revised **total expenditure of $2,420.**
- This represents an overall underspend of $1,080, which may be reconciled by withholding the final 20% milestone payment of $700 and invoicing the RSL Subbranch for the return of $380.

As the agenda has been distributed there is a requirement to update the Recommendation to Council. The new Recommendation is as follows:

RECOMMENDATION

That, with regard to the Multiyear Funding Acquittal 2024/25 - RSL York Subbranch, Council:

1. **Accepts the acquittal report received from the RSL York Subbranch, as presented in Appendix 1 and the Addendum released 23 June 2025 presented in Appendix 2.**
2. **Notes the total value of funding for the RSL York Subbranch for 2024/25 is reduced to $2,420 (ex GST) based on actual expenditure.**
3. **Requests the Chief Executive Officer to withhold the RSL York Subbranch's final milestone payment and to invoice the RSL York Subbranch for $380 (ex GST) to reconcile the unspent funds.**

SY063-06/25 MULTIYEAR FUNDING ACQUITTAL 2024/25 - YORK SOCIETY INC

Disclosure of Interest – Cr Trent – Financial – Multiyear Funding Acquittal 2024/25 - York Society Inc

Cr Trent read the Financial Declaration - … With regard to Multiyear Funding Acquittal 2024/25 - York Society Inc, the matter in Item SY063-06/25, I disclose that I have an association with the applicant (or person seeking a decision). The association is I am a member of the York Society. As a consequence, I will leave the meeting.

At 6:01pm, Cr Kevin Trent left the meeting.

Cr Denis Warnick, Deputy President, assumed the Chair.

Disclosure of Interest – Cr Smythe – Impartial – Multiyear Funding Acquittal 2024/25 - York Society Inc

Cr Smythe read the Impartiality Declaration - … With regard to Multiyear Funding Acquittal 2024/25 - York Society Inc, the matter in Item SY063-06/25, I disclose that I have an association with the applicant (or person seeking a decision). The association is I am a member of the York Society Inc. As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.

File Number:	**4.7711**
Author:	**Sam Good, Manager Community & Place**
Authoriser:	**Rebecca Palumbo, Acting Executive Manager Corporate & Community Services**
Previously before Council:	**23 May 2023 (100523)**
Disclosure of Interest:	**Nil**
Appendices:	**1. President's Correspondence ⇩** **2. Acquittal Report ⇩**

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

This report presents the acquittal from York Society Inc (YSI) for 2024/25, Year Two of its current Multiyear Funding Agreement (MFA).

BACKGROUND

Policy C3 - Community Funding: Grants and Sponsorship (rescinded March 2025), Policy C4 - Sponsorship of Tourism Events (rescinded March 2025) and Policy C8 – Funding: Grants & Sponsorship (adopted March 2025) provide the parameters for considering applications for Shire financial and in-kind support. Two rounds of sponsorship are opened to the community each year for a minimum four-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 new MFA for the YSI was considered by Council at its May 2023 Ordinary Meeting where it resolved (100523):

"That, with regard to The York Society - Request for a New Multiyear Funding Agreement 2023-2026, Council:

1. Receives the request for multiyear funding from The York Society, as presented in confidential Appendix 1.

2. Requests the Chief Executive Officer to negotiate a multiyear funding agreement with The York Society under the following conditions:

a. The Agreement will commence on 1 July 2023 and expire on 30 June 2026.

b. The amount of sponsorship will be a maximum of $10,000 per annum (plus GST) in accordance with the table below:

FY	*ACTIVITY*	*REQUEST*	*PROPOSED (PER ANNUM)*	*MILESTONE PAYMENTS*
2023/24	*2023/24 FY York Photographic Awards, York Art & Craft Awards and continued support of the York Research and Archive Centre*	*$10,000*	*$10,000*	*80% July 2023 & 20% October 2023*
2024/25	*2024/25 FY York Photographic Awards, York Art & Craft Awards and continued support of the York Research and Archive Centre*	*$10,000*	*$10,000*	*80% July 2024 & 20% October 2024*
2025/26	*2025/26 FY York Photographic Awards, York Art & Craft Awards and continued support of the York Research and Archive Centre*	*$10,000*	*$10,000*	*80% July 2025 & 20% October 2025*

c. Payment will be subject to all conditions of the Agreement being met on an annual basis.

3. Authorises the Shire President and the Chief Executive Officer to engross the final Agreement.

4. Directs the Chief Executive Officer to include the agreed amounts in the 2023/24 – 2025/26 budget processes."

The acquittal for 2023/24, the first year under the new MYA, was presented to Council at its February 2025 Ordinary Meeting where it resolved (100225):

"That, with regard to Multiyear Funding Agreement Acquittal - York Society Inc, Council:

1. ***Accepts the acquittal report from the York Society Inc, as presented in Appendices 1 and 2."***

COMMENTS AND DETAILS

As per Resolution 100523 and the terms of the YSI's current MFA, funding from the Shire of York is specifically intended for delivery of the York Art and Craft Awards and Photographic Awards annually and for the continued support of the York Research and Archives Centre.

In its 2023/24 acquittal (Resolution 100225), the YSI advised it had to cancel the annual Photographic Awards due to COVID affecting key members required to deliver the event, and in line with the existing MFA used the allocated funds to support the Research and Archive Centre activities.

The YSI's report for this financial year includes correspondence from its President detailing the Management Committee's decision to cancel the Photographic Awards for 2024/25 and ongoing as it is no longer a viable proposition. Difficulty in obtaining sufficient sponsorship for prizes, a diminishing and aging cohort of volunteers, and diminished financial return for the effort expended being contributing factors. Consideration was given to combining the Photographic and Art and Craft Awards, but this was again deemed problematic with obtaining sponsors.

After much consideration the YSI's Management Committee have decided to discontinue the Art and Craft Awards but intend to register the name "York Photographic Awards" for possible future use by the YSI should its capacity improve in the future.

The YSI will reallocate the funds previously intended for the Photographic Awards towards the continued support of the York Research and Archive Centre, in line with the terms of the existing MFA, for 2024/25 and 2025/26. As can be seen in the attached acquittal, reallocated funds account for a small minor percentage of the annual allocation, with the majority of funds being used to support the York Arts and Craft Awards.

Correspondence from the YSI President is presented in Appendix 1.

The following table summarises the YSI's acquittal for the 2024/25 Art and Craft Awards.

TABLE 1.

ORGANISATION	PURPOSE	PROVISION	ACQUITTAL SUMMARY
YSI	2024/25 York Photographic Awards York Art and Craft Awards Continued support of the Research and Archive Centre	$10,000	**York Photographic Awards** Did not proceed. **2024 York Art & Craft Awards** 5 – 13 October 2024 Held in the York Town Hall and themed "Memories Are Made of This …" • Over 200 entrants • Approx. 150 Attendees at the opening event. • Total Visitor Numbers - 444 • Approx. thirty (30) volunteers assisted **Key Outcomes**

			To supply a service to the local & wider community by providing opportunities for artists to showcase their works and for the community to view high quality art & crafts in an historic environment **Key Lessons Learnt** That fifty-two (52) years is a long time to be running a still successful event. The power of community engagement which enhances event attendance and volunteering. YSI have a deep appreciation for their volunteers and community partners. The need for flexibility and adaptability when facing issues and last-minute changes. **Group Membership Increases** Not able to ascertain exact numbers, but membership has been rising under the current management over the last three (3) years. **Shire Acknowledgement** The Shire was acknowledged in social media posts, in letters to supporters and media releases, on the website, in newsletter and flyers, during speeches, on signage and in the Catalogue of Entries (Booklet).

In Summary:

- Council invested a total of $10,000 (ex GST) in 2024/25 to support the YSI's annual activities in line with its MFA. Due to the unforeseen cancellation of the Photographic Awards, some Shire funds and YSI resources, normally allocated to the Awards, were put towards Research and Archive Centre activities.
- Total expenditure for the Art and Craft Awards was $8,567.32 which included venue hire for the York Town Hall at a cost of $7,009.
- Total expenditure on Research and Archive Centre support was $1,952. Table 2 below details these expenses.

TABLE 2.

COST	DESCRIPTION	PURPOSE

$423	Advertising	Shire of York Brochure Advertising Package
$969	HP Laptop and USB Travel Hub	Replacement of the existing Accounts laptop which was from 2013 and running Windows 7, enabling faster processing and up-to-date functionality for accounting processes.
$560	Dishwasher	The Archives Centre has never had a plumbed hot water system, only a commercial wall mounted boiler for tea and coffee making that uses replaceable cylinders to heat. These cost $100 each to replace, and as there is now no local agent, additional postage on top. Using this for dishes is not cost effective. The purchase of the dishwasher was cheaper than installing a hot water system, will pay for itself within a short period and is safer than volunteers using boiling water direct from the wall mounted boiler for dishes after members meetings and group activities.

- The combined total expenditure for all activities in 2024/25 was $10,519.32.

The acquittal report, including a breakdown of all expenses and supporting documentation is presented in Appendix 2.

OPTIONS

Council has the following options:

Option 1: Council could choose to accept the acquittal report from YSI.

Option 2: Council could choose not to accept the acquittal report from YSI.

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

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

YSI

Shire Events Team

Strategic

Council Plan 2025-2035

Pillar 1: Community and cultural vitality

A strong, inclusive community supporting all cultures and generations.

Pillar 2: Future-ready economy

A diverse, resilient economy with employment and investment growth.

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance.

Policy Related

C3 Community Funding; Grants & Sponsorship (rescinded March 2025)

C4 Sponsorship of Tourism Events (rescinded March 2025)

C8 Funding: Grants & Sponsorship (adopted March 2025)

Financial

Annual acquittal reporting is a mandatory requirement of all multiyear funding agreements in accordance with the policies listed above.

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 funded organisation.

Legal and Statutory

Nil

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

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

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION
090625

Moved: Cr Chris Gibbs **Seconded: Cr Peter Wright**

That, with regard to Multiyear Funding Acquittal 2024/25 - York Society Inc, Council:

1. **Accepts the acquittal report received from the York Society Inc, as presented in Appendices 1 and 2.**

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

Against: **Nil**

CARRIED 5/0

At 6:02pm, Cr Kevin Trent returned to the meeting and resumed the Chair.

Cancellation of the 2025 Photographic Awards

At the 2024 York Society AGM notice was given to members present that cancellation of the 2025 Photographic Awards was under consideration by the Managing Committe for the following reasons

- Difficulty in obtaining sufficient sponsors to provide prizes for the different categories. It was noted that sponsors were often the same as those sponsoring categories in the Art & Craft Awards.
- A diminishing and aging cohort of volunteers willing to perform relevant tasks– once again we call on the same volunteers for both our major events. The event had been cancelled previously in 2023 due to the illness of two key events' managers. This raised the spectre of a similar possibility occuring again if too much pressure was placed on volunteers.
- A severe imbalance with the amount of work necessary to run the event compared to a diminishing financial return. The event required approximately 4-5 months of sustained effort despite recent efforts bringing profits from a negative amount to a maximum of $4000.
- It was considered that efforts and finances would be better expended on the Art & Craft Awards, which is a bigger and expanding event with a greater support base of sponsors and entrants and is held in the more prestigious York Town Hall.
- It was discussed whether to include the Photographic Awards in the Art & Craft Awards but the main issue of obtaining sponsors arose once again- with some sponsors then being asked to provide prizes twice in the same month, and within the same event.....a somewhat unfair proposition for our loyal sponsors who have supported us for many years.

After much discussion and with much regret it was decided to not hold the Awards but to register the name "York Photographic Awards" for possible future use by the York Society.

Jackie Phillips
President
The York Society

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): The York Society Inc.

Date funding was granted:

Date project was delivered:

Describe the key outcomes of your project: To supply a service to the local + wider community by providing opportunities for artists to showcase their works + for the community to view high quality art and craft in a historic setting

What were the key lessons your organisation learned while delivering the project?
That 52 years is a very long time to be running a still successful event • the power of community engagement which enhances attendance and volunteering/we have a deep appreciation for our volunteers and community partners. • the need for flexibility + adaptability when facing issues + last minute changes.

How many people benefited from your project?
Artists - over 200 entrants Volunteers - approx 30 - Attendees at opening event approx 150.
Attendance numbers

Club / Group membership increases (if applicable) Not able to ascertain but numbers have been rising under the current management over the last 3 years.
Community engagement undertaken (school incursions, pre or post event workshops, drop in sessions) N/A.

Other

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: M. LOCKYER Position Held: TREASURER

Date: 26/5/25

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

PROFIT & LOSS STATEMENT by Division		
YEAR ENDED 31st DECEMBER 2024		
ARTS & CRAFTS		
INCOME		
Art Sales	$ 5,605.00	
Door Takings & Raffle	$ 1,908.00	
Entry Fees	$ 5,283.00	
Fundraising		
Sponsorships Received	$ 16,580.00	
		$ 29,376.00
COST OF SALES		**$ 4,723.26**
EXPENSES		
Advertising	$ 505.00	
Bank & Square Fees	$ 186.58	
Catering	$ 379.00	
Display Plant & Equipment	$ 154.55	
Entrtainment	$ 690.48	
Hire of Plant & Equipment	$ 73.80	
Postage & Freight	$ 625.00	
Printing & Stationery	$ 647.96	
Prizes & Awards	$ 5,940.00	
Staff Amenities	$ 263.41	
Website Development		
Venue Hire	$ 7,476.00	
		$ 16,941.78
ARTS & CRAFTS NET PROFIT		**$ 7,710.96**

VOLUNTEERS FOR DOOR MANNING

38 PERSONS x 3 HRS PER ROSTER x $25/HR $2,850

VISITOR NUMBERS $44

Y/E 31Dec24

TYS

Expenditure for The York Society Acquittal for 2024				
Supplier	Date Paid	Inv No	Amount'	Description
ARCHIVES				
SOY brochure	15/04/2025	12308	$ 423.00	Brochure Advertising Package
Dishwasher (no hot water in Archives)	25/06/2024	52010018228	$ 560.00	No provision for hot water in Archives
HP Laptop computer for Accounts	13/05/2024	10930000863210	$ 969.00	Win 11 + travel hub, 16 GB RAM
TOTAL			**$ 1,952.00**	
ARTS & CRAFTS AWARDS				
Artists Chronicle	30/08/2024	527	$ 440.00	Advertisement
Norm Reynolds Electrical	30/09/2024	5201008567	$ 100.00	Garment Steamer - used for ironing flat tablecloths for stands
Bunnings	25/09/2024	docket	$ 144.55	LED lights & Insulation tape
Vistaprint	24/09/2024	220727147	$ 94.97	Corflute signs
Officeworks	docket	4/09/2024	$ 45.81	dots for identifying artworks by number
Spotlight	Packing slip only	1086998643	$ 67.99	Black Poplin Fabric
Collecting depot consigned items	Perth	docket	$ 380.00	
" " "	Bubury	docket	$ 285.00	
Venue Hire -Town Hall	16/10/2024		$ 7,009.00	
TOTAL			**$ 8,567.32**	Supporting Documentation attached.
GRAND TOTAL			**$ 10,519.32**	

ARTIST'S
CHRONICLE

TAX INVOICE

The York Society

Invoice Date
30 Aug 2024

Invoice Number
INV-0527

ABN
23 021 418 844

Artist's Chronicle
PO BOX 1088
FREMANTLE WA 6959
AUSTRALIA
BSB 066144
ACCOUNT 10032116

Description	GST	Amount AUD
x 8.7cm Display Ad black & white, Call for entries, in print and digital editions, online, Mailchimp, Facebook and Instagram, Sept/Oct edition 2024.	10%	440.00
Payment credit card 30/8/2024.	10%	(440.00)
	INCLUDES 10%	0.00
	TOTAL AUD	0.00

Due Date: 30 Aug 2024

PAYMENT ADVICE

Customer	The York Society
Invoice Number	INV-0527
Amount Due	0.00
Due Date	30 Aug 2024
Amount Enclosed	

Enter the amount you are paying above

To: Artist's Chronicle
PO BOX 1088
FREMANTLE WA 6959
AUSTRALIA
BSB 066144
ACCOUNT 10032116

leading appliances

NORM REYNOLDS ELECTRICAL & FURNITUR

113 AVON TERRACE
YORK WA 6302
Ph (08) 9641 1018 Fax (08) 9641 1939
ABN: 51 530 879 259

Tax Invoice No : 52010018567

Charge To

CASH SALE

Deliver To

Bus Ph	Home Ph	Fax No	Mobile	Ref No.	A.B.N.	Map Ref.	Job No	Taken By
					R			

Date	Time	Account	Salesperson	Customer Order	Comments	Date Reqd	Terminal	Page
30-09-24	11:13am	520000001	3 Chris			30-09-24	TERM02	1 of 1

Item Code	Description	Qty	Per	Net Price	Total Inc	Gst $
S/SG1000	SUNBEA HANDHELD GARMET STEAMER ***EFTPOS $100.00***	1	EA	100.00	100.00	9.09

CommonwealthBank

NORM REYNOLDS
RETRAVISION YORK
TERMINAL 16277500
REFERENCE 036836

CUSTOMER COPY
CARD NO: 4743(c)
EXPIRY DATE:
Debit MasterCard
CREDIT
PURCHASE $100.00
TOTAL AUD $100.00

APPROVED 00
AUTH NO: 031300
AID: A0000000041010
ATC:72 TVR:0000008001
CSN:01 5C56688CA88CB792
30 SEP 2024 11:13

Total Paid in Full

Total Ex GST :	$90.91
Total (Inc GST $9.09) :	$100.00

Terms and Conditions – Customer orders. A minimum of 30% deposit is required for any order placed on your behalf. Cancellation of your order may result in a retention amount to cover our reasonable costs. Accuracy of manufacturer's delivery times may be subject to change from time to time. Pickup/delivery of goods is required within 7 days of notification. Delivery charges apply unless otherwise stated. Goods will not be left unattended and further delivery charges may apply. Damage to goods on delivery must be reported and recorded at the time of delivery. Ownership of goods remains with retailer until goods are fully paid. Goods may be disposed of if full payment is not received. Deposit will be refunded if the retailer cannot complete your order. Goods are designed for home use only unless otherwise stated. Please retain this invoice for warranty purposes.

Terms and conditions – Lay-by. A minimum transaction of $200 is required with a 15% minimum deposit. Regular fortnightly payments must be paid and received by the store by the due date. If regular payments are not made when due, or your lay-by is uncollected within 7 days of the due date, the lay-by may be cancelled. Upon cancellation all monies paid will be refunded to you except for a termination fee of $30 to cover our reasonable costs. Photo ID must be produced upon cancellation of the transaction, replacement request or upon finalising or collecting your lay-by where no document can be produced. Individual items can be separated within the transaction until final payment is received. Information collected from the transaction will be used for processing purposes only. If you require access to your personal information, or wish to change your contact details, please contact the store holding your lay-by.

Our goods come with guarantees that cannot be excluded under the Australian Consumer Law. You are entitled to a replacement or refund for a major failure and for compensation for any other reasonably foreseeable loss or damage. You are also entitled to have the goods repaired or replaced if the goods fail to be of acceptable quality and the failure does not amount to a major failure. Full details of your manufacturer warranty are contained in the documentation enclosed.

LIGHTS FOR A&C
EXTRA

BUNNINGS warehouse

NORTHAM
BUNNINGS GROUP LIMITED
ABN 26 008 672 179
Ph: 08 9621 4300

Wed 25/09/2024 11:08:00 AM
RETURNS/INFO DESK REQ

Invoice Number Details: 2182/00343703
Account Number: 244542517
PICTURE WINDOW (WA) PTY LTD
122 ULSTER ROADS
York WA
Mr IAN PHILLIPS

27/9

PowerPass S...
** TAX INVOICE **
Order Number:
Job Number:

9311644101994 WORKLIGHT LED ARLEC
2X20W 1.6M TRIPOD WL0147
1 @ $46.55 DISC $46.55

9311644101994 WORKLIGHT LED ARLEC
2X20W 1.6M TRIPOD WL0147
1 @ $46.55 5.0% DISC

9311644101994 WORKLIGHT LED ARLEC
2X20W 1.6M TRIPOD WL0147
1 @ $46.55 DISC

9311644113485 TAPE INSULATION PVC
18MM 20M YLW/GRN 690158
1 @ $2.45 5.0% DISC

9311644113461 TAPE INSULATION PVC DETH
18MM 20M WHITE 690038
1 @ $2.45 DISC $2

5 @ SubTotal: $144.55

Total $144.55
GST INCLUDED IN THE TOTAL
EFT $144.55
CARD NO: 519244-74
CREDIT

Rounding $0.00
Change .00

Total PowerPass Savings
$7.61

"*" Indicates non taxable item(s)

S2182 R03 P403 C101614 #0003 43703 02-2024-09-25

Your whole project from start to finish
Visit Whole of House Building Trade

Thank you for shopping with Bunnings
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www.bunnings.com.au/haveyoursay

COMMONWEALTH BANK
BUNNINGS NORTH
2182 REG 03 WA
TERMINAL 91296703
REFERENCE 375950

CUSTOMER COPY
CARD NO: 4743(C)
EXPIRY DATE:
AID: A0000000041010
ATC:71 TVR:0000048001
CSN:01 9C4FCEA24C193B4A
25 SEP 2024 11:07

Invoice
Original

vistaprint.

Invoice Number:	0220727147
Invoice Date:	2024-09-24
Payment Date:	2024-09-24
Dispatch Date:	2024-09-24
Order Number:	VP_BN64W0VN

Vistaprint Australia Pty Limited
66 Paramount Boulevard
3026
Derrimut
Australia
ABN: 26649414111

Bill to:
Jackie Phillips
122 Ulster Rd
York
WA
6302
Australia

Ship to:
Jackie Phillips
122 Ulster Rd
York
WA
6302
Australia

Item	Qty	Net Amount
Posters	1	$24.54
Corflute Signs	1	$52.72
	Subtotal	$77.26
	Shipping	$9.08
	GST 10%	$8.63
	Total	**$94.97**

Page 1/1

This information is for your tax records only. Please do not pay against this invoice.

Our products and services are provided by VistaPrint Australia Pty Ltd., 66 Paramount Boulevard, Derrimut VIC, 3026, Australia

a CIMPRESS company



officeworks

www.officeworks.com.au
Officeworks O'connor
PH: (08) 6310 3100

Officeworks Ltd ABN 36 004 763 526
TAX INVOICE (Q1 2024/25) 04/09/2024

JBHL2280WE A&C $45.81
PKBO JB HK&LP DOTS HD 22MM WE
$15.27
Original Price $50.85
(Bulk Buy Discount -$5.04)

JBRR OB20R ARCHIVES $8.85
JB REC 20PT A4 REFIL DISPBK RD
3 at $2.95

TOTAL $54.66
GST Included in Total $4.96
* GST Free item

Total Bulkbuy Savings: $5.04

Eft Purchase $54.66
Officeworks
O'Connor WA AU
04/09/24 10:35 69754927 061604
***** 4743 MASTERCARD
CREDIT ACCOUNT Debit MasterCard
APS ATC 0067 A0000000041010
PURCHASE AUD$ 54 66
RRN 004509312001 (00)APPROVED
AUTH 023533
NO PIN OR SIGNATURE REQUIRED

Please retain receipt for return/exchange.
Team Member: Anna

Help Indigenous students write their own bright futures

$45.81 - A&C Awards.

$8.85 - Archives.

A&C Printing & Stationery

Account Journal

Page 1 of 1

From: 1-Jan-24

To: 31-Dec-24

Date	Src	Reference	Description	Amount	Balance
01/01/24			Previous Balance	$0.00	$0.00
06/07/24	DI	DI/00347	4 X VINYL BANNERS	$227.96	$227.96
06/27/24	DI	DI/00354	VINYL BANNER & ROPES	$139.77	$367.73
09/05/24	DI	DI/00388	DOTS	$45.81	$413.54
09/07/24	DI	DI/00389	STICKERS	$25.46	$439.00
09/12/24	DI	DI/00393	MATERIAL FOR COVERS	$67.99	$506.99
09/13/24	DI	DI/00395	2 X 3 TIER SANDWICH TRAYS	$40.00	$546.99
09/25/24	DI	DI/00403	CORFLUTE SIGNS	$94.97	$641.96
10/05/24	DI	DI/00422	CELLO ENC]VELOPES FORF CARDS	$6.00	$647.96
12/31/24	GJ	EOFY 24	Closing of Income and Expenses Accounts - 31/12/2024	-$647.96	$0.00
			Change	$0.00	

Printed on: 19/05/2025 1:24:53 PM

SPOTLIGHT

PACKING SLIP

Order Number: 1086998643
Carrier: Shippit
Shipment Number: 123474739

Current Date: 10/09/2024

Ship To

Jan George
36 Hunt Road
BEVERLEY, WA, 6304
AU
0477190290
archives.yorksociety@gmail.com

Bill To

Jackie Phillips
The sandalwood yards
179 Avon Terrace
YORK, WA, 6302
AU
0401098170
archives.yorksociety@gmail.com

Product Code	Product Description	Packed Quantity
80072358	Plain Top Pop 112 cm Poplin Fabric Black	20.0 M

12/3

Please note: Returns or exchanges require a copy of your Tax Invoice. (Emailed at confirmation of your order.) This Packing Slip cannot be used as proof of purchase

$67.99.

Bargains Galore!

$67.99

1 Joaquina Street, York WA 6302
PO Box 22, York WA 6302
T: (08) 9641 0500
W: york.wa.gov.au
E: records@york.wa.gov.au

SHIRE OF York

TAX INVOICE

ABN: 55 315 676 247

THE YORK SOCIETY (INC)
PO BOX 587
YORK WA 6302

INVOICE 12308

Debtor No: 3223
Date Issued: 02/04/2025
Page: 1

CHARGE CODE	DESCRIPTION	AMOUNT
	BROCHURE ADVERTISING PACKAGE 2025	
3031	USER FEES & CHARGES PREMIUM ADVERTISING PACKAGE 1.00 @ 423.00 ea	423.00 *

* Local Govt. Charge $384.55 GST charge $38.45

Paid 15/4/25

The total price includes GST of $38.45

Payment is due within 30 days

TOTAL PAYABLE $ 423.00

NO RECEIPT WILL BE ISSUED UNLESS REQUESTED

OFFICE COPY ONLY
IF NO RECEIPT IS REQUIRED, RETAIN TOP PORTION FOR YOUR RECORDS AND RETURN LOWER PORTION WITH REMITTANCE

SHIRE OF YORK
POST OFFICE BOX 22, YORK, 6302

CASH / CHEQUE
ON LINE BANKING - Bendigo Bank York
BSB: 633-000 Account No 118630623 - REF: 3223

NAME THE YORK SOCIETY (INC)

DEBTOR NO. 3223

INVOICE NO. 12308

AMOUNT $ 423.00

CommonwealthBank

NORM REYNOLDS
RETRAVISION YORK
TERMINAL 16277500
REFERENCE 036032

CUSTOMER COPY
CARD NO: 4743(c)
EXPIRY DATE:
Debit MasterCard
CREDIT $560.00
PURCHASE
TOTAL AUD $560.00

APPROVED 00
AUTH NO: 074109
AID: A0000000041010
ATC:62 TVR:0000048001
CSN:01 32BD012E91CBD9B6
25 JUN 2024 15:41

ances

NORM REYNOLDS ELECTRICAL & FURNITURE

113 AVON TERRACE
YORK WA 6302
Ph (08) 9641 1018 Fax (08) 9641 1939
ABN: 51 530 879 259

'ax Invoice No : 52010018228

Deliver To

Bus Ph	Home Ph	Fax No	Mobile	Ref No.	A.B.N.	Map Ref.	Job No	Taken By
					R			

Date	Time	Account	Salesperson	Customer Order	Comments	Date Reqd	Terminal	Page
25-06-24	)3:41pm	520000001	3 Chris			25-06-24	TERM02	1 of 1

Item Code	Description	Qty	Per	Net Price	Total Inc	Gst $
vv/WSF6602WA	WESTIN 60CM 13PLC WESTINGHOUSE FREESTANDING DISHWASHER ***EFTPOS $560.00***	1	EA	560.00	560.00	50.91

Total Paid in Full

Total Ex GST :	$509.09
Total (Inc GST $50.91) :	$560.00

Terms and Conditions – Customer orders. A minimum of 30% deposit is required for any order placed on your behalf. Cancellation of your order may result in a retention amount to cover our reasonable costs. Accuracy of manufacturer's delivery times may be subject to change from time to time. Pickup/delivery of goods is required within 7 days of notification. Delivery charges apply unless otherwise stated. Goods will not be left unattended and further delivery charges may apply. Damage to goods on delivery must be reported and recorded at the time of delivery. Ownership of goods remains with retailer until goods are fully paid. Goods may be disposed of if full payment is not received. Deposit will be refunded if the retailer cannot complete your order. Goods are designed for home use only unless otherwise stated. Please retain this invoice for warranty purposes.

Terms and conditions – Lay-by. A minimum transaction of $200 is required with a 15% minimum deposit. Regular fortnightly payments must be paid and received by the store by the due date. If regular payments are not made when due, or your lay-by is uncollected within 7 days of the due date, the lay-by may be cancelled. Upon cancellation all monies paid will be refunded to you except for a termination fee of $30 to cover our reasonable costs. Photo ID must be produced upon cancellation of the transaction, replacement request or upon finalising or collecting your lay-by where no document can be produced. Individual items can be separated within the transaction until final payment is received. Information collected from the transaction will be used for processing purposes only. If you require access to your personal information, or wish to change your contact details, please contact the store holding your lay-by.

Our goods come with guarantees that cannot be excluded under the Australian Consumer Law. You are entitled to a replacement or refund for a major failure and for compensation for any other reasonably foreseeable loss or damage. You are also entitled to have the goods repaired or replaced if the goods fail to be of acceptable quality and the failure does not amount to a major failure. Full details of your manufacturer warranty are contained in the documentation enclosed.

From: HP Online Store service@emailinfo.hp.com
Subject: Your HP Order Confirmation #109300000863210
Date: 13 May 2024 at 10:13:58
To: treasurer.yorksociety@gmail.com

Order Summary

Dear Margaret,

Good news. Your order has been processed successfully.

Items may be shipped and invoiced separately, and you will be informed accordingly.

If you have any questions, please be sure to reach out to us on **13 23 47 (option 3, then press 1)**.

Thank you,
HP Customer Support

Order placed >> Order shipped >> Order delivered

Order No: #109300000863210

Billing Address	Shipping Address
Margaret Lockyear	Margaret Lockyear
The York Society Inc PO Box 587 YORK, WA 6302	The York Society Inc C/- 33 Carter Road Attn Mrs M Lockyear YORK, WA 6302
T: 418927160	T: 418927160

	Qty:	Subtotal:
HP USB-C Travel Hub G2 Part Number: 7PJ38AA 15% off with ANY PC or Monitor purchase* Est. Delivery Date: 4-10 business days	1	$82.00

HP Laptop 15-fc0172AU

	Qty:	Subtotal:
Part Number: 9T0J9PA Purchase Together & Save | Up To 50% Off Est. Delivery Date: 4-10 business days	1	$887.00

Subtotal	$969.00	Payment method:
Shipping & Handling	FREE	Credit Card
Order Total	$969.00	

Price is inclusive of 10% GST.

IMPORTANT NOTICE ABOUT HP INVOICES

- Any order with multiple items may generate multiple invoices, depending on stock availability and shipment(s).
- Partial invoice means the terms of payment will start from the first partial invoice date and not the last invoice generated.
- For leasing orders, no partial shipment/invoice is allowed.

Need help with your order?

Call us at: 13 23 47, Option: 3, then press 1.
Whatsapp us at: +61 2 88061700
Email us at: hpstoreaustralia@customerservice.team
Live Chat Website: https://www.hp.com/au-en/shop/
Technical Support: 13 10 47

Thank you for shopping with us

Terms and Conditions:
Please click here to read Terms & Conditions of HP Offers

Volunteer Courier Ian Phillips claiming expenses for transporting artworks to and from York

Calculations based on the recommended claimable amount on the ATO website of 0.88c/km

York To Primary Securities Shuffey street Fremantle 123 km@0.88c= $108.00

Primary Securities to Fitzgerald Photo 24km @ .88c/km = $21.12

Fitzgerald Foto to Master Picture Framers Myaree 13.3km@.88c/km = $11.07

Master Picture Framers to Fahm Foto Beckenham 16.7km @ .88c/km = $13.80

Fahm Foto Beckenham to Midland Camera House = 21km @ .88c/km = $18.48

Midland Camera House to York = 79km@.88c/km=$69.52

Subtotal = $241.99 x 2

Total for pick up and return = $483.98

Amount claimed from York Society = $380

York to 101 Braidwood Drive Australind =251km @.88c/km= $220.88

Total for pickup and return = $441.76

Amount claimed from York Society = $245

Amounts claimed agreed by York Society Committee

Information about the Art & Craft Awards.

Bunbury depot (please be mindful that this is a private address)

Wednesday 23th October 10.30am – 5pm, Thursday 24th October 10.30am-5pm,

Friday 25th October by appointment only.

Sandra Nysten -101 Braidwood Drive Australind

Phone 0405202415

Uncollected art works will become the property of the York Society if not collected after 30 days.

PACKING

If couriered or delivered to a depot artworks must be packed to withstand travel and have "York Art & Craft Awards", Artist's name and address, and title of the artwork/s attached to the packaging material to enable the York Society Art & Craft team to re-pack at the conclusion of the exhibition.

Please ensure packaging is clearly marked for return and suitable for repacking at the end of the Exhibition. We prefer artwork placed in a clearly labelled box or portfolio carry case.
If you have two or more packages, please include all details on all.

ENTRIES/ENQUIRIES:

Enter online: www.theyorksociety.com OR email: arts.yorksociety@gmail.com

Answers to Frequently Asked Questions are available on our website.

DELIVERY to DEPOTS

For your convenience we are able to offer 3 Perth depots and one Bunbury depot for delivery and collection. The courier fee is $35 (per artist not per work and applies to transport for both directions) which should be paid, and the appropriate depot selected, when entering your works online.

Beckenham: 2/18 William Street, Beckenham

Phone:94582880

24.25,26, September 11am - 4pm for our courier to collect in the afternoon of the 27th September.

Myaree: Master Picture Framers, 3/106 Norma Road, Myaree
Phone: 93302291
24, 25, 26 September 11am - 4pm for our courier to collect in the early afternoon of the 27th September.

North Perth: Fitzgerald Photo (and Custom Framing), 350 Fitzgerald Street, Nth Perth
Phone: 93283778
24, 25, 26 September (closed on Mondays) 9am - 4pm for our courier to collect on the morning of the 27th September.

Fremantle: Primary Securities, 3 Shuffey Street, Fremantle.
Phone: 94305262
24,25, 26, September 10am - 4pm for our courier to collect on the morning of the 27th September

Midland: 210 Great Eastern Highway, Midland
24, 25, 26, September 10am - 4pm for our courier to collect on the afternoon of the 27th September

Phone: 92501635

Bunbury depot (please be mindful that is a private address)

Wednesday 18th September 10.30am – 5pm, Thursday 19th September 10.30am-5pm,

Friday 20th by appointment only.

Sandra Nysten -101 Braidwood Drive Australind

Phone 0405202415

COLLECTION OF WORKS FROM YORK

Works may be collected only from York Society stewards at the end of the exhibition. Works, whether sold or unsold will not be released before closure of the exhibition. Persons other than entrants or purchasers may collect works only with written authority from the owner/artist.

Sunday 13th October 4.15pm - 5.30pm - York Town Hall after closure of the Exhibition

Monday 14th October 10-12noon - The Lesser Hall of the York Town Hall

Tuesday 15th October 10-3pm - The York Archive Building cnr. Ford Street and Avon Tce

COLLECTION FROM DEPOTS

Beckenham: 2/18 William Street, Beckenham

Phone: 94582880

Thursday 17 October, Friday 18 October, Monday 21 October 11am - 4pm

If none of these days are convenient please ring FAHM Photo for an alternative day/time.

Myaree: **Master Picture Framers**, 3/106 Norma Road, Myaree.

Phone: 93302291

Thursday 17 October, Friday 18 October, Monday 21 October 11am - 4pm

If none of these days are convenient please ring Master Picture Framers for an alternative day/time.

North Perth: Fitzgerald Photo (and Custom Framing) 350 Fitzgerald Street, Nth Perth.

Phone: 93283778

Thursday 17 October, Friday 19 October, Closed Monday, Tuesday 22 October 11am - 4pm

If none of these days are convenient please ring Fitzgerald Photo for an alternative day/time.

Fremantle: Primary Securities, 3 Shuffey Street, Fremantle.

Phone: 94305262

Thursday 17 October, Friday 19 October, Monday 21 October 11am - 4pm

If none of these days are convenient please ring Primary Securities for an alternative day/time.

Midland: 210 Great Eastern Highway, Midland
Phone: 92501635

Thursday 17 October, Friday 19 October, Monday 21 October 11am - 4pm

If none of these days are convenient please ring Midland Camera House for an alternative day/time.

Our depots provide us with a valuable service so please treat them well. They cannot provide you with

1 Joaquina Street, York WA 6302
PO Box 22, York WA 6302
T: (08) 9641 0500
W: york.wa.gov.au
E: records@york.wa.gov.au

SHIRE OF York

THE YORK SOCIETY (INC)
PO BOX 587
YORK WA 6302

DEBTOR NO : 3223
DATE : 29/04/2025
PAGE No. : 1

STATEMENT

DATE	INVOICE NO	TYPE	DESCRIPTION	AMOUNT
16/10/2024	12010	INV	YORK ART & CRAFT AWARDS	7,009.00

AGED ANALYSIS				
120 DAYS & OVER	90 DAYS	60 DAYS	30 DAYS	CURRENT
7,009.00				

TOTAL PAYABLE	7,009.00

OFFICE COPY ONLY
IF NO RECEIPT IS REQUIRED, RETAIN TOP PORTION FOR YOUR RECORDS AND RETURN LOWER PORTION WITH REMITTANCE

SHIRE OF YORK
PO BOX 22, YORK, WA, 6302

CASH / CHEQUE
ON LINE BANKING - Bendigo Bank York
BSB: 633-000 Account No 118630623 - REF: 3223

THE YORK SOCIETY (INC)

INVOICE NO	AMOUNT
12010	7,009.00

Debtor No: 3223

TOTAL PAYABLE	7,009.00

1 Joaquina Street, York WA 6302
PO Box 22, York WA 6302
T: (08) 9641 0500
W: york.wa.gov.au
E: records@york.wa.gov.au

SHIRE OF York

TAX INVOICE

ABN: 55 315 676 247

THE YORK SOCIETY (INC)
PO BOX 587
YORK WA 6302

INVOICE 12010

Debtor No: 3223
Date Issued: 16/10/2024
Page: 1

CHARGE CODE	DESCRIPTION	AMOUNT
	YORK ART & CRAFT AWARDS 29/09/2024 - 13/10/2024 BUMP OUT 14/10/2024 BOOKING #1373	
3020	EVENT APPLICATION FEE 1.00 @ 55.00 ea	55.00 *
3020	EVENT APPLICATION FEE EVENT APPLICATION FEE - CATERGORY 1 1.00 @ 0.00 ea	
3201	TOWN HALL HIRE TOWN HALL HIRE 15 DAYS @ $456 #38/HR @ 12HRS/DAY (29/09/2024 - 13/10/2024) 1.00 @ 6840.00 1	6,840.00 *
3201	TOWN HALL HIRE TOWN HALL HIRE - PACK UP 14/10/2024 1.00 @ 114.00 1	114.00 *

PAID 19/5/25

Payment is due within 30 days

TOTAL PAYABLE $7009 -

NO RECEIPT WILL BE ISSUED UNLESS REQUESTED

OFFICE COPY ONLY
IF NO RECEIPT IS REQUIRED, RETAIN TOP PORTION FOR YOUR RECORDS AND RETURN LOWER PORTION WITH REMITTANCE

SHIRE OF YORK
POST OFFICE BOX 22, YORK, 6302

CASH / CHEQUE
ON LINE BANKING - Bendigo Bank York
BSB: 633-000 Account No 118630623 - REF: 3223

NAME THE YORK SOCIETY (INC)
DEBTOR NO. 3223
INVOICE NO. 12010
AMOUNT $7,009.00


The York Society Presents
2024
York Art & Craft Awards
5-13th October
York Town Hall - 10am - 4pm
Drawing
Pastels
Printmaking
Mixed media
Oils
Acrylics
Pastels
Optional Theme
MEMORIES
ARE MADE OF THIS....
Fibre & Textiles
Fine Metals
Jewellery
Beadwork
Ceramics
Glass
Mosaics
Woodcraft
Sculpture
Enter at www.theyorksociety.com
Sponsored by
Boyle Family
Elisabeth Christmas
Lutze Family
Joy Savage - Hillside
Michael Watts
Avon Valley Picture Framing
and....
Entries close 5pm
Tuesday
17th September
Proud sponsors
Community Bank
York & Districts
Bendigo Bank
Elders
Insurance
Northam & Merredin
Wheatbelt Sheds and Garages
Bolted Portal Frame Specialist
SHIRE OF York
PURSLOWE TINETTI FUNERALS
HEARTLANDS VETERINARY HOSPITAL
york health pharmacy
look good, feel good
THE BOOK NOOK
The Co-op YORK



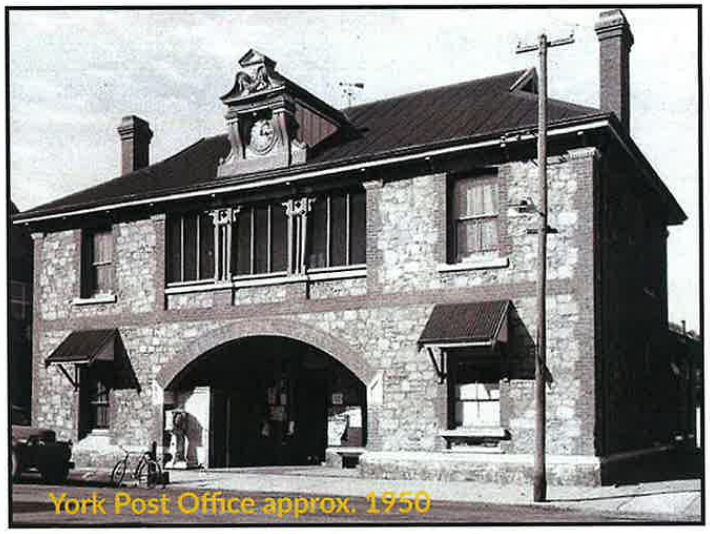
Newsletter.

May/June/July 2024

THE YORK SOCIETY

History . Heritage . Arts . Culture

President's Report
Calendar
The Streets of York - Morris Edwards Drive
Industrious York - Hardwick's Harness Works by Jackie Phillips
York Post Office history



Webpage: www.theyorksociety.com
Facebook: York Families & Footprints
Email: archives.yorksociety@gmail.com
Instagram:yorksocietyevents

SY064-06/25 MULTIYEAR FUNDING ACQUITTAL 2024/25 - FLOUR MILL EMPORIUM

File Number:	**4.7711**
Author:	**Sam Good, Manager Community & Place**
Authoriser:	**Rebecca Palumbo, Acting Executive Manager Corporate & Community Services**
Previously before Council:	**27 August 2024 (110824)**
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 received from the Flour Mill Emporium for activities delivered in 2024/25.

BACKGROUND

Policy C3 - Community Funding: Grants and Sponsorship (rescinded March 2025), Policy C4 - Sponsorship of Tourism Events (rescinded March 2025) and Policy C8 – Funding: Grants & Sponsorship (adopted March 2025) provide the parameters for considering applications for Shire financial and in-kind support. 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 (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 a 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 funds were spent

At its August 2024 Ordinary Meeting Council considered the application from the Flour Mill Emporium for a multiyear agreement and resolved (110824):

"That, with regard to the Request for new Multiyear Funding Agreement - Flour Mill Emporium Inc, Council:

1. ***Receives the request for multiyear funding from the Flour Mill Emporium Inc, as presented in confidential Appendix 1.***
2. ***Requests the Chief Executive Officer to negotiate a multiyear funding agreement with the Flour Mill Emporium Inc under the following conditions:***
    a. ***The Agreement will be in place from 1 July 2024 and expire on 30 June 2027.***
    b. ***The amount of sponsorship will be provided in accordance with the table below:***

FINANCIAL YEAR	*SPONSORSHIP*	*FIRST PROGRESS PAYMENT (80%)*	*FINAL PAYMENT ON ACQUITTAL (20%)*
2024/25	*$4,000 ex GST*	*September 2024*	*1 June 2025 or earlier upon successful acquittal*
2025/26	*$3,000 ex GST*	*July 2025*	*1 June 2026 or earlier upon successful acquittal*
2026/27	*$2,000 ex GST*	*July 2026*	*1 June 2027 or earlier upon successful acquittal*

    c. ***Payment will be subject to all milestone conditions of the Agreement being met on an annual basis.***
3. ***Authorises the Chief Executive Officer to make any necessary minor typographical and formatting changes to the multiyear funding agreement prior to signing.***
4. ***Authorises the Shire President and Chief Executive Officer to engross the final multiyear funding agreement.***
5. ***Directs the Chief Executive Officer to include the above agreed amounts in the 2024/25 - 2026/27 budgeting processes."***

COMMENTS AND DETAILS

Council invested a total of $4,000 (ex GST) in 2024/25 to support the Flour Mill Emporium in the delivery of its Meet the Makers Workshops and drop-in sessions, with the specific objectives of:

1. Promoting York as a positive, vibrant community which is creating inclusivity for all through a shared interest in arts and crafts.
2. Supporting, encouraging and promoting artist and artisan viability in York.
3. Utilising the Flour Mill Emporium to assist the Shire in meeting its community, corporate and business goals to facilitate community led initiatives, to support civic and community events, tourism and business development.

1. **Key outcomes** for the Flour Mill Emporium include:
    1. Increasing community awareness and participation in local arts and crafts.
    2. Providing free music and entertainment to visitors and locals.
    3. Advertising and promotion of York as a destination.
    4. Supporting local musicians and artists.
    5. Adding vibrancy to the Old York Mill.

In pursuit of these objectives the Flour Mill Emporium deliver Meet the Makers Workshops, including working artists in-residence, drop-in workshop sessions, instructional 101 sessions and free music events throughout the year.

2. **Key lessons learnt**, as reported by Meet the Makers organisers are:
    1. Working as a team improves confidence, communications and a sense of worth for participating art and crafts people.
    2. Advertising and promotion assist business viability and contributes to the promotion of York as a whole.
    3. There are many ways to 'give back' to your community.
3. **Total attendees** estimated at 720, plus extra visitors and sidelines outside of the Meet the Makers scheduled event times and the addition of two (2) new members for the team.
4. **The Shire of York is acknowledged** in all posters and flyers for the Meet the Makers workshops and free music events featuring the Stromatolites, in social media releases and posts, including free advertising opportunities. The Flour Mill Emporium also assist to promote other York events within its own advertising, helping to promote York further afield and encourage visitation. Regular posts are placed on York What's On, Visitor Inform, Facebook, Instagram and Gumtree. Stunning photographs of York's landscapes and the Emporium's variety of art, crafts, antiques and collectibles are posted regularly, showcasing its offerings to entice day-trippers, visitors and locals alike. Continuing to diversify in advertising and promotion has helped to raise the Emporium's profile, with consistency and regularity being a key component.

In Summary:

The Flour Mill Emporium expended a total of $12,396 in 2024/25.

The Shire of York's contribution of $4,000 was used specifically for advertising, Meet the Makers workshops and musician fees, with Flour Mill Emporium members and musicians contributing $8,396 worth of in-kind support.

The Flour Mill Emporium continues to open seven (7) days per week from 9am to 4pm, providing activities for visitors and locals.

Funded events continue to support delivery of Council's strategic, economic and community objectives and work towards the Flour Mill Emporiums goal of self-sustainability.

A copy of the acquittal report is presented in Appendix 1.

OPTIONS

Council has the following options:

Option 1: Council could choose to accept the acquittal from the Flour Mill Emporium.

Option 2: Council could choose not to accept the acquittal from the Flour Mill Emporium.

Option 3: Council could choose to seek further details from the Flour Mill Emporium.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

Flour Mill Emporium

Strategic

Council Plan 2025-2035

Pillar 1: Community and cultural vitality

A strong, inclusive community supporting all cultures and generations.

Pillar 2: Future-ready economy

A diverse, resilient economy with employment and investment growth.

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance.

Policy Related

C3 Community Funding; Grants & Sponsorship (rescinded March 2025)

C4 Sponsorship of Tourism Events (rescinded March 2025)

C8 Funding: Grants & Sponsorship (adopted March 2025)

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. However, this approach would need to be provided as part of a review of the overall community funding program and engagement options to consult with the community identified as part of this process prior to the inclusions being implemented.

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

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

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION
100625

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

That, with regard to Multiyear Funding Acquittal 2024/25 - Flour Mill Emporium, Council:

1. **Accepts the acquittal report received from the Flour Mill Emporium, 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):
Community - Art & Craft Working In Residence, Workshop Sessions & Music Entertainment

Organisation Name (name of group funded):
Flour Mill Emporium Inc

Date funding was granted:
September 2024 for 1 July 2024

Date project was delivered:
21st May 2025

Describe the key outcomes of your project: Promoted the Flour Mill Emporium & community awareness & participation in York arts & crafts. Provided free music entertainment to visitors & locals. Improved advertising & promotion of events & York as a place to visit. Supported Musicians & artists. Added vibrancy to the Old York Mill.

What were the key lessons your organisation learned while delivering the project?
Working as a team improves confidence, communications & a sense of worth. Advertising & Promotion helps our our business viability & also assists in the promotion of York as a whole. There are many ways to "give back" to your community.

How many people benefited from your project?

Attendance numbers approx 720, extra visitors & sidelines outside of meet the makers event times.

Club / Group membership increases (if applicable) 2

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

Other

Meet The Makers, including working in residence, drop in workshop sessions, instructional 101's & free music events.

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 you organisation spend all sponsorship funds granted? If not, why? Yes

Did your club or organisations derive revenue from the sponsorship? Yes

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	
Shire of York Community Funding Grant	4,000.00
SUBTOTAL	$ 4,000.00
In Kind Support	
FME Members & Musicians	8,396.00
SUBTOTAL	$ 8,396.00
FUNDING AMOUNT FROM SHIRE OF YORK	$ 4,000.00
TOTAL INCOME	$ 12,396.00

EXPENDITURE	AMOUNT ($)
ITEM/PROGRAM/PROJECT COSTS	
Advertising	1,546.00
Working In Residence, Free Instructional 101's & Workshops	1,504.00
Musicians	950.00
SUBTOTAL	$ 4,000.00
In Kind Support	
FME Members & Musicians	8,396.00
SUBTOTAL	$ 8,396.00
TOTAL EXPENDITURE	$ 12,396.00

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: Sharon Ellis *Sharon Ellis* Position Held: President

Date: 21/05/2025

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

Timeline 1st July 2024 to 31th May 2025

Acquittal Worksheet

Makers Component =	$50 p/hr x 6 makers =	$300 p/hr	
	$300 p/hr x 3 hours =	$900	
	$900 per event x 10 events =	$9000	
Minus York Shire Contribution			$1504
Balance In Kind Contribution			$7496

Musician Component =	$70 p/hr x 3 musicians =	$210 p/hr	
	$210 p/hr x 2 event hours =	$420	
	$420 per event x 5 events =	$2100	
Minus Flour Mill Café Contribution			$250
Minus York Shire Contribution			$950
Balance In Kind Contribution			$900

Timeline 1st July 2024 to 31st May 2025

Acquittal Worksheet

Paid Advertising Component

Community Newspaper	INV 3651	$176.40
Weekend Notes	INV 2819	$215.00
Weekend Notes	INV 3102	$215.00
Weekend Notes	INV 3227	$215.00
Community Matters	INV 3982	$156.80
Weekend Notes	INV 3654	$215.00
Community Matters	INV 4016	$352.80
TOTAL		$1546.00

York Shire Contribution	$1546.00

Sponsorship Recognition was included in all advertising, including free advertising opportunities - York What's On, Visitor Information, Facebook, Instagram, Gumtree & Poster Leaflets.

PO Box 149
YORK WA 6302
matters@ydcm.com.au
ABN 90549611619

The York & DISTRICTS COMMUNITY MATTERS

Tax Invoice

INVOICE TO
Flour Mill Emporium

INVOICE NO. 3651
DATE 30/06/2024

DATE	DESCRIPTION	GST	AMOUNT
30/06/2024	Display advert in July edition of Community Matters Newspaper	GST	160.36

Banking Details:

Lloyd Investment Group PTY LTD
Bendigo Bank York
633000
128503828

SUBTOTAL	160.36
GST TOTAL	16.04
TOTAL	176.40
BALANCE DUE	**A$176.40**

toopa

Home FAQ Login

Listing Payment Invoice

Listing ID	2819
Channel	WeekendNotes Perth
Additional Channels	None
Business Name	Flour Mill Emporium
Contact Name	Sharon
Email	supermoonapril21@gmail.com
Listing Type	Featured Article
Amount	$215.00 AUD (inc. $19.55 GST)
Created	2024-08-30

OatLabs ABN: 18113479226

Copyright 2022 OatLabs ABN 18113479226

toopa

Home FAQ Login

Listing Payment Invoice

Listing ID	3102
Channel	WeekendNotes Perth
Additional Channels	None
Business Name	Flour Mill Emporium
Contact Name	Sharon Ellis
Email	supermoonapril21@gmail.com
Listing Type	Featured Article
Amount	$215.00 AUD (inc. $19.55 GST)
Created	2024-10-31

OatLabs ABN: 18113479226

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Lloyd Investment Group Pty Ltd

matters@ydcm.com.au
ABN 90549611619

The York & DISTRICTS COMMUNITY MATTERS

Tax Invoice

INVOICE TO
Flour Mill Emporium

INVOICE NO. 3982
DATE 28/03/2025

DATE	DESCRIPTION	GST	AMOUNT
28/03/2025	Display advert in April edition of Community Matters Newspaper	GST	142.55

Banking Details:

Lloyd Investment Group PTY LTD
Bendigo Bank York
633000
128503828

SUBTOTAL	142.55
GST TOTAL	14.25
TOTAL	156.80
BALANCE DUE	**A$156.80**

toopa

Home FAQ Login

Listing Payment Invoice

Listing ID	3227
Channel	WeekendNotes Perth
Additional Channels	None
Business Name	Flour Mill Emporium
Contact Name	Sharon
Email	supermoonapril21@gmail.com
Listing Type	Featured Article
Amount	$215.00 AUD (inc. $19.55 GST)
Created	2024-12-01

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toopa

Home FAQ Login

Listing Payment Invoice

Listing ID	3654
Channel	WeekendNotes Perth
Additional Channels	None
Business Name	Flour Mill Emporium
Contact Name	Sharon
Email	supermoonapril21@gmail.com
Listing Type	Featured Article
Amount	$215.00 AUD (inc. $19.55 GST)
Created	2025-04-01

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matters@ydcm.com.au
ABN 90549611619

The York & DISTRICTS COMMUNITY MATTERS

Tax Invoice

INVOICE TO
Flour Mill Emporium

INVOICE NO. 4016
DATE 03/05/2025

DATE	DESCRIPTION	GST	AMOUNT
03/05/2025	Display advert in May edition of Community Matters Newspaper	GST	320.73

Banking Details:

Lloyd Investment Group PTY LTD
Bendigo Bank York
633000
128503828

SUBTOTAL	320.73
GST TOTAL	32.07
TOTAL	352.80
BALANCE DUE	**A$352.80**

FLOUR MILL EMPORIUM INC

RECEIVAL OF PAYMENTS CONFIRMATION FOR MUSIC SERVICES

PROVIDED BY STROMATOLITES BAND

From 1st July 2024 to 30th May 2025

21st July 2024	$200
15th September 2024	$200
27th October 2024	$200
13th April 2025	$300
11th May 2025	$300
TOTAL Received	$1200

Includes Café Contribution

Of $250

JEFFREY HARROLD – Stromatolite Musician

Weekend NOTES

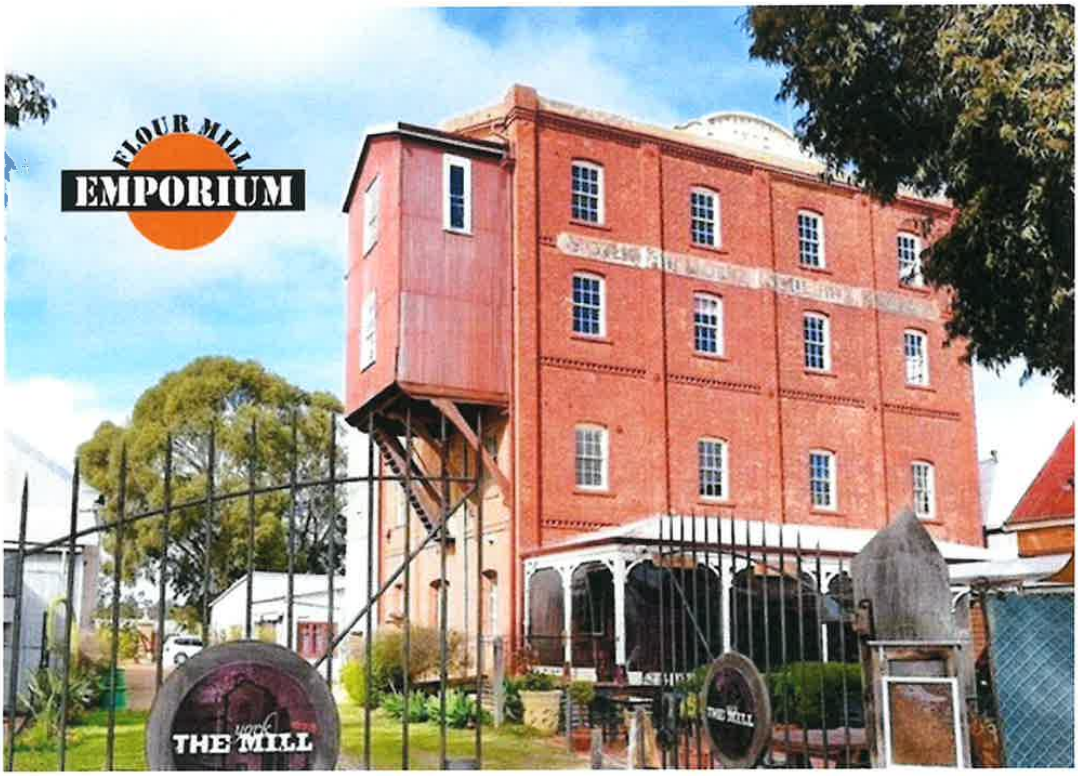
What's On | Home | WeekendNotes Perth | Post an Event or Business | Contact | Subscribe | Socials

What's On at the Flour Mill Emporium in September

Post | Subscribe

Posted 2024-08-31 by Vanessa ⇒ follow

Sun 01 Sep 2024 - Mon 30 Sep 2024



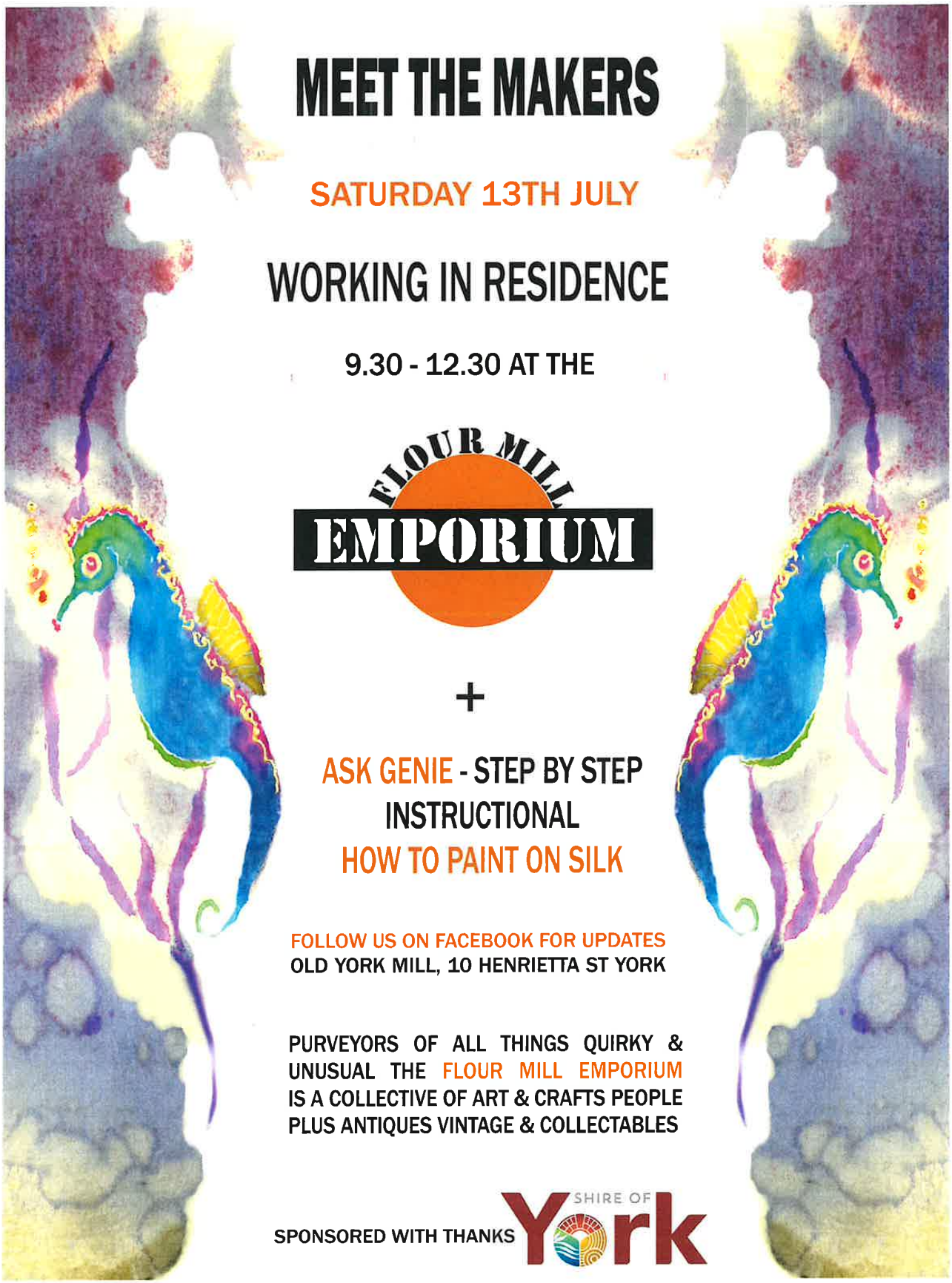
PLAN YOUR VISIT:

The Flour Mill Emporium is open 7 days a week 9am to 4 pm.
The Flour Mill Emporium is located at the Old York Mill 10 Henrietta Street. York. WA 6302.
Plan your visit by following the Flour Mill Emporium on Facebook and Instagram.

FLOUR MILL
EMPORIUM

Meet the Makers is proudly sponsored by The Shire of York.

SHIRE OF
York


MEET THE MAKERS
SATURDAY 13TH JULY
WORKING IN RESIDENCE
9.30 - 12.30 AT THE
FLOUR MILL
EMPORIUM
+
ASK GENIE - STEP BY STEP
INSTRUCTIONAL
HOW TO PAINT ON SILK
FOLLOW US ON FACEBOOK FOR UPDATES
OLD YORK MILL, 10 HENRIETTA ST YORK
PURVEYORS OF ALL THINGS QUIRKY &
UNUSUAL THE FLOUR MILL EMPORIUM
IS A COLLECTIVE OF ART & CRAFTS PEOPLE
PLUS ANTIQUES VINTAGE & COLLECTABLES
SPONSORED WITH THANKS
SHIRE OF
York

MEET THE
MAKERS
SATURDAY
10 AUGUST
9.30 -12.30
WORKING
IN RESIDENCE
INCLUDING
PONCHO
101's WITH
AILSA
& PAINTING
SILK SCARFS
WITH GENIE

FLOUR MILL
EMPORIUM



@ THE OLD YORK MILL
10 HENRIETTA ST YORK
FOLLOW US ON FACEBOOK
SPONSORED WITH THANKS

SHIRE OF York


MEET THE MAKERS WORKING IN RESIDENCE
SATURDAY SEPT. 14TH
9.30 TO 12.30
FOLLOW US FOR UPDATES
EMPORIUM
FLOUR MILL EMPORIUM
AT THE OLD YORK MILL
10 HENRIETTA ST YORK
SHIRE OF York
SPONSORED WITH THANKS



Meet The Makers - Saturday 12 Oct
at the

FLOUR MILL
EMPORIUM

POP IN FOR A CHAT WITH OUR MAKERS WORKING IN RESIDENCE. PLUS GENIE WILL BE AVAILABLE FOR A PAINTING ON SILK SCARVES INSTRUCTIONAL.

SHIRE OF Yor



The Flour Mill Emporium is a collective of artists & artisans working together at the Old York Mill, plus an eclectic collection of antiques, vintage & collectables.



On Saturday 9th November, from 9.30 am to 12.30 pm, you can **Meet The Makers Working In Residence!** Every month, the public has a special opportunity to meet local York artists. Come along and discuss their inspirations and processes and view a unique showcase of their arts, crafts and wares.


MEET THE MAKERS
Saturday 14th December
930 - 1230
WORKING IN RESIDENCE AT THE
FLOUR MILL
EMPORIUM
Pop In For A Chat
We Would Love To See You There
@ THE OLD YORK MILL, 10 HENRIETTA ST YORK
FOLLOW US ON FACEBOOK & INSTAGRAM FOR UPDATES
SPONSORED WITH THANKS
SHIRE OF
York

SATURDAY 8TH FEBRUARY 9.30 -12.30



@ THE FLOUR MILL EMPORIUM, 10 HENRIETTA ST YORK

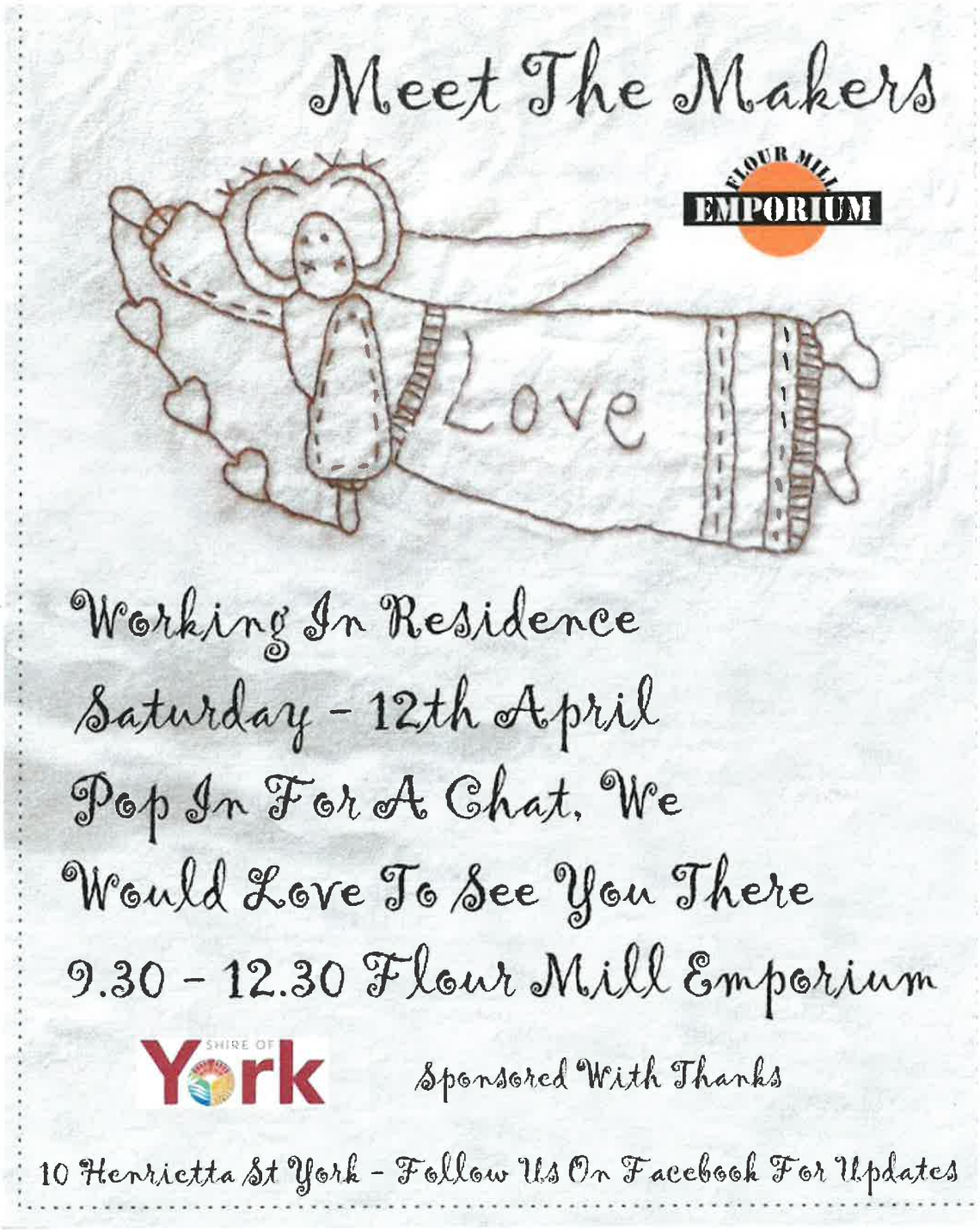
Pop In For A Chat We Would Love To See You There

FOLLOW US ON FACEBOOK & INSTAGRAM FOR UPDATES

FLOUR MILL EMPORIUM

SPONSORED WITH THANKS

SHIRE OF York



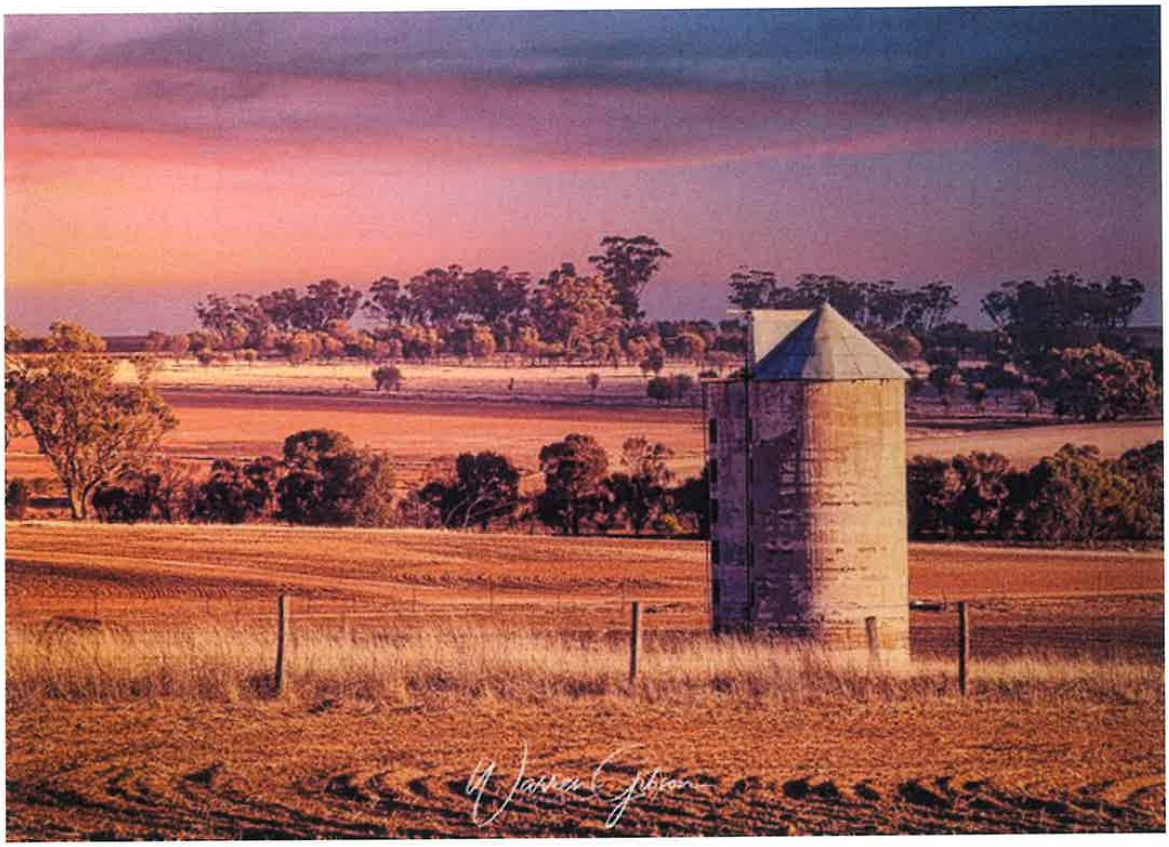
On Saturday, 12th April, from 9.30 am to 12.30 pm, you can **Meet The Makers Working In Residence!** Every month, the public has a special opportunity to meet local York artists. Come along and discuss their inspirations and processes and view a unique showcase of their arts, crafts and wares.


Free Card Making
Drop In Work Shop
Just In Time For You
To Pull Up A Chair At
Ailsa's Table & Make A
Heartfelt Mothers Day Card
At The Flour Mill Emporium
Plus
Meet Our Makers
Working In Residence
Saturday 10th May
9.30am - 12.30pm
FLOUR MILL
EMPORIUM
SHIRE OF
York
10 Henrietta St
York


THE
STROMATOLITES
SUNDAY 11 MAY
11 - 1
LIVE & FREE AT THE FLOUR MILL CAFE
PRESENTED BY THE FLOUR MILL EMPORIUM, 10 HENRIETTA ST YORK
The Flour Mill Cafe York
FLOUR MILL
EMPORIUM
SHIRE OF
York



No better way to spend a lazy Sunday in York than under the gum trees in the shade of the Old York Mill listening to the boys do that Jazz thing with Jeffery on Guitar, Leon on Double Bass, Simon on sax, and an excellent coffee in hand from the Flour Mill Café.



April marks the start of the Green season in York. The nights are cool with mornings dew & still. Beautiful big blue sky days & the scent of bush freshened by the first of the infrequent & welcomed rains infuses the landscape.

Golden stalked paddocks are peppered with new green life & if you are lucky, you may see Eagles soar, often with Ravens or Magpies giving chase, or Kangaroos gathering to share a meal under a morning & evening sun.

Every season is so different in York & the landscape is no less beautiful. Warren Gibson's photographic art of an Old Wheatbelt Silo at Calije captures the essence of April in York - a great time for a day trip or a weekend away with events, fairs & festivals throughout the month.

Then, don't miss the **Sunday Session** on 15th September with the Stromatolites experimenting with the known laws of the universe at The Flour Mill Emporium from 11am to 1pm. Sit back & chill with on-point coffee from The Flour Mill Cafe & listen to the boys do their thing!



Wheatbelt Canola Field - Photography by Warren Gibson.

Some of the other events in September include ...

Sunday 1st September – York Motor Show

Saturday 7th September – York Agricultural Show

Saturday 14th September – Morning Music Jam at the Old York Mill

Saturday 20th to 29th September – York Festival

Saturday 21st September – Medieval Banquet

Sunday 22nd September – Medieval Fayre

The Flour Mill Emporium is open 7 days a week 9am to 4 pm.
The Flour Mill Emporium is located at the Old York Mill 10 Henrietta Street, York. WA 6302.
Plan your visit by following the Flour Mill Emporium on Facebook and Instagram.



Sandra's dot artwork cards are all individually created, making for a truly thoughtful all-in-one card & gift. Jenny makes her unique windchimes using recycled elements, kiln-fired glass & careful consideration of tinker & tone & Kaz's little pocket pal bunnies are perfect for Easter gift giving.

What's on in York this April!

York Motorcycle Festival - 5th & 6th April

Peace Park Markets - 12th April

Antiques & Collectables Fair - 19th April

York Heritage Weekend - 25th to 27th April

Check the Shire of York's 'What's On' for many more things to do in York for April

On Saturday, 12th April, from 9.30 am to 12.30 pm, you can **Meet The Makers Working In Residence!** Every month, the public has a special opportunity to meet local York artists. Come along and discuss their inspirations and processes and view a unique showcase of their arts, crafts and wares.





'Earth - Baby' a Warby Series painting by Sharon Ellis & a painting by Genie Arnold inspired by savanna fauna & a more ancient time.



A picture of our gallery room – filled with original artworks, vintage, antiques & rare finds.



The Flour Mill Emporium is a collective of 20 artists & artisans working together at the Old York Mill, plus an eclectic collection of antiques, vintage & collectables.

SY065-06/25 MULTIYEAR FUNDING ACQUITTAL 2024/25 - YORK BUSINESS ASSOCIATION

File Number:	**4.7711**
Author:	**Rebecca Atkinson, Manager Tourism & Economic Development**
Authoriser:	**Rebecca Palumbo, Acting Executive Manager Corporate & Community Services**
Previously before Council:	**20 December 2022 (121222)** **26 September 2023 (090923)** **25 June 2024 (060624)** **22 October 2024 (061024)**
Disclosure of Interest:	**Nil**
Appendices:	**1. Acquittal Report ⇩**

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

This report presents the sponsorship acquittal received from the York Business Association. (YBA) for the 2024/25 financial year in accordance with its multiyear funding agreement, for Council's consideration.

BACKGROUND

Council has historically provided support for activities, organisations and events that contribute to the Shire's community, social and economic objectives through the Community Funding Program.

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 recurrent sponsorship.

At its 20 December 2022 Ordinary Meeting Council resolved to enter into a Multiyear Funding Agreement with the YBA to ensure its activities were supported with recurrent funding, resolving (121222):

"That, with regard to the Request for Multiyear Funding Agreement - York Business Association Inc, Council:

1. ***Receives the request for a multiyear funding agreement from York Business Association Inc, as presented in Appendix 1.***
2. ***Authorises the Chief Executive Officer to finalise the negotiation of a multiyear funding agreement (Appendix 3) with York Business Association Inc subject to the following:***
    a. ***The multiyear funding agreement commences in the 2022/23 financial year and expires on 30 June 2025.***
    b. ***Key Performance Indicators aligned to both York Business Association Inc's core operations and the Shire of York's Strategic Community Plan are finalised and agreed between both parties.***
    c. ***The amount of sponsorship is provided as milestone payments in accordance with the following table:***

Financial Year	*Per Annum*	*Milestone Payments*
2022/23	*$5,175*	*80% January 2023 & 20% April 2023 or on receipt of acquittal*
2023/24	*$8,675*	*80% July 2023 & 20% April 2024 or on receipt of acquittal*
2024/25	*$8,675*	*80% July 2024 & 20% April 2025 or on receipt of acquittal*

3. ***Approves the payment of $5,175 from the Multiyear Funding Agreement line item to support the 2022/23 financial year of funding.***
4. ***Requests the Chief Executive Officer to include the amounts detailed in the table above in the 2023/24 and 2024/25 budgeting process.***
5. ***Authorises the Shire President and Chief Executive Officer to engross the final multiyear funding agreement.***
6. ***Authorises the Chief Executive Officer to make any minor typographical and formatting changes to the multiyear funding agreement prior to signing."***

Council considered the YBA's request to vary Multiyear Funding Agreement at its June 2024 Ordinary Meeting and resolved (060624):

"That, with regard to the Request to vary Multiyear Funding Agreement - York Business Association, Council:

1. ***Receives the request from the York Business Association to carryover unused multiyear funding agreement funds from 2023/24 to 2024/25.***
2. ***Authorises the Chief Executive Officer to finalise a variation to the York Business Association's Multiyear Funding Agreement commencing on 1 July 2024 and expiring 30 June 2025 in line with the requested amounts, noting the multiyear funding agreement commenced in the 2022/23 financial year and expires on 30 June 2025.***
3. ***Authorises the Shire President and Chief Executive Officer to engross the amended multiyear funding agreement.***
4. ***Authorises the Chief Executive Officer to make any minor typographical and formatting changes to the multiyear funding agreement prior to signing."***

Acquittal reporting is a requirement, to be received no later than ninety (90) days following the delivery of the event. Dependant on the size, scale and frequency of funding, acquittal reporting detail varies.

As a minimum the acquittal report must provide:

1. Scope of activities undertaken.
2. Details of advertising undertaken.
3. Actual attendance numbers.
4. Expenditure detailing how Shire funding was spent.

COMMENTS AND DETAILS

In accordance with the MFA, the YBA was required to deliver a minimum of four (4) Business Forums - educational/support talks for local businesses and two (2) activation events.

The following table summarises the acquittal received:

TABLE 1.

ORGANISATION	PURPOSE	PROVISION	ACQUITTAL SUMMARY
YBA	To support York's local business sector through targeted forums and promotional community events, enhance business visibility, encourage collaboration, and attract visitation to York.	$8,675 ex GST	YBA delivered a suite of business forums and public events throughout 2024/25, aligned to the outcomes of its MFA. This included: 1. Six (6) Business Forums, primarily held at the CRC with in-kind venue support from the Shire. Topics included mental health, marketing, hiring staff, and professional development, with average attendance of twenty-five (25) to thirty (30) participants per session. Of note was the forum delivered by That Digital Stuff, a Perth-based digital agency who specialise in website development, SEO, and digital strategy for small businesses. The session focused on equipping local operators with practical tools to improve their online presence and digital marketing performance. Another highlight featured Barry Urquhart, Managing Director of Marketing Focus, an internationally recognised authority on marketing and consumer trends. Barry has authored many books, some are Australasia's best-sellers on service excellence, and delivers hundreds of keynote addresses annually, bringing high-calibre insight to regional business communities. 2. Spring into York 2024 was held across various town locations and drew approximately 1,000 visitors. It featured garden tours, public talks, demonstrations, and community engagement

			initiatives. 3. York Heritage Weekend 2025 attracted an estimated 5,000 visitors, with activities centred on the York Town Hall, music venues, and open community spaces. Key partners included the Historical Cycling Club of WA and the Heritage and Skills Association. **Marketing and Acknowledgement:** The Shire was prominently acknowledged across all promotional materials including programs, banners, posters and newspaper advertising. **Financial Summary:** Total income reported was $12,274.10, including carryover funding from 2023/24. Total expenditure was $24,716.14, covering event delivery, promotional activities, and graphic design costs for the upcoming York Business & Community Directory. Funds to cover the total expenditure were derived from memberships and other income sources. Volunteer in-kind support and CRC venue use were also recorded. **Lessons Learned**: The YBA noted the need to improve hospitality business participation, refresh event content to maintain public interest, and secure more diverse funding sources. Feedback from attendees and traders was positive overall, and performers and stallholders expressed interest in returning. **Environmental Impact:** None reported. Waste was well-managed with no issues raised.

A copy of the YBA's acquittal report is presented in Appendix 1.

OPTIONS

Council has the following options:

Option 1: Council could choose to accept the acquittal report received from the YBA.

Option 2: Council could choose not to accept the acquittal report received from the YBA.

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

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

YBA

Shire Events Team

Strategic

Council Plan 2025-2035

Pillar 1: Community and cultural vitality

A strong, inclusive community supporting all cultures and generations.

Pillar 2: Future-ready economy

A diverse, resilient economy with employment and investment growth.

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance.

Policy Related

C8 Funding: Grants and Sponsorship

Financial

The financial implications have been detailed earlier in this report and are included in the acquittal report presented in Appendix 1**.** Council could request more detailed financial reporting and/or audited financial statements from funded organisations.

Legal and Statutory

Not applicable

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 multiyear and policy requirements including acceptance of acquittals through resolution provides acceptable treatment controls to manage the risks identified.

Workforce

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

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION
110625

Moved: Cr Peter Wright **Seconded: Cr Chris Gibbs**

That, with regard to Multiyear Funding Acquittal 2024/25 - York Business Association, Council:

1. **Accepts the acquittal report received from the York Business Association, 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

Funding Acquittal Form

Acquittal | Office Use Only

FUNDING ACQUITTAL FORM

Instructions to complete the form:

1. Pre-filled information from previously submitted forms connected to your funding will be provided. Please check this information is correct and make any changes necessary.

2. Complete and submit this form no later than 90 days following the conclusion of your project/event.

3. Refer to the relevant guidelines to assist you in providing the most appropriate information.

If you are unsure about what is required or would like some clarity on a particular question, please contact the Shire Officer outlined in the relevant guidelines.

Organisation Information

Name of Organisation
YORK BUSINESS ASSOCIATION INC

Street Address
18 DONCON STREET YORK 6302

Postal Address
AS ABOVE

Email:
yorkbusassoc@gmail.com

Website (if applicable)

Project Name
YBA Forums and events

Funding Amount
$ 8,675.00

Funding Category
○ Tourism ○ Outstanding Representation ○ Community ◉ Economic Development

Is your acquittal for one-off or multi-year funding?
○ One-Off ◉ Multi-Year

Date Funding Granted
01/07/2024

Date project was Delivered
30/04/2025

Who is your target sector of the community?*
☐ Youth ☐ Seniors ☐ Disadvantaged ☐ Isolated ☑ Visitors ☑ Other Business owners and staf

Strategic Alignment*
Describe how your project delivered against the **Strategic Community Plan (SCP) 2020 – 2030** Goals and Priorities selected in your application

Style B I U Open Sans 14

Our Forums offered a selection of presentations to assist businesses to increase their knowledge and awareness of all facets of running a successful business

Our two weekend events encouraged visitors from outside York to visit and take advantage of members amenities and local residents were encouraged to be involved in all ways.

Delivery of Stated Outcomes *

Please demonstrate how you successfully delivered the outcomes outlined in your application. How was this success measured? Please attach supporting documentation (if applicable) in addition to your answer below. NOTE: Do not ONLY attach a document.

Style B I U Open Sans 14

We ran a total of 6 Forums in the financial year with an attendance averaging 25-30 each including presentations on Mental health, Marketing, Motivation, member brainstorming, hiring staff etc.

Our two weekend events were successful with Spring into York attracting 1000 over the two days at the various talks, gardens and demonstrations and throughout the town

The York heritage Weekend brought good numbers of visitors from Perth and surrounding areas with an estimated attendance over the three days of 5000 and this included strong numbers at the four music offerings included in our programme plus visitors to the Town Hall and various activities and tours throughout the town.

Total Attendees (if applicable)

see above

Please upload supporting documents *

File limit has been reached.

Files (1 uploaded)

20250408_172126 (002).jpg 1.94MB

Marketing, Media and Promotions

How was the Shire of York support recognised? (eg social media posts, logo on uniform, posters, other media etc. Please attached examples of the support)

Style B I U Open Sans 14

The York Shire Logo is included on all our printed material an advertising

Please upload supporting documents *

File limit has been reached.

Files (1 uploaded)

Quiz Trifold.jpg 2.38MB

Feedback from Those Involved

What was the general feedback received from those involved, including volunteers, attendees, competitors etc? (In addition to your answer, please attached examples of the feedback if applicable)

In general attendees at the Business Forums were pleased with the presentations and participated in discussions and Q & A sessions. General comments were that it was not understood why more businesses didn't take advantage of what we put together, especially those in Hospitality.

Attendees at the Spring event were impressed with the varied programme

The York Heritage weekend had between 60-80 average at the music events and all agreed these were a good inclusion, the musicians are all happy to continue to be involved as are all the exhibitors at the Town Hall. There were a lot of positive comments from visitors to the Town Hall, and we are aware there are now groups of people who make a point of coming back each year for this weekend. Two of our biggest supporters are the Historical Cycling Club of WA and the heritage and Skills Association.

Please upload supporting documents

File limit has been reached.

Files (1 uploaded)

20250321_161505 (002).jpg 932.32KB

FINANCIALS

Please complete the table below outlining your actual income and expenditure

NOTE: Do not included GST in your amounts provided

NOTE: If you received funding over $10,000, please attach a separate budget with a detailed breakdown, providing only overall totals in the table below.

(If you require more lines than those provided, please click the + icon to add lines in the relevant section – eg Income or Expenditure)

STATEMENT OF INCOME AND EXPENDITURE

INCOME

Description	Amount
Cash	
- Shire of York Funding	$ 8,675.00
- Other Funding Amounts Carry over from 2024 to assist with Business Directory	$ 2,150.55
- Applicant Contribution	$
- Other Cash donations	$ 948.55
In-Kind	
- Shire of York In-Kind Use of CRC at no charge for Forums	$ 500.00
- Other In-Kind Contribution 200 hours by volunteers for all events	$
	$

TOTAL INCOME

$ 12,274.10

EXPENDITURE

Description	Amount
- Item 1 Presentation of 6 Forums	$ 9,208.56
- Item 2 Payment for Graphid Design for York Business & Community Directory	$ 3,500.00
- Item 3 Spring Into York weekend	$ 3,487.60
- Item 4 York Heritage Weekend	$ 8,519.98
	$

TOTAL EXPENSE

$ 24,716.14

Please Upload a PDF containing supporting evidence of expenditure (invoices/receipts etc) here *

File limit has been reached.

Files (1 uploaded)

Heritage expense 25.pdf 618.06KB

Did you expend all funds granted by the Shire of York?

(•) Yes ( ) No

Was your overall expenditure what you predicted?

(•) Yes ( ) No

Please provide an explanation below

WE were aware that the Shire funding alone was not enough to present what we aspired to.

Environmental Impacts and Other Considerations

Did the project/event impact on the environment in any way? If yes, please explain in what way and if negative, what remedial works have been undertaken to restore the impact?

Style B I U Open Sans 14 A

No

Lessons Learned

What were the key lessons learned whilst delivering the project?

How difficult it is to get the message out here.

How much hard work is involved with limited volunteers

The programmes need to be always changing to maintain interest.

Participants need to be thanked for their involvement to keep good relationships

We need to source new funding and sponsorship to enable the events to keep growing.

A good working relationship with the Shire is essential to get their support and understanding of what we are trying to achieve.

Checklist *

- [x] All Supporting documentation as requested (feedback, financials, promotional etc)

DECLARATION

In affixing my name to this form I the undersigned, on behalf of and with the authority of my organisation, make 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 all original invoices and receipts in accordance with the Funding Agreement. We acknowledge that the 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 Income and Expenditure is complete and accurate and does not contain any misleading or fraudulent information

Relevant statutes, regulations, by-laws and requirements of any Federal, State or Local Government have been complied with

Acquittal report duly authorised by:

Title	First Name *	Last Name *
Ms	Karen	Thomas

E-mail (preferred for correspondence) *	Position Held
yorkbusassoc@gmail.com	President YBA

By checking the box below and pressing SUBMIT, you are confirming you have the authority to act on behalf of yourself or organisation, and it will be accepted as a digital signature *

- [x] I acknowledge selecting this box confirms my authority to submit this application on the behalf of myself and/or the organisation identified in this application and will be received as a digital signature.

Contact Us:

Shire of York 1 Joaquina Street York WA 6302 (08) 9641 0500 records@york.wa.gov.au ABN: 55 315 676 247

Next

Fairplay Enterprises Pty Ltd
Unit 5
14 Whyalla Street, Willetton WA, WA, 6155
Phone: (08) 9259 4255
hpress@bigpond.net.au
ABN: 78 109 948 781

holman press
quality print + design

Tax invoice

Purchase order no	Invoice number	Issue date	Due date
Karen	11978	24/03/2025	30/04/2025

Bill to

Karen
YORK Business Association
18 Doncon Street
YORK WA 6302

Item ID	Description	UoM	Qty	Unit price ($) *excluding tax*	Tax	Amount ($) *excluding tax*
	4 BANNERS		4	205.00	GST	820.00
	4 OVERLAYS		4	38.00	GST	152.00

Subtotal *(exc. tax)*	$972.00
Tax	$97.20
Total Amount *(inc. tax)*	$1,069.20
Total paid	$0.00
Balance due	**$1,069.20**

View your invoice online

Click here to view

How to pay

Invoice number: **11978** Due date: **30/04/2025** Balance due: **$1,069.20**

Bank deposit

Bank: SUNCORP
Name: Fairplay Enterprises Pty Ltd
BSB: 484799
AC#: 071988751
Ref#: 11978

Mail a cheque

Cheques payable to:
Holman Press

Mail to:
Unit 5
14 Whyalla Street, Willetton
WA, WA, 6155

MARKETING FOCUS
MARKETING AND BUSINESS STRATEGISTS

Lot 15 South Western Highway,
Keysbrook, 6126, Western Australia

T: (08) 9525 3355 F: 08 9257 1888
M: **041 983 5555**
urquhart@marketingfocus.net.au

INVOICE FOR
YORK BUSINESS ASSOCIATION
18 DONCON STREET
YORK WA 6302

ABN: 62 102 327 473

TAX INVOICE
No. 04/IC/01
Date: 1-Apr-25

TO PROFESSIONAL SERVICES	AMOUNT
BALANCE OF BASE PROFESSIONAL FEE FOR KEYNOTE PRESENTATION IN YORK. EVENT DATE: MONDAY, 31 MARCH 2025 TOTAL BASE FEE: $5,000.00 PLUS GST DEPOSIT: $3,000.00 INCL. GST BALANCE PAYABLE: $2,500.00 INCL. GST SUPPLY OF FOUR BUSINESS BOOKS: $135.00	
TOTAL PAYABLE	**$2,635.00**
BANKING DETAILS FOR ELECTRONIC PAYMENT **ACCOUNT NAME:** KAWINA NOMINEES PTY LTD T/A MARKETING FOCUS **ACCOUNT NO:** 12-1297 **BSB:** 036-065 WESTPAC BANKING CORPORATION 109 ST GEORGES TERRACE PERTH WA	
TRADING TERMS: IMMEDIATE TOTAL (INCLUDING GST)	**$2,635.00**



That Digital Stuff

Western Australia
Australia
ABN 39138154761

PAYMENT RECEIPT

Payment Date **04/03/2025**

Reference Number

Payment Mode **Bank Transfer**

Amount Received
$550.00

Received From

York Business Association

Payment for

Invoice Number	Invoice Date	Invoice Amount	Payment Amount
YBA0001	25/02/2025	$550.00	$550.00

Fairplay Enterprises Pty Ltd

Unit 5
14 Whyalla Street, Willetton WA, WA, 6155
Phone: (08) 9259 4255
hpress@bigpond.net.au
ABN: 78 109 948 781

holman press
quality print + design

Tax invoice

Purchase order no	Invoice number	Issue date	Due date
SPRING NEWSLETTER / BANNERS	11870	29/08/2024	30/09/2024

Bill to

Karen
YORK Business Association
18 Doncon Street
YORK WA 6302

Item ID	Description	UoM	Qty	Unit price ($) *excluding tax*	Tax	Amount ($) *excluding tax*
	SPRING INTO YORK NEWSLETTER		1000	0.65	GST	650.00
	EXTRA PLATES		4	33.00	GST	132.00
	ARTWORK NEWSLETTER		1	250.00	GST	250.00
	BANNERS SPRING INTO YORK		2	155.00	GST	310.00
	ARTWORK BANNER		1	60.00	GST	60.00

Subtotal *(exc. tax)*	$1,402.00
Tax	$140.20
Total Amount *(inc. tax)*	$1,542.20
Total paid	$0.00
Balance due	**$1,542.20**

View your invoice online

Click here to view

How to pay

Due date: 30/09/2024

View your invoice online

Scan the QR code or click the link above to view this invoice online.

Bank deposit via EFT

Bank SUNCORP
Name Fairplay Enterprises Pty Ltd
BSB 484799
AC# 071988751
Ref# 11870

Mail a cheque

Cheques payable to
Holman Press

Mail to
Unit 5
14 Whyalla Street, Willetton
WA, WA, 6155

York Heritage Weekend

25th to 27th April 2025

ENJOY A WEEKEND OF COUNTRY HOSPITALITY, HERITAGE & MUSIC IN YORK

- Commemorate Anzac Day then come along to an evening Family Concert at the Stable Yards, entry by donation, BYO food and drink.
- Explore York, visit the exhibits in our historic Town Hall, listen to the story of Simpson's Donkey and of Midnight, The Light Horse.
- Watch the parade of Penny Farthings, join the Morris Dancers, enjoy Saturday evening dancing to the Mucky Duck Bush Band (ticketed).
- So much to do, so much to see, pick up the full programme from the visitor centre plus a copy of the Heritage Quiz to keep everyone occupied while you learn about York.







Start your Sunday with a barbecue, breakfast and Blues concert at the Stable Yard then visit the St. John Museum, the kid's can make their own pizza for lunch, do some painting with Michelle and play old style games in Peace Park. Explore the Monger's building and have a tour of our Iconic Town Hall!

All enquiries to 0418 936 214
yorkbusassoc@gmail.com

Shire of York

York Business

The York Heritage Family Quiz

A York Business Association Initiative



Take a step back in time and learn about York's fascinating history. WE are WA's oldest Established inland town with lots of stories.



York Business Association
Building Stronger Businesses

SHIRE OF York

Good morning Rebecca

I found difficulty in attaching sufficient information with the current online acquittal form so am sending you some additional information

regarding Forums and other expenditure.

Attached are the details of the two speakers in the last twelve months that incurred the most expenditure plus the flyer promoting the presentation by Barry Urquhart

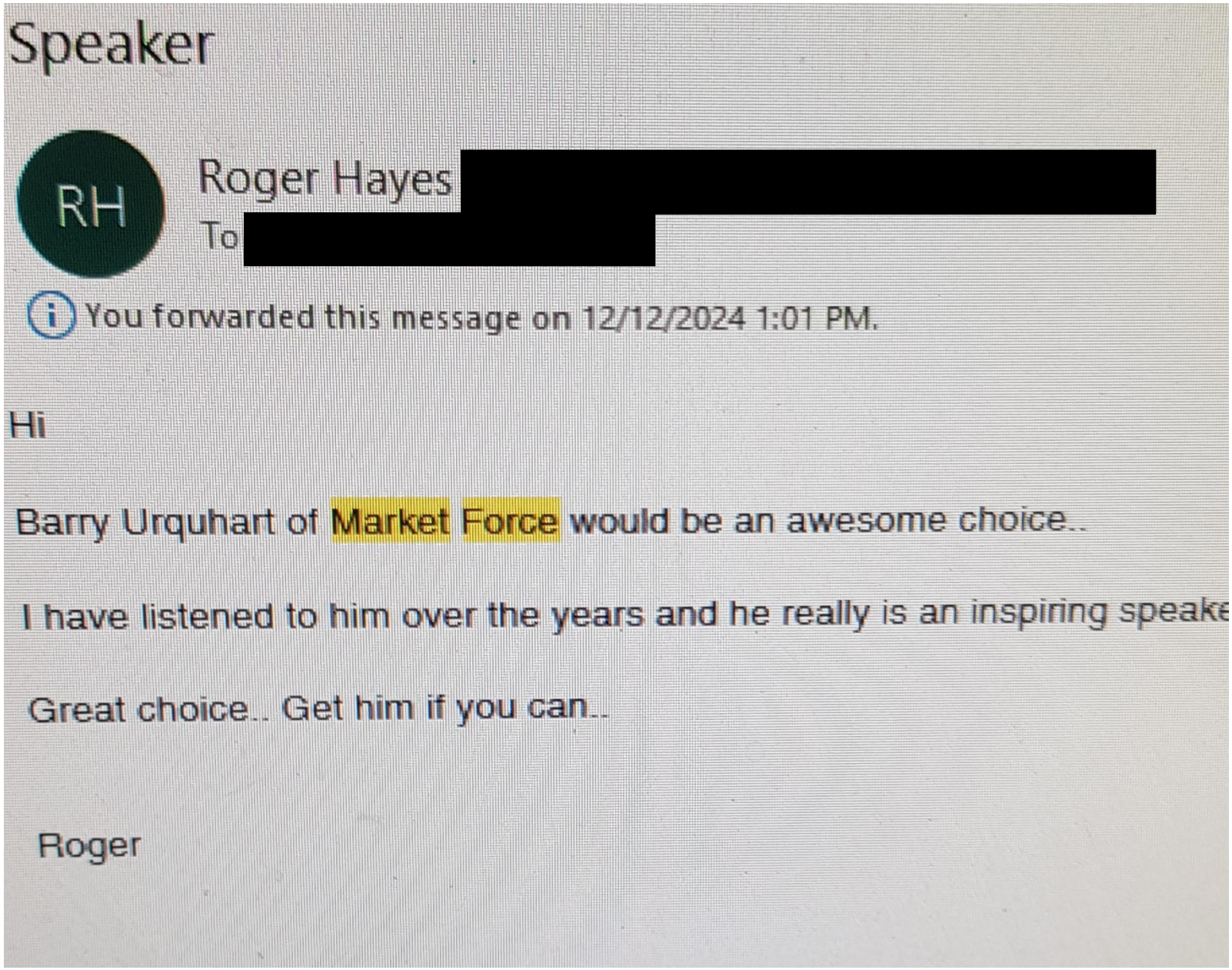
World renowned business consultant and motivational speaker.

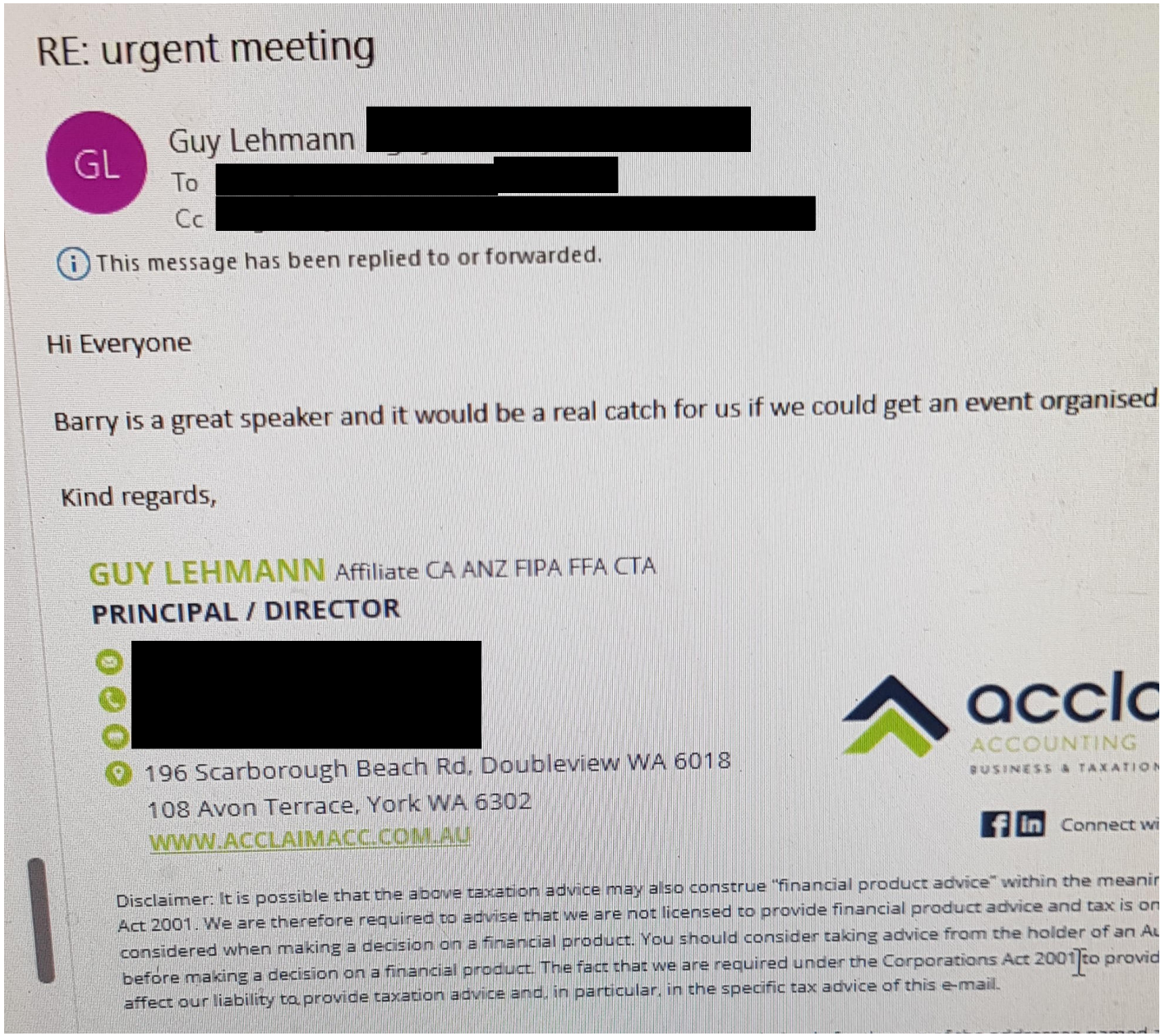
I have also attached a printing invoice relating the Spring into York weekend in October and one of the adverts for York Heritage Weekend.

If you need additional confirmation of Heritage Weekend expenses I can send as a separate email to confirm our additional outlay that exceeded our Shire funding.

Many thanks

Karen Thomas
YBA President
0418936214
18 Doncon St.
York 6302


Speaker
RH
Roger Hayes
To
You forwarded this message on 12/12/2024 1:01 PM.
Hi
Barry Urquhart of Market Force would be an awesome choice..
I have listened to him over the years and he really is an inspiring speake
Great choice.. Get him if you can..
Roger



RE: urgent meeting

GL

Guy Lehmann [redacted]

To [redacted]

Cc [redacted]

This message has been replied to or forwarded.

Hi Everyone

Barry is a great speaker and it would be a real catch for us if we could get an event organised

Kind regards,

GUY LEHMANN Affiliate CA ANZ FIPA FFA CTA

PRINCIPAL / DIRECTOR

[redacted]

196 Scarborough Beach Rd, Doubleview WA 6018

108 Avon Terrace, York WA 6302

WWW.ACCLAIMACC.COM.AU

accla

ACCOUNTING

BUSINESS & TAXATION

Connect wi

Disclaimer: It is possible that the above taxation advice may also construe "financial product advice" within the meanir
Act 2001. We are therefore required to advise that we are not licensed to provide financial product advice and tax is on
considered when making a decision on a financial product. You should consider taking advice from the holder of an Au
before making a decision on a financial product. The fact that we are required under the Corporations Act 2001 to provid
affect our liability to provide taxation advice and, in particular, in the specific tax advice of this e-mail.

SY066-06/25 REQUEST TO EXTEND MULTIYEAR FUNDING AGREEMENT BY AN ADDITIONAL ONE (1) YEAR - YORK BUSINESS ASSOCIATION

File Number:	**4.7711**
Author:	**Rebecca Atkinson, Manager Tourism & Economic Development**
Authoriser:	**Rebecca Palumbo, Acting Executive Manager Corporate & Community Services**
Previously before Council:	**20 December 2022 (121222)** **26 September 2023 (090923)** **25 June 2024 (060624)**
Disclosure of Interest:	**Nil**
Appendices:	**1. Extension Request ⇩**

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

This report presents a request from the York Business Association (YBA) to extend its current Multiyear Funding Agreement (MFA) by one (1) additional year, 2025/26, at the same funding level of $8,675 ex GST.

BACKGROUND

Council has historically provided support for activities, organisations and events that contribute to the Shire's community, social and economic objectives through the Community Funding Program.

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 recurrent sponsorship.

At its 20 December 2022 Ordinary Meeting Council resolved to enter into an MFA with the YBA to ensure its activities were supported with recurrent funding, resolving (121222):

"That, with regard to the Request for Multiyear Funding Agreement - York Business Association Inc, Council:

1. ***Receives the request for a multiyear funding agreement from York Business Association Inc, as presented in Appendix 1.***
2. ***Authorises the Chief Executive Officer to finalise the negotiation of a multiyear funding agreement (Appendix 3) with York Business Association Inc subject to the following:***
    a. ***The multiyear funding agreement commences in the 2022/23 financial year and expires on 30 June 2025.***
    b. ***Key Performance Indicators aligned to both York Business Association Inc's core operations and the Shire of York's Strategic Community Plan are finalised and agreed between both parties.***
    c. ***The amount of sponsorship is provided as milestone payments in accordance with the following table:***

Financial Year	*Per Annum*	*Milestone Payments*
2022/23	*$5,175*	*80% January 2023 & 20% April 2023 or on receipt of acquittal*
2023/24	*$8,675*	*80% July 2023 & 20% April 2024 or on receipt of acquittal*
2024/25	*$8,675*	*80% July 2024 & 20% April 2025 or on receipt of acquittal*

3. ***Approves the payment of $5,175 from the Multiyear Funding Agreement line item to support the 2022/23 financial year of funding.***
4. ***Requests the Chief Executive Officer to include the amounts detailed in the table above in the 2023/24 and 2024/25 budgeting process.***
5. ***Authorises the Shire President and Chief Executive Officer to engross the final multiyear funding agreement.***
6. ***Authorises the Chief Executive Officer to make any minor typographical and formatting changes to the multiyear funding agreement prior to signing."***

Council considered the YBA's request to vary the MFA at its June 2024 Ordinary Meeting and resolved (060624):

"That, with regard to the Request to vary Multiyear Funding Agreement - York Business Association, Council:

1. ***Receives the request from the York Business Association to carryover unused multiyear funding agreement funds from 2023/24 to 2024/25.***
2. ***Authorises the Chief Executive Officer to finalise a variation to the York Business Association's Multiyear Funding Agreement commencing on 1 July 2024 and expiring 30 June 2025 in line with the requested amounts, noting the multiyear funding agreement commenced in the 2022/23 financial year and expires on 30 June 2025.***
3. ***Authorises the Shire President and Chief Executive Officer to engross the amended multiyear funding agreement.***
4. ***Authorises the Chief Executive Officer to make any minor typographical and formatting changes to the multiyear funding agreement prior to signing."***

The YBA entered into a three (3) year MFA with the Shire commencing in the 2022/23 financial year and concluding on 30 June 2025. Under this agreement, Council has supported the YBA in delivering a consistent program of business forums, events, and local economic support.

COMMENTS AND DETAILS

In the current financial year (2024/25), the YBA undertook a significant new initiative, being the production of the York Business Directory (YBD), a comprehensive regional business advertising publication previously managed by the former York Community Resource Centre inc.. Now, under the YBA's stewardship, the YBD is being revitalised as a cornerstone project designed to generate independent revenue and promote local enterprise.

The first-year production of the YBD under the YBA's management has shown promising financial returns, with a projected positive net yield by the end of 2024/25. This marks a major strategic shift for the organisation, providing a tangible pathway toward financial independence from the Shire's annual funding contributions.

Recognising this trajectory, the YBA has requested a one (1) year extension of its MFA, rather than initiating a new three (3) year agreement. This extension would allow:

1. Continuation of the YBD into its second year, testing the full viability of this model.
2. Sufficient time to assess recurring revenue generation.
3. A smooth and measured transition away from Shire reliance.
4. Avoidance of the administrative burden and formality of establishing a new MFA unnecessarily or a undertaking a separate request for community funding.

If the financial performance of the YBD remains strong in 2025/26, the YBA anticipates no further need for Shire funding beyond that point, marking a successful and well-supported exit strategy from the current funding program.

Officers recommend that the terms and conditions set out in the expiring MFA will still apply during the proposed one (1) year extension period.

TABLE 1.

FINANCIAL YEAR	SPONSORSHIP	FIRST PROGRESS PAYMENT (80%)	FINAL PAYMENT ON ACQUITTAL (20%)
2025/26	$8,675 ex GST	Following 2025/26 budget adoption	1 December 2026 or earlier upon successful acquittal

OPTIONS

Council has the following options:

Option 1: Council could choose to extend the MFA for the YBA.

Option 2: Council could choose not to extend the MFA for the YBA.

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

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

YBA

Executive Leadership Team

Strategic

Council Plan 2025-2035

Pillar 1: Community and cultural vitality

A strong, inclusive community supporting all cultures and generations.

Pillar 2: Future-ready economy

A diverse, resilient economy with employment and investment growth.

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance.

Policy Related

C8 Funding: Grants and Sponsorship

Financial

The amount requested ($8,675) is consistent with the final year provision of the original MFA as allocated in the 2024/25 budget.

If approved, funding will be allocated in the 2025/26 budget.

Legal and Statutory

Not applicable

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 multiyear and policy requirements including acceptance of acquittals through resolution provides acceptable treatment controls to manage the risks identified.

Workforce

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

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION
120625

Moved: Cr Peter Wright **Seconded: Cr Chris Gibbs**

That, with regard to the Request to extend Multiyear Funding Agreement by an Additional One (1) Year - York Business Association, Council:

1. **Receives the request from the York Business Association to extend its Multiyear Funding Agreement for an additional one (1) year.**
2. **Approves the amount of funding to be provided in accordance with the table below:**

FINANCIAL YEAR	SPONSORSHIP	FIRST PROGRESS PAYMENT (80%)	FINAL PAYMENT ON ACQUITTAL (20%)
2025/26	$8,675 ex GST	Following 2025/26 budget adoption	1 December 2026 or earlier upon successful acquittal

3. **Directs the Chief Executive Officer to include the above agreed amount in the 2025/26 budgeting process.**
4. **Notes the terms and conditions set out in the expiring Multiyear Funding Agreement will still apply during the one (1) year extension period.**

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

Against: **Nil**

CARRIED 6/0

York Business Association
Building Stronger Businesses

Chief Executive Officer
Shire of York
1 Joaquina Street
York WA 6302

To Whom it may concern ,

Request for One-Year Extension of Multi-Year Funding
I'm writing on behalf of the York Business Association to ask Council to consider supporting us with one more year of funding under our current Multi-Year Funding Agreement. Our existing agreement finishes on 30 June 2025, and we're asking for a 12-month extension for the 2025/26 financial year, at the same amount of $8,675 (ex GST).
We're proud of what we've been able to do with the support Council has given us over the last few years including running regular business Forums with a diverse range of speakers and events like *Spring into York* and *York Heritage Weekend*. These combined activities have helped build stronger local business connections and encouraged more people to visit, shop and stay in York.
In 2024/25, we also took on a new project—the York Business Directory (previously run by the CRC). We brought it under the YBA's management and gave it a refresh, with updated design, local advertising, more local content and wide community distribution. We're happy to say that the first edition has gone really well, and we're on track to make a positive financial return as so much of the work was done at no charge by the YBA team.
Because of that, we truly believe that the YBA is heading in the right direction to become financially independent. What we're asking for now is just one more year of support—enough to produce a second edition of the directory and properly test if it can provide enough income for us to stand on our own two feet and still support a full and comprehensive range of business initiatives and community activities.
This additional year would give us time to focus on making the directory a reliable funding source without the need to go through a new three-year funding agreement.
We're proposing the same milestone payment structure as before: 2025/26 $8,675 ex GST.
We are proud of what we've achieved so far, and we're committed to continuing our work for the benefit of local businesses and the wider community. We hope Council sees the value in giving us this final year of support so we can make the most of this opportunity.
Thank you again for your ongoing support, and please let us know if you need anything else from us.

Kind regards,
Karen Thomas
President
York Business Association

yorkbusassoc@gmail.com
ABN 27 577 247 154

SY067-06/25 COMMUNITY FUNDING ACQUITTAL - PERTH GOSPEL CHOIR OF CURATE ARTS INC

File Number:	**4.7711**
Author:	**Sam Good, Manager Community & Place**
Authoriser:	**Rebecca Palumbo, Acting Executive Manager Corporate & Community Services**
Previously before Council:	**25 June 2024 (050624)**
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 Perth Gospel Choir of Curate Arts Inc., received for funded activities and projects delivered between December 2023 and June 2024.

BACKGROUND

Policy C3 - Community Funding: Grants and Sponsorship (rescinded March 2025), Policy C4 - Sponsorship of Tourism Events (rescinded March 2025) and Policy C8 – Funding: Grants & Sponsorship (adopted March 2025) provide the parameters for considering applications for Shire financial and in-kind support. 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 (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 a 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 funds were spent

At its June 2024 Ordinary meeting Council considered the applications received through the April round of Community Funding and resolved (050624):

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

1. Approves the following community funding requests, as presented in confidential Appendix 2, totalling $17,120 to be funded from budget allocations:

	APPLICANT	*APPROVED AMOUNT*
a.	***WestCycle 2024 Canola Classic***	***$9,000***
c.	***Wildflower Society of York***	***$3,000***
d.	***York & Districts Archery Club***	***$2,000***
e.	***Perth Gospel Choir of Curate Arts***	***$3,120***

2. Requests the Chief Executive Officer to consider the amounts recommended as part of the 2024/25 financial year budgeting process."

COMMENTS AND DETAILS

The following table summarises the community funding acquittal received.

TABLE 1.

ORGANISATION	PURPOSE	PROVISION	ACQUITTAL SUMMARY
Perth Gospel Choir of Curate Arts Inc	Karaoke Choir at the Holy Trinity Church	$3,120	**Key Outcomes** A free event to promote positive mental health and wellbeing by providing opportunities to undertake the Act-Belong-Commit approach through Karaoke Choir. Strengthen community participation by providing a musical offering in which community can actively participate in a shared creative activity. Increase social interactions by providing face-to-face singing and choral sessions in which participants collectively learn and make music together. Reduce social isolation by encouraging new social networks. Increase personal and community art practices. **Key Lessons Learnt** Having choristers that already knew their parts was a great help to attendees when learning their respective parts. Appeal and reach of the activity was limited so community networks, including the Visitors Centre, were important in promoting the event, to community and visitors alike. In the future advertising in the local paper and in the Beverley Blarney would be advantageous.

In Summary:

1. A total of fifty-seven (57) attendees were recorded. Three (3) new members signed up.

2. Community engagements undertaken included school incursions, pre and post event workshops and drop-in sessions. Community engagement was also undertaken at the Beverley Farmers Markets the day prior.
3. In debriefing with the presenters, the venue was identified as ideal for this type of activity and they are keen to offer further workshops of this type, although wider advertising and promotion would be advantageous to net more visitors as well as locals.
4. The Shire was acknowledged in the Perth Gospel Choir of Curate Arts Inc's Annual Report, in social media posts and media releases, on their website and in speeches.
5. Council invested a total of $3,120 (ex GST) to support the Karaoke Choir Interactive Show. Funding was specifically provided for local accommodation for the presenters/musicians and the hire fee for the Holy Trinity Church only. Perth Gospel Choir of Curate Arts Inc provided the balance of funding and in-kind support.

Perth Gospel Choir's acquittal report, including payments to Lavendale Farm for accommodation and the Anglican Parish of York facilities, is presented in Appendix 1.

OPTIONS

Council has the following options:

Option 1: Council could choose to accept the acquittal from Perth Gospel Choir of Curate Arts Inc.

Option 2: Council could choose not to accept the acquittal from Perth Gospel Choir of Curate Arts Inc.

Option 3: Council could choose to seek further details from Perth Gospel Choir of Curate Arts Inc.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

Perth Gospel Choir of Curate Arts Inc

Strategic

Council Plan 2025-2035

Pillar 1: Community and cultural vitality

A strong, inclusive community supporting all cultures and generations.

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance.

Policy Related

C3 Community Funding; Grants & Sponsorship (rescinded March 2025)

C8 Funding: Grants & Sponsorship (adopted March 2025)

Financial

Annual acquittal reporting is a mandatory requirement of all funding agreements in accordance with the policies listed above.

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

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

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION
130625

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

That, with regard to Community Funding Acquittal - Perth Gospel Choir of Curate Arts Inc, Council:

1. **Accepts the acquittal report from Perth Gospel Choir of Curate Arts 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): Perth Gospel Choir presents Karaoke Choir!

Organisation Name (name of group funded): Perth Gospel Choir of Curate Arts Incorporated

Date funding was granted: August 2024

Date project was delivered: June 2024

Describe the key outcomes of your project: 1) Promote positive mental health and wellbeing outcomes: By providing opportunities to undertake the Act-Belong-Commit approach through Karaoke Choir; 2) Strengthen community participation: By providing a musical opportunity in which community members can actively participate in a shared creative activity; 3) Increase social interaction between community members: By providing a face-to-face singing and choral session in which participants are introduced to each other and collectively learn and make music together, promoting active social interaction through creative expression and music-making; 4) Reduce social isolation, by supporting and encouraging new social ties and new networks within the community: By providing a singing and choral session in which community members can actively meet and co-create, through a shared communal creative activity; and 5) Increase personal and community art practices: By learning and developing a new artistic skill in a collective artistic activity (developing new musical and singing skills(including rhythm, pitch, intonation, harmony and aural skills) _____

What were the key lessons your organisation learned while delivering the project? Having **choristers who already knew their parts were a great help to community members, as it provided additional support for community members when learning their parts. Community networks were very involved in promoting this event, and we had phone calls passed along from the York Visitors Centre who wanted to attend. Next time, we would like to promote the event in the local paper and the nearby Beverley Blarney, too.**

How many people benefited from your project?

Attendance numbers 57

Club / Group membership increases (if applicable) 3

Community engagement undertaken (school incursions, pre or post event workshops, drop in sessions) Also undertook community engagement the previous day (1 June) at the Beverely Farmer's Markets. We were introduced to the local arts organisations there, and we visited the Beverley Station Arts Centre as well and discussed the choir muster that happens in September for future engagement opportunities.

_____

_____

How was the Shire of York acknowledged throughout this project?

☐**nnual report x** ☐**ocial Media x** ☐ **Letters to supporters**

☐**ledia release x** ☐ **Newsletter, flyers, brochures** ☐ **Signage**

☐**Vebsite x** ☐**Speeches x**

☐**Other**

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

Did you organisation spend all sponsorship funds granted? If not, why? Yes

Did your club or organisations derive revenue from the sponsorship? No - it was free for people to attend.

INCOME	**AMOUNT ($)**
ITEM/PROGRAM/PROJECT COSTS	
Shire of York Contribution	$3,120
Curate contribution = 3$54.27 + Conductor & Pianist; Graphic Design and Marketing; Project Management and Artistic Direction	354.27
SUBTOTAL	$ 3,474.27
In Kind Support Digital keyboard, stands, mics, amps & PAs, trolleys, leads	$4,500
Public liability, worker's compensation and indemnity insurance	$10,466
Web Hosting, Adobe subscription, DAW/Music Notation Software & Dropbox subscription	$306
Financial Accounting (incl bookkeepers and Quickbooks) = $245 SUBTOTAL	$ $15,517
FUNDING AMOUNT FROM SHIRE OF YORK	$ $3,120
TOTAL INCOME	**$** 3,474.27

EXPENDITURE	AMOUNT ($)
ITEM/PROGRAM/PROJECT COSTS	
Venue Hire (Anglican Parish of York)	$200
Printing (151.16 + 89.98) - sheet music for participants, etc.	$241.14
Accommodation for choir, conductor & pianist	$2,920.00
Freight	113.13
SUBTOTAL	$ 3,474.27
In Kind Support	
As above	
SUBTOTAL	$
TOTAL EXPENDITURE	$ 3,474.27

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: Patricia Alessi Position Held: CHWM

Date: 05/03/2025

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

Subtotal: $0.00 0

Bookings for this event are currently closed. Please contact the organiser directly with any queries.

You are logged in as the Event Organiser, and are allowed to make bookings before and after the booking window has opened and closed for this event.

Perth Gospel Choir presents Karaoke Choir!

CLOSED



EVENT

Singing is great for you, and Karaoke Choir is here to help you find your voice!

With equal parts storytelling, music learning and all-round fun, Karaoke Choir features some of the best well-known tunes.

Each Karaoke Choir show involves a fast-paced music lesson learning one song to sing as a group (with warm-ups included in the show, because OHS is important for you and your voice!).

You don't need any musical background or experience to participate because you will have Perth Gospel Choir's conductor leading you in learning your tunes. Relax and enjoy whilst you sing your heart out.

The show finishes with the audience performing what they have learnt. Karaoke Choir is an amazing experience that transforms strangers into a stunningly musical scratch choir!

Thanks to the support of the Shire of York, Karaoke Choir is free to attend!

We do ask that you RSVP, so that we can ensure enough copies of sheet music are available.

Choir Karaoke is rated G.

ABOUT US

Perth Gospel Choir is a non-auditioned, non-religious community choir that welcomes everyone!

We are a nonprofit choir that sings gospel music and music in a gospel-inspired way. Our repertoire spans from traditional and contemporary gospel music to classical music, Christmas carols, contemporary hits and more. We just use the 'Gospel groove' to inspire us and have fun in our singing.

We are proudly supported by St George's College (UWA) with the support of their Music Director David Woods, who provides us with our beautiful rehearsal venue throughout our rehearsal seasons.

Like what you hear? Follow us on Facebook: www.facebook.com/PerthGospelChoir

DATE

Sunday 2 June 2024 1:30 PM - 2:30 PM (UTC+08)

Privacy - Terms

Subtotal: $0.00

0

Anglican Parish of York
Cnr Newcastle & Pool Sts , York WA 6302

CONTACT EVENT ORGANISER

perth Gospel choir

Curate ARTS INCORPORATED

SHIRE OF York

Sell Tickets | Fundraising | About Us

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Privacy policy Website terms of use

Perth Gospel Choir presents Karaoke Choir!

Sun, 02 June | Anglican Parish of York

Singing is great for you, and Karaoke Choir is here to help you find your voice!

Registration is closed
See other events



Contact Us

Time & Location

02 June 2024, 1:30 pm – 2:30 pm
Anglican Parish of York, Newcastle St, York WA 6302, Australia

About the Event

Event

Singing is great for you, and Karaoke Choir is here to help you find your voice!

With equal parts storytelling, music learning and all-round fun, Karaoke Choir features some of the best well-known tunes.

Each Karaoke Choir show involves a fast-paced music lesson learning one song to sing as a group (with warm-ups included in the show, because OHS is important for you and your voice!).

You don't need any musical background or experience to participate because you will have Perth Gospel Choir's conductor leading you in learning your tunes. Relax and enjoy whilst you sing your heart out.

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We do ask that you RSVP, so that we can ensure enough copies of sheet music are available.

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About Us

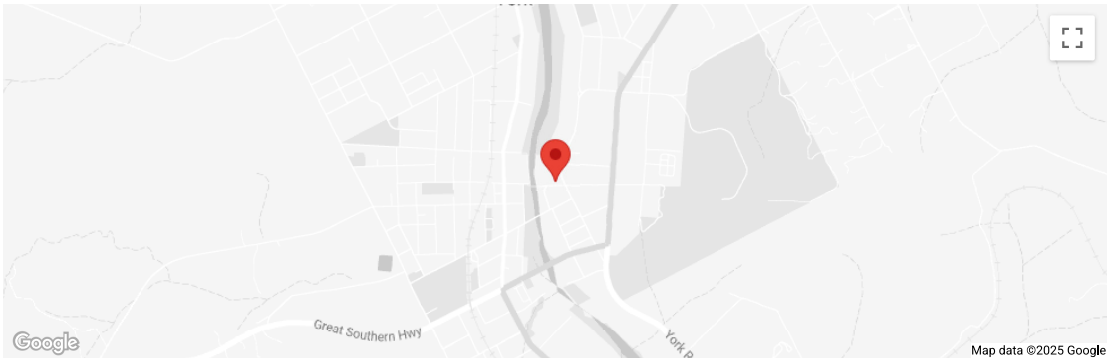
Perth Gospel Choir is a non-auditioned, non-religious community choir that welcomes everyone!

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Like what you hear? Follow us on Facebook: www.facebook.com/PerthGospelChoir

Read Less >



Share This Event



TAX INVOICE

Patricia Alessi

Invoice Date
6 Feb 2024

Invoice Number
INV-0398

ABN
27 661 573 020

JEAN MAPSTONE PTY
LTD T/A LAVENDALE
COUNTRY RETREAT
PO BOX 758
YORK WA 6302
AUSTRALIA

Description	Quantity	Unit Price	GST	Amount AUD
The Lodge Check-in 01/06/2024 checkout-03/06/2024 (2 nights)	2.00	263.6364	10%	527.27
The Farmhouse Check-in 01/06/2024 checkout-03/06/2024 (2 nights)	2.00	245.4545	10%	490.91
Valencia Villa Check-in 01/06/2024 checkout-03/06/2024 (2 nights)	2.00	200.00	10%	400.00
Rose Cottage Check-in 01/06/2024 checkout-03/06/2024 (2 nights)	2.00	127.2727	10%	254.55
Aussie Bush Cabin Check-in 01/06/2024 checkout-03/06/2024 (2 nights)	2.00	200.00	10%	400.00
Orchard Chalet Check-in 01/06/2024 checkout-03/06/2024 (2 nights)	2.00	127.2727	10%	254.55
use of craft room by Farmhouse				
DEPOSIT OF $200.00 IS REQUIRED NOW				
The Quarters Check-in 01/06/2024 checkout-03/06/2024 (2 nights)	2.00	163.6364	10%	327.27

Subtotal	2,654.55
TOTAL GST 10%	265.45
TOTAL AUD	2,920.00
Less Amount Paid	200.00
AMOUNT DUE AUD	**2,720.00**

Due Date: 24 May 2024
Please pay with 14 day of invoice or 14 days before arrival
Please pay into Bendigo Bank
Jean Mapstone Pty Ltd.
BSB 633 000 Account 195 998 638
Thank you

PAYMENT ADVICE

Customer	Patricia Alessi
Invoice Number	INV-0398
Amount Due	**2,720.00**
Due Date	24 May 2024
Amount Enclosed	

Enter the amount you are paying above

To: JEAN MAPSTONE PTY LTD T/A LAVENDALE COUNTRY RETREAT
PO BOX 758
YORK WA 6302
AUSTRALIA

Date	Description	Debit	Credit	Balance [1]
21 May 2024	WITHDRAWAL-OSKO PAYMENT 1124973 Jean Mapstone Pty Ltd. INV-0398 INV-0398 Final Payment York retreat	-$2,720.00		
7 Feb 2024	WITHDRAWAL-OSKO PAYMENT 1836173 Jean Mapstone Pty Ltd. Lavendale Country Retreat York DEPO Lavendale Country Retreat York	-$200.00		

Philip Raymont
To:You
Cc:Sally Boyle

Thu 11/01/2024 09:57

Dear Patricia,

Further to the email reply from Sally Boyle may I join in affirming that your group would be welcome at Holy Trinity Church, York.

On that weekend our only service would be on Sunday, 2nd June at 5.00 p.m.

I look forward to hearing further from you.

With my best wishes for the ongoing life and blessing of the Choir.

Kind regards,

Philip R

Sally Boyle
To:You
Cc:Philip Raymont

Tue 27/02/2024 10:04

Dear Patricia,

We are looking forward to the Perth Gospel Choir performance at Holy Trinity Church.

The hire rate is $200.00 and can be paid direct into the Anglican Parish of York account, if that is convenient for you - details below.

BSB
ACC

Kind regards,
Sally

Warden/Treasurer/LPM
Anglican Parish of York

Tax Invoice

Bill To:
Curate Arts Incorporated
63 Grantham Street
Wembley WA 6014

Date: 6/06/2024
Invoice No: INV-21183
PO/Reference No:
Due Date: 13/06/2024

Toner Print
22/8 Sustainable Ave
Bibra Lake WA Australia 6163
1300 365 328
Delivered To:
Curate Arts Incorporated - TP
63 Grantham Street
Wembley WA 6014

Description	Quantity	Unit Price	Price
#1566 Monthly Printer Rental Fee	1	$65.50	$72.05
#1566 Mono copies used	2230	$0.008	$19.62
#1566 Colour copies used	676	$0.08	$59.49

Subtotal	$137.42
Total GST 10%	$13.74
Total	$151.16
Less Payments	$0.00
Amount Due	**$151.16**

Managed Print

EFT Details

Account Name: Toner Print
BSB No: 036 037
Account Number: 464 030

Please note our Bank Details.
PAYMENT DUE STRICTLY 7 DAYS FROM DATE OF INVOICE.
All onsite or contracted out-of-scope work is billable at $155.00 + GST / Hour.

Your business is appreciated!
Perth: 22/8 Sustainable Ave, Bibra Lake WA 6163
ABN: 53 607 695 241

STATEMENT

Wolfe Systems Group Pty Ltd
Unit 22 8 Sustainable Ave
BIBRA LAKE WA 6163
AUSTRALIA

ABN
32 621 424 182

Curate Arts Incorporated
63 Grantham Street
WEMBLEY WA 6014

Account Number
WAS #1566

Statement Date

30 Jan 2025

Issue Date	Activity	Reference	Due Date	Amount	Payments	Balance AUD
05 Jul 24	Invoice # INV-21550		12 Jul 24	89.98		89.98
06 Aug 24	Invoice # INV-22232		13 Aug 24	145.62		145.62

BALANCE DUE 235.60

HOW TO PAY

By Direct Deposit	By Credit Card
Account Name: Wolfe Systems Group Pty Ltd CBA BSB: 067-873 Account: 1121 9386	Call us on 1300 958 923 to process a payment against your preferred credit card
By Direct Debit	**Remittance Advices**
Connect to WisePay to view your invoices, make one-off payments or schedule automatic payments on the invoice due date. Email us and we'll send you the link!	admin@wolfesystems.com.au ***Please use your Invoice number/s as a reference***

SY068-06/25 COMMUNITY FUNDING APPLICATIONS

Disclosure of Interest – Cr Trent – Financial – Community Funding Applications

Cr Trent read the Financial Declaration - … With regard to Community Funding Applications, the matter in Item SY068-06/25, I disclose that I have an association with the applicant (or person seeking a decision). The association is I am a member of the River Conservation Society. As a consequence, I will leave the meeting.

At 6:07pm, Cr Kevin Trent left the meeting.

Cr Denis Warnick, Deputy President, assumed the Chair.

File Number:	**4.7711**
Author:	**Sam Good, Manager Community & Place** **Gemma Bovington, Project Officer**
Authoriser:	**Rebecca Palumbo, Acting Executive Manager Corporate & Community Services**
Previously before Council:	**Not Applicable**
Disclosure of Interest:	**Nil**
Appendices:	**1. Application Assessment Summary - Confidential** **2. Funding Applications - Confidential**

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

Council is requested to consider applications received in the April 2025 round of Community Funding for support of community events and activities occurring before 30 June 2026.

BACKGROUND

C8 – Funding: Grants and Sponsorship sets out the parameters for Council support of one-off community activities and projects. Funding rounds are open for application twice yearly for a minimum four (4) week period. All eligible applications are presented to Council at the next available Ordinary Council Meeting.

This report presents the applications received during the April 2025 Community Funding round for events and activities occurring up until 30 June 2026 and the existing Community Funding budgets available.

COMMENTS AND DETAILS

The Community Funding Grants and Sponsorship round was open for applications from 1 April 2025 until 30 April 2025. The funding round was promoted utilising the following methods:

1. Shire's website
2. Community Matters newspaper
3. Email direct distribution / Newsletter
4. Shire's social media channels

5. Full online instructional video
6. In-person workshop

By the closing date, the Shire had received seven (7) eligible applications. These were checked for compliance by the Manager Tourism & Economic Development (MTED) and the Manager Community & Place (MCP). The applications were then considered by an assessment panel, consisting of the Acting Executive Manager Corporate & Community Services, Media & Communications Officer and Information Officer. For probity the MTED and MCP were excluded from the assessment process. Applications included six (6) community projects and one (1) tourism project. All seven (7) applications met the minimum criteria for assessment in accordance with Council's Funding guidelines. Four (4) applications, one (1) tourism project and three (3) community projects, were selected for recommendation to Council. This report focuses on the three (3) community projects with a separate report submitted to this meeting regarding the tourism funding application.

Feedback will be given to all unsuccessful applicants.

Eligible applications are assessed against the following criteria:

1. Compliance with guidelines and policy.
2. Value for investment.
3. Community, social and sporting benefit with a high ration of public over private benefit.
4. Alignment to the Council Plan 2025-2035 aspirations and outcomes.
5. Level of dedication and proven commitment demonstrated by the applicant (previous funding acquittals, matched funding contributions, project's reach and participation levels).

Whilst the applications submitted remain confidential, a summary of the selected community projects received is included below.

TABLE 1.

APPLICANT	PURPOSE OF FUNDING	REQUEST
River Conservation Society Inc	The Rough Terrain Environment Management Project involves the purchase of a remote-controlled flail mower to access difficult to access areas along the Gogulgar Bilya/Avon River trails. It expands the area that is safely accessible by volunteers to reduce invasive species without additional use of herbicides.	$7,294
Wheatbelt Endurance Riders Inc (WERI)	WERI Greenhills Endurance Ride which provides endurance riding for all abilities and distances ranging from five (5) to eighty (80) kilometres.	$2,000
York Imperials Cricket Club Inc	Forest Oval Cricket Wicket Upgrade to install a new turf wicket compliant with the recommended dimensions for an open age community club, premier/regional and domestic level competition and improve the level of safety for all users of Forest Oval.	$10,000
Total Community Funding Requested		**$19,294**
York Motoring Events Inc	Funding will support the traffic management costs associated with the York Motor Show 2025. Refer to the separate report.	$12,000
Total Tourism Funding Requested		**$12,000**

The assessment panel reviewed all applications against the criteria outlined in the funding guidelines through a detailed questionnaire, assigning a numerical score against each question. These questions aligned with four (4) key deliverables, each weighted as shown in the table below. The

scores from all panel members were tallied and provided an overview for discussion at the Panel Assessment Meeting.

TABLE 2.

CRITERIA	DESCRIPTION	WEIGHTING
Value for Money	How much impact is gained relative to the amount of funding requested.	35%
Community Impact	Demonstrates the level of community benefit is far higher than any private benefit.	40%
Strategic Alignment	Demonstrates clear alignment to the Shire's Council Plan 2025-2035.	15%
Ability to Deliver the Project	Demonstrates experience in delivering similar projects and shows financial capacity to do so.	10%

A report of the Application Assessments is presented in confidential Appendix 1.

Copies of all the applications received is presented in confidential Appendix 2.

OPTIONS

Council has the following options:

Option 1: Council could choose to support the recommended organisations.

Option 2: Council could choose to seek further details from applicants prior to a resolution. Officers do not recommend this option as it is likely to delay the delivery of the proposed programs and create uncertainty regarding the funding required to deliver the outcomes intended.

Option 3: Council could choose to reduce the amounts of funding to the recommended organisations. Officers do not recommend this option as it could result in reduced program outcomes or some events or programs not proceeding as intended.

Option 4: Council could choose to reject all applications for funding.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

Further to the advertising methods used to announce the funding pool, Officers have engaged with applicants where required and provided opportunity to discuss proposals prior to the application round closing.

Assessment Panel

Strategic

Council Plan 2025-2035

Pillar 1: Community and cultural vitality
A strong, inclusive community supporting all cultures and generations.

Pillar 2: Future-ready economy
A diverse resilient economy with employment and investment growth.

Pillar 3: Thriving Natural Environment
A climate-resilient, healthy natural environment.

Pillar 4: Comfortable and connected places
Enduring heritage identity, quality infrastructure and built form.

Pillar 5: Strong Governance, responsive leadership
Community informed, responsive leadership and strong governance.

Policy Related

C8 Funding: Grants and Sponsorship (adopted March 2025)

Financial

Officers note the following financial implications are stated under the existing Community Funding guidelines:

- 100% of the total project costs can be considered for applications up to $2,000
- A maximum allocation of 60% of total project cost for applications from $2,000 and over

All applications received indicate either a cash or in-kind contribution is being made by the club or organisation if required by the funding guidelines.

The assessment panel recommends providing support to the value of $19,294 to the three (3) recommended clubs or organisations.

Legal and Statutory

All Council supported events need to comply and be assessed against any statutory policies and legislation. Events funded through the community funding round still require applications and assessment in accordance with the Shire's events approvals process ahead of the event occurring.

Risk Related

The overall financial risk is moderate with regards to approving the funding requests. Acceptable controls and treatments through the existing funding guidelines and acquittal reporting requirements are in place to manage the risks identified at an acceptable level.

The reputational risk to Council should the funding requests detailed in this report not be supported is rated as medium. Acceptable treatments and risk controls to reduce the reputational risks stated are limited to applications that are non-compliant with Council policies. The reputational risk and financial risks reduce as the programs and activities are supported and reported against through the delivery and acquittal processes.

Workforce

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

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION
140625

Moved: Cr Peter Wright **Seconded: Cr Chris Gibbs**

That, with regard to Community Funding Applications, Council:

1. Approves the following community funding requests, as presented in confidential Appendices 1 and 2, totalling $19,294 to be funded from budget allocations:

	APPLICANT	APPROVED AMOUNT
a.	**River Conservation Society Inc**	**$7,294**
b.	**Wheatbelt Endurance Riders Inc**	**$2,000**
c.	**York Imperials Cricket Club Inc**	**$10,000**

2. Directs the Chief Executive Officer to include the above agreed amounts in the 2025/26 budgeting process.

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

Against: **Nil**

CARRIED 5/0

At 6:08pm, Cr Kevin Trent returned to the meeting and resumed the Chair.

SY069-06/25 COMMUNITY FUNDING APPLICATION - REQUEST FOR TOURISM FUNDING - YORK MOTORING EVENTS INC.

Disclosure of Interest – Cr Trent – Financial – Community Funding Application - Request for Tourism Funding - York Motoring Events Inc.

Cr Trent read the Financial Declaration - … With regard to Community Funding Application - Request for Tourism Funding - York Motoring Events Inc., the matter in Item SY069-06/25, I disclose that I have an association with the applicant (or person seeking a decision). The association is I am a member of York Motoring Events Inc. As a consequence, I will leave the meeting.

At 6:09pm, Cr Kevin Trent left the meeting.

Cr Denis Warnick, Deputy President, assumed the Chair.

File Number:	**4.7711**
Author:	**Rebecca Atkinson, Manager Tourism & Economic Development**
Authoriser:	**Rebecca Palumbo, Acting Executive Manager Corporate & Community Services**
Previously before Council:	**25 May 2021 (080521)** **22 November 2022 (071122)** **25 March 2025 (040325)** **22 April 2025 (080425)**
Disclosure of Interest:	**Nil**
Appendices:	**1. Funding Application - Confidential**

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

This report presents a funding request from York Motoring Events Inc (YMEI) for the York Motor Show 2025.

BACKGROUND

Policy C8 – Funding: Grants and Sponsorship outlines the Shire of York's framework for distributing funding, grants, and sponsorships to support community initiatives, tourism, and economic development projects that align with its strategic goals. It ensures transparent, fair, and accountable allocation of public funds, with clear criteria for eligibility, application, assessment, and reporting.

Eligible applications are assessed against the following criteria:

1. Compliance with guidelines and policy.
2. Value for investment.
3. Community, social and sporting benefit with a high ration of public over private benefit.
4. Alignment to the Council Plan 2025-2035 aspirations and outcomes.
5. Level of dedication and proven commitment demonstrated by the applicant (previous funding acquittals, matched funding contributions, project's reach and participation levels).

This report presents an application received during the April 2025 Community Funding round for events and activities occurring up until 30 June 2026 through the existing Community Funding budgets available.

The York Motor Show has received previous Shire funding while under the auspice of the York Veteran Car Cub, as considered by Council at its May 2021 Ordinary Meeting (Resolution 080521). While that approval was for a multiyear agreement, which has since been acquitted, this new application is only for one (1) year due to the personal choice of the applicant.

The York Motor Show is scheduled for October 2025.

COMMENTS AND DETAILS

The York Motor Show is an established annual event organised by the not-for-profit community group, YMEI. Now in its 15th year, the event is a free, family-friendly, static vehicle display located in the York CBD, using Avon Terrace, Peace Park and Howick Street with road closures in place. This location integrates vehicle displays with local businesses, cafes, and attractions, creating an immersive and interactive experience for attendees.

The event attracts a broad audience from Western Australia, interstate, and internationally, with an estimated 3,000 attendees. This includes visitors staying in York for the weekend, attending the event, and spending at local businesses, accommodation providers, and hospitality venues.

Key features of the 2025 York Motor Show program include:

1. Vehicle displays throughout the CBD, supported by traffic management and volunteers.
2. A Rock 'n' Roll Dance on Saturday night, raising funds for the York St John Ambulance Sub Centre's Heart Start fund.
3. A proposed Hill Climb event (run by a separate group with YMEI’s support).
4. Collaboration with local businesses and hotels, with entertainment across the weekend.
5. Engagement with emergency services and community organisations to ensure safe and compliant event delivery.
6. Road safety promotion and interactive announcements during the event.
7. Strong local community involvement, with residents encouraged to display their vehicles and participate alongside motoring enthusiasts.
8. Promotion through local and statewide media, including Triple M radio, local newspapers, motoring club networks, and social media.

The event has a low environmental impact, with waste management, toilet facilities, and post-event clean-up plans in place. Organisers engage with local businesses and residents to address any concerns related to road closures and ensure access where possible.

The York Motor Show aligns with the Shire’s objectives for tourism development, economic growth, and community engagement. Its format as a static CBD display distinguishes it from other regional events, offering a vibrant, inclusive experience for families, enthusiasts, and visitors. The event continues to grow in popularity, reinforcing York’s position as a destination for motoring enthusiasts and general tourism.

The application was checked for compliance by the Manager Tourism & Economic Development (MTED) and the Manager Community & Place (MCP). An assessment panel, consisting of the Acting Executive Manager Corporate & Community Services, Media & Communications Officer and Information Officer, then reviewed the application against the criteria outlined in the funding guidelines through a detailed questionnaire, assigning a numerical score against each question. These questions aligned with four (4) key deliverables. The assessment panel identified that the proposed event has a significant economic, social, strategic and promotional benefit. For probity the MTED and MCP were excluded from that assessment process.

Comments from the Panel included the following points:

1. Fulfils most of the Shire's strategic goals well and demonstrates joint impacts for other businesses involved.
2. Realistic and clear budgeting information provided.
3. Promotes York as a destination, encourages community involvement and supports the economy.
4. Fourteen (14) years of successful delivery, strong organisational structure, partnerships, and logistical awareness. The Shire has been acknowledged in posters, media, announcements, and invited to presentations.

A copy of YMEI's application is presented in confidential Appendix 1.

The following outlines the proposed funding schedule for the funding.

TABLE 1.

YORK MOTORING EVENT INC 2025			
FINANCIAL YEAR	**SPONSORSHIP**	**FIRST PROGRESS PAYMENT (80%)**	**FINAL PAYMENT ON ACQUITTAL (20%)**
2025/26	$12,000 ex GST	Following 2025/26 budget adoption	1 December 2026 or earlier upon successful acquittal

OPTIONS

Council has the following options:

Option 1: Council could choose to provide funding support to YMEI.

Option 2: Council could choose not to provide funding support to YMEI.

Option 3: Council could choose to seek further details from YMEI.

Option 4: Council could choose to provide a different amount of funding support to YMEI.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

YMEI

Assessment Panel

Strategic

Council Plan 2025-2035

Pillar 1: Community and cultural vitality

A strong, inclusive community supporting all cultures and generations.

Pillar 2: Future-ready economy

A diverse, resilient economy with employment and investment growth.

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance.

Policy Related

C8 Funding: Grants and Sponsorship

Financial

If approved, funding will be allocated in the 2025/26 budget.

Legal and Statutory

Not applicable

Risk Related

The overall financial risk is moderate with regards to approving the funding request. Acceptable controls and treatments through the existing funding guidelines and acquittal reporting requirements are in place to manage the risks identified at an acceptable level.

The reputational risk to Council should the funding request not be supported is rated as medium.

Workforce

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

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION
150625

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

That, with regard to Community Funding Application - Request for Tourism Funding - York Motoring Events Inc., Council:

1. **Receives the request for funding from York Motoring Events Inc., as presented in confidential Appendix 1.**
2. **Approves the amount of funding to be provided in accordance with the table below:**

FINANCIAL YEAR	SPONSORSHIP	FIRST PROGRESS PAYMENT (80%)	FINAL PAYMENT ON ACQUITTAL (20%)
2025/26	$12,000 ex GST	Following 2025/26 budget adoption	1 December 2026 or earlier upon successful acquittal

3. **Directs the Chief Executive Officer to include the above agreed amount in the 2025/26 budgeting process.**

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

Against: **Nil**

CARRIED 5/0

At 6:10pm, Cr Kevin Trent returned to the meeting and resumed the Chair.

SY070-06/25 REVIEW OF THE DELEGATIONS REGISTER

File Number:	**4.7712**
Author:	**Vanessa Green, Council & Executive Support Officer**
Authoriser:	**Alina Behan, Acting Chief Executive Officer**
Previously before Council:	**22 December 2020 (091220)** **21 December 2021 (051221)** **27 June 2023 (140623)** **25 June 2024 (070624)**
Disclosure of Interest:	**Nil**
Appendices:	**1. Reviewed Delegations Register ⇩** **2. Proposed Delegation 10.1.1 - Town Planning Matters ⇩**

NATURE OF COUNCIL'S ROLE IN THE MATTER

Legislative

PURPOSE OF REPORT

This report presents the 2024/25 review of the Delegations Register to Council for consideration.

BACKGROUND

Delegation is a formal means of empowering one entity to perform functions and duties that are otherwise reserved in legislation for another entity. Delegation is a tool used in government at all levels to enable the efficient and effective delivery of services while ensuring clarity regarding who is permitted to perform specific discretionary functions.

In accordance with Section 5.42 of the *Local Government Act 1995* (the Act) a local government may delegate to the Chief Executive Officer (CEO) the exercise of any of its powers or the discharge of any of its duties under the Act. In accordance with Section 5.44 of Act, the CEO may sub-delegate to other Officers.

The application of delegated authority is intended to improve the efficiency, effectiveness and timeliness of decision-making and is consistent with the Shire's Council Plan and commitment to a strong customer service focus. This includes functions under the Act and Regulations but also covers legislation related to planning, dogs, cats, health, building, bush fire prevention and management, graffiti and food safety.

Sections 5.18 and 5.46 of the Act require that a Delegations Register be maintained and reviewed at least once each financial year. The Delegations Register was last reviewed by Council at its June 2024 meeting for the 2023/24 financial year (070624).

Delegations and the appointment of authorised officers is an important mechanism used by all tiers of government to conduct business effectively and efficiently. Where no delegation exists, a decision on a matter must be made by Council. However, the existence of a delegation does not automatically mean the decision-making authority will be used. There may be circumstances, such as a sensitive issue or for the benefit of public interest and transparency, where a delegate recognises the decision would be best made by Council.

COMMENTS AND DETAILS

The register of delegations consists of:

- Delegations by Council to the Chief Executive Officer under the Act.

- Sub-delegations by the Chief Executive Officer to employees under the Act.
- Delegations by Council to the Chief Executive Officer and employees under other Acts.
- Delegations by the Chief Executive Officer to employees under various Acts.
- Delegations by State Government Entities to Chief Executive Officer and employees under various Acts.

Each delegation provides information on the respective head of power, functions, any conditions imposed, record keeping requirements, and compliance links.

The 2022/23 review of the Shire's Delegated Authority Register was extensive, with many new delegations added, as well as a substantial re-formatting of the document. The 2022/23 review addressed inconsistencies and gaps in the Register and demonstrated the Shire's commitment to continuous improvement and governance maturity.

As a result, the 2023/24 review and this review have been relatively minor with only a small number of amendments proposed. A copy of the reviewed Register of Delegated Authority with tracked changes is presented in Appendix 1.

The below table details the proposed changes.

TABLE 1.

DELEGATION	TITLE	PROPOSED CHANGE
2.1.1	Grant a Building Permit	Addition of Building Surveyor as a subdelegate
2.1.2	Demolition Permits	Addition of Building Surveyor as a subdelegate
2.1.3	Occupancy Permits or Building Approval Certificates	Addition of Building Surveyor as a subdelegate
2.1.5	Building Orders	Addition of Building Surveyor as a subdelegate
2.1.6	Inspection and Copies of Building Records	Addition of Building Surveyor as a subdelegate
2.1.7	Referrals and Issuing Certificates	Addition of Building Surveyor as a subdelegate
2.1.8	Private Pool Barrier – Alternative and Performance Solutions	Addition of Building Surveyor as a subdelegate
2.1.9	Smoke Alarms – Alternative Solutions	Addition of Building Surveyor as a subdelegate
6.1.1	Prohibition Orders	Amendment to role title of (Principal) Environmental Health Officer
6.1.2	Food Business Registrations	Amendment to role title of (Principal) Environmental Health Officer
8.1.1	Powers of Local Government – Appointment of Deputy	Correction to the year of the Shire of York Health Local Law
9.1.2	Enforcement Agency Reports to the Chief Health Officer	Amendment to role title of (Principal) Environmental Health Officer
10.1.1	Town Planning Matters	It is proposed to delete this in its entirety and replace it with a new delegation. A copy of the proposed Delegation is presented in Appendix 2.

		The current delegation is outdated and deficient in several areas. The proposed delegation is more comprehensive and covers all required matters applicable to York. Recent amendments to the Deemed Provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Clause 84C) stipulate that all local government CEO's or authorised employees across the State are now required to determine applications for single houses and any associated development, with these powers having been removed from elected representatives (i.e. Councils). As such there is no need for any specific delegation to deal with development applications of that type.
11.2.2	Development Control Powers – Powers of Local Governments and DOT - Metropolitan Region Scheme	It is proposed to delete this in its entirety as it does not relate to the district of the Shire of York
11.2.3	Development Control Powers – Powers of Local Governments - Greater Bunbury Region Scheme	It is proposed to delete this in its entirety as it does not relate to the district of the Shire of York
11.2.4	Development Control – Powers of Local Governments - Peel Region Scheme	It is proposed to delete this in its entirety as it does not relate to the district of the Shire of York
11.2.5	Development Control – Powers of Local Government – Ningaloo Coast Regional Interim Development Order 2007	It is proposed to delete this in its entirety as it does not relate to the district of the Shire of York
11.2.6	Development Control – Powers of Local Governments – Hope Valley-Wattleup Redevelopment Act 2000 and Master Plan	It is proposed to delete this in its entirety as it does not relate to the district of the Shire of York

It should be noted that Council is unable to make determinations or suggest amendments to the subdelegates contained in the delegations, as these are matters to be determined by the Chief Executive Officer as they relate to employees. However, in the interests of transparency and accountability, the subdelegates have been included in the document presented to Council, and thus the public, for information purposes only.

OPTIONS

Council has the following options:

Option 1: Council could choose not to adopt the reviewed Delegations Register.

Option 2: Council could choose to limit the delegations to the Chief Executive Officer.

Option 3: Council could choose to adopt the reviewed Delegations Register.

Option 3 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

Executive Leadership Team and Designated Officers

Strategic

Council Plan 2025-2035

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance.

Policy Related

Several delegations are subject to compliance with Council's policy on the matter. This is noted in the Compliance Links section of each Delegation.

Financial

Nil

Legal and Statutory

Sections 5.18 and 5.42 to 5.46 (inclusive) and 9.10 of the Act are applicable and state:

"5.18. Register of delegations to committees

A local government is to keep a register of the delegations made under this Division and review the delegations at least once every financial year.

5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under —*

(a) this Act other than those referred to in section 5.43; or

(b) the Planning and Development Act 2005 section 214(2), (3) or (5).

** Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties —

(a) any power or duty that requires a decision of an absolute majority of the council;

(b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;

(c) appointing an auditor;

(d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;

(e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;

(f) borrowing money on behalf of the local government;

(g) hearing or determining an objection of a kind referred to in section 9.5;

(ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;

(h) any power or duty that requires the approval of the Minister or the Governor;

(i) such other powers or duties as may be prescribed.

5.44. CEO may delegate powers and duties to other employees

(1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

(3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —

(a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and

(b) the exercise of that power or the discharge of that duty by the CEO's delegate,

are subject to any conditions imposed by the local government on its delegation to the CEO.

(4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.

(5) In subsections (3) and (4) —

***conditions** includes qualifications, limitations or exceptions.*

5.45. Other matters relevant to delegations under this Division

(1) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —

(a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and

(b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.

(2) Nothing in this Division is to be read as preventing —

(a) a local government from performing any of its functions by acting through a person other than the CEO; or

(b) a CEO from performing any of his or her functions by acting through another person.

5.46. Register of, and records relevant to, delegations to CEO and employees

(1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.

(2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

(3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

9.10. Appointment of authorised persons

(1) In this section —

***law** means any of the following —*

(a) this Act;

(b) the Caravan Parks and Camping Grounds Act 1995;

(c) the Cat Act 2011;

(d) the Cemeteries Act 1986;

(e) the Control of Vehicles (Off-road Areas) Act 1978;

(f) the Dog Act 1976;

(g) subsidiary legislation made under an Act referred to in any of paragraphs (a) to (f);

(h) a written law prescribed for the purposes of this section;

***specified** means specified in the instrument of appointment.*

(2) The CEO may, in writing, appoint persons or classes of persons to be authorised persons for the purposes of 1 or more specified laws or specified provisions of 1 or more specified laws.

(3) An appointment under subsection (2) is subject to any specified conditions or limitations.

(4) The CEO must give to each person appointed under subsection (2) an identity card that —

(a) on the front of the card, sets out —

(i) the name and official insignia of the local government; and

(ii) the name of the person; and

(iii) a recent photograph of the person;

and

(b) on the back of the card, specifies each law to which the person's appointment relates.

*(5) A person appointed under subsection (2) (the **authorised person**) must —*

(a) carry their identity card at all times when performing functions under a specified law; and

(b) produce their identity card for inspection when required to do so by a person in respect of whom the authorised person has performed or is about to perform a function under a specified law.

(6) A person who, without reasonable excuse, fails to return their identity card to the CEO within 14 days after their appointment ceases to have effect commits an offence."

Sections 5.74 to 5.76 of the Act require a designated employee to whom a duty of power has been delegated must complete a Primary Return within three (3) months of their start day and lodge an Annual Return by 31 August each year:

"5.74. Terms used

(1) In this Subdivision, unless the contrary intention appears —

***address** means —*

(a) in relation to a person other than a corporation, the last residential or business address of the person known to the person disclosing the address in a return; or

(b) in relation to a corporation, the address of the registered office or principal place of business of the corporation in the State or, where there is no such office or place, the address of the principal office or place of business of the corporation in the place in which it is incorporated or taken to be registered; or

(c) in relation to any real property, the postal address of the property or the particulars of title of the property;

***annual return** means a return required by section 5.76;*

***corporation** means any body corporate, whether formed or incorporated within or outside the State, and includes any **company** or **foreign company** (as those terms are defined in the Corporations Act 2001 of the Commonwealth) but does not include —*

(a) a body corporate that is incorporated within Australia or an external Territory and is a public authority or an instrumentality or agency of the Crown; or

(b) a corporation sole; or

[(c), (d) deleted]

(e) an association, society, institution or body incorporated, or taken to be incorporated, under the Associations Incorporation Act 2015;

***designated employee** means —*

(a) a CEO; and

(b) an employee, other than the CEO, to whom any power or duty has been delegated under Division 4; and

(c) an employee who is a member of a committee comprising council members and employees; and

(d) an employee nominated by the local government to be a designated employee;

***primary return** means a return required by section 5.75;*

***relative**, in relation to a relevant person, means any of the following —*

(a) a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant of the relevant person or of the relevant person's spouse or de facto partner;

(b) the relevant person's spouse or de facto partner or the spouse or de facto partner of any relative specified in paragraph (a),

whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by a written law;

***relevant person** means a person who is a council member or a designated employee;*

***return** means a primary or an annual return;*

***return period**, in relation to an annual return required to be lodged by a relevant person in a particular year, means —*

(a) if the last return lodged by the relevant person was a primary return, the period commencing on the day after the start day for the primary return and ending on 30 June in that year; or

(b) if the last return lodged by the relevant person was an annual return, the period of 12 months ending on 30 June in that year;

***start day** means —*

(a) in the case of a council member, the day on which he or she made the declaration referred to in section 2.29; or

(b) in the case of a designated employee, the day on which the person became a designated employee.

(2) A reference in this Subdivision to a disclosure concerning any income, corporation or any other thing (not being real property), includes a reference to a disclosure concerning any income derived, corporation incorporated (or taken to be registered), or other thing arising or received, outside this State.

(3) For the purposes of this Subdivision, loans made, or goods or services supplied, to a relevant person by 2 or more related bodies corporate (as defined in the Corporations Act 2001 of the Commonwealth) are taken to have been made or supplied by a single corporation.

5.75. Primary returns

(1) A relevant person other than the CEO must lodge with the CEO a primary return in the prescribed form within 3 months of the start day.

(2) A CEO must lodge with the mayor or president a primary return in the prescribed form within 3 months of the start day.

(3) This section does not apply to a person who —

(a) has lodged a return within the previous year; or

(b) has, within 3 months of the start day, ceased to be a relevant person.

Penalty: $10 000 or imprisonment for 2 years.

5.76. Annual returns

(1) Each year, a relevant person other than the CEO must lodge with the CEO an annual return in the prescribed form by 31 August of that year.

(2) Each year, a CEO must lodge with the mayor or president an annual return in the prescribed form by 31 August of that year.

Penalty applicable to subsections (1) and (2): $10 000 or imprisonment for 2 years."

Regulations 18G and 19 of the *Local Government (Administration) Regulations 1996* are applicable and state:

"18G. Delegations to CEOs, limits on (Act s. 5.43)

Powers and duties of a local government exercised under the following provisions are prescribed under section 5.43(i) as powers and duties that a local government cannot delegate to a CEO —

(a) section 7.12A(2), (3)(a) or (4); and

(b) regulations 18C and 18D.

19. Delegates to keep certain records (Act s. 5.46(3))

Where a power or duty has been delegated under the Act to the CEO or to any other local government employee, the person to whom the power or duty has been delegated is to keep a written record of —

(a) how the person exercised the power or discharged the duty; and

(b) when the person exercised the power or discharged the duty; and

(c) the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty."

Risk Related

A local government is required to review its register of delegations at least once every financial year. The last review was undertaken in June 2024. Council is therefore required to adopt the reviewed delegations prior to 30 June 2025 to ensure compliance. This report mitigates that risk.

An appropriate framework of delegations:

1. Ensures accountability
2. Adequately manages risk
3. Increases efficiency and effectiveness of processes and practices
4. Ensures decisions are implemented
5. Complies with relevant legislation, policies and guidelines

Workforce

Designated employees who have been delegated authority are required to complete a Primary Return within three (3) months of their start day and an Annual Return prior to 31 August each year.

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

VOTING REQUIREMENTS

Absolute Majority: Yes

RESOLUTION
160625

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

That, with regard to the Review of the Delegations Register, Council:

1. **Notes the last review of its Delegations Register, in accordance with Section 5.46(2) of the *Local Government Act 1995*, was conducted in June 2025 for the 2024/25 financial year.**
2. **Adopts the amended Delegations Register, as presented in Appendix 1.**
3. **Adopts the proposed Delegation 10.1.1 – Town Planning Matters, as presented in Appendix 2.**
4. **Authorises the Chief Executive Officer to make any necessary minor typographical and formatting changes to the Delegations Register 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

Shire of York
Register of Delegated Authority

Reviewed 25 June 2024



REVIEW

Reviewed by	Date approved	References
Council	27 Nov 2017	Reviewed
Council	17 Dec 2018	Reviewed
Council	25 Nov 2019	Reviewed
Council	22 Dec 2020	Reviewed
Council	21 Dec 2021	Reviewed
Council	27 Jun 2023	Reviewed - Resolution #140623
Council	25 Jun 2024	Reviewed - Council Resolution #070624

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INTRODUCTION

Introduction

Delegations and the appointment of authorised persons are used to perform the functions prescribed in legislation.

The application of these powers permits the efficient, effective and timely delivery of services in accordance with legislation that is consistent with the Shire's Strategic Community Plan and commitment to a strong customer service focus.

Delegation is a formal means of empowering one entity to perform functions and duties that are otherwise reserved in legislation for another entity. Delegation is a tool used in government at all levels to enable the efficient and effective delivery of services while ensuring clarity regarding who is permitted to perform specific discretionary functions.

Local government exercises many of its functions through a combination of delegated powers and authorisations. This includes functions under the *Local Government Act 1995* (the Act) and Regulations but also legislation related to planning, dogs, cats, health, building, bush fire prevention and management and food safety.

Definitions

The terms used throughout this register are defined below:

"***Authorisations***": the written form that conveys an authorisation to an Authorised person.

"***Conditions***": a description of when the delegation/ authorisation can / cannot be used or the time frame for which the delegation/ authorisation is valid.
"***Delegate***": the person (named by position title or office) or entity 'appointed' by the delegator, to act in place of the delegator for the purpose of exercising an express power or duty.

"***Delegation***": the process, prescribed in legislation, for assigning authority to exercise an express power or duty from the delegate to another person (named by position title or office) or an entity (the Delegate).

"***Delegator***": the person (named by position title or office) or entity in which the written law vests an Express Power or Duty whom delegates that Express Power or Duty.

"***Express Power or Duty***": a power or duty written (expressly) in legislation.

"***Express Power to Delegate***": a power (procedure) written (expressly) in legislation that enables the devolution of an Express Power or Duty from a Delegator to a Delegate.

"***Head of Power***": the legislation, which contains an express power to delegate and/or an express power or duty.

"***Instrument of Delegation***": the written form of a delegation. Legislation requires delegation be provided in writing. The instrument of delegation communicates the delegation from the Delegator to the Delegate.

"***Subdelegate***": the person (named by position or title or office) or entity to which a Delegate has sub-delegated a power or duty, which has been delegated to that Delegate by the Delegator.

Foundation for Delegation

Section 59 of the *Interpretation Act 1984* prescribes the framework for how delegated authority must be structured in Western Australian law:

1. The written law (Head of Power) must include an Express Power to Delegate, which specifically enables a person (the Delegator) to make a delegation.
2. In that same written law, there must be an Express Power or Duty conferred or imposed on the Delegator and it must be capable of being delegated. This means that the power or duty proposed for delegation must be written in the same law as the Express Power to Delegate; and that written law must not prohibit the power or Duty from being delegated or contain limitations or conditions, which the proposed delegation exceeds.
3. The power to delegate cannot be delegated.
4. Delegations must be in writing (the instrument of delegation).
5. Delegations must be advised to the Delegate in writing.

The requirements for delegation prescribed in the *Interpretation Act 1984*, apply to all delegations under Western Australian Law, including the Act and all other Acts under which local government has duties and powers.

Review of Delegations

Section 5.46 of the Act requires that a review of the delegations made under the Act occurs at least once every financial year. In line with good governance principles, it is important that delegations are reviewed regularly to ensure currency. The Shire reviews this register in accordance with those requirements.

Standard Conditions on Delegations

In accordance with Section 5.71 of the Act and the Shire of York's Code of Conduct, if an employee has been delegated a power or duty relating to a matter in which the employee has an interest, that employee must not exercise the power or discharge the duty and must, in the case of the CEO, disclose to the Shire President the nature of the interest, and in the case of any other employee, must disclose to the CEO the nature of the interest. The Act contains severe penalties for failure to comply.

Any delegation exercised shall comply with any laws and regulations in force, and the requirements of any Shire of York local laws, policies and resolutions of Council.

Record of Actions and Decisions

If a person is exercising a power or duty that has been delegated under the Act, Section 5.46(3) of the Act requires that records be kept whenever the delegated authority is utilised. Regulation 19 of the *Local Government (Administration) Regulations 1996* prescribes the information required to be recorded, being:

1. How the person exercised the power or discharged the duty;
2. When the person exercised the power or discharged the duty; and
3. The persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

The register details the recording and record keeping requirements associated with each delegation and is reported to Council at the Concept Forum. It is important that the details of the person who exercised the delegation are recorded in the register. Only officers who are delegated authority can be make discretionary decisions under delegation.

Primary and Annual Returns

In accordance with Sections 5.75 and 5.76 of the Act, the delegation of a power or duty to an employee under the Act or Section 214 of the *Planning and Development Act 2005* triggers the requirement to make disclosures in primary and annual returns. An employee to whom a duty or power is delegated under the Act is considered a 'designated employee' under Section 5.74(1) of the Act.

The Act contains severe penalties (a fine of $10,000 or two years imprisonment) for failure to comply with this requirement. It is the responsibility of each individual employee to ensure compliance.

The Shire of York utilises the Attain compliance platform to manage its Return process and in accordance with Section 5.96A of the Act and Regulation 29C of the *Local Government (Administration) Regulations 1996*, produces and publishes on its website a report annually detailing the Returns made in the last financial year.

Matters which cannot be Delegated

Under Section 5.43 of the Act the following powers cannot be delegated by Council to the CEO:

1. Any power or duty that requires a decision of an absolute majority or special (75%) majority of the local government;
2. Accepting a tender which exceeds an amount determined by the local government;
3. Appointing an auditor;
4. Acquiring or disposing of any property value at an amount determined by the local government;
5. Any of the local government's powers under Section 5.98, 5.98A, 5.99, 5.99A and 5.100 of the Act;
6. Borrowing money on behalf of the local government;
7. Hearing or determining an objection of a kind referred to in Section 9.5;
8. The power under Section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
9. Any power or duty that requires the approval of the Minister or Governor; or
10. Such other duties or powers that may be prescribed by the Act.

Furthermore, the following Regulations prescribe powers and duties which cannot be delegated to the CEO:

1. Regulation 18G of the *Local Government (Administration) Regulations 1996* prohibits the delegation to a CEO of the powers and duties under Sections 7.12A2, 7.12A(3)(a) and 7.12A(4) of the Act (relating to meetings with auditors) and Regulations 18C and 18D (relating to the selection and appointment of CEO's and reviews of their performance).
2. Regulation 6 of the *Local Government (Financial Management) Regulations 1996* prohibits the delegation of the duty to conduct an internal audit to an employee (including a CEO) who has been delegated the duty of maintaining the local government's day to day accounts or financial management operations.

Delegation by the Chief Executive Officer to an Employee

Section 5.44(1) of the Act allows for the CEO to delegate any of the powers to another employee other than the power of delegation. This must be done in writing as per Section 5.44(2). The Act also allows for the CEO to place conditions on any delegations under Section 5.44(4).

There is no power for a person other than the CEO to delegate a power as stated in Section 5.44(1) of the Act.

Officers must refer to relevant legislation prior to making any decisions under delegated authority.

Acting Through another person

The Act recognises that employees do not always need delegations (or sub delegations) to carry out their tasks and functions on behalf of the Shire. Section 5.45(2) of the Act states:

"*(2) Nothing in this Division is to be read as preventing —*
(a) a local government from performing any of its functions by acting through a person other than the CEO; or
(b) a CEO from performing any of his or her functions by acting through another person."

The key difference between a delegation and "acting through" is that a delegate exercises the decision-making function in his or her own right. Thus, an employee may pay an account or issue an approval if directed to do so by another employee who has the authority to make such a decision and chooses to "act through" another employee.

The principal issue is that where a person has no discretion in carrying out a function, then that function may be undertaken through the "acting through" concept. Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority.

Using Delegations to make decisions

Before using a delegated authority, a delegate must familiarise themselves with the legislative framework that informs the decisions they will make under the Delegation. Care should be taken to understand the legislative process, conditions and limitations relevant to the statutory power or duty. The delegate must also consider and apply policy, procedures or standards that are relevant to the decisions they are empowered to make and also ensure that they comprehensively understand the legal framework that informs their decision making.

Conflicts of Interest

A conflict of interest arises where a personal interest is in conflict with the public interest. In accordance with Sections 5.70 and 5.71 of the Act, delegates must disclose any conflict of interest relating to advice or reports, or interests relating to delegated functions. An interest may require them to be removed from the decision-making process.

A Delegate may refer the decision making back to the Delegator, where they consider there is a risk or sensitivity, which makes it more appropriate for the Delegator to make that decision.

The Shire's Code of Conduct sets out the requirement for employees to immediately disclose interests that could be in conflict, or could be perceived to be in conflict with the performance of their public duties.

The Act contains severe penalties (a fine of $10,000 or two years imprisonment) for failure to comply with this requirement. It is the responsibility of each individual employee to ensure compliance.

Shire of York

DELEGATIONS

01 Local Government Act 1995 Delegations

Local Government Act 1995

01.1 Council to CEO

Delegation	**1.1.1 Compensation - Damage Incurred when Performing Executive Functions**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.22(1) Compensation s.3.23 Arbitration
Function	1. In accordance with the s.3.22 procedures, assess and determine the extent of damage to private property arising directly from performance of executive functions and make payment of compensation [s.3.22(1)]. 2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23.
Delegates	CEO
Conditions	a. Delegation is limited to settlements which do not exceed a material value of $5,000. Settlements over that value are to be presented to Council.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution #140623
Last reviewed	25 June 2024

Shire of York

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section changed to improve clarity.	---

Shire of York

Delegation	**1.1.2 Powers of Entry**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.28 When this Subdivision applies s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
Function	1. Authority to exercise powers of entry to enter onto land to perform any of the local government functions under this Act, other than entry under a Local Law [s.3.28]. 2. Authority to give notice of entry [s.3.32]. 3. Authority to seek and execute an entry under warrant [s.3.33]. 4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]. 5. Authority to give notice and effect entry by opening a fence [s.3.36].
Delegates	CEO
Conditions	a. Delegated authority under s.3.34(1) and (3) may only be used where there is imminent or substantial risk to public safety or property.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services Ranger
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Local Government Act 1995:* s.9.10 Appointment of authorised persons – refer also s.3.32(2)] Part 3, Division 3, Subdivision 3 – prescribes statutory processes for Powers of Entry. s.3.34(2) Entry in an emergency
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
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Shire of York

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Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended – Replaces DE1.18	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**1.1.3 Declare Vehicle is Abandoned Vehicle Wreck**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.40A(4) Abandoned vehicle wreck may be taken
Function	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
Delegates	CEO
Conditions	a. Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.1.4 Confiscated or Uncollected Goods or alternatively, referred for Council decision.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services Ranger
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995:* Part 3, Division 3, Subdivision 3.
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Shire of York

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Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Replaces DE1.10	Resolution # 140623
25 Jun 2024	Amended delegation	Correction to Conditions to refer to Delegation 1.1.4. Addition of Manager Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**1.1.4 Confiscated or Uncollected Goods**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.46 Goods may be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
Function	1. Authority to refuse to allow goods impounded under s.3.39 or s.3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46]. 2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47]. 3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48]. 4. The period after which gods may be sold or otherwise disposed of under subsection (2b) is: a. For perishable goods – 3 days. b. For animals – 7 days. c. For prescribed non-perishable goods – one month. d. For other non-perishable goods – 2 months.
Delegates	CEO
Conditions	a. Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than $20,000 may, in accordance with r.30 of the *Local Government (Functions and General) Regulations 1996,* be disposed of by any means considered to provide best value, provided the process is transparent and accountable. b. The Delegation can only be used where a record is retained which evidences the Delegate's reasonable efforts to identify and contact an owner have failed. c. If the market value is less than $500, then the uncollected goods/abandoned vehicles can be disposed of via a Private Treaty.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995:* Part 3, Division 3, Subdivision 3 s.3.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section.

Shire of York

Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
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Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
27 Jun 2023	Amended delegation	Amended – Replaces DE1.11, DE1.12 and DE1.13	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**1.1.5 Disposal of Sick or Injured Animals**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
Function	1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)]. 2. Authority to recover expenses incurred for removing, impounding, and disposing of
Delegates	CEO
Conditions	Delegation only to be used where a record is retained which evidences the Delegate's reasonable efforts to identify and contact an owner have failed.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services Ranger
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* Part 3, Division 3, Subdivision 3 s.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Shire of York

Shire of York

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended – Replaces DE1.14	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**1.1.6 Close Thoroughfares to Vehicles**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
Function	1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)]. 2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: a. Give public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and b. Consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)]. 3. Authority to revoke an order to close a thoroughfare [s.3.50(6)]. 4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A] 5. Before doing anything to which s.3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or
Delegates	CEO
Conditions	a. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)]. b. Maintain access to adjoining land [s.3.52(3)] (relevant to a Townsite only). c. Where the closure is required for the conduct of an event, the requirement of the Road Traffic (Events on Roads) Regulations 1991 will be applied. d. Reasons where the Chief Executive Officer would determine an application for the temporary closure of a thoroughfare, include but are not limited to the following: i. In cases of emergency. ii. Where in the opinion of the Chief Executive Officer that due to heavy rain a thoroughfare is likely to be damaged by the passage of traffic of a particular class, or by the passage of traffic generally. iii. For the conduct of an Event in accordance with the Road Traffic (Events on Roads) Regulations 1991. iv. Where the Council is undertaking repair and maintenance works to a thoroughfare.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services

Shire of York

Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995*: Part 3, Division 3, Subdivision 3 *Road Traffic (Events on Roads) Regulations 1991* *Local Government (Uniform Local Provisions) Regulations 1996* *Thoroughfares Local Law* *Local Government Property Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
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Amendments

Date	Type	Amendment	References
24 Oct 2016	Amended delegation	Reviewed – 24 October 2016 – Replaced DE24 in part	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
21 Dec 2021	New delegation	New – 21 December 2021 - replaces DE1.1, DE1.2, DE1.3 and DE1.4	---
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**1.1.7 Obstruction of Footpaths and Thoroughfares**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996:* r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)
Function	1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: a. Prevent damage to the footpath; or b. Prevent inconvenience to the public or danger from falling materials [ULP r.5(2)]. 2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)]. 3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)]. 4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A]. 5. Authority to require an owner occupier of land to remove any part of a structure, tree
Delegates	CEO
Conditions	a. Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996. b. Permission may only be granted where, the proponent has: i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.

Shire of York

Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Uniform Local Provisions) Regulations 1996* Penalties under the *Uniform Local Provisions Regulations* are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995* *Road Traffic (Events on Roads) Regulations 1991* *Thoroughfares Local Law* *Local Government Property Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
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Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**1.1.8 Gates Across Public Thoroughfares**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996:* r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1)
Function	1. Authority to provide, or refuse to provide, permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [ULP r.9(1)]. 2. Authority to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r.9(2)]. 3. Authority to impose conditions on granting permission [ULP r.9(4)]. 4. Authority to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [ULP r.9(5)]. 5. Authority to cancel permission by written notice and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r.9 (6)].
Delegates	CEO
Conditions	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996.* b. Each approval provided must be recorded in the Shire of York's statutory Register of Gates in accordance with ULP r.8.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Uniform Local Provisions) Regulations 1996* – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Policy	Policy G28 – Gates Across Road Reserves
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.

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Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**1.1.9 Public Thoroughfare - Dangerous Excavations**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996:* r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6
Function	1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)]. 2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)]. 3. Authority to impose conditions on granting permission [ULP r.11(6)]. 4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].
Delegates	CEO
Conditions	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996.* b. Permission may only be granted where, the proponent has: i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Uniform Local Provisions) Regulations 1996* – prescribe applicable statutory procedures. Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*

Shire of York

Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
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Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**1.1.10 Crossing - Construction, Repair and Removal**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996:* r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7 (2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
Function	1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r,12(1)]. 2. Authority to determine the specifications for construction of crossings to the satisfaction of the local government [ULP r.12(1)(a)]. 3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)]. 4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].
Delegates	CEO
Conditions	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996.* b. Maintenance and upkeep of the crossing to a safe and useable standard is the responsibility of the property owner.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Uniform Local Provisions) Regulations 1996* – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995* *Thoroughfares Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023

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Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended - replaces DE4-2	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**1.1.11 Private Works on, over or under Public Places**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* r.17 Private works on, over, or under public places – Sch.9.1 cl.
Function	1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)]. 2. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].
Delegates	CEO
Conditions	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996*. b. Permission may only be granted where, the proponent has: i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Uniform Local Provisions) Regulations 1996* – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023

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Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments			
Date	**Type**	**Amendment**	**References**
18 Apr 2016	New delegation	Adopted – 18 April 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
17 Dec 2017	Amended delegation	Amended 17 December 2018	---
27 Jun 2023	Amended delegation	Amended - Replaces DE4-1	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**1.1.12 Expressions of Interest for Goods and Services**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer r24 Person expressing interest to be notified of outcome
Function	1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23 & r24].
Delegates	CEO
Conditions	a. A determination to call for Expressions of Interest may only occur where the procurement or disposal is identified in Annual Budget allocations.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees.
Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, except the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures.
Policy	*Policy F2 - Procurement* *Policy F9 - Panels of Pre-Qualified Suppliers* *WALGA Procurement Toolkit*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain* in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Documentation to be recorded in the relevant EOI File.
Date adopted	27 June 2023

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Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended - Replaces DE5-4	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**1.1.13 Tenders for Goods and Services - Call Tenders**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* r.11(1), (2) When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for r.18 Rejecting and accepting tenders r.20 Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
Function	1. Authority to call tenders [F&G r.11(1)]. 2. Authority to invite tenders although not required to do so [F&G r.13]. 3. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. 4. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)]. 5. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14 (5)].
Delegates	CEO
Conditions	a. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget where: i. The proposed goods or services are required to fulfil a routine contract related to the day to day operations of the local government; or ii. A current supply contract expiry is imminent; and iii. The value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and iv. The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities. b. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.

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Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures
Policy	*WALGA Subscription Service – Procurement Toolkit* *Policy F2 Procurement*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Entry into the Tender Register in accordance with r.17 *Local Government (Functions and General) Regulations 1996.* Documentation is to be recorded in the relevant Tender File.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
24 Oct 2016	New delegation	New – 24 October 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE5-5	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**1.1.14 Tenders for Goods and Services - Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* r.11(2)(j) Exercising contract extension options r.18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders r.20(1), (2), (3) Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
Function	1. Authority to determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender [F&G.r.18(2)]. 2. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)]. 3. Authority to assess, by written evaluation, tenders that have not been rejected, to determine: a. The extent to which each tender satisfies the criteria for deciding which tender to accept; and b. To accept the tender that is most advantageous within the $250,000 detailed as a condition on this Delegation [F&G r.18(4)]. 4. Authority to decline to accept any tender [F&G r.18(5)]. 5. Authority to accept the next most advantageous tender if, within 6-months of accepting a tender, a contract has not been entered into OR the local government and the successful tenderer agree to terminate the contract [F&G r.18(6) & (7)]. 6. Authority to determine whether variations in goods and services required are minor variations, and to negotiate with the successful tenderer to make minor variations before entering into a contract [F&G r.20(1) and (3)]. 7. Authority to choose the next most advantageous tender to accept, if the chosen tenderer is unable or unwilling to form a contract to supply the varied requirement OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer [F&G r.20(2)]. 8. Authority to vary a tendered contract, after it has been entered into, provided the variation/s are necessary for the goods and services to be supplied, and do not change the scope of the original contract or increase the contract value beyond 10% or to a maximum of $100,000 whichever is the lesser value [F&G r.21A(a)]. 9. Authority to exercise a contract extension option that was included in the original tender specification and contract in accordance with r.11(2)(j).
Delegates	CEO

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Conditions	a. Exercise of authority under F&G.r.18(2) requires consideration of whether or not the requirements as specified in the invitation to tender have been expressed as mandatory and if so, discretion may not be capable of being exercised –consider process contract implications. b. In accordance with s.5.43(b), tenders may only be accepted under this delegation, where: i. The total consideration under the resulting contract is $250,000 or less; ii. The expense is included in the adopted Annual Budget; and iii. The tenderer has complied with requirements under F&G r.18(2) and (4). c. A decision to vary a tendered contract before entry into the contract [F&G r.20(1) and (3)] must include evidence that the variation is minor in comparison to the total goods or services that tenderers were invited to supply. d. A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term as per r.11(2)(j) and that the contractor's performance has been reviewed and the review evidences the rationale for entering into the extended term.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities. b. Conditions on the original delegation also apply to the sub-delegations, except the power of sub-delegation. c. The performance of sub-delegation under Function 8 only applies to lump sum contracts and is to align with the authorised limits contained in financial delegations.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures
Policy	*WALGA Subscription Service – Procurement Toolkit* *F2 Procurement Policy*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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Amendments			
Date	**Type**	**Amendment**	**References**
28 Mar 2023	New delegation	Adopted – 28 March 2023	Resolution 420323
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**1.1.15 Panels of Pre-Qualified Suppliers for Goods and Services**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Functions and General) Regulation 1996:* r.24AB Local government may establish panels of pre-qualified suppliers r.24AC(1)(b) Requirements before establishing panels of pre-qualified suppliers r.24AD(3) & (6) Requirements when inviting persons to apply to join panel of pre-qualified suppliers r.24AH(2), (3), (4) and (5) Rejecting and accepting applications to join panel of pre-qualified suppliers
Function	1. Authority to determine that a there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [F&G r.24AC(1)(b)]. 2. Authority to, before inviting submissions, determine the written criteria for deciding which application should be for inclusion in a panel of pre-qualified suppliers should be accepted [F&G r.24AD(3)]. 3. Authority to vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to each person who has enquired or submitted an application is provided notice of the variation [F&G r.24AD(6)]. 4. Authority to reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [F&G r.24AH(2)]. 5. Authority to assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [F&G r.24AH(3)]. 6. Authority to request clarification of information provided in a submission by an applicant [F&G r.24AH(4)]. 7. Authority to decline to accept any application [F&G r.24AH(5)]. 8. Authority to enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier, as part of a panel of pre-qualified suppliers for those particular
Delegates	CEO
Conditions	a. In accordance with s.5.43, panels of pre-qualified suppliers may only be established, where the total consideration under the resulting contract is $250,000 or less and the expense is included in the adopted Annual Budget.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities. b. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.

Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures
Policy	*WALGA Subscription Service – Procurement Toolkit* *Policy F2 - Procurement* *Policy F9 – Panels of Pre-Qualified Suppliers*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**1.1.16 Disposing of Property**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.58(2) & (3) Disposing of Property
Function	1. Authority to dispose of property to: a. The highest bidder at public auction [s.3.58(2)(a)]. b. The person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tender [s.3.58(2)(b)] 2. Authority to dispose of property by private treaty only in accordance with section 3.58 (3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].
Delegates	CEO
Conditions	a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required. b. In accordance with s.5.43, disposal of property, for any single project or where not part of a project but part of a single transaction, is limited to a maximum value of $50,000 or less. c. When determining the method of disposal: i. Where a public auction is determined as the method of disposal: • Reserve price has been set by independent valuation. • Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price. ii. Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method. iii. Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: • Negotiate the sale of the property up to a -10% variance on the valuation; and • Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded. d. Where the market value of the property is determined as being less than $20,000 (F&G r.30(3) excluded disposal) may be undertaken: i. Without reference to Council for resolution; and ii. In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil market value then,
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

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Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. Sub-delegation is capped to a value of $5,000 per individual item being disposed of.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* – s.3.58 Disposal of Property *Local Government (Functions and General) Regulations 1995* – r.30 Dispositions of property excluded from Act s. 3.58
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
27 Jun 2023	Amended delegation	Replaces DE1.15 and DE1.16	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**1.1.17 Payments from the Municipal or Trust Funds**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Financial Management) Regulations1996:* r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
Function	1. Authority to make payments from the municipal or trust funds [r.12(1)(a)].
Delegates	CEO
Conditions	a. Authority to make payments is subject to annual budget limitations. b. Authority to make a donation of cash or services to a maximum value of $1,000 per entity per financial year. The entity must be an incorporated body, or a registered charity. c. Access to electronic funds transfer software, passwords and encryption information is to be restricted to the CEO, Executive Manager Corporate & Community Services, Executive Manager Infrastructure & Development Services and the Finance Manager.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services Manager Finance
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5, and Policy F5 – Authority to Make Payments from the Trust and Municipal Funds. c. Payments by Cheque and EFT transactions must be approved jointly by two Delegates, one of whom must be the CEO or an Executive Manager.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* *Local Government (Financial Management) Regulations 1996* - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc. *Local Government (Audit) Regulations 1996*
Policy	Department of Local Government, Sport and Cultural Industries *Operational Guideline No.11 – Use of Corporate Credit Cards* Department of Local Government, Sport and Cultural Industries *Accounting Manual* *Policy F2 - Procurement* *Policy F5 – Authority to Make Payments from the Trust and Municipal Funds* *Policy F6 – Corporate Credit Card Policy*

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Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Each payment from the municipal or trust funds is to be noted on a list complied for each month which is to be presented to the next Ordinary Meeting of Council.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
18 Apr 2016	New delegation	Adopted 18 April 2016 to replace DE1	---
24 Oct 2016	Amended delegation	Amended – 24 October 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE3-1	Resolution # 140623
25 Jun 2024	Amended delegation	Additional Condition relating to donations. Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**1.1.18 Defer, Grant Discounts, Waive or Write Off Debts**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.12 Power to defer, grant discounts, waive or write off debts
Function	1. Waive a debt which is owed to the Shire of York [s.6.12(1)(b)]. 2. Grant a concession in relation to money which is owed to the Shire of York [s.6.12(1)(b)].
Delegates	CEO
Conditions	a. A debt, other than a debt relating to a rate or service charge, may only be waived where the dollar amount does not exceed $1,000 per debtor. b. A debt relating to interest accrued on a rate or service charge may only be written off where the dollar value does not exceed $400 (suspension and/or write off) per property per annum. c. A debt may only be written off where all necessary measures have been taken to locate / contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of York, or where the value of the debt makes recovery attempts uneconomical. d. Write off of debts greater than these values must be referred to Council for a decision. e. An application for fee waiver or concession may only be granted where the applicant completes a Request for Fee Waiver Application Form, and the amount is less than $1,000. This includes, but is not limited to such things as: venue hire, bus hire, chair hire etc. Applications of $1,000 or more must go to Council for approval.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Collection of Rates Debts – refer Delegations: • 1.1.21 Agreement as to Payment of Rates and Service Charges • 1.1.23 Recovery of Rates and Service Charges • 1.1.24 Recovery of Rates Debts – Require Lessee to Pay Rent
Policy	*Policy F10 – Financial Hardship – Rates & Charges*

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Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Where the write off relates to rates, relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus. In accordance with r.42 of the Local Government (Financial Management) Regulations 1996, the total amount of money written off is to be reported in the Annual Report.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments			
Date	**Type**	**Amendment**	**References**
21 Dec 2012	New delegation	NEW 21 December 2021 Replaces DE3.4, DE3.7 & DE3.12	---
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**1.1.19 Power to Invest and Manage Investments**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.14 Power to invest *Local Government (Financial Management) Regulations 1996:* r.19 Investments, control procedures for
Function	1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)]. 2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].
Delegates	CEO
Conditions	a. All investment activity must comply with the Financial Management r.19C and Policy F4 - Investment. b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be presented to the next Ordinary Meeting of Council. c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within every 3 financial years. [Audit r.17]
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. A decision to invest must be jointly confirmed by two Delegates, one of whom is the Chief Executive Officer.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Financial Management) Regulations 1996* – refer r.19C Investment of money, restrictions on (Acts.6.14(2)a))
Policy	*Policy F4 - Investment*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023

Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Replaces DE3-2	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**1.1.20 Rate Record Amendment**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.39(2)(b) Rate record
Function	1. Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)].
Delegates	CEO
Conditions	a. Delegates must comply with the requirements of s.6.40 of the Act.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* – s.6.40 prescribes consequential actions that may be required following a decision to amend the rate record. Decisions under this delegation may be referred for review by the State Administration
Policy	*Policy F8 – Rates Exemptions for Charitable Purposes.*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Shire of York

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**1.1.21 Agreement as to Payment of Rates and Service Charges**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.49 Agreement as to payment of rates and service charges
Function	1. Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].
Delegates	CEO
Conditions	a. Decisions under this delegation must comply with Policy F10 – Financial Hardship – Rates and Charges. b. Agreements must be in writing and, subject to the Policy F10 – Financial Hardship – Rates and Charges, must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Policy	*Policy F1 – Revenue Collection* *Policy F10 – Financial Hardship – Rates and Charges*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain) i*n accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Shire of York

Amendments			
Date	**Type**	**Amendment**	**References**
24 Oct 2016	New delegation	New – 24 October 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE3-3	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**1.1.22 Determine Due Date for Rates or Service Charges**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.50 Rates or service charges due and payable
Function	1. Authority to determine the date on which rates or service charges become due and payable to the Shire of York [s.6.50].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**1.1.23 Recovery of Rates or Service Charges**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.56 Rates or service charges recoverable in court s.6.64(3) Actions to be taken
Function	1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)]. 2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears
Delegates	CEO
Conditions	Decisions under this delegation must comply with Policies F1 – Revenue Collection and F10 – Financial Hardship – Rates and Charges.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Rates & Charges (Rebates & Deferments) Act 1992* *Valuation of Land Act 1978* *Fire & Emergency Services Act 1998*
Policy	*Policy F1 – Revenue Collection* *Policy F10 – Financial Hardship – Rates & Charges*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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Amendments			
Date	**Type**	**Amendment**	**References**
24 Oct 2016	New delegation	New – 24 October 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE3-8	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**1.1.24 Recovery of Rates Debts - Require Lessee to Pay Rent**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.60 Local Government may require lessee to pay rent
Function	1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire of York [s.6.60(2)]. 2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].
Delegates	CEO
Conditions	a. Decisions under this delegation must comply with Policy F10 – Financial Hardship – Rates and Charges.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. The sub-delegation does not include Function 2, this Function must be determined by the Chief Executive Officer.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* – refer s.6.61 and s.6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s.6.60. *Rates & Charges (Rebates & Deferments) Act 1992* *Valuation of Land Act 1978* *Fire & Emergency Services Act 1998*
Policy	*Policy F10 – Financial Hardship – Rates and Charges*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Shire of York

Amendments			
Date	**Type**	**Amendment**	**References**
24 Oct 2016	New delegation	New – 24 October 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE3-9	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**1.1.25 Rate Record - Objections**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.76 Grounds of objection
Function	1. Authority to extend the time for a person to make an objection to a rate record [s.6.76 (4)]. 2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)].
Delegates	CEO
Conditions	a. An extension is not to be granted for a period exceeding six weeks.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Decisions under this delegation may be referred for review by the State Administration
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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Amendments			
Date	**Type**	**Amendment**	**References**
24 Oct 2016	New delegation	DE3-5 Adopted 18 April 2016; DE3-6 New 24 October 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE3-5 and DE3-6	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**1.1.26 Appoint persons to receive and withdrawal of complaints**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Model Code of Conduct) Regulations 2021:* r.11(3) Complaint about alleged breach
Function	1. Authority to appoint one (1) or more persons for the purpose of receiving and withdrawals of complaints in accordance with the *Local Government (Model Code of Conduct) Regulations 2021* [r.11(3)]. 2. Authority to approve the complaint form and any future amendments to the form [r.11 (2)(a)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Policy	Policy E1 Code of Conduct: Council Members, Committee Members & Candidates Policy E11 Council Code of Conduct Division 3 Complaint Handling Policy
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	22 August 2023
Adoption references	Resolution # 060823
Last reviewed	25 June 2024

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Amendments			
Date	**Type**	**Amendment**	**References**
23 Aug 2022	New delegation	NEW	Resolution # 150822
22 Aug 2023	Amended delegation	Aligned with WALGA template, missed in initial adoption of reviewed Delegations Register hence re-presented to Council for adoption	Resolution # 060823
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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01.2 Local Law Delegations to the CEO

Delegation	**1.2.1 Issuing of Licences, Approvals & Permits - Local Laws**
Head of power	01 Local Government Act 1995 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Shire of York Local Laws*
Function	The authority to determine applications for the issue and/or renewal of licenses and permits that are provided for in Council's Local Laws.
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Security deposits for Dangerous Excavations and Private Works in Public Places, are a permit condition determined in accordance with r.11 and r.17 of the *Local Government (Uniform Local Provisions) Regulations 1996.* Crossing permits are approved under r.12 and r.13 of the *Local Government (Uniform Local Provisions) Regulations 1996.* *Council's Local Laws*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

02 Building Act 2011 Delegations
Building Act 2011 Delegations

02.1 Council to CEO

Delegation	**2.1.1 Grant a Building Permit**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit *Building Regulations 2012:* r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Function	1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)]. 2. Authority to grant or refuse to grant a building permit [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and(3)]. 4. Authority to determine an application to extend time during which a building permit has effect [r.23]. a. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] b. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services Building Surveyor
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.

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Statutory framework	*Building Act 2011* s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit s.17 Uncertified application to be considered by building surveyor *Building Regulations 2012* – r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT *Building Services (Registration Act) 2011* – Section 7 *Home Building Contracts Act 1991* – Part 3A, Division 2 – Part 7, Division 2 *Building and Construction Industry Training Levy Act 1990* *Heritage Act 2018*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**2.1.2 Demolition Permits**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit *Building Regulations 2012:* r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Function	1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)]. 2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and(3)]. 4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. a. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] b. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services Building Surveyor
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.

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Statutory framework	*Building Act 2011* s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit *Building Services (Complaint Resolution and Administration) Act 2011* Part 7, Division 2 *Building and Construction Industry Training Levy Act 1990* *Heritage Act 2018*

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Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**2.1.3 Occupancy Permits or Building Approval Certificates**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration *Building Regulations 2012*: r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
Function	1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55]. 2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58]. 3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)]. 4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services Building Surveyor
Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Building Act 2011* s.59 Time for granting occupancy permit or building approval certificate s.60 Notice of decision not to grant occupancy permit or grant building approval certificate s.121 Occupancy permits and building approval certificates – application for review by SAT *Building Services (Complaint Resolution and Administration) Act 2011* – Part 7, Division 2 *Building and Construction Industry Training Levy Act 1990* *Heritage Act 2018*

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Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.

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Date adopted	27 June 2023
Adoption references	Resolution# 140623
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Amendments

Date	Type	Amendment	References
27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**2.1.4 Designate Employees as Authorised Persons**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.96(3) Authorised persons s.99(3) Limitation on powers of authorised person
Function	1. Authority to designate an employee as an authorised person [s.96(3)]. 2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)]. NOTE: An *authorised person* for the purposes of s.96(3) and s.99(3) is not an *approved officer* or *authorised officer* for the purposes of r.70 of the *Building Regulations 2012.*
Delegates	CEO
Conditions	Decisions under this delegated authority should be in accordance with r.5 of the *Building Regulations 2012.*
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	*Building Act 2011:* s.97 Each designated authorised person must have an identity card. r.5A Authorised persons (s.3) – definition
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**2.1.5 Building Orders**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.88 Finishes of walls close to boundaries s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance s.133(1) A permit authority may commence a prosecution for an offence against this Act
Function	1. Authority to make Building Orders in relation to: a. Building work b. Demolition work c. An existing building or incidental structure [s.110(1)]. 2. Authority to give notice of a proposed Building Order and consider submissions received in response and determine actions [s.111(1)(c)]. 3. Authority to revoke a Building Order [s.117]. 4. If there is non-compliance with a Building Order, authority to cause an authorised person to: a. Take any action specified in the order; or b. Commence or complete any work specified in the order; or c. Of any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)]. 5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)]. 6. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to s.110 of the Building Act 2011. 7. Authority to, for the purpose of imposing a condition under s.27 or making a building order, specify the way in which an outward facing side of a particular close wall must be finished if — a. there are no regulations as mentioned in subsection (2) that apply to the wall; and b. the finish for the outward facing side of the wall is not set out in the plans and specifications that were specified in the applicable certificate of design
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services Building Surveyor

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Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. The sub-delegation does not include performing Functions 5 and 6. These can only be undertaken by authority of the Chief Executive Officer.
Statutory framework	*Building Act 2011:* s.88 Finishes of walls close to boundaries s.111 Notice of proposed building order other than building order (emergency) s.112 Content of building order s.113 Limitation on effect of building order s.114 Service of building order Part 9 Review - s.122 Building orders – application for review by SAT
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**2.1.6 Inspection and Copies of Building Records**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.131(2) Inspection, copies of building records
Function	1. Authority to determine an application from an interested person to inspect and copy a building record [s.131(2)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services Building Surveyor
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. This delegation can only be exercised where the landowner has signed the application form (excluding requests from State agencies).
Statutory framework	*Building Act 2011* - s.146 Confidentiality *Freedom of Information Act 1992* *State Records Act 2000*
Policy	Policy O8 – Employee Code of Conduct
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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Shire of York

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**2.1.7 Referrals and Issuing Certificates**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.145A Local Government functions
Function	1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)]. 2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the Shire of York's District [s.145A(2)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services Building Surveyor
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Building Act 2011* *Building Regulations 2012*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended - Replaces DE6-1	Resolution # 140623
25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**2.1.8 Private Pool Barrier - Alternative and Performance Solutions**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Regulations 2012*: r.51 Approvals by permit authority
Function	1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliant with AS 1926.1 [r.51(2)] 2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner/occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)] 3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services Building Surveyor
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. Any variation request is to be discussed with the Chief Executive Officer prior to approval, with evidence being retained on the property file.
Statutory framework	*Building Act 2011* *Building Regulations 2012* Swimming Pool provisions – AS1926.1 Standards (as amended)
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	27 June 2023

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Adoption references	Resolution# 140623

Last reviewed	25 June 2024

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---

Delegation	**2.1.9 Smoke Alarms - Alternative Solutions**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Regulations 2012*: r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
Function	1. Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55]. 2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services Building Surveyor
Subdelegate conditions	a. Any variation request is to be discussed with the Chief Executive Officer prior to approval, with evidence being retained on the property file. b. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Building Act 2011* *Building Regulations 2012*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Relevant notes are to be kept on the property file within Synergysoft and the hard copy file in the Compactus.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Addition of Executive Manager Infrastructure and Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**2.1.10 Appointment of Approved Officers and Authorised Officers**
Head of power	02 Building Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Regulations 2012:* r.70 Approved officers and authorised officers
Function	1. Authority to appoint an approved officer for the purposes of s.6(a) of the Criminal Procedure Act 2004, in accordance with r. 70(1) and (1A) of the Building Regulations 2012. *NOTE: Only employees delegated under s.5.44(1) of the Local Government Act 1995 with power under s.9.19 or s.9.20 may be appointed as "approved officers".* 2. Authority to appoint an authorised officer for the purposes of s.6(b) of the Criminal Procedure Act 2004, in accordance with r.70(2) of the Building Regulations 2012. *NOTE: Only employees appointed under s.9.10 of the Local Government Act 1995 and authorised for the purpose of performing functions under s.9.16 of that Act may be appointed as "authorised officers" for the purposes of r70(2) of the Building Regulations 2012.*
Delegates	CEO
Conditions	Decisions under this delegated authority should be in accordance with r.5 of the *Building Regulations 2012.*
Express power to subdelegate	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	*Building Regulations 2012:* r.70(3) Each authorised officer must be issued a certificate of appointment.
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Shire of York

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

03 Bush Fires Act 1954 Delegations
Bush Fires Act 1954 Delegations

03.1 Council to CEO, President and Bush Fire Control Officer

Delegation	**3.1.1 Make Request to FES Commissioner - Control of FIre**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.13(4) Duties and powers of bush fire liaison officers
Function	1. Authority to request on behalf of the Shire of York that the FES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s.13 (4)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link Attain in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**3.1.2 Prohibited Burning Times - Vary**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government s.17(10) Prohibited burning times may be declared by Minister (power of delegation to President and Chief Bush Fire Control Officer for ONLY powers under s.17(7) and (8)).
Express power or duty delegated	*Bush Fires Act 1954:* s.17(7) Prohibited burning times may be declared by Minister *Bush Fire Regulations 1954:* r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Function	1. Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer [s.17 (7)].
Delegates	CEO Chief Bush Fire Control Officer
Conditions	Chief Executive Officer and Chief Bush Fire Control Officer to act jointly
Express power to subdelegate	a. Decisions under s.17(7) must be undertaken jointly by both the Chief Executive Officer and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8).
Subdelegate conditions	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954* *Bush Fires Regulations 1954* *Conservation and Land Management Act 1984* *Department of Biodiversity, Conservation and Attractions Forest Management Plan 2014-23*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Documentation confirming the procedural requirements of s.17(7B) and (8) have been complied with are to be recorded within the Shire's records management system.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Replaces DE6-3	Resolution # 140623
25 Jun 2024	Amended delegation	Replacement of Shire President with Chief Executive Officer as a Delegate. Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**3.1.3 Prohibited Burning Times - Control Activities**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land *Bush Fire Regulations 1954:* r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Function	1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15]. 2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 3. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)]. 4. Authority to issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 5. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 6. Authority to recover the cost of measures taken by the Shire of York or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954* *Bush Fire Regulations 1954*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023

Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**3.1.4 Restricted Burning Times - Vary and Control Activities**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.18(5), (11) Restricted burning times may be declared by FES Commissioner s.22(6) and (7) Burning on exempt land and land adjoining exempt land s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land *Bush Fire Regulations 1954:* r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.15C Local Government may prohibit burning on certain days r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Function	1. Authority, where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)]. a. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C]. 2. Authority, where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)]. 3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15]. 4. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)]. 5. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 6. Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B]. 7. Authority to issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 8. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 9. Authority to recover the cost of measures taken by the Shire of York or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].
Delegates	CEO

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Conditions	a. The delegation of power granted under Function 4 is only to be exercised where the Chief Bush Fire Control Officer is unable or unwilling to make a determination in this regard OR the decision to refuse a permit to burn has been made by the Chief Bush Fire Control Officer.
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954* *Bush Fire Regulations 1954*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**3.1.5 Control of Operations Likely to Create Bush Fire Danger**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.27D Requirements for carriage and deposit of incendiary material *Bush Fires Regulations 1954:* r.39C Welding and cutting apparatus, use of in open air r.39CA Bee smoker devices, use of in restricted or prohibited burning times etc. r.39D Explosives, use of r.39E Fireworks, use of
Function	1. Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: a. A person operating a bee smoker device during a prescribed period [r.39CA(5)]. b. A person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)]. c. A person using explosives [r.39D(2)]. d. A person using fireworks [r.39E(3)]. 2. Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s.27D]. *Note: this authority is also prescribed to a*
Delegates	CEO
Conditions	Nil
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954* *Bush Fire Regulations 1954*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
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Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**3.1.6 Burning Garden Refuse/Open Air Fires**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.24F Burning garden refuse during limited burning times s.24G Minister or local government may further restrict burning of garden refuse s.25 No fire to be lit in open air unless certain precautions taken s.25A Power of Minister to exempt from provisions of section 25 *Bush Fires Regulations 1954:* r.27(3) Permit, issue of
Function	1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)]. 2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]. a. Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27(3) and r.33(5)]. b. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plan growing upon any land within the District [r.34]. 3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: a. Camping or cooking [s.25(1)(a)]. b. Conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)]. 4. Authority to prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s.25(1a) and (1b)]. 5. Authority to serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)].
Delegates	CEO
Conditions	a. Function 1 is only to be exercised where the Chief Executive Officer can be satisfied that approval is not likely to create a fire hazard.
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954* *Bush Fire Regulations 1954*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.

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Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**3.1.7 Firebreaks**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.33 Local government may require occupier of land to plough or clear firebreaks
Function	1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the Shire of York: a. Clearing of firebreaks as determined necessary and specified in the notice; and b. Act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and c. As a separate or coordinated action with any other person carry out similar actions [s.33(1)]. 2. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)].
Delegates	CEO
Conditions	The Bush Fire Brigades are to be consulted where the notice is intended to be amended.
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
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Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**3.1.8 Appoint Bush Fire Control Officer/s and Fire Weather Officer**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.38 Local Government may appoint bush fire control officer
Function	1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and a. Of those Officers, appoint one as the Chief Bush Fire Control Officer and one as the Deputy Chief Bush Fire Control Officer; and b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)]. 2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire of York [s.38(5A)] 3. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)]. 4. Authority to appoint deputy Fire Weather Officer/s as considered necessary and where
Delegates	CEO
Conditions	Nil
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
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Adoption references	Resolution# 140623
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Shire of York

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Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Amended – Replaces DE6-20	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**3.1.9 Control and Extinguishment of Bush Fires**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.46 Bush fire control officer or forest officer may postpone lighting fire
Function	1. Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A)]. 2. Where it is proposed that the fire will be lit on land within 3kms of the boundary of forest land, and an authorised CALM Act office is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then
Delegates	CEO
Conditions	Nil
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954* *Bush Fires Regulations 1954* *Conservation and Land Management Act 1984* Department of Biodiversity, Conservation and Attractions Forest Management Plan 2014-23
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

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Delegation	**3.1.10 Recovery of Expenses Incurred through Contraventions of this Act**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.58 General penalty and recovery of expenses incurred
Function	Authority to recover expenses incurred as a result of an offence against the *Bush Fires Act 1954*, being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the Shire of York or those on behalf of the Shire of York to do [s.58].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**3.1.11 Prosecution of Offences**
Head of power	03 Bush Fires Act 1954 Delegations
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
Function	1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59]. 2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	Nil – Sub-delegation is prohibited by s.48(3)
Statutory framework	*Bush Fires Act 1954:* s.65 Proof of certain matters s.66 Proof of ownership or occupancy
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
27 Jun 2023	Amended delegation	Amended - Replaces DE6-5	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

04 Cat Act 2011 Delegations
Cat Act 2011 Delegations

04.1 Council to CEO

Delegation	**4.1.1 Cat Registrations**
Head of power	04 Cat Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Cat Act 2011:* s.44 Delegation by local government
Express power or duty delegated	*Cat Act 2011:* s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags *Cat Regulations 2012* Schedule 3, cl.1(4) Fees Payable
Function	1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)]. 3. Authority to cancel a cat registration [s.10]. 4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)]. 5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the Shire of York's District [Regs. Sch. 3 cl.1(4)].
Delegates	CEO
Conditions	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the *Cat Act 2011*.
Express power to subdelegate	*Cat Act 2011:* s.45 Delegation by CEO of local government
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services Ranger
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. Function 5 can only be exercised by the Chief Executive Officer.

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Statutory framework	*Cat Regulations 2012:* r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration. r.12 Period of registration (s.9(7)) r.11 Changes in registration r.14 Registration certificate (s.11(1)(b)) r.15 Registration tags (s.76(2)) Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the *Cat Act 2011* *Cat Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**4.1.2 Cat Control Notices**
Head of power	04 Cat Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Cat Act 2011:* s.44 Delegation by local government
Express power or duty delegated	*Cat Act 2011:* s.26 Cat control notice may be given to cat owner
Function	1. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire of York's District [s.26].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Cat Act 2011:* s.45 Delegation by CEO of local government
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services Ranger
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Cat Regulations 2012:* r.20 Cat control notice [s.23(3)], prescribes the Form of the notice. *Cat Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**4.1.3 Recovery of Costs - Destruction of Cats**
Head of power	04 Cat Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Cat Act 2011:* s.44 Delegation by local government
Express power or duty delegated	*Cat Act 2011:* s.49(3) Authorised person may cause cat to be destroyed
Function	1. Authority to recover the amount of the costs associated with the destruction and the disposal of a cat [s.49(3)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Cat Act 2011:* s.45 Delegation by CEO of local government
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Cat Act 2011* *Cat Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Addition of Manager Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**4.1.4 Applications to Keep Additional Cats**
Head of power	04 Cat Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Cat Act 2011:* s.44 Delegation by local government
Express power or duty delegated	*Cat (Uniform Local Provisions) Regulations 2013:* r.8 Application to keep additional number of cats r.9 Grant of approval to keep additional number of cats
Function	1. Authority to require any document or additional information required to determine an application [r.8(3)] 2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [r.8(4)]. 3. Authority to grant or refuse approval for additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats [r.9].
Delegates	CEO
Conditions	a. Notices of decisions must include advice as to Review rights in accordance with r.11 of the *Cat (Uniform Local Provisions) Regulations 2013*. b. The limit of delegation is up to four (4) cats. c. The Ranger is to inspect the premises to ensure compliance with the factors relevant to a determination as contained in the Shire of York *Cat Local Law*. d. Surrounding neighbours are to be consulted on an application and where an objection to an application is received, the matter is to be presented to Council for
Express power to subdelegate	*Cat Act 2011:* s.45 Delegation by CEO of local government
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services Ranger
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Cat Act 2011* *Cat Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623

Shire of York

Last reviewed	25 June 2024

Amendments			
Date	**Type**	**Amendment**	**References**
25 Nov 2019	New delegation	New – 25 November 2019	---
22 Dec 2022	Amended delegation	Amended – 22 December 2020	---
27 Jun 2023	Amended delegation	Replaced DE6-19	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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05 Dog Act 1974 Delegations

Dog Act 1974 Delegations

05.1 Council to CEO

Delegation	**5.1.1 Refuse or Cancel Registration**
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.15(2) and (4A) Registration periods and fees s.16(3) Registration procedure s.17A(2) If no application for registration made s.17(4) and (6) Refusal or cancellation of registration
Function	1. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)]. 2. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: a. The applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of two or more offences against this Act, the *Cat Act 2011* or the *Animal Welfare Act 2002*; or b. The dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or c. The delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept. d. The dog is required to be microchipped but is not microchipped; or e. The dog is a dangerous dog [s.16(3) and s.17A(2)]. 3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Shire of York's District [s15(4A)]. 4. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant/owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)]. a. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had been found in contravention of s.31, s.32 or s.33A and had not been claimed [s.17(6)].
Delegates	CEO
Conditions	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties. *(NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)*
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.

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Statutory framework	*Dog Act 1976:* s.17A If no application for registration made – procedure for giving notice of decision under s.16(3) Decisions under this delegation may be referred for review by the State Administration Tribunal – s.16A, s.17(4) and (6). *Dogs Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**5.1.2 Recovery of Moneys Due Under this Act**
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.29(5) Power to seize dogs
Function	1. Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)].
Delegates	CEO
Conditions	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	*Dog Act 1976* *Dog Regulations 2013* Includes recovery of expenses relevant to: s.30A(3) Operator of dog management facility may have dog microchipped at owner's expense s.33M Local government expenses to be recoverable s.47 Veterinary service expenses recoverable from local government r.31 Local government expenses as to dangerous dogs (declared) *Dogs Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Shire of York

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**5.1.3 Dispose of or Sell Dogs Liable to be Destroyed**
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.29(11) Power to seize dogs
Function	1. Authority to dispose of or sell a dog which is liable to be destroyed [s.29(11)].
Delegates	CEO
Conditions	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)]. b. Proceeds from the sale of dogs are to be directed into the Municipal Fund.
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services Ranger
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. The Development Services Coordinator and Ranger are to jointly agree, with evidence retained on file, before use of the delegated authority is exercised.
Statutory framework	*Dog Act 1976* *Dogs Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**5.1.4 Declare Dangerous Dog**
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.33E(1) Individual dog may be declared to be dangerous dog (declared)
Function	1. Authority to declare an individual dog to be a dangerous dog [s.33E(1)].
Delegates	CEO
Conditions	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation is only permitted where delegation to the CEO expressly authorises sub -delegation)
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Decisions under this delegation may be referred for review by the State Administration Tribunal *Dog Act 1976* *Dogs Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**5.1.5 Dangerous Dog Declared or Seized - Deal with Objections and Determine when to Revoke**
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.33F(6) Owners to be notified of making of declaration s.33G(4) Seizure and destruction s.33H(1) and (2) Local government may revoke declaration or proposal to destroy
Function	1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)]. 2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)]. 3. Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33H(1)] a. Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].
Delegates	CEO
Conditions	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation is only permitted where delegation to the CEO expressly authorises sub-delegation).
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Decisions under this delegation may be referred for review by the State Administration Tribunal *Dog Act 1976* *Dogs Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
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Shire of York

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**5.1.6 Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice**
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.33H(5) Local government may revoke declaration or proposal to destroy
Function	1. Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s.33H(5)]: a. a notice declaring a dog to be dangerous; or b. a notice proposing to cause a dog to be destroyed.
Delegates	CEO
Conditions	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation is only permitted where delegation to the CEO expressly authorises sub -delegation)
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Decisions under this delegation may be referred for review by the State Administration Tribunal *Dog Act 1976* *Dogs Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
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Shire of York

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**5.1.7 Determine Recoverable Expenses for Dangerous Dog Declaration**
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.33M(1)(a) Local Government expenses to be recoverable
Function	1. Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to the maximum amount prescribed, having regard to expenses incurred by the local government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)].
Delegates	CEO
Conditions	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation is only permitted where delegation to the CEO expressly authorises sub -delegation)
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Decisions under this delegation may be referred for review by the State Administration Tribunal *Dog Act 1976* *Dogs Local Law*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
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Shire of York

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**5.1.8 Approval to Keep More than Two Dogs**
Head of power	05 Dog Act 1974 Delegations
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.26 Limitation as to numbers
Function	1. Authority to provide an exemption as to the number of dogs able to be kept at a particular premises, allowing the keeping of more dogs than is permitted under the Shire's Dogs Local Law [s.26(3)].
Delegates	CEO
Conditions	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)]. b. Delegates are to adhere to the requirements prescribed in the Shire's Dogs Local Law and Policy C7 – Keeping of Three to Six Dogs. c. Surrounding neighbours are to be consulted on an application and where an objection to an application is received, the matter is to be presented to Council for determination. d. The Ranger must inspect the premises to ensure means exist to effectively confine the
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties. (NOTE – sub-delegation is only permitted where delegation to the CEO expressly authorises sub -delegation)
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services Ranger
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Decisions under this delegation may be referred for review by the State Administration Tribunal. *Dog Act 1976*
Policy	*Policy C7 – Keeping of Three to Six Dogs*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
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Shire of York

Amendments			
Date	**Type**	**Amendment**	**References**
24 Oct 2016	New delegation	NEW – 24 October 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
22 Dec 2020	Amended delegation	Amended – 22 December 2020	---
27 Jun 2023	Amended delegation	Replaces DE6-13	Resolution # 140623
25 Jun 2024	Amended delegation	Addition of Manager Development Services as a Subdelegate. Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

06 Food Act 2008 Delegations
Food Act 2008 Delegations

06.1 Council to CEO

Delegation	**6.1.1 Prohibition Orders**
Head of power	06 Food Act 2008 Delegations
Delegator	Local Government
Express power to delegate	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	*Food Act 2008:* s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection
Function	1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the *Food Act 2008* [s.65(1)]. 2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66]. 3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].
Delegates	CEO Principal Environmental Health Officer Executive Manager Infrastructure and Development Services
Conditions	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express power to subdelegate	Nil – *Food Regulations 2009* do not provide for sub-delegation
Statutory framework	Decisions under this delegation may be referred for review by the State Administration Tribunal.
Policy	*Guide to Regulatory Guideline Number 1: Introduction of Regulatory Auditing in Western Australia*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
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Shire of York

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Amendments			
Date	**Type**	**Amendment**	**References**
27 Jun 2023	Amended delegation	Replaces DE6-7	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**6.1.2 Food Business Registrations**
Head of power	06 Food Act 2008 Delegations
Delegator	Local Government
Express power to delegate	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	*Food Act 2008:* s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
Function	1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s.112].
Delegates	CEO Principal Environmental Health Officer Executive Manager Infrastructure and Development Services
Conditions	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: i. *Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA* ii. *Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No. 1* iii. *WA Priority Classification System* iv. *Verification of Food Safety Program Guideline*
Express power to subdelegate	Nil – F*ood Regulations 2009* do not provide for sub-delegation
Statutory framework	Decisions under this delegation may be referred for review by the State Administration Tribunal *Food Act 2008*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments			
Date	**Type**	**Amendment**	**References**
18 Apr 2016	New delegation	Adopted – 18 April 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE6-7	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**6.1.3 Appoint Authorised Officers and Designated Officers**
Head of power	06 Food Act 2008 Delegations
Delegator	Local Government
Express power to delegate	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	*Food Act 2008:* s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
Function	1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)]. 2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the *Public Health Act 2016*, to be a Designated Officer for the purposes of issuing Infringement Notices under the *Food Act 2008* [s.126(13)]. 3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7).
Delegates	CEO
Conditions	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: i. *Appointment of Authorised Officers as Meat Inspectors* ii. *Appointment of Authorised Officers* iii. *Appointment of Authorised Officers – Designated Officers only* iv. *Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer*
Express power to subdelegate	Nil – *Food Regulations 2009* do not provide for sub-delegation
Statutory framework	*Food Act 2008:* s.122(3) requires an Enforcement Agency to maintain a list of appointed authorised officers s.123(1) requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority as prescribed
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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Amendments			
Date	**Type**	**Amendment**	**References**
18 Apr 2016	New delegation	Reviewed & Adopted - 18 April 2016 - Replaces DE-17	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE6-6	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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07 Graffiti Vandalism Act 2016 Delegations

Graffiti Vandalism Act 2016 Delegations

07.1 Council to CEO

Delegation	**7.1.1 Give Notice Requiring Obliteration of Graffiti**
Head of power	07 Graffiti Vandalism Act 2016 Delegations
Delegator	Local Government
Express power to delegate	*Graffiti Vandalism Act 2016:* s.16 Delegation by local government
Express power or duty delegated	*Graffiti Vandalism Act 2016:* s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given
Function	1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)]. 2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Graffiti Vandalism Act 2016:* s.17 Delegation by CEO of local government
Subdelegates	Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. Function 2 can only be exercised by the Chief Executive Officer.
Statutory framework	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal. *Graffiti Vandalism Act 2016*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum. Details of how the Shire gave effect to the notice, including photographs of graffiti removed is to be recorded and registered in Altus Records and linked to the property file.
Date adopted	27 June 2023
Adoption references	Resolution# 140623

Last reviewed	25 June 2024

Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**7.1.2 Notices - Deal with Objections and Give Effect to Notices**
Head of power	07 Graffiti Vandalism Act 2016 Delegations
Delegator	Local Government
Express power to delegate	*Graffiti Vandalism Act 2016:* s.16 Delegation by local government
Express power or duty delegated	*Graffiti Vandalism Act 2016:* s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice
Function	1. Authority to deal with an objection to a notice [s.22(3)]. 2. Authority, where an objection has been lodged, to: a. Determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)] and b. To give notice to the affected person, before taking the necessary actions [s.24 (3)].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Graffiti Vandalism Act 2016:* s.17 Delegation by CEO of local government
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	Decisions under this delegation may be referred for review by the State Administration Tribunal.
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
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Amendments			
Date	**Type**	**Amendment**	**References**
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**7.1.3 Obliterate Graffiti on Private Property**
Head of power	07 Graffiti Vandalism Act 2016 Delegations
Delegator	Local Government
Express power to delegate	*Graffiti Vandalism Act 2016:* s.16 Delegation by local government
Express power or duty delegated	*Graffiti Vandalism Act 2016:* s.25(1) Local government graffiti powers on land not local government property
Function	1. Authority to determine to obliterate graffiti applied without consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent [s.25(1)].
Delegates	CEO
Conditions	a. Subject to exercising Powers of Entry as specified in Division 4 of the *Graffiti Vandalism Act 2016*
Express power to subdelegate	*Graffiti Vandalism Act 2016:* s.17 Delegation by CEO of local government
Subdelegates	Executive Manager Corporate & Community Services Executive Manager Infrastructure and Development Services
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	*Graffiti Vandalism Act 2016*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
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Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**7.1.4 Powers of Entry**
Head of power	07 Graffiti Vandalism Act 2016 Delegations
Delegator	Local Government
Express power to delegate	*Graffiti Vandalism Act 2016:* s.16 Delegation by local government
Express power or duty delegated	*Graffiti Vandalism Act 2016:* s.28 Notice of entry s.29 Entry under warrant
Function	1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28]. 2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].
Delegates	CEO
Conditions	Nil
Express power to subdelegate	*Graffiti Vandalism Act 2016:* s.17 Delegation by CEO of local government
Subdelegates	Nil
Subdelegate conditions	Not applicable
Statutory framework	*Graffiti Vandalism Act 2016*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
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Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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08 Health (Miscellaneous Provisions) Act 1911 Delegations

Health (Miscellaneous Provisions) Act 1911 Delegations

08.1 Council to CEO

Delegation	**8.1.1 Powers of Local Government - Appointment of Deputy**
Head of power	08 Health (Miscellaneous Provisions) Act 1911 Delegations
Delegator	Local Government
Express power to delegate	*Health (Miscellaneous Provisions) Act 1911:* s.26 Powers of local government
Express power or duty delegated	As listed in 'Function'.
Function	Authority to appoint and authorise any person to be the Shire of York's deputy and in that capacity to exercise and discharge all or any of the powers and functions of the local government, including: 1. *Part IV – Division 4 (Sanitary Convenience)* 2. *Part IV – Division 7 (Pollution of Water)* 3. *Part V – Division 1 (House unfit for occupation)* 4. *Part VI – Public Buildings Part VII – Division 1 (Nuisances)* 5. *Health (Air Handling & Water Systems) Regulations 1994* 6. *Health (Aquatic Facilities) Regulations 2007* 7. *Health (Cloth Materials) Regulations 1985* 8. *Construction Camps Regulations 1988* 9. *Health (Construction Work) Regulations 1973* 10. *Health (Garden Soil) Regulations 1998* 11. *Health (Offensive Trade Fees) Regulations 1976* 12. *Health (Pesticides) Regulations 2011* 13. *Health (Prescribed Insect Pests) Regulations 1991* 14. *Health (Public Buildings) Regulations 1992* 15. *Health (Skin Penetration) Procedure Regulations 1998* 16. *Health (Temporary Sanitary Conveniences) Regulations 1997* 17. *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* 18. *Health Act (Laundries and Bathrooms) Regulations* 19. *Health Act (Sewerage Drainage and Underground Water Supply) Regulations 1974* 20. *Health Act (Underground Water Supply) Regulation 1959* 21. *Fly Eradication Regulations* 22. *Piggeries Regulations 1979* 23. *Shire of York Health Local Law* 2007~~1999~~
Delegates	CEO
Conditions	Nil
Express power to subdelegate	Nil
Subdelegates	Nil

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Subdelegate conditions	Not Applicable
Statutory framework	*Health (Miscellaneous Provisions) Act 1911* *Health Local Law* 2007
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
24 Oct 2016	New delegation	New – 24 October 2016	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
27 Jun 2023	Amended delegation	Replaces DE6-14	Resolution # 140623
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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09 Public Health Act 2016 Delegations
Public Health Act 2016 Delegations

09.1 Council to CEO

Delegation	**9.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs)**
Head of power	09 Public Health Act 2016 Delegations
Delegator	Local Government
Express power to delegate	*Health (Asbestos) Regulations 1992:* r.15D(7) Infringement Notices
Express power or duty delegated	*Health (Asbestos) Regulations 1992:* r.15D(5) Infringement Notices
Function	1. Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the *Criminal Procedure Act 2004* Part 2 [r.15D(5)].
Delegates	CEO
Conditions	a. Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D (6)].
Express power to subdelegate	Nil – the *Health (Asbestos) Regulations 1992* do not provide a power to sub-delegate
Statutory framework	*Criminal Procedure Act 2004* – Part 2
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
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Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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Delegation	**9.1.2 Enforcement Agency Reports to the Chief Health Officer**
Head of power	09 Public Health Act 2016 Delegations
Delegator	Enforcement Agency (which means the Local Government vide s.4 definition)
Express power to delegate	Public Health Act 2016: s.21 Enforcement agency may delegate
Express power or duty delegated	*Public Health Act 2016:* s.22 Reports by and about enforcement agencies
Function	1. Authority to prepare and provide to the Chief Health Officer, the local government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the Shire of York [s.22(1)]. 2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].
Delegates	CEO Principal Environmental Health Officer
Conditions	Nil
Express power to subdelegate	Nil – Unless a Regulation enacted under the *Public Health Act 2016* specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Statutory framework	*Public Health Act 2016:* s.20 Conditions on performance of functions by enforcement agencies.
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain)* in accordance with r.19 of the *Local Government (Administration) Regulations 1996.* This Register is reported to Council in conjunction with the Concept Forum.
Date adopted	27 June 2023
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Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

Shire of York

Delegation	**9.1.3 Designate Authorised Officers**
Head of power	09 Public Health Act 2016 Delegations
Delegator	Enforcement Agency (which means the Local Government vide s.4 definition)
Express power to delegate	*Public Health Act 2016:* s.21 Enforcement agency may delegate
Express power or duty delegated	*Public Health Act 2016* s.24(1) and (3) Designation of authorised officers
Function	1. Authority to designate a person or class of persons as authorised officers for the purposes of: a. The *Public Health Act 2016* or other specified Act b. Specified provisions of the *Public Health Act 2016* or other specified Act c. Provisions of the *Public Health Act 2016* or another specified Act, other than the specified provisions of that Act. Including: a. An environmental health officer or environmental health officers as a class; OR b. A person who is not an environmental health officer or a class of persons who are not environmental health officers, OR c. A mixture of the two. [s.24(1) and (3)].
Delegates	CEO
Conditions	a. Subject to each person so appointed being; i. Appropriately qualified and experienced [s.25(1)(a)]; and ii. Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31]. b. A Register (list) of authorised officers is to be maintained in accordance with s.27.
Express power to subdelegate	Nil – Unless a Regulation enacted under the *Public Health Act 2016* specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Statutory framework	*Public Health Act 2016:* s.20 Conditions on performance of functions by enforcement agencies. s.25 Certain authorised officers required to have qualifications and experience. s.26 Further provisions relating to designations s.27 Lists of authorised officers to be maintained s.28 When designation as authorised officer ceases s.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers s.30 Certificates of authority s.31 Issuing and production of certificate of authority for purposes of other written laws s.32 Certificate of authority to be returned. s.136 Authorised officer to produce evidence of authority *Criminal Investigation Act 2006,* Parts 6 and 13 – refer s.245 of the *Public Health Act 2016* *The Criminal Code, Chapter XXVI* – refer s.252 of the *Public Health Act 2016*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.

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Last reviewed	25 June 2024

Amendments

Date	Type	Amendment	References
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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10 Planning and Development Act 20052011 Delegations

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Planning and Development Act 20052011 Delegations

10.1 Council to CEO

Delegation	**10.1.1 Town Planning Matters**
Head of power	10 Planning and Development Act 2011 Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Planning and Development Act 2005* (various sections) *Planning and Development (Local Planning Schemes) Regulations 2015*
Function	1.1.1 **Development Application Delegations** a. Determination of applications for development approval, including applications involving: i. The variation of Local Planning Scheme provisions or provisions of the Residential Design Codes; or ii. The exercise of discretion under the Local Planning Scheme, a Local Planning Policy or the Residential Design Codes; b. Refusal of all development applications where the proposed use is not permitted by the Local Planning Scheme or where the development does not comply with a mandatory requirement of the Local Planning Scheme, or with the non-discretionary provisions of the Residential Design Codes; c. Determine requests to amend or cancel a development approval or to extend development approval for up to two (2) years; d. Deletion or modification of conditions of approval, whether imposed under delegated authority or not subject to compliance of Council's Planning objectives; e. Determination of applications for the relocation of building envelopes. 1.1.2 **Subdivision Application Delegations** Making recommendations to the Western Australian Planning Commission on: a. applications for subdivision or amalgamation of land; b. minor variations to approved subdivisions; c. clearance of conditions of subdivision approval. 1.1.3 **Enforcement, Appeals and Legal Proceedings Delegations** a. Provision of written and verbal responses to planning appeals, mediated settlements resulting from appeals and Western Australian Planning Commission requests for reconsideration; b. Taking action against owners or occupiers of properties to cease illegal uses or comply with conditions of Development Approval, including the issuance of a written direction pursuant to Section 214 of the Planning and Development Act 2005; c. Obtaining legal advice where necessary to assist in the performance of these delegations.

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	1.1.4 **Structure Plan Delegations** a. Formation of the opinion that a Structure Plan or amendment to a Structure Plan contains sufficient information for the purposes of advertising; b. Making recommendations to the Western Australian Planning Commission on amendments to Structure Plans after being advertised for public comment. 1.1.5 **Local Development Plan Delegations** a. Determine that a Local Development Plan is required and to seek the approval of the Western Australian Planning Commission for the preparation of a Local Development Plan. b. Formulate the opinion that a Local Development Plan or amendment to a Local Development Plan is suitable for the purposes of advertising. c. Determine that a Local Development Plan or amendment to a Local Development Plan is not required to be advertised for public comment where they are of: i. a minor nature; ii. Consistent with the intent of the zone and the objectives of the Local Planning Scheme; and iii. Unlikely to have a material detrimental effect on the amenity of the locality or any owner or occupier or land in the locality. d. Determine a Local Development Plan or an amendment to a Local Development Plan after advertising. e. Endorse and arrange for the publication of Local Development Plans, pursuant to the deemed provisions. 1.1.6 **Miscellaneous** a. Formation of any opinion and consideration of any matter in the exercise of these delegated powers that would be required of Council under the Local Planning Scheme, including, but not limited to, sufficient information required for the processing of proposals (including development applications, structure plans, local development plans), referral and advertising of such proposals, and interpretation of Local Planning Scheme provisions, relevant Planning Policies and provisions of the Residential Design Codes. b. The execution of any documents or instruments required to fulfill a condition(s) of subdivision or development approval.
Delegates	CEO
Conditions	**Limits to Development Application Delegations** With the exception of delegated power 2.1.1(b), all applications will be submitted to a meeting of Council for determination in the following circumstances: a. Where the delegated decision would be contrary to the intent of a previous decision made at a Council meeting, or any law or regulation; b. Where written objection is received to the proposal from any statutory agency; c. Where the proposal is inconsistent with the general objectives and/or intent of a Local Planning Policy, approved Structure Plan or the discretionary provisions of the Local Planning Scheme; d. Where notification has been given to adjoining and nearby owners or the general public for comment in accordance with the Local Planning Scheme or any Local Planning Policy and written objections have been received within the time specified, unless in the opinion of the Chief Executive Officer: i. the proposal is for exercise of discretion under the R-Codes and is consistent with the objectives and/or intent of the Local Planning Scheme, Residential Design Codes and any relevant Local Planning Policy; and ii. the objections can be overcome by imposing a condition(s) on the

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1. approval, or modifying the design of the development; or
2. the objection does not relate to valid planning and development issues associated with the proposal.

2. Where, in the opinion of the Chief Executive Officer:
   i. any of the requirements of this delegation are not satisfied; or
   ii. there is insufficient certainty as to whether the application complies with the intent of the Local Planning Scheme, Residential Design Codes or any relevant Local Planning Policy; or
   iii. it would be in the public interest or consistent with the principles of administrative accountability for Council to determine the application; or
   iv. the decision involves a matter of principle which, in the opinion of the Chief Executive Officer, should be made by the Council; or
   v. a condition recommended by a statutory agency is unnecessary or impractical, or unreasonable to be enforced by the Shire of York.

Limits to Subdivision Application Delegations

Applications are required to be submitted to Council for consideration where the proposed subdivision will result in the creation of 20 lots or more and/or the application is inconsistent with an approved Structure Plan.

Limits to Enforcement, Appeals and Legal Proceeding Delegations

The following matters are required to be referred to Council for determination:

1. Whether to commence prosecution action through the Council's solicitors;
2. Whether to apply for an injunction to the Supreme Court under Section 216 of the *Planning and Development Act 2005;*
3. The obtainment of urgent legal advice where that advice would exceed $5,000 and there are no specific funds allocated within the budget or funds allocated by a resolution of Council;
4. The determination of a position with respect to any mediation process resulting from an appeal against a decision on a proposal that was previously referred to Council.

Limits to Structure Plan Delegations

The exercise of this delegation is conditional on the following:

a. Prior to the commencement of the advertising of any new Structure Plan, or amendment thereto, elected members must be notified of the proposal in writing advising the dates when the public comment period will start and finish, the means by which the proposal will be advertised and each elected member provided with copies of relevant plans and information relating to the proposal;
b. All new Structure Plans are to be referred to Council after being advertised for public comment;
c. Any recommendation of a Structure Plan Amendment pursuant to Clause 20(2) of the deemed provisions may be determined by the Chief Executive Officer, after being advertised for public comment provided that:
   i. Any objection received does not, in the opinion of the Chief Executive Officer, raise relevant planning considerations;
   ii. Elected members are notified in writing of the Chief Executive Officer's intention to do so and provided a copy of submissions and Administration's recommendations in respect of those submissions;
   iii. Elected members are provided with five working days in which to request that the proposal be referred to Council for determination; and
   iv. The recommendation does not include any modifications to the advertised Structure Plan Amendment.

Limits to Local Development Plan Delegations

The exercise of this delegation is conditional on the following:

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	a. Prior to the commencement of the advertising of any new Local Development Plan, or amendment thereto, elected members must be notified of the proposal in writing advising the dates when the public comment period will start and finish, the means by which the proposal will be advertised and each elected member provided with copies of relevant plans and information relating to the proposal; b. A Local Development Plan or amendment thereto may be determined by the Chief Executive Officer, after being advertised for public comment provided that: i. Any objection received does not, in the opinion of the Chief Executive Officer, raise relevant planning considerations; ii. Elected members are notified in writing of the Chief Executive Officer's intention to do so and provided a copy of submissions and Administration's recommendations in respect of those submissions; iii. Elected members are provided with five working days in which to request that the proposal be referred to Council for determination. iv. The determination will not result in a refusal of or require modifications to a Local Development Plan or amendment to a Local Development Plan after advertising. **Limits to Miscellaneous Delegations** This exercise of delegated authority is conditional upon: a. Prior to the commencement of advertising of any proposal, elected members must be notified of the proposal in writing advising the dates when the public comment period will start and finish, the means by which the proposal will be advertised and each Elected Member provided with copies of relevant plans and information relating to the proposal. b. Any application is to be referred to Council for determination if one or more elected members requests such referral by written request to the Chief Executive Officer within ten working days of the commencement of advertising. c. A report being forwarded to Council every month detailing the number of proposals determined under delegated authority within that period, the type of proposal and the decision made on each proposal.
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Executive Manager Infrastructure and Development Services Planner
Subdelegate conditions	a. Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation. b. The Planner is only delegated authority for Sections 1.1.4, 1.1.5 and 1.1.6. All other Sections are to be exercised by a different Delegate.
Statutory framework	*Planning and Development Act 2005*
Policy	*Town Planning Policies*
Record keeping	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
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Amendments			
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22 Apr 2003	New delegation	22 April 2003	---
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1 Jul 2004	Amended delegation	Reviewed & Amended - July 2005	---
19 Jul 2004	Amended delegation	Endorsed - 19 July 2004	---
18 Jul 2005	Amended delegation	Endorsed - 18 July 2005	---
23 Jan 2006	Amended delegation	Amended & Endorsed - 23 January 2006	---
18 Jun 2007	Amended delegation	Endorsed - 18 June 2007	---
24 Oct 2016	Amended delegation	Reviewed – 24 October 2016 (replaces DE5)	---
27 Nov 2017	Amended delegation	Amended – 27 November 2017	---
25 Jun 2024	Amended delegation	Wording in Record Keeping Section modified to improve clarity.	---

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11 Statutory Authorisations and Delegations to Local Government from State Entities

STATUTORY AUTHORISATIONS AND DELEGATIONS TO LOCAL GOVERNMENT FROM STATE GOVERNMENT ENTITIES

11.1 Environmental Protection Act 1986

Delegation	**11.1.1 Noise Control - Environmental Protection Notices [Reg.65(1)]**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Environmental Protection Authority
Express power to delegate	Section 20 of the *Environmental Protection Act 1986*
Express power or duty delegated	*Instrument of delegation* — Government Gazette No. 47. pg. 919 - 19 March 2004 All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice. Persons to whom delegation made— This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the *Local Government Act 1995*.
Function	All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice. Persons to whom delegation made— This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the *Local Government Act 1995*.
Delegates	CEO
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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Delegation	**11.1.2 Noise Management Plans - Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Environmental Protection Authority
Express power to delegate	Section 20 *Environmental Protection Act 1986*
Express power or duty delegated	*Instrument of delegation* - Government Gazette 232, Delegation No. 112 Pg. 6282 - 20 Dec 2013 Pursuant to section 20 of the Act, delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the *Local Government Act 1995*, powers and duties under the *Environmental Protection (Noise) Regulations 1997,* other than this power of delegation.
Function	Any person for the time being holding or acting in the office of a Chief Executive Officer under the *Local Government Act 1995,* powers and duties under the Environmental Protection (Noise) Regulations 1997, other than this power of delegation, in relation to— a. waste collection and other works—noise management plans relating to specified works under regulation 14A or 14B; b. bellringing or amplified calls to worship—the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi); c. community activities—noise control notices in respect of community noise under regulation 16; d. motor sport venues—noise management plans in relation to motor sport venues under Part 2 Division 3; e. shooting venues—noise management plans in relation to shooting venues under Part 2 Division 4; f. calibration results—requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4; g. sporting, cultural and entertainment events—approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation— i. Subregulation 18(13)(b) is not delegated.
Delegates	CEO
Conditions	Subregulation 18(13)(b) is not delegated.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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Delegation	**11.1.3 Noise Management Plans - Construction Sites**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Environmental Protection Authority
Express power to delegate	Section 20 *Environmental Protection Act 1986*
Express power or duty delegated	*Instrument of delegation* Government Gazette No 71, 16 May 2014 Delegation No 119 Pg. 1548 Pursuant to section 20 of the Act, delegate to the holder for the time being of the offices of— a. Chief Executive Officer under the *Local Government Act 1995*; and b. to any employee of the local government under the *Local Government Act 1995* who is appointed as an Authorised Person under section 87 of the Act, all powers and duties in relation to noise management plans under regulation 13 of the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation.
Function	Pursuant to section 20 of the Act, delegate to the holder for the time being of the offices of— a. Chief Executive Officer under the Local Government Act 1995; and b. to any employee of the local government under the *Local Government Act 1995* who is appointed as an Authorised Person under section 87 of the Act, all powers and duties in relation to noise management plans under regulation 13 of the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation.
Delegates	CEO
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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11.2 Planning and Development Act 2005

Delegation	**11.2.1 Instrument of Authorisation - Local Government CEOs - Sign Development Applications for Crown Land as Owner**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Minister for Lands
Express power to delegate	Section 267A *Planning and Development Act 2005*
Express power or duty delegated	*Instrument of delegation* By section 7(1) of the *Land Administration Act 1997* authorise, in respect of each local government established under the *Local Government Act 1995* and listed in Column 2 of the Schedule, the person from time to time holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.
Function	In respect of each local government established under the *Local Government Act 1995* and listed in Column 2 of the Schedule, the person from time to time holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.
Delegates	CEO
Conditions	See Column 3 of the *Schedule*
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Delegation	**11.2.2 Development Control Powers - Powers of Local Governments and DOT - Metropolitan Region Scheme (DEL.2017/02)**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Western Australian Planning Commission
Express power to delegate	Section 16 *Planning and Development Act 2005*
Express power or duty delegated	*Instrument of delegation* - Government Gazette, 30 May 2017 (pg. 2738) A. To delegate to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme, of applications for approval to commence and carry out development specified in clauses 1 and 2 of Section A, within their respective districts, subject to the conditions set out in clauses 1 to 4 of Section B; C. To revoke its delegation of powers and functions to local governments as detailed in the notice entitled "DEL 2011/02 Powers of local governments (MRS)" published in the *Government Gazette on 10 June 2014, (Pg. 1811)* to give effect to this delegation.
Function	A. To delegate to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme, of applications for approval to commence and carry out development specified in clauses 1 and 2 of Section A, within their respective districts, subject to the conditions set out in clauses 1 to 4 of Section B; C. To revoke its delegation of powers and functions to local governments as detailed in the notice entitled "DEL 2011/02 Powers of local governments (MRS)" published in the Government Gazette on 10 June 2014, (Pg. 1811) to give effect to this delegation.
Delegates	CEO
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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Delegation	**11.2.3 Development Control Powers - Powers of Local Governments - Greater Bunbury Region Scheme (DEL.2014/01)**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Western Australian Planning Commission
Express power to delegate	Section 16 *Planning and Development Act 2005*
Express power or duty delegated	*Instrument of Delegation* - Government Gazette 9 May 2014 (Pg. 1420) - The WAPC may delegate any function to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.
Function	A. To delegate to local governments, and to members and officers of those local governments, Western Australian Planning Commission's functions in respect of the determination, in accordance with Parts 7 and 8 of the Greater Bunbury Region Scheme, of applications for approval to commence and carry out development as specified in schedules 1 and 2, within their respective districts, subject to the terms set out in schedule 3; B. To revoke its delegation of powers and functions to local governments as detailed in a notice published in the Government Gazette of 20 April 2012 (pages 1717—1722).
Delegates	CEO
Conditions	*AMENDMENT TO DELEGATION 2014/01* GOVERNMENT GAZETTE, Tuesday, 22 August 2017, No.165 (Pg. 4511) - On 24 May 2017, pursuant to section 16 of the Act, the WAPC Resolved— A. To amend its delegation of powers and functions to local governments in the Instrument of Delegation DEL 2014/01 Powers of local governments (GBRS) published in the Government Gazette on 9 May 2014 (pages 1420-1425) by replacing all references to "Strategic Agricultural Resource Policy" with "Priority Agricultural Land Policy". NOTE:
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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Delegation	**11.2.4 Development Control – Powers of Local Governments – Peel Region Scheme (DEL.2008/12)**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Western Australian Planning Commission
Express power to delegate	Section 16 *Planning and Development Act 2005*
Express power or duty delegated	*Instrument of Delegation* – Del 2008/12 Government Gazette 19 December 2008 (Pg. 5449) The WAPC may delegate any function to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.
Function	A. To delegate to local governments, and to members and officers of those local governments, its powers and functions in respect of the determination, in accordance with Parts 7 and 8 of the Peel Region Scheme, of applications for approval to commence and carry out development specified in Schedules 1 and 2, within their respective districts, subject to the terms set out in schedule 3; B. To revoke its delegation of powers and functions to local governments as detailed in a notice published in the *Government Gazette* of 28 March 2003 (pages 993-994).
Delegates	CEO
Conditions	GUIDANCE NOTE: This delegation must be read in conjunction with amendments Gazetted on *30 June 2009 (Pg. 2643)* and *3 November 2017* – (Pg.5503) please see amendment text inserted below. On 23 June 2009, pursuant to section 16 of the Act, the WAPC Resolved— A. To amend its delegation of powers and functions to local governments in the Instrument of Delegation DEL 2008/12 Powers of local governments (PRS) published in the Government Gazette on 19 December 2008 (pages 5449—5451) by replacing all references to "Department for Planning and Infrastructure" with "Department of Planning". On 24 May 2017, pursuant to section 16 of the Act, the WAPC Resolved— A. To delegate to local governments, and to members and officers of those local governments, its powers and functions in respect of the determination, in accordance with Parts 7 and 8 of the Peel Region Scheme, of applications for approval to commence and carry out development specified in Schedule A, within their respective districts, subject to the terms set out in Schedule B; B. To amend the Instrument of Delegation DEL2008/12 Powers of Local Governments (PRS) made by the WAPC on 16 December 2008 and published in the Government Gazette on 19 December 2008 at pages 5449-5451 (and as amended) (DEL 2008/12), as set out in Schedule C below, to give effect to this resolution.
Date adopted	27 June 2023
Adoption references	Resolution# 140623

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Delegation	**11.2.5 Development Control – Powers of Local Government - Ningaloo Coast Regional Interim Development Order 2007 (DEL.208/14)**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Western Australian Planning Commission
Express power to delegate	Section 16 *Planning and Development Act 2005*
Express power or duty delegated	*Instrument of delegation* - Government Gazette 19 December 2008 DEL 2008/14 (Pg. 5456) The Western Australian Planning Commission may delegate any function to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.
Function	A. To delegate its functions under the Ningaloo Coast Regional Interim Development Order 2007 (the Order) as specified in column 1 of the schedule to local governments and to members and officers of those local governments specified in column 2 of the schedule, in respect of land described in column 3 of the schedule; B. To revoke its delegation of powers and functions to local governments as detailed in a notice published in the Government Gazette of 12 October 2007 (pages 5532-5533).
Delegates	CEO
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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Delegation	**11.2.6 Development Control – Powers of Local Governments – Hope Valley-Wattleup Redevelopment Act 2000 and Master Plan (DEL.2011/01)**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Western Australian Planning Commission
Express power to delegate	Section 16 of the *Planning and Development Act 2005*
Express power or duty delegated	*Instrument of Delegation* Government Gazette 4 February 2011 DEL 2011/01 (Pg.406) - The Western Australian Planning Commission (the WAPC) may delegate any function to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.
Function	A. To delegate to certain local governments, to officers of those local governments, to the Statutory Planning Committee and the Chairman of the WAPC, and to officers of the Department of Planning (DoP) from time to time holding or acting in those offices, as set out in column 2 of the attached Schedule, its powers and functions under the *Hope Valley Wattleup Redevelopment Act 2000* and in respect of the Hope Valley-Wattleup Master Plan as specified in column 1 of the attached Schedule, within their respective districts as specified in column 3 of the attached Schedule.
Delegates	CEO
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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Delegation	**11.2.7 WA Planning Commission - Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01)**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Western Australian Planning Commission
Express power to delegate	Section 16 *Planning and Development Act 2005*
Express power or duty delegated	*Instrument of Delegation* - Government Gazette 29 January 2021 DEL 2020/01 (Pg. 449). The Western Australian Planning Commission (the WAPC) may delegate any function to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.
Function	A. To delegate to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1; B. To delegate to local governments, and to members and officers of those local governments, its powers and functions under sections 21 and 22 of the Strata Titles Act 1985 as set out in clause 2 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1; C. To amend "Del 2020/01—Powers of Local Governments" to give effect to its resolution and to publish an updated, consolidated instrument.
Delegates	CEO
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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11.3 Main Roads Act 1930

Delegation	**11.3.1 Traffic Management - Events on Roads**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Commissioner of Main Roads
Express power to delegate	Regulation 297(2) *Road Traffic Code 2000*
Express power or duty delegated	*Instrument of Delegation* - Traffic Management for Events - CODE OF PRACTICE (Pg. 41)
Function	Local Government ("Authorised Body") by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated [in the Instrument of Authorisation], erect, establish, display, alter or take down such road signs of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any: i. "event" subject to an order from the Commissioner of Police pursuant to Part VA of the *Road Traffic Act 1974*; ii. race meeting or speed test for which the Minister referred to in section 83 of the *Road Traffic Act 1974* has, under that provision, temporarily suspended the operation of any provisions of the *Road Traffic Act 1974* or regulations made under that Act; or iii. public meeting or procession the subject of a permit granted by the Commissioner of Police under the *Public Order in Streets Act 1984;* or as may be required for the purpose of controlling traffic on a road adjacent to, or in the vicinity of, any event or organised activity approved by the Authorised Body under its local laws, on a road (other than a main road or highway) within its jurisdiction.
Delegates	CEO
Conditions	SUBJECT ALWAYS to the following terms and conditions: a. the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Events Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Events Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the event, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone; b. the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and c. the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.
Statutory framework	*Traffic Management for Events CODE OF PRACTICE*
Date adopted	27 June 2023
Adoption references	Resolution# 140623

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Last reviewed	25 June 2024

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Delegation	**11.3.2 Traffic Management - Road Works**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Commissioner of Main Roads
Express power to delegate	Regulation 297(2) of the *Road Traffic Code 2000*
Express power or duty delegated	Instrument of Delegation - *Traffic Management for Works on Roads* - CODE OF PRACTICE (Pg. 77) Local Government ('Authorised Body') by itself, its employees, consultants, agents and contractors (together 'Representatives') to, from the date indicated [in the Instrument of Authorisation], erect, establish, display, alter or take down such traffic signs and traffic control devices of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any works, survey or inspection, associated with the construction, maintenance or repair on a road (other than a main road or highway), any adjoining land or any portion thereof within its jurisdiction.
Function	Erect, establish, display, alter or take down such traffic signs and traffic control devices of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any works, survey or inspection, associated with the construction, maintenance or repair on a road (other than a main road or highway), any adjoining land or any portion thereof within its jurisdiction.
Delegates	CEO
Conditions	SUBJECT ALWAYS to the following terms and conditions: a. the Authorised Body shall at all times observe, perform and comply with the provisions of the 'Traffic Management for Works on Roads Code of Practice' (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia ('the Code') referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone; b. the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and c. the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

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11.4 Road Traffic (Vehicles) Act 2012

Delegation	**11.4.1 Approval for Certain Local Government Vehicles as Special Use Vehicles**
Head of power	11 Statutory Authorisations and Delegations to Local Government from State Entities
Delegator	Department of Transport
Express power to delegate	Pursuant to the *Road Traffic (Vehicles) Regulations 2014*
Express power or duty delegated	Approve vehicles owned by a local government and ordinarily used by persons authorised or appointed by that local government to perform functions on its behalf under: a. the *Local Government Act 1995;* b. regulations made under the *Local Government Act 1995;* c. a local law; d. any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the *Dog Act 1 976*); or e. any combination of the above paragraphs (a) to (d);
Function	To perform functions on its behalf under: a. the *Local Government Act 1995*; b. regulations made under the *Local Government Act 1995;* c. a local law; d. any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the *Dog Act 1 976*); or e. any combination of the above paragraphs (a) to (d); As special use vehicles for the purposes of paragraph "f" of the definition of "special use vehicle" in regulation 327(4) of the Regulations, with the effect that those vehicles may be fitted with one or more yellow flashing lights under regulation 327(3)(b) of the Regulations.
Delegates	CEO

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Conditions	1. Those lights must emit rotating, flashing yellow coloured light(s) and must not be a strobe light. 2. At least one flashing light shall be mounted on top of the vehicle and when lit, shall be visible in normal daylight up to a distance of not less than 200 metres to vehicles approaching from any direction. 3. No part of the lens of the flashing lights is visible either directly or indirectly to the driver when seated in the normal driving position. 4. If more than one flashing light is fitted, they must be placed symmetrically about the centre line of the vehicle or combination of vehicles. 5. An on/off switch for the flashing lights must be installed so as to be easily operated from the driver's seat. 6. Any additional equipment fitted to the vehicle must not interfere with the overall safe operation of the vehicle. 7. Any vehicle fitted with flashing lights for the purposes of this approval must: a. have words clearly set out on the sides of the vehicle which state the nameof the local government in question together with the words "Ranger", "Ranger Services", or words to similar unambiguous effect; and b. where the vehicle is a station wagon or van, have the words "Ranger'', "Ranger Services", or words to similar unambiguous effect clearly set out on the back of the vehicle. This condition 7 is not intended to prevent the use of additional words on the vehicle.
Date adopted	27 June 2023
Adoption references	Resolution# 140623
Last reviewed	25 June 2024

Delegation	**10.1.1 Control of Planning Matters**
Head of power	10 *Planning and Development Act 2005* Delegations
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.5.44 CEO may delegate powers and duties to other employees s.5.45 Other matters relevant to delegations under this Division s.5.46 Register of, and records relevant to, delegations to CEO and employees.
Express power or duty delegated	*Planning and Development Act 2005* *Planning and Development (Local Planning Schemes) Regulations 2015* - Schedule 2 (Deemed Provisions) clauses 82, 83 & 84 *Shire of York Local Planning Scheme No.3*
Function	Council delegates its authority and power to the Chief Executive Officer in accordance with Clauses 82 and 83 in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* as follows: 1. Advertising Applications for Development Approval Public advertising of development applications in accordance with Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* when specifically required or deemed necessary due to concerns regarding potential impacts, including referrals to adjoining and other nearby landowners, State government agencies and essential service providers. 2. Consideration and Final Determination of Applications for Development Approval 2.1 Approve development applications with a use class permissibility classification of 'P', 'D' and 'A' in Table 1 (i.e. Zoning Table) of the Local Planning Scheme in accordance with Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015,* and impose conditions as required where: a) the proposed development is compliant with all relevant standards and requirements, including any proposed variations thereto where no substantial impacts are considered likely to occur; and b) no valid planning objections have been received (if advertised). 2.2 Where any valid planning objections are received during public advertising of a development application for a single house or any development associated with a single house, excluding development of or associated with a heritage protected place, the Chief Executive Officer shall determine the application as required by Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. 2.3 Approve an application to amend any aspect of a previously approved development application which, if amended, would not substantially change the development approved as per clause 77 in Schedule 2 of the *Planning and Development (Local Planning*

	Schemes) Regulations 2015. 2.4 Grant an extension of development approval for up to two (2) years with or without changes to any conditions of approval as per clause 77 in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015.* 2.5 Refusal of all development applications where: a) the proposed use is not permitted (i.e. use permissibility classification of 'X' in Table 1 (i.e. Zoning Table) of the Local Planning Scheme; and/or b) where the development does not comply with a mandatory requirement of the Local Planning Scheme, or with the non-discretionary provisions of the Residential Design Codes. 2.6 Cancel a development application where the applicant has, pursuant to clause 65A in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015,* failed to provide further information or material that the local government reasonably requires to determine the application. 2.7 Cancel a development approval previously granted where the owner of the land has submitted an application to do so or the owner has failed to comply with one (1) or more conditions of development approval and the non-compliance has given rise to significant issues and impacts that have resulted in formal, valid complaints to the local government. 3. <u>Use Not Listed</u> 3.1 To determine if a use not specifically listed in the Zoning Table (Table 1) of the Local Planning Scheme is consistent, may be consistent or is not consistent with the objectives of the zone and publicly advertise a development application in accordance with Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* where the use may be consistent with the objectives of the subject land's relevant zoning classification. 3.2 Finally determine development applications for any use not specifically listed in the Zoning Table (Table 1) of the Local Planning Scheme where: a) the proposed development is compliant with all relevant standards and requirements, including any proposed variations thereto where no substantial impacts are considered likely to occur; and a) no valid planning objections have been received during public advertising within the specified time. 4. <u>Waiving of Development Application Fees</u> Waive the statutory fee payable for an application for development approval where the applicant and/or owner (as appropriate) is a registered not-for-profit organisation and the proposed development is for community benefit. 5. <u>Authorisation of Temporary Works and Uses</u> Authorise any temporary works and/or uses for more than forty-eight (48) hours in any twelve (12) month period pursuant to the exemption to the

	need for development approval afforded by clause 61(1) and clause 61(2)(f) in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. 6. Directions Regarding Unauthorised Development To give written direction/s in relation to unauthorised development and to authorise any action available to the local government under the *Planning and Development Act 2005* incidental to such written direction, including but not limited to: a) issuing a notice to remove, pull down, take up, or alter the development and to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the local government; and/or b) obtaining legal advice where necessary to assist in the performance of the abovementioned delegations. These powers shall not be exercised in circumstances where the Chief Executive Officer has received a request from a Councillor that the matter be referred to Council for consideration or determination. 7. Appeals Provision of written and oral responses to planning appeals, mediated settlements resulting from appeals, and State Administrative Tribunal's requests for reconsideration when an affected person has applied to the State Administrative Tribunal to review a reviewable determination under the Local Planning Scheme in accordance with Part 14 of the *Planning and Development Act 2005*. 8. Subdivision Applications 8.1 Prepare and submit formal responses to the Western Australian Planning Commission (WAPC) in relation to all strata, survey strata and green title subdivision applications (including amalgamations and/or amendments to previous approvals) with due regard for the WAPC's Model Subdivision Conditions Schedule (as amended) and the standards and requirements of the Local Planning Scheme including any associated local planning policies of relevance, the Residential Design Codes and WAPC Development Control Policy 3.4 - Subdivision of Rural Land (as applicable). 8.2 Issue formal subdivision clearances where the relevant local government conditions of subdivision approval by the WAPC have been satisfied and all relevant application fees have been paid by the proponent. 9. Structure Plans Assessment and processing of applications for structure plans, including any amendments thereto and revocation when required, in accordance with the procedural requirements of Part 4 in Schedule 2 of the of the *Planning and Development (Local Planning Schemes) Regulations 2015*. 10. Local Development Plans Assessment and processing of applications for local development plans, including any amendments thereto, in accordance with the procedural requirements of Part 6 in Schedule 2 of the of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

	11. Advertising Extensions for Local Planning Scheme Amendments To extend the advertising period for local planning scheme amendments where it is considered necessary to provide adequate consultation and/or accommodate specific community consultation exercises (e.g. special electors' meetings, workshops etc.). 12. Miscellaneous 12.1 Formation of any opinion and consideration of any matter in the exercise of these delegated powers that would be required of Council under the Local Planning Scheme, including, but not limited to sufficient information required for the processing of proposals (including development applications, structure plans, local development plans), referral and advertising of such proposals, and interpretation of Local Planning Scheme provisions, relevant Planning Policies and provisions of the Residential Design Codes. 12.2 The execution of any documents or instruments required to fulfill a condition(s) of subdivision or development approval. *Important Note:* *The delegations outlined above do not preclude the Delegate or Sub-Delegate referring the categories of development or legal proceedings outlined above to Council for formal consideration and final determination after having regard to the circumstances of a particular case.*
Delegates	CEO
Conditions	1. All matters determined under delegated authority are to be provided to Council at the first available Concept Forum. 2. Clause 4 – Waiving of Development Application Fee and Clause 5 – Authorisation of Temporary Works and Uses can only be determined under delegated authority by the Chief Executive Officer. For clarity, the Executive Manager Development Services, Manager Development Services and Planning Officer cannot make determinations on matters regarding those Clauses. 3. With the exception of single houses or any development associated with a single house, excluding development of or associated with a heritage-protected place, an officer to whom delegated authority is granted to finally determine development applications is not to exercise that authority in the following circumstances and shall refer all applications to a meeting of Council for formal consideration and final determination: a) Where the Chief Executive Officer has received a request from a Councillor that the matter be referred to Council for consideration or determination; b) Where the delegated decision would be contrary to the intent of a previous decision made by Council, or any law or regulation; c) Where any written objection is received from any statutory agency; d) Where the proposal is inconsistent with the general objectives and/or intent of a Local Planning Policy, approved Structure Plan, approved Local Development Plan, or the discretionary provisions of the Local Planning Scheme;

	e) Where notification has been given to adjoining and nearby owners or the general public for comment in accordance with the Local Planning Scheme or any Local Planning Policy and written objections have been received within the time specified, unless in the opinion of the Chief Executive Officer: i) the objections can be overcome by imposing a condition(s) on the approval, or the development proposal is amended by the applicant in accordance with the local government's requirements; or ii) the objection does not relate to valid planning and development issues associated with the proposal. f) Where, in the opinion of the Chief Executive Officer: i) any of the requirements of this delegation are not satisfied; or ii) there is insufficient certainty as to whether the application complies with the intent of the Local Planning Scheme, any relevant Local Planning Policy or an approved Local Development Plan; or iii) it would be in the public interest or consistent with the principles of administrative accountability for Council to determine the application; or iv) the decision involves a matter of principle which, in the opinion of the Chief Executive Officer, should be made by the Council; or v) any condition recommended by a statutory agency is unnecessary or impractical, or unreasonable to be enforced by the Shire of York. 4. Subdivision applications are required to be presented to Council for consideration where the proposed subdivision will result in the creation of twenty (20) lots or more and/or the application is inconsistent with an approved Structure Plan. 5. The following compliance and legal matters are required to be referred to Council for determination: a) Whether to commence prosecution action through the Council's solicitors; b) Whether to apply for an injunction to the Supreme Court under Section 216 of the *Planning and Development Act 2005*; c) The obtainment of urgent legal advice where that advice would exceed $5,000 excluding GST and there are no specific funds allocated within the budget or funds allocated by a resolution of Council; and d) The determination of a position with respect to any mediation process resulting from an appeal to the State Administrative Tribunal against a decision on a proposal that was previously determined by the Shire. 6. <u>Structure Plans</u> a) Prior to the commencement of advertising of any new structure plan, or amendments thereto, elected members must be notified of the proposal in writing advising the dates when the public comment period will start and finish, the means by which the proposal will be advertised and each elected member provided with copies of relevant plans and information relating to the proposal;

	b) All new structure plans, or amendments thereto, are to be referred to Council after being advertised for public comment; c) Any recommendation to the Western Australian Planning Commission pursuant to clause 20(2) in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* as to whether a proposed structure plan, or amendment thereto, may be determined by the Chief Executive Officer after being advertised for public comment provided that: i) Any objection received does not, in the opinion of the Chief Executive Officer, raise relevant planning considerations; ii) Elected members are notified in writing of the Chief Executive Officer's intention to do so and provided a copy of submissions and Administration's recommendations in respect of those submissions; iii) Elected members are provided with five (5) working days in which to request that the proposal be referred to Council for determination; and iv) The recommendation does not include any significant modifications to the advertised structure plan or amendments thereto. 7. <u>Local Development Plans</u> a) Prior to the commencement of advertising of any new local development plan, or amendments thereto, elected members must be notified of the proposal in writing advising the dates when the public comment period will start and finish, the means by which the proposal will be advertised and each elected member provided with copies of relevant plans and information relating to the proposal; b) A local development plan, or amendments thereto, may be determined by the Chief Executive Officer, after being advertised for public comment provided that: i) Any objection received does not, in the opinion of the Chief Executive Officer, raise relevant planning considerations; ii) Elected members are notified in writing of the Chief Executive Officer's intention to do so and provided a copy of submissions and Administration's recommendations in respect of those submissions; iii) Elected members are provided with five (5) working days in which to request that the proposal be referred to Council for determination; iv) The determination will not result in a refusal of or require significant modifications to the advertised local development plan or amendments thereto.
Express Power to Sub-Delegate	*Local Government Act 1995*: s.5.44 CEO may delegate some powers and duties to other employees.
Subdelegates	Executive Manager Infrastructure and Development Services Manager Development Services Planning Officer

Subdelegate conditions	Conditions on the original delegation also apply to the sub-delegations, excluding the power of sub-delegation.
Statutory framework	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Policy	Town Planning Policies
Record Keeping:	Each instance of this delegation being exercised is to be recorded in the Register of Exercised Delegations (available in Attain via the following link *Attain*) in accordance with r.19 of the *Local Government (Administration) Regulations 1996*. This Register is reported to Council in conjunction with the Concept Forum.
Date Adopted:	
Adoption Reference:	
Last Reviewed:	June 2025

SY071-06/25 MINUTES AND RECOMMENDATIONS OF THE AUDIT AND RISK COMMITTEE MEETING HELD ON 10 JUNE 2025

File Number:	**4.7712**
Author:	**Vanessa Green, Council & Executive Support Officer**
Authoriser:	**Alina Behan, Acting Chief Executive Officer**
Previously before Council:	**Not Applicable**
Disclosure of Interest:	**Nil**
Appendices:	**1. Unconfirmed Minutes 10 June 2025 ⇩** **2. Strategic Risk Register - Snapshots - Confidential**

NATURE OF COUNCIL'S ROLE IN THE MATTER

Legislative

PURPOSE OF REPORT

This report presents the Unconfirmed Minutes of the Audit and Risk Committee (ARC) Ordinary Meeting held on 10 June 2025.

BACKGROUND

At its Ordinary Meeting held on 10 June 2025, the ARC was presented with the following reports:

1. Appointment of Independent Presiding Member and Deputy Presiding Member to the Audit and Risk Committee and Expressions of Interest for external members
2. Risk Management Update
3. Update on Findings from 2022/23 and 2023/24 Audits
4. Review of Terms of Reference

The Unconfirmed Minutes of the ARC's Meeting are presented in Appendix 1. The Strategic Risk Register snapshots presented to the ARC are presented in confidential Appendix 2.

COMMENTS AND DETAILS

Further details and implications of the reports are identified within the ARC's Minutes hence are not duplicated here. However, for ease of reference the ARC's recommendations were:

TABLE 1.

ITEM	RECOMMENDATION
Appointment of Independent Presiding Member and Deputy Presiding Member to the Audit and Risk Committee and Expressions of Interest for external members	That, with regard to Appointment of Independent Presiding Member and Deputy Presiding Member to the Audit and Risk Committee and Expressions of Interest for external members, the Audit and Risk Committee recommends that Council: 1. Appoints Shona Zulsdorf as the Presiding Member and Justin Lee as the Deputy Presiding Member of the Shire of York Audit, Risk and Improvement Committee. 2. Approves the meeting sitting fee for the Presiding Member of the Shire of York Audit, Risk and Improvement Committee of

	$250, to be reviewed once the Salaries and Allowances Tribunal has released its Determination on the matter. 3. Directs the Chief Executive Officer to advertise for the external members of the Shire of York Audit, Risk and Improvement Committee, with the nominations to be presented to the Audit, Risk and Improvement Committee's September 2025 Ordinary Meeting, noting the anticipated appointment will be effective from the October 2025 Ordinary Local Government Election.
Risk Management Update as at June 2025	That, with regard to the Risk Management Update as at June 2025, the Audit and Risk Committee recommends that Council: 1. Notes the progress made to date in relation to the Strategic Risk Register. 2. Requests the Chief Executive Officer to present a Risk Management Update, including specific reporting on the Strategic Risk Register, to the Audit and Risk Committee at its September 2025 meeting.
Update on the Findings Identified During the 2022/23 and 2023/24 Audits	That, with regard to the Update on the Findings Identified During the 2022/23 and 2023/24 Audits, the Audit and Risk Committee recommends that Council: 1. Receives the status update on progress towards the remaining ten (10) Findings of 2022/23 and eleven (11) new Findings from 2023/24 audit, as detailed in this report, noting those which are resolved or the intended timeframe for completion. 2. Requests the Chief Executive Officer to provide an update on the Findings identified during the 2023/24 Audits and 2024/25 Interim Audit to the Audit and Risk Committee at its September 2025 meeting.
Review of Terms of Reference	That, with regard to Review of Terms of Reference, the Audit and Risk Committee recommends that Council: 1. Notes the change of title of Council's Audit and Risk Committee to the Audit, Risk and Improvement Committee. 2. Adopts the reviewed Terms of Reference for the Audit, Risk and Improvement Committee, as presented in Appendix 1.

OPTIONS

Council has the following options:

Option 1: Council could choose to accept the ARC's recommendations.

Option 2: Council could choose to reject the ARC's recommendations.

Option 3: Council could choose to resolve differently to the ARC's recommendations.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

ARC Ordinary Meeting 10 June 2025

Executive Leadership Team

Strategic

Council Plan 2025-2035

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance.

Policy Related

G19 Risk Assessment and Management

G25 Compliance

Financial

The financial impact of the items considered by the ARC is detailed within the meeting minutes and the individual appendices to each report.

In accordance with Section 5.100(2)(b) of the *Local Government Act 1995* and Council Resolution 100324, the external members of the ARC are paid a Meeting Fee for attendance with an allocation in the 2024/25 budget at GL: 042200.

Legal and Statutory

Section 7.1A of the *Local Government Act 1995* is applicable and states:

"7.1A. Audit committee

(1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.

(2) The members of the audit committee of a local government are to be appointed by the local government and at least 3 of the members, and the majority of the members, are to be council members.*

** Absolute majority required.*

(3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.

(4) An employee is not to be a member of an audit committee."

Regulation 16 and 17 of the *Local Government (Audit) Regulations 1996* are applicable to the functions of an audit committee and state:

"16. Functions of audit committee

An audit committee has the following functions —

(a) to guide and assist the local government in carrying out —

(i) its functions under Part 6 of the Act; and

(ii) its functions relating to other audits and other matters related to financial management;

(b) to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act;

(c) to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to —

(i) report to the council the results of that review; and

(ii) give a copy of the CEO's report to the council;

(d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —

(i) regulation 17(1); and

(ii) the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);

(e) to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;

(f) to oversee the implementation of any action that the local government —

(i) is required to take by section 7.12A(3); and

(ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and

(iii) has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and

(iv) has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);

(g) to perform any other function conferred on the audit committee by these regulations or another written law.

17. CEO to review certain systems and procedures

(1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —

(a) risk management; and

(b) internal control; and

(c) legislative compliance.

(2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.

(3) The CEO is to report to the audit committee the results of that review."

Risk Related

The ARC plays a key role in overseeing the local government's responsibilities in relation to financial reporting, internal controls, risk management and legislative compliance. This report mitigates the risk of non-compliance.

Workforce

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

VOTING REQUIREMENTS

Absolute Majority: Yes

RESOLUTION
170625

Moved: Cr Peter Wright **Seconded: Cr Chris Gibbs**

That, with regard to the Minutes and Recommendations of the Audit and Risk Committee Meeting held on 10 June 2025, Council:

1. Receives the Unconfirmed Minutes of the Audit and Risk Committee (the ARC) Meeting held on 10 June 2025, as presented in Appendix 1, and by adopting the following recommendations of the ARC, Council:

a. Notes the change of title of Council's Audit and Risk Committee to the Audit, Risk and Improvement Committee.

b. Adopts the reviewed Terms of Reference for the Audit, Risk and Improvement Committee, as presented in Appendix 1.

c. Appoints Shona Zulsdorf as the Presiding Member and Justin Lee as the Deputy Presiding Member of the Shire of York Audit, Risk and Improvement Committee.

d. Approves the meeting sitting fee for the Presiding Member of the Shire of York Audit, Risk and Improvement Committee of $250, to be reviewed once the Salaries and Allowances Tribunal has released its Determination on the matter.

e. Directs the Chief Executive Officer to advertise for the external members of the Shire of York Audit, Risk and Improvement Committee, with the nominations to be presented to the Audit, Risk and Improvement Committee's September 2025 Ordinary Meeting, noting the anticipated appointment will be effective from the October 2025 Ordinary Local Government Election.

f. Notes the progress made to date in relation to the Strategic Risk Register.

g. Requests the Chief Executive Officer to present a Risk Management Update, including specific reporting on the Strategic Risk Register, to the Audit and Risk Committee at its September 2025 meeting.

h. Receives the status update on progress towards the remaining ten (10) Findings of 2022/23 and eleven (11) new Findings from 2023/24 audit, as detailed in this report, noting those which are resolved or the intended timeframe for completion.

i. Requests the Chief Executive Officer to provide an update on the Findings identified during the 2023/24 Audits and 2024/25 Interim Audit to the Audit and Risk Committee at its September 2025 meeting.

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

Against: **Nil**

CARRIED 6/0 BY ABSOLUTE MAJORITY

UNCONFIRMED MINUTES

Audit and Risk Committee Meeting
Tuesday, 10 June 2025

Date: **Tuesday, 10 June 2025**
Time: **3:00pm**
Location: **Council Chambers, York Town Hall, York**

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MINUTES OF SHIRE OF YORK
AUDIT AND RISK COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBERS, YORK TOWN HALL, YORK
ON TUESDAY, 10 JUNE 2025 AT 3:00PM

1 OPENING

1.1 Declaration of Opening

Cr Kevin Trent, Presiding Member, declared the meeting open at 3.08pm.

1.2 Acknowledgement / Disclaimer

The Presiding Member 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 Attendance via Electronic Means

Nil

1.4 Standing Orders

Nil

1.5 Announcement of Visitors

Nil

1.6 Declarations of Proximity Interest

Nil

1.7 Declaration of Financial Interests

Shona Zulsdorf – Item 9.1 - Appointment of Independent Presiding Member and Deputy Presiding Member to the Audit and Risk Committee and Expressions of Interest for external members

Justin Lee – Item 9.1 - Appointment of Independent Presiding Member and Deputy Presiding Member to the Audit and Risk Committee and Expressions of Interest for external members

1.8 Disclosure of Interests that May Affect Impartiality

Nil

2 ATTENDANCE

2.1 Members

Cr Kevin Trent, Presiding Member; Cr Peter Wright; Cr Denese Smythe (proxy for Cr Denis Warnick)

Mr Justin Lee; Ms Shona Zulsdorf

2.2 Staff

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

2.3 Apologies

Cr Denis Warnick

Chris Linnell, Chief Executive Officer - 10 March 2025 to 7 July 2025 inclusive

2.4 Leave of Absence Previously Approved

Nil

2.5 Number of People in the Gallery at Commencement of Meeting

There were no people in the Gallery at the commencement of the meeting.

3 QUESTIONS FROM PREVIOUS MEETINGS

Nil

4 PUBLIC QUESTION TIME

Public Question Time is conducted in accordance with the Act 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 3.12pm.

4.1 Written Questions – Current Agenda

Nil

4.2 Public Question Time

As no questions were asked, Public Question Time concluded at 3.12pm.

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 PRESENTATIONS

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

COMMITTEE RECOMMENDATION

Moved: Cr Peter Wright **Seconded: Ms Shona Zulsdorf**

That the minutes of the Audit and Risk Committee Meeting held on 11 March 2025 be confirmed as a correct record of proceedings.

In Favour: **Crs Kevin Trent, Denese Smythe, Peter Wright, Justin Lee and Shona Zulsdorf**

Against: **Nil**

CARRIED 5/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

9 OFFICER'S REPORTS

9.1 APPOINTMENT OF INDEPENDENT PRESIDING MEMBER AND DEPUTY PRESIDING MEMBER TO THE AUDIT AND RISK COMMITTEE AND EXPRESSIONS OF INTEREST FOR EXTERNAL MEMBERS

Disclosure of Interest – Ms Zulsdorf – Financial – Appointment of Independent Presiding Member and Deputy Presiding Member to the Audit and Risk Committee and Expressions of Interest for external members

Ms Zulsdorf read the Financial Declaration - … With regard to Appointment of Independent Presiding Member and Deputy Presiding Member to the Audit and Risk Committee and Expressions of Interest for external members, the matter in Item 9.1, I disclose that I have an association with the applicant (or person seeking a decision). The association is I am a potential recipient of a payment. As a consequence, I will leave the meeting.

Disclosure of Interest – Mr Lee – Financial – Appointment of Independent Presiding Member and Deputy Presiding Member to the Audit and Risk Committee and Expressions of Interest for external members

Mr Lee read the Financial Declaration - … With regard to Appointment of Independent Presiding Member and Deputy Presiding Member to the Audit and Risk Committee and Expressions of Interest for external members, the matter in Item 9.1, I disclose that I have an association with the applicant (or person seeking a decision). The association is potential payment. As a consequence, I will leave the meeting.

At 3:15pm, Ms Shona Zulsdorf left the meeting.

At 3:15pm, Mr Justin Lee left the meeting.

File Number:	**4.9510**
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

Legislative

PURPOSE OF REPORT

This report details the requirements for the appointment of an Independent Presiding Member and Deputy Presiding Member to the Shire's Audit & Risk Committee to reflect legislative changes.

BACKGROUND

Amendments to Section 5.12 of the *Local Government Act 1995* require Councils to appoint new Committee Presiding Members and Deputy Presiding Members by 1 July 2025. This is opposed to the previous arrangement where the Committee appointed the Presiding Member and Deputy Presiding Member itself. These appointments must be made by an Absolute Majority decision of Council from this point forward.

The change was introduced to assist the local government sector in removing the need for the conduct of a secret preferential ballot at a committee meeting, and to give Council's the role of deciding the leadership of Council Committees.

Separately, once Section 87 of the *Local Government Amendment Act 2024* commences, local governments will be required to appoint an independent person to the roles of Presiding Member and Deputy Presiding Member of the newly named Audit, Risk and Improvement Committee (ARIC).

Having an independent Presiding Member is designed to ensure a level of neutrality and impartial oversight in chairing these meetings. An independent Presiding Member must be a person who is not a Council Member of a local government or an employee of the local government. If a Deputy Presiding Member is appointed, they must also be independent.

While there is currently no requirement for an independent Presiding Member and Deputy Presiding Member to be appointed to an existing Audit Committee by 1 July 2025, local governments may opt to appoint an independent Presiding Member and Deputy Presiding Member at the same time as Council making the appointment of its Committee Presiding Members in accordance with amended Section 5.12, in anticipation of the changes to avoid duplication once Section 87 commences.

COMMENTS AND DETAILS

The Shire has had independent members on its Audit & Risk Committee since 2021. These members are appointed via an Expression of Interest (EOI) process, with selection criteria to be addressed confirming the independent member's skills, knowledge and experience in local government audit committees. The Shire appreciates the oversight and expertise the external members bring to the Audit & Risk Committee and its operations.

Both external members have been consulted and are happy to undertake the role of Presiding Member and Deputy Presiding Member.

The current external members' tenure ceases at the October 2025 Ordinary Local Government Elections. Therefore, the next EOI process will commence in July 2025, with the Committee to consider the nominations received at its September Ordinary Meeting. That will enable Council to consider the appointments to be effective following the October 2025 Ordinary Local Government Election, noting that the external members appointed will be required to perform the roles of Presiding Member and Deputy Presiding Member of the ARIC.

A separate report is presented to this meeting which considers a review of the Terms of Reference for the Audit & Risk Committee to reflect these legislative changes.

OPTIONS

The Audit & Risk Committee has the following options:

Option 1: The Audit & Risk Committee could choose not to recommend the appointment of an independent Presiding Member and Deputy Presiding Member but direct the Chief Executive Officer to commence the advertising process seeking external members to the Audit and Risk Committee with appointments effective from the October Ordinary Elections.

Option 2: The Audit & Risk Committee could choose to recommend Council appoint an independent Presiding Member and Deputy Presiding Member and direct the Chief Executive Officer to commence the advertising process seeking external members to the ARIC with appointments effective from the October Ordinary Elections.

Option 2 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

Council's Audit & Risk Committee External Members

Executive Leadership Team

Department of Local Government

Strategic

Council Plan 2025-2035

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance

Policy Related

E1 Code of Conduct – Council Members, Committee Members & Candidates

Financial

External members are paid a meeting sitting fee in accordance with Council resolution 100324 and the Salaries and Allowances Tribunal Determination, which is currently $172 per meeting. The Salaries and Allowances Tribunal Determination released on 4 April 2025, effective from 1 July 2025, provides the sitting fee for Independent Committee Members for Bands 1-4 local governments as being between $0 to $450 per meeting.

While the April 2025 Determination is silent on a separate and/or increased fee being paid for Independent Members fulfilling the role of Chair it is noted that the Tribunal will determine rates with respect to this at a future date, to coincide with the commencement of the legislative changes. In the interim, to recognise the additional workload associated with performing the Presiding Member role, the sitting fee payable to the Presiding Member per meeting is recommended to increase to $250 per meeting. This would be reviewed once the Salaries and Allowances Tribunal have released its Determination on the matter. The impact of the increase in Presiding Member sitting fees is approximately $300-500 per financial year depending on the number of meetings held.

Legal and Statutory

Sections 5.12 to 5.14 of the *Local Government Act 1995* are applicable and state:

"5.12. Presiding members and deputies

(1) The local government must appoint a member of a committee to be the presiding member of the committee.*

** Absolute majority required.*

(2) The local government may appoint a member of a committee to be the deputy presiding member of the committee.*

** Absolute majority required.*

5.13. Deputy presiding members, functions of

If, in relation to the presiding member of a committee —

(a) the office of presiding member is vacant; or

(b) the presiding member is not available or is unable or unwilling to perform the functions of presiding member,

then the deputy presiding member, if any, may perform the functions of presiding member.

5.14. Who acts if no presiding member

If, in relation to the presiding member of a committee —

(a) the office of presiding member and the office of deputy presiding member are vacant; or

(b) the presiding member and the deputy presiding member, if any, are not available or are unable or unwilling to perform the functions of presiding member,

then the committee members present at the meeting are to choose one of themselves to preside at the meeting."

It will be a requirement to change the name, update the terms of reference and appoint an independent presiding member for an Audit, Risk and Improvement Committee once Section 87 of the *Local Government Amendment Act 2024* commences. This Section is yet to be commenced as Regulations need to be drafted to give these provisions effect. However, Council could choose to appoint its independent Presiding Member and Deputy Presiding Member now in anticipation of the changes.

It is therefore recommended to appoint the independent Presiding Member and Deputy Presiding Member at the same time as Council making the appointment in accordance with Section 5.12, in anticipation of the additional legislative changes to avoid duplication once Section 87 commences.

Risk Related

The introduction of an independent Presiding Member provides an opportunity for increased community confidence in a local government's financial and risk management, reducing reputational risk.

By appointing an independent Presiding Member and Deputy Presiding Member, the Audit & Risk Committee and Council will mitigate its risk of non-compliance with the new legislative requirements.

Workforce

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

VOTING REQUIREMENTS

Absolute Majority: Yes

COMMITTEE RECOMMENDATION

Moved: Cr Denese Smythe **Seconded: Cr Peter Wright**

That, with regard to Appointment of Independent Presiding Member and Deputy Presiding Member to the Audit and Risk Committee and Expressions of Interest for external members, the Audit and Risk Committee recommends that Council:

1. **Appoints Shona Zulsdorf as the Presiding Member and Justin Lee as the Deputy Presiding Member of the Shire of York Audit, Risk and Improvement Committee.**
2. **Approves the meeting sitting fee for the Presiding Member of the Shire of York Audit, Risk and Improvement Committee of $250, to be reviewed once the Salaries and Allowances Tribunal has released its Determination on the matter.**
3. **Directs the Chief Executive Officer to advertise for the external members of the Shire of York Audit, Risk and Improvement Committee, with the nominations to be presented to the Audit, Risk and Improvement Committee's September 2025 Ordinary Meeting, noting the anticipated appointment will be effective from the October 2025 Ordinary Local Government Election.**

In Favour: **Crs Kevin Trent, Denese Smythe and Peter Wright**

Against: **Nil**

CARRIED 3/0 BY ABSOLUTE MAJORITY

At 3:17pm, Ms Shona Zulsdorf returned to the meeting.

At 3:17pm, Mr Justin Lee returned to the meeting.

9.2 RISK MANAGEMENT UPDATE AS AT JUNE 2025

File Number:	**4.8787**
Author:	**Anneke Birleson, Manager Governance & People**
Authoriser:	**Alina Behan, Acting Chief Executive Officer**
Previously before Council:	**28 June 2022 (020622)** **27 September 2022 (100922)** **20 December 2022 (141222)** **21 March 2023 (420323)** **19 December 2023 (121223)** **26 March 2024 (100324)** **24 September 2024 (100924)** **17 December 2024 (131224)** **11 March 2025 (070325)**
Disclosure of Interest:	**Nil**
Appendices:	**1. Strategic Risk Progress - Dashboard ⇩** **2. Strategic Risk Register - Snapshot - Confidential** **3. Strategic Risk Register - Snapshot - Detailed - Confidential**

NATURE OF COUNCIL'S ROLE IN THE MATTER

Legislative

PURPOSE OF REPORT

This report provides the Audit and Risk Committee (ARC) with an update regarding progress on the Shire's Risk Management.

BACKGROUND

The Shire of York's Risk Assessment and Management Policy, in conjunction with the Risk Management Framework, sets out the Shire's approach to the identification, assessment, management and monitoring of risks.

The Shire's Risk Management Objectives are:

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.

It is essential to monitor and review the management of risks as changing circumstances may result in some risks increasing or decreasing in significance. By regularly reviewing the effectiveness and efficiency of controls and appropriateness of treatment/action options selected, it can be determined if the organisation's resources are being put to the best use possible.

Each Risk on the Strategic Risk Register has a set of key Controls which, in turn have Risk Actions. Each Risk, Action and Control has an Officer allocated to it and an expected timeline for completion. Officers are required to report on progress at least monthly.

COMMENTS AND DETAILS

At its previous meetings the ARC considered proposed reporting methods for progress updates against the Strategic Risk Register.

The ARC approved the use of the following tools generated from Government Frameworks' Strategic Planning and Reporting software, Cascade:

- Strategic Risk Register Dashboard
- Strategic Risk Register Snapshot
- Strategic Risk Register Snapshot (Detailed)

The Dashboard provides a visual overview of progress against each of the eight (8) Strategic Risks as well as an indication of how the risks are spread across the organisation.

The Snapshots provide more detail, including risk assessments and with Officer comments in relation to progress of each Risk Control and Action.

The Snapshots and the Dashboard are live tools within Cascade and Officers can drill down on specific items using the charts and tables.

OPTIONS

The ARC has the following options:

Option 1: The ARC could recommend that Council notes the reporting progress made to date and requests the Chief Executive Officer to report on progress against the Strategic Risks at its September 2025 Ordinary Meeting.

Option 2: The ARC could recommend that Council notes the progress made to date, requests further development of the reporting tools and requests the Chief Executive Officer to present the final reporting tools for approval and report on progress against the Strategic Risks at its September 2025 Ordinary Meeting.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

Executive Leadership Team

Organisational Management Group

Strategic

Council Plan 2025-2035

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance

Policy Related

G19 Risk Assessment and Management

Financial

Financial implications of the proposed risk mitigation strategies are presented to Council as they emerge and inform the annual budget process.

Legal and Statutory

Regulation 17 of the *Local Government (Audit) Regulations 1996* is applicable and states:

"17. CEO to review certain systems and procedures

(1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —

(a) risk management; and

(b) internal control; and

(c) legislative compliance.

(2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.

(3) The CEO is to report to the audit committee the results of that review."

Risk Related

The development and regular update of an organisational Risk Register is a risk management tool.

Workforce

It is proposed that risk mitigation actions are undertaken within current resources. Where additional resources are required, this will be identified and submitted as part of the annual budget process.

VOTING REQUIREMENTS

Absolute Majority: No

COMMITTEE RECOMMENDATION

Moved: Cr Peter Wright **Seconded: Ms Shona Zulsdorf**

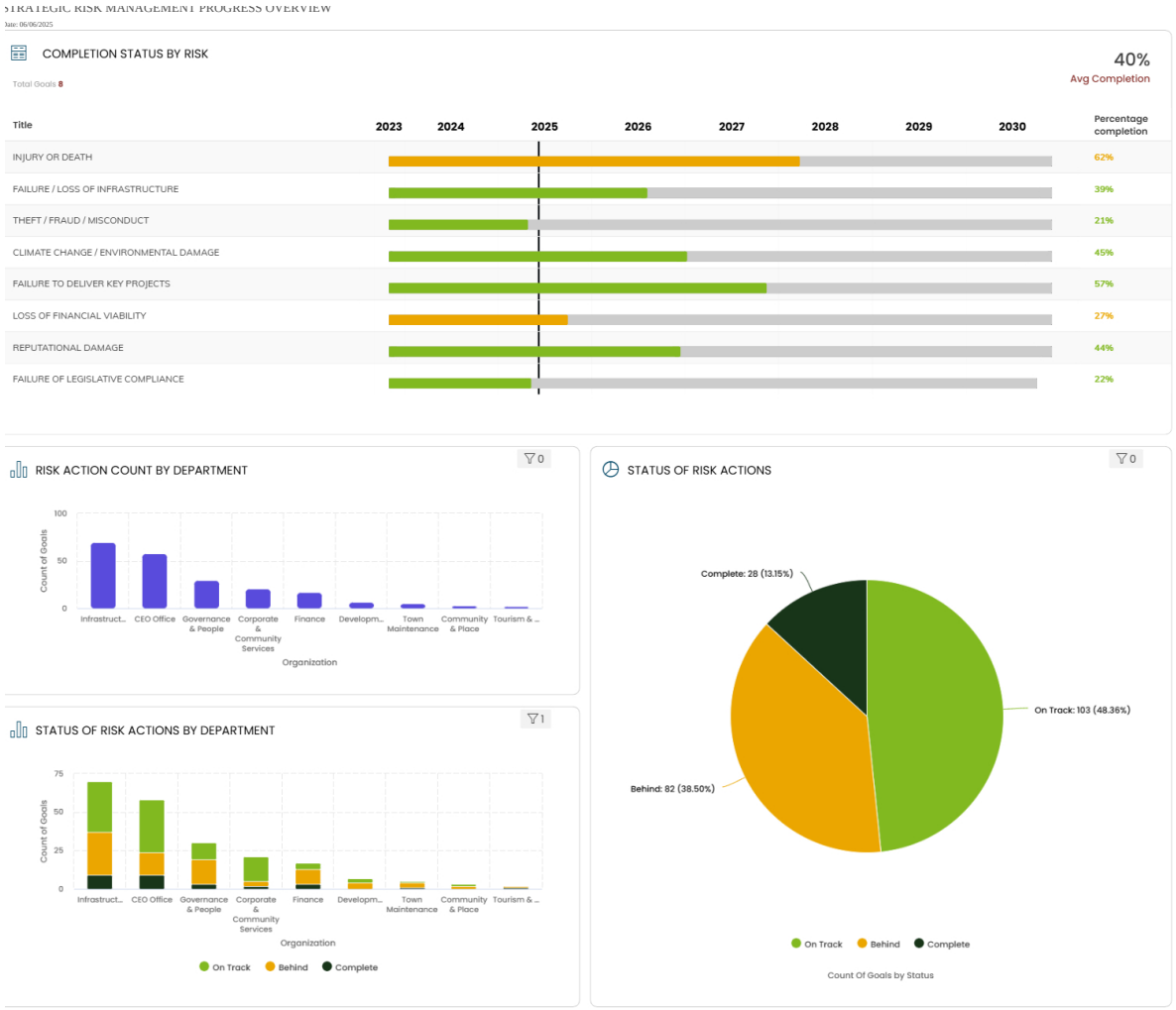
That, with regard to the Risk Management Update as at June 2025, the Audit and Risk Committee recommends that Council:

1. **Notes the progress made to date in relation to the Strategic Risk Register.**
2. **Requests the Chief Executive Officer to present a Risk Management Update, including specific reporting on the Strategic Risk Register, to the Audit and Risk Committee at its September 2025 meeting.**

In Favour: **Crs Kevin Trent, Denese Smythe, Peter Wright, Justin Lee and Shona Zulsdorf**

Against: **Nil**

CARRIED 5/0


STRATEGIC RISK MANAGEMENT PROGRESS OVERVIEW
Date: 06/06/2025
COMPLETION STATUS BY RISK
Total Goals 8
40%
Avg Completion
Title
2023
2024
2025
2026
2027
2028
2029
2030
Percentage completion
INJURY OR DEATH 62%
FAILURE / LOSS OF INFRASTRUCTURE 39%
THEFT / FRAUD / MISCONDUCT 21%
CLIMATE CHANGE / ENVIRONMENTAL DAMAGE 45%
FAILURE TO DELIVER KEY PROJECTS 57%
LOSS OF FINANCIAL VIABILITY 27%
REPUTATIONAL DAMAGE 44%
FAILURE OF LEGISLATIVE COMPLIANCE 22%
RISK ACTION COUNT BY DEPARTMENT
Count of Goals
Infrastruct...
CEO Office
Governance & People
Corporate & Community Services
Finance
Developm...
Town Maintenance
Community & Place
Tourism & ...
Organization
STATUS OF RISK ACTIONS BY DEPARTMENT
On Track
Behind
Complete
STATUS OF RISK ACTIONS
Complete: 28 (13.15%)
On Track: 103 (48.36%)
Behind: 82 (38.50%)
Count Of Goals by Status

9.3 UPDATE ON THE FINDINGS IDENTIFIED DURING THE 2022/23 AND 2023/24 AUDITS

File Number:	**4.0463, 4.4175**
Author:	**Codey Redmond, Manager Finance**
Authoriser:	**Rebecca Palumbo, Acting Executive Manager Corporate & Community Services**
Previously before Council:	**26 March 2024 (100324)** **24 September 2024 (100924)** **25 March 2025 (070325)**
Disclosure of Interest:	**Nil**
Appendices:	**1. Audit Findings Update ⇩**

NATURE OF COUNCIL'S ROLE IN THE MATTER

Executive

PURPOSE OF REPORT

This report presents an Update on the Findings Identified During the 2022/23 and 2023/24 Audits to the Audit and Risk Committee (ARC) for consideration and, if satisfactory, recommendation to Council.

BACKGROUND

Following recommendation by the ARC, Council considered the 2022/23 and 2023/24 Audit Findings at its March 2025 Ordinary Meeting and resolved (070325):

"That, with regard to the Minutes and Recommendations of the Audit and Risk Committee Meeting held on 11 March 2025, Council:

1. Receives the Unconfirmed Minutes of the Audit and Risk Committee (the ARC) Meeting held on 11 March 2025, as presented in Appendix 1, subject to correcting the spelling of the name of Sharna Hilder at Item 4.2 – Public Question Time, and by adopting the following recommendations of the ARC, Council:

a. Resolves to adopt the completed 2024 Compliance Audit Return, as presented in Appendix 1, for certification by the Shire President and the Chief Executive Officer in accordance with Regulation 15(2) of the Local Government (Audit) Regulations 1996.

b. Requests the Chief Executive Officer to submit the certified 2024 Compliance Audit Return to the Departmental CEO of the Department of Local Government, Sport and Cultural Industries prior to 31 March 2025 in accordance with Regulation 15(1) of the Local Government (Audit) Regulations 1996.

c. Authorises the Chief Executive Officer to make any necessary minor typographical and formatting changes to the certified 2024 Compliance Audit Return prior to submission.

d. Notes the progress made to date in relation to the Strategic Risk Register.

e. Requests the Chief Executive Officer to present a Risk Management Update, including specific reporting on the Strategic Risk Register, to the Audit and Risk Committee at its June 2025 meeting.

f. Receives the status update on progress towards the remaining ten (10) Findings and eleven (11) new Findings from 2023/24 audit, as detailed in this report, noting those which are resolved or the intended timeframe for completion.

g. Requests the Chief Executive Officer to provide an update on the Findings identified during the 2022/23 and 2023/24 Audits to the Audit and Risk Committee at its June 2025 meeting.

h. Resolves to adopt the Mid-Year Budget Review and supporting information, as presented in Appendix 1.

i. Requests the Chief Executive Officer to reduce the transfer to Reserve by $40,000 for Pioneer Memorial Lodge.

j. Requests the Chief Executive Officer to reduce the transfer to Plant Reserve by $85,046 to support the acquisition of plant items.

k. Requests the Chief Executive Officer to transfer $19,196 from the Long Service Leave Reserve to General Operational Funds."

In accordance with point g, an update on the status of the 2022/23 and 2023/24 Audit Findings is presented to the ARC for consideration and recommendation to Council.

COMMENTS AND DETAILS

Nexia attended the Shire Administration during the week commencing 12 May 2025 to conduct the interim audit. Staff are currently addressing preliminary matters raised during the process. Nexia will issue its formal interim findings once these items have been reviewed and management will have an opportunity to comment.

Staff have been working towards implementing processes and procedures to address the Findings of the 2022/23 & 2023/24 Audit with further details provided below.

TABLE 1. 2022/23 Findings

FINDING	COMMENT
Untimely preparation and review of bank reconciliations	Ongoing – presented in 2023/24 Findings
Depreciation of assets	Reviewed as part of the 2023/24 audit process and determined to no longer be a Finding.
Audit readiness and quality of financial and supporting documentation	Reviewed as part of the 2023/24 audit process and determined to no longer be a Finding.
Untimely preparation and review of the property, plant and equipment reconciliation	Although not presented in in Findings for 2023/24 final audit it has been found as a preliminary item in the 2024/25 interim audit. Previous advice from Moore was to not reconcile assets until after the annual report has been audited as it can be difficult to report retrospective changes.
Asset revaluations	Reviewed as part of the 2023/24 audit process and determined to no longer be a Finding. Council's next fair value review is due in 2026/27 for roads, drainage, bridges and footpaths.
Monitoring of grants income and expenses	Reviewed as part of the 2023/24 audit process and determined to no longer be a Finding. Ongoing efforts are being made to improve registering and tracking of grants. Work in progress.

Plant recovery cost base rate and indirect/overhead cost allocation rate	Reviewed as part of the 2023/24 audit process and determined to no longer be a Finding. To be reviewed each year when preparing the budget. Workshop held this week.
Works in progress for capital projects	Reviewed as part of the 2023/24 audit process and determined to no longer be a Finding.
No asset addition forms	Reviewed as part of the 2023/24 audit process and determined to no longer be a Finding.
Assets with no depreciation	Reviewed as part of the 2023/24 audit process and determined to no longer be a Finding.

TABLE 2. 2023/2024 Findings

FINDING	COMMENT	STATUS / TIMEFRAME
Untimely preparation and review of bank reconciliation.	Significant progress has been made in addressing this issue in previous years. Reconciliations will likely be found as an item in 2024/25. Municipal and Trust reconciliations for the period July-December 2024 have been actioned with Officers now clarifying unreconciled items. Officers are working on unreconciled items in the 2024/25 year before working on unreconciled items from prior years.	2024/25 bank reconciliations are aiming to be completed by end of financial year. July 2025
Lack of segregation of duties with purchasing	The lack of segregation of duties in purchasing was addressed during the Audit Reg 17 and FMR Reg 5 Review in 2023. Recommendations were received by Council in December 2023, leading to updates to Policy F2 - Procurement. The ARC reviewed the residual risk in June 2024 and recommended that appropriate adjustments had been made, acknowledging that complete segregation may not always be feasible. Council accepted the residual risk for 2022/23 and 2023/24 at its June 2024 meeting.	Council accepted residual risk for 2022/23 and 2023/24.
Fortnightly payroll reconciliations	Fortnightly payroll reconciliations have been consistently conducted since December 2023. External auditors Nexia have confirmed the matter has been resolved and will not pose a problem in the future.	External auditors Nexia acknowledged the matter has been addressed since December 2023 and will not be an issue going forward.
Unrecorded liabilities	A one-time error in posting periods occurred due to staff changes at the end of the year. Implementing robust bank reconciliations will help to promptly identify and address any future errors. The error was corrected by journaling to the appropriate period as directed by the auditors.	Journaled to correct period at the direction of the auditors in December 2024.
Untimely approval of purchase orders	The ARC reviewed the untimely approval of purchase orders in June 2024 and recommended that appropriate controls were in place. The	Council accepted residual risk for

	treatment for non-compliance includes education and training, followed by HR processes where applicable. Council accepted the residual risk for 2022/23 and 2023/24 during its June 2024 meeting.	2022/23 and 2023/24.
Lack of control on tracking usage of inventory	This was identified as a weakness particularly in relation to fuel supplies where the largest variance has been recorded. The installation of a new fuel tank has automated recording of information and should prevent recurrence. Stock write-off required for the historic discrepancy.	Stock write-off required in Synergy. Operations team have processes to track inventory.
Inappropriate User Access in Synergy	At its June 2024 meeting the ARC considered this item and recommended to Council that appropriate access was in place. At its June 2024 Ordinary Meeting, Council agreed with the recommendation and voted to accept the residual risk. In line with the auditors' recommendation, the Shire implemented a trial of restricted access for the Finance Manager beginning in January 2025 to assess the impact on financial operations. Following a successful trial, the restricted access will now be implemented on a permanent basis.	Restricting bank signatories access to the database will lower Council's risk of fraud.
Old PPE assets carried in the FAR	A review of older assets with low carrying values was conducted to remove any that are no longer in use or have fallen below material threshold. While asset addition and disposal processes are already in place, it is acknowledged that some items disposed of before these processes began may require investigation and appropriate treatment.	Assets no longer in use or immaterial were removed prior to interim audit in May 2025.
Untimely review of the credit card policy	The review period for all policies was evaluated as the Shire transitioned to its Integrated Planning and Reporting software. It was determined that a two-year review of Policy F6 – Corporate Credit Card Policy was sufficient, and thus it was not due for review within the reporting period. The Executive Leadership Team reviewed the current policy and found no need for amendments. This was presented to Council in December 2024, and the policy was adopted (Resolution 061224).	Policy was reviewed and adopted by Council at its December 2024 Meeting.
Former Employee listed as authorised signatory in AMP Bank Confirmation	Officers corrected the oversight of not adding the new Finance Manager as an authorised signatory per the Shire's May 2024 instruction. Bank access was updated in December 2024, and Officers will continue to ensure that signatories are promptly updated as staff changes occur.	Bank access updated December 2024. Continued effort to be made to remove signatories as staff changes.
Guidelines for general journals	The Shire's current journal procedures have been deemed satisfactory by the external auditors Nexia in its 2023/24 audit process. To ensure continued accuracy and compliance, Officers will formalise the Management Guidelines for General Journals based on these existing practices. This update will be completed by 30 June 2025.	Procedure to be updated and implemented before end of financial year 30 June 2025.

A copy of the audit findings report is presented in Appendix 1.

OPTIONS

The ARC has the following options:

Option 1: The ARC could recommend that Council receives the status update on progress towards the remaining ten (10) Findings of 2022/2023 and eleven (11) new Findings from 2023/24 audit and requests the Chief Executive Officer to provide an update on the 2023/24 Findings and 2024/25 Interim findings at its September 2025 meeting.

Option 2: The ARC could recommend that Council does not receives the status update on progress towards the remaining ten (10) Findings of 2022/2023 and eleven (11) new Findings from 2023/24 audit and requests the Chief Executive Officer to provide an update on the Findings at its September 2025 meeting.

Option 3: The ARC could recommend that Council requests more information from the Chief Executive Officer on the remaining ten (10) Findings of 2022/2023 and eleven (11) new Findings from 2023/24 audit and identifies what that information is.

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

Executive Leadership Team

Strategic

Council Plan 2025-2035

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance

Policy Related

G17 Integrated Planning and Reporting - Planning

G19 Risk Assessment and Management

Financial

There are no direct financial implications relating to the risk assessment of the Audit Findings.

Legal and Statutory

Section 7.12A of the *Local Government Act 1995* is applicable and states:

"7.12A. Duties of local government with respect to audits

(1) A local government is to do everything in its power to —

(a) assist the auditor of the local government to conduct an audit and carry out the auditor's other duties under this Act in respect of the local government; and

(b) ensure that audits are conducted successfully and expeditiously.

(2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.

(3) A local government must —

(aa) examine an audit report received by the local government; and

(a) determine if any matters raised by the audit report, require action to be taken by the local government; and

(b) ensure that appropriate action is taken in respect of those matters.

(4) A local government must —

(a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and

(b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government.

(5) Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website."

The *Local Government (Audit) Regulations 1996* provides the legislative framework for the conduct of audits in local government and the role of the ARC in considering the results of those audits.

Risk Related

Failure to undertake the actions documented in the report could result in financial risk for the Shire.

Workforce

The scope of this report can be accommodated within current operational capacity and via contractor support which is already in place.

VOTING REQUIREMENTS

Absolute Majority: No

COMMITTEE RECOMMENDATION

Moved: Ms Shona Zulsdorf Seconded: Mr Justin Lee

That, with regard to the Update on the Findings Identified During the 2022/23 and 2023/24 Audits, the Audit and Risk Committee recommends that Council:

1. **Receives the status update on progress towards the remaining ten (10) Findings of 2022/23 and eleven (11) new Findings from 2023/24 audit, as detailed in this report, noting those which are resolved or the intended timeframe for completion.**
2. **Requests the Chief Executive Officer to provide an update on the Findings identified during the 2023/24 Audits and 2024/25 Interim Audit to the Audit and Risk Committee at its September 2025 meeting.**

In Favour: **Crs Kevin Trent, Denese Smythe, Peter Wright, Justin Lee and Shona Zulsdorf**

Against: **Nil**

CARRIED 5/0

NEW AUDIT SNAPSHOT
06/06/2025

21	87%
GOALS	GOAL COMPLETION

AUDITS PLAN

AUDIT FINDINGS 2022/23

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Untimely preparation and review of bank reconciliations	Significant	Yes	The timely preparation and independent review of monthly bank reconciliations is a key control for ensuring financial transactions are valid, complete and accurately reflected in the financial records and bank accounts. This absence of this key financial control may increase the risk of fraudulent transactions, errors or omission going undetected, resulting in misstatements within the Shire's financial statements	NEW Consequence: Moderate Likelihood: Possible Risk Rating: High	We recommend that the Shire review its bank reconciliation processes to ensure the monthly bank reconciliations are appropriately prepared and reviewed in a timely manner. The bank reconciliation process should include ensuring supporting documentation to the reconciliation is readily available to allow the Shire to perform an effective review. The Shire should ensure an adequate level of training is provided to staff performing the reconciliation. The reviewer should also ensure that reconciling items are accurate and supported and evidence of independent review is maintained.	Agreed bank reconciliations were not conducted in a timely fashion in the 2022/23 Financial Year due to lack of staff. The financial services contract established with Moore Australia in 2023/24 has allowed for the review of the bank reconciliation process and training of finance team members. This has now been completed, and Trust accounts are up to date. The remainder of Municipal reconciliations will be completed in March 2024. This process will now be undertaken weekly for Municipal reconciliations and monthly for Trust due to the lower activity. This can be tested in the 2023/24 Interim Audit.	Adequate	NEW Residual Consequence: Moderate Residual Likelihood: Likely Residual Risk Rating: High	Treat	**Rebecca Palumbo:** 2022/23 Bank Reconciliations updated with $10,000 of outstanding transactions. Investigation needed to determine action in regard to these outstanding items. To be actioned by June 2025 by Finance Manager. *06/06/2025* **Vanessa Green:** Continue to work towards weekly Municipal reconciliations and monthly Trust reconciliations. Ongoing staff training. *05/06/2024*	**54%** **54 / 100** 46% behind

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Depreciation of assets	Significant	No	Where assets are not depreciating in line with their useful lives, there is a risk that the depreciation expense and value of Property, Plant and Equipment and Infrastructure may be materially misstated. Further where depreciation applied does not reflect an assets use, this can cause difficulties in asset management planning.	NEW Consequence: Extreme Likelihood: Possible Risk Rating: Extreme	The Shire review the depreciation rates applied to all assets to ensure that they are the correct rates in-line with revaluation reports or where appropriate, updated useful life estimations.	The depreciation calculations are undertaken in accordance with Australian Accounting Standards. Errors that resulted in a misstatement of the depreciation have been found and corrected.	Adequate	NEW Residual Consequence: Major Residual Likelihood: Likely Residual Risk Rating: High	Treat	**Rebecca Palumbo:** Considered as part of 2023/24 Audit process *06/06/2025* **Codey Redmond:** no longer audit finding *28/02/2025*	100% 100 / 100 -

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Audit readiness and quality of financials and supporting documentation	Significant	No	As a result of the matters highlighted above, the financial statements approved to release by the Shire to the auditors were incorrect and did not agree to the underlying financial records. Significant additional time and effort has been committed by the audit team to try and progress this audit to a point. Further, without timely consideration of the Shire's ability to fulfill its reporting responsibilities these may not be met. Additionally, a delay in receiving appropriate documents and evidence can create inefficiencies and productivity of the audit. In the absence of sufficient appropriate audit evidence, we may not be able to comfortably conclude on such transactions and balances.	NEW Consequence: Major Likelihood: Unlikely Risk Rating: High	We recommend the Shire review its key accounting function set up to ensure that it is fit for purpose and able to meet the required deliverables. The Shire must ensure all information to support the preparation of the financial report are complete, accurate and available for the audit team to inspect. Further, to ensure that the Shire is suitably audit ready at the commencement of each phase of the audit it is preferrable that the Shire utilise the varying Better Practice Guides the OAG has developed and ensure all requested information is available.	The Shire can demonstrate that it commenced collecting the information requested in the PBS in April of 2023. Prior to onsite testing the majority of the PBS requirements had been collected and transmitted. There were numerous instances where audit documents were transmitted, only to be subsequently re-requested by the audit team. This pattern persisted even after the audit recommenced in January 2024, with information submitted being immediately demanded again by the OAG. It is worth noting that OAG officers frequently failed to provide adequate time for thorough responses from Shire of York staff, this will be thoroughly discussed at the Exit Interview.	Adequate	NEW Residual Consequence: Major Residual Likelihood: Possible Residual Risk Rating: High	Treat	**Rebecca Palumbo:** Reviewed as part of 2023/24 Audit process and determined to no longer be a finding. *06/06/2025* **Alina Behan:** The splitting of the former Senior Finance Role into two positions - Senior Finance, and Rates and Debtors has allowed the Senior Finance Officer to prioritise auditors' requests and has freed up the Finance Manager to concentrate on budget preparation. The interim audit was completed in July 2024, and the Shire was able to provide all requested samples to the external audit firm Nexia. *02/08/2024*	100% 100 / 100 -

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Untimely preparation and review of the property, plant and equipment reconciliation	Significant	Yes	PPE account reconciliations not prepared and reviewed in a timely manner increase the risk of unreconciled items and errors being undetected and/or not promptly corrected.	NEW Consequence: Major Likelihood: Possible Risk Rating: Extreme	We recommend the Shire prepare and review its Property, Plant & Equipment account reconciliations in a timely manner.	Persistent delays in finalising the Annual Financial Report have once more hindered the timely completion of procedures for the 22/23 Financial Year. This ongoing delay prevents the initiation of new fiscal year asset transactions and disposals until the previous year's financials have been officially adopted.	Adequate	NEW Residual Consequence: Major Residual Likelihood: Likely Residual Risk Rating: High	Treat	**Rebecca Palumbo:** Although not presented in in findings for 2023/24 final audit it has been found as a preliminary item in the 2024/25 interim audit. Previous advice from Moore was to not reconcile assets until after the annual report has been audited as it can be difficult to report retrospective changes. *06/06/2025* **Anneke Birleson:** As part of the Workforce Plan recommendations an additional resource has been established. This position has been filled with assets being a key focus area. *06/06/2024*	100% 100 / 100 -

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Asset revaluations	Significant	No	Without appropriate checks and reconciliations to demonstrate and verify the completeness of the revaluation process and the asset register, there is an increased risk of material misstatement in financial reports. Further, where clear documentation is unable to be provided to support movements between balances or amounts are unreconciled there is a risk that assets may be duplicated or mistakenly removed from the asset register. Incorrect application of legislative and accounting standard requirements increases the risk of a material misstatement within the financial report.	NEW Consequence: Major Likelihood: Possible Risk Rating: Extreme	Management should ensure robust procedures are in place to ensure the accuracy and completeness of the fixed assets reported in the financial statements and captured through the revaluation process. Further, management should ensure documentation relating to these reconciliations is readily available. Management should thoroughly review and analyse the balances above, errors should be corrected.	Assets subject to revaluation have been examined and all variances accounted for. This is now resolved. This has highlighted the need for a thorough review of all asset classes with regard to the capturing of asset information, naming and classification. Guidance will be sought, and staff trained on the capitalisation of assets to ensure that sufficient data is captured in the finance system to ensure assets are able to be revalued.	Inadequate	NEW Residual Consequence: Major Residual Likelihood: Likely Residual Risk Rating: High	Treat	**Rebecca Palumbo:** Reviewed as part of the 2023/24 audit process and determined to no longer be a finding. Councils next fair value review is due in 2026/27 for roads, drainage, bridges and footpaths. *06/06/2025* **Vanessa Green:** Identified need for review of all asset classes and asset management procedures including capture in asset registers *05/06/2024*	100% 100 / 100 -

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Monitoring of grants income and expenses	Significant	Yes	Without regular monitoring of a grant register, the Shire is exposed to an increased risk of non-compliance with agreements, unrecorded transactions in the general ledger, and undisclosed commitments in the financial statements. In addition current practice may result in non-compliance with AASB 15 or 1058 as no assessment has been made to determine the appropriate recognition of revenue of each grant, being either on receipt or over time. Incorrect revenue recognition may cause inaccuracies in the annual financial statements and the Shire's monthly financial information meaning financial decision making may be ill-informed.	NEW Consequence: Major Likelihood: Unlikely Risk Rating: High	The Shire should review its current practice and implement a standard process to ensure its grant register is appropriately maintained to address the risks noted above. The Shire should retrospectively complete a detailed revenue recognition assessment of its grant revenue streams. This is to conclude if a particular grant revenue stream or transaction arises from an enforceable contract with a customer and has sufficiently specific performance obligations. The assessment will trigger the revenue recognition requirements under AASB 15, or if it falls outside this scope, under AASB 1058, so that revenue is not misstated for the 2023-24 financial year.	Historically an excel workbook has been used for the Grants Register where every Responsible Officer is required to add any new grants and update any other relevant information. Senior Finance Officer would update income and expenditure monthly and email register to all staff each month for review and update. This register has been superseded by the Government Frameworks IPR software which will be implemented in 2024. Progress can be tested during Interim and Final Audits for 2023/24.	Inadequate	NEW Residual Consequence: Major Residual Likelihood: Likely Residual Risk Rating: High	Treat	**Rebecca Palumbo:** Reviewed as part of the 2023/24 audit process and determined to no longer be a finding. Ongoing efforts are being made in improving registering and tracking grants. Work in progress. *06/06/2025* **Vanessa Green:** Grant monitoring through Cascade still in development, procedures to be defined *05/06/2024*	**50%** **50 / 100** 50% behind
Plant recovery cost base rate and indirect/overhead cost allocation rate	Moderate	Yes	The use of outdated base rate for plant recovery cost and the application of indirect/overhead cost recovery rate increases the risk of the project/fixed assets costs being misstated.	NEW Consequence: Moderate Likelihood: Unlikely Risk Rating: High	The Shire should review the base rate for plant recovery costs and the indirect/overhead cost recovery rate to determine their currency and accuracy.	This work has not been completed but assistance in ensuring a robust process has been sought via the contract with Moore Australia.	Inadequate	NEW Residual Consequence: Moderate Residual Likelihood: Likely Residual Risk Rating: High	Treat	**Rebecca Palumbo:** Reviewed as part of the 2023/24 audit process and determined to no longer be a finding. To be reviewed each year when preparing budget. Workshop held this week *06/06/2025* **Vanessa Green:** In progress *05/06/2024*	**20%** **20 / 100** 80% behind

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Works in progress for capital projects	Moderate	No	Incorrect capitalisation could result in asset, depreciation and expense accounts being misstated.	NEW Consequence: Moderate Likelihood: Unlikely Risk Rating: High	The Shire should ensure that only valid items are capitalised and develop a policy and procedure providing guidance on the accounting treatment for costs relating to capital projects.	Noted. The Shire will review this requirement to see whether it is applicable.	Inadequate	NEW Residual Consequence: Moderate Residual Likelihood: Likely Residual Risk Rating: High	Treat	**Rebecca Palumbo:** PPR progressing through Aust Govt processes *19/12/2024* **Rebecca Palumbo:** Ongoing. Risk plan developed *19/12/2024*	100% 100 / 100 -
No asset addition forms	Minor	No	Use of asset addition forms allows the asset team to clearly communicate specific information such as useful lives and date assets were received to the finance team for input into the accounting records.	NEW Consequence: Minor Likelihood: Possible Risk Rating: High	The Shire should implement the use of asset addition forms.	This recommendation is noted, we will look to implement this in 2024.	Inadequate	NEW Residual Consequence: Minor Residual Likelihood: Almost Certain Residual Risk Rating: High	Treat	**Rebecca Palumbo:** Reviewed as part of the 2023/24 audit process and determined to no longer be a finding. *06/06/2025* **Codey Redmond:** Asset acquisition and disposal forms created and implemented 01/07/2024 for 2024/25 financial year *02/09/2024*	100% 100 / 100 -

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Assets with no depreciation	Moderate	Yes	When assets are not assigned a depreciation rate, or when assets are not being depreciated this can lead to an understatement in depreciation expense and an overstatement in the net book value of assets being reported in the financial statements. This can also result in assets not reflecting their accurate future service potential.	NEW Consequence: Minor Likelihood: Possible Risk Rating: High	The Shire should ensure that depreciation rates are assigned for asset additions on acquisition and that depreciation charge is consistently and accurately generated by the asset module. Furthermore, the Shire should review the depreciation rate of all assets to ensure they are aligned with the remaining economic benefits and future service potential of these assets.	Please see comments at Finding 11. Assets subject to revaluation have been examined and all variances accounted for. This is now resolved. This has highlighted the need for a thorough review of all asset classes with regard to the capturing of asset information, naming and classification. Guidance will be sought, and staff trained on the capitalisation of assets to ensure that sufficient data is captured in the finance system to ensure assets are able to be revalued.	Inadequate	NEW Residual Consequence: Minor Residual Likelihood: Almost Certain Residual Risk Rating: High	Treat	**Rebecca Palumbo:** Reviewed as part of the 2023/24 audit process and determined to no longer be a finding. *06/06/2025* **Vanessa Green:** Identified need for review of all asset classes and asset management procedures including capture in asset registers *05/06/2024*	**100%** **100 / 100** -

AUDIT FINDINGS 2023/24

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Untimely preparation and review of bank reconciliations	Significant	Yes	The timely preparation and independent review of monthly bank reconciliations is a key control for ensuring financial transactions are valid, complete and accurately reflected in the financial records and bank accounts. This absence of this key financial control may increase the risk of fraudulent transactions, errors or omission going undetected, resulting in misstatements within the Shire's financial statements		We recommend that the Shire review its bank reconciliation processes to ensure the monthly bank reconciliations are appropriately prepared and reviewed in a timely manner. The bank reconciliation process should include ensuring supporting documentation to the reconciliation is readily available to allow the Shire to perform an effective review. The Shire should ensure an adequate level of training is provided to staff performing the reconciliation. The reviewer should also ensure that reconciling items are accurate and supported and evidence of independent review is maintained.	Significant progress has been made against this item, but works are yet to be completed. Finalisation of the outstanding bank reconciliations is on track for December 2024.	Adequate		Treat	**Rebecca Palumbo:** Progress has been made in addressing this issue in previous years. Reconciliation's will likely be found as an item in 2024/25. Municipal & Trust reconciliations for the period July-December 2024 have been actioned with staff now clarifying unreconciled items. Staff are working on unreconciled items in the 2024/25 year before working on unreconciled items from prior years. *06/06/2025* **Rebecca Palumbo:** My coment was incorrect and should not be relied on *26/05/2025*	**53%** **53 / 100** 47% behind

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Lack of segregation of duties with purchasing	Significant	Yes	In the absence of sufficient and appropriate segregation of duties there is an increased risk of erroneous or fraudulent payments. Further there is a heightened risk of the Shire ordering and committing to unauthorised goods or services. Where purchases are centralised to the individual business units, this may hamper the effectiveness of the delegated financial authority control mechanism as well as the efficiency of business operations		The Shire should review its underlying policies, procedures, systems and controls around ordering, receipting and approving payment of goods and services. Policies and procedures implemented should ensure sufficient and appropriate segregation of duties is achieved and these should be communicated to all staff. The Shire should also review its delegated financial authority to ensure it remains appropriate to meet the Shire's risk assessment and procurement requirements. As part of ensuring segregation of duties, where purchases are initiated in business units that are not their own, relevant managers should undertake checks and make enquiries as necessary to verify and authorise each transaction.	This was considered as part of the Audit Reg 17 and FMR Reg 5 Review in 2023. The recommendations regarding segregation of duties were received by Council at its December 2023 OCM and the corresponding updates to Policy F2 - Procurement adopted. The residual risk after the implementation of these recommendations was presented to the Audit and Risk Committee (ARC) at its June 2024 meeting. ARC considered this item and recommended to Council that appropriate adjustments had been taken to segregate purchasing duties noting that this would not always be possible. At its June 2024 Ordinary Meeting, Council agreed with the recommendation and voted to accept the residual risk.	Effective		Treat	**Rebecca Palumbo:** The lack of segregation of duties in purchasing was addressed during the Audit Reg 17 and FMR Reg 5 Review in 2023. Recommendations were received by the Council in December 2023, leading to updates to Policy F2 - Procurement. The Audit and Risk Committee (ARC) reviewed the residual risk in June 2024 and recommended that appropriate adjustments had been made, acknowledging that complete segregation may not always be feasible. The Council accepted the residual risk for 2022/23 and 2023/24 at its June 2024 meeting. *06/06/2025* **Vanessa Green:** Council resolved to accept the residual risk *06/03/2025*	100% 100 / 100 -

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Fortnightly payroll reconciliations	Significant	Yes	Where payroll reconciliations are not completed, there is a risk the General Ledger is inaccurate and not a complete representation of payroll related payments. Inadequate independent review of the payroll reconciliations increases the risk of errors, omissions or fraud going undetected.		We recommend management to ensure that fortnightly payroll reconciliations are adequately performed, and evidence of independent review is retained.	As noted by the auditors this process has been undertaken fortnightly since December 2023.	Effective		Treat	**Rebecca Palumbo:** Fortnightly payroll reconciliations have been consistently conducted since December 2023. External auditors Nexia have confirmed that this issue has been resolved and will not pose a problem in the future. External auditors Nexia acknowledged the issue has been addressed since December 2023 and will not be an issue going forward. *06/06/2025* **Codey Redmond:** Process completed and undertaken before audit in December 2023. *28/02/2025*	**100%** **100 / 100** -

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Unrecorded liabilities	Significant	No	If subsequent payments are not reviewed for additional liabilities at balance date, there is a risk of liabilities and other areas of the financial report being incomplete and materially misstated.		We recommend that management puts in place a process to ensure that year-end invoices are captured appropriately in the correct period.	Noted. A process will be developed to prevent recurrence of this incorrect posting.	Effective		Treat	**Rebecca Palumbo:** A one-time error in posting periods occurred due to staff changes at the end of the year. Implementing robust bank reconciliations will help to promptly identify and address any future errors. The error was corrected by journaling to the appropriate period as directed by auditors. Journaled to correct period at direction of auditors in December 2024 *06/06/2025* **Codey Redmond:** one off error caused by change of staff at end of financial year. *28/02/2025*	**100%** **100 / 100** -

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Untimely approval of purchase orders	Moderate	Yes	Purchases made without authorised purchase orders may increase the risk of unauthorised expenditure occurring and going undetected. Further it is more difficult for the Shire to track whether expenditure incurred is in line with budgets or expectations and is dependent on the receipt of a tax invoice.		Purchase orders are an important control in the procurement process as they ensure purchases are appropriate, necessary and comply with procurement policies prior to the receipt of goods or services. The Shire should ensure that purchase orders are raised and approved prior to the ordering of goods and or services.	At its June 2024 meeting the Audit and Risk Committee (ARC) considered this item and recommended to Council that appropriate controls were in place and that the treatment for non-compliance would be education and training followed by a HR process where applicable. At its June 2024 Ordinary Meeting Council agreed with the recommendation of the ARC and voted to accept the residual risk.	Adequate		Treat	**Rebecca Palumbo:** The Audit and Risk Committee (ARC) reviewed the untimely approval of purchase orders in June 2024 and recommended that appropriate controls were in place. The treatment for non-compliance includes education and training, followed by HR processes where applicable. The Council accepted the residual risk for 2022/23 and 2023/24 during its June 2024 meeting. *06/06/2025* **Vanessa Green:** Council resolved to accept the residual risk *06/03/2025*	100% 100 / 100 -
Lack of control on tracking usage of inventory	Moderate	No	There is an increased risk of inappropriate usage of inventory in the absence of controlsaround inventory. There is a further risk that inventory may not be fairly stated at year-end.		We recommend management puts in place a more stringent tracking mechanism for usage of inventory in order to mitigate any inappropriate usage and / or incorrect recognition of inventory balance.	Agreed. This was identified as a weakness particularly in relation to fuel supplies where the largest variance has been recorded. The installation of a new fuel tank will require the immediate recording of information and should prevent recurrence.	Inadequate		Treat	**Lindon Mellor:** 24/02/2025 - New pump system in place which digitally records *24/02/2025*	100% 100 / 100 -

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Inappropriate User Access in Synergy	Moderate	No	Access privileges for users beyond those necessary to perform their assigned duties might result in the recording of unauthorised, non-existent or inaccurate transactions, improper changes to data, or destruction of data.		Super user access should be limited to privileged users (ideally in the IT service providers/IT departments).	At its June 2024 meeting the Audit and Risk Committee (ARC) considered this item and recommended to Council that appropriate access was in place. At its June 2024 Ordinary Meeting, Council agreed with the recommendation of the ARC and voted to accept the residual risk. Noting the recommendation of the auditors, the Shire will trial a restricted access for the Finance Manager for a period of 6 months from January 2025 assessing the impact upon financial operations. Should this be successful the restricted access will be put in place permanently.	Inadequate		Treat	**Rebecca Palumbo:** At its June 2024 meeting the Audit and Risk Committee (ARC) considered this item and recommended to Council that appropriate access was in place. At its June 2024 Ordinary Meeting, Council agreed with the recommendation of the ARC and voted to accept the residual risk. In line with the auditors' recommendation, the Shire implemented a trial of restricted access for the Finance Manager beginning in January 2025 to assess the impact on financial operations. Following a successful trial, the restricted access will now be implemented on a permanent basis. *06/06/2025* **Vanessa Green:** Council resolved to accept the residual risk *06/03/2025*	**100%** **100 / 100** -

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Old PPE assets carried in the Fixed Asset Register	Moderate	No	The accumulation of numerous low value assets in the FAR can impact the efficiency of asset management and may lead to potential inaccuracies in financial reporting. Also, the FAR might be carrying assets which no longer physically exist at the Shire.		It is recommended for the Management to periodically review the FAR along with physical existence of assets to ensure the FAR carries only those assets which are in use by the Shire.	For surety we will complete a review of all older assets with a low carrying value and remove any found to no longer be in use. Asset addition and disposal processes are already in use by the Shire however, we acknowledge there may be items that were disposed of prior to the commencement of these processes which warrant investigation and appropriate treatment.	Inadequate		Treat	**Rebecca Palumbo:** A review of older assets with low carrying values will be conducted to remove any that are no longer in use or have fallen below material threshold. While asset addition and disposal processes are already in place, we acknowledge that some items disposed of before these processes began may require investigation and appropriate treatment. These assets will be removed from the register before the end-of-year asset reconciliation in June 2024 Assets no longer in use or immaterial were removed prior to interim audit in May 2025 *06/06/2025*	**82%** **82 / 100** 18% behind

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Untimely review of the credit card policy	Minor	No	Untimely review and update of the credit card policy poses a risk that the control procedure is implemented is outdated or inappropriate.		We recommend management to review the credit card policy on an annual basis and update the procedure in line with Shire's internal control.	The review period of all policies was considered as the Shire moved to its Integrated Planning and Reporting software. It was identified that a two year review of Policy F6 – Corporate Credit Card Policy was sufficient, thus Policy F6 was not due for review within the reporting period. The current policy has been reviewed by the Executive Leadership Team and there are no circumstances that require amendments. Officers will present this to Council for noting in December 2024.	Inadequate		Treat	**Vanessa Green:** Council considered review of credit card policy at its December 2024 OCM *06/03/2025*	**100%** **100 / 100** -
Former employee listed as authorised signatory in AMP Bank Confirmation	Minor	No	There is the risk that the parties no longer associated with the Shire have access to the Shire's bank accounts and may result in unauthorised access or processing of unauthorisedpayments.		It is recommended management removes terminated employees as authorised bank signatories.	Noted. We have instructed the bank to remove the terminated employee. We note that our new Finance Manager was not added as an authorised signatory as per our May 2024 instruction and are seeking correction to this also.	Inadequate		Treat	**Rebecca Palumbo:** Bank access updated December 2024. Continued effort to be made to remove signatories as staff changes. *06/06/2025* **Codey Redmond:** oversite by IAM banking who manages our AMP investments. problem rectified while auditors where still onsite. *28/02/2025*	**100%** **100 / 100** -

Goal	Audit ...	Prior ...	Implication	Risk As...	Audit Recommenda...	Management ...	Rate Add...	Residual Ri...	Treat...	Comment	Comp...
Guidelines for general journals	Minor	Yes	Where journal procedures are not regularly updated, there is a risk that they are no longer effective and do not reflect current requirements, internal practice or expectations.		The Shire should ensure that the Management Guidelines General Journals procedure is updated.	Noted.	Inadequate		Treat	**Rebecca Palumbo:** The Shire's current journal procedures have been deemed satisfactory by the external auditors Nexia in its 2023/24 audit process. To ensure continued accuracy and compliance, Officers will formalise the Management Guidelines for General Journals based on these existing practices. This update will be completed by 30 June 2025. *06/06/2025* **Rebecca Palumbo:** Process documented @Codey Redmond @Iona Sheehan-Lee please provide copy of process and upload to this Goal. Also share with ACEO. Thanks *11/05/2025*	**75%** **75 / 100** 25% behind

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

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

MOTION

COMMITTEE RECOMMENDATION

Moved: Cr Denese Smythe **Seconded: Cr Peter Wright**

That the Audit and Risk Committee agrees to accept and consider the Late Report:

1. **12.1 - Review of Terms of Reference.**

In Favour: **Crs Kevin Trent, Denese Smythe, Peter Wright, Justin Lee and Shona Zulsdorf**

Against: **Nil**

CARRIED 5/0

12.1 REVIEW OF TERMS OF REFERENCE

File Number:	**4.9510**
Author:	**Vanessa Green, Council & Executive Support Officer**
Authoriser:	**Alina Behan, Acting Chief Executive Officer**
Previously before Council:	**Not applicable**
Disclosure of Interest:	**Nil**
Appendices:	**1. Terms of Reference Review ⇩**

NATURE OF COUNCIL'S ROLE IN THE MATTER

Legislative

PURPOSE OF REPORT

This report presents a review of the Audit & Risk Committee's Terms of Reference (ToR) to reflect legislative changes.

BACKGROUND

Amendments to Section 5.12 of the *Local Government Act 1995* require Councils to appoint new Committee Presiding Members and Deputy Presiding Members by 1 July 2025.

Additionally, once Section 87 of the *Local Government Amendment Act 2024* commences, local governments will be required to appoint an independent person to the roles of Presiding Member and Deputy Presiding Member of the newly named Audit, Risk and Improvement Committee (ARIC).

A separate report is presented to this meeting which considers the appointment of the independent Presiding Member and Deputy Presiding Member and noting the expression of interest for external members.

COMMENTS AND DETAILS

To address the above-mentioned legislative changes to audit committees, the ToR has been reviewed and a copy is presented in Appendix 1.

OPTIONS

The Audit & Risk Committee has the following options:

Option 1: The Audit & Risk Committee could recommend that Council choose not to adopt the reviewed ToR.

Option 2: The Audit & Risk Committee could choose to recommend Council adopt the reviewed ToR.

Option 2 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

Council's Audit & Risk Committee External Members

Executive Leadership Team

Department of Local Government

Strategic

Council Plan 2025-2035

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance

Policy Related

E1 Code of Conduct – Council Members, Committee Members & Candidates

Financial

Nil in relation to the reviewed ToR.

Legal and Statutory

Section 7.1A of the *Local Government Act 1995* is applicable and states:

"7.1A. Audit committee

(1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.

(2) The members of the audit committee of a local government are to be appointed by the local government and at least 3 of the members, and the majority of the members, are to be council members.*

** Absolute majority required.*

(3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.

(4) An employee is not to be a member of an audit committee."

Regulation 16 of the *Local Government (Audit) Regulations 1996* is applicable and states:

"16. Functions of audit committee

An audit committee has the following functions —

(a) to guide and assist the local government in carrying out —

(i) its functions under Part 6 of the Act; and

(ii) its functions relating to other audits and other matters related to financial management;

(b) to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act;

*(c) to review a report given to it by the CEO under regulation 17(3) (the **CEO's report**) and is to —*

(i) report to the council the results of that review; and

(ii) give a copy of the CEO's report to the council;

(d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —

(i) regulation 17(1); and

(ii) the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);

(e) to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;

(f) to oversee the implementation of any action that the local government —

(i) is required to take by section 7.12A(3); and

(ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and

(iii) has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and

(iv) has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);

(g) to perform any other function conferred on the audit committee by these regulations or another written law."

Risk Related

The level of risk is reduced due to the provision of independent transparency and oversight with the appointment of suitably skilled and qualified external representatives.

Workforce

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

VOTING REQUIREMENTS

Absolute Majority: No

COMMITTEE RECOMMENDATION

Moved: Ms Shona Zulsdorf **Seconded: Cr Peter Wright**

That, with regard to Review of Terms of Reference, the Audit and Risk Committee recommends that Council:

1. **Notes the change of title of Council's Audit and Risk Committee to the Audit, Risk and Improvement Committee.**
2. **Adopts the reviewed Terms of Reference for the Audit, Risk and Improvement Committee, as presented in Appendix 1.**

In Favour: **Crs Kevin Trent, Denese Smythe, Peter Wright and Shona Zulsdorf**

Against: **Cr Justin Lee**

CARRIED 4/1

Audit, ~~& Risk~~ & Improvement Committee Terms of Reference

Councillors	-	Up to three (3) Councillors as nominated by Council where two (2) external representatives are appointed; or Up to four (4) Councillors as nominated by Council where one (1) external representative is appointed; or nominated by Council where no external representative is able to be appointed
Deputies/Proxies	-	All other Councillors are appointed as a Deputy/Proxy to a Member Councillor in the case of a Leave of Absence or Apology
External Representation	-	Up to two (2) external members appointed through a competitive advertising process
5 x Shire Staff (non-voting)	-	Chief Executive Officer Executive Manager, Corporate & Community Services Executive Manager, Infrastructure & Development Services ~~Finance~~ Manager Finance Council & Executive Support Officer
Officer Responsible	-	Council & Executive Support Officer
Meeting Schedule	-	At least Quarterly
Meeting Location	-	Council Chambers, York Town Hall
Quorum	-	As per Section 5.19 of the *Local Government Act 1995*
Delegated Authority	-	Nil

1. **Name**
   The name of the Committee is the Audit, ~~and~~ Risk & Improvement Committee (~~the Committee~~ARIC).

2. **District/Area of Control**
   Local Government boundaries of the Shire of York.

3. **Vision/Purpose**
   The ~~Committee~~ ARIC plays a key role in assisting a local government to fulfil its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, legislative compliance, ethical accountability and the internal and external audit functions.

   The Committee has the responsibility to:
   1. Review the internal and external auditor's annual audit plans and the outcomes/results of all audits undertaken;
   2. Request the CEO to seek information or advice in relation to matters considered by the ~~Committee~~ARIC;
   3. Formally meet with internal and external auditors as necessary;
   4. Seek resolution on any disagreements between management and the external auditors on financial reporting; and

Audit, & Risk & Improvement Committee
Terms of Reference

5. Make recommendations to Council with regards to matters within its scope of responsibility.

This Terms of Reference ("ToR") sets out the objectives, authority, membership, role, responsibilities and operation of the Committee.

4. Statute
Section 7.1A of the *Local Government Act 1995* (the Act) requires that all local governments establish an audit committee.

The Shire of York *Local Government (Council Meetings) Local Law 2016* applies.

5. Establishment
The Committee ARIC was established as per Council Resolution of 25 November 2019 (121119).

6. Functions
Regulation 16 of the *Local Government (Audit) Regulations 1996* defines the functions of an audit committee as:

"16. Functions of audit committee
An audit committee has the following functions —
- *(a) to guide and assist the local government in carrying out —*
  - *(i) its functions under Part 6 of the Act; and*
  - *(ii) its functions relating to other audits and other matters related to financial management;*
- *(b) to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under Part 7 of the Act;*
- *(c) to review a report given to it by the CEO under regulation 17(3) (the **CEO's report**) and is to —*
  - *(i) report to the council the results of that review; and*
  - *(ii) give a copy of the CEO's report to the council;*
- *(d) to monitor and advise the CEO when the CEO is carrying out functions in relation to a review under —*
  - *(i) regulation 17(1); and*
  - *(ii) the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);*
- *(e) to support the auditor of the local government to conduct an audit and carry out the auditor's other duties under the Act in respect of the local government;*
- *(f) to oversee the implementation of any action that the local government —*
  - *(i) is required to take by section 7.12A(3); and*
  - *(ii) has stated it has taken or intends to take in a report prepared under section 7.12A(4)(a); and*
  - *(iii) has accepted should be taken following receipt of a report of a review conducted under regulation 17(1); and*
  - *(iv) has accepted should be taken following receipt of a report of a review conducted under the Local Government (Financial Management) Regulations 1996 regulation 5(2)(c);*
- *(g) to perform any other function conferred on the audit committee by these regulations or another written law."*

The Committee ARIC is also to consider the report presented by the CEO in accordance with Regulation 17 of the *Local Government (Audit) Regulations 1996* being:

Audit, ~~&~~ Risk & Improvement Committee
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"17. CEO to review certain systems and procedures

(1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
(a) risk management; and
(b) internal control; and
(c) legislative compliance.

(2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.

(3) The CEO is to report to the audit committee the results of that review."

In addition to the above the ~~Committee's~~ ARIC's other functions include:

6.1 External Audits

1. Provide guidance and assistance to Council as to the carrying out of the functions of the Shire in relation to external audits.
2. Provide an opportunity for the ~~Committee~~ ARIC to meet with the external auditors to discuss any matters that the Committee or the external auditors believe should be discussed.
3. Meet with the auditor annually to receive the audit report and make a recommendation to Council with respect to that report.
4. Examine the reports of the auditor after receiving a report from the CEO on the matters to:

a. Determine if any matters raised require action to be taken by the Shire; and
b. Ensure that appropriate action is taken in respect of those matters.

5. Consider and recommend adoption of the Annual Report to Council. Review any significant changes that may arise subsequent to any such recommendation but before the Annual Report is signed.
6. Address issues brought to the attention of the ~~Committee~~ARIC, including responding to requests from Council for advice that is within the parameters of the Committee's ToR.

Note: The Office of the Auditor General is responsible for conducting external audits.

6.2 Internal Audits

1. Provide guidance and assistance to Council as to the carrying out of the functions of the local government in relation to internal audits.
2. Review and recommend the annual internal audit plan for endorsement by the Council and all major changes to the plan. Monitor that the internal auditor's annual plan is linked with and covers the material business strategic risks and themes.
3. Monitor processes and practices to ensure that the independence of the internal audit function is maintained.
4. Annually review the performance of internal audits including the level of satisfaction with the internal audit function.
5. Review all internal audit reports and provide advice to Council on significant issues (i.e. high and extreme) identified in audit reports and the action to be taken on issues raised, including identification and dissemination of good practice.
6. Monitor management's implementation of internal audit recommendations.
7. Receive the findings of special internal audit assignments undertaken at the request of Council or CEO.
8. Review the annual Compliance Audit Return and report to Council the results of that review in accordance with Section 7.13(1)(i) of the *Local Government Act 1995*.
9. Consider the CEO's Biennial Reviews of the appropriateness and effectiveness of the Shire's systems and procedures in regard to risk management, internal control and legislative

compliance, required to be provided to the ~~Committee~~ARIC, and report to Council the results of those reviews in accordance with Regulation 17 of the *Local Government (Audit) Regulations 1996*.

10. Oversee the process of developing and implementing the Shire's fraud control arrangements to assist Council in ensuring it has appropriate processes and systems in place to detect, capture and effectively respond to fraud and improper activities.
11. Consider the financial management systems and procedures in accordance with Regulation 5(2) of the *Local Government (Financial Management) Regulations 1996* within the statutory timeframes.

6.3 Risk Management

1. Ensure that management has in place a current and comprehensive enterprise Risk Management Framework and associated procedures for effective identification and management of Shire's business and financial risks.
2. Determine whether a sound and effective approach has been followed in managing the Shire's major risks including those associated with individual projects, program implementation, and activities.
3. Ensure the Shire identifies, reviews and regularly updates the strategic and operational risk profiles.
4. Understand and endorse the Shire's risk appetite.
5. Oversee the periodic review of the Risk Management Framework.

6.4 Business Continuity

1. Ensure a sound and effective approach has been followed in establishing the Shire's business continuity planning arrangements, including whether business continuity and disaster recovery plans have been periodically updated and tested.
2. Oversee the periodic review of the Business Continuity ~~Framework~~Plan.

6.5 Financial Reporting

1. Review significant accounting and reporting issues, recent accounting, professional and regulatory pronouncements and legislative changes, and understand their effect on the financial report.
2. Review with management and the external auditors the results of the audit, including any difficulties encountered.
3. Review the Annual Financial Statements forming part of the Shire's Annual Report and consider whether it is complete, consistent with information known to Committee members, and reflects appropriate accounting principles.
4. Review with management and the external auditors all matters required to be communicated to the ~~Committee~~ ARIC under the Australian Auditing Standards.
5. Recommend the adoption of the Annual Financial Statements forming part of the Annual Report to Council.

6.6 Internal Control

1. Ensure management's approach to maintaining an effective Internal Control Framework is sound and effective.
2. Ensure management has in place relevant policies and procedures, including CEO's Instructions or their equivalent, and that these are periodically reviewed and updated.
3. Ensure appropriate processes are in place to assess, at least once a year, whether key policies and procedures are complied with.
4. Ensure appropriate policies and supporting procedures are in place for the management and

exercise of delegations.

5. Review how management identifies any required changes to the design or implementation of key internal controls.

6.7 Fraud & Corruption Prevention

1. Oversee the process of developing and implementing the Shire's fraud control arrangements to assist Council in ensuring it has appropriate processes and systems in place to detect, capture and effectively respond to fraud and improper activities.
2. Receive and consider information and advice presented by the CEO on the strategies and controls to manage fraud and corruption risks at the Shire.
3. Provide oversight over the Shire's exposure and issues raised in relation to fraud and corruption.

6.8 Legislative Compliance

1. Oversee the effectiveness of the systems for monitoring compliance with relevant laws, regulations and associated government policies.

6.9 Other Responsibilities

1. Monitor the progress of the implementation of external audit recommendations made by the auditor, which have been accepted by the Shire.
2. Receive recommendations arising from reviews of local government systems and procedures.
3. At least once every two (2) years review and assess the adequacy of the ~~Committee's~~ ARIC's ToR, request Council approval for proposed changes, and ensure appropriate disclosure as required by legislation or regulation.

7. Membership

7.1 General

Section 7.1A of the *Local Government Act 1995* states the members of the Committee are to be appointed* by the local government and at least three (3) of the members, and where the Committee consists of more than three (3) members then the majority of those members, are to be Councillors.

**Absolute Majority required*

The CEO is not to be a member of the Committee and may not nominate a person to be a member of the Committee, or have a person represent the CEO as a member of the Committee. Similarly, an employee is not to be a member of the Committee.

As a minimum, the Shire's Committee will consist of up to five (5) members, being three (3) Councillors and up to two (2) external representatives. The two (2) external representatives will fulfill the roles of Presiding Member and Deputy Presiding Member. ~~The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to Council's elected members.~~

~~In a situation where up to two (2) external representatives are not able to be appointed to the Committee, Council can elect to appoint* a Councillor to fill that position ie three (3) Councillors and two (2) external representatives or four (4) Councillors and one (1) external representative.~~

~~**Absolute Majority required*~~

Audit, ~~&~~ Risk & Improvement Committee
Terms of Reference

~~Where a process to appoint an external representative(s) does not result in an appointment being made, Council can elect to appoint a fifth Councillor to fill that position to maintain the Committee's membership as five (5) members.~~

All members will have full voting rights. In the event of a tie the Chairperson will have the casting vote.

The appointment of external members shall be based on the following criteria:

1. A suitably experienced professional who can demonstrate a high level of expertise and knowledge in financial management, risk management, governance, legislative compliance, audit (internal and external), internal controls and assurance processes;
2. Have an understanding of the duties and responsibilities of the position, ideally with respect to local government financial reporting and auditing requirements;
3. Have strong communication skills;
4. Have relevant qualifications, skills and experience in providing independent audit advice, particularly on audit and risk committees; and
5. Be a person with no operating responsibilities with the Shire nor provide paid services to the Shire either directly or indirectly.

The appointment and re-appointment of external members shall be made by Council by way of invitation and be for a period of up to two (2) years to align with the local government ordinary election cycle. External members will not be appointed for more than three (3) consecutive terms.

External members will be required to confirm they will operate in accordance with the Shire's Code of Conduct and will be required to follow Council's policies pertaining to the ~~Committee~~ ARIC operations.

Council may, by resolution, terminate the appointment of any external member prior to the expiry of their term if:

1. The ~~Committee~~ARIC, by majority decision, determines the member is not making a positive contribution to the ~~Committee~~ARIC; or
2. The member is found to be in breach of the Shire's Code of Conduct or a serious contravention of the *Local Government Act 1995*; or
3. A member's conduct, action or comments brings the Shire into disrepute.

The members, taken collectively, will have a broad range of skills and experience relevant to the operations of the Shire. At least one (1) member of the ~~Committee~~ ARIC will have accounting or related financial and/or risk management experience.

Reimbursement of approved expenses may be paid to an external member in accordance with Section 5.100 of the *Local Government Act 1995*.

The CEO, Executive Manager Corporate & Community Services and Council and Executive Support Officer and/or their nominee is to attend all meetings to provide advice and guidance to the ~~Committee~~ARIC. Other Shire staff listed above will attend meetings upon request of the CEO.

The Shire shall provide secretarial and administrative support to the ~~Committee~~ARIC.

New members will receive relevant information and briefings on their appointment to assist them meet their ~~Committee~~ ARIC responsibilities.

Audit, ~~&~~ Risk & Improvement Committee
Terms of Reference

7.2 Tenure of Membership
The tenure of ~~Committee~~ ARIC membership will be in accordance with Section 5.11 of the *Local Government Act 1995,* taking into account Regulation 4 of the *Local Government (Administration) Regulations 1996.*

8. Delegated Authority
The ~~Committee~~ ARIC is to report to Council and provide appropriate advice and recommendations on matters relevant to its ToR. This is to facilitate informed decision-making by Council in relation to its legislative functions and duties that have not been delegated to the Chief Executive Officer.

The ~~Committee~~ ARIC is a formally appointed committee of Council and is responsible to that body. The ~~Committee~~ ARIC does not have executive powers or authority to implement actions in areas over which the Chief Executive Officer has legislative responsibility and does not have any delegated financial responsibility. The ~~Committee~~ ARIC does not have any management functions and cannot involve itself in the Administration's management processes or procedures.

9. Committee Structure

9.1 Chairperson and Deputy Chairperson
~~The Chairperson and Deputy Chairperson are to be appointed from amongst themselves by majority vote of the Committee. The Chairperson and Deputy Chairperson can be a Councillor or an external member.~~ In accordance with Section 5.12 of the *Local Government Act 1995*, Council will appoint* a member of the ARIC to be the Presiding Member (Chairperson) and Deputy Presiding Member (Deputy Chairperson) of the ARIC.

The Presiding Member and Deputy Presiding Member of the ARIC are to be its two (2) external members.

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**Absolute Majority decision required*

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9.2 Secretariat
The Council & Executive Support Officer will fulfil this administrative non-voting role.

9.3 Standing Ex-Officio Members
Chief Executive Officer
Executive Manager~~,~~ Corporate & Community Services
Executive Manager~~,~~ Infrastructure & Development Services
~~Finance~~ Manager Finance
Council & Executive Support Officer

10. Meetings

10.1 Annual General Meeting
Not applicable

10.2 Committee Meetings
The ~~Committee~~ ARIC will meet at least quarterly, with additional meetings convened as required at the discretion of the Chairperson or at the request of the CEO.

Audit, ~~&~~ Risk & Improvement Committee
Terms of Reference

The ~~Committee~~ ARIC meetings shall be open to the public.

Other Councillors of the Shire may attend any~~each~~ ~~Committee~~ ARIC meeting.

~~Committee~~ ARIC members are expected, where possible, to attend each meeting in person. Where attendance in person is not possible, in accordance with Regulation 14A of the *Local Government (Administration) Regulations 1996*, the ~~Committee~~ ARIC may, by resolution*, allow a member to attend the meeting via telephone or other means of instantaneous communication.
**Absolute Majority required*

10.3 Voting
Voting will be conducted in accordance with Section 5.21 of the *Local Government Act 1995*.

10.4 Agendas, Minutes & Reporting
The CEO or their delegate will administratively coordinate the convening of meetings of the ~~Committee~~ ARIC and invite members of management, internal and external auditors or others to attend meetings as observers and to provide relevant information as necessary. The Council & Executive Support Officer will facilitate the administrative support for the meeting, including as a minute taker for the meeting.

Unless otherwise agreed, notice of each meeting confirming the venue, time and date, together with an agenda of items to be discussed shall be provided to each member of the ~~Committee~~ ARIC no later than seventy-two (72) hours prior to the meeting. Associated meeting papers are to be provided at the same time.

Minutes will be taken at each meeting and be presented to the subsequent meeting for confirmation. Minutes will include the proceedings and resolutions of the meeting including the names of those in attendance.

The Chairperson shall ascertain, at the beginning of each meeting, the existence of any conflicts of interest and minute them accordingly. Conflicts of Interest will be managed in accordance with the Shire's policies and the *Local Government Act 1995*.

Minutes of ~~Committee~~ ARIC meetings shall be circulated promptly to all members of the ~~Committee~~ARIC.
Minutes of ~~Committee~~ ARIC meetings shall be presented to the next Ordinary Council Meeting, with any recommendations from the ~~Committee~~ ARIC to be considered by Council as part of that agenda item.

Other than confidential papers and attachments, agendas and minutes of the ~~Committee~~ ARIC will be made publicly available on the Shire's website in accordance with Section 5.96A of the *Local Government Act 1995* within specified legislative timeframes.

10.5 Who Acts if No Presiding Member
~~The Committee shall elect a Chairperson in accordance with the *Local Government Act 1995* Section 5.14.~~ In accordance with Section 5.14 of the Local Government Act 1995, if the Presiding Member and Deputy Presiding Member are not available, or are unable, to perform the functions of Presiding Member, then the ARIC members present at the meeting are to choose one of themselves to preside at the meeting.

Audit, & Risk & Improvement Committee
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10.6 Members Interests to be Disclosed

Members are to disclose all interests in any matter as necessary in accordance with Part 5, Division 6 of the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996* and the Code of Conduct.

~~As prescribed,~~In accordance with Section 5.65 of the *Local Government Act 1995*, the penalties for non-compliance with this clause include a fine of $24~~10~~,000 or imprisonment for ~~two (2) years~~twenty-four (24) months.

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13 CLOSURE

The Presiding Member thanked everyone for their attendance and closed the meeting at 3.47pm.

SY072-06/25 DEFERMENT OF FINANCIAL REPORT AND INVESTMENTS REPORT FOR MAY 2025

File Number:	**4.7714**
Author:	**Rebecca Palumbo, Acting Executive Manager Corporate & Community Services**
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

Legislative

PURPOSE OF REPORT

For Council to note the deferment of the Financial Report and Investments Report for May 2025.

BACKGROUND

Due to staffing constraints within the Finance Team there is a requirement to defer the presentation of the Financial Report and Investments Report for May 2025 to Council.

COMMENTS AND DETAILS

In accordance with Regulation 34(4) of the *Local Government (Financial Management) Regulations 1996* the Financial Report for the month of May 2025 will be presented to Council at its July 2025 Ordinary Meeting. This is within the legislative timeframe allowed.

The delay is due to the unplanned leave of key staff within the Finance Team. This is expected to be resolved in time to enable the reports to be presented to Council at its July 2025 Ordinary Meeting

OPTIONS

Not applicable

IMPLICATIONS TO CONSIDER

Consultative

Executive Leadership Team

Moore Australia

Strategic

Council Plan 2025-2035

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance.

Policy Related

Nil

Financial

Nil

Legal and Statutory

Regulation 34(4) of the *Local Government (Financial Management) Regulations 1996* is applicable and states:

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

(1A) In this regulation —

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

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

(a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and

(b) budget estimates to the end of the month to which the statement relates; and

(c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and

(d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and

(e) the net current assets at the end of the month to which the statement relates.

(2) Each statement of financial activity is to be accompanied by documents containing —

(a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and

(b) an explanation of each of the material variances referred to in subregulation (1)(d); and

(c) such other supporting information as is considered relevant by the local government.

(3) The information in a statement of financial activity may be shown —

(a) according to nature and type classification; or

(b) by program; or

(c) by business unit.

(4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —

(a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and

(b) recorded in the minutes of the meeting at which it is presented.

(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances."

Risk Related

Nil

Workforce

Nil

VOTING REQUIREMENTS

Absolute Majority: No

RESOLUTION
180625

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

That, with regard to Deferment of Financial Report and Investments Report for May 2025, Council:

1. Notes the Financial Report and Investments Report for May 2025 will be presented to its July 2025 Ordinary Meeting.

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

Against: **Nil**

CARRIED 6/0

SY073-06/25 RESERVE TRANSFERS

File Number:	**4.7714**
Author:	**Rebecca Palumbo, Acting Executive Manager Corporate & Community Services**
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

Legislative

PURPOSE OF REPORT

This report presents a proposal to transfer funds to and from Reserves for the end of the financial year.

BACKGROUND

The Shire of York has several Reserves established to address known or anticipated liabilities, or where it is deemed prudent to set aside funds for specific purposes in future years.

These Reserves are essential for meeting future financial needs, balancing current and future community needs, and planning for major works.

During the 2022/23 Annual Audit, on the recommendation of the Office of the Auditor General, advice was sought on the treatment of cash backed Reserves transfers from the Department of Local Government Sport and Cultural Industries (DLGSC) and consultants Moore Australia (Moore). Both Moore and DLGSC recommended that for transparency the Shire track the final position of Reserve transfers via a report to Council's June Ordinary Meeting of each year.

This report presents Council with a summary of the movements throughout 2024/25 and seeks Council's acknowledgement/approval of the final position.

COMMENTS AND DETAILS

As part of the adoption of the 2024/25 budget, Council approved the following movement to or from cash backed Reserves (Resolution 030824):

TABLE 1.

DESCRIPTION	AMOUNT $
Transfer to Reserve - Building	$145,000
Transfer from Reserve - Recreation	-$75,000
Transfer to Reserve - Swimming Pool	$214,954
Transfer to Reserve - Plant	$139,954
Transfer to Reserve - Bridges	$120,000
Transfer to Reserve – Pioneer Memorial Lodge	$60,000

As part of budget amendments approved at its September 2024 Ordinary Meeting, Council approved the following movement to or from cash backed Reserves (020924):

TABLE 2.

DESCRIPTION	AMOUNT
Transfer to Reserve - Building	Reduce from $145,000 to $100,000
Transfer to Reserve - Plant	Reduce from $139,954 to $85,046
Transfer to Reserve - Bridge	Reduce from $120,000 to $100,000

As part of the 2024/25 Mid-Year Budget Review, Council approved the following movement to or from cash backed Reserves (Resolution 070325.

TABLE 3.

DESCRIPTION	AMOUNT
Transfer to Reserve - Pioneer Memorial Lodge	Reduce from $60,000 to $20,000
Transfer To Reserve - Plant	Reduce from $85,046 to $0
Transfer from Reserve - Leave	Transfer $19,196 from Leave Reserve to general operating funds for long service leave

These planned transfers have now been reviewed with consideration to current cashflow and the anticipated Budget Surplus/Deficit.

As reported in the monthly financial statements, the actual income from rates in 2024/25 is significantly less than was originally budgeted. The current year's rates outstanding totalling $879,857 to date as well as an aged rates debt of $1,583,661. These amounts include the significant long standing Settlers House debts. The Shire is undertaking recovery action with appointed debt collectors McLeods Lawyers, who have commenced a staged approach to recover these funds. These issues have reduced the Shire's ability to fulfill the Reserve transfer decisions made over the last twelve (12) months.

In accordance with Clause 3 of Policy F13 – Financial Reserves and to ensure transparency through reflection of all transfers to and from Reserves, Officers present the following proposed amended transfers to Council.

TABLE 4.

GL	PROPOSED RESERVE TRANSFERS	AMOUNT $	RECOMMENDATION
113350	Transfer to Reserve - Building	100,000	Defer
113304	Transfer from Reserve - Recreation	-75,000	Defer as Waugal Rising project has not commenced
112305	Transfer to Reserve - Swimming Pool	214,954	Defer
127308	Transfer to Reserve - Plant	0	Retain at zero (0)
122506	Transfer to Reserve - Bridge	100,000	Defer
168401	Transfer to Reserve - Pioneer Memorial Lodge	20,000	Defer
424570	Transfer from Reserve - Leave	-19,196	Proceed to cover Long Service Leave already taken

Any transfers that are subject to deferment will be considered during the 2025/26 annual budgeting process.

In addition to the above, Officers propose to distribute receipted interest funds of $167,004 from investment maturation from 2023/24 and 2024/25 across all Reserve funds.

OPTIONS

Council has the following option:

Option 1: Council could choose to proceed/defer the planned transfers to/from Reserves in accordance with Table 4 and notes the distribution of matured funds across all Reserve funds.

Option 2: Council could choose to proceed/defer the planned transfers to/from Reserves in accordance with Table 4 and direct the Chief Executive Officer to deposit the interest from matured funds into a specific Reserve fund(s).

Option 1 is the recommended option.

IMPLICATIONS TO CONSIDER

Consultative

Executive Leadership Team

Finance Team

Office of the Auditor General

DLGSC

Moore Australia

Strategic

Council Plan 2025-2035

Pillar 5: Strong governance, responsive leadership

Community-informed, responsive leadership and strong governance.

Policy Related

F13 Financial Reserves

Financial

The recommendation will result in less funds being allocated to Reserves for future financial needs.

Legal and Statutory

Section 6.11 of the *Local Government Act 1995* is applicable and states:

"6.11. Reserve accounts

(1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.

(2) Subject to subsection (3), before a local government —

(a) changes the purpose of a reserve account; or*

(b) uses the money in a reserve account for another purpose,*

it must give one month's local public notice of the proposed change of purpose or proposed use.

** Absolute majority required.*

(3) A local government is not required to give local public notice under subsection (2) —

(a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or

(b) in such other circumstances as are prescribed.

(4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.

(5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account."

Regulations 17 and 18 of the *Local Government (Financial Management) Regulations 1996* are applicable and state:

"17. Title of reserve accounts

(1) A reserve account is to have a title that clearly identifies the purpose for which the money in the account is set aside.

(2) In the accounts, annual budget and financial reports of the local government a reserve account is to be referred to —

(a) in the information required by regulations 27(g) and (ga) and 38, by its full title; and

(b) otherwise, by its full title or by an abbreviation of that title.

18. When local public notice not required for change of use of money in reserve account (Act s. 6.11(3)(b))

A local government is not required to give local public notice of a proposed change of use of money in a reserve account —

(a) where the money is to be used to meet expenditure authorised by the mayor or president under section 6.8(1)(c); or

(b) where the total amount to be so used does not exceed $5 000 in a financial year; or

(c) where each of the following conditions is satisfied —

(i) a decision to change the use of the money is made while there is in force a state of emergency declaration applying to the district, or part of the district, of the local government;

(ii) the local government considers that the change of use is required to address a need arising from the hazard, or from the impact or consequences of the hazard, to which the state of emergency declaration relates;

(iii) the decision and the reasons for it are recorded in the minutes of the meeting at which the decision is made.

[(d) deleted]"

Risk Related

Through accountable and transparent reporting, the Shire mitigates its financial and reputational risk in relation to Reserve transfers.

Workforce

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

VOTING REQUIREMENTS

Absolute Majority: Yes

RESOLUTION
190625

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

That, with regard to Reserve Transfers, Council:

1. **Resolved to approve Reserve Transfers as detailed below:**

DESCRIPTION	CURRENT BUDGET	PROPOSED AMENDMENT	REVISED BUDGET	COMMENTS
Transfer to Reserve - Building	$100,000	-$100,000	$0	Reduce transfer to Reserve
Transfer from Reserve - Recreation	-$75,000	+$75,000	$0	Reduce transfer from Reserve
Transfer to Reserve - Swimming Pool	$214,954	-$214,954	$0	Reduce transfer to Reserve
Transfer to Reserve - Plant	0	0	0	Retain at zero (0)
Transfer to Reserve - Bridge	$100,000	-$100,000	$0	Reduce transfer to Reserve
Transfer to Reserve – Pioneer Memorial Lodge	$20,000	-$20,000	$0	Reduce transfer to Reserve

2. **Notes the proposed transfer of $19,196 from the Leave Reserve to operating funds to cover Long Service Leave already paid.**
3. **Notes the planned distribution of matured investment funds to all Reserve accounts.**

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

Against: **Nil**

CARRIED 6/0 BY ABSOLUTE MAJORITY

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 NOTICE OF MOTION - PROPOSED POLICY - VERGE AND CROSSOVER MANAGEMENT

File Number:	**4.7712**
Previously before Council:	**Not Applicable**
Disclosure of Interest:	**Nil**
Appendices:	**Nil**

I, Councillor Peter Wright, give notice that at the next Ordinary Meeting of Council to be held on 24 June 2025, I intend to move the following motion:

That Council directs the Chief Executive Officer to develop a Policy regarding the management of street trees, including the removal of trees where necessary, and to present a copy of that Policy to Council within the next twelve (12) months for consideration.

RATIONALE

As a responsible local government authority, we need to look at the long-term implications on the actions we take to leave a risk-free legacy. Leaving stumps as a tombstone for the past oxygen giving tree isn't in the best interest for our community. The cost of revisiting tree stumps with poison and cutting them down lower outweighs the cost of doing the job correctly and thoroughly the first place.

The erosion, weathering, and decaying of the tree stump exposes it to risks of vehicle damage to tyres and it's subframe when they go over them while creating a heaven for white ants. Worst of all they are so unsightly and ugly when our community is trying to win the Tidy Town Reward. I would like to suggest that the policy include consideration that when any street tree or large shrub within the township of York is deemed necessary or required to be removed from the road verge or car park, then the whole tree or shrub including the stump and roots bigger than 20cm wide to also be removed at the same time.

In conclusion, let's do the right thing for our community and get rid of those stumps and roots the first and only time as the top of the tree is being removed.

I commend this Notice of Motion to Council.

OFFICER'S COMMENT

Current Practice

At present, the Shire of York manages stump removal on a case-by-case basis. Officers assess the need for removal based on site-specific factors such as location, risk, visibility, and budget availability. Stumps in the townsite or prominent areas are prioritised for removal, while those in rural or low-visibility locations may be treated with herbicide to prevent regrowth and are monitored.

The Shire does not have in-house capacity or equipment to undertake stump grinding. As such, removals are batched, with contractors engaged to perform the work when sufficient demand or funding is available. This ensures contractor mobilisation costs are minimised and resources are used efficiently. Arborist advice is obtained as needed.

Comparative Practice

A comparison was conducted of other local governments to consider the practice more broadly.

Metropolitan Local Governments

Larger metropolitan local governments typically embed stump removal into formal policy documents and standard operating procedures. These local governments have the staff, equipment, and budget to deliver consistent, immediate stump removal services. Examples include:

1. City of Cockburn – Verge Tree Management Guideline: Requires stump grinding at the time of removal.
2. City of Kwinana – Street Tree Removal Policy: Mandates stump grinding with each approved removal.
3. City of Fremantle – Tree Maintenance Service Standard: Includes stump removal in standard arboriculture operations.
4. City of Joondalup – Urban Forest Strategy and Verge Guidelines: Provides direction on replacement planting and integrated verge treatments.

These policies reflect an urban service delivery model with high community expectations and close infrastructure interfaces.

Regional Local Governments
Smaller regional local governments focus more broadly on tree preservation, verge protection, and operational practicality. Rather than targeting stumps specifically, their policies emphasise retaining trees where possible and managing removal in context. Examples include:

1. Shire of Narrogin – Street Tree Policy: Requires stump removal only when tree removal is for private development or infrastructure works.
2. Shire of Toodyay – Roadworks and Development Specifications: Requires stump removal as part of major clearing, not routine tree removal.
3. Shire of Northam – Crossover and Verge Guidelines: Provides general direction on verge works; stump removal is considered during access approvals.
4. Shire of Beverley – Operational Practice: Prioritises removal in townsite; stumps elsewhere are assessed based on safety, visibility, and resources.

These examples show that stump removal is not typically mandated in isolation. Policies aim to preserve trees and manage removals with flexibility. The emphasis is on integrated verge and asset management, not blanket removal obligations.

As Council will note, not all local governments take a policy position on stump grinding and usually implement stump griding standards at an operational level.

Implications and Considerations

While a policy on street trees is seen as prudent, the narrow focus of the motion on stump grinding would limit the Shire's ability to manage verges in a responsive, resource-conscious and cost-effective manner. Council should consider:

1. Stump grinding only reduces the stump to underneath the surface of the ground, it does not remove the root base. It is an aesthetic outcome.
2. Stump grinding does not guarantee against regrowth, as some species regenerate from the roots.
3. Herbicide treatment is a viable, lower-cost alternative for stumps in non-sensitive areas.
4. Stumps can sometimes prevent erosion or stabilise embankments and may be left safely in place.
5. Mobilising contractors for single-stump removals is inefficient; batching where appropriate is currently used to reduce cost.
6. A policy focused on stump grinding would increase demand for arborist contractors, requiring an additional budget allocation.
7. There is no internal capacity to deliver this policy with existing resources.

8. The Shire has received only one (1) formal complaint regarding stumps, indicating low community concern.

Strategic Alignment

The Administration has already identified the need to formalise its approach to verge and crossover management. The development of a Verge and Crossover Policy is already proposed for 2025/26 financial year to consolidate current practices and provide clearer guidance on:

1. Tree management (including planting and removal) specifically on verges;
2. Crossover approvals and impacts on verge trees; and
3. Responsibilities and standards for reinstatement of verges.

The Administration would recommend Council consider management of trees be included within this policy and stump removal be considered as part of a risk-based decision-making process on a case-by-case basis. The Policy could aim to outline some framework to define when and where stump removal is appropriate.

This approach supports alignment with the Shire's capacity, improves transparency, and allows flexibility based on location, risk, and resource availability. It also aligns with industry practice among regional local governments, improves operational clarity, and remains achievable within existing resources. The motion proposes a policy direction that intersects with verge use, replanting, and infrastructure management.

Officers propose an alternate Recommendation which is detailed below:

That, with regard to Notice of Motion - Proposed Policy - Verge and Crossover Management, Council:

1. **Acknowledges the rationale presented in the Notice of Motion.**
2. **Directs the Chief Executive Officer to develop a Verge and Crossover Management Policy that considers tree management, within the next twelve (12) months for Council consideration, which provides a decision-based framework for stump removal.**
3. **Supports ongoing prioritisation of stump removals aligned with available resources and requirements.**

Cr Wright moved his Notice of Motion with an Amendment to the timeframe.

RESOLUTION
200625

Moved: Cr Peter Wright **Seconded: Cr Chris Gibbs**

That, with regard to Notice of Motion - Proposed Policy - Verge and Crossover Management, Council:

1. **Directs the Chief Executive Officer to develop a Policy regarding the management of street trees, including the removal of trees where necessary, and to present a copy of that Policy to Council within the next six (6) months for consideration.**

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

Against: **Cr Denese Smythe**

CARRIED 5/1

11 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

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

Nil

13 MEETING CLOSED TO THE PUBLIC

13.1 Matters for which the Meeting may be closed

Nil

13.2 Public Reading of resolutions to be made public

As no matters were considered Behind Closed Doors, no resolutions were read aloud.

14 CLOSURE

The Shire President thanked everyone for their attendance and closed the meeting at 6.20pm.

Concerning the property at 1 Wheeler St York, which was previously the York Drive In:

The property was owned by my father Giovanni Chessa from approximately 1968 till 1972 then sold to John Rogers who owned it till his death. It has since been in his estate. It has recently been put on the property market and according to estate agent Nick de Guilio is currently under offer with the condition that approval for a subdivision into 10 lots be gained. Taking this to be correct, I wish to object to this property being subdivided whether now or in the future, and that it remains heritage restoration, for a number of reasons relating to

1. the integrity of the York heritage precinct,

2. the Aboriginal heritage,

3. the stream running through the property

4. York local cultural history of the area.

The cultural and heritage value of the old York Drive In property cannot compare to its monetary value and is of greater value to the Shire of York in the long run as it retains the flavour of York's wheatbelt country town history. If this is eroded then Yorks cultural integrity, character and tourist value is lost. This is in danger if heritage buildings/areas are altered or demolished and high density development continues in the centre of the town.

The old York Drive In in 1 Wheeler St is currently in the heritage precinct of York. It is lined by heritage buildings and though left disused for 40 or 50 years is a part of York history that many locals and regional people remember. When queries were made to the shire prior to its being put up for sale, the information given was that the building on the property was not to be altered in any way, and if restoration was made it had to be like for like, and restored to its original condition to maintain the history of the building. The altering or demolishing of this building was said to be prohibited. This rule should not be altered because now it is for sale.

Part of the property has a stream running through. To have a high density, multi residential area this close to a natural stream would be polluting, and digging deep sewerage through the area would also not be acceptable to Aboriginal heritage. It is also on a flood plain.

Many locals and visitors would be very happy to see it restored in some way to either a drive in, open air theatre/theatre or cultural venue of some kind. It would complement the appeal of York for both the locals and visitors. If a subdivision were permitted this would preclude the possibility of this occurring as then planning for multiple buildings would be allowed.

A high density living area within the heritage precinct of York, besides losing the historical significance of the site, would erode York's appeal as an iconic Australian country town. Notably because at this stage it is mainly intact, it has been the reason that York has attracted filmmakers, as it is currently the epitome of a small Australian wheatbelt town. Once this is lost its distinctive character will erode, diminish and be lost forever.

Though it is important for people to have somewhere to live in the current housing shortage, there are many areas outside the central heritage precinct that would be more suitable.

For these reasons I object to the subdivision of 1 Wheeler St and suggest that the restoration of the drive in in some way or form would be most beneficial to the community, most respectful to the lands' heritage and stream, and it follows that York's appeal as a tourist town remains intact. If heritage value is maintained the next purchaser would be required to restore the buildings and

possibly develop it as a drive in/ theatre/cultural venue of some kind. If subdivision is approved this would preclude that possibility.

I understand the WA Planning Commission makes the final decision but this will be made in consultation with the York Shire Council, so I present this case, which simply requests the upholding of the Shire's original heritage requirements.

Yours Sincerely,

Marina Chessa

(BA English Literature, Dip Ed, Dip Fine Art, MA Art Therapy)

This following excerpt details the historic significance of the site as being the central hub of the town of York's establishment and the importance of the stream to its beginnings.

https://inherit.dplh.wa.gov.au/public/inventory/details/c6608e5b-d1c3-454c-8e4e-42754db159cf

After York was opened for selection in 1830, the first settlers, arrived in 1831 from the Swan River settlement with the task of establishing a Government Farm. Balladong Farm was settled in 1831 by William Heal, later H. Bland after whom Blandstown is named. Stephen Stanley Parker had arrived in the Colony with his parents in 1830. After marrying Elizabeth Sewell in 1844 he purchased Balladong Farm in 1848. During the 1850s, Parker developed the property into a very successful farm. The "village" now known as Blandstown, the oldest privately settled part of the York town, developed around Balladong Farm due to the influential presence, water supply, and the river crossing.

Wheeler Street area was developed in the 1860s when Robert Wheeler organised for five houses to be built in the street, opposite to where the drive-in was constructed 100 years later. It is not known what this site was used for in the intervening years.

This excerpt and photo taken from

https://cinematreasures.org/theaters/49173

The York Drive-In opened on 16th February 1968 with "Those Magnificent Men in Their Flying Machines". It was located on Wheeler Street near the corner of Avon Terrace. It was operated by T. Rainch. The drive-in closed (late-1970's?).

The drive-in site is still there, the entrance road (and exit road) and ticket booth (Wheeler Street side), and bio-box (projector room)/(and snack bar) and screen frame (fallen over, forwards), are still visible from the back on Bland Street, and fence all around the property, and (the ramps). It appears unused since closure.

Though I believe it to be incorrect as my father Giovanni Chessa bought it in 1968/69 from another man. So it was already established in 1968. He possibly bought it from T Rainch.



SALE
ary 21

2045
18

Almost full roll call at swimming

Members of the York Swimming Club contested points relay on Saturday afternoon, with almost a full roll call.

Singapore trip

York Drive-In Theatre

FRIDAY and SATURDAY, FEB. 16 & 17
MONDAY, FEB. 19, at 8 p.m.
"Those Magnificent Men In Their Flying Machines"

SUNDAY, FEBRUARY 18
"THE PLEASURE SEEKERS"
plus
"The Day Mars Invaded Earth"

WEDNESDAY, FEBRUARY 21
"MODESTY BLAISE"
plus
"Double Trouble"

BIGGEST BUY IN TOWN!

That's the mighty MF1100 six-cylinder diesel.

Power in the over-ninety class, weight over 16,000 pounds plus the most advanced comfort, convenience and hydraulic features ever in a tractor of this size. And PRESSURE CONTROL, too! Massey-Ferguson's exclusive new weight transfer traction system with trailed implements.

Now's the time! Get yourself the biggest buy in town, by calling...

YORK & DISTRICT CO-OPERATIVE LTD.

YORK - Phone 48 or 193
Ask for Reg. Ashworth

YOUR LOCAL MASSEY-FERGUSON DEALER

Property 1-Wheeler Street York

Concerning the property at 1 Wheeler St York,

As an Aboriginal traditional Custodian of York, I strongly object to this property being subdivided whether now or in the future, and that it remains as it is.

This land was an original Ballardong settlement area which is why it was called Ballardong Farm and has significance to the history of Aboriginal people in the area. It was also an original York settlement area so has double significance which needs to be acknowledged and maintained as a heritage area rather than a commercial real estate development.

Part of the property has a stream running through. To have a high density, multi residential area this close to a natural stream would be detrimental. Polluting, and digging deep sewerage through the area is not acceptable to Aboriginal heritage. It is on a flood plain, so this is very concerning for a number of reasons.

Many locals and visitors would be very happy to see it restored in some way to either a drive-in, open-air theatre/theatre or cultural venue of some kind. It would complement the appeal of York for both the locals and visitors. If a subdivision were permitted this would prevent the possibility of this occurring as then planning for multiple buildings would be allowed.

For this reason, I object to the subdivision of 1 Wheeler St and suggest that the restoration of the drive in in some way or form would be most beneficial to the community, most respectful to the lands' heritage and stream, and it follows that York's appeal as a tourist town remains intact. If heritage value is maintained the next purchaser would be required to restore the buildings and possibly develop it as a drive in/ theatre/cultural venue of some kind. If subdivision is approved this would preclude that possibility.

I present this case, which simply requests the upholding of the Shire's original heritage requirements.

Yours Sincerely,

Dr Marion Kickett

Good evening Councillors,

Thank you for the opportunity to speak in support of agenda item SY059-06/25.

My name is Natasha Atkinson, and I am the Chair of York Racing Inc. I'm here tonight to speak in support of the Wheatbelt Regional Carriage Driving Club and to urge Council to adopt Recommendation 1 and move swiftly to negotiate the lease.

Why an immediate "yes" matters:

1. We have a ready, community-minded tenant.
Wheatbelt Regional Carriage Driving Club is a not-for-profit sporting club run entirely by local volunteers. They are ready to activate 15 hectares of land that currently sit idle — land co-owned by York Racing Inc. and the Shire of York. If we delay, they may be forced to seek land in another shire, and York risks losing both the economic and community benefits of their activation.

2. It aligns perfectly with the Racecourse's purpose and the Equine Precinct vision.
The Crown Grant requires uses that support racing-related activities. Carriage driving, riding, training, and education all fall within that scope and align with the Equine Precinct referenced in the recently endorsed Local Planning Strategy. Approving this lease is the first practical step in bringing that strategy to life.

3. Minimal risk, maximum return.
– **Legal compliance:** The proposal aligns with Section 3.58 of the Local Government Act and the Memorandum of Understanding with York Racing.
– **Financial upside:** WRCDC will fund its own infrastructure, insurance, and maintenance. The Shire's cost is minimal, while York benefits from increased visitation, overnight stays, and equine-related spending.
– **Reputation:** Showing that York is open and welcoming to equestrian groups sets the foundation for a thriving, multi-discipline equine hub.

4. Delay sends the wrong message and risks losing momentum.
Equine sport is growing rapidly across WA, and other shires are actively seeking to attract clubs like WRCDC. A deferral tonight risks leaving the club in limbo and could damage confidence in York's ability to act on good opportunities.

The ask:

Council is being asked to provide **in-principle support** and direct the CEO to begin formal negotiations. This maintains all required safeguards — but allows the process to begin now, not six months from now.

In closing:

We have land that should be alive with horses, carriages, and spectators. We have a committed club ready to bring that vision to life — at no cost to the community. And we have a clear legal and strategic pathway before us.

Let's seize this opportunity. Approve the recommendation and make WRCDC the first cornerstone tenant in what could become one of York's most exciting community and tourism precincts.

Thank you for your time and consideration.

Deputation to the York Shire Council
Presented by Oliver Tester representing the Wheatbelt Regional Carriage Driving Club Inc.

Good evening Councillors,

Thank you for the opportunity to speak this evening.

I'm here on behalf of the Wheatbelt Regional Carriage Driving Club Inc., a not-for-profit organisation affiliated with Equestrian Western Australia.

Our members bring decades of collective experience across a broad range of equestrian disciplines and have played key roles in the planning, development, and management of equestrian facilities across the state, including leading the establishment of grounds in other regional communities such as Dwellingup.

This extensive practical experience, combined with deep, trusted relationships across the wider equestrian community, makes our club particularly well-placed to take on the development and stewardship of a new multi-disciplinary equestrian facility here in the Shire of York.

We have already commenced early consultations with local and regional equestrian groups including the local Pony Club, Adult Riders, the Australian Horse Archery Association, and those involved in agility and Western disciplines. These discussions have provided strong early direction, highlighting the need for a facility that is flexible, safe, and thoughtfully designed to support a wide range of uses, such as carriage driving, dressage, show jumping, trail riding, horse archery, in-hand showing, and more.

Our club is ready to take the next step, to lead a collaborative co-design process that brings all these voices to the table and ensures the site meets current and future needs. We are committed to working closely with the Shire and with user groups to ensure the site is developed sustainably, with the right infrastructure in place to support growth in local participation and regional events.

The ability to formalise our role through a lease would allow us to begin that work in earnest. It would provide the clarity and structure needed to progress site planning, seek funding opportunities, and start staging development in partnership with local contractors,

businesses, and volunteers. Formalising the lease is a logical and enabling step that would support efficient and accountable project delivery.

Our goal is to create more than just an equestrian facility, we want to build a valuable community asset that strengthens participation, attracts visitors, and generates positive outcomes for the broader region. Already, ideas like the inclusion of an equine agility course have emerged from local input.

In summary, the Wheatbelt Regional Carriage Driving Club Inc. brings the right mix of experience, capability, and collaborative spirit to deliver a successful outcome. We understand what it takes to plan, build, and maintain equestrian infrastructure, and we are committed to doing so in a way that reflects the Shire's needs and aspirations.

We therefore welcome Council's support for Option 1, to provide in-principle support for leasing the site to our Club and to authorise the CEO to enter into formal discussions.

Thank you again for your time and consideration.