

UNCONFIRMED



# SHIRE OF YORK

**MINUTES OF THE ORDINARY  
MEETING OF THE COUNCIL  
HELD ON 16 JULY 2007  
COMMENCING AT 3.05PM  
IN THE LESSER HALL, YORK**

Distributed 19 July 2007

**SHIRE OF YORK**

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**RAY HOOPER**  
**CHIEF EXECUTIVE OFFICER**

**SHIRE OF YORK**

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## **SHIRE OF YORK**

**THE ORDINARY MEETING OF THE COUNCIL WILL BE  
HELD ON MONDAY, 16 JULY 2007, COMMENCING AT  
3.05PM IN THE LESSER HALL, YORK.**

### **1. OPENING**

#### **1.1 DECLARATION OF OPENING & READING OF THE DISCLAIMER**

The Shire President, Cr Pat Hooper declared the meeting open at 3.05pm.

The Chief Executive Officer read the disclaimer.

#### **1.2 ANNOUNCEMENT OF VISITORS**

Nil.

#### **1.3 ANNOUNCEMENT OF ANY DECLARED FINANCIAL INTERESTS**

COUNCILLOR/OFFICER	ITEM	NATURE OF INTEREST
Cr Hooper	9.1.1	Proximity – close proximity to development as landowner and potential conflict of interest
Cr Lawrance	9.1.1	Proximity – Family owns land in the precinct
Cr Fisher	9.1.7	Financial – Proximity & Financial
Cr Lawrance	9.1.8	Exempted by Ministerial Order Impartiality - Landowner
Cr Boyle	9.1.8	Exempted by Ministerial Order Impartiality – Landowner

## **2. ATTENDANCE**

### **2.1 MEMBERS**

Cr Pat Hooper	President
Cr Brian Lawrance	Deputy President
Cr Trevor Randell	
Cr Tony Boyle	
Cr Ashley Fisher	

### **2.2 STAFF**

Mr Ray Hooper	Chief Executive Officer
Mr Graham Stanley	Deputy Chief Executive Officer
Mr Peter Stevens	Environmental Health / Building Officer
Mr David Lawn	Planning Consultant
Mrs Tyhscha Cochrane	Senior Administration Officer
Mrs Natasha Brennan	Executive Assistant

### **2.3 APOLOGIES**

Cr Michael Delich

### **2.4 LEAVE OF ABSENCE PREVIOUSLY APPROVED**

Nil.

### **2.5 NUMBER OF PEOPLE IN GALLERY PRESENT AT COMMENCEMENT OF MEETING**

The Shire President welcomed the 16 (sixteen) people present at the commencement of the meeting.

## **3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

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

##### 4.1 Liz Christmas

###### Question 1

Access Plans under the 2007-2012 DAIP – re: Access to Upstairs and to Stage

Referring to Item 9.2.2 Appendix “A” Shire of York Disability Access and Inclusion Plan, under **Six Desired Outcomes**, desired outcome 2 it says:

2. “People with disabilities have the same opportunities as other people to access the buildings and other facilities of the Shire of York”.

What does the Shire envisage doing in the foreseeable future to ensure that people with disabilities (let alone people with mobility difficulties perhaps not so obviously classified as ‘disabilities’ – such as older people or those with arthritis) will have safe and manageable access to:

- (a) The upstairs portion of the Town Hall, and
- (b) The stage (eg: if performing in a choir, presenting an event etc)?

###### Response

- (a) This is currently before the State Administrative Tribunal for an exemption while applications for funding are being lodged to upgrade the hall as a Regional Cultural Centre with full disabled access. If there is no exemption granted Council will need to close off the upper floor.

There is another hearing scheduled for the 10<sup>th</sup> August 2007.

- (b) The issue of access to the stage has not been raised previously and methods of providing access will need to be researched.

##### 4.2 Kerry G Bell

###### Question 1

Development Contravening Designated Area

Why have I not received as requested in my letter of 22<sup>nd</sup> June 2007 a detailed response to my concerns outlined, particularly in relation to the continued ongoing works on site and also the unrealistic and potentially disastrous speed limit of 50kph on the designated Chamberlain Street.

I recommend a speed limit of 10.15kph. I hereby give notice to the Shire, of the Shire's responsibility in the event that any incident, accident or other misfortune should occur to people, pets or property due to the Shire allowing dangerously high speeds to legally occur on Chamberlain Street.

#### Response

The Chief Executive Officer apologised for not responding to Mr Bells letter of the 22<sup>nd</sup> June 2007 and advised that he would follow-up on a response.

The Chief Executive Officer responded that a 50kph speed limit was a default limit that is in place throughout the townsite.

It can be varied by MRWA doing an assessment of the area and then placing a statutory limit either below or above the 50kph.

The onus is on people to drive safely to the conditions of the road, however the Council would refer Mr Bell's request to MRWA and ask that they do an assessment on Chamberlain Street.

#### 4.3 Patricia Walters

##### Item 9.1.3 Rezoning of Land

The Council currently owns land within this rezoning area – could the Council please advise:-

#### Question 1

Will the building of units on this land be undertaken by the Council? If not, what are the funds raised by the sale to be used for?

#### Question 2

Will the Council consider entering into an agreement with either Homeswest or Pioneer Lodge to provide much needed rental accommodation for people within the lower socio-economic group?

#### Response

The Shire President responded that no decisions had been made as to what the land will be used for at this stage.

Discussions had been held with Homeswest regarding the need for low socio-economic housing in York and that yes this could be a possibility.

#### Question 3

##### One Way Street – Macartney

Could the Council please advise a date for implementation of the one-way street with reverse parking?

#### Response

The Shire President advised that everything was in place to proceed with the road being marked and sandbags etc, however MRWA in Northam have advised that they now need Ministerial Approval before the trial period can commence.

Given this notice it now looks like that there could be a delay of up to 12 months.



4.4 Peta & Alan Hucker

Question 1

Item 9.1.3 Rezoning – Amendment No.25

Letters from nearby residents on two occasions of meetings have not been included in the agenda's. Letters from persons asking for rezoning have been included. It appears as if we agree to the proposal.

Could these letters be included?

Response

The Chief Executive Officer responded that nothing has happened as yet as the proposal has not been advertised.

Council needs to advertise the rezoning amendment first to open up the submission period for the public to comment. The public will have an advertising period of up to 42 days to make a submission.

When the submissions are received and the advertising period has closed the application and submissions will go to the Ministers Office and the Minister will make the decision whether to approve the amendment or not.

The Chief Executive Officer noted that all submissions received to date had been forwarded onto the Councillors.

4.5 Roma Paton

Question 1

Credit Card Account.

Would the Shire President explain to us the details of the expenditure listed on Bendigo Statement (page 171) relating to the first five entries to do with money spent in Hobart on May 7<sup>th</sup> 2007?

Response

The Chief Executive Officer explained that the expenses were from a National Local Government Managers Conference, held in Hobart which was in his contract to attend.

The expenses were normal expenses relating to attending the conference.

4.6 Jan Underwood

Question 1

With regards to the York & Districts Co-operative and the Macartney Street doors now being blocked up there now appears to be no emergency escape exits.

Is the Council aware of this?

Response

The Building Officer, Mr Peter Stevens advised that there were emergency escape exits at the rear of the building and also through the Butchers Shop. There were signs in place to point these exits out.

A risk assessment has also been completed and everything is in compliance with the Building Codes of Australia.

4.7 Dr John Coe

Question 1

Can the Chief Executive Officer please clarify the appeals process for issues passed by the Council?

Response

The Chief Executive Officer responded that there was no third party appeal process available to local government.

Anyone can ask Council to reconsider an action, however it is between the proponent and the Council in relation to appeals and no other parties.

If it is a planning issue, the appeal goes to the State Administrative Tribunal, if it is an administration issue, the matter goes to the Ombudsman and if it is a local government issue ie: a breach to the local government act, the appeal goes to the local court .

Appeals are generally between the proponent and the local government and there are no third party rights applicable.

4.8 Kerry G Bell

Question 1

Arboreal Policy – Tree Management Policy

Mr Bell tabled a document for the Council on a Tree Management Policy from the City of Geraldton and requested that Council look at the policy and put it up for public comment.

Response

The Shire President thanked Mr Bell for the document and advised that Council would take on board Mr Bells efforts and the document.

4.9 Liz Christmas

Question 1

Ms Christmas queried the public question time protocol of asking questions not relating to the Council Meeting.

Response

The Shire President responded that he agreed with Ms Christmas, however he decided to allow a degree of freedom for people to ask their questions as long as public question time did not exceed the allocated time of 15 minutes.

5. **APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

6. **PETITIONS/PRESENTATIONS/DEPUTATIONS**

Nil.

7. **CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

7.1 Ordinary Council Meeting held 18 June 2007

Corrections

Confirmation

Resolution

010707

MOVED Cr Lawrance seconded Cr Randell

***That the minutes of the Ordinary Council Meeting held 18 June 2007  
be confirmed as a correct record of proceedings.***

***CARRIED (5-0)***

8. **ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Workshop Accessing Funding – Tuesday 24<sup>th</sup> July 2007

The Shire President advised that a workshop was being held on Tuesday 24<sup>th</sup> July 2007 at 7.00pm in the Lesser Hall to discuss access to funding to various organisations.

Western Power – Street Lights

The Shire President noted that recent street audits in York have identified a serious and ongoing problem with the number of street lights out at any one time.

The Shire of York requests residents to report any streetlights that are out at night / or on during the day to Western Power.

The contact number for Western Power is 1800 622 008 or alternatively reports can be also be lodged on the Western Power Website.

Street Lighting is an important issue in the community as it affects the safety of our residents.

The Shire of York is working with Western Power to report all faults so that action requests can be commenced as soon as possible.

Ficus Tree

The Shire President read out a letter received from the National Trust (dated the 26<sup>th</sup> June 2007) –

*“Thank you for an opportunity to comment on the removal of the Ficus Hilli Tree, Avon Terrace.*

*The tree has clearly social and aesthetic value to the York community and its retention would be a preferable outcome.*

*Nethertheless, it is clear that the Council has acted fully aware of the heritage values of the York Townsite and specifically Avon Terrace and that there has been a genuine effort to retain the tree while also encouraging development sympathetic to the historic streetscape.*

*The National Trust recognises the importance of encouraging commercial activity on Avon Terrace as a means to ensuring the long term conservation of this important place.*

*It should be noted that the photographic evidence from the York Historical Survey 1977 prepared by Margaret Feilman, indicates that the tree was relatively young in 1977 which would lead to the conclusion that it was planted in the late 60s following the demolition of the Royal Hotel.”*



**9.     REPORTS**

**9.1     Development Services Reports**



9  
9.1  
9.1.1

**OFFICER'S REPORTS  
DEVELOPMENT REPORTS  
PLANNING POLICY – RESTRICTION ON  
BUILDING MATERIALS**

<b>FILE NO:</b>	Ha 3.11180
<b>COUNCIL DATE:</b>	16 July 2007
<b>REPORT DATE:</b>	9 July 2007
<b>LOCATION/ADDRESS:</b>	Lots 11 & 12 Chamberlain St, York
<b>APPLICANT</b>	Sevent Pty Ltd
<b>SENIOR OFFICER</b>	Ray Hooper – Chief Executive Officer
<b>REPORTING OFFICER</b>	Tyhscha Cochrane – Senior Admin Officer
<b>DISCLOSURE OF INTEREST:</b>	Cr Hooper, Cr Lawrance
<b>APPENDICES:</b>	Appendix A – Building Plans
<b>DOCUMENTS TABLED:</b>	Photos of Area

*When acting as a planning authority in accordance with the powers conferred by the Planning and Development Act 2005 and any relevant scheme, the Council of the Shire is entitled to make decisions based only on proper planning considerations.*

**Summary:**

The applicants have requested an exemption from the Restriction on Building Materials Policy in that the finished product will have a textured finish and not be of a brick or masonry product.

**Background:**

Council at its Special Council meeting held on 23 January 2006 resolved to delegate approval of certain materials to the Chief Executive Officer, which gave the same outward appearance and texture of face or rendered brick work.

Through this delegation approximately six planning approvals have been issued for the textured finish on hardiboard.

**Consultation:**

Surrounding landowners;  
Advert in paper;  
Sign on Property.

Submission dated 14 June 2007:

*"The Council has delegated two brick areas in York and now a developer wants to build two timber framed houses in Chamberlain Street, A timber framed cement rendered building does not constitute a replacement for brick or stone.*

*Furthermore, there is no special or extraordinary circumstance to allow this type of construction. The only special or extraordinary circumstance would be when adding an extension to an existing brick building.*

*York is a heritage town and should be treated as such.*

*If somebody wants to build timber framed houses, there are plenty of other areas within the town site to do so. I believe many years ago this policy was enacted to protect these two areas in York from developers constructing cheap timber framed houses and the Councilors of today are elected to enforce this policy to protect the heritage ambiance and history of the town.*

*Chamberlain Street will be a new street in this area and I don't think Council should approve the building, of the only two new houses, to be timber framed covered with cement sheeting. What is the message you are sending. That this is a brick area only but it is acceptable to build two new houses that look like solid construction but in reality are artificial. I think not. If these two houses are approved then what is to stop the developer building the other three houses on the land he bought being timber framed also.*

*Do not set a precedent which you will not be able to retreat from. Because other people will expect the same treatment in the future. It is much cheaper to build in timber than brick."*

Submission dated 15 June 2007:

*"Thank you for your letter of 5 June providing us with the opportunity to comment on the development of Lot 11 & 12 Chamberlain Street.*

*It is with regret that my wife and I express some disappointment at the style of the proposed infill development and we certainly raise objections at the substance of the same.*

*This is an Infill Development" in that it posits the addition of a new dwelling within an established residential area. Our disappointment at the style of this proposed development lies in the principle that sympathetic infill development should inter alia:*

- Reflect the dominant architectural style of the precinct.*
- Compliment the specific character of the precinct.*
- Contribute to the architectural development of the precinct*
- Be of sufficient quality of material and construction to enhance the architectural values of the precinct.*
- Reflect the scale and proportion (wall heights and roof pitches) of existing and adjacent houses.*
- Utilise building materials consistent with the character of existing and adjacent houses.*

*Clearly the proposed development does not meet the foregoing principles. The proposed construction materials are at variance with the surrounding built environment. The scale and proportions are unsuitable. For example, the east elevation of the proposed development – that to be viewed from our yard – resembles, not to put too fine a point on it, a caravan park flat roofed ablutions block.*

*The surrounding built environment, which may be defined as the precinct, contains iconic examples of colonial, federation, post war and contemporary architecture. These share the same construction materials, scale and roof lines which all add to the integrity of the precinct. The proposed development of obviously spec houses are of a design that will do little to add quality to architectural diversity and will in fact destroy the integrity of the precinct.*

*Our reasons for objecting to this proposed infill development are therefore as follows:*

- 1. The proposed dwellings are located in the area defined by the Shire of York Town Planning Scheme No 2 'Restriction on Building Materials' and the materials to be used as external cladding for these buildings do not comply with the clearly stipulated policy that dwellings in these areas should be constructed 'of brick stone or other like substance'*
- 2. That the design of the proposed dwellings is unsympathetic in style, construction materials and the roofline of the precinct.*
- 3. The proposed development will have an adverse effect on the integrity of the precinct.*
- 4. The diminishing of construction standards and material will have an adverse effect on the economic value of the precinct.*

*We might add that we are by no means unsympathetic to development per se. Indeed, we have demonstrated our co operation with the developers in agreeing to their request to locate the proposed dwellings closer to chamberlain street in order to provide greater backyard space.*

*However, our objections lie in the style and quality of the proposed dwellings.*

*The built heritage of York is a national asset. Heritage need not be incompatible with architectural diversity provided the latter is managed in the proper manner and with sensitivity and consistency.*

*In this instance, the matter is clear. The guidelines are clearly spelt out by the Shire of York and the proposed development does not comply with these. The developer should therefore be invited to resubmit plans that do conform, are sympathetic to the surrounding built environment and do make a positive contribution to the continuing architectural heritage of the town.*

*I will be happy to expand on the foregoing should you so require."*

Submission dated 18 June 2007:

*"In respect of plans for No. 11 & 12 Chamberlain St. My home is Heritage listed with conditions that apply to that privilege, I am deeply concerned about every aspect of the developments in Chamberlain St.*

*Councils Town Planning Scheme No. 2 Clause 2 is being exploited by developers, allowing them to build timber frame houses in a gazetted brick area. What are the extenuating or extraordinary circumstances that exist to enable this development possible?*

*Is Chamberlain St to be extended through to Fraser St creating a high density area at great profit to the developers, home owners have paid dearly for their brick homes and in rates and taxes in this area. Will the anticipated buildings enhance the historic value of the town? Will they fit comfortably among the old homes of the area? Was any consideration given to these factors by the developer?*

*If in the future I wished to sub-divide my Heritage Listed property into 600sq metre lots & build timber frame similar dwellings upon it, would there be any objection from Council bearing in mind the close proximity this property is to the proposed buildings on Chamberlain St?"*

Submission dated 22 June 2007:

1. *Earthworks have already commenced on these Developments, which I believe contravenes the appropriate bylaws. To my knowledge; no Final Approval has been given for these Works to begin.*
2. *From the information supplied, the design of these buildings does not appear to be in sympathy with other residences in the immediate vicinity, and I would seriously question the proposed cost of each which is given at \$180,000 each. Perhaps this is supposed to read as \$180,000 for both? I would appreciate having this matter clarified.*
3. *In particular, the proposed Rendered Fibro Finish smacks of cheapness and the quest for a "fastbacks" outcome. The Shire of York 'Town Planning Scheme No. 2' planning policy restriction on building materials document specifically states, and I quote:*
  - (b) *External walls of dwellings, additions or renovations are not to be constructed wholly or partly of wood, iron, straw, or fibro cement sheets.*  
*Are there any "extraordinary circumstances" (Quote Item 2 of Policy) prevailing and has the appropriate exemption been applied for??*
4. *The plans supplied with your correspondence lack detail and do not indicate any Architect, Designer or Builders' Credentials. Nor do they indicate where the buildings will be located on their appropriate blocks.*
5. *In anticipation of the greatly increased traffic on Chamberlain St, what does the Shire and Developer propose to do regarding a suitable Road Surface and Stormwater Run-off?*

6. *Will the Shire designate A maximum Speed Limit on Chamberlain St due to the Close Proximity of Residences, Small Children, Pets, The Elderly, and Disabled Persons?*
7. *From the Information supplied to date I am not convinced that this development will benefit anyone other than the developer. I do not believe that the proposed dwellings are in keeping with the overall ambience of the precinct as they are currently outlined. I have no objection to a development proceeding providing it compliments, rather than detracts from the established flavour of the area.*

*As it stands, my view is that this proposed development will not contribute visually, culturally or fiscally to the status quo and I am totally against it preceding any further until my own and my neighbours' concerns are satisfactorily addressed."*

**Statutory Environment:**

Planning and Development Act 2005.  
Shire of York Town Planning Scheme No. 2.

**Financial Implications:**

Nil to Council.

**Strategic Implications:**

To encourage development which is appropriate to York's history and heritage.

**Voting Requirements:**

**Absolute Majority Required:** No

**Site Inspection:**

**Site Inspection Undertaken:** Yes - Photos

**Triple bottom Line Assessment:**

**Economic Implications:**

Nil to Council.

**Social Implications:**

There may be some social implications, as four submissions were received.

**Environmental Implications:**

Nil.

**Comment:**

Council approval is required for an exemption of other materials that are not of a rendered look or masonry type, whilst the buildings will result in a rendered finish residents within the area have put in submissions and as such the Council needs to consider these submissions.

In assessing the submissions the following points are provided:

There are new products on the market that give the same outward appearance of a rendered finish, this issue has been considered by Council previously and the new products are believed to be suitable. (A sample is tabled for perusal.)

The policy allows for an exemption where it can be shown that the building materials proposed has the same outwards appearance and texture of face or rendered brick work, it is believed that the sample provided shows that the new products give this result.

A building licence has been issued for both buildings to be built in brick and work has commenced. The builder now is requesting a change from brick to hardiboard with a texture finish.

Speed limits will be in accordance with built up areas eg. 50kmh.

It is a condition that stormwater is to be retained on the property.

To appease some of the concerns relating to visual impact a landscaping plan will be requested, which will include details of screening.

Council has already set a precedent by allowing a delegation to the Chief Executive Officer to approve the variation to the finishes where an appropriate product is to be used. Photos and samples of some of these products are provided to show the end result.

The officer has recommended approval with conditions that are believed to be appropriate.

Cr Hooper & Cr Lawrance declared an interest in this Item and left the meeting at 3.30pm.

#### **OFFICERS RECOMMENDATION**

*"That Council:*

A. *advise the applicants that the exemption from the Restriction on Building Materials Policy is granted for Lots 11 & 12 Chamberlain Street, York for hardiboard with a high profile textured finish/coating to be used subject to the following:*

- 1. An amendment to the building licence being approved and the relevant fees being paid;*
- 2. The textured exterior finish is to be completed prior to occupancy and is to be of the cream or earth coloured range;*
- 3. A landscaping plan being provided to the satisfaction of the Chief Executive Officer and to include details of screening; and*

4. *All stormwater to be retained on the individual properties.*

B. *advise those that put in submissions of the resolution."*

Resolution  
020707

MOVED Cr Fisher seconded Cr Randell

***"That Cr Boyle be nominated to Chair the Council Meeting during the absence of the President and Deputy President."***

**CARRIED**

Amendment

MOVED Cr Randell seconded Cr Fisher

***"That Council:***

A. ***advise the applicants that the exemption from the Restriction on Building Materials Policy is granted for Lots 11 & 12 Chamberlain Street, York for hardiboard with a high profile textured finish/coating to be used subject to the following:***

1. ***An amendment to the building licence being approved and the relevant fees being paid;***
2. ***The textured exterior finish is to be completed prior to occupancy and is to be of the cream or earth coloured range;***
3. ***A landscaping plan being provided to the satisfaction of the Chief Executive Officer and to include details of screening; and***
4. ***All stormwater to be retained on the individual properties.***

B. ***advise those that put in submissions of the resolution; and***

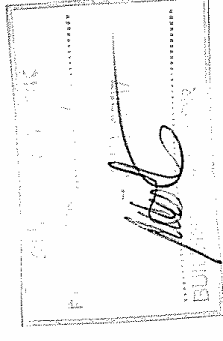
C. ***that Council to convene a workshop with the proponents, the people who lodged the submissions and Council to consider options for compromise."***

**CARRIED (2-1)**

The Chief Executive Officer advised that the legal status of the decision would be checked as to a quorum and the definition of a simple majority.

The officer's recommendation was varied to provide an avenue for community consultation to minimise any negative impacts.

Cr Hooper & Cr Lawrance returned to the meeting at 3.36pm.

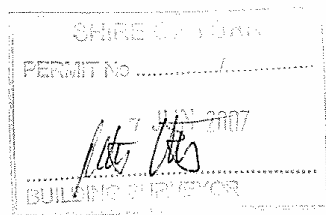


Proposed Residence  
For  
Sevent Pty Ltd  
Lot 11 & 12  
Chamberlin St  
**York**



**Proposed Residence for Sevent Pty Ltd  
Lot 11 & 12 Chamberlin Street, York  
Specification Sheet**

- Wall frames and roof trusses to be treated timber. Engineered by Perth Regional Roof Trusses.
- Roof material to be colourbond iron.
- Stumps and footings engineered by McDowell Affleck, Midland.
- Exterior cladding to be Brick Veneer and Cement Sheet rendered.
- Windows will be double glazed.
- Wall insulation R1.5
- Roof insulation R3.3
- Floor to be insulated. *Min R1*
- Biolytix sewerage system to be installed with 150+ sqm of irrigation.



## Floor Plan

## All Windows & Patio Doors Double Glazed

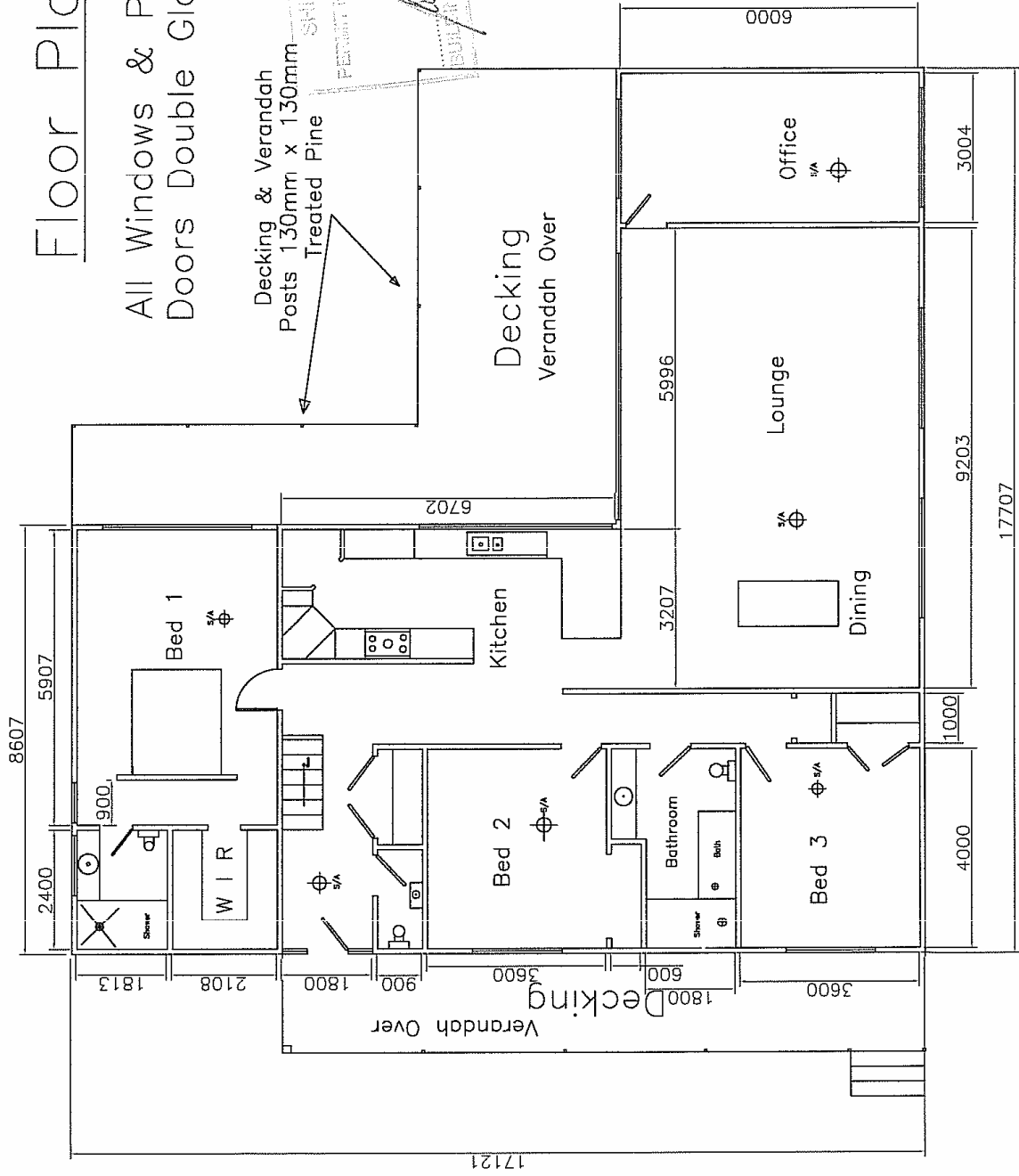
Decking & Verandah  
Posts 130mm x 130mm  
Treated Pine

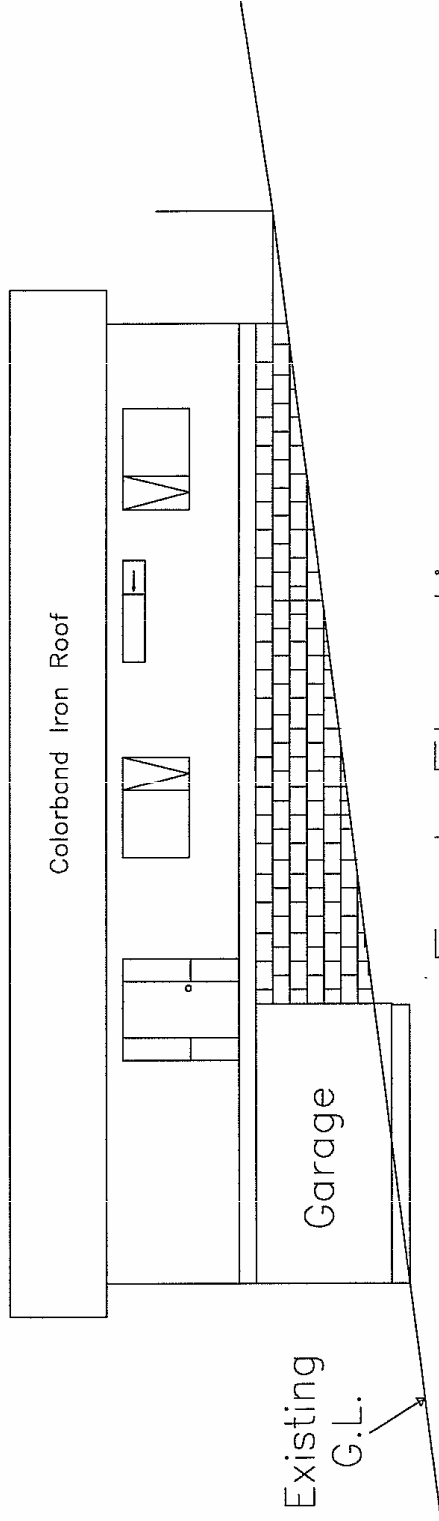
3

[illegible]

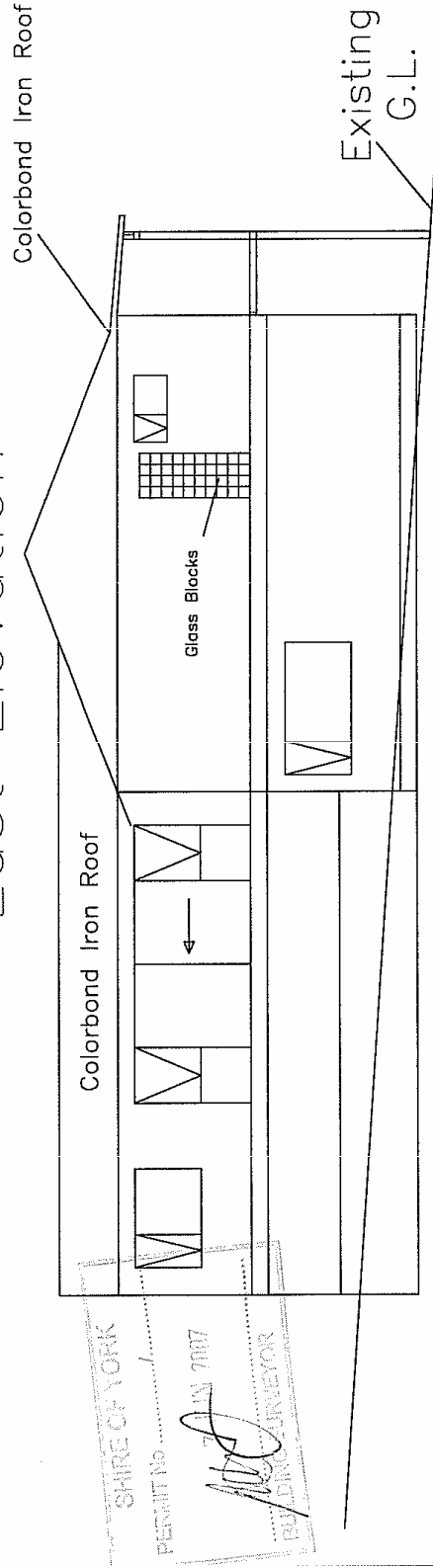
0

18





## East Elevation



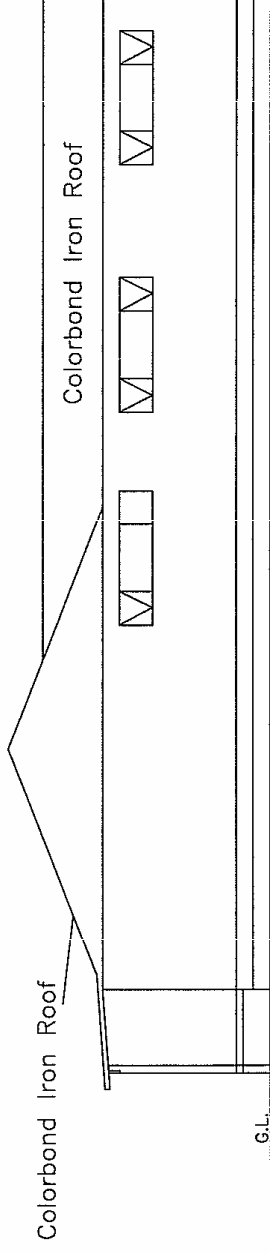
South Elevation  
All Exterior Walls Clad With Cement Sheet  
& Coated With Texture Render

SHIRE OF YORK

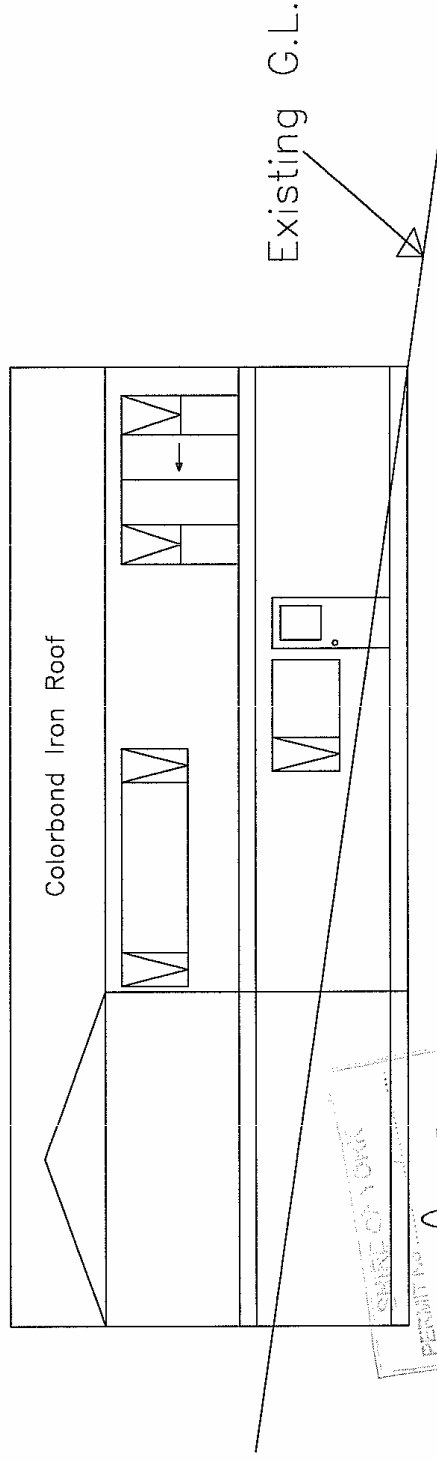
PERMIT No. 10007

10007

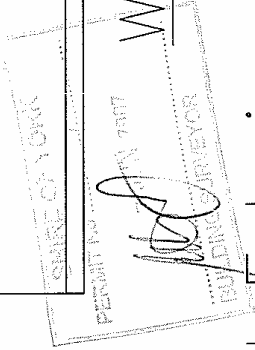
BUILDING SURVEYOR



North Elevation



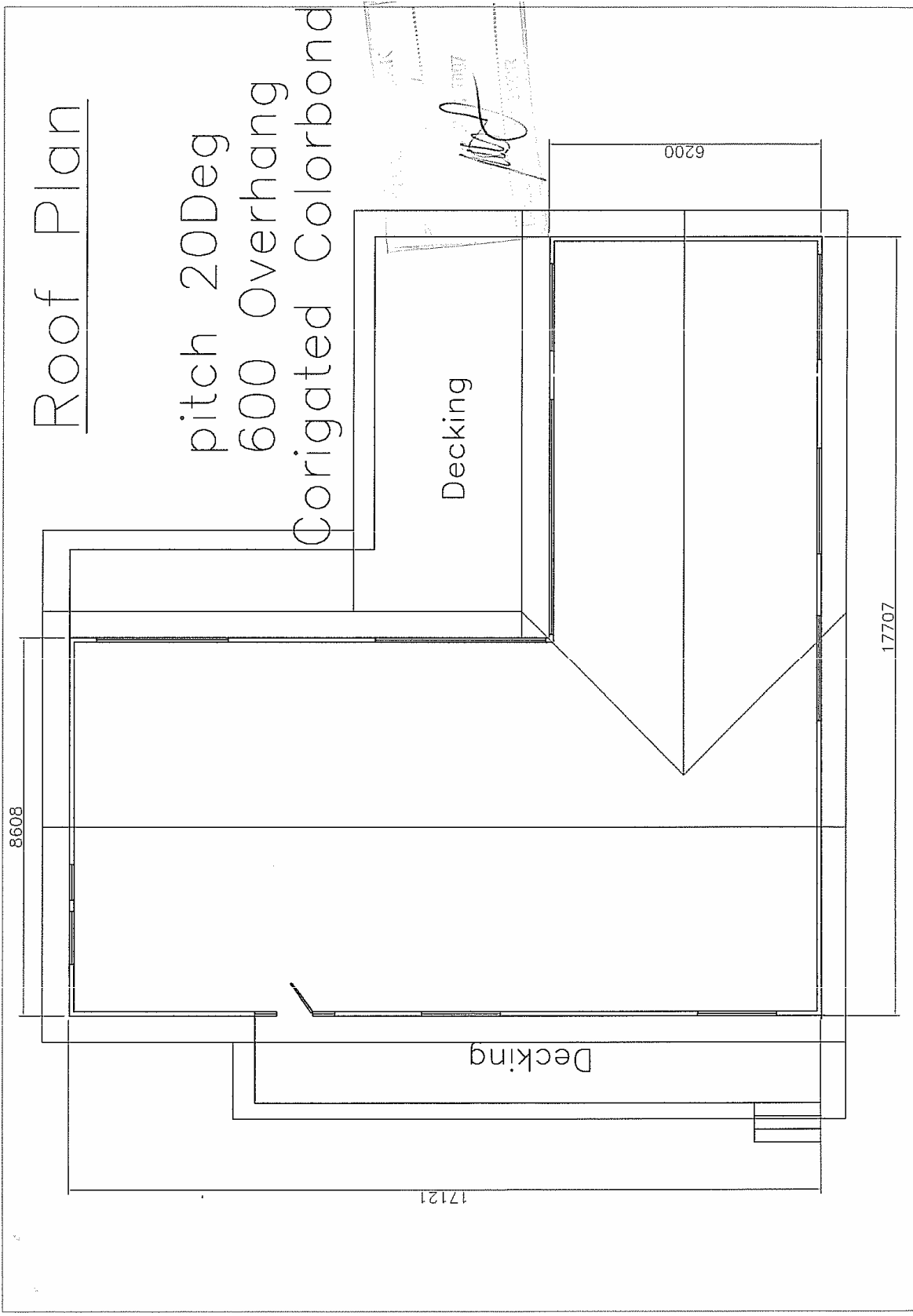
West Elevation



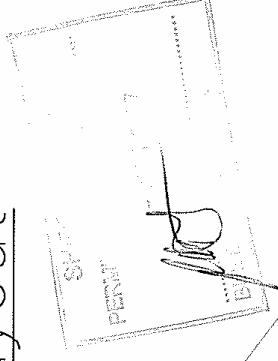
All Exterior Walls Clad With Cement Sheet  
& Coated With Texture Render

# Roof Plan

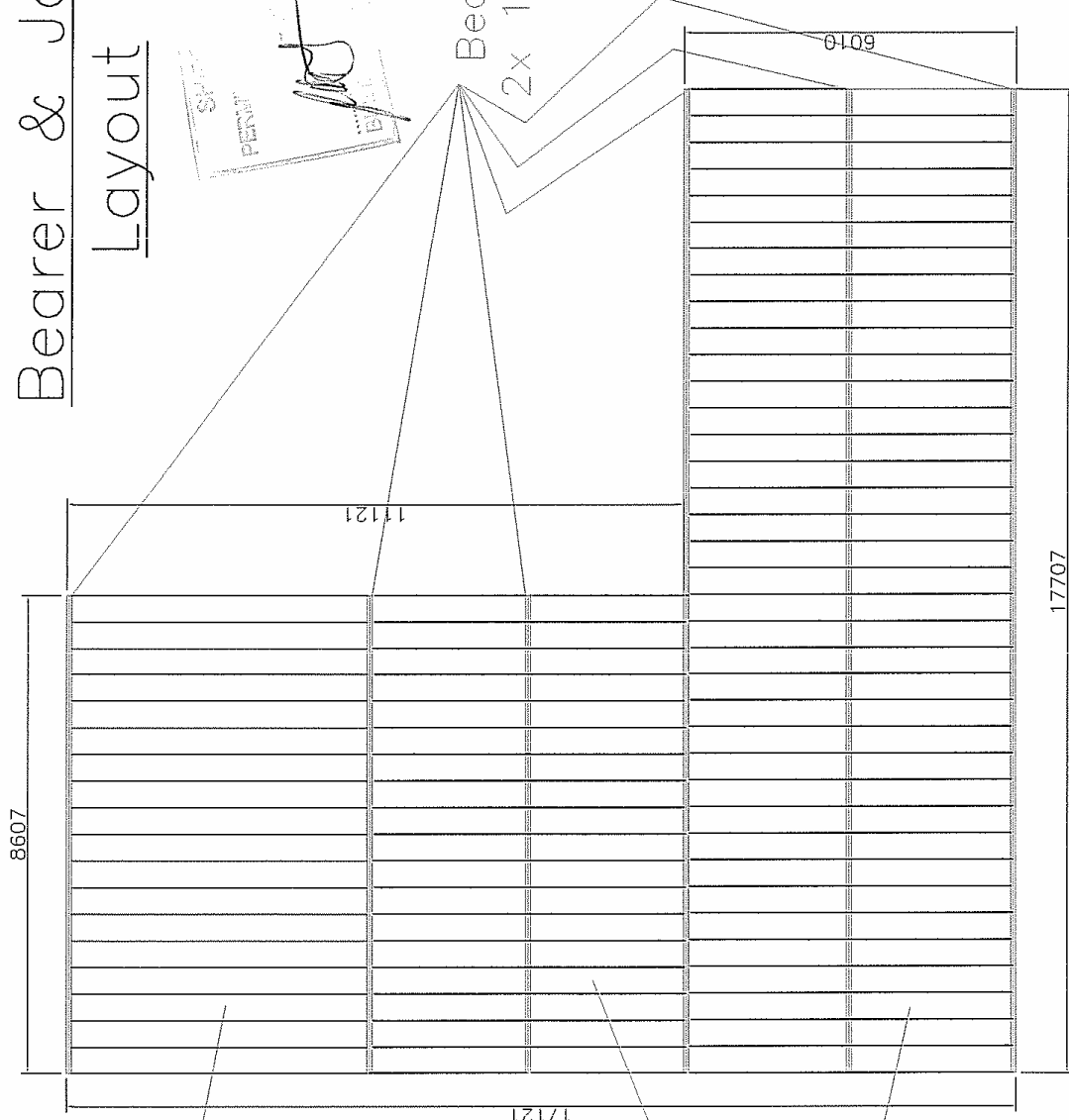
pitch 20Deg  
600 Overhang  
Corigated Colorbond



# Bearer & Joist Layout



Bearers  
2x 190x45

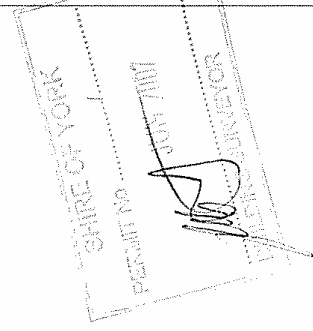
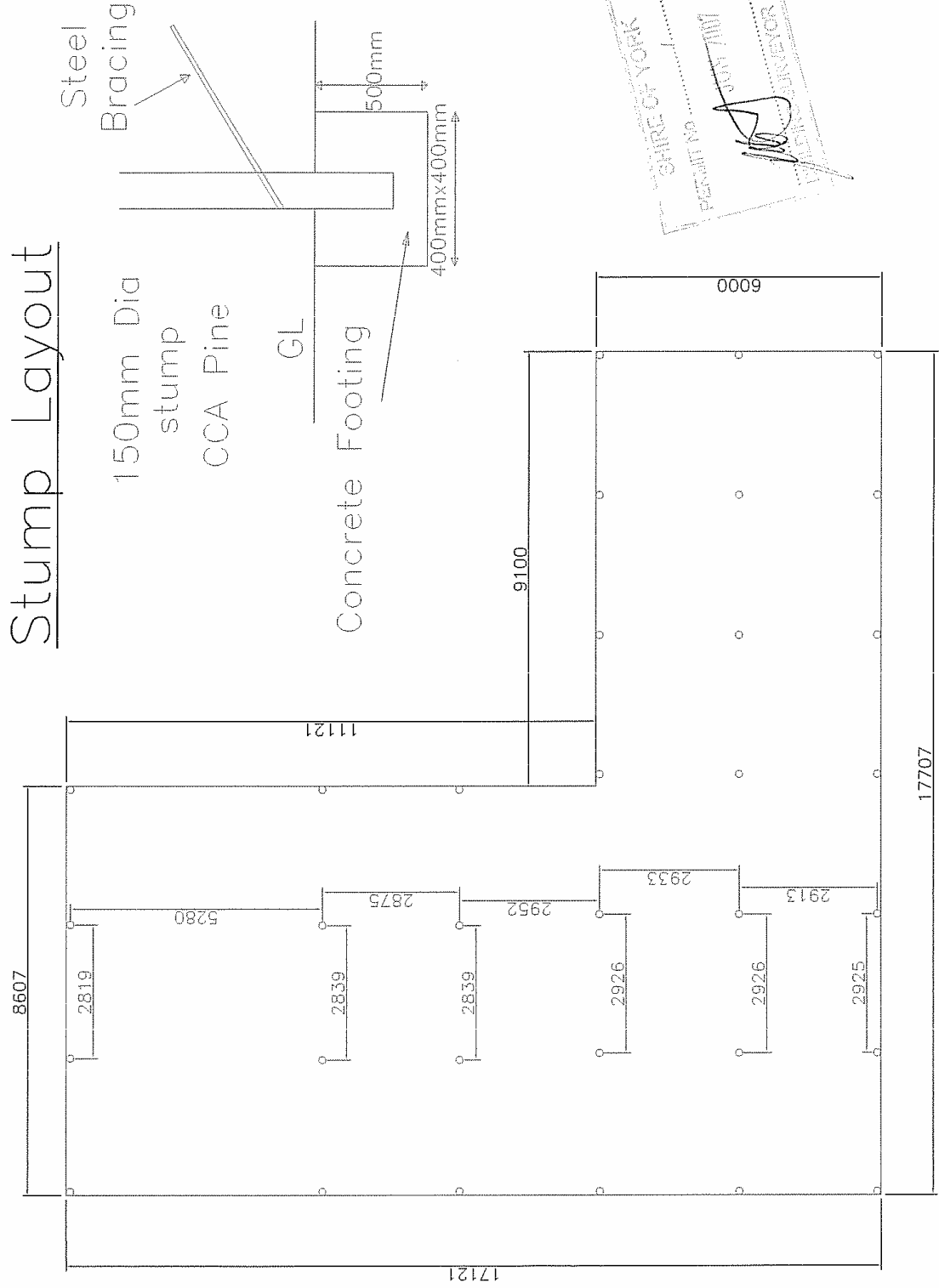


Hyjoist 240x90  
@ 478 Centres

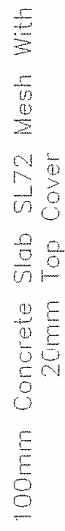
Hyjoist Length  
5m  
Single Span

Hyjoist 200x45  
@ 478 Centres  
Hyjoist Length  
6m with  
Centre Bearer

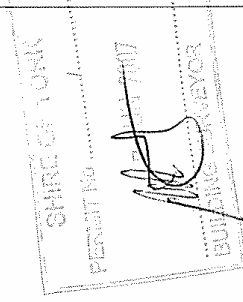
# Stump Layout



The floor plan shows a large rectangular area labeled "Garage" with a dimension of 5000. To the right of the Garage is a smaller rectangular area labeled "Laundry" with a dimension of 2600. The total area is indicated as 8607.

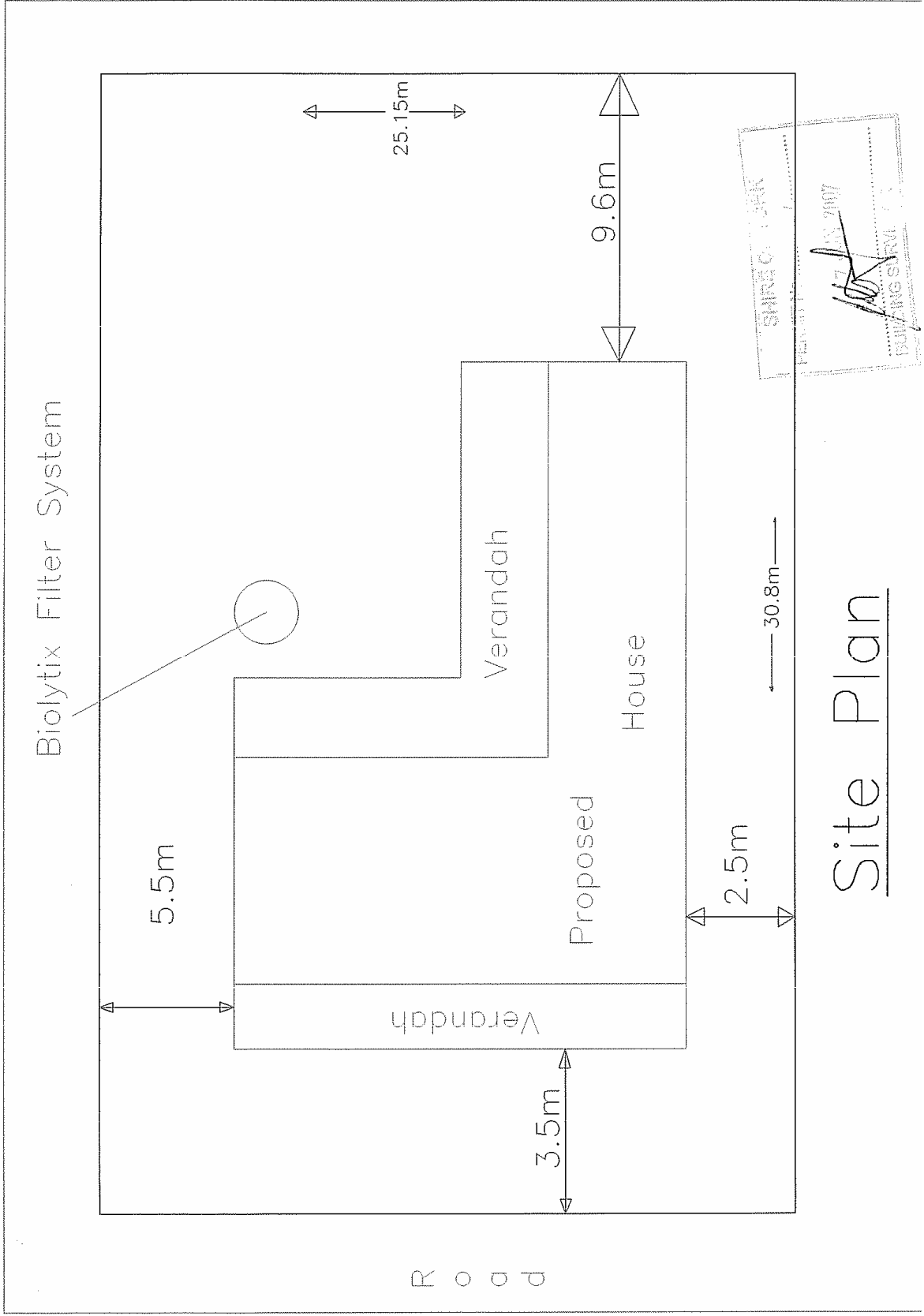


300mmx300mm Footing With Trench Mesh  
L11-3 With 50mmBottom Cover

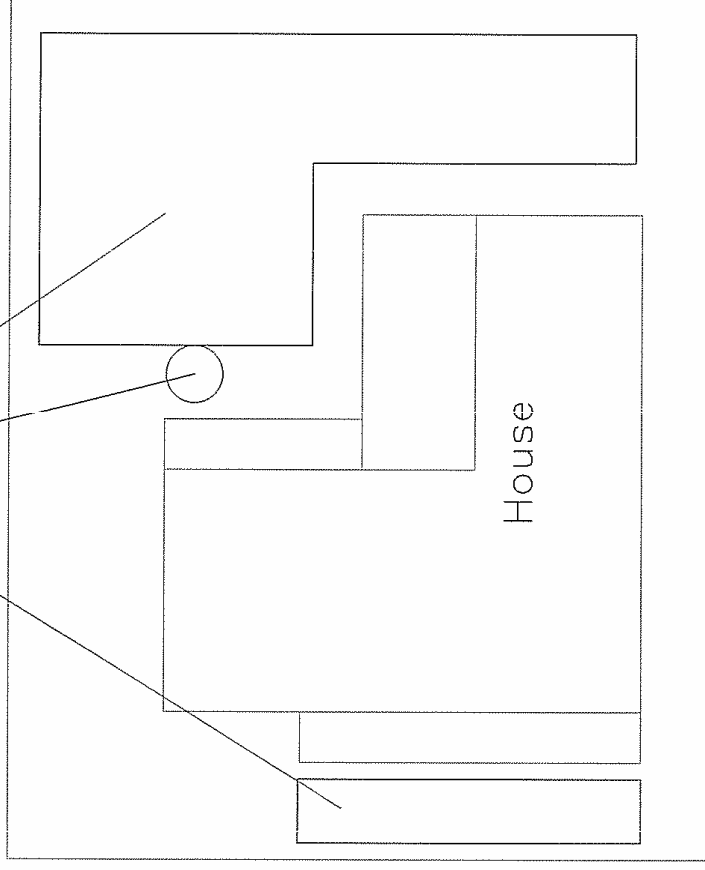


Concrete Floor  
Garage & Laundry

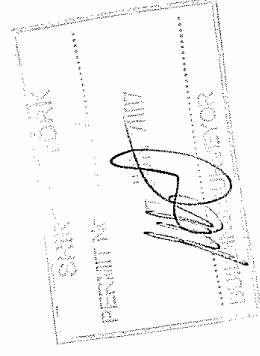




# Biolytix Filter System & Irrigation Area



Irrigation Area  
= 160sqm  
Mixed Lawn &  
Garden Bed





9. OFFICER'S REPORTS  
9.1 DEVELOPMENT REPORTS  
9.1.2 DEED OF ANCILLARY ACCOMMODATION

FILE NO: Go 1.2601  
COUNCIL DATE: 16 July 2007  
REPORT DATE: 9 July 2007  
LOCATION/ADDRESS: Lot 41 Goldfields Road, York  
APPLICANT Mr Bruce and Ms Findlay-Cooper  
SENIOR OFFICER R Hooper – Chief Executive Officer  
REPORTING OFFICER T Cochrane – Senior Admin Officer  
DISCLOSURE OF INTEREST: Nil  
APPENDICES: Appendix A – Deed of Ancillary Accommodation  
DOCUMENTS TABLED: Nil

*When acting as a planning authority in accordance with the powers conferred by the Planning and Development Act 2005 and any relevant scheme, the Council of the Shire is entitled to make decisions based only on proper planning considerations.*

**Summary:**

To enter into a legal agreement for a Deed of Ancillary Accommodation to comply with planning approval and to affix the Common Seal of the Shire of York.

**Background:**

The conditions of planning approval, which were provided under delegated authority are detailed below:

*"I am pleased to advise you that approval is granted under delegated authority for the above subject to the following:*

1. *A building licence being issued for the proposed works;*
2. *Non reflective materials being used;*
3. *The applicant entering into a legal agreement at the applicants cost binding the owner, his/her heirs and successors in title requiring that the sole occupant or occupants are the members of the family of the occupiers of the main dwelling; and*
4. *All stormwater and drainage run off to be contained on site.*

Advice Note:

- a. *This is a Development Approval and it is not a building licence or an approval to commence or carry out development under any other law. It is the responsibility of the applicant to obtain any other necessary approvals, consents and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.*
- b. *In relation to Condition 3, a legal agreement is to be in the form of a Deed and registered on the title as a caveat prior to the issuance of a building licence.*

- c. *Please note that once the Deed is ready, Council will need to consider an agenda item to approve the affixing of the seal.*
- d. *It is noted that the current dwelling located on the property is 60m<sup>2</sup> in area and meets the requirements of the maximum area allowable for ancillary accommodation."*

**Consultation:**

Lawyers.

**Statutory Environment:**

Planning and Development Act 2005.

**Policy Implications:**

Nil.

**Financial Implications:**

No cost shall be incurred by Council.

**Strategic Implications:**

Nil.

**Voting Requirements:**

Absolute Majority Required: No

**Site Inspection:**

Site Inspection Undertaken: Various

**Triple bottom Line Assessment:**

**Economic Implications:**

No economic implications arise from this report.

**Social Implications:**

This is the last process for the applicant and will assist in providing accommodation for a family member of the household.

**Environmental Implications:**

Nil environmental implications arise from this report.

**Comment:**

When the Shire seal is affixed to a legal document under a resolution of Council formal approval is required and this is hereby requested.

## OFFICER RECOMMENDATION

Resolution  
030707

MOVED Cr Fisher seconded Cr Lawrance

***“That Council approves the Common Seal of the Shire of York to be affixed to the Deed of Ancillary Accommodation for Mr Ronald Bruce and Ms Dorothea Findlay-Cooper for the property Lot 41 Goldfields Road, York.”***

***CARRIED (5-0)***

**THE SHIRE OF YORK**  
**("The Shire")**

**AND**

**RONALD JAMES GREG JOHNSTON BRUCE**  
**DOROTHEA MARGARET FINDLAY-COOPER**  
**("The Owners")**

---

**DEED OF ANCILLARY ACCOMMODATION**

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*Biddulph & Turley*  
*Barristers & Solicitors*  
*53 Wheatley Street*  
*Gosnells WA 6110*

*Tel: 9398 5533*  
*Fax: 9398 5593*

*[enquiries@wafamilylaw.com.au](mailto:enquiries@wafamilylaw.com.au)*

THIS DEED is made on the date specified in Item 1 of the Schedule hereto ("the Schedule") between:

1. The person specified in Item 2 of the Schedule ("the Shire") of the first part;  
and
2. The person specified in Item 3 of the Schedule ("the Owners") of the second part.

#### RECITALS

- A. The owners are the registered proprietors of Lot 41 on Deposited Plan 300287 being the whole of the land comprised in Certificate of Title Volume 2026 Folio 199 ("the property").
- B. The Owners are desirous of constructing a residence and an attached ancillary accommodation as per a planning application lodged at the Shire of York on the 16<sup>th</sup> January 2007 (which residence and ancillary accommodation are in the Deed referred to as "the Buildings" on the property.
- C. The Shire has agreed to grant permission for the construction of the Buildings provided the Owners enter into this Deed.

#### NOW THIS DEED WITNESSES as follows:

1. In consideration of the Shire granting to the Owners its consent to the construction of the Buildings, the Owners for themselves and their successors of Title, the owners and occupiers for the time being of the Property hereby acknowledge that the Buildings may only be used for the purposes of a single dwelling house with ancillary accommodation and may not be used as two separate private residences.
2. The Owners for themselves and their successors in Title acknowledge that the Shire has granted consent to the construction of the Buildings on the basis that they constitute a single dwelling with ancillary accommodation and agrees with the Shire that the ancillary accommodation shall not constitute a separate private residence for any purpose whatsoever.



3. The Owners hereby consent to the Shire registering a Caveat against the Title to the Property for the purpose of protecting its interest in the Property by virtue of the restriction contained in this Deed.
4. In this Deed unless the context otherwise requires:
- a) Words importing the singular number shall refer to and include the plural number and vice versa.
  - b) Words importing the masculine gender shall include the feminine and neuter genders and vice versa.
  - c) Where any party consists of more than one person any covenant, condition, agreement, declaration, undertaking or confirmation given in this Deed is given or entered into by each of those persons both jointly and severally.

#### THE SCHEDULE

Item 1  
Date

day of 2007

Item 2  
THE SHIRE

The Shire of York of PO Box 22, York in  
the State of Western Australia

Item 3  
THE OWNERS

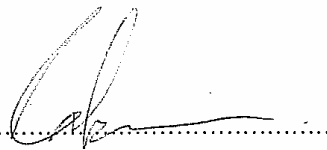
Ronald James Greg Johnston Bruce and  
Dorothea Margaret Findlay-Cooper both  
of 2 Redfern Close, Thornlie in the State  
of Western Australia

The Common Seal of the SHIRE OF )  
YORK of PO Box 22, York in the State of )  
Western Australia )  
was hereunto affixed in the presence of )

.....  
~~Mayor~~ Shire President

.....  
~~Shire Clerk~~ Chief Executive Officer

SIGNED by the said )  
Ronald James Greg Johnston Bruce )  
in the presence of: )



.....  
Witness Signature:

Name:

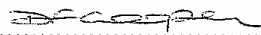
..... KAREN GMEINER .....

.....  
Address:

..... 262 WILLIAM STREET .....

Occupation: QUALITY CONTROL  
INSPECTOR

SIGNED by the said )  
Dorothea Margaret Findlay-Cooper )  
in the presence of: )



.....  
Witness Signature:

Name:

..... KAREN GMEINER .....

.....  
Address:

..... 262 WILLIAM STREET .....

Occupation QUALITY CONTROL  
INSPECTOR

9. OFFICER'S REPORTS  
9.1 DEVELOPMENT REPORTS  
9.1.3 REZONING – AMENDMENT NO. 25

FILE NO: PS.TPS.20/TH 2.9321/MO 2.5889/MO 2.31630  
COUNCIL DATE: 16 July 2007  
REPORT DATE: 2 July 2007  
LOCATION/ADDRESS: As per Appendix "A" & Detailed in Report  
APPLICANT Council / J Harwood / S Hasluck / P Briggs  
SENIOR OFFICER Ray Hooper, Chief Executive Officer  
REPORTING OFFICER Tyhscha Cochrane, Senior Admin Officer  
DISCLOSURE OF INTEREST: Nil  
APPENDICES: Appendix A - Amendment  
Appendix B – Location Map  
DOCUMENTS TABLED: Nil

*When acting as a planning authority in accordance with the powers conferred by the Planning and Development Act 2005 and any relevant scheme, the Council of the Shire is entitled to make decisions based only on proper planning considerations.*

**Summary:**

This application seeks approval to advertise for a rezoning of lots zoned Recreation and Open Space and shown on Appendix A.

Correspondence received from the applicant dated 24 April 2007 states the following:

*"With reference to the above lots I have been engaged by the owner, James Harwood, to request for the shire to allow the rezoning of these lots to become residential. The reasons for this request is that they fully conform to the current zoning guidelines with access to all services, including sewer, plus they are above the 100 year flood plain area and are ideally suited for residential development.*

*Could you please let me know your thoughts regarding this request so that I may advise the owner and let him know the time frame for this to be rezoned."*

Correspondence received from surrounding owner dated 9 May 2007 states the following:

*"Thank you for your letter of 7 May with respect to a joint application for rezoning of Recreation and Open Space land in the vicinity of Thorn Street to Residential.*

*I am interested in participating in the rezoning process as my land Lot 76 Monger Street abuts the Thorn Street area. This would enable a new residential area close to the centre of York and support the present zoning of the West side of Monger Street as Residential..."*

Correspondence received from Mr P Briggs dated 10 July 2007:

*"I refer to the letter by Ray Hooper CEO of 2<sup>nd</sup> July 2007, yes I am interested in participating in the rezoning of Lot 8 into town centre residential or whatever zoning allows the property to be subdivided into the smallest lots for residential use.*

*If you could advise me if this is possible then we can perhaps negotiate the fees required."*

**Background:**

The property is currently zoned 'Recreation and Open Space' under the Shire of York Town Planning Scheme No. 2.

Council considered an agenda item at its Ordinary Council meeting held on the 21<sup>st</sup> May 2007, however the resolution was lost, as Councillors required further information regarding development in a flood fringe area.

**Consultation:**

Mr J Harwood  
Mrs S A Hasluck  
Mr B Woolcock  
Mr P Briggs  
Mr P Harbin

A meeting was held with residents within the area and further input will be provided at the advertising stages of the Amendment.

Department of Water – Mr R Bretnall – Meeting held on the 27<sup>th</sup> June 2007 relating to development in flood fringe areas the following advice was provided:

*"The Department of Water in carrying out its role in floodplain management provides advice and recommends guidelines for development on floodplains with the object of minimising flood risk and damage.*

*The Avon River Flood Study through York shows that a portion of the land is affected by major river flooding with the 100 year ARI flood level in this area estimated to be 174.50 m AHD (northern end) and 174.70 m AHD (southern end) as shown on the attached plan.*

*Based on our floodplain management strategy for the area, there are no objections to the proposed rezoning subject to proposed development having a minimum habitable floor level of 175.00 m AHD (northern end) and 175.20 m AHD (southern end) to ensure adequate flood protection.*

*Please note that a failure to properly adhere to these recommendations will result in a greater exposure to risks of flood damage. It should be noted that this advice is related to major flooding only and other planning issues, such as environmental and ecological considerations, may also need to be addressed."*

**Statutory Environment:**

Planning and Development Act 2005.  
Shire of York Town Planning Scheme No. 2.

**Policy Implications:**

Nil.

**Financial Implications:**

Council will incur costs associated with the rezoning and this will be equally shared with other landowners.

**Strategic Implications:**

KRA5 – History and Heritage

*“To encourage development which is appropriate to York’s history and heritage.”*

**Voting Requirements:**

Absolute Majority Required: Yes

**Site Inspection:**

Site Inspection Undertaken: Yes

**Triple bottom Line Assessment:****Economic Implications:**

Infill development will assist in the long-term viability of York businesses.

**Social Implications:**

Density development for residential purposes in close proximity to the central business district will need to be managed in respect of residential needs, noise, traffic flows and associated social issues.

**Environmental Implications:**

This land had been zoned for Recreation and Open Space because of the threat of inundation during high river winter flows. Information from the Local Planning Strategy investigations reveals this land free from adverse impact of 100 year flood event. Nutrient runoff from the properties is anticipated to be minimal due to the deep sewerage system and small lots with little gardens requiring fertilisers.

**Comment:**

The purpose of the Scheme Amendment is to amend the Shire of York Town Planning Scheme No. 2 in order to accommodate residential development in appropriate locations that will contribute to meeting the growing demand for residential land within the townsite and assist the economic sustainability of the town.

York is experiencing a high demand for land for residential development from outside the district by people seeking a lifestyle change.

The proposal will contribute to meeting the demand for residential development within close proximity to the commercial precinct and, therefore, within walking distance of commercial and community facilities.

Providing for residential development within close proximity to the Town Centre will assist the long term economic viability of the commercial precinct by providing not only for population growth in the town generally but also for increasing the population within the walkable catchment of the commercial precinct. It also takes advantage of the opportunity to make maximum effective use of existing infrastructure available within the town centre such as the reticulated sewerage system.

The Scheme map details the maximum density of residential development permitted within an area through the application of density codes in accordance with the Western Australian Planning Commission (WAPC) "Residential Design Codes" (October 2002). The application of a density code provides guidance to developers on the development standards and requirements expected, applicable to the relevant density code under the "Residential Design Codes".

It is proposed to apply the density code of "R40" to the lots proposed for rezoning, which may accommodate single houses or grouped dwellings averaging 220sqm per dwelling. This density code is commensurate with the highest density code currently proposed for in the Scheme.

#### **OFFICER RECOMMENDATION**

Resolution  
040707

MOVED Cr Lawrance seconded Cr Fisher

#### ***"That Council:***

- 1. pursuant to the Planning and Development Act 2005 initiate a rezoning to amend the Shire of York Town Planning Scheme No. 2 by amending the Scheme map by rezoning the following from "Recreation and Open Space";***
  - a. Lot 76 Monger Street;  
Lots 6, 7 & 8 Thorn Street; and  
Lots 37, 38, 39, 40, 41 & 42 Monger Street.  
  
to Residential zoning being R40 density code; and***
  - b. Lot 8 South Street to Town Centre zoning.***
- 2. advise the applicants of the above.***

***Advice Note:***

***All lots are subject to compliance with the floodway and floodfringe requirements eg AHD levels. No development shall be permitted within the designated floodway”***

Amendment

MOVED Cr Boyle seconded Cr Randell

***“That Council delete the Shire portion of land from the Officer’s Recommendation, being Lot: 37, 38, 39, 40, 41 & 42 Monger Street.”***

***LOST (3-2)***

The motion was then put and carried by a simple majority.

***CARRIED (3-2)***

**The resolution was not passed by the required absolute majority.**

**PLANNING AND DEVELOPMENT ACT 2005  
SHIRE OF YORK  
TOWN PLANNING SCHEME NO. 2 - AMENDMENT NO. 25**

The Shire of York Council, under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005, hereby amends the above Town Planning Scheme by:

1. Amending the Scheme map from "Recreation and Open Space" to indicate an R40 density code applicable to the following lots:
  - a. Lot 76 Monger Street;  
Lots 6, 7 & 8 Thorn Street; and  
Lots 37, 38, 39, 40, 41 & 42 Monger Street.
2. Amending the Scheme map from "Recreation and Open Space" to indicate a Town Centre zoning applicable to Lot 8 South Street, York.

**RESOLUTION TO AMEND SCHEME**

Adopted by resolution of the Council of the Shire of York at the Ordinary Meeting of the Council held on the .....day of.....2007

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

**RESOLUTION TO ADOPT AMENDMENT TO SCHEME**

Adopted by resolution of the Council of the Shire of York at the Ordinary Meeting of the Council held on the ..... day of .....

- (a) that the amendment to the Scheme be adopted with or without modification;
- (b) that it does not wish to proceed with the amendment to the Scheme,  
(*delete whichever is not applicable*)

The Common Seal of the Shire of York was hereunto affixed  
by authority of a resolution of the Council in the presence of:

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

\_\_\_\_\_  
SHIRE PRESIDENT

Recommended/Submitted for Final Approval



DELEGATED UNDER s. 16 OF THE PD ACT 2005

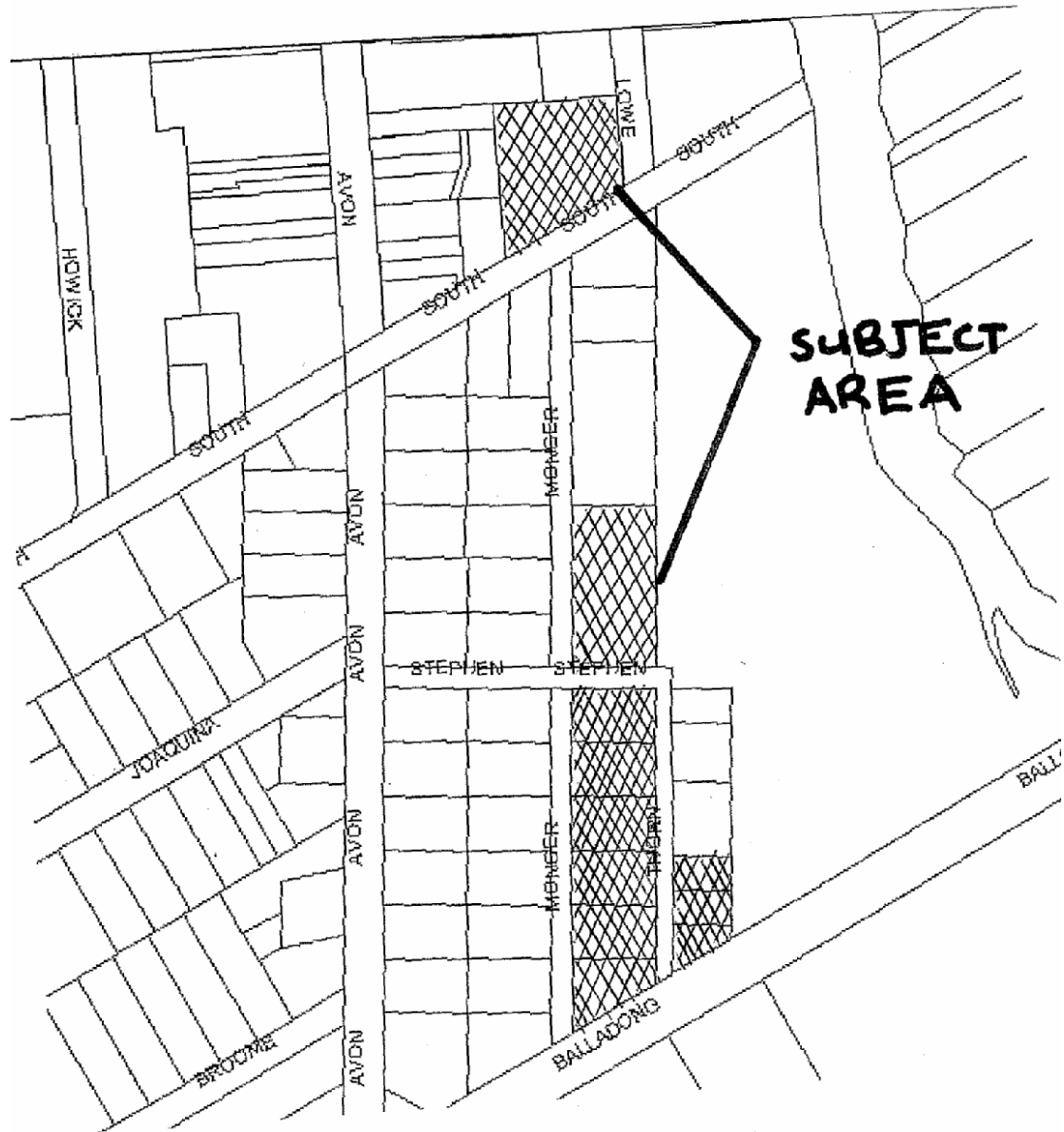
Date: \_\_\_\_\_

Final Approval Granted

\_\_\_\_\_  
MINISTER FOR PLANNING &  
INFRASTRUCTURE

Date: \_\_\_\_\_

APPENDIX  
"B"  
9.1.3



9.  
9.1  
9.1.4

**OFFICER'S REPORTS  
DEVELOPMENT REPORTS  
PROSECUTION – YORK VILLAGE BAKERY &  
TEAROOMS**

**FILE NO:** AV1.12680  
**COUNCIL DATE:** 16 June 2007  
**REPORT DATE:** 2 July 2007  
**APPLICANT:** Not Applicable  
**SENIOR OFFICER:** Ray Hooper, Chief Executive Officer  
**REPORTING OFFICER:** Peter Stevens, EHO  
**DISCLOSURE OF INTEREST:** Nil  
**APPENDICES:** Nil  
**DOCUMENTS TABLED:** Nil

**Summary:**

The premises known as York Village Bakery and Tearooms was prosecuted by Council at Northam Magistrates Court on 13 June 2007 in relation to six charges relating to offences against the Health (Food Hygiene) Regulations 1993.

The Accused, proprietor Anna Wilde, was found guilty on all six charges and was fined \$2000 along with an order to pay costs to the Shire totaling \$1998.60.

**Background:**

At Council's ordinary Council meeting held on 18 November 2006 it was resolved to commence prosecution of the proprietor of the York Village Bakery and Tearooms (the **premises**) in regard to offences against the Health Act and Health (Food Hygiene) Regulations 1993. The offences were committed over a period of 7 months in 2006 during which time Council's environmental health performed a number of inspections, some as a result of complaints from the public.

The following six charges were brought against the proprietor in accordance with the Health (Food Hygiene) Regulations 1993, all charges were successful despite the Accused maintaining her plea of not guilty

- I. Regulation 7(1)(a)(iii) – failed to maintain the food premises in a state of good repair
- II. Regulation 7(1)(a)(iii) – failed to maintain the food premises in a clean and sanitary condition
- III. Regulation 7(1)(b)(ii) - failed to maintain all appliances in a state of good repair
- IV. Regulation 11(1)(a) – failed to protect food from contamination
- V. Regulation 7(1)(a)(iv) – failed to maintain the premises free from vermin
- VI. Regulation 7(1)(b)(i) – failed to maintain all appliances in the premises in a clean and sanitary condition

A person who commits an offence under these regulations is liable to a penalty of —

- (a) not more than \$2 500 and not less than —  
(i) in the case of a first such offence, \$250;

- (ii) in the case of a second such offence, \$500; and
- (iii) in the case of a third or subsequent such offence, \$1 250;

In view of matters put in mitigation of the offences mainly in relation to the Accused's financial position the Magistrate imposed a fine much lower than she normally would have. She imposed an overall fine of \$2000 and ordered the Accused to pay costs of \$1998.6 which was less than was sought on behalf of the Shire.

**Consultation:**

McLeods Barristers and Solicitors

**Statutory Environment:**

Health Act 1911(as amended)

Health (Food Hygiene Regulations) 1993

**Policy Implications:**

Nil

**Financial Implications:**

Legal fees have been incurred however some costs and a fine have been imposed which the Shire will receive.

Staff time incurs costs when compiling information for prosecution and attendance in court.

**Strategic Implications:**

Nil

**Voting Requirements:**

**Absolute Majority Required:** No

**Site Inspection:**

**Site Inspections Undertaken:** Yes - EHO

**Triple Bottom Line Assessment:**

**Economic Implications:**

Council has incurred legal costs, however these will be offset by costs awarded in the Shires favour and the fine imposed on the Accused.

Staff time incurs costs when compiling information for prosecution and attendance in court.

**Social Implications:**

None identified.

**Environmental Implications:**

Protection of public health.

**Comment:**

The premises are in a prominent location for visitors to the town of York and attract tourists and residents as customers. Complaints had been received alleging food poisoning and substandard food being sold from the premises. Food sold from the premises and its practices posed a risk to the health of customers who purchase food from the business.

The poor standards demonstrated at the premises reflect poorly on food premises within York with the perception that food hygiene is not a priority in the Town.

The premise had numerous opportunities throughout 2006 to raise standards in respect of food hygiene, handling and storage but consistently failed to do so. This was demonstrated by the 13 inspections of the premises made by Council's environmental health officer over the 7 month period

The prosecution was successful however the premises will continue to be monitored to ensure compliance with the Regulations.

**OFFICER RECOMMENDATION**

Resolution  
050707

MOVED Cr Randell seconded Cr Boyle

***“That Council receive the report on the York Village Bakery and Tearoom and authorise the Chief Executive Officer to take what ever further action is required, including legal action, to ensure compliance with the Health Act 1911 and the Health Food Hygiene Regulations 1993.”***

***CARRIED (5-0)***

9.  
9.1  
9.1.5

**OFFICER'S REPORTS  
DEVELOPMENT REPORTS  
PROSECUTION – ROSMILL PTY, BUILDING  
WITHOUT A LICENCE**

**FILE NO:** Gr2.1056  
**COUNCIL DATE:** 16 June 2007  
**REPORT DATE:** 2 July 2007  
**APPLICANT:** Not Applicable  
**SENIOR OFFICER:** Ray Hooper, Chief Executive Officer  
**REPORTING OFFICER:** Peter Stevens, EHO/Building Surveyor  
**DISCLOSURE OF INTEREST:** Nil  
**APPENDICES:** Nil  
**DOCUMENTS TABLED:** Nil

**Summary:**

Council instigated legal proceedings against Rosmill Pty Ltd for commencing building without a building licence as is required by s.374(1)(a) of the *Local Government (Miscellaneous Provisions) Act 1960*.

The case was heard in Northam magistrate's court on 18 June 2007 with the Defendants company found guilty and fined \$1800 with costs of \$850.70 awarded to the Shire.

**Background:**

In April 2007 it was noted by Council's building surveyor that a secondhand transportable house and various building materials had appeared on Lot 3 Great Southern Highway. Council's records were checked for any applications for a building licence for the property but none were found.

Council's building surveyor prepared a Section 401A stop work notice (the **Notice**) to prevent continued building work occurring. The Notice was personally served on the proprietor of the company on the 5 April 2007. On the 27 April an inspection of the property revealed that further works had been undertaken contrary to the Notice with the house raised and fixed to stumps and bearers.

Council then proceeded with prosecution for commencing building without a licence. Section 374(1)(a) of the *Local Government (Miscellaneous Provisions) Act 1960* states;

**374. Plans of buildings to be approved by local government**

*(1) No person shall -*

*(a) lay out for building, or commence or proceed with a building on, land in a district; or*

*(b) in respect of the structure of a building already erected on land in a district, amend, alter, extend, or enlarge, or commence or proceed with the amendment, alteration, extension, or enlargement of the structure of the building,*

*until he has caused to be submitted to the local government, and the local government has approved by the issue to the person of a building licence in the prescribed form and on payment of the prescribed fee, a copy of the specifications of, and a plan showing clearly, the building or the buildings proposed to be built, or the amendment, alteration, extension, or enlargement proposed to be made, as the case may be, and the area of land to be occupied by each building, or by the amendment, alteration, extension or enlargement of the existing buildings, as the case may be, and the position of the privies and drains and unless he complies with the conditions, if any, that are specified in the licence.*

The case was heard in Northam Magistrates Court on 18 June 2007 the Defendant's Company did not enter a plea. The Defendant's Company was convicted of the offence and fined \$1800 with \$850 costs awarded to the Shire.

**Consultation:**

McLeods Barristers and Solicitors.

**Statutory Environment:**

Local Government (Miscellaneous Provisions) Act 1960.

**Policy Implications:**

Nil.

**Financial Implications:**

Legal fees have been incurred however costs and a fine have been imposed which the Shire will receive.

Staff time incurs costs when compiling information for prosecution and attendance in court.

**Strategic Implications:**

Nil.

**Voting Requirements:**

**Absolute Majority Required:** No

**Site Inspection:**

**Site Inspections Undertaken:** Yes - EHO

**Triple Bottom Line Assessment:**

**Economic Implications:**

Council has incurred legal costs, however these will be offset by costs awarded in the Shires favour and the fine imposed on the Accused.

Staff time incurs costs when compiling information for prosecution and attendance in court.

**Social Implications:**

None identified.

**Environmental Implications:**

Maintenance of housing standards for the built environment.

**Comment:**

The company that has been prosecuted was fully aware of the procedures in place for gaining a building licence. Council has previously informed the proprietor both verbally and in writing of the necessary approvals. Due to the continued disregard for the legislative process involved in gaining a licence to build Council had no option but to prosecute the company.

**OFFICER RECOMMENDATION**Resolution

060707

MOVED Cr Fisher seconded Cr Randell

***“That Council receive the report on the prosecution of Rosmill Pty Ltd for commencing building without a licence on Lot 3 Great Southern Highway, York.”***

***CARRIED (5-0)***



9. OFFICER'S REPORTS  
9.1 DEVELOPMENT REPORTS  
9.1.6 DRAFT OUTLINE DEVELOPMENT PLAN –  
YORK ESTATES - MODIFICATIONS

FILE NO:	PS.PPD.4.4
COUNCIL DATE:	16 July 2007
REPORT DATE:	11 July 2007
LOCATION/ADDRESS:	York Estates Precinct - Modifications
APPLICANT	Shire of York
SENIOR OFFICER	Ray Hooper, Chief Executive Officer
REPORTING OFFICER	David Lawn, Planning Consultant
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Appendix A – Schedule of Modifications
DOCUMENTS TABLED:	Nil

*When acting as a planning authority in accordance with the powers conferred by the Planning and Development Act 2005 and any relevant scheme, the Council of the Shire is entitled to make decisions based only on proper planning considerations.*

**Summary:**

Due to the many changes to the original plan Council again advertised the Outline Development Plan and this is the final report to enable Council to forward to the WAPC for endorsement.

The York Estates Precinct is one with potential to increase the number of residential lots based on the existing road framework and without excessive infrastructure costs.

The recent subdivision (Stage 2) with a mix of lot sizes ranging from 2000m<sup>2</sup> to over one hectare has been successfully sold but with little building activity to date.

The land has water reticulation available.

The suggested future subdivision pattern uses, wherever possible, existing lot boundaries in order to allow for simple individual subdivision applications.

The existing development holds 123 lots. The suggested re-subdivision can yield 222 lots of 2000m<sup>2</sup> an increase of 99 lots. It must be kept in mind that the suggested subdivisional layout is both notional and conservative and bears verification or perhaps minor changes at the detail design stage.

**Background:**

The proposals had been forecast by the Local Planning Strategy with the intention of concentrating development potential within the serviced areas of the townsite.

The Western Australian Planning Commission has deferred at least three (3) recent subdivision applications until an Outline Development Plan is in place to enforce sustainable land use and planning principles.

**Consultation:**

Has been undertaken by general advertising and informing each landowner and government/servicing departments.

**Statutory Environment:**

The land is zoned Residential with development permitted in accordance with the R5 Code.

No scheme amendment is required to pursue the proposals.

**Financial Implications:**

The developers of the recent Stage 2 subdivision have already contributed cash-in-lieu for public open space and the contribution is currently held in trust by Council.

Further public open space and community infrastructure may be obtained.

**Voting Requirements**

Absolute Majority Required: No

**Site Inspection:**

Site Inspection Undertaken: Yes

**Triple Bottom Line Assessment:****Economic Implications:**

Engineering advice is required to determine the effectiveness of a stormwater management program. Increased lot densities and population growth may increase land values and affect local businesses.

**Social Implications:**

An increase in population will increase demand for services in the town and community facilities may need to be provided or enhanced.

**Environmental Implications:**

Stormwater runoff needs to be managed to prevent adverse affects on the proposed lots and further towards the Avon River. Nutrient stripping and litter capture is essential prior to discharge into the riverine system. A settlement pond is in place in Stage 1 of the York Estates.

**Comment:**

Council has readvertised the document.

This is an opportune time to consider the suggested modifications to the development layout due to the very little building that has taken place.

Not all landowners with the potential to re-subdivide will want to do so at this time, therefore full implementation of the proposals may take several years to achieve.

The Western Australian Planning Commission required an Outline Development Plan for the area prior to considering the subdivisions before them. The purpose of this item is to proceed as soon as the relevant mapping has been produced.

This report is for Council to resolve either to adopt the plan with or without modifications and forward the document onto the WAPC for endorsement. This document will then be used for future planning determinations in this area.

The Outline Development Plan is a guide only and many minor modifications are likely to eventuate. This is acceptable so long as the principles of traffic circulation, drainage, lot areas and frontages are complied with. This document is not fixed in stone, as the it is a living document.

**OFFICER RECOMMENDATION:**

Resolution  
070707

MOVED Cr Lawrance seconded Cr Boyle

***“That Council:***

- 1. Adopt the York Estates Precinct Outline Development Plan as per Appendix A;***
- 2. Delegate to the Chief Executive Officer to make minor modifications to the York Estates Precinct Outline Development Plan (dated May 2007);***
- 3. Note the Schedule of Submissions as per Appendix B; and***
- 4. Forward the York Estates Precinct Outline Development Plan once minor modifications have been carried out to the Western Australian Planning Commission (WAPC) for endorsement.***

***Advice Note:***

***The Outline Development Plan is a guide only and many minor modifications are likely to eventuate. This is acceptable so long as the principles of traffic circulation, drainage, lot areas and frontages are complied with. This document is not fixed in stone, as it is a living document.”***

***CARRIED (5-0)***

**SHIRE OF YORK**

**York Estates Precinct**

**York Townsite**

**OUTLINE DEVELOPMENT PLAN**

May 2007

## SUMMARY

The York Estates Precinct is well located for more residential development in relation to the town centre and availability of services.

The current subdivision pattern has greatly under-utilised available land with excessively large and irregular lots of 2000m<sup>2</sup> lots on the higher landform with larger extended lots towards the west.

The problems foreseen mainly relate to land drainage. The increase in impervious surfaces from development will only increase the potential problems of drainage.

Without deep sewerage, future subdivision is limited to R.5 R Code – (2000m<sup>2</sup> lot sizes), but even with this lot size the number of residential lots could increase from 123 to over 222. This could increase at the detail design stage.

With sewerage reticulation lots sizes could increase further development of R 10/30 allowing for group housing but this service is unlikely to happen for 15-20 years by which time residential development will be firmly established. Retrofitting sewers into a fully developed area is extremely expensive and disruptive. It is also likely that residents at that time if retrofitting would be reluctant to contribute towards the costs of the new system after bearing the expenditure of high performance septic disposal systems.

The rising costs of reticulated water and the limitations of its uses suggest that the larger lots are unlikely to be fully landscaped or appropriately used in an urban environment.

Wherever possible, the Outline Development Plan uses the existing lot boundaries, which makes it easier for individual lot owners to subdivide. However, because of the previous subdivision pattern some amalgamations of lots and part lots may be necessary. The suggested road layout allows for both future subdivision and importantly, managing efficient urban drainage.

The proposed layout in this Outline Development Plan intends to facilitate development to the R 5 but providing wide frontages.

The whole of the precinct is currently Zoned Residential R 5 under Town Planning Scheme No 2.

It is recommended that the Scheme be amended to convert the zoning to Special Residential Zone with more specific control measures to enhance the living and natural environment the latter being the protection of the Avon River from siltation and nutrient export.

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**1: ENABLEMENT**

The Council has the power to prepare, adopt and implement a Planning Policy as enabled under Clause 8.8 of the Town Planning Scheme providing all advertising and public participation provisions are adhered to.

**8.8 Planning Policies**

- (a) *generally or in a particular class of matter or in particular classes of matters; and*
- (b) *throughout the Scheme area Scheme area or in one or more parts of the Scheme area and may amend or add to or rescind a Policy so prepared.*

**2 Local Planning Strategy (LPS) and Town Planning Scheme (TPS)**

*The Local Planning Strategy illustrates the Panmure Road Precinct as part of the York Townsite Precinct and as the 2B area for the sewerage infill program.*

There is no specific objectives nor is there a set of strategies for the area of the eastern side of the Avon River within the York Townsite Precinct.

However, the general principles for this part of the town site are similar to that for the York Townsite and Urban Settlement Strategies (Part 6.4.1) and Future Residential Development (Long Term) as expressed in Part 6.4.2, of the Local Planning Strategy and shown on Map 2.

A logical extract of the objectives and strategies from the above sections of the LPS can be prescribed as follows:

**The Objectives are:**

*To provide timely, co-coordinated and sustainable residential development of the town site.*

*To consolidate residential development to make more productive use of land already provided with services.*

**Strategies:**

*Ensure that residential development is appropriately planned to avoid ad hoc development through structure planning, land assembly, developer contributions, infrastructure provisions transport networks and open space;*

*Ensure that a variety of lot sizes are provided to allow for the development of a mix of housing types to cater for various households needs;*

## *York Estates Precinct – Shire of York*

*Consider alternative zoning to allow for further subdivision and development conditions to achieve improved land drainage, soil stabilisation and water conservation and landscaping.*

*Support the Low Density Residential Expansion as this logically rounds off the existing residential area.*

*An Outline Development Plan to the requirements of the Shire will need to be prepared to support this expansion and provide guidance for future servicing and development..*

*Allow for subdivision of the larger tracts of land in accordance with the R5 residential Planning Codes (min lot area of 2000m<sup>2</sup>) with provisions for further subdivision if sewerage reticulation is installed, in accordance with the R 10/30 Code.*

*Recognize the existing lot boundaries and land improvements to minimise the adverse impacts on those current residents, and minimise the requirement for land assembly from more than two existing landowners.*

*Include in any Scheme Amendment specific conditions of development appropriate to the landform and drainage requirements as well as community facilities.*

### **3 Study Area**

The York Estates Precinct is located on the eastern side of the Avon River approximately two kilometres from the York Town Centre.

Direct access to the town centre is available via Newcastle Street and Panmure Road.

The boundaries of the Precinct are:

Avon River Foreshore to the west;  
Cowan Road to the south;  
Panmure Road/York Northam Road the to the east, and;  
Attfield Road to the north.

### **4 Land Description and Existing Development**

#### **4.1 Land Description**

The land comprises gentle sloping land from east to west with sandy to moderate heavy soils. Most of the land has been developed for large lot residential purposes.

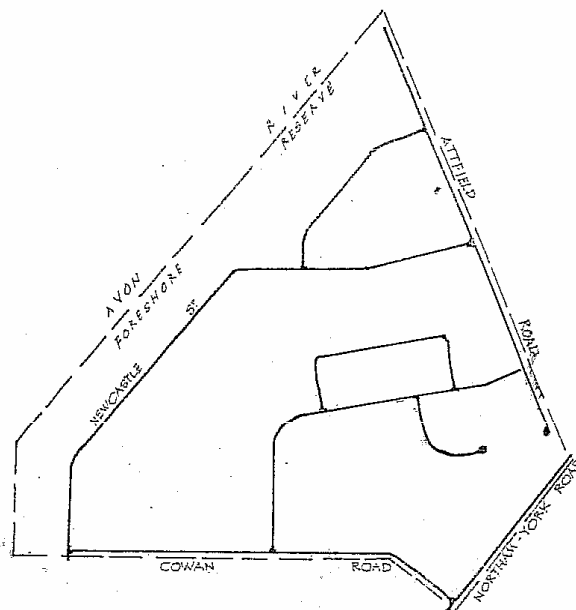
There is little evidence of erosion despite there being a defined drainage line running from east to west before discharge into the Avon River. Stormwater from Mt Brown and the Crawford Court Precinct is channelled through this area.



#### *York Estates Precinct – Shire of York*

The landform rises from the river reserve to the highest point near Atfield Road. The majority of the land comprises shallow to deep soils with exposed rock on the higher land.

There is little remnant vegetation. Additional planting is needed to revegetate the cleared land and stabilise the soils and prevent erosion.



**Figure 1 Precinct Location**

#### **4.2 Existing Development**

This recent subdivision is yet to reach any substantial development in terms of residential construction.

The subdivision as at March 2007, still requires minor works to be completed and some maintenance on the roads and drains is needed.

The development of the estate took place in two stages and under two developers. Council supported restrictive covenants by resolution (Council Minutes 20<sup>th</sup> May, 1996). (Appendix A).

The covenants were placed on the tiles with the intent of ensuring a high quality of development and presentation.

*The restrictions prohibited:*

- a) transportable or resited private residences;*
- b) mobile homes or caravans unless a permanent transportable, non-resited private residence has been constructed and the mobile home or caravan remain unoccupied and screened from public view;*
- c) a residence with a total floor area of 120 m<sup>2</sup> exclusive of car ports, garages, verandas or other unenclosed areas.*
- d) any fence which uses fibre cement materials;*
- e) a residence unless 50 trees and/or shrubs native to the Shire of York as set out in annexure "c" have been planted on the land prior to the occupations of the residence.*

*In respect of Lots 72 to 79 (inclusive) on the Plan the Registered Proprietor shall not alter the level of the service of the land by applying fill of a greater volume than 10 cubic metres (excluding fill required for a house pad without prior written approval of the Shire of York.*

These covenants were the arrangements between the vendor and the purchaser. The term of life of the covenants demises in 2010.

The Shire Council need not have been informed of the restrictive covenants but may have been alerted at the time of a development application when certificates of title were presented for approval.

It is uncertain whether or not the Council can enforce the terms of the covenant having no direct input into the conditions of subdivision (related to covenants) at the time of subdivision and land development approvals by the WAPC.

It is also uncertain whether or not the covenants have any bearing once the vendor, as one party to those covenants, ceases to exist if the developing company is no longer trading. This raises the problem of who is responsible in enforcement of the restrictions.

In 2010, when the covenants no longer have effect, there are no strong guidelines to ensure the intent of the development standards will be retained. This may adversely affect those pioneer residents, who have complied with the restrictions, when a lower standard of development may occur in the vicinity.

To ensure a high standard of development endures past the expiry of the covenants the Town Planning Scheme should be so modified to maintain the same standards for this precinct.

*York Estates Precinct – Shire of York*



**Figure 2. Existing Subdivision Pattern**

**5.0 Catchments and Drainage Management**

Land drainage is a major issue for York and this small precinct has an important role in arresting the discharge into the Avon River of stormwater.

The York Estate is part of an extended catchment reaching to Mt Brown. Much of the runoff from Mt Brown and the Crawford Court Precinct traverses this area and is managed by an open drain from the Northam-York Road to Newcastle Street.

On the western side of Newcastle Street there is a large retention basin to intercept stormwater before it is discharged into the Avon River.

In particular is the need for retention basins to intercept the stormwater and capture nutrients. The foreshore reserve is the only opportunity to accommodate such intercepting stormwater structures. There is an existing retention basin on the foreshore reserve, which can be utilised.

The land has been used as farmland until developed for residential purposes. As such there is no natural vegetation and the soils are susceptible to erosion by both wind and water.

As the occupation has yet to substantially materialise through residential development there is no evidence of land stabilisation by gardens or tree cover.

## **6.0 Land Capability Assessment**

The original applicants engaged a specialist consultant to undertake a comprehensive land capability assessment. (Appendix B)

The findings from this investigation, as a guide for the proposed development, are clearly expressed in terms of erosion potential, waterlogging and flood risk, and soil stability, salinity microbiological purification, and nutrient retention amongst other findings.

### **6.1 Waterlogging and Flooding**

Two locations are highlighted as being subject to water logging mainly in the areas of alluvial soils adjacent to the depression near Newcastle Street and to the northern end of Attfield Road. The remainder of the site is well drained.

The 100-year flood levels of the Avon River rise to 172.88 metres however the lowest lot is above the 174-metre contour. Newcastle Street has been constructed above this level with a large retention basin between the roadway and the river to intercept runoff before discharge (if any) into the river.

### **6.2 Salinity**

There is a low risk of salinity over the whole of the site.

### **6.3 Microbial Purification**

On the alluvial soils the microbial purification effectiveness is high, however for the remainder of the land on the sloping loams the effectiveness is low.

The capacity of the soils for nutrient retention is generally high, but the effectiveness is mitigated by the shallow depth of the soils and reduced drainage in the two localised areas in the alluvial soils.

Conventional leach drains with amended soils, most of which are available in York.

Alternate effluent disposal systems with amended soils can be applied (although not required on the larger lots) but with closer subdivision it is recommended that ATU's be mandatory as part of any residential development.

## **7.0 Services**

All existing lots are served with scheme water and underground electricity.

### **7.1 Water**

The restriction on water uses (and associated increasing costs) it is highly unlikely that large gardens or hobby orchards/dense landscaping will eventuate. There is a need for deep-rooted vegetation to prevent erosion, suppress the water table and take up subsurface water.

As building increases, so will the runoff with impervious surfaces in roofs, sealed driveways, paths and outbuildings. As experienced in other part of the townsite, the capacity for each dwelling to retain rainwater on-site is extremely limited due to the heavy soils.

*It is strongly recommended that each dwelling install a rainwater catchment tank of no less than 20,000 litres (5000 gallons).*

## **7.2 Effluent Disposal**

There is no deep sewerage reticulation for this area and it is unlikely that the infill program will reach this precinct within 15 to 20 years.

This can only exacerbate the problems of septic disposal systems in discharging excess treated water from leach drains. Excess nutrient discharge from septic systems (phosphates and nitrates) into the groundwater system with surface runoff pose minimal environmental and health problems due to the nature of the soil structure.

To mitigate nutrient transport all dwellings should be connected to a high performance septic disposal system. Advice from builders and the Shire's Environment Health and Building Officer should be sought when building a residence in this precinct.

## **7.3 Road Network - Existing and Future**

The perimeter roads forming the boundaries to the precinct are the main constructed roadways.

Cowan Street and Newcastle Street provides the main access to other parts of the townsite. Attfield Road terminates at the Northam-York Road.

The internal roads of the current road pattern are all sealed and kerbed.

Road drainage is basic with early evidence of erosion on the eastern side of Attfield where an open spoon drain displays inadequate consideration of the volumes and velocity of runoff. At the lower end of Attfield Road the surface is showing early signs of decay.

## **8.0 PROPOSALS and RECOMMENDATIONS**

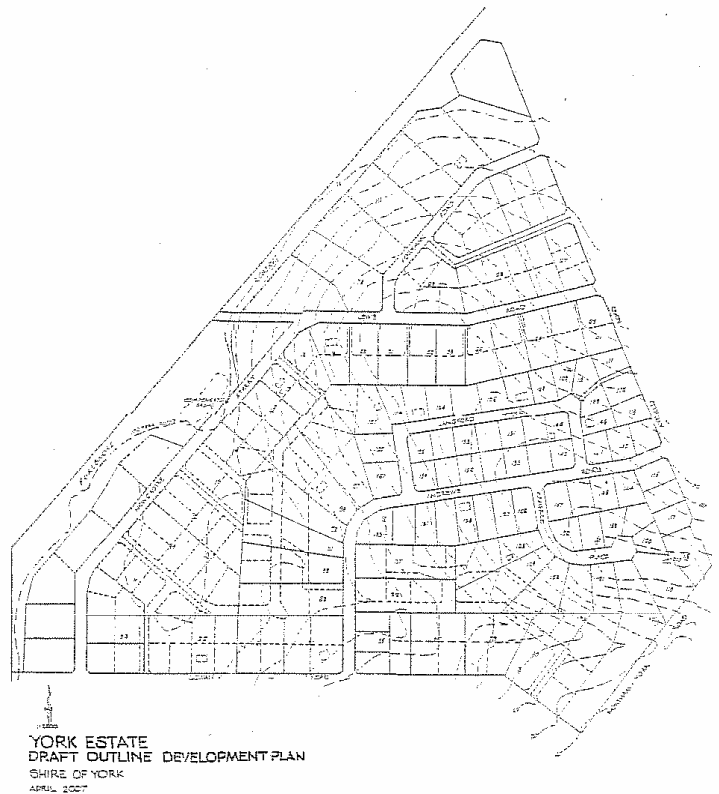
### **8.1 Outline Development Plan**

An Outline Development Plan (ODP) is essentially the a guide which further subdivision and development is to be both encouraged and organized for the benefit of the whole Precinct.

Figures 2 illustrates the suggested subdivision pattern.

New roads are required and a comprehensive drainage assessment and program undertaken to ensure appropriate protection of the dwellings from surface drainage transport from one property to another.

*York Estates Precinct – Shire of York*



**Figure 3 . Proposed Development Pattern**

Applications for future subdivision should be measured against the impact on the whole of the estate. Individual landowners are more predisposed to concentrating on their own land holding without considering the impacts on other lots.

The ODP has the capability to be modified and boundaries adjusted at the detail design stage.

Council may act as a facilitator where adjustments are proposed and to ensure equitable contributions are made for the development.

## **9.0 ZONING**

The current zoning for this precinct is Residential Zone with a Residential Coding of R10/30.

The possibility of R 10 or R 30 development is remote as it depends upon deep sewerage as required by the Health Department and this service is at least a decade away.

Elsewhere in the townsite where R 10 development has occurred the drainage system and effluent disposal has proved inadequate. In some areas residences have connected roof downpipes directly to the street exacerbating the problems of road drainage and adversely affecting.

Should R 10 development be pursued, there remains the potential problems of drainage effects where downstream properties will bear the adversities of flooding and waterlogging. This also has adverse affects on the effluent disposal systems with possible health problems with inundated underground tanks and release of nutrients and pathogens.

Land drainage should be kept on site and an element of landscaping particularly with the planting of deep-rooted perennials to take up surplus water.

*From these threats it is recommended that the zoning for the precinct to change to Special Residential Zoning with robust conditions for land management and development. The minimum lot area should be 2000m2.*

## **10.0 Development Standards**

Essentially, the existing and compatible future land uses will be for a residential living environment.

Roads shall be constructed to the Shire's Road s and Drainage Policy.

All subdivision applications shall depict each proposed lots with building envelopes and/or building restricted areas.

In this case the larger lots (2000m2) shall require a building envelope so located as to not compromise further subdivision when deep sewerage reticulation is installed.

All lots shall have constructed crossovers to the specification of the Council and installed as a condition of subdivision.

## **11.0 Developer Contributions**

Developers shall contribute 10% of the net sub-dividable area as Public Open Space.

Where no open space is provided the Local Authority may accept a cash-in-lieu contribution as provided for by the WAPC. Any cash-in-lieu contributions shall be kept in trust by the Council to be spent on recreation

*York Estates Precinct – Shire of York*

facilities or improvements within the immediate area as permitted by the WAPC and the Minister for Planning and Infrastructure.

Roads contributions are required for either total costs for new roads or pro-rata contributions for existing road upgrading and/or widening by any landowner applying for subdivision. This also applies to drainage infrastructure.



**York Estates Outline Development Plan - Council Mtg 16 July 2007**

<b>No</b>	<b>NAME/ADDRESS</b>	<b>COMMENTS</b>	<b>RECOMMENDATION</b>
1	Landowner/Lot 12 & Lot 69	Agree with the ODP as shown.	Noted.
2	Main Roads	No comment.	Noted.
3	Department of Water	<p>A minor non-perennial watercourse is located in the southern portion of the precinct and would currently flow through multiple existing lots. The condition of the watercourses may be such that rehabilitation is recommended for optimal environmental values. The DoW can provide technical advice for rehabilitation if required.</p> <p>Suitable arrangements being made for the construction of a stormwater management system at the full cost of the owner/applicant. The stormwater management system is to be designed to protect the water quality and ecology of the downstream surface and groundwater receiving environment. Rehabilitation of the minor non-perennial watercourse can be incorporated into the implementation of the stormwater management system.</p>	Accepted. DoW would be a referral body for any proposal put forward. WAPC can put on DoW recommendations as conditions of development.

		Reference should be made to the Stormwater Management Manual of WA.	
4	Landowner/ Lot 27 Andrews Av	<p>Recently purchased this lot for lifestyle we object to any further subdivision in the area and take offence at the heavy handed town planning scheme.</p> <p>We will not be offering Council or neighbours a share of our property for the common good and will not be happy to see a building envelope designated for our development. We request that Lot 27 be excised from your planning scheme including future road reserves.</p>	<p>The area of land is already zoned appropriately under the Town Planning Scheme No. 2 for residential development.</p> <p>Noted. The WAPC have requested an ODP for the entire precinct and as such the removal of this property is not possible, however subdivision is not forced upon anyone. The creation of an ODP allows for the proper and orderly development of properties.</p>
5	Landowner/Lot 2 Newcastle Street	<p>Lot 2 has been left out, appears to be a basic inequity in the ODP to exclude Lot 2 and others adjacent to the river when blocks directly opposite bought under similar conditions are given the capacity of subdivision.</p> <p>Lot 2 is 5050m<sup>2</sup> in area. If subdividable the lots are large by current standards. It is ideal for subdivision with the long axis parallel to Newcastle St and no additional roadworks are required. Request Council give due consideration to this request.</p>	<p>Noted. Council has determined to keep larger lots fronting the river for environmental and drainage reasons therefore it is not supported.</p>

6	Landowner/Lot 101 Langford Cres	Bought property because of its open space. Never agree to you subdividing my block.	Acknowledged comments however there is no compulsion to subdivide and the land surrounding this property is already appropriately zoned and the ODP allows for proper and orderly development of lots.
7	Landowner/Lot 11 Newcastle St	<p>Object to revised ODP due to road structure, covers a substantially larger area than the previous plan. We feel that this places us at a greater disadvantage when compared to land to be surrendered by other landowners for roads in the area of the estate.</p> <p>Willing to review any alternative plan which will support fairer square metre land contributions for the road system from the surrounding Title holders. Those landowners who benefit from the road system and who don't have to contribute land need to contribute financially towards the construction of roads &amp; drainage.</p> <p>An alternative plan is provided. We will oppose any suggestion or alternative plans to contribute more land than has been indicated with plan provided being 1196 – 2000m<sup>2</sup>.</p>	<p>Noted. The cooperative efforts of adjoining land owners in this part of the estate are welcome. This could result in a fair and equitable cost sharing of development costs.</p> <p>The realignment of the through road (west to east) is acceptable and could act as a dedicated drainage line as well as providing through traffic access.</p> <p>Some of the proposed lots appear to be under the required frontage as prescribed by the R Codes. A minimum of 30 metres is needed to comply with the Codes. This applies to the proposed lots (Lot 33) fronting Cowan Road, and proposed lots 1-7 (of Lot 84). The latter may be solved by the realignment of lots 1 and 2 i.e. to have two lots fronting Newcastle Street, and allowing some of the surplus area to stretch the frontage of the remainder of the lots fronting the new road.</p> <p>The proposed lot 7 (of Lot 84) does not include a link roadway to the north, as shown on the other sketches. This roadway should be included for the benefit of future developers. This may affect the owner of Lot 83 unless there is a chance to tighten up the lots to the south (Lots 31-</p>

			<p>33) to make more land available.</p> <p>The proposed lot 5 (of Lot 11) has an irregular shape and in effect land locks the lateral lot of Lot 33, even though there is a battleaxe access shown it may be more presentable to have a larger frontage, thought an 'eyebrow' for servicing. There appears to be adequate land area to allow for this. Battleaxe lots are not encouraged unless absolutely necessary. Overall, this localised 'precinct' can be self contained insofar as roading and drainage is concerned and could proceed without affecting other landowners in the area. A refined plan could be absorbed into the ODP without too much trouble.</p>
8	Landowner/Lot 33 Cowan Rd	<p>Modified plan provided with different road layout and to ensure equitable contributions are made between owners.</p> <p>By subdividing this area of the ODP in this way the maximum number of lots can be achieved for the zoning code which is important to landowners and the Council, as it is better for York that the existing infrastructure is utilised to create more building lots, which gives people the opportunity to live in a prosperous country town and</p>	Same as comments for Submission 7.

		these people help to sustain the commerciality of the town. I believe that importance must be placed on not wasting the land and this ODP must lead the way in providing a plan that best uses the land.	
9	Landowner/Lot 23 Lewis Rd	<p>Road contributions 11.0 – Do not expect to pay for road contributions which are not relevant to Lot 23. New road costs must be borne by those people requiring them for access to land otherwise landlocked. 10% contribution, trust this means 10% of the extra blocks required through subdivision. For example a current block divided into 2 would be charged only on one of the blocks. No charge should be made on the original block which currently does not attract such a charge.</p> <p>Purchased Lot 23 because of its easy access and favourable drainage. We would not expect to be penalised because others require extra roads and drainage costs for their development plans. Understand the Council's need of the ODP, it will change the character of the area from a tranquil retreat to a</p>	<p>Acknowledged. Those wishing to develop/subdivide will be responsible for road costs etc.</p> <p>Drainage is not required for this lot.</p> <p>There is no obligation to subdivide.</p>

busy housing estate, scruffy and treeless for many years. This is no incentive to build here.

If the Council are going to allow this subdivision they must keep development costs and contribution costs to a minimum or people will not find it financially viable to sacrifice part of their landholding for very little reward.

The Council from its perspective sees the whole estate as a project for expansion however we as owners of a beautiful country lot sees this project as totally detrimental to what we had planned for our future lifestyle.

Those subdividing will be required to meet all costs associated with the proper and orderly development of lots.

Acknowledged comments.

9.  
9.1  
9.1.7

**OFFICER'S REPORTS  
DEVELOPMENT REPORTS  
OUTLINE DEVELOPMENT PLAN  
PANMURE ROAD PRECINCT**

<b>FILE NO:</b>	<b>PS.PPD.4.3</b>
<b>COUNCIL DATE:</b>	<b>16 July 2007</b>
<b>REPORT DATE:</b>	<b>5 July 2007</b>
<b>LOCATION/ADDRESS:</b>	<b>Panmure Road Precinct</b>
<b>APPLICANT</b>	<b>Shire of York</b>
<b>SENIOR OFFICER</b>	<b>Ray Hooper – Chief Executive Officer</b>
<b>REPORTING OFFICER</b>	<b>David Lawn – PLANNING CONSULTANT</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Cr. Ashley Fisher - Financial</b>
<b>APPENDICES:</b>	<b>Appendix A – Panmure Road Precinct Outline Development Plan Appendix B – Schedule of Submissions</b>
<b>DOCUMENTS TABLED:</b>	<b>Nil</b>

***When acting as a planning authority in accordance with the powers conferred by the Planning and Development Act 2005 and any relevant scheme, the Council of the Shire is entitled to make decisions based only on proper planning considerations.***

**Summary:**

This is the fourth agenda item (18 December 2006, 19 February 2007 and 16 April 2007) relating to this proposal. The first was to initiate the preparation of the Outline Development Plan. The second was for the Council to assess the Draft Outline Development Plan (ODP). Due to the many changes to the original plan Council again advertised and this is the final report to enable Council to forward to the WAPC for endorsement.

The area is developed for residential purposes only on the periphery leaving large unused lots in the centre of the precinct.

The ODP proposes a development layout suitable for R5 (2000m<sup>2</sup>) lots without sewerage with the potential for further subdivision to R10/30 when and if a reticulated sewerage system is installed.

Wherever possible the existing lot boundaries have been acknowledged minimizing the need for land amalgamations from two or more landowners.

Management of land drainage is the most important issue.

**Background:**

This precinct is nominated in the Local Planning Strategy as part of the residential infill program.

Council at its Ordinary Council meeting held on the 16 April 2007 deferred the report dealing with the Panmure Road Precinct so that further information can be obtained on

drainage and other issues. A preliminary inspection by the Engineer suggests that land drainage is manageable.

**Consultation:**

Landowners and Government Departments have been notified of the ODP requesting submissions.

**Statutory Environment:**

Current zoning in TPS No 2 is residential Zone with an R5 Code. This allows for subdivision and development to 2000m<sup>2</sup> lots.

The existing smaller lots, primarily along New Street are not affected and will remain legitimate as under the scheme provisions for Non-Confirming Uses Rights.

A Scheme Amendment is not required at this time and may only be considered when deep sewerage reticulation is available.

**Financial Implications:**

Advertising the ODP and assessing the submissions are the only costs attributable to this procedure.

Council may impose a Schedule of fees to future subdividers to cover the costs of the ODP, advertising and per lot contributions for drainage. Standard Public Open Space contributions and road construction and crossovers will apply.

**Voting Requirements:**

**Absolute Majority Required:** No

**Site Inspection:** Yes

**Site Inspection Undertaken:** January 2007

**Triple Bottom Line Assessment:**

**Economic Implications:**

The adopted Outline Development Plan will allow for cohesive development of the whole precinct to the benefit of the landowners and the Shire. Use of existing infrastructure has cost savings to both developers and the Council.

With wide frontage lots at this time, further subdivision is possible with sewerage reticulation without any additional infrastructure, therefore the proposals have inbuilt cost savings.

Council may receive contributions from developers for Public Open Space commitment. It is recommended that these contributions be in the form of cash-in-lieu and to be held in trust by Council for expenditure in the vicinity. The statutory 10% of net subdividable area shall apply.



**Social Implications:**

Release of additional lots may ease the pressure on York in providing for more choice of home site and locations.

An increase in lots for future residents close to existing amenities in the town centre is a sensible approach as part of a development infill program.

**Environmental Implications:**

Improved land drainage management is the main issue. Residential development on the land will reduce erosion and dust. With further residential development revegetation is likely to occur in the form of gardens for aesthetic value and soil stabilisation.

**Comment:**

The adoption and implementation of the Outline Development Plan will allow cohesive development and arrest ad hoc subdivisions which often have an adverse effect on land development and land values.

The principles of costs sharing will apply so that each landowner/developer is treated fairly and equitably.

The Western Australian Planning Commission required an Outline Development Plan for the area prior to considering the subdivisions before them.

It is up to Council to resolve either to adopt the plan with or without the modifications shown in the attached schedule of modifications and forward the document onto the WAPC for endorsement. This document will then be used for future planning determinations in this area.

From the submissions received on the preliminary copy of the ODP and onsite discussions with some land owners there appeared to be an overall negative response to the Outline Development Plan. Landowners affected by the proposed layout are not in favour of further subdivision and are highly unlikely to subdivide. This being the case there is only likely to be one or two landowners prepared to develop their holdings over the next few years.

Nevertheless, it must be remembered that the land is already zoned Residential R5, supporting subdivision into 2000m<sup>2</sup> lots. This exists in the Shire of York Town Planning Scheme Number 2.

Even if the Commission (and the Council) refused a subdivision application the State Administrative Tribunal will be more than likely to overturn the commission based on current scheme provisions, and the ability of the developer to meet development requirements. Should Council wish to prevent or prohibit any further subdivision, as most landowners want, a Scheme amendment would be required to modify the zoning to achieve this outcome.

Overall, it is more prudent to follow through with the Outline Development Plan in the knowledge that little change to the status quo of the current lot layout is to occur.

Landowners have been advised that it is not compulsory to subdivide and as such the number of submissions received is much less than that under the preliminary advertising period.

**OFFICERS RECOMMENDATION:**

Cr Fisher declared an interest in this Item and left the meeting at 3.54pm.

Resolution  
080707

MOVED Cr Boyle seconded Cr Randell

***“That Council:***

- 1. Adopt the Panmure Road Precinct Outline Development Plan as modified and attached labelled Appendix A;***
- 2. Note the Schedule of Submissions as per Appendix B; and***
- 3. Forward the Panmure Road Precinct Outline Development Plan to the Western Australian Planning Commission (WAPC) for endorsement.”***

***CARRIED (3-1)***

Cr Fisher returned to the meeting at 3.57pm.

**SHIRE OF YORK  
Panmure Road Precinct  
York Townsite  
OUTLINE DEVELOPMENT PLAN**

May 2007

## **SUMMARY**

The Panmure Road Precinct is well located for more residential development in relation to the town centre and availability of services.

At present, the subdivision pattern is highly mixed with smaller lots of just over 1200m<sup>2</sup> facing New Street, to larger lots of over 1.5 hectares in the centre of the locality, some with double frontage.

Without deep sewerage, future subdivision is limited to R.5 R Code –(2000m<sup>2</sup>), but even with this lot size the number of residential lots could increase to over 55 from the current 29.

With sewerage reticulation lots sizes could increase further development of R 10/30 allowing for group housing. However, the sewerage infill program for York does not include this precinct and it is not anticipated that sewerage reticulation will become available for 15 to 20 years.

Wherever possible, the Outline Development Plan uses the existing lot boundaries, which makes it easier for individual lot owners to subdivide. However, because of the previously unregulated subdivision pattern some amalgamations of lots and part lots will be necessary.

The proposed layout in this Outline Development Plan intends to facilitate development to the R 5 Code.

The whole of the precinct is currently Zoned Residential R 5 under Town Planning Scheme No 2. A Scheme Amendment is not required to cater for 2000m<sup>2</sup> lot subdivision and development.

The road layout allows for both future subdivision and importantly, managing efficient urban drainage and provides service boundaries.

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## **1:0      ENABLEMENT**

The Council has the power to prepare, adopt and implement a Planning Policy as enabled under Clause 8.8 of the Town Planning Scheme providing all advertising and public participation provisions are adhered to.

### **8.8   Planning Policies**

- (a) *generally or in a particular class of matter or in particular classes of matters; and*
- (b) *throughout the Scheme area or in one or more parts of the Scheme area and may amend or add to or rescind a Policy so prepared.*

## **2.0      Local Planning Strategy (LPS) and Town Planning Scheme (TPS)**

*The Local Planning Strategy illustrates the Panmure Road Precinct as part of the York Townsite Precinct and as the 2B area for the sewerage infill program.*

There is no specific objective nor is there a set of strategies for the area of the eastern side of the Avon River within the York Townsite Precinct.

However, the general principles for this part of the town site are similar to that for the York Townsite and Urban Settlement Strategies (Part 6.4.1) and Future Residential Development (Long Term) as expressed in Part 6.4.2, of the Local Planning Strategy and shown on Map 2.

A logical extract of the objectives and strategies from the above sections of the LPS can be prescribed as follows:

### **The Objectives is:**

*To provide timely, co-coordinated and sustainable residential development of the townsite.*

### **Strategies:**

*Support residential development that is consistent with existing zoning and draft Country Sewerage Policy provisions;*

*Ensure that residential development is appropriately planned to avoid ad hoc development through structure planning, land assembly, developer contributions, infrastructure provisions, transport networks and open space;*

*Ensure that a variety of lot sizes are provided to allow for the development of a mix of housing types to cater for various household needs;*

*Residential intensification and expansion east of the Avon River will generally not be supported outside sewerage areas:*

*Support the Low Density Residential Expansion as this logically rounds off the existing residential area. An Outline Development Plan to the requirements of the Shire will need to be prepared to support this expansion.*

*Allow for subdivision of the larger tracts of land in accordance with the R5 residential Planning Codes (min lot area of 2000m<sup>2</sup>) with provisions for further subdivision when sewerage reticulation is installed, in accordance with the R 10.30 Code.*

#### **Actions**

*Undertake a structure planning exercise to identify opportunities and constraints and provide guidance for future servicing and development.*

*To enable this small precinct to be subdivided in accordance with the R 5 Code (2000m<sup>2</sup>) lots with the proviso that in the event of deep sewerage connection becoming available the land may be further subdivided in accordance with the R10/R20 Code.*

*Recognize the existing lot boundaries and land improvements to minimise the adverse impacts on those current residents, and minimise the requirement for land assembly from more than two existing landowners.*

*Amend the Town Planning Scheme to make provision for such planning when development is proposed;*

*Include for any Scheme Amendment specific conditions of development appropriate to the landform and drainage requirements as well as community facilities;*

*To protect any Heritage features from adverse impacts on subdivision and development in the remainder of the precinct.*

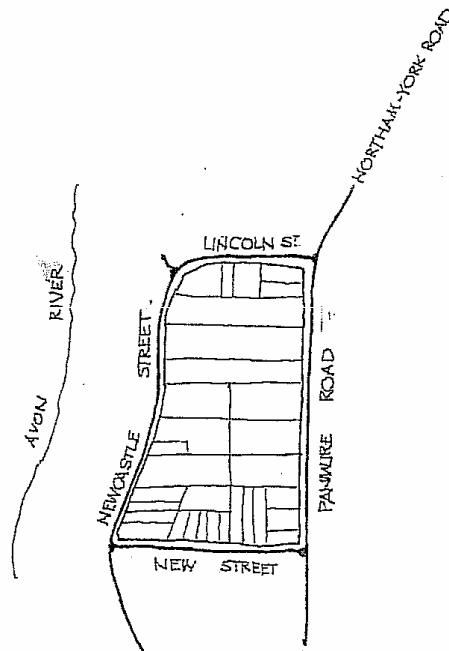
### **3.0 Study Area**

The Panmure Road Precinct is located on the eastern side of the Avon River approximately one kilometre from the York Town Centre.

Direct access to the town centre is available via Newcastle Street and Panmure Road both of which connect to Balladong Road and access is available to Glebe Street.

The boundaries of the Precinct are:

- Newcastle Street to the west;
- Lincoln Street to the north;
- Panmure Road to the east, and;
- New Road to the south.



**Figure 1 Precinct Boundaries**

#### **4.0 Land Description and Existing Development**

##### **4.1 Land Description**

The land comprises gentle sloping land from east to west with sandy to moderate heavy soils. Most of the land is undeveloped, under grasses as open pasture with a small portion being used for horticulture towards Lincoln Street.

There is little evidence of erosion despite there being a defined drainage line running from Panmure Road to Newcastle Street. The western edge of the drain has been constructed with a culvert beneath Newcastle Street.

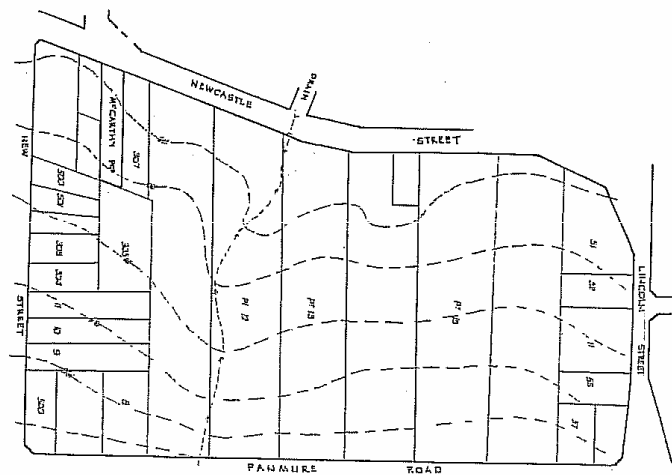
With more intense urban development this drainage line will need accommodating in the subdivision design to protect future housing lots from inundation.

There is no remnant vegetation.

##### **4.2 Existing Development**

The recent subdivision along New Street has some occupancy with new homes. Older homes on the larger lots have been wisely located mainly on the perimeter roads where building siting is confined to the corners of the existing lots. This means that future subdivisions can occur with minimum disruptions to the existing structures.





**Figure 2 Existing Development Pattern**

## **5.0 Catchments and Drainage Management**

Land drainage is a major issue for York but this precinct has little impediment on the overall eastern catchment. The east/west transverse drainage line can be contained within road reserves or dedicated drainage reservations.

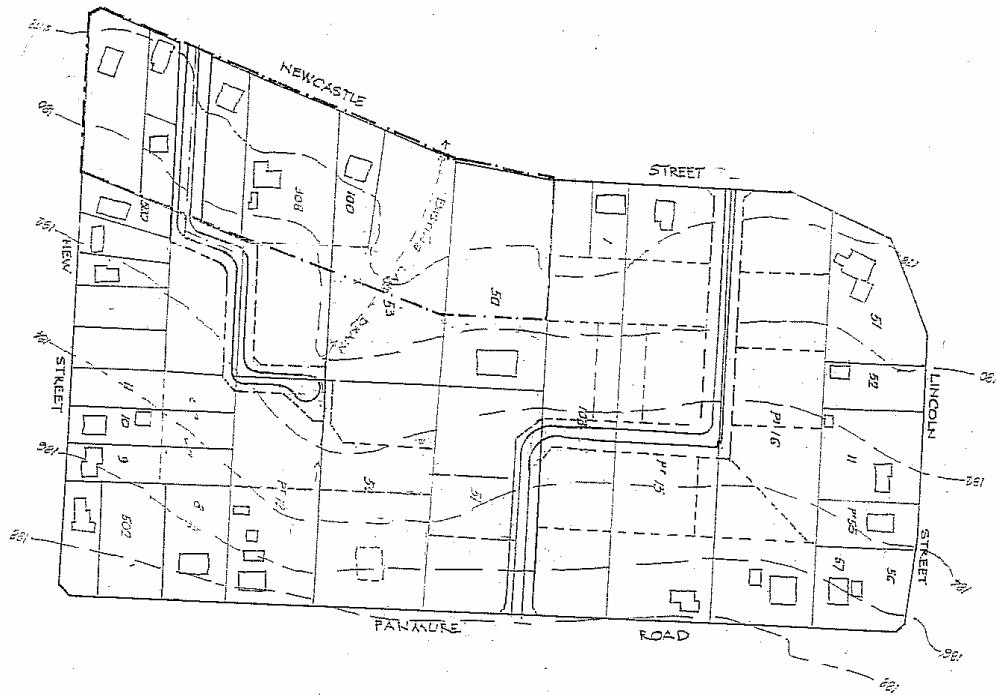
Piped drainage is required for any development proposals. Council may permit an open swale drain where it is deemed necessary to contain stormwater in the event of heavy downpours.

## **6.0 PROPOSALS and RECOMMENDATIONS**

### **Outline Development Plan**

An Outline Development Plan (ODP) is essentially the manner in which further subdivision and development is to be both encouraged and organized for the benefit of the whole Precinct. Figures 1, 2 and 3 illustrate the existing and suggested subdivision pattern.

Subdivision and development shall generally be in accordance with the ODP.



**Figure 3 OUTLINE DEVELOPMENT PLAN**

## **7.0 ZONING**

The current zoning for this precinct shall remain Residential Zone (R 5) with the limitations and conditions of development being as prescribed in the Scheme.

## **8.0 Development Standards**

The existing and compatible future land uses will be for a residential living environment.

The perimeter roads forming the boundaries to the precinct are the only existing constructed roadways.

A recently approved subdivision in the southwest corner has designated a new road, McCarthy Place, which services new lots and this road will be extended to form part of the overall internal road circulation system.

Other new roadways are required to service the internal subdivisions. Council may permit an open drainage swale to allow for extreme rainfall events. Any open drain shall be contained within a dedicated reserve.

Connections to Panmure Road and Newcastle Street will provide alternate access and where cul-de-sacs are proposed pedestrian linkages are recommended to also allow for drainage.

Roads shall be constructed to the Shire's Roads and Drainage Policy.

All subdivision applications shall depict each proposed lot with building envelopes and/or building restricted areas. In this case the larger lots (2000m<sup>2</sup>) shall require a building envelope so located as to not compromise further subdivision when deep sewerage reticulation is installed.

All lots shall have constructed crossovers to the specification of the Council and installed as a condition of subdivision.

#### **9.0 Developer Contributions**

Developers shall contribute 10% of the net sub-dividable area as Public Open Space.

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Where no open space is provided the Local Authority may accept a cash-in-lieu contributions as provided for by the WAPC. Any cash contributions shall be kept in trust by the Council to be spent on recreation facilities or improvements within the immediate area as permitted by the WAPC and the Minister for Planning and Infrastructure.

Roads contributions are required for either total costs for new roads or pro-rata contributions for existing road upgrading and/or widening by any landowner applying for subdivision. This also applies to drainage infrastructure.

**Panmure Road Outline Development Plan – Council Mtg 16 July 2007**

<b>No</b>	<b>NAME</b>	<b>ADDRESS</b>	<b>COMMENTS</b>	<b>RECOMMENDATION</b>
1	Resident	101 Panmure Rd	Shock and horror of a housing estate at back door, no more vegies, views only noise that go with extra roads and housing. Do we have to watch this country town lose its rural nature?  We understand that progress includes population growth, proposals such as this must be considered more. The sewerage factor alone could be horrifying.	Noted. This area is already a housing estate by virtue of the Town Planning Scheme No. 2 (R5 density). The creation of an ODP will allow for the proper and orderly development of properties.
2	Resident	Lot 55 Lincoln St	Believe the plan is premature, as the biggest chunk of land is privately owned and currently being used for a market garden.  Prefer if this development was never allowed to proceed or be postponed for a very long time, as it will spoil the country atmosphere and turn the place into another town suburb.	Noted. There is no compulsion to subdivide.  The area of land is already zoned appropriately under the Town Planning Scheme No. 2 for residential development.
3	Main Roads	-	Previous comments in relation to restricting additional access and intersection connections onto highways and main roads whenever possible, remain. However if the Council considers an additional road connection onto Northam-Cranbrook Rd (Panmure Rd) necessary for future development of this area, then MRWA would be prepared to consider such an option.  Development of additional road and drainage offers the opportunity to resolve inadequate drainage which has been an ongoing problem and subject of complaints in recent years from existing residents adjacent to Panmure Road.	Accepted. MRWA would automatically be notified of any subdivision proposal.
4	Resident	71 Panmure Road	This area is quite peaceful other than Panmure Road and to put roads through here is going to spoil the tranquillity. We really do not support it.	The area of land is already zoned appropriately under the Town Planning Scheme No. 2 for residential development.
5	Department of Water	-	A minor non-perennial watercourse is located in the southern portion of the precinct and would currently flow through approximately three existing lots. The condition of the watercourses may be such that rehabilitation is recommended for optimal environmental values.	Accepted. DoW would be a referral body for any proposal put forward. WAPC can put on DoW recommendations as conditions of development.

			<p>The DoW can provide technical advice for rehabilitation if required.</p> <p>Suitable arrangements being made for the construction of a stormwater management system at the full cost of the owner/applicant. The stormwater management system is to be designed to protect the water quality and ecology of the downstream surface and groundwater receiving environment. Rehabilitation of the minor non-perennial watercourse can be incorporated into the implementation of the stormwater management system. Reference should be made to the Stormwater Management Manual of WA.</p>	
6	Resident	Lots 15 & 16 Panmure Rd	<p>Disapprove of Plan.</p> <p>As noted in Council's correspondence there is no compulsion to subdivide our land.</p> <p>We reject and refuse to accept the construction of roads on our land.</p>	<p>Noted. The area of land is already zoned appropriately under the Town Planning Scheme No. 2 for residential development. The creation of an ODP will allow for the proper and orderly development of properties. No landowner is forced to subdivide.</p>
7	Resident	56 Newcastle St	<p>We like the view and do not wish for the development. We have enough traffic noise now.</p>	<p>Noted. The area of land is already zoned appropriately under the Town Planning Scheme No. 2 for residential development. The creation of an ODP will allow for the proper and orderly development of properties.</p>
8	Resident	2 McCarthy Pl	<p>Strongly object to any extension to McCarthy Pl. Purchased property 18 years ago, understood McCarthy Pl was a no through road, that is what the sign says. Dwelling is built on the boundary to McCarthy Place, which has been there for 112 years.</p> <p>Closeness to road will severely impact on our way of life - increased traffic flow, noise, vibration and increased chances of car/truck actually running into house.</p> <p>Disappointed in the decision of the Shire to push this through to the advantage of a few people who want to make money from this proposal at the expense of other residents/ratepayers, who just have to put up with it.</p>	<p>Noted, however any continuation of McCarthy Place will take into account the existing infrastructure.</p> <p>Advised that due to requests for subdivision that the Western Australian Planning Commission requested Council to undertake an Outline Development Plan for the area. The area of land is already zoned appropriately under the Town Planning Scheme No. 2 for residential development.</p>

	<p>We refer to paragraph 3 under actions on page 5 of your proposal which states recognise the existing lot boundaries and land improvements to minimise the adverse impacts on those current residents etc – obviously there is no one on Council that is adversely impacted by this proposal.</p>	<p>No compulsion to subdivide, this is a guide plan for the future to ensure no adhoc development will occur. Current zoning allows further subdivision of these larger lots already under the current zoning.</p> <p>Noted.</p>
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9	Resident	24 Newcastle St	<p>Objects to the proposed plan.</p> <p>Told that this plan is a direct result of a landowner wanting to cash in by subdividing his block on Panmure Road. If successful he will create extra blocks for the area and disappear off the radar and leave the mess for those of us left behind.</p> <p>York is a heritage listed town and is the envy of every rural town in Australia, as a Council and community we owe it to our former and current residents to protect this fantastic asset.</p> <p>The plan shows blocks being cut up into smaller holdings which will only cause problems between neighbours and local authority in the longer term.</p> <p>This area was covered by the heritage precinct known as the Glebe – process involved many workshops and public consultation over an 18 month period and was put in place to protect the heritage of York. Recent reports suggest that this precinct will no longer be protected by the Glebe classification. Sincerely hope this is not the case. Newcastle St was the main link between York and the Goldfields during the early gold rush and there are still many houses and buildings that are 100 years old and older representing that part of our history. Strongly believe that they should be protected by not allowing wall to wall housing in this area.</p> <p>Would like to know where the recently approved subdivision in the southwest corner that has designated a new road McCarthy PI which services new lots is? McCarthy PI is made up of a Shire owned block and a right of way, which was joined together to give access to two lots that were landlocked. Permission was given from family on the understanding by Council that McCarthy PI would never be extended to service any other blocks other than what it was</p>	<p>The ODP is a result of a subdivision application and the WAPC requiring Council to prepare an ODP for the area.</p> <p>Please note that there are existing vacant lots within the heritage area and as such these can be developed on within the heritage guidelines.</p> <p>Not believed to be correct with proper and orderly planning, which is the intent of the ODP.</p> <p>Land in the precinct can already be subdivided under current zoning which caused the need for an ODP.</p> <p>Noted. Council has a Regional Heritage Advisor who is handling the heritage issues very well. With the implementation of proper guidelines, which will be out for public comment there will be no need for an Advisory Panel.</p> <p>The whole of the Panmure Road Precinct was not covered by the Heritage Precinct.</p> <p>Your comments are noted however no records of this transaction can be found. Request additional information to be provided by landowner.</p> <p>Noted, however an ODP is being prepared to avoid ad hoc development.</p>
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	<p>designed for. A search of the Shire's records will show this. If Councillors and staff believe so strongly that York needs wall to wall housing then can I suggest that they go out and rezone a piece of land that has no buildings on it and design a precinct that can resemble a Subiaco type development. New area could become known as New York.</p> <p>Benefits of country living is open space and the size of the blocks and may I respectfully suggest to Council and other staff that they plan now to keep York as just that. It is interesting to note that five of the present day Councillors reside on blocks over 2,000m<sup>2</sup> or are surrounded by public open space.</p> <p>There are some people, including some Councillors that believe that mass development at all costs is a sign of a prospering community. This is not correct and I would direct Council to the general untidiness of our town and suggest that this problem could be a starting point to make our town a nicer environment in which to live, work and play and to leave our community in a better condition for generations to follow.</p> <p>Please leave our blocks as they are and allow those residents that choose to live here remain as we are without being formed out to larger blocks because of one person's desire to cash in his parcel of land.</p> <p>Responses in regards to correspondence sent in relation to first submission:</p> <p>Glebe Heritage Precinct – Acknowledge lines go through lots, this was considered the most proper and fair way to allow those existing vacant blocks to be built on by allowing newer type homes to be built back from the roads, this option was implemented to protect the heritage buildings that already existed in these precincts.</p> <p>Asked the current Council to consider reforming the Heritage Advisory Panel on more than one occasion and have received negative response from Council</p>	<p>Acknowledged. There are no changes to current density zoning, which has been in place for the life of Town Planning Scheme No. 2.</p> <p>An ODP is for the proper and orderly development of lots and the Panmure Precinct plan is based on legal zoning under the Scheme adopted and gazetted in 1996.</p> <p>Noted. There is no compulsion to subdivide.</p> <p>Please note that there are existing vacant lots within the heritage area and as such these can be developed on within the heritage guidelines.</p> <p>Noted. Council has a Regional Heritage Advisor who is handling the heritage issues very well. With the implementation of proper</p>
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	<p>each time.</p> <p>McCarthy Place – Documentation between all parties would be on Council file as it was adopted by the York Shire Council. The initial approach by the then CEO was to gift the land. This gift was done on the understanding that McCarthy Place was only to service the two houses that were then landlocked.</p> <p>No Compulsion – Aware that the plan is not a signal that we must subdivide, however when our lifestyle is affected with main roads being built close to our living area and invading our privacy with multiple new blocks it is a major concern to us. Once roads are in place owners around us will be given the opportunity to subdivide their land and move on leaving those that have long standing family ties with the area forced to either relocated themselves or put up with a diminishing lifestyle.</p> <p>We want to remain in our family home and keep it for future generations as our forbears have done for us.</p> <p>First submission asked what recent subdivisions had implications for McCarthy PI, still waiting.</p> <p>Variances to original proposal but does nothing to overcome our fears and concerns as outlined in our first submission.</p> <p>Notice with interest that the owners of Lot 53 have had a huge victory over the Council and are now not being affected at all by this second proposal. Perhaps we should have followed their lead and employed the services of a Consultant Hydrologist that produced colour photos of our land and a Town Planner to make suggested amendments to your plan that suits our needs so we too would</p>	<p>guidelines, which will be out for public comment there will be no need for an Advisory Panel.</p> <p>Your comments are noted however no records of this transaction can be found. Request additional information to be provided by landowner.</p> <p>Noted, however an ODP is being prepared to avoid ad hoc development.</p> <p>Acknowledged. No compulsion to subdivide.</p> <p>There is no specific subdivision application that has been referred to Council that involved McCarthy PI, however an ODP is being considered for the overall area and is including McCarthy PI to assist with issues such as traffic circulation and drainage etc.</p> <p>Noted.</p> <p>Noted.</p>
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	<p>be satisfied with your new proposal.</p> <p>Our objection to the outline plan is stronger than ever and we wish this Council would listen to the objections and concerns from landowners that live in this area instead of trying to fill every vacant block with houses.</p> <p>A lot of thought and many, many hours of careful planning by previous Councils and Town Planners went into building and protecting York's heritage and we are frightened like many of York's residents of this forced rapid expansion of our town. New houses, smaller blocks, more people with no work because there is no industry within the District to support them and of course more crime comes with "idle hands".</p> <p>Please do not interfere with our heritage as we want to pass it on to future generations.</p>	<p>There is no compulsion to subdivide and the area is already appropriately zoned.</p> <p>Consideration is given to the types of housing within a designated heritage area.</p> <p>Noted.</p>
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**OFFICER'S REPORTS  
DEVELOPMENT REPORTS  
YORK GRAIN RECEIVAL - EXPANSION**

**FILE NO:** KN2.611  
**COUNCIL DATE:** 16 July 2007  
**REPORT DATE:** 9 July 2007  
**LOCATION/ADDRESS:** Knotts Road, York  
**APPLICANT** Bulkwest Engineering  
**SENIOR OFFICER** Ray Hooper, Chief Executive Officer  
**DISCLOSURE OF INTEREST:** Crs Boyle & Lawrance are exempted by Ministerial Order  
**APPENDICES:** Bulkwest Engineering – Development Conditions and Plans  
**DOCUMENTS TABLED:** Nil

*When acting as a planning authority in accordance with the powers conferred by the Planning and Development Act 2005 and any relevant scheme, the Council of the Shire is entitled to make decisions based only on proper planning considerations.*

**Summary:**

Bulkwest Engineering on behalf of the CBH Group seeks formal endorsement of the site drawings for the proposed expansion and the responses to the development conditions imposed.

**Background:**

The development proposal was approved by Council at the Meeting held on the 19<sup>th</sup> February 2007 as follows:

*“That Council advise the applicant that it supports the proposal as per Appendix A, as Stage 1 of the development of York as a primary grain receival centre subject to the following:*

1. *A building licence being issued;*
2. *Surface water management retention and reuse;*
3. *Documentation that all land required for development is owned or under the control of Co-Operative Bulk Handling Pty Ltd;*
4. *Show future southern road access and drainage on plans;*
5. *50% contribution to the realignment of Knotts Road to protect heritage values of adjoining property and to provide a safe and efficient intersection with the Great Southern Highway;*
6. *Landscaping to be undertaken to the western boundary to the satisfaction of the Chief Executive Officer;*

7. *Provide details relating to emergency management and evacuation plans for the expanded facility;*
8. *All staff parking shall be provided internally on the site and to a standard determined by the Chief Executive Officer;*
9. *The storage of chemicals, fuel and other products to meet all Hazchem and Occupational Health and Safety Standards; and*
10. *Any relevant noise regulations to be adhered to.*

**Advice Note:**

- a. *Condition 2 – Please liaise with Shire of York staff in relation to the capture and reuse of water onsite.*
- b. *Condition 3 - This may refer to lease arrangements.*
- c. *Condition 4 – Further stages of development will require an approved rail crossing and access to Great Southern Highway including slip lanes, stacking distances and other traffic management requirements.*
- d. *Management of light spill needs to be considered when in operation eg. night.*
- e. *It would be beneficial for CBH to make contact with the Avon Catchment Council regarding the discharge of water into the Avon River.*
- f. *No further accommodation is to be provided onsite without appropriate planning and building approvals in place.*
- g. *No further expansion will be approved on the site unless appropriate traffic management is in place with a southern entry point.”*
- h. *The Proponent to advise Council within 6 months of how a southern entry system is to be implemented which relates to points c & g.*

**Consultation:**

Full community and government department consultation was undertaken during the initial assessment process.

**Statutory Environment:**

Planning and Development Act 2005.

Shire of York Town Planning Scheme No. 2.

**Financial Implications:**

Council has received planning fees and it will receive building licence fees for the project.

**Voting Requirements:**

**Absolute Majority Required:** No.

**Site Inspection:**

**Site Inspection Undertaken:** Yes.

**Triple Bottom Line Assessment:****Economic Implications:**

CBH is going through some major changes and one of these changes is making York the primary point of collection in this area. The alternative would be for grain produce in York to be carted to Northam or Brookton.

There will be economic benefits for those who cart to this site in reference to costs associated with travel etc.

**Social Implications:**

The fact that York is to remain open will have some benefits to York farmers and those employed at the site.

Traffic management has a large impact on the heritage and lifestyle of Blandstown residents and action is needed to protect social amenity.

**Environmental Implications:**

There are environmental issues that need to be addressed and these mainly relate to drainage and surface water, landscaping, buffers and traffic noise etc.

**Drainage Management:**

Dimensions 80 x 360 metres

Total catchment area 288,000m<sup>2</sup>

100% runoff coefficient

The extensive catchment will have the following runoffs in the event of a rainstorm for the following intensities:

Rainfall Event (millimetres)	Litres/m2	Total Runoff (Litres)	Total Runoff (Kilolitres)	Total Runoff (Megalitres)
25ml	2.5	72,000	72	
50ml	5.0	144,000	144	
100ml	10.0	288,000	288	
150ml	15.0	432,000	432	
200ml	20.0	576,000	576	
300ml	30.0	864,000	864	
400ml	40.0	1,152,000		11.152
500ml	50.0	1,440,000		14.40

Each kilolitre equals one cubic metre.

In the event of a downpour period of 200mls the holding capacity for this single event is 576m<sup>3</sup>. An example would be a basin 3 metres deep, 20 metres long and 8 metres wide or 2 metres deep, 20 metres long and 14.5 metres wide.

This only accounts for the proposed structures requirements and does not include the existing sheds and paved areas.

A containment basin needs to be in excess of this figure to allow for accumulation of rainfall over an extended period given the heavy soils and the poor infiltration rate.

Discharge onto neighbouring properties is not an option, as this may cause liability problems. Given the quantity of water that needs to be disposed of, the export of it is a good idea if storage and re-use is not a viable option.

The above only applies to the proposed building.

Nearly the whole site is either covered by buildings or sealed surfaces. The coefficient of runoff must approach 100%. There is evidence of runoff intruding and it appears that the majority of runoff runs northwards being captured on-side and channelled through culverts towards Bland Creek. The remainder appears to discharge onto railway land quite close to the railway line.

It is strongly recommended that CBH engage an engineer to fully assess the impact of runoff and the size of a retention basin and overflow into the Bland Creek catchment and how surface water is to be managed in a sustainable manner.

The use of offset dam storage for water catchment and re-use will be of environmental benefit.

**Comment:**

As a result of discussions and meetings the original development application has been amended to ensure that all development is on land owned or controlled by the CBH Group and drainage management is suitable for the scale of the development.

**OFFICERS RECOMMENDATION:**

It was noted that Cr Boyle & Cr Lawrance are exempted by Ministerial Order.

Resolution  
090707

MOVED Cr Lawrance seconded Cr Boyle

***“That Council:***

- (1) Endorse the responses provided by Bulkwest Engineering on behalf of the CBH Group as being consistent with the intent and requirements of the original conditions of approval; and***

**(2)    *Endorse Drawing No. 2007-429–0074-H as the Development Plan for the expansion project for the York Grain Receival Site (CBH)."***

***CARRIED (5-0)***



Our Ref: 579045v5  
 Your Ref: TC:md Kn2.611  
 Contact: Mr. A Dines  
 Direct Line: (08) 9216 6094

**APPENDIX  
 "A"  
 9.1.8**

RING PTY LTD  
 096 281 935

Gayfer House  
 30 Delhi Street, West Perth  
 Western Australia 6005

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www.cbh.com.au

SHIRE OF YORK	
FILE: Kn 2.611	
OFFICER	INITIALS
ANITA	
RAY	RD
15 JUN 2007	
REFERRED TO COUNCIL	
DATE	INITIALS
16/7/07	RD

12 June 2007

Mr Ray Hooper  
 Chief Executive Officer  
 Shire of York  
 PO Box 22  
 YORK WA 6302

Dear Sir

**YORK CBH RECEIVAL SITE - PROPOSAL FOR EXPANSION**

Thank you for your letter dated 21 February 2007 formally advising of the projects Conditional Planning Consent and subsequent meeting between Council and the Company's representatives on the 24 May 2007 to discuss these conditions.

During the meeting we supplied Council with an amended Site Development Plan Drawing No. 2007-429-0074-G, this drawing superseded Site Development Drawing No.2007-429-0070-B which was submitted with our Development Application on the 19 January 2007 and approved by Council on the 19 February 2007.

We advise that both of the above Site Development Plans have subsequently been superseded by Site Development Plan Drawing No.2007-429-0074-H. This drawing has some additional dimension details not shown in Drawing No.2007-429-74-G. We have enclosed 3 copies of this drawing and now seek Councils formal endorsement of these amendments.

In response to the conditions attached to the Planning Consent in your letter dated 21 February 2007 we advise as follows:

**Condition 1** – Requires a 'building license application' to be submitted and approved. Bulkwest Engineering is currently undertaking detailed design and engineering, and once complete we will forward a Building Licence Application(s) and associated engineering drawings as a matter of priority.

**Condition 2** – Required a 'Surface water management retention and reuse'. Bulkwest Engineering Pty Ltd has engaged civil engineering firm CID Consultants to under take the sites storm water drainage design. The consultants have been advised of Council's preference to ensure that the additional storm water runoff is





not directed into Bland Brook and away from Knotts Road. It is our intention to direct the majority of the sites storm water runoff into two new dams to be constructed on adjoining land. The water would then be available for use by the shire.

We understand from our meeting with shire officers on the 14 March 2007 that Council is considering acquiring the whole or portion of Lot 50 on Diagram 10497 situated on Knotts Road for the realignment of the intersection of Knotts Road and Great Southern Highway.

During these discussions CBH and Bulkwest Engineering representatives reached in-principle agreement with your officers to make a financial contribution towards the purchase of this land of up to \$70,000, provided CBH could install suitably sized and located dams upon the land. The dams would contribute significantly to the long term drainage strategy for the site and assist in reducing runoff from the receival point entering Bland Brook. CBH will also install a stand pipe and supply a portable pump for the Shire to harvest the water.

Please find enclosed Drawing 2007-429-0081-A, depicting the proposed locations of the two dams CBH intends to construct on land supplied by Council. The storage capacity of both dams is currently being reviewed and we anticipated that the revised sizes will be approximately twice that of those shown on the drawing.

The Company's commitment to this arrangement was confirmed shortly after the meeting in an email sent to you on the 16 March 2007 by Bulkwest Engineering representative, Mr. Adrian Parks. We now seek Councils conformation of this arrangement and its agreement to undertake responsibility for ongoing maintenance of this infrastructure and equipment.

Prior to constructing these dams and installing the associated facilities, CBH would require Council to formalise this arrangement to ensure that CBH can commence construction of these dams and that it retains the right to continue its indefinite use of them as part of its long term drainage strategy. CBH would also require the Council sign its standard disclaimer relating reuse of water from our site.

Bulkwest Engineering is also currently investigating the option to divert some of the site's southern catchment into the Avon River by utilising the existing open earth drains contained within the Quairading Rail Reserve. We are currently consulting with the Public Transport Authority, WestNet Rail and the Department of Water regarding this drainage option.

Bulkwest Engineering will continue to liaise with all stakeholder parties including the Shire on this matter and the submitted design will take into consideration their requirements and comments. Once complete, Bulkwest Engineering's proposed design and accompanying documentation will be submitted to Council for approval as a matter of priority.

**Condition 3** – Required '*documentation that all land required for the development is owned or under the control of CBH*'. We confirm that all of the new revised grain storage facilities at the York CBH Receival Point will be located within the boundaries of the land leased from the Public Transport Authority (Lease No.6749), with the exception of the Rapid Rail Loading Facilities which will be located within the PTA 'Rail Corridor'. Please refer to Addendum 1 for further details regarding the sites land ownership details.

Should Council have any further property ownership enquiries they are advised to contact Bulkwest Engineering Development Officer Mr. Andre Dines directly on (08) 9216 6094.

**Condition 4** – Required Bulkwest Engineering *'show future southern road access and drainage on plans'*. As part of the project's initial feasibility and design preparation, several adjoining landowners were approached to investigate the possibility of acquiring additional land to expand the receival point. It was anticipated that this additional land would facilitate future expansion of the sites grain storage capacity, as well as providing on-site drainage for the future storage. Consideration was also given to the practicality of creating a new entry point off Great Southern Highway. Unfortunately the Company has been unable to reach satisfactory agreement with any of these landowners to date.

We confirm that as part of the Company's strategic long term storage strategy, it has identified the York CBH Receival Point as a 'Primary Receival Point'. It is the intention of the Company to continue to develop these 'primary sites' to optimise there storage and handling capability over the next 15 to 25 years. A copy of the Company's proposed draft concept plan (Drawing No. 2007-429-0064-A) depicting long term expansion is included for Council's information. The plan has been developed as a concept plan to reflect recent discussions relating to development of future storage and handling facilities as well as creation of an alternative entry point to the receival point. We understand that the Shire of York would require this access to be developed in the event that further extension of the receival point in a southerly direction beyond CBH's existing PTA lease boundary becomes possible and is undertaken.

We caution that CBH's commitment to the concept plan is conditional on resolution of a range of factors to the satisfaction of CBH including availability of land, the requirements of the various authorities (Shire, Main Roads, Westnet, Public Transport Authority, Water Corporation, Western Power) and not least of all CBH Board direction and budgetary constraints. In addition, CBH reserves its position relating to the timing of any such future developmental initiatives.

We emphasize that this is a long term concept plan only. This plan is likely to require amendment from time to time to reflect changes within the industry and prevailing conditions.

**Condition 5** – Required *'50% contribution to the realignment of Knotts Road to protect heritage values of adjoining property and to provide a safe and efficient intersection with Great Southern Highway.'* The Company notes that this intersection is frequently utilised by heavy vehicles servicing districts agricultural industries including grain, livestock, hay, earthmoving and transportation industries. We understand that Council will be undertaking all associate works in relation to this realignment project and that this condition has been withdrawn.

**Condition 6** – Required *'Landscaping to be undertaken to the western boundary...'* To assist in screening the sites storage facilities from the adjoining land to the west, the Company proposes to plant a strip of native vegetation along the sites western boundary. The width of this strip and type of natural vegetation will vary depending on the availability of suitable land to establish this buffer. The open earth drain which runs parallel to the site's western boundary will severely limit the area available for planting. Bulkwest Engineering and CBH Operations officers will liaise with the shire representatives to finalise details relating to this action.

**Condition 7** – Required the Company to *'provide details relating to emergency management and evacuation plans for the expanded facility'*. The CBH Operational Division and the CBH Occupational Health and Safety Division are currently reviewing the sites existing emergency and evacuations plans and updating them to reflect the proposed new developments on-site. Once complete a copy of the updated plans will be forwarded to Council as a matter of priority.

**Condition 8** – Required *'All staff parking shall be provided internally...'* The Company confirms that all staff parking will be accommodated within the sites internal boundary.

**Condition 9** – Required *'The storage of chemicals, fuel and other products to meet all Occupational Health and Safety Standards'*. CBH Grain Operations Division confirm that all chemical and fuel storage comply with all relevant Acts and Australian Standards and that the company remains committed to complying with all legal requirements and industry codes of practice.

**Condition 10** – Required *'... relevant noise regulations to be adhered to'*. CBH Grain Operations Division confirms that it will continue to ensure noise generation at the site is minimised (within its control). We also note that the proposed fixed storage will have its main conveyor located internally and this will assist in reducing the noise generated from the new storage. The location of the fixed storage shed will also assist in reducing the noise generated from the future open bulk head extension, proposed to be located on the western side of this new storage facility.

**Advice Note (c), (g) & (h)** – *'Further stages of development will require and approved rail crossing and access to Great Southern Highway, including slip lanes...'* with *'no further expansion will be approved...'* unless a *'southern entry point'* has been installed and Council is to be advised *'within 6 months of how a southern entry system is to be implemented.'* Council's advice is noted. Please refer to our comments relating to Condition 4 above. CBH understands from previous discussions and correspondence with Council representatives that the Company can continue to develop storage facilities within its existing PTA lease boundaries. However should the Company acquire additional land for the sites expansion, then Council would require the any development upon the new land to have incorporated a new entry point onto Great Southern Highway.

CBH will continue to liaise with Council regarding this matter, however the Company is unable to make any definitive long term commitments due to the uncertainty associated with the attendant circumstances.

**Advice Note (d)** – *'Management of light spill...'* Council's comments are noted. CBH intends to reduce the impact of any possible light spill, in particular intrusive light, by taking into account the position of lights and their angles. CBH will also investigate the possible planting a vegetation buffer or screen if deemed necessary by Council (subject to land availability and suitability).

**Advice Note (e)** – *'Make contact with Avon Catchment Council regarding the discharge of water into Avon River'*. As mentioned above in Condition 2, the Company confirms that it continues to progress its drainage design options, in relation to diverting some of the sites southern catchment into the Avon River by utilising the existing open earth drains contained within the 'railway corridor' of the Quairading railway line. We are currently discussing this proposal with representatives from the Avon Catchment Council, Department of Water, WestNet Rail and Public Transport Authority. Please note that the current draft drainage design prepared by our consultants intends to minimise the sites reliance on

discharging into open earth railway drains and into Avon River by installing two new retention dams and allowing the Shire to reuse the water.

**Advice Note (f)** – *'No further accommodation...be provided onsite without appropriate...approvals...'*. Bulkwest Engineering confirms that it is not currently intended to remove, relocate or replace the existing staff accommodation building as part of this development application.

The CBH Grain Operations division is currently reviewing several of its staff accommodation facilities throughout the wheat belt, however they have not yet made a decision regarding the facilities at York. Should the Council wish to discuss this matter further they are encouraged to contact CBH Group Manager of Operational Infrastructure, Mr. Graeme Smallman, direct on 0408 938 217.


CBH is still awaiting the final rail design from WestNet Rail and the proposed operating plan from the Australian Rail Group, including proposed shunting procedures. Once we have received the above information we will forward a copy to Council as a matter of priority.

We trust these responses provide an adequate undertaking on behalf of both CBH and Bulkwest Engineering in response to the proposed development approval conditions. We seek Councils endorsement to Conditions 3, 4, 5, 6, 8, 9 & 10 and will continue to progress conditions 1, 2 & 7 as a matter of urgency.

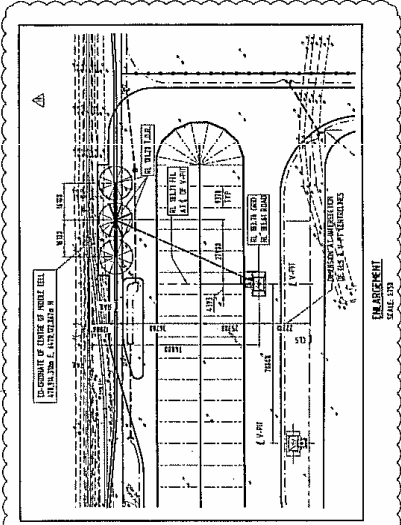
We would appreciate Council's expedient endorsement of these actions to enable the project to proceed and be completed as quickly as possible. Our intent is to complete as much of the project as possible prior to and in readiness for the 2007/08 harvest.

If you have any queries in regard to this communication please do not hesitate to contact our Development Officer Andre Dines on (08) 9216 6094.

Yours faithfully  
**Bulkwest Engineering Pty Limited**

  
.....  
**Colin Barry**  
**General Manager**

**APPENDIX  
“B”  
9.1.8**



TOTAL STORAGE INCREASE	08.050 Y
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**PRELIMINARY**  
DATE 06/25/84



**Bull**  
ENGINE

## **9.2    Administration Reports**

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**OFFICER'S REPORTS  
ADMINISTRATION REPORTS  
DEED OF EASEMENT – BROOKLANDS  
AIRPORT**

<b>FILE NO:</b>	Sp1.340
<b>COUNCIL DATE:</b>	16 July 2007
<b>REPORT DATE:</b>	9 July 2007
<b>LOCATION/ADDRESS:</b>	Brooklands Airport – Spencers Brook Road, York
<b>SENIOR OFFICER:</b>	Ray Hooper, Chief Executive Officer
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>APPENDICES:</b>	Draft Deed of Easement
<b>DOCUMENTS TABLED:</b>	Nil

**Summary:**

The Department of Planning & Infrastructure has prepared a Deed of Easement over the affected properties to enable regional airport funding to be made available for the sealing of the two runways to upgrade the status of the airfield and to provide for public use for a specific period.

The Deed of Easement grants to the Shire of York public access to and use of the facilities.

**Background:**

Brooklands has operated as a private airfield for activities associated with Skydive Express with limited public access and use.

The Federal and State Governments provide grants for airport development to facilitate and promote public use particularly for flight training and emergency use.

**Consultation:**

Land owners  
Department for Planning and infrastructure.

**Statutory Environment:**

Not applicable.

**Policy Implications:**

Not applicable.

**Financial Implications:**

Nil to Council for the Deed of Easement.

The Shire of York may be awarded the contract for the upgrading and sealing of the runways.

**Strategic Implications:**

Not applicable.

**Voting Requirements:**

**Absolute Majority Required:** No.

**Site Inspection:**

**Site Inspection Undertaken:** Yes.

**Triple bottom Line Assessment:**

**Economic Implications:**

A public airport with good facilities in York would be an advantage for local businesses and have potential for other services such as flight training, charter services etc.

**Social Implications:**

There will be increased noise with a fully operational airfield, however the location of Brooklands should minimise any impact.

**Environmental Implications:**

Any upgrading or development will be required to meet environmental guidelines and standards.

**Comment:**

There will be a meeting of all parties at the Department of Planning and infrastructure on Monday 16<sup>th</sup> July 2007 to determine if the project is to proceed and to set time frames for project milestones.

For the project to proceed after the signing of the Deed the following actions will be needed:

- (a) Closure of Springbett Airfield
- (b) Change use for Brooklands from private airfield to public

These actions will be submitted to the August Council Meeting if required.

**OFFICER RECOMMENDATION**

*"That Council:*

*Authorise the signing of the Deed of Easement between the Shire of York, Skydive Express WA Pty Ltd and Blacks Australia Pty Ltd under the Shire of York Seal to guarantee public access to and use of Brooklands Airport for a minimum period of five (5) years from the completion of the upgrading of the runways to a sealed standard."*

Resolution

100707

MOVED Cr Randell seconded Cr Fisher



***“That the item be deferred to the August Ordinary Meeting of Council.”***

***CARRIED (5-0)***

**APPENDIX  
"A"  
9.2.1**

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Skydive Airstrip Easement 18 May 07.doc

**THIS DEED OF EASEMENT** is made the                      day of                      2007

BETWEEN

**SKYDIVE EXPRESS WA PTY LTD** (ACN 111 709 463) and **BLACKS AUSTRALIA PTY LTD** (ACN 062 175 473) both of 353 Oxford Street Leederville in the State of Western Australia (**the Grantor**)

AND

**THE SHIRE OF YORK** of Joaquina Street, York, in the State of Western Australia (**the Grantee**)

**RECITALS:**

- A. The Grantor may pursuant to section 195 LAA grant an easement in gross over land in favour of the State of Western Australia or a local government.
- B. The Grantor is the registered proprietor for the time being the Servient Tenement upon which an airport is operated.
- C. The Servient Tenement is subject to the Encumbrances.
- D. The Grantee is a local government.
- E. The Shire proposes to close down its public airport known as Springbett.
- F. Skydive Express of the Grantor will be given a grant by the Minister for Planning and Infrastructure to upgrade its airport on the condition that the Grantor first grant this easement.
- G. The Grantor has agreed to grant in favour of the Grantee the Easement over the Easement Area for the benefit of the public in accordance with section 195 of the LAA upon the terms and conditions set out in this Deed, and with the consent of every person having an interest, right, title or power in respect of the Easement Area.

## COVENANTS AND CONDITIONS

### THE PARTIES AGREE AS FOLLOWS:

---

#### 1. DEFINITIONS AND INTERPRETATION

##### 1.1 DEFINITIONS

In this Deed unless the contrary intention appears the expression:

**Airport** means the airport located on the Easement Area, and includes airport buildings.

**Airstrip** means the airstrip and runways located on the Easement Area.

**Authorisation** includes a consent, authorisation, permit, licence, approval, agreement, certificate, authority or exemption from, by or with a Governmental Agency or required under any Law and all conditions attached to an authorisation.

**Contamination** is the state of being contaminated, as that term is defined in the CSA.

**CSA** means the *Contaminated Sites Act 2003*.

**Deed** means the deed of easement constituted by this document and any amendments or variations of it and includes the Schedule.

**Easement** means the easement created by this Deed and its registration.

**Easement Area** means the Servient Tenement.

**Easement Purpose** means the easement purpose specified in item 2 of the Schedule.

**Encumbrances** means the encumbrances specified in item 1 of the Schedule.

**Environmental Harm** has the same meaning as that term is defined in the *Environmental Protection Act 1986*.

**Environmental Law** means all planning, environmental, Contamination or Pollution laws and any regulations, orders, directions, ordinances or all requirements, permission, permits or licences issued thereunder.

**Environmental Notice** means any notice, direction, order, demand or other requirement to take any action or refrain from taking any action from any Governmental Agency, whether written or oral and in connection with any Environmental Law.

**Governmental Agency** means any government (Commonwealth, State or local) or any governmental, semi-governmental, administrative, fiscal or judicial body, department, commission, authority, tribunal, agency, statutory authority or entity.

**Grantee** being the Shire of York.

Skydive Airstrip Easement 18 May 07.doc

**Grantee's Address for Service** means the address specified in item 4 of the Schedule.

**Grantee's Authorised Users** means the employees, agents, contractors, and workmen of the Grantee and members of the public.

**Grantor** being Skydive Express WA Pty Ltd and Blacks Australia Pty Ltd and includes the employees, contractors and workmen of the Grantor and the successors in title of the Grantor to the Servient Tenement.

**Grantor's Address for Service** means the address specified in item 3 of the Schedule.

**Grantor's Authorised Users** means all persons reasonably required or permitted by the Grantor to use the Easement Area.

**GST** has the meaning given in section 195-1 of the GST Act.

**GST Act** means *A New Tax System (Goods and Services Tax) Act 1999* and any legislation substituted for or amending that Act.

**GST Law** has the meaning given in section 195-1 of the GST Act.

**Insurance Amount** means the amount specified in item 5 of the Schedule.

**LAA** means the *Land Administration Act 1997*.

**Law** includes any requirement of any statute, regulation, proclamation, ordinance or by-law present or future whether State, Federal or otherwise.

**Parties** means the Grantor and the Grantee.

**Party** means the Grantor or the Grantee as the context requires.

**Pollution** means any thing that is pollution within the meaning of that term as defined in the *Environmental Protection Act 1986* that is not authorised under any Law.

**Registered** means registered under the TLA and **Registration** has a corresponding meaning.

**Servient Tenement** means Lot 9 on Diagram 44156 and being the whole of the land comprised in Certificate of Title Volume 1364 Folio 498.

**Schedule** means the schedule to this Easement.

**Surrounding Area** means any land or water adjacent to or in the vicinity of the Easement Area and the air generally above the Easement Area, and includes an "affected site" within the meaning of that term as defined in the CSA.

**Tax Invoice** has the meaning given in section 195-1 of the GST Act.

**Taxable Supply** has the meaning given in section 195-1 of the GST Act.

**TLA** means the *Transfer of Land Act 1893*.

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## 1.2 INTERPRETATION

In this Deed:

- (a) clause headings are for convenient reference only and shall have no effect in limiting or extending the language of the provisions to which they refer;
- (b) a reference to a clause, schedule or annexure is a reference to a clause of or schedule or annexure to the document in which the reference appears;
- (c) a reference to any Law includes consolidations, amendments, re-enactments or replacements of it;
- (d) the singular includes the plural, the plural includes the singular and any gender includes each other gender;
- (e) if a period of time is specified and dates from a given day or the day of an act or event, it is to be calculated exclusive of that day;
- (f) the word "person" includes a firm, a body corporate, an unincorporated association or a Governmental Agency;
- (g) covenants in this Deed by two or more persons as a party to the Deed shall be deemed joint and several;
- (h) "including" is deemed to be followed by the words "but not limited to"; and
- (i) a reference to this Deed or another instrument includes any variation of either of them.

---

## 2. GRANT OF EASEMENT

### 2.1 GRANT

- (a) In consideration of the matters set out in the Recitals and the covenants on the part of the Grantee in this Deed, the Grantor hereby grants to the Grantee a non-exclusive right for the Grantee, the Grantee's Authorised Users and members of the public in general to land, taxi, park, refuel, load and unload and take off aircraft on and from the Airstrip, and subject to clause 3.3 being complied with, to store aircraft in a hangar at the Airstrip, from time to time and at all times, for the Easement Purpose for a term of **XX** years (**Parties to agree to the Term**), subject to subclause (c).
- (b) The Grantor also grants to the Grantee a non-exclusive right for the Grantee and the Grantee's Authorised Users and members of the public in general to use access roads in and out of the Airport and Easement Area, and the right to park motor vehicles and to leave them for periods no longer than **X** days (**parties need to agree to the time that cars may be left parked**).

- (c) If the Grantor no longer wishes to operate the Servient Tenement as an airport then the Grantor may give 60 days notice whereupon this Easement will be surrendered by the Grantee, provided that such notice may only be given after 10 years from the date of this Deed of Easement.

## **2.2 CONDITIONS WHICH APPLY TO THE EASEMENT**

This Easement is subject to the right of:

- (a) the Grantor;
- (b) the Grantor's Authorised Users; and
- (c) all other persons lawfully entitled to use the Easement Area from time to time,

to use or continue to use the Easement Area in any manner which is not inconsistent with this Easement, and provided the Grantor does not prevent or prejudice the use of the Easement Area by other persons entitled to use the Easement Area for the Easment Purpose pursuant to this Deed.

## **2.3 BENEFIT AND BURDEN OF EASEMENT**

The benefit of this Easement is for the Grantee and its Authorised Users and members of the public. The burden of this Easement runs with and binds the Servient Tenement.

---

## **3. COVENANTS**

### **3.1 GRANTEE'S COVENANTS**

The Grantee hereby covenants with the Grantor that the Grantee and the Grantee's Authorised Users:

- (a) must not use the Easement Area for any purpose other than specified in this Deed;
- (b) must not cause or permit the obstruction of the Easement Area;
- (c) must not use or attempt to use the Airstrip for a type, size or capacity of aircraft for which the Airstrip is not designed or authorised to be used;
- (d) must not cause or permit any Contamination, Pollution or Environmental Harm to occur in, on or under the Easement Area or to the Surrounding Area, and if any Contamination, Pollution or Environmental Harm is caused by the Grantee or the Grantee's Authorised Users, the Grantee must minimise and remediate any resultant damage and harm to the reasonable satisfaction of the Grantor;
- (e) must not permit or cause any damage to the Easement Area or the Surrounding Area;
- (f) must not do any act, matter or thing within the Easement Area which would constitute a nuisance or fire hazard or which could cause injury or damage to any improvement on the Easement Area;

- (g) must not store any aviation, diesel or other fuels on the Easement Area;
- (h) must comply with all Laws that apply to the Easement Area or the exercise of the Grantee's rights under this Deed, and the operation and use of the Airstrip by aircraft including the *Civil Aviation Act 1988*;
- (i) must exercise its rights in respect of the Easement Area in a manner that does not prevent or prejudice the use of the Easement Area by other persons who use the Easement Area; and
- (j) must comply with any reasonable directions of the Grantor or its employees as to the manner in which the Grantee's rights are exercised.

### **3.2 GRANTOR'S COVENANTS**

- (a) The Grantor must at its own cost, keep and maintain the Easement Area including the Airstrip) in a good safe and proper repair and condition and suitable for use by aircraft of a type, size or capacity for which the Airstrip is designed and authorised to be used at the date of this Deed of Easement, during the subsistence of this Easement.
- (b) The Grantor acknowledges that the Grantee shall not be responsible for the maintenance, care or upkeep of the Easement Area (including the Airstrip).
- (c) The Grantor must do all things necessary for this Easement to be registered.

### **3.3 HANGAR**

The Grantee may construct a hangar on the Easement Area and use it for the storage of aircraft, provided the Grantee:

- (a) has obtained the prior written consent of the Grantor as to the location, method and materials of construction, and use of the hangar; and
- (b) constructs and uses the hangar in accordance with the conditions of that consent.

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## **4. INDEMNITY RELEASE AND INSURANCE**

### **4.1 INDEMNITY AND RELEASE**

The Grantor hereby covenants with the Grantee to indemnify and keep indemnified, and release and keep released, the Grantee, the Grantee's Authorised Users and members of the public in general (**Indemnified Parties**) from and against all actions, claims, proceedings, suits, judgments, demands, losses, costs and expenses (including the costs of defending or settling any action claim proceeding suit or demand) whatsoever which may at any time be brought maintained or made against or incurred by all or any one or more of the Indemnified Parties arising from:



- (a) any default by the Grantor in the due and punctual performance of or compliance with any of the terms covenants and conditions contained in this Deed, or any other Law; or
- (b) any negligent or other tortious act or omission of the Grantor or the Grantor's Authorised Users.

#### **4.2 INSURANCE**

- (a) The Grantor must effect, maintain and keep current with an insurer approved by the Grantee, a public liability insurance policy for the amount specified as the Insurance Amount in item 5 of the Schedule for any one claim, or any other amount reasonably required by the Grantee from time to time consistent with usual prudent commercial practice and which includes the interests of the Grantee under this Deed and covers all claims and losses howsoever arising or caused, including those in respect of any claims, risk and events covered under the indemnities provided by the Grantor to the Grantee under this Deed.
- (b) Any policy of insurance effected pursuant to this clause must contain such conditions, endorsements and exclusions as are reasonably acceptable to the Grantee having regard to insurance commonly effected for the risks in question.
- (c) The Grantor must give to the Grantee a copy of the policy of insurance referred to in subclause (a) at the date of execution of this Deed, and the Grantor is to submit evidence to the Grantee on each anniversary of the date of execution of this Deed, or as otherwise requested by the Grantee, which shows that the insurance policy is still current.

---

### **5. GENERAL PROVISIONS**

#### **5.1 SEVERANCE**

If a court determines that a word, phrase, sentence, paragraph or clause in this Deed is unenforceable, illegal or void then it shall be severed and the other provisions of this Deed shall remain operative.

#### **5.2 CONTINUING INDEMNITIES**

The indemnities contained in clause 4 operate with full force and effect notwithstanding that the Easement may never be registered or may terminate for some reason.

#### **5.3 APPLICABLE LAW**

This Deed shall be construed and interpreted in accordance with the laws in force in the State of Western Australia and the Parties submit to the jurisdiction of the courts of that State.

#### **5.4 WAIVER AND VARIATION**

A provision or a right created under this Deed may not be:

- (a) waived except in writing signed by the Party granting the waiver; or
- (b) varied except in writing signed by the Parties.

#### **5.5 GRANTEE'S COST**

Except if expressly stated otherwise in this Deed, anything required to be done by the Grantee is at its cost and risk.

#### **5.6 STAMP DUTY AND REGISTRATION FEES**

The Grantee must pay any stamp duty, penalties or fines assessed on this Deed and any copies of this Deed or other documents entered into under the terms of this Deed under the *Stamp Act 1921* and any registration fees payable in respect of this Deed or other documents entered into under the terms of this Deed.

---

### **6. NOTICE PROVISIONS**

Any notice, consent or other writing authorised or required by this Deed to be given or sent shall be deemed to have been duly given or sent:

- (a) by the Grantor if signed by a director and forwarded by prepaid post to the Grantee at the Grantee's Address for Service; and
- (b) by or on behalf of the Grantee if signed by the Grantee or by the Chief Executive Officer or other duly authorised officer for the time being of the Grantee or any other person proven to be authorised by the Grantee, and forwarded by prepaid post to the Grantor at the Grantor's Address for Service.

---

### **7. GOODS AND SERVICES TAX**

#### **7.1 EASEMENT FEE EXCLUSIVE OF GST**

Any easement fee is exclusive of GST, and GST is payable in addition to the amount of the easement fee.

#### **7.2 GRANTEE TO PAY GST**

The Grantee must pay any GST payable by the Grantor in respect of a Taxable Supply made under the Easement, to the Grantor on demand.

#### **7.3 TAX INVOICE**

Where GST is payable, the Grantor shall provide to the Grantee, if required by the Grantee, a Tax Invoice in the format and form required as set out in the GST Law.

**7.4 NOTIFICATION IS CONCLUSIVE**

A written notification given to the Grantee by the Grantor of the amount of GST that the Grantor is liable to pay on a Taxable Supply made or to be made under the Easement is conclusive between the Parties except in the case of an obvious error.

**7.5 THE GRANTEE MUST PAY GST AT SAME TIME**

The Grantee must pay to the Grantor the amount of the GST that the Grantor is liable to pay under the Easement:

- (a) at the same time; and
- (b) in the same manner,

as the Grantee is obliged to pay for the Taxable Supply.

**7.6 APPORTIONMENT OF GST**

Where a Taxable Supply is not separately supplied to the Grantee, the liability of the Grantee for any amount for GST, in relation to that Taxable Supply, is determined on the same basis as the Grantee's proportion of that Taxable Supply is determined.

**7.7 OTHER SUPPLIES**

If there is a supply by any Party, which is a Taxable Supply and is not covered by clause 8.1, then the consideration for the supply shall be increased by an amount calculated as:

**A x R**

where:

**A** is the amount of the consideration for the supply apart from clause 8.1; and  
**R** is the rate of GST applicable to the supply.

---

**8. TERMINATION OF EASEMENT**

The Grantee acknowledges and agrees that it is not entitled to any compensation in respect of any improvements on or made to the Easement Area (including the Airstrip) and existing at the date of cancellation, termination or surrender of this Easement.

THE COMMON SEAL OF **SKYDIVE** )  
**EXPRESS WA PTY LTD** (ACN 084 937 726) )  
IS AFFIXED IN ACCORDANCE WITH )  
THE PROVISIONS OF SECTION 127 OF )  
THE CORPORATIONS ACT 2001 )

\_\_\_\_\_

\_\_\_\_\_  
DIRECTOR

\_\_\_\_\_  
SECRETARY

**COMMON SEAL OF BLACKS**

## **SCHEDULE**

<b>ITEM</b>	<b>TERM</b>	<b>DEFINITION</b>
1.	<b>Encumbrances</b>	[List per CTs]
2.	<b>Easement Purpose</b>	To provide use of the Airstrip for persons travelling by aircraft (including members of the public in general).
3.	<b>Grantor's Address for Service</b>	353 Oxford Street Leederville, WA, 6007  Attention: John Seman Telephone: (08) 9444 4199 Fax:: (08) 9242 4576
4.	<b>Grantee's Address for Service:</b>	Shire of York, PO Box 22 York, WA, 6302  Attention: Ray Hooper Telephone: (08) 9641 2233 Fax: (08) 9641 2202
5.	<b>Insurance Amount</b>	\$10,000,000.00

9. OFFICER'S REPORTS  
9.2 ADMINISTRATION REPORTS  
9.2.2 DISABILITY ACCESS AND INCLUSION PLAN

FILE NO: CS.SSP.1  
COUNCIL DATE: 16 July 2007  
REPORT DATE: 8 July 2007  
LOCATION/ADDRESS: Not Applicable  
APPLICANT: Not Applicable  
SENIOR OFFICER: Ray Hooper, Chief Executive Hooper  
REPORTING OFFICER: Peter Stevens, Environmental Health Officer  
DISCLOSURE OF INTEREST: Nil  
APPENDICES: Appendix a - York 2007- 2012 Disability Access and Inclusion Plan  
DOCUMENTS TABLED: Nil

**Summary:**

The Disability Services Act 1993 required Council to develop a Disability Services Plan (DSP), which was prepared and endorsed by Council in 1996. The Disability Services Amendment Act 2004 (the **Act**) required Council (and all other public authorities) to develop a Disability Access and Inclusion Plan (DAIP), which is required to be completed and lodged with the Disability Services Commission by 31 July 2007.

**Background:**

The purpose of a DAIP is to ensure that people with disabilities can access services provided by public authorities in Western Australia, and to participate and be included in their community. The goal is to provide, as much as is reasonable, the same level of access as people without a disability enjoy, and to ensure that people are not discriminated against on the basis of their disability.

When developing a DAIP, a local government must aim to achieve six desired outcomes. These provide a framework for translating the principles and objectives of the Act into tangible and achievable results.

The six desired outcomes are:

1. People with disabilities have the same opportunities as other people to access the services of, and any events organised by, a public authority.
2. People with disabilities have the same opportunities as other people to access the building and other facilities of a public authority.
3. People with disabilities receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.

4. People with disabilities receive the same level and quality of service from staff of a public authority as other people receive from staff of that public authority.
5. People with disabilities have the same opportunities as other people to make complaints to a public authority.
6. People with disabilities have the same opportunities as other people to participate in any public consultation by a public authority.

The Disability Services Act stipulates that each local government is required to:

- Develop and implement a DAIP;
- Ensure staff, officers, agents and contractors implement the plan;
- Consult and promote the plan;
- Review and lodge the plan at least every five years;
- Report to the Commission every time the DAIP is reviewed or amended;
- Report to the Commission progress in implementing the DAIP each year; and
- Describe the DAIP activities in the Shire's Annual Report.

The draft plan was advertised in accordance with the Act both in the local paper and statewide. The plan was also sent to local community groups and placed on Council's website for comment.

The draft plan was sent to the Disability Services Commission for comment and to ensure that it conformed to the requirements of the Act. Some minor additions were required by the commission which have now been included. The commission has confirmed that the DAIP conforms to the legislative requirements.

**Consultation:**

Staff  
Public  
Friends Of the Hospital  
York Health Advisory Committee  
Disability Services Commission  
York Access Group

**Statutory Environment:**

Disability Services Amendment Act 2004.

**Policy Implications:**

Nil.

**Financial Implications:**

May increase costs for future infrastructure and building projects.

**Strategic Implications:**

Key Result Area 3, Community Development - To foster community leadership and a mutually supportive and inclusive community.

**Voting Requirements:**

**Absolute Majority Required:** No

**Site Inspection Undertaken:** N/A

**Triple bottom Line Assessment:****Economic Implications:**

May increase costs for future infrastructure and building projects

**Social Implications:**

The plan is designed to help create a culture of inclusion and universal access for people of all abilities.

**Environmental Implications:**

Nil

**Comment:**

This report follows on from the introduction of the draft DAIP plan at the June 2007 Council meeting. The plan was advertised in accordance with the Disability Services Regulation 2004 and various community groups were sent copies of the plan for comment. A copy of the draft was also sent to the Disability Services Commission for comment.

As a result of the consultation period some minor additions have been made to the plan. The Disability Services Commission have confirmed that the plan, with the additions, meets the legislative requirements of the Act.

Council is required to develop a DAIP plan and lodge it with the Disability Services Commission by July 31 2007.



## **OFFICER RECOMMENDATION**

MOVED Cr Randell seconded Cr Boyle

***“That Council adopt the Officer’s Recommendation subject to adding an advice note to read:***

**Advice Note:**

***Any submission received by close of business on Friday 20<sup>th</sup> July will be submitted to the Disability Services Commission for consideration to be included in the adopted plan.”***

**CARRIED**

The advice note then became part of the Officer’s Recommendation and was carried.

**Resolution**

110707

***“That Council:***

***adopt and implement the Shire of York Disability Access and Inclusion Plan 2007-2012 and register a copy with the Disability Services Commission.”***

**Advice Note:**

***Any submission received by close of business on Friday 20<sup>th</sup> July will be submitted to the Disability Services Commission for consideration to be included in the adopted plan.”***

**CARRIED (5-0)**



APPENDIX  
"A"  
9.2.2

# **SHIRE OF YORK DISABILITY ACCESS AND INCLUSION PLAN (DAIP)**

**2007 -2012**

THIS DOCUMENT IS AVAILABLE IN ALTERNATIVE FORMATS, INCLUDING LARGE PRINT  
COMPACT DISC, AUDIO AND OTHER ELECTRONIC FORMATS, PLEASE CONTACT THE  
SHIRE OF YORK ON 08 9641 2233 FOR FURTHER DETAILS

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## **EXECUTIVE SUMMARY**

The Shire of York has created a Disability Access and Inclusion Plan (**DAIP**) to assist the council to create outcomes that encompass the needs of all members of the community. The Shire of York DAIP 2007 – 2012 has a particular focus on ensuring that residents and visitors within the district are welcomed with events, facilities and services created with universal access as their aim.

Universal access is a term that relates to more than wheelchair access to a facility. It is a well thought out and planned path of travel that includes patterns of interaction, such as communicating with staff, which make the whole experience easy for people from diverse backgrounds and cultures to travel. The focus of this document is that of disability and the issues and challenges that local government are required to know and regulate for disability related issues.

Local governments, because of their broad mandate, have a significant role in the lives of people with disabilities. Unlike most government departments, local governments are multi functional, with extensive responsibilities and activities across property, community and human service areas and, in addition, have the capacity to make policy choices at the local level.

The Shire of York manages and maintains public infrastructure facilities within the district such as roads, paths, drains, community buildings and recreation spaces. The Shire also provides a range of services such as shire staffed administration services, libraries, and community programs. The quality of infrastructure and service is vital to the social and economic well being of the shire as a whole community as it enhances the lives of all people, especially residents and visitors that have disabilities and diverse needs.

The Shire of York DAIP for 2007-2012 has been designed to meet the requirements of the Western Australian Disability Services Act 1993, the Commonwealth Disability Discrimination Act (1992) and the Equal Opportunity Amendment Act, Western Australia (1988). It responds to new initiatives by the State and Federal governments in recent years and sets the stage for responding to diversity by expanding upon previous disability services plans to incorporate the needs of all members of the community.

The DAIP has a particular focus on nurturing a community where diversity, difference and a sense of identity is respected and valued. These values are underpinned by a commitment to the creation of fair and equitable access for all residents and visitors to the Shire.

The DAIP is designed not to be a static document but to be flexible and versatile enough to cater for the changing needs of the community as a whole. The Shire has adopted a structure for the plan that aligns with the Disability Commission of

Australia recommended format in order to best achieve this outcome.

The vision of the DAIP is for an accessible and inclusive community and the format will concentrate on six key areas :

1. Quality of existing and future services
2. Access to buildings and facilities
3. Access to Shire supported events and projects
4. Information and communication
5. Opportunities to make complaints
6. Opportunities to participate in public consultation

The Shire of York organized that the task of addressing the many important issues that affect their diverse community is not an easy one. The Shire will endeavour however, through ongoing consultation and involvement with the community, to identify as many barriers and challenges to access and inclusion as possible and work toward achieving success in these areas.

## **INTRODUCTION**

Under the Western Australia Disability Services Act (1994), local governments have been required to develop Access and Inclusion Plans to ensure people with disabilities can access council services and facilities. Annual reports on activities relating to the progress of these plans are reported to state government at the end of each financial year.

Access and Inclusion plans are not just about ensuring buildings have wheelchair access, they also incorporate inclusion at a participatory and service level. This DAIP will assist the Council to determine the strategies needed to enhance and promote accessibility requirements. It provides the direction and framework for future planning needs beyond the short term so that it can assist integrated design for the development of all of the communities within the Shire well into the future, focusing on the inherent qualities of the location and its attributes.

This document outlines suggested strategies that can be used to promote a quality of life that is vibrant, creative, diverse and capable of building a community where people with disabilities are able to participate in Council activities, services and facilities.

The Shire of York aims to ensure that the services it provides meet varied individual needs and expectations and that everyone has equal access to these services regardless of their race, heritage, gender, religious or non-religious belief, nationality, family background, age, disability or sexuality. For the purpose of this document when the terms access or inclusion are used they refer to the following definitions:

**Definitions**

**Access** in the context of this Disability Access and Inclusion Plan refers to an individual's physical ability to get to, into, and around facilities. This access is created by removing structural barriers and including mechanisms to enable structural access.

**Inclusion** in this context refers to an individual's ability to participate as fully as possible in programs and services provided by organizations in an integrated and holistic manner that does not ostracise, embarrass or humiliate an individual.

**THE SHIRE OF YORK  
ACCESS AND INCLUSION POLICY STATEMENT**

“A cohesive and vibrant community, respecting diversity and working together  
with a strategic vision’

Strategic Plan 2002

The Shire of York, covers an area of approximately 2 100km<sup>2</sup>. The Shire is located 97 km east of Perth. In 2005 the Shire of York had a population of 3,342 (DLGRD, 2005). Unlike the majority of other rural inland towns across Western Australia, York is increasing in population every year. Between 1991 and 2001 the Shire of York experienced a 16.9% increase in its population (ABS, 2001).

The area is mixed cropping and livestock, producing predominantly wheat and sheep. However, hay production in the last ten years has increased substantially. The tourism industry is also playing an increasing role in the region.

York is the principal town in the Shire, located in the Avon Valley on the Great Southern Highway. The town was established in 1831 and is the oldest inland country town in Western Australia. It has numerous facilities including a variety of health and aged care services, educational institutions, an array of sporting clubs, recreational facilities, accommodation, hotels, retail stores and agricultural services.

York offers a diversity of local activities and attractions for visitors and residents. Restored heritage buildings from the Victorian and Federation era are numerous. There are many picnic areas and walk trails along the Avon River. York hosts numerous festivals and shows including the York Art and Craft Awards, Antiques and Collectors Fair, Jazz Festival, Spring Garden Festival, Agricultural Show and vintage motoring events. A variety of recreational opportunities include golf, tennis, skydiving, paragliding, trotting and boot scooting to name a few.

Other townsites within the Shire are Greenhills, Talbot and Gwambygine.

The Shire of York believes that people with diverse needs who live in country areas should be supported to remain in the community of their choice. To identify the support most appropriate to offer the Shire has committed to continue to review barriers to access and inclusion within the district with the objective being to

systematically implement strategies to remove or organize as many of them as possible.

The Shire adopted their first Disability Service Plan in 1996.

The strategies and plans outlined in this DAIP for 2007 – 2012 are intended to enhance and improve disability access and inclusion in the Shire district in order to encompass the diverse needs and requirements of people with disabilities that live and visit the York area.

### **EXAMPLES OF PAST DAIP ACCOMPLISHMENTS**

Previous Disability Services Plans identified a number of barriers to access and inclusion and outlined strategies that the Shire could adopt to overcome them. Below are some examples of the celebrated outcomes achieved by the Shire of York since 1995 that have reduced the barriers for people with a disability living in or visiting the region:

- The completion of an administration Centre and library with universal access.
- The completion of universal access public toilet facilities in Avon Park and the old Town Hall.
- The completion of universal access public toilet facilities at the York Memorial Swimming Pool.
- The completion of universal access public toilet facilities the Mount Brown picnic area.
- The provision of ramps at the recreation centre.
- Upgrading and installation of footpaths with access ramps.

### **SIX DESIRED OUTCOMES**

Access and inclusion can mean different things to different people depending upon the individual. Yet there are some common elements that create barriers to people living in different cultures and with different disabilities. The Disability Services Commission of Australia has identified six access and inclusion outcomes that, when adhered to, can eliminate many of the common barriers and challenges experienced by people that block their ability to be fully included.

The Shire of York has structured their implementation plan around these six outcomes as has been suggested by the commission. This structure is clear and easy to understand, and takes us a step closer to being able to include everyone in our future dreams and projects.

The six outcomes upon which the DAIP has been based will assist representatives of the Shire York design and develop fair and equitable disability related policies.

These outcomes are:

1. People with disabilities have the same opportunities as other people to access the services of, and any events organised by, the Shire of York;

2. People with disabilities have the same opportunities as other people to access the buildings and other facilities of the Shire of York;
3. People with disabilities receive information from the Shire of York in a format that will enable them to access the information as readily as other people are able to access it;
4. People with disabilities receive the same level and quality of service from the staff of the Shire of York;
5. People with disabilities have the same opportunities as other people to make complaints to the Shire of York; and
6. People with disabilities have the same opportunities as other people to participate in any public consultation by the Shire York.

### **YORK SHIRE COUNCIL POLICY STATEMENT**

The following statements reflect the policies that the council of the Shire of York holds toward issues relating to disability access and inclusion.

**Outcome 1:** Existing functions, facilities and services are adapted to meet the needs of people with disabilities. To achieve this outcome:

- Council will endeavour to be adaptable in responding to the barriers experienced by people with disabilities, including people with physical, sensory, cognitive and psychiatric disabilities.
- Council will ensure that all policies and practices, when reviewed that govern the operation of Council facilities, functions and services are consistent with Council's Policy on access.

**Outcome 2:** Access to buildings and facilities is improved. To achieve this outcome:

- Council will undertake to incorporate the priorities regarding access for people with disabilities, identified during the consultations, into its submission for its capital works improvement program. Modifications will commence as funds are made available.
- Council will undertake to liaise with developers to increase their awareness of the access requirements of people with disabilities.

**Outcome 3:** Information about functions, facilities and services is provided in formats which meet the communication requirements of people with disabilities. To achieve this outcome:



- Council will produce all of its information on Council facilities, functions and services using clear and concise language.
- Council will attempt to provide information in alternative formats upon request.

**Outcome 4:** Staff awareness of the needs of people with disabilities and skills in delivering advice and services are improved. To achieve this outcome:

- Council will undertake to ensure that staff are aware of the key access needs of residents with disabilities and people with disabilities who visit the local government area in relation to the provision of all services.
- Where required, Council will seek expert advice from the disability field on how to meet the access needs of people with disabilities.

**Outcome 5:** Opportunities for people with disabilities to use grievance mechanisms are provided. To achieve this outcome:

- Council will ensure that information is available in clear and concise language on how residents can participate in decision making processes, public consultations and grievance mechanisms.

**Outcome 6:** Opportunities for people with disabilities to participate in public consultation are provided. To achieve this outcome:

- Council will undertake to support people with disabilities to attend meetings of Council.

## **CONTENT OF THE DAIP**

In 2007, the Shire of York undertook to review and update its Disability Services Plan. The format of the Shire of York DAIP reflects that recommended by the Disability Commission of Western Australia.

As part of the Shire of York's review process consultation with key stakeholders, community members and shire staff was an integral factor. The following DAIP plan for the Shire of York contains:

1. Guiding legislation and strategic links referred to when formulating the DAIP; Information on the role of the Shire of York in providing facilities and service to the community;

2. A description of the review and consultation process and its findings and recommendations;
3. Information on how the plan is being communicated to staff, people with disabilities and the wider community;
4. A strategy for the review and evaluation of the plan;
5. An implementation plan outlining strategies to address the barriers that includes priorities, timelines and responsibilities

### **IMPLEMENTATION PLAN**

The DAIP plan provides the background information that informs the Council of the reasons why change is required to a facility, service or event provided in their district with their support. The DAIP implementation plan states exactly what change has been decided upon, who is responsible to make sure that change happens and the date by which the change should be completed.

It is only by itemising future requirements that the Council can create realistic budgets to complete the work required.

A fair and equitable DAIP implementation plan therefore suggests to the Council where the proposed budget should be allocated and this can only be done by consulting with many different people.

- the community with a disability
- the community supporting people with disabilities living within or visiting the district
- the Shire of York
- government representatives
- corporate and private businesses
- disability related organisation practicing in the area
- as much community based consultation as possible.

The access and inclusion implementation strategies and objectives that have been developed for the Shire York in the implementation plan are grouped under the six desired outcomes listed on page eight (8) as is recommended by the Disability Commission of Australia. These outcome areas provide a framework for translating the principles and objectives of the Disability Services Act into tangible and achievable results. This framework has been developed by a national body and includes excellent reviewing and monitoring strategies for the ongoing stages of the plan. The Shire of York has adopted this structure for the DAIP.

### **FUNCTIONS, FACILITIES & SERVICES**

The Shire of York is responsible for a range of functions, facilities and services including (in house and contracted):

#### **Services to property:**

- Construction and maintenance of council owned buildings
- Construction and maintenance of roads, footpaths and cycle facilities

- Land drainage and development
- Waste collection and disposal
- Litter control and street cleaning
- Planting and caring for street trees
- Numbering of buildings and lots, street lighting
- Bush fire control

**Services to the community:**

- Provision and maintenance of outdoor playing areas, parks, gardens, reserves
- Provision and maintenance of facilities for sporting and community groups
- Management of recreation centre and swimming pool
- Public library and information services
- Environmental health services
- Citizenship ceremonies and community events.

**Regulatory services:**

- Planning of road systems, sub-divisions and town planning schemes
- Building approvals for construction, additions or alterations to buildings
- Ranger services, including dog control
- The development, maintenance and control of parking
- Statutory inspections

**General administration:**

- Provision of general information to the public and the lodging of complaints and payment of fees including rates and dog licenses.

**Processes of government:**

- Ordinary and special council and committee meetings
- Electors meetings and election of council members
- Community consultations

## **REVIEW and CONSULTATION PROCESS**

**Literature review**

In order to write a relevant DAIP and to be able to make informed suggestions on the implementation plan it was deemed important that the DAIP be based upon updated knowledge of government legislation, previous Shire disability plans with a knowledge of current disability access and inclusion related research. A review of a variety of disability and inclusion related topics were completed. This included:

- Current federal, state and local disability access and inclusion legislation
- Examination of other council documents and strategies
- Universal access building and facility recommendations
  - I. The Building Code of Australia and the Draft Building Code
  - II. Heritage buildings
  - III. New technology
- Identification of contemporary trends and good practices in access and

- inclusion
- Pre 2007 Disability Service Plans and subsequent review reports that outline works in progress and achievements completed

The results of these reviews are reflected within the content of the DAIP and the DAIP implementation plan.

### **Consultation**

Consultation for the DAIP is the most important aspect of the process if the resulting plans are to be fair and equitable to all. To ensure that the DAIP project and the plans that resulted from it were based on as much knowledge as possible the following steps were taken.

As part of the review process for this project, and to insure individuality of the DAIP outcomes, strategies and implementation, consultation with key stakeholders, community members and shire staff was an integral factor. For the 2007 – 2012 DAIP representatives from the shire, key stakeholders in the community and community volunteers were invited to comment prior to formal adoption by Council.

The DAIP and the implementation plan were directed by the Shire of York through consultation with many different people which included;

- Community based consultation.
- Individual consultation with key staff within the Shire of York.
- Group consultation with key staff in the Shire of York.

### **Stakeholders**

Businesses, private and commercial, disability related organisations, people with disabilities and individuals that support people with disabilities in the community were identified as the most important groups to contact and keep informed of the DAIP. Identifying the stakeholders required:

- Consultation with key disability access and inclusion stakeholders within the state and federal governments
- Consultation with key disability access and inclusion stakeholders within the Shire of York

This process identified the following groups as the stakeholders for this disability access and inclusion project.

- The community with a disability
- The community supporting people with disabilities living within or visiting the district
- The Shire of York
- Government representatives
- Corporate and private businesses
- Disability related organisations practicing in the area

The groups identified were contacted through email, post, and phone or in person to ensure that they had the option of being involved in commenting on the DAIP.

#### COMMUNICATING THE DAIP

Ensuring that the communities were aware of the DAIP so that they could participate in the formation of the implementation plans if they wished, was considered a priority by the Shire of York. To do all that was possible to write a fair and equitable DAIP information was sent out to the community in as many formats as was possible.

These included:

##### **Shire Staff and Services**

The staff employed by the Shire of York to deal directly with the public were trained and informed on the DAIP. This included the staff in:

- York Shire Office
- York Library
- York Recreation Centre
- York Swimming Pool
- Depot

Copies of the draft DAIP were made available at these centres for the public, and information on links made available.

##### **Newspapers**

Advertisements requesting comment on the draft DAIP were placed in the local papers prior to formal adoption.

Notices regarding the council passing the draft DAIP and advertising that it being open to public review were published in the local papers for 4 consecutive weeks after the council meeting.

The adopted draft was readvertised in the local newspaper informing the community of the formal adoption.

##### **Web Site and Computer technology**

The draft DAIP was appended to the web site as soon as Council passed it for review.

Notices regarding draft plans, and council meetings considering DAIP related information were advertised on the web site.

##### **Mail Out**

Key stakeholders were sent a letter to inform them that a draft DAIP was ready for review and could be accessed via the internet or sent on computer disc or in an alternative format via the mail.

### **Community Groups**

Local community groups such as the Friends of the Hospital and the York District Health Advisory Group were sent copies of the plan and asked to provide any comments prior to formal adoption.

### **EVALUATION AND REVIEW**

Legislation outlines that the Access and Inclusion Plan will be reviewed at least every 3 years. The Access and Inclusion Plan may be amended on a more regular basis to reflect progress and any access and inclusion issues, which may arise. Whenever the Access and Inclusion Plan is amended, a copy of the amended plan will be lodged with the Disability Services Commission and endorsed internally through the Shire Council of York.

#### **Review and monitoring**

- Council will meet every quarter in the first year and as required thereafter to provide direction, set priorities and review progress on the implementation of the strategies identified in the disability access and inclusion plan
- Council will prepare a report each year on the implementation of the Access and Inclusion plan.
- A status report will be provided in the annual general report.
- Internal staff will be aware of the processes required to communicate activities.

#### **Evaluation**

Once a year, Council will provide notification to the community in a variety of formats, regarding the Access and Inclusion Plan to:

- Review work implemented during the past 12 months
- Seek feedback on the effectiveness of implemented strategies
- Seek feedback on additional barriers not identified in the initial consultation
- Identify additional strategies to consideration.

Council officers may also be requested to provide feedback on how well they believe the strategies are working and to make suggestions for improvement.

## DAIP STRATEGIES

The following strategies have been developed through research, consultation and direction from many agencies and individuals with the knowledge and awareness that they are subject to being incorporated in forecasted financial year budget plans. This document is intended to proactively communicate what the Shire is achieving, and what it intends to achieve. It is therefore essential that all projects are accurately reflected in this plan and that communication with the Shire of York underpins all strategies.

Actions and implementation plans that could be used to achieve these strategies are outlined under the heading 'Implementation Plans and Timelines' further along in this document.

**Outcome 1:** People with disabilities have the same opportunities as other people to access the services of, and any events organized by the Shire of York.

**Objective:** To adapt services wherever possible to meet the needs of people with disabilities.

Strategy
Establish a Disability Access working party to guide the implementation of Disability Access & Inclusion Plan activities.
Ensure that people with disabilities are provided with an opportunity to comment on access to services.
Improve access to library services throughout the Shire
Make the library and Shire offices as accessible as possible.
Develop the links between the Disability Access & Inclusion Plan and other Council plans and strategies.
Ensure that any events are organized so that they are accessible to people with disabilities.
Ensure that Council staff and agents and contractors are aware of the relevant requirements of the Disability Services Act.

**Outcome 2:** People with disabilities have the same opportunities as other people to access the buildings and other facilities of the Shire of York.

**Objective:** To ensure that all Shire owned, leased or supported facilities are accessible to people with diverse needs.

Strategy
Ensure all buildings and facilities are physically accessible to people with disabilities.
Ensure that all new or redevelopment works provide access to people with disabilities, where practicable.
Ensure adequate ACROD parking to meet the demand of people with disabilities in terms of quantity and location.
Advocate to local businesses and tourist venues the requirements for and benefits flowing from the provision of accessible venues.
Ensure that parks and reserves are accessible
Improve access to areas of local natural beauty for people using wheelchairs and assistive walking devices.
Increase the number of accessible playgrounds.
Ensure that public toilets meet the associated accessibility standards.

**Outcome 3:** People with disabilities receive information from the Shire of York in a format that will enable them to access the information as readily as other people are able to access it.

**Objective:** to ensure that relevant information pertaining to Council functions, facilities and services use clear and concise language and are made available in accessible formats

Strategy
Improve community awareness that Council information can be made available in alternative formats upon request.
Improve staff awareness of accessible information needs and how to obtain information in other formats.
Ensure that the Shire's website meets contemporary good practice.
Provide documentation regarding services, facilities and customer feedback in an appropriate format using clear and concise language

**Outcome 4:** People with disabilities receive the same level and quality of service from the staff of the Shire of York as other people receive from the staff of the Shire.

**Objective:** Council staff and volunteers working with the public be equipped with the information and skills to enable them to appropriately provide advice and service to people with diverse abilities.

Strategy
Improve staff awareness of disability and access issues and improve skills to provide a good service to people with disabilities.



Improve the awareness of new staff and new Councillors about disability and access issues.
Further generate and sustain staff awareness of disability and access issues.
Ensure that information is given about universal access and inclusion to all contractors, consultants and external organisations that provide services to the public on behalf of the Shire, or with support of the Shire

**Outcome 5:** People with disabilities have the same opportunities as other people to make complaints to the Shire of York.

Strategy
Ensure that current grievance mechanisms are accessible for people with disabilities.
Improve staff knowledge so they can facilitate the receipt of complaints from people with a disability.
Ensure that grievance mechanism processes and outcome satisfaction survey forms are available in formats to meet the needs of people with disabilities.

**Objective:** Ensure that grievance mechanisms are accessible or that appropriate assistance is given to enable people with diverse needs to make grievances and complaints known to the Shire

**Outcome 6:** People with disabilities have the same opportunities as other people to participate in any public consultation by the Shire of York.

**Objective:** To ensure that people with disabilities can participate fully in decision making and consultation processes managed by the Shire.

Strategy
Improve community awareness about consultation processes in place.
Commit to ongoing monitoring of the Disability Access Inclusion Plan to ensure implementation and satisfactory outcomes.
Improve access for people with disabilities to the established consultative processes of Council.
Seek a broad range of views on disability and access issues from the local community.
Develop a consultation policy for the shire that ensures the needs of people with different communication needs are met

## **RECOMMENDATIONS**

**The following is a list of recommendations for delivery and monitoring of initiatives and strategies included in the DAIP and the implementation plan:**

1. The key DAIP contact advertised to community and to staff in the Shire of York Directory, Website, intranet and staff newsletter. (DSO)
2. Council ensures that priority work and projects are included in the annual financial planning process in February each year.(Councillors)
3. A DAIP Audit to be undertaken biannually to identify barriers to access and inclusion identified by the DAIP. Selected outcomes incorporated into following financial year works programs for roads and pathways.(Council and staff)
4. Work towards ensuring, where appropriate, that all new or redevelopment works provide access to people with disabilities where practicable. (Building Surveyor)
5. Research and apply for grants that will assist in delivery of initiatives and improving existing services and equipment. (ESO)
6. Develop guidelines containing relevant DAIP information for contracts and tenders. (SAO)
7. Encourage all staff and community members to communicate good news stories and to make any knowledge of work not identified in the plan known to Council for record purposes. (EA)
8. Work toward acknowledgement of historic influences within the Shire and their impact on access modifications and new developments where practicable. (SAO)
9. Development of user-friendly access and inclusion brochure for all staff, customers and contractors as required. (SAO)
14. Review the grievance mechanism processes used by the Shire and research current methods used by other local government agencies. (CEO)

### **9.3    Finance Reports**

**9. OFFICER'S REPORTS**  
**9.3 FINANCE REPORTS**  
**9.3.1 INTERIM FINANCIAL REPORT JUNE 2007**

<b>FILE:</b>	<b>FI.FRP</b>
<b>COUNCIL DATE:</b>	<b>16 July 2007</b>
<b>REPORT DATE:</b>	<b>5 July 2007</b>
<b>LOCATION/ADDRESS:</b>	<b>Not Applicable</b>
<b>ACTION OFFICER:</b>	<b>Annette Hunt, Finance Officer</b>
<b>SENIOR OFFICER:</b>	<b>Graham Stanley, Deputy Chief Executive Officer</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>No</b>
<b>APPENDICES:</b>	<b>Yes</b>
<b>DOCUMENTS TABLED:</b>	<b>Nil</b>

**Summary:**

The Interim Financial Report for the period ending 30 June 2007 is hereby presented for the consideration of the Council. The figures presented in this report will be subject to change as not all year end creditor accounts have been received and year end reconciliations may require debtors or accruals to be raised.

The Financial Statement is based on a similar format to that used in the Municipal Budget to aid interpretation and allow consistent comparison and analysis.

The Financial Income and Expenditure Report is attached in Appendix A. .

Also included in Appendix A are the following:

- Bank Account Reconciliations
- Statement of Financial Position
- Cheque drawings on the Municipal Account
- EFT drawings on the Municipal Account
- Cheque drawings on the Trust Account
- Reserve Accounts Balances Summary
- Payroll Direct Bank Debits
- Shell Card Statement
- Corporate Credit Card Statements
- Capital Works / Major Projects Report

The Capital Works and Major Projects Report is presented to monitor the ongoing progress towards Council's budgeted Capital Works and non-recurrent type projects. It provides a summary of costs incurred to date and a brief summary of the current status of the project.

**Consultation:**

Department of Local Government and Regional Development.

**Statutory Environment:**

Local Government Act 1996 (As Amended).

Local Government (Financial Management) Regulations 1996 (As Amended).

**Policy Implications:**

Nil.

**Financial Implications:**

The following information provides balances for key financial areas for the Shire of York's financial position as at 30 June 2007

Sundry Creditors as per General Ledger	\$	180,521.43
Sundry Debtors as per General Ledger	\$	131,738.97
Unpaid rates and services current year (incl ESL)	\$	77,640.60
Unpaid rates and services previous years (incl ESL)	\$	91,776.92

**Strategic Implications:**

Not Applicable.

**Voting Requirements:**

Simple Majority.

**Site Inspection:**

Site Inspection Undertaken: Not applicable

**Triple bottom Line Assessment:**

Nil.

**Economic Implications:**

A zero balance or surplus end of year financial position will increase community confidence and cohesion and provide an opportunity for improved community benefits in 2006/07 and future years.

**Environmental Implications:**

Not applicable.

**Comment:**

A variation report has not been prepared at this stage as creditor and debtor accounts are still being received and balance day adjustments are still to be completed and this would render any variation report meaningless.

## OFFICER RECOMMENDATION

Resolution  
120707

MOVED Cr Lawrance seconded Cr Fisher

***“That Council:***

***Receive the Monthly Financial Report and payments drawn from the Municipal and Trust accounts for the period ending 30 June 2007***

	<u>VOUCHER</u>	<u>AMOUNT</u>
<b>MUNICIPAL FUND</b>		
<b><i>Cheque Payments</i></b>	<b><i>27187-27218</i></b>	<b><i>\$ 207,139.56</i></b>
<b><i>Electronic Funds Payments</i></b>	<b><i>3357-3477</i></b>	<b><i>\$ 312,757.72</i></b>
<b><i>Direct Debits Payroll</i></b>		<b><i>\$ 84,303.69</i></b>
<b><i>Bank Fees</i></b>		<b><i>\$ 458.61</i></b>
<b><i>Corporate Cards</i></b>		<b><i>\$ 2,545.15</i></b>
<b><i>Photocopier Lease</i></b>		<b><i>\$ 1,037.22</i></b>
<b><i>Shell Cards</i></b>		<b><i>\$ 556.08</i></b>
<b><i>TOTAL</i></b>		<b><i>\$ 608,798.03</i></b>
<b>TRUST FUND</b>		
<b><i>Cheque Payments</i></b>	<b><i>3392-3399</i></b>	<b><i>\$ 21,588.12</i></b>
<b><i>Direct Debits Licensing</i></b>		<b><i>\$ 168,311.80</i></b>
<b><i>TOTAL</i></b>		<b><i>\$ 189,899.92</i></b>
<b><i>TOTAL DISBURSEMENTS</i></b>		<b><i>\$ 798,697.75”</i></b>

***CARRIED (5-0)***

### Note to this item

The Chief Executive Officer has delegated authority under Delegation DE1 (Council Meeting 10 August 2006) to make payments from the Municipal and Trust accounts.

APPENDIX  
"A"  
9.3.1

BANK RECONCILIATION				
30-Jun-07				
		MUNICIPAL	TRUST	RESERVE
Balance as previous reconciliation		1,048,181.65	374,566.47	1,737,816.76
Receipts as per daily cash book		191,891.58	281,733.84	
Municipal Interest NCD 494469		1,560.82		
Municipal Interest NCD494468		2,656.61		
Trust Interest NCD497584Open Space			558.17	
Trust Interest NCD497583Defects Liability			314.75	
Reserve Interest 119521748				1.59
Reserve Interest NCD 498585				1,819.00
Reserve interest NCD 497587				6,928.91
Municipal to Reserve				
Reserve To Municipal				
Cancelled cheques 3018/3033			40.00	
Total Receipts		196,109.01	282,646.76	8,749.50
Payment as per schedule cheques	27187- 27218	(207,139.56)		
EFT Direct payments	3357-3477	(312,757.72)		
Payment as per schedule chqs - Trust	3392-3399		(21,588.12)	
Direct Debit Trust Police Licensing			(168,311.80)	
Direct Debit Payroll		(84,303.69)		
Bank fees BendigoTrust		(60.65)		
Bank fees Bendigo Muni		(180.32)		
Bank fees Bendigo Reserve		(2.55)		
Eftpos Bank Fee		(207.09)		
Business Cards Bank Fees		(8.00)		
Business Card Bendigo - CEO		(2,401.15)		
Business Card Bendigo - DCEO		(144.00)		
Lease photocopier		(1,037.22)		
Shell Card		(556.08)		
Municipal To Reserve				
Reserve to Municipal				
TOTAL EXPENDITURE		(608,798.03)	(189,899.92)	
TOTAL RECONCILIATION		635,492.63	467,313.31	1,746,566.26
BALANCES AS PER BANK STATEMENTS				
BENDIGO MUNICIPAL 118630623		785,726.01		
BENDIGO TRUST 118630649			150,881.64	
BENDIGO TRUST NCD 497584 Open space			111,367.30	
BENDIGO TRUST NCD497583 defects liability			62,799.79	
BENDIGO TRUST TD PML 2505,2506,2507,2508			48,872.41	
BENDIGO RESERVE 119521749				364,104.25
BENDIGO NCD RESERVE 508930				1,382,459.46
		785,726.01	373,921.14	1,746,563.71
TOTALS				
Plus Outstanding Deposits		6,066.48	118,420.75	
Outstanding Bill Express deposits				
Outstanding Police Debits			(18,941.85)	
Outstanding cheques		(156,033.31)	(6,155.13)	
Outstanding direct credit maxnet 12/9/06&16/11/06		(264.00)		
Underbank adjustment vehicle licence			68.40	
Reserve Bank fees		(2.55)		2.55
Municipal to Reserve				
Reserve to Municipal				
TOTAL RECONCILIATION		635,492.63	467,313.31	1,746,566.26

**SHIRE OF YORK**  
**STATEMENT OF FINANCIAL POSITION**  
**AS AT THE 30th JUNE 2007**

**2005/06**  
**ACTUAL**

**\$**

**2006/07**  
**ACTUAL**  
**30-Jun-07**

**\$**

**CURRENT ASSETS**

(228,785) Cash  
1,637,547 Cash Restricted  
683,062 Receivables  
25,764 Stock on Hand  
0 Prepaid Expenses

636,293  
1,746,566  
305,067  
35,044  
0

**2,117,588 TOTAL CURRENT ASSETS**

**2,722,971**

**CURRENT LIABILITIES**

(44,522) Accounts Payable  
0 Income Received in Advance  
(292,766) Provision for Leave  
(117,848) Interest Bearing Liabilities

(249,854)  
0  
(283,626)  
(117,848.12)

**(455,137) TOTAL CURRENT LIABILITIES**

**(651,329)**

**1,662,451 NET ASSETS**

**2,071,642**

**Less Items**

(1,637,547) **Cash Restricted**  
117,848 **Interest Bearing Liabilities Included in Budget**  
0 **Deferred Rate Debtors**  
(9,240) **Self Supporting Loan Income**  
91,107 **Add Back LSL**

(1,746,566)  
117,848  
0  
(9,240)  
98,174

**224,619 TOTAL EQUITY**

**531,858**



SHIRE OF YORK RATE SETTING STATEMENT AS AT 30 June 2007-10/7/07				
2005/06		2006/07	2006/07	2006/07
Actual		ADOPTED BUDGET	Amended Budget	Actual
\$		\$	\$	\$
	<b>OPERATING REVENUE</b>			
(1,085,461)	General Purpose Funding	-1,159,693	-1,142,493	-1,179,929
(95,491)	Governance	-36,300	-61,050	-101,367
(117,006)	Law, Order Public Safety	-437,923	-437,923	-95,403
(15,561)	Health	-10,510	-10,510	-18,838
(32,710)	Education and Welfare	-181,450	-181,450	-33,724
-	Housing	0	0	0
(420,201)	Community Amenities	-486,796	-491,296	-648,446
(151,799)	Recreation and Culture	-633,850	-635,250	-78,634
(1,155,183)	Transport	-732,316	-732,316	-712,361
(59,905)	Economic Services	-84,615	-84,615	-85,752
(107,952)	Other Property and Services	-583,849	-583,849	-51,121
(3,280,268)		-4,347,302	-4,360,752	-3,005,575
	<b>LESS OPERATING EXPENDITURE</b>			
\$150,031	General Purpose Funding	199,105	199,105	199,910
\$348,273	Governance	362,458	398,208	408,828
\$249,364	Law, Order, Public Safety	681,115	681,115	438,647
\$161,460	Health	175,275	175,275	160,367
\$70,360	Education and Welfare	57,855	57,855	63,645
\$8,080	Housing	0	0	0
\$729,027	Community Amenities	823,903	828,403	901,942
\$828,965	Recreation and Culture	1,019,268	1,014,268	794,768
\$3,027,190	Transport	4,145,447	4,145,447	3,031,984
\$308,933	Economic Services	437,910	437,910	310,439
\$201,390	Other Property & Services	586,335	586,335	115,236
6,983,072		8,488,671	8,523,921	7,325,765
3,732,804	<i>Increase/(Decrease)</i>	4,141,360	4,163,169	4,320,190
	<b>ADD</b>			
-	Proceeds on Sale of Assets	0	0	0
3,086	Profit/Loss on Sale of Assets	-363,790	-366,660	-488,759
7,384	Increase/(Decrease) Non Current Debtors Rates	6,000	6,000	-22,122
(8,632)	Increase/(Decrease) Non Current Debtors S/S Loan	-2,270	-2,270	-9,242
(8,074)	Change Employee Leave Provisions	0	0	0
(4,948)	Long Service Leave Cash at Bank	-4,720	-4,720	-7,087
(3,850,946)	Depreciation Written Back	-3,812,922	-3,812,922	-3,567,624
(252,102)	Book Value of Assets Sold Written Back	-581,210	-973,340	-70,759
(4,114,231)		-4,758,912	-5,153,912	-4,165,573
(381,426)	<i>Sub Total</i>	-617,543	-990,743	154,617
	<b>LESS CAPITAL PROGRAMME</b>			
-	Purchase Tools	0	0	0
341,199	Purchase Land & Buildings	1,077,099	1,452,099	86,176
538,837	Purchase Plant & Equipment	1,106,500	1,106,500	679,568
90,361	Purchase Furniture & Equipment	41,650	41,650	11,864
1,709,793	Infrastructure Assets - Roads	1,277,464	1,277,464	1,061,066
-	Infrastructure Assets - Recreation Facilities	0	0	0
-	Infrastructure Assets - Other	0	0	0
109,719	Repayment of Debt - Loan Principal	117,849	117,849	117,848
473,662	Transfer To Reserves	710,870	710,870	370,909
-	Transfer to Other Funds	0	0	0
3,263,571		4,331,432	4,706,432	2,327,430
	<b>ABNORMAL ITEMS</b>			
-		0	0	0
-		0	0	0
	<b>Plus Rounding</b>			
3,263,571		4,331,432	4,706,432	2,327,430
2,882,145	<i>Sub Total</i>	3,713,889	3,715,689	2,482,048
	<b>LESS FUNDING FROM</b>			
(692,783)	Reserves	-642,571	-642,571	-261,889
-	Other Funds	0	0	0
-	Loans Raised	-365,000	-365,000	0
(160,381)	Opening Funds	-211,385	-211,385	-224,619
	Sundry Adjustments			
(853,164)	Closing Funds	-1,218,956	-1,218,956	-486,509
(2,253,690)	Total To Be Made up from Rates	-2,494,933	-2,494,933	-2,527,396
(224,619)	Net (Surplus) / Deficit	0	1,800	-531,858

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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
<b>PETTY CASH</b>				
27187				341.55
INV 120607		PLASTIC TABLE CLOTH COVER - CHAMBERS, CHANGE OF	348.70	
INV 130607		PETTY CASH ADJUSTMENT - 16/5-13/6/07 - CHAMBER OF	-7.15	
<b>YORK SHIRE COUNCIL</b>				
27188				1,315.33
INV		TIL/RDO PAYOUTS 2006/07 - CASH COMPONENT	1,315.33	
<b>DEPARTMENT OF ENVIRONMENT</b>				
27189				1,350.00
INV		LIQUID WASTE FACILITY LICENCE 11/7/07-10/7/10	1,350.00	
<b>YORK NEWSAGENCY</b>				
27190				83.57
INV 30662		NEWSPAPERS - MAY 07, CHEQUE FEES x 2, SYMPATHY	83.57	
<b>SYNERGY</b>				
27192				17,298.40
INV		SECURITY LIGHTS - ANNUAL RENTAL 1/4/07-1/4/08	6,390.00	
INV		ELECTRICITY - SWIMMING POOL - 21/3-29/5/07	304.20	
INV		ELECTRICITY - FORREST OVAL - 21/3-28/5/07	52.30	
INV		ELECTRICITY - WAR MEMORIAL - 21/3-28/5/07	18.05	
INV		ELECTRICITY - DEPOT - 21/3-28/5/07	305.90	
INV		ELECTRICITY - ADMIN - 21/3-28/5/07, ELECTRICITY - TOWN	4,932.70	
INV		ELECTRICITY - OLD CONVENT - 21/3-28/5/07	22.80	
INV		ELECTRICITY - CENT UNITS - 21/3-29/5/07	78.40	
INV		ELECTRICITY - GYM - 21/3-28/5/07	33.25	
INV		ELECTRICITY - CB PARK - 28/3-31/5/07	83.20	
INV		ELECTRICITY - SECURITY LIGHTING - 28/3-31/5/07	73.05	
INV		ELECTRICITY - RETIC PUMP AV PARK - 28/3-31/5/07	22.75	
INV		ELECTRICITY - FORREST OVAL BORE PUMP - 21/3-28/5/07	18.25	
INV		ELECTRICITY - RES MUS - 29/3-1/6/07	217.15	
INV		ELECTRICITY - CEMETERY - 29/3-1/6/07	17.15	
INV		ELECTRICITY - STREETLIGHTS - 24/4-24/5/07	2,500.80	
INV		ELECTRICITY - MT BAKEWELL RPT STATION - 23/2-30/4/07	32.90	
INV		ELECTRICITY - 29/3-1/6/07 - OLD CEMETERY GARDENS	17.15	
INV 210607		ELECTRICITY- 21/03/07 - 28/05/07 - REC CENTRE	2,178.40	
<b>PERTS PANTRY</b>				
27193				32.00
INV 79		REIMBURSE GOODS SOLD - RES MUS	32.00	
<b>LOCAL SUPER</b>				
27194		SUPERANNUATION CONTRIBUTIONS		49.55
INV SUPER			49.55	
<b>THE UNIVERSITY OF WESTERN AUSTRALIA</b>				
27195				30.00
INV		PROFESSIONAL FEES - DCEO	30.00	
<b>FIRE &amp; EMERGENCY SERVICES AUTH. OF WA</b>				
27196				9,253.77
INV 121219		ESL QUARTER 4 - 2006/2007	9,253.77	
<b>AUSTRALIAN SERVICES UNION</b>				
27197		UNION FEES		447.20
INV			223.60	
INV			223.60	
<b>ALLEN, GEOFFREY</b>				
27198				781.00
INV 190607		GRAVEL SUPPLY - 500m <sup>3</sup> - PENNY RD, GRAVEL SUPPLY -	781.00	
<b>LANDGATE</b>				
27199				59.70
INV 218004-		GRV'S G2007/7 - 07/04/2007 TO 20/04/2007	46.70	

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Date:				
		<b>LANDGATE</b>		
INV 97670		COPY OF CERTIFICATE OF TITLE	13.00	
		<b>FIRST YORK SCOUT GROUP</b>		
27200				70.00
INV 120607		REFUND PUBLIC TRADING LICENCE FEE - REC 127196	70.00	
		<b>PETTY CASH</b>		
27201				100.95
INV RES		PETTY CASH RECOUP - RES MUS - 13/2-13/6/07 - MICROFISH	100.95	
		<b>PERFECT COMPUTER SOLUTIONS PTY LTD</b>		
27202				330.00
INV 12794		REPORT ON I.T. WORK REQUIRED - BUDGET PREP	330.00	
		<b>TELSTRA</b>		
27203				1,614.22
INV		INTERNET CONNECTION FEES - 17 FORBES ST - APRIL 07	59.95	
INV		TELEPHONE LANDLINES - MAY 07 - SWIMMING POOL,	1,332.12	
INV		MOBILE PHONES - MAY 07 - WORKS, MOBILE PHONES - MAY	218.83	
INV		MOBILE PHONES - MAY 07	3.32	
		<b>WATER CORPORATION OF WA</b>		
27205				34,798.70
INV		WATER - 5/1 - 15/5/07 - TOWN HALL	74.55	
INV		WATER - 8/1-15/5/07 - CENTENNIAL UNITS	1,073.10	
INV		WATER - 29/12/06 - 15/5/07 - GWAMBY TOILETS	71.05	
INV		WATER - 4/1-14/5/07 - FORREST OVAL GROUNDS	58.75	
INV		WATER - 4/1-14/5/07 - FORREST OVAL TANK	9,381.95	
INV		WATER - 5/1-15/5/07 - AVON PARK	863.10	
INV		WATER - 5/1-15/5/07 - OLD CEMETERY	129.80	
INV		WATER USAGE - 03/01 - 11/05/07 - CEMETERY	449.95	
INV		WATER USAGE - 04/01 - 14/05/07 - MEMORIAL PK	173.70	
INV		STANDPIPE WATER - 03/01 - 15/05/07 - GWAMBY STANDPIPE	975.15	
INV		STANDPIPE WATER - 04/01 - 14/05/07 - REDMILE	217.70	
INV		STANDPIPE WATER - 03/01 - 11/05/07 - LINCOLN ST	505.30	
INV		WATER USAGE - 03/01 - 11/05/07 - CANDICE BATEMAN PK	293.20	
INV		WATER USAGE - 04/01 - 14/05/07 - PEACE PK, WATER USAGE	9,800.45	
INV		WATER USAGE - 04/01 - 14/05/07 - SHOW GROUNDS	1,626.50	
INV		WATER USAGE - 04/01 - 14/05/07 - ADMIN	372.35	
INV		WATER USAGE - 03/01 - 14/05/07 - RES MUS	472.10	
INV		WATER USAGE - 4/1-14/5/07 - DEPOT	2,265.75	
INV		STANDPIPE WATER USAGE - RAILWAY RD SP - 29/12/06-	5,415.55	
INV		WATER USAGE - FORREST OVAL DAM - 10/1-18/5/07	103.95	
INV		WATER USAGE - TRANSFER STATION - 10/1-18/5/07	18.40	
INV		WATER USAGE - 17 FORBES ST - 9/1-17/5/07	60.55	
INV		WATER USAGE - CNR COWAN & NEWCASTLE ST - 10/1-	395.80	
		<b>WEST AUSTRALIAN NEWSPAPERS</b>		
27206				131.67
INV 190507		ADVERTISING - OBITUARY	131.67	
		<b>YORK SHIRE COUNCIL</b>		
27207				2,033.00
INV		PAYROLL DEDUCTIONS	105.00	
INV			400.00	
INV			511.50	
INV			105.00	
INV			400.00	
INV			511.50	
		<b>WA LOCAL GOVT SUPER PLAN PTY LTD, (ACN 0</b>		
27209		SUPERANNUATION CONTRIBUTIONS		22,326.19
INV SUPER			6,598.02	
INV			518.50	
INV			88.49	

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Cheque /EFT		Name	INV	
No	Date	Invoice Description	Amount	Amount
<b>WA LOCAL GOVT SUPER PLAN PTY LTD, (ACN 0</b>				
INV		SUPERANNUATION CONTRIBUTIONS	67.27	
INV			22.42	
INV			333.13	
INV			30.80	
INV			123.22	
INV			900.41	
INV			179.70	
INV			89.86	
INV			382.58	
INV			174.37	
INV			432.19	
INV			576.92	
INV SUPER			360.00	
INV			90.00	
INV SUPER			6,559.19	
INV			576.92	
INV			522.49	
INV			88.49	
INV			67.27	
INV			22.42	
INV			333.13	
INV			32.81	
INV			131.22	
INV			900.41	
INV			179.70	
INV			53.54	
INV			382.58	
INV			174.37	
INV			432.19	
INV			-200.45	
INV			-77.09	
INV SUPER			200.45	
INV			77.09	
INV SUPER			503.47	
INV			160.75	
INV			18.58	
INV			31.33	
INV			187.45	
<b>MAJOR MOTORS</b>				
27210				119.31
INV 119.31		SUPPLY WINDING MECHANISM - RH WINDOW Y1660	119.31	
<b>SYNERGY</b>				
27211				196.05
INV		ELECTRICITY - 28/3-31/5/07 - AVON PARK	196.05	
<b>PETER GROUT</b>				
27212				500.00
INV		RECOGNITION OF SERVICE - PETER GROUT	500.00	
<b>EDWARD JOSEPH JONES</b>				
27213				250.00
INV		RECOGNITION OF SERVICE - E JONES	250.00	
<b>COCHRANE, TYHSCHA DAWN</b>				
27214				63.85
INV		UNIFORM REIMBURSEMENT 06/07	63.85	
<b>COMMISSIONER OF POLICE</b>				
27215				28.50
INV		VOLUNTEER POLICE CHECKS MAR TO MAY 07- RES MUS	28.50	

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<b>Cheque /EFT No</b>	<b>Date</b>	<b>Name Invoice Description</b>	<b>INV Amount</b>	<b>Amount</b>
<b>DEPARTMENT FOR PLANNING &amp; INFRASTRUCTURE</b>				
27216 INV P149		REGISTRATION Y 830, REGISTRATION Y 830	68.40	68.40
<b>DEPARTMENT FOR PLANNING &amp; INFRASTRUCTURE</b>				
27217 INV VEH		VEHICLE REGISTRATIONS 6 MONTHS 0Y, VEHICLE	4,958.65	4,958.65
<b>YORK SHIRE COUNCIL</b>				
27218 INV		PALMBROOK CROSSOVERS TO TRUST, PALMBROOK	108,508.0	108,508.0

**REPORT TOTALS**

<b>Bank Code</b>	<b>Bank Name</b>	<b>TOTAL</b>
1	MUNICIPAL FUND BANK	<b>207,139.56</b>
<b>TOTAL</b>		<b>207,139.56</b>

<b>SHIRE OF YORK</b>				
<b>MUNICIPAL ELECTRONIC PAYMENTS</b>				
<b>30-Jun-07</b>				
<b>EFT</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
<b>EFT3357</b>	<b>13/06/2007</b>	<b>AUTO CONTROL DOORS</b>		<b>-447.70</b>
00007672	01/04/2007		SERVICE AUTOMATIC DOORS	447.70
<b>EFT3358</b>	<b>13/06/2007</b>	<b>IMMACU SWEEP</b>		<b>-1320.00</b>
1162	04/05/2007		STREET SWEEPING - MAY 07 - FRASER ST	660.00
1178	17/05/2007		STREET SWEEPING 15/05/07 BRUNSWICK ROAD	660.00
<b>EFT3359</b>	<b>13/06/2007</b>	<b>THE NOSH &amp; NOD</b>		<b>-230.00</b>
28	24/05/2007		ACCOMMODATION - PLANNER - 21/5/07	70.00
29	31/05/2007		ACCOMMODATION - PLANNER - 29/05/07	90.00
35	08/06/2007		ACCOMMODATION - PLANNER - 6/6/07	70.00
<b>EFT3360</b>	<b>13/06/2007</b>	<b>JOHN'S LOCAL CLEANING SERVICE</b>		<b>-100.00</b>
50	30/04/2007		CLEANING OF RESIDENCY MUSEUM - APRIL 07	100.00
<b>EFT3361</b>	<b>13/06/2007</b>	<b>A E HOSKINS &amp; SONS</b>		<b>-66000.00</b>
00018506	10/05/2007		FESA SHED - 4TH PROGRESS PAYMENT	66000.00
<b>EFT3362</b>	<b>13/06/2007</b>	<b>ELAINE ELIZABETH ASHFORD</b>		<b>-84.00</b>
F CLASS REF	06/05/2007		F CLASS LICENSE REIMBURSEMENT - YDO	84.00
<b>EFT3363</b>	<b>13/06/2007</b>	<b>CT MANAGEMENT GROUP</b>		<b>-9595.85</b>
5	23/05/2007		ENGINEERING STUDIES - YORK TOWN SITE	6103.90
6	23/05/2007		TRANSPORT INFRASTRUCTURE STUDY - SEAVROC	3491.95
<b>EFT3364</b>	<b>13/06/2007</b>	<b>WESTNET PTY LTD</b>		<b>-175.51</b>
7054213	01/05/2007		INTERNET FEES - 01/05 - 01/05/07 - ADMIN	10.67
7258410	17/05/2007		INTERNET FEES - 01/06 - 01/07/07 - ADMIN	69.95
7258411	17/05/2007		INTERNET FEES - 01/06/07 - 01/06/08 - ADMIN	20.00
7258412	17/05/2007		INTERNET FEES - 01/06 - 01/07/07 - ADMIN	4.99
7259048	17/05/2007		INTERNET FEES - 01/06 - 01/07/07 - RES MUS	24.95
7260452	17/05/2007		INTERNET FEES - 01/06 - 01/07/07 - DEPOT	44.95
<b>EFT3365</b>	<b>13/06/2007</b>	<b>AVON FENZING</b>		<b>-331.00</b>
230507	23/05/2007		GREY ST GARDENS - DINGO HIRE	231.00
100607	10/06/2007		DINGO HIRE - DIG HOLES GREY ST GARDENS	100.00
<b>EFT3366</b>	<b>13/06/2007</b>	<b>YORK IT &amp; COMMUNICATION</b>		<b>-469.15</b>
00949	23/05/2007		EPSON INK CARTRIDGES - DEPOT	109.20

0705-201	25/05/2007		REPAIR COMPUTER - RES MUS	94.95
0705-53	17/05/2007		SYNERGY UPDATE/HARD DRIVE & POWER SUPPLY REPAIRS - QVT	220.00
2007-05-02	02/05/2007		COMPUTER REPAIRS - EHO	45.00
<b>EFT3367</b>	<b>13/06/2007</b>	<b>AUSTRALIA POST</b>		<b>-739.83</b>
618964-07053106	04/06/2007		POSTAGE - MAY 07	739.83
<b>EFT3368</b>	<b>13/06/2007</b>	<b>MCLEODS</b>		<b>-1836.51</b>
38841	31/05/2007		LEGAL FEES - ROSMILL P/L - LOT 3 GT STHN HWY	691.33
38744	31/05/2007		LEGAL FEES - SALE LOTS 11-13 REDMILE RD - SHIRE TO KENNEDY	1145.18
<b>EFT3369</b>	<b>13/06/2007</b>	<b>KW &amp; KM MOORFIELD</b>		<b>-2697.34</b>
2082	30/04/2007		REPAIR CHAIN - STREET SWEEPER	2697.34
<b>EFT3370</b>	<b>13/06/2007</b>	<b>AVON WASTE</b>		<b>-16101.30</b>
00002753	25/05/2007		DOM RUBBISH - 25/5/07	6358.89
2754	25/05/2007		RECYCLING SERVICES x 2 WKS - 25/5/07	9742.41
<b>EFT3371</b>	<b>13/06/2007</b>	<b>YORK IGA</b>		<b>-29.64</b>
03/2585	12/04/2007		MILK - RES MUS	3.44
01/5969	05/04/2007		COFFEE/MILK - RES MUS	17.04
03/6724	26/04/2007		MILK - RES MUS	9.16
<b>EFT3372</b>	<b>13/06/2007</b>	<b>HUNT, ANNETTE JUNE</b>		<b>-249.75</b>
REIMB UNIF 0607	23/05/2007		STAFF UNIFORM REIMBURSEMENT - 06/07	249.75
<b>EFT3373</b>	<b>13/06/2007</b>	<b>AAMOT, ARTHUR HANS</b>		<b>-317.02</b>
77	09/05/2007		FREIGHT - HERSEYS	121.00
96	15/05/2007		FREIGHT - HERSEYS	196.02
<b>EFT3374</b>	<b>22/06/2007</b>	<b>MEGASPOOL</b>		<b>-2200.00</b>
107	14/06/2007		PAINT POOL BOWL PROG PAYMENT 2	2200.00
<b>EFT3375</b>	<b>22/06/2007</b>	<b>ROLLOUT GRASS PTY LTD</b>		<b>-6000.00</b>
Y2905	29/05/2007		YORK GOLF CLUB PROJECT - SUPERTEE SYSTEM - DEPOSIT	6000.00
<b>EFT3376</b>	<b>25/06/2007</b>	<b>THE COOL CLEAR WATER COMPANY</b>		<b>-60.50</b>
220670	15/05/2007		MONTHLY FEE - WATER UNIT - 22/05 - 21/06/07	60.50
<b>EFT3377</b>	<b>25/06/2007</b>	<b>SHIRE OF CUNDERDIN</b>		<b>-10000.00</b>
10514	11/06/2007		CONTRIBUTION- COMM SAFETY AND CRIME PREV PLANS - SEAVROC	10000.00
<b>EFT3378</b>	<b>25/06/2007</b>	<b>PETER SPECIALE SMASH REPAIRS</b>		<b>-300.00</b>
7598/2	07/06/2007		CLAIM EXCESS - Y770	300.00
<b>EFT3379</b>	<b>25/06/2007</b>	<b>IMMACU SWEEP</b>		<b>-660.00</b>
1186	05/06/2007		STREET SWEEPING - MAY 07 - MANSFIELD ST	660.00
<b>EFT3380</b>	<b>25/06/2007</b>	<b>CORPORATE EXPRESS</b>		<b>-2558.30</b>
WKI2285267	09/03/2007		TONER - PHOTOCOPIER	45.05
WKI2326839	20/04/2007		OFFICE EQUIPMENT - INK CARTRIDGES - ADMIN	301.25

WKI2297373	21/03/2007		STATIONERY - SORTER/CLIP DISPENSER/FASTENER - ADMIN	138.30
WDI21376	08/03/2007		STATIONERY- SELF INKING STAMPS - ADMIN	93.50
WKI2290478	15/03/2007		STATIONERY - BINDERS/CLIPS/MARKERS - ADMIN	126.04
WKI2321942	17/04/2007		OFFICE EQUIPMENT- INK CARTRIDGES- ADMIN	821.67
130207	13/02/2007		STAMPS x 2 - DCEO/VARIOUS INVOICES	79.98
WKI2371373	07/06/2007		MARKERS/FOLDERS/RUBBER BANDS/BCARD HOLDER	78.47
WKI2379261	14/06/2007		COL COPY PAPER/PENS/STAPLER	402.60
WKI2380130	15/06/2007		TONER CARTRIDGE SET x 2	300.60
WKI2375935	12/06/2007		STATIONERY - ADMIN OFFICE	170.84
<b>EFT3381</b>	<b>25/06/2007</b>	<b>BORAL CONSTRUCTION MATERIALS</b>		<b>-583.00</b>
WA4293152	17/05/2007		COLDMIX 7MM x 1 TONNE - TALBOT WEST ROAD	583.00
<b>EFT3382</b>	<b>25/06/2007</b>	<b>PLICHOTA, ANGELA YOHANNA</b>		<b>-389.22</b>
140607	14/06/2007		REIMB RANGER TELEPHONE LINE RENTAL AS PER EMPLOYMENT AGREEMENT - MAR 06 - APR 07	389.22
<b>EFT3383</b>	<b>25/06/2007</b>	<b>YAKKA PTY LTD</b>		<b>-499.40</b>
8981291	22/05/2007		UNIFORMS - NATASHA BRENNAN	141.68
8995256	30/05/2007		WORK UNIFORM - KATE HOOPER	310.20
9014012	01/06/2007		WORK UNIFORM - PETER STEVENS	47.52
<b>EFT3384</b>	<b>25/06/2007</b>	<b>WHEATBELT OFFICE &amp; BUSINESS MACHINES</b>		<b>-700.00</b>
3179	05/06/2007		PHOTOCOPIER HIRE - RES MUS	700.00
<b>EFT3385</b>	<b>25/06/2007</b>	<b>MATTHEW DAVIES</b>		<b>-250.00</b>
180607	18/06/2007		WORK UNIFORM REIMB - 06/07	250.00
<b>EFT3386</b>	<b>25/06/2007</b>	<b>YORK BUILDING SUPPLIES</b>		<b>-247.80</b>
40045	03/05/2007		FAST SETTING CONCRETE - CEMETERY	28.60
40063	04/05/2007		NUTS/BOLTS/SCREWDRIVER SET - DEPOT	38.66
40181	10/05/2007		PAPER FILTER MASKS	17.82
40191	10/05/2007		FAST SETTING CONCRETE - CEMETERY	28.60
40263	14/05/2007		NUTS/BOLTS - DEPOT	10.78
40339	17/05/2007		HOSE CONNECTIONS - DEPOT	26.59
40451	22/05/2007		ELBOW JOINT - AVON PARK	1.10
40452	22/05/2007		POLY PIPE / RATCHET CLAMP - SUNDRY PARKS MTC	8.25
40256	14/05/2007		REDUCING JOINER - MINOR PLANT	0.46
39987	01/05/2007		COUPLINGS - SPENCERS BROOK RD	1.10
39996	02/05/2007		PVC FAUCETS / SOCKETS - SPENCERS BROOK RD	10.60



40037	03/05/2007		GALVANISED CLOUTS - GUIDE POSTS	19.80
40038	03/05/2007		MARINE GRADE EYE BOLTS	55.44
<b>EFT3387</b>	<b>25/06/2007</b>	<b>BILL EXPRESS LTD</b>		<b>-218.25</b>
I1-15403277	01/06/2007		BILL PAYMENT FEES - MAY 07	50.78
I1-13269317	05/01/2007		BILL PAYMENT FEES - DEC 06	167.47
<b>EFT3388</b>	<b>25/06/2007</b>	<b>YORK AUTO ELECTRICS</b>		<b>-396.00</b>
1705	23/05/2007		REVOLVING LAMP 24V - Y711	154.00
1762	12/06/2007		ROTATING AMBER LIGHT - Y.4894	242.00
<b>EFT3389</b>	<b>25/06/2007</b>	<b>GEMINI MEDICAL SERVICES PL</b>		<b>-497.60</b>
YO0607	23/05/2007		DOCTOR'S VEHICLE JUNE 07 - PMT IN LIEU	497.60
<b>EFT3390</b>	<b>25/06/2007</b>	<b>THE NOSH &amp; NOD</b>		<b>-105.50</b>
37	11/06/2007		ACCOMMODATION - 11/06/07 - PLANNER	105.50
<b>EFT3391</b>	<b>25/06/2007</b>	<b>CREATIVE SPACES</b>		<b>-1809.50</b>
00006117	03/05/2007		SIGNAGE RES MUS - PART PAYMENT 35%	1809.50
<b>EFT3392</b>	<b>25/06/2007</b>	<b>JOHN &amp; CORRY GILFELLON</b>		<b>-532.80</b>
50	12/06/2007		EXECUTIVE SUPPORT OFFICER - SEAVROC - MAY 2007	532.80
<b>EFT3393</b>	<b>25/06/2007</b>	<b>L J'S CAFE</b>		<b>-267.30</b>
53	15/06/2007		SANDWICHES & F/FOOD - BUILDING/HEALTH CONFERENCE - CHAMBERS	156.75
54	18/06/2007		SANDWICHES & F/FOOD - COUNCIL MEETING 18/06/07	110.55
<b>EFT3394</b>	<b>25/06/2007</b>	<b>DAVID LAWN</b>		<b>-1203.99</b>
080607	08/06/2007		PLANNING SERVICES - KAURING TOWNSITE - SCHMIDT	725.96
080607 YORK	08/06/2007		PLANNING SERVICES - YORK TOWNSITE. DAVID LAWN	478.03
<b>EFT3395</b>	<b>25/06/2007</b>	<b>ADVANCED AUTOLOGIC PTY LTD</b>		<b>-130.00</b>
23640	12/06/2007		TRUCK WASH/DEGREASER - DEPOT	130.00
<b>EFT3396</b>	<b>25/06/2007</b>	<b>VALUE TISSUE</b>		<b>-539.00</b>
1634	11/06/2007		TOILET ROLL - TOWN HALL	539.00
<b>EFT3397</b>	<b>25/06/2007</b>	<b>JOHN'S LOCAL CLEANING SERVICE</b>		<b>-100.00</b>
68	31/05/2007		CLEANING - RES MUS - MAY 07	100.00
<b>EFT3398</b>	<b>25/06/2007</b>	<b>NAVIGATOR PERSONAL RETIREMENT PLAN</b>		<b>-204.04</b>
SUPER	06/06/2007		SUPERANNUATION	102.02
SUPER	20/06/2007		SUPERANNUATION	102.02
<b>EFT3399</b>	<b>25/06/2007</b>	<b>AUSTIN COMPUTERS</b>		<b>-345.00</b>
A0716580	25/05/2007		1GB RAM x 3 - ADMIN COMPUTERS	345.00
<b>EFT3400</b>	<b>25/06/2007</b>	<b>POOLCLAD &amp; INDUSTRIAL COATINGS</b>		<b>-8566.80</b>
07/00417	30/04/2007		SUPPLY POOL PAINT/DEGREASER/THINNER	8566.80
<b>EFT3401</b>	<b>25/06/2007</b>	<b>SHADE ENGINEERING</b>		<b>-4757.50</b>
07/00329	21/05/2007		REPLACE SHADE COVER - AVON PARK	4757.50

<b>EFT3402</b>	<b>25/06/2007</b>	<b>STRUCTERRE CONSULTING GROUP</b>		<b>-1338.04</b>
455802	05/06/2007		SOIL TESTING - LOT 229 OSNABURG RD	231.00
455801	05/06/2007		SOIL TESTING - LOT 229 OSNABURG RD	231.00
455753	05/06/2007		SOIL TESTING - LOT 229 OSNABURG RD - SOIL RETRIEVAL PROBE	412.50
455752	05/06/2007		SITE INSPECTION - LOT 229 OSNABURG RD	463.54
<b>EFT3403</b>	<b>25/06/2007</b>	<b>BCA ON-SITE</b>		<b>-85.00</b>
1537	28/05/2007		WORKSHOP - BCA ENERGY EFFICIENCY 31/5/07 - EHO	85.00
<b>EFT3404</b>	<b>25/06/2007</b>	<b>4 FARMERS</b>		<b>-1074.70</b>
50207	03/04/2007		GLYPHOSATE x 2 DRUMS / METSULFURON 500GM	275.00
50230	18/05/2007		GLYPHOSATE x 6 DRUMS/METSULFURON 500GM/CHLOROSULFURON x 1KG	799.70
<b>EFT3405</b>	<b>25/06/2007</b>	<b>MACRI PARTNERS</b>		<b>-3300.00</b>
18328	31/05/2007		INTERIM AUDIT FOR 30/6/07	3300.00
<b>EFT3406</b>	<b>25/06/2007</b>	<b>SPECTRUM DISTRIBUTORS (ORICA AUSTRALIA PTY LTD)</b>		<b>-463.17</b>
3936000	30/04/2007		SERVICE FEE/CHLORINE CYLINDER - APRIL 07	82.76
3954992	31/05/2007		SERVICE FEE/CHLORINE - MAY 07	33.76
3919967	31/03/2007		SERVICE FEE/CHLORINE - MARCH 07	93.65
3903720	07/03/2007		1 x 70KG CYLINDER CHLORINE GAS	253.00
<b>EFT3407</b>	<b>25/06/2007</b>	<b>W A HINO SALES &amp; SERVICE</b>		<b>-310.86</b>
66796	29/05/2007	W A HINO SALES & SERVICE	WHEEL STUDS/NUTS - Y711	310.86
<b>EFT3408</b>	<b>25/06/2007</b>	<b>COOK'S TOURS</b>		<b>-385.00</b>
1652	30/04/2007		1/4 PAGE ADVERT IN 'BEAUTIFUL SOUTH'	385.00
<b>EFT3409</b>	<b>25/06/2007</b>	<b>YORK &amp; DISTRICTS COMMUNITY MATTERS</b>		<b>-880.00</b>
5529	30/05/2007		ADVERTISING - VOICE OF YORK JUNE 07	880.00
<b>EFT3410</b>	<b>25/06/2007</b>	<b>HENDERSON, PJ &amp; KD</b>		<b>-88.00</b>
1873	18/06/2007		REPAIR HOT WATER PIPE - PAVILION	88.00
<b>EFT3411</b>	<b>25/06/2007</b>	<b>JOHN BULLOCK &amp; ASSOCIATES</b>		<b>-750.00</b>
5704	16/05/2007		SURVEY & RE-ESTABLISH PEG BOUNDARY - LOT 229 OSNABURG ROAD	750.00
<b>EFT3412</b>	<b>25/06/2007</b>	<b>YORK CONCRETE</b>		<b>-36764.20</b>
149	21/05/2007		SUPPLY & LAY CONCRETE - FORD ST FOOTPATH	22523.60
163	07/06/2007		SUPPLY AND LAY CONCRETE - FESA BUILDING	14240.60
<b>EFT3413</b>	<b>25/06/2007</b>	<b>METRO COUNT</b>		<b>-425.00</b>
11421	29/05/2007		AIR TUBE x 100MT - ROAD	425.00

			COUNTERS	
<b>EFT3414</b>	<b>25/06/2007</b>	<b>SUNNY SIGN COMPANY</b>		<b>-8334.59</b>
34260	28/05/2007		RURAL STREET ADDRESS NUMBERS x 4 SETS	32.89
34183.2	21/05/2007		ROAD/TRAFFIC SIGNS - WEST TALBOT RD	8301.70
<b>EFT3415</b>	<b>25/06/2007</b>	<b>AUSTRALIAN INSTITUTE OF MANAGEMENT</b>		<b>-742.00</b>
510663	07/06/2007		TRAINING COURSE 20.6.05 - WORD ADVANCED - ESO	371.00
510662	07/06/2007		TRAINING COURSE 20.6.05 - WORD ADVANCED - CEOSEC	371.00
<b>EFT3416</b>	<b>25/06/2007</b>	<b>STATE LIBRARY OF WESTERN AUSTRALIA</b>		<b>-24.20</b>
LISW057111	30/04/2007		LOST/DAMAGED DVD	24.20
<b>EFT3417</b>	<b>25/06/2007</b>	<b>YORK GENERAL PRACTICE</b>		<b>-77.00</b>
52305	28/05/2007		DRIVERS LICENCE MEDICAL - YDO	77.00
<b>EFT3418</b>	<b>25/06/2007</b>	<b>WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION</b>		<b>-1054.28</b>
47108	31/05/2007		ADVERTISING - WHEATBELT LIFTOUT	1054.28
<b>EFT3419</b>	<b>25/06/2007</b>	<b>DEPARTMENT OF AGRICULTURE HEAD OFFICE</b>		<b>-385.00</b>
AG154876	17/05/2007		LAB TEST & REPORT - DUCKS AVON RIVER	385.00
<b>EFT3420</b>	<b>25/06/2007</b>	<b>AYOUB, DAVID JOHN</b>		<b>-2772.00</b>
129	14/06/2007		PREPARE FOOTPATHS - FORD ST	2772.00
<b>EFT3421</b>	<b>25/06/2007</b>	<b>AVON VALLEY FLYSCREENS</b>		<b>-770.00</b>
928	06/06/2007		SUPPLY & FIT VENETIANS - FESA BUILDING	770.00
<b>EFT3422</b>	<b>25/06/2007</b>	<b>AUSTRALIAN INSTITUTE OF ENVIRONMENTAL HEALTH</b>		<b>-440.00</b>
606504	29/05/2007		FOODSAFE TRAINING PACK	440.00
<b>EFT3423</b>	<b>25/06/2007</b>	<b>AVON TRACTOR &amp; IMPLEMENT</b>		<b>-523.91</b>
N10367	21/05/2007		CHANGE DIFF OILS - JD MOWER	523.91
<b>EFT3424</b>	<b>25/06/2007</b>	<b>BRIDGESTONE AUSTRALIA LTD</b>		<b>-2413.05</b>
120607	12/06/2007		TYRES x4 - Y711	2413.05
<b>EFT3425</b>	<b>25/06/2007</b>	<b>COURIER AUSTRALIA</b>		<b>-28.14</b>
TRANS0266434	15/05/2007		FREIGHT - LIBRARY INFO SERVICE	13.23
TRANS0271342	31/05/2007		FREIGHT CHARGES TO 31/5/07 - LISWA 29/5/07	14.91
<b>EFT3426</b>	<b>25/06/2007</b>	<b>CASTLE HOTEL</b>		<b>-555.95</b>
784	13/06/2007		REFRESHMENTS - COUNCIL	555.95
<b>EFT3427</b>	<b>25/06/2007</b>	<b>CJD EQUIPMENT PTY LTD</b>		<b>-103.84</b>
W0096000	05/06/2007		REPAIR BLADE RUNNER - Y.205	103.84
<b>EFT3428</b>	<b>25/06/2007</b>	<b>CENTRAL DISTRICTS AIRCONDITIONING</b>		<b>-685.22</b>

22272	05/06/2007		REPAIRS TO ADMIN AIR CON UNITS	685.22
<b>EFT3429</b>	<b>25/06/2007</b>	<b>EASTERN HILLS SAWS AND MOWERS</b>		<b>-446.80</b>
16214	29/05/2007		SERVICE BARS/SPROCKETS/CHAINS/OIL	446.80
<b>EFT3430</b>	<b>25/06/2007</b>	<b>ESPLANADE HOTEL</b>		<b>-525.00</b>
316562	16/05/2007		CONFERENCE ACCOM - EHO - 9-11/5/07	525.00
<b>EFT3431</b>	<b>25/06/2007</b>	<b>KW &amp; KM MOORFIELD</b>		<b>-99.00</b>
2102	31/05/2007		REPAIR WHEEL STUDS - Y.711	99.00
<b>EFT3432</b>	<b>25/06/2007</b>	<b>NORTHAM TOYOTA</b>		<b>-3383.70</b>
12170	15/05/2007		PURCHASE OF AURION TOYOTA Y000	3383.70
<b>EFT3433</b>	<b>25/06/2007</b>	<b>QUAIRADING EARTHMOVING CO</b>		<b>-5148.00</b>
16277	24/05/2007		DOZER HIRE x 2 DAYS - MACKIE RD	5148.00
<b>EFT3434</b>	<b>25/06/2007</b>	<b>ROUS, ERIC DAVID</b>		<b>-1393.15</b>
5089	21/05/2007		INSTALL FLURO LIGHTS & SMOKE DETECTORS - TOWN HALL BACKSTAGE	1393.15
<b>EFT3435</b>	<b>25/06/2007</b>	<b>SMITHS SHELL SERVICE</b>		<b>-159.00</b>
164349	24/05/2007		CHAINSAW FILES / CHAINS	159.00
<b>EFT3436</b>	<b>25/06/2007</b>	<b>STATE LAW PUBLISHER</b>		<b>-71.50</b>
142497	12/06/2007		LG ACT - LOOSE LEAF AMENDMENT NO.1 - x10	71.50
<b>EFT3437</b>	<b>25/06/2007</b>	<b>AVON WASTE</b>		<b>-9215.91</b>
2808	08/06/2007		DOMESTIC RUBBISH COLLECTION - 8/6/07	6309.77
2809	08/06/2007		RECYCLING SERVICES - 8/6/07	2906.14
<b>EFT3438</b>	<b>25/06/2007</b>	<b>AVON VALLEY TYRE SERVICE</b>		<b>-160.00</b>
575	30/05/2007		REPAIR PUNCTURE - TRUCK TYRE Y1660	35.00
511	03/05/2007		FIT LARGE CASING PATCH - LOADER	125.00
<b>EFT3439</b>	<b>25/06/2007</b>	<b>TOWN OF NORTHAM</b>		<b>-5331.70</b>
S27	22/05/2007		WASTE DISPOSAL LANDFILL TOWN OF NORTHAM - APRIL 07	5331.70
<b>EFT3440</b>	<b>25/06/2007</b>	<b>HOME HARDWARE</b>		<b>-102.83</b>
232877	01/03/2007		LIGHT GLOBES - RES MUS	7.33
243235	07/05/2007		PAINTING MATERIALS - BANNERS IN THE TERRACE	34.01
243759	11/05/2007		BLANK KEY - OLD CONVENT	3.38
243868	11/05/2007		PADLOCKS - ROAD COUNTERS	22.28
244369	15/05/2007		PAINT BRUSH/DUST MASKS/PRUNERS - AVON WALK TRAIL	18.05
246386	28/05/2007		FLY WIRE - RES MUS	11.85
246755	31/05/2007		PADLOCK - RES MUS	5.93
<b>EFT3441</b>	<b>25/06/2007</b>	<b>YORK IGA</b>		<b>-356.71</b>
03/8859	31/05/2007		MILK / TEA - ADMIN	19.32
01/4325	28/05/2007		MILK/COFFEE/BISCUITS - ADMIN	62.43
03/6631	25/05/2007		NAPKINS/PAPER TOWEL/FIRST AID SUPPLIES - ADMIN	11.90
05/7142	21/05/2007		MILK / SUGAR - DEPOT	9.31

01/1980	21/05/2007		MILK/TEA/BISCUITS - ADMIN	20.95
03/3357	15/05/2007		MILK - ADMIN	11.75
02/3474	14/05/2007		REFRESHMENTS - YAC MEETINGS	28.98
01/2961	24/05/2007		MILK - ADMIN	5.07
03/3135	14/05/2007		GARBAGE BAGS - DEPOT	13.96
01/9106	14/05/2007		MILK - ADMIN	9.98
03/2105	11/05/2007		LIBRARY STATIONERY SUPPLIES	3.76
01/7624	10/05/2007		COFFEE/SUGAR - ADMIN	33.36
03/1198	09/05/2007		MILK - ADMIN	8.20
03/8495	01/05/2007		MILK - DEPOT	4.10
01/5176	08/05/2007		MILK - ADMIN	11.72
01/7243	09/05/2007		MILK / COFFEE - DEPOT	32.62
03/4066	17/05/2007		PLASTIC PLATES / CLINGWRAP - SEAVROC MTG	6.18
03/3735	16/05/2007		MTG REFRESHMENTS - SEAVROC MTG	19.47
03/1197	09/05/2007		FOAM CUPS/BISCUITS - RES MUS	18.65
01/5573	31/05/2007		MILK - RES MUS	10.93
01/2553	23/05/2007		MILK/COFFEE - RES MUS	14.07
<b>EFT3442</b>	<b>25/06/2007</b>	<b>YORK VISITOR CENTRE</b>		<b>-330.00</b>
2273	27/04/2007		ADVERTISING - YORK BROCHURE 2007	330.00
<b>EFT3443</b>	<b>25/06/2007</b>	<b>IT VISION</b>		<b>-484.00</b>
16126	13/06/2007		SYNERGY TRAINING - DOG SYSTEM 08/05/07 - CSOs	242.00
16125	13/06/2007		CASH RECEIPTING WORKSHOP 08/05/07 - CSOs	242.00
<b>EFT3444</b>	<b>25/06/2007</b>	<b>WESTCARE INDUSTRIES</b>		<b>-13.64</b>
368	24/05/2007		LOST/DAMAGED BOOKS	13.64
<b>EFT3445</b>	<b>25/06/2007</b>	<b>AVON EXPRESS</b>		<b>-55.00</b>
16667	29/05/2007		FREIGHT - WA HINO	22.00
16643	08/05/2007		FREIGHT - VALUE TISSUE	33.00
<b>EFT3446</b>	<b>25/06/2007</b>	<b>JASON SIGNMAKERS</b>		<b>-6737.50</b>
PF71350	14/06/2007		ARCH FRAMES & BRACKETS x5	6737.50
<b>EFT3447</b>	<b>25/06/2007</b>	<b>RURAL PRESS REGIONAL MEDIA (WA) PTY LTD</b>		<b>-196.35</b>
1867731	16/05/2007		ADVERTISING - ADVOCATE 16.5.07 - TP - 15 FORREST ST	84.15
1870006	23/05/2007		ADVERT - ADVOCATE 23.5.07 - TP - 95 AVON TCE/22 FORD ST/6 RIVER ST	112.20
<b>EFT3448</b>	<b>25/06/2007</b>	<b>YORK RURAL TRADING</b>		<b>-312.75</b>
011259	15/05/2007		TERMITE SPRAY / INSECTICIDE - TOWN HALL	92.90
010846	07/05/2007		BATTERY ADAPTORS - DEPOT	219.85
<b>EFT3449</b>	<b>25/06/2007</b>	<b>FUEL DISTRIBUTORS</b>		<b>-8344.70</b>
55923	24/05/2007		DIESEL x 3500 LTRS	4468.10
59873	01/06/2007		DIESEL x 3000 LTRS	3876.60
<b>EFT3450</b>	<b>25/06/2007</b>	<b>LANDMARK</b>		<b>-65.09</b>
900658	15/05/2007		DOG FOOD x2 BAGS / POLYPIPE RISE	65.09
<b>EFT3451</b>	<b>25/06/2007</b>	<b>BURGESS RAWSON (WA) PTY LTD</b>		<b>-49.45</b>
176818	01/06/2007		STANDPIPE WATER USAGE - BURGESS SP - 27/12/06 - 16/5/07	49.45

<b>EFT3452</b>	<b>25/06/2007</b>	<b>WHEATBELT FIRE EXTINGUISHERS</b>		<b>-243.65</b>
A428	30/05/2007		1 x 4.5KG EXTINGUISHER, 1 x FIRE BLANKET	209.00
A427	30/05/2007		WORMALD 2.1KG - FIRE EXTINGUISHER REFILL	34.65
<b>EFT3453</b>	<b>28/06/2007</b>	<b>IMMACU SWEEP</b>		<b>-660.00</b>
1193	19/06/2007		STREET SWEEPING - JUNE 07 - LITTLE ST	660.00
<b>EFT3454</b>	<b>28/06/2007</b>	<b>NEAT N TRIM UNIFORMS PTY LTD</b>		<b>-407.00</b>
M87284	07/05/2007		WORK UNIFORM - H MCNAMARA	407.00
<b>EFT3455</b>	<b>28/06/2007</b>	<b>KEEBLE, CINDY REA</b>		<b>-125.12</b>
250607	25/06/2007		REIMB PURCHASE - LIBRARY BOOKS	125.12
<b>EFT3456</b>	<b>28/06/2007</b>	<b>THE NOSH &amp; NOD</b>		<b>-70.00</b>
40	18/06/2007		ACCOMMODATION - PLANNER - 18/6/07	70.00
<b>EFT3457</b>	<b>28/06/2007</b>	<b>CREATIVE SPACES</b>		<b>-10455.50</b>
CS053	21/06/2007		DESIGN & INSTALLATION - GRAPHIC PANELS - RES MUS (FINAL PMT)	10455.50
<b>EFT3458</b>	<b>28/06/2007</b>	<b>TABITHA RENAE BATEMAN</b>		<b>-157.35</b>
UNIFORM REIMB	27/06/2007		UNIFORM PURCHASE REIMB - 06/07	157.35
<b>EFT3459</b>	<b>28/06/2007</b>	<b>L J'S CAFE</b>		<b>-63.80</b>
55	22/06/2007		SEAVROC MORNING TEA - MINISTER'S VISIT 22/6/07	63.80
<b>EFT3460</b>	<b>28/06/2007</b>	<b>DAVID LAWN</b>		<b>-1763.89</b>
TRAVEL REIMB	30/06/2007		REIMBURSE PLANNER - TRAVEL COSTS 23/5-30/6/07	1763.89
<b>EFT3461</b>	<b>28/06/2007</b>	<b>BRANDCORP PTY LTD</b>		<b>-110.80</b>
231593	25/06/2007		UNBUFFERED TISSUE PAPER - RES MUS	110.80
<b>EFT3462</b>	<b>28/06/2007</b>	<b>THE QUEEN OF CLEAN</b>		<b>-7810.00</b>
142	20/06/2007		CLEANING AGREEMENT - 17/5-20/6/07 - TOWN HALL	7700.00
141	05/06/2007		CLEANING AGREEMENT - OLDE FIRE STATION - MAY 07	110.00
<b>EFT3463</b>	<b>28/06/2007</b>	<b>DEXION BALCATTA</b>		<b>-72.26</b>
358394	19/06/2007		NUMBER LABELS - FILING	72.26
<b>EFT3464</b>	<b>28/06/2007</b>	<b>AUSTRAL MERCANTILE</b>		<b>-946.47</b>
13.97	15/06/2007		DEBT COLLECTION CHARGES - SUNDRY DRS - JUNE 07	13.97
YORKRATE	27/06/2007		RATE DEBT COLLECTION FEES TO JUNE 07	932.50
<b>EFT3465</b>	<b>28/06/2007</b>	<b>YORK WINES</b>		<b>-275.00</b>
250607	25/06/2007		COUNCIL REFRESHMENTS	275.00
<b>EFT3466</b>	<b>28/06/2007</b>	<b>RAY HOOPER</b>		<b>-83.50</b>
EXP REIMB	27/06/2007		REIMBURSE PLANNING MEAL EXP - R HOOPER	83.50
<b>EFT3467</b>	<b>28/06/2007</b>	<b>YORK GLAZING SERVICE</b>		<b>-990.00</b>
X137	22/06/2007		SUPPLY & FIT PANELS TO SHOWCASE - RES MUS	990.00
<b>EFT3468</b>	<b>28/06/2007</b>	<b>BIOMAX</b>		<b>-112.00</b>

53061	13/06/2007		BIOMAX SERVICE - CENT UNITS	112.00
<b>EFT3469</b>	<b>28/06/2007</b>	<b>SHIRE OF DOWERIN</b>		<b>-3300.00</b>
10912	25/06/2007		AROC - REGIONAL EQUIPMENT PROGRAM CONTRIBUTION 06/07	3300.00
<b>EFT3470</b>	<b>28/06/2007</b>	<b>HENDERSON, PJ &amp; KD</b>		<b>-208.45</b>
1884	25/06/2007		REPLACE KITCHEN SINK TAPWARE - U1 CENT UNITS	208.45
<b>EFT3471</b>	<b>28/06/2007</b>	<b>YORK GENERAL PRACTICE</b>		<b>-275.00</b>
52388	01/06/2007		PRE-EMPLOYMENT MEDICAL - N WEHR	110.00
52547	13/06/2007		OSH SAFETY INJECTIONS	165.00
<b>EFT3472</b>	<b>28/06/2007</b>	<b>COURIER AUSTRALIA</b>		<b>-12.96</b>
TRANS0277222	15/06/2007		FREIGHT - STATIONERY SUPPLIES C.EXP	12.96
<b>EFT3473</b>	<b>28/06/2007</b>	<b>MCLEODS</b>		<b>-671.00</b>
39000	20/06/2007		LEGAL FEES - SALE OF LAND - L2- 6 AVON TCE/L13 REDMILE	671.00
<b>EFT3474</b>	<b>28/06/2007</b>	<b>RAECO</b>		<b>1450.59</b>
250935	04/06/2007		MAGAZINE SHELF - LIBRARY	56.63
248454	07/05/2007		LIBRARY SHELVING	1161.76
251192	05/06/2007		LIBRARY SHELVING	232.20
<b>EFT3475</b>	<b>28/06/2007</b>	<b>AVON WASTE</b>		<b>-15917.62</b>
2818	22/06/2007		DOMESTIC RUBBISH - 22/6/07	6171.25
2819	22/06/2007		RECYCLING SERVICES - 22/6/07	9746.37
<b>EFT3476</b>	<b>28/06/2007</b>	<b>MAL AUTOMOTIVES</b>		<b>-147.30</b>
6446	25/06/2007		VEHICLE INSPECTION / REPAIR INDICATOR ASSEMBLY - COMM BUS	147.30
<b>EFT3477</b>	<b>28/06/2007</b>	<b>WESTERN AUSTRALIAN TREASURY CORPORATION</b>		<b>-13827.43</b>
61	18/06/2007		Loan No. 61 Principal payment - LOAN 61 FESA UNIT	13827.43
			<b>TOTAL</b>	<b><u>312757.72</u></b>

<b><u>SHIRE OF YORK</u></b>		
<b><u>TRUST CHEQUE PAYMENTS</u></b>		
<b><u>JUNE 2007</u></b>		
<b>Name</b>	<b>Description</b>	<b>Amount</b>
CLANCY BRIGGS	REFUND HALL BOND CLANCY BRIGGS REC:126665	-120.00
EVA MARSHALL	REFUND HALL BOND EVA MARSHALL REC:127380	-220.00
BUILDERS REGISTRATION BOARD	BRB LEVY MAY 2007	-914.50
BUILDING CONSTRUCTION INDUSTRY TRAINING FUND	BCITF LEVY MAY 2007	-3230.63
YORK SHIRE COUNCIL	A3560 KEEBLE/PLATELL LOC220066 RATES	-16562.99
SCHREUDER	REFUND KERB BOND F & B SCHREUDER 24 MACARTNEY ST	-500.00
CHANCE SCOTT BATEMAN	REPLACE CHEQUE 3018	-20.00
WOOLCOCK, MISTY	REPLACE CHEQUE 3033	-20.00
	<b><u>TOTAL</u></b>	<b><u>-21588.12</u></b>



## Reserves Accounts 30 June 2007

	Current
Reserve Name	Balance
4. Plant Reserve	122,273.90
6. Staff Leave Reserve	98,173.95
7. Town Planning Reserve	10,398.38
8. Recreation Complex Reserve	245,642.36
9. Avon River Maintenance Reserve	16,995.71
14. Industrial Land Reserve	77,758.51
15. Refuse Site Development Reserve	164,992.99
22. Centennial Gardens Reserve	87,805.67
23. Public Open Space Cont Reserve	264.02
24. Community Bus Reserve	18,089.55
25. Pioneer Memorial Lodge Reserve	164,226.18
26. Residency Museum Reserve	16,762.93
27. Carparking Reserve	49,644.39
30. Building Reserve	41,385.23
35. Disaster Reserve	20,114.63
37. Archives Reserve	41,697.45
38. Water Supply Reserve	6,778.29
40. Tied Grant Funds Reserve	122,483.08
42. Main Street (Town Precinct) Update Reserve	94,335.31
43. Strategic Planning Reserve	16,340.20
44. Cemetery Reserve	22,784.08
45. York Town Hall Reserve	34,183.43
46. RSL Memorial Reserve	16,593.52
47. Greenhills Townsite Development Reserve	18,279.89
48. Youth Capital Works	10,054.39
49. Roads	50,271.97
50. Land & Infrastructure	178,236.25
<b>TOTAL RESERVE FUNDS</b>	<b>1,746,566.26</b>
<b>Funded by</b>	
Reserves Account	364,106.80
Bendigo NCD508930	1,382,459.46
<b>Total Cash Funding</b>	<b>1,746,566.26</b>
<b><u>Comment</u></b>	
The Local Government Act 1995 Part 6 Division 4 Section 6.11 requires the reserves to be fully funded. The reserves are fully funded.	

Printed on : 07.06.07 at 11:05			
age No. : 1			
Payroll Reconciliation for - 06.06.07			
With Year To Date Details to 07.06.07			
	This Pay	Y.T.D.	
Gross Taxable	54915.88	1354329.78	
Gross Non Taxable	3565.31	54860.66	
Group Cert "A" amount	0.00	5796.70	
Total Gross	58481.19	1414987.14	
TAX	12277.00	298841.66	
SAL SAC 5%	174.37	5434.98	
SAL SAC 50%	900.41	11845.57	
SUPER MEMBER (BASIC)	333.13	8288.49	
RENT	400.00	9328.61	
UNION - ASU	223.60	4764.40	
PROPERTY RATES PAYMENT	511.50	12182.75	
S/DRS PAYMENT	105.00	1270.40	
AFTER TAX (VOL) 2%	30.80	750.03	
SAL SAC 24%	432.19	13545.14	
SAL SAC 1%	0.00	277.95	
AFTER TAX (VOL) 3%	179.70	4037.75	
SUPER MEMBER (VOL) 1%	22.42	507.10	
SAL SAC 10%	382.58	9517.76	
SAL SAC 3%	67.27	2771.31	
SAL SAC 8%	123.22	3000.30	
AFTER TAX (VOL) 6%	0.00	3450.57	
AFTER TAX (VOL) 4%	518.50	13571.02	
SALARY SACRIFICE - WORKS	730.00	3760.00	
SAL SAC 4%	89.86	587.12	
SAL SAC 6%	88.49	796.41	
SAL SAC 20%	576.92	2266.03	
Total Deductions	18166.96	410798.15	
Total Net	40314.23	1004189.99	

Page No. : 1 ----- Payroll Reconciliation for - 12.06.07  
 With Year To Date Details to 12.06.07

	This Pay	Y.T.D.
Gross Taxable	3000.00	1357129.78
Gross Non Taxable	0.00	54850.66
Group Cert "A" amount	0.00	5796.70
Total Gross	3000.00	1417987.14
TAX	784.70	299626.36
SAL SAC 5%	0.00	5434.98
SAL SAC 50%	0.00	11845.57
SUPER MEMBER (BASIC)	0.00	8288.49
RENT	0.00	9328.61
UNION - ASU	0.00	4764.40
PROPERTY RATES PAYMENT	0.00	12182.75
S/DRS PAYMENT	0.00	1270.40
AFTER TAX (VOL) 2%	0.00	750.03
SAL SAC 24%	0.00	13545.14
SAL SAC 1%	0.00	277.95
AFTER TAX (VOL) 3%	90.00	4127.75
SUPER MEMBER (VOL) 1%	0.00	507.10
SAL SAC 10%	0.00	9517.76
SAL SAC 3%	0.00	2771.31
SAL SAC 8%	0.00	3000.30
AFTER TAX (VOL) 6%	0.00	3450.57
AFTER TAX (VOL) 4%	0.00	13571.02
SALARY SACRIFICE - WORKS	0.00	3760.00
SAL SAC 4%	0.00	587.12
SAL SAC 6%	0.00	756.41
SAL SAC 20%	0.00	2268.83
Total Deductions	874.70	411672.85
Total Net	2125.30	1006314.29

Page No. : 1  
Printed on : 21.06.07 at 10:59

Payroll Reconciliation for - 20.06.07  
With Year To Date Details to 21.06.07

SHIRE OF YORK

This Pay Y.T.D.

TAX	54546.52	1411876.30
SAL SAC 5%	3536.99	311761.96
SAL SAC 50%	0.00	58397.65
SUPER MEMBER (BASIC)	12135.60	5796.70
RENT	174.37	
UNION - ASU	900.41	12745.98
PROPERTY RATES PAYMENT	333.13	8621.62
S/DRS PAYMENT	400.00	9728.61
AFTER TAX (VOL) 2%	223.60	4988.00
SAL SAC 24%	511.50	12694.25
SAL SAC 1%	105.00	1375.40
AFTER TAX (VOL) 3%	32.81	782.84
SUPER MEMBER (VOL) 1%	432.19	13977.33
SAL SAC 10%	0.00	277.95
SAL SAC 3%	179.70	4307.45
SAL SAC 8%	22.42	529.52
AFTER TAX (VOL) 6%	382.58	9900.34
AFTER TAX (VOL) 4%	67.27	2838.58
SALARY SACRIFICE - WORKS	131.22	3131.52
SAL SAC 4%	0.00	3450.57
SAL SAC 6%	522.49	14093.51
SAL SAC 20%	730.00	4490.00
	53.54	640.66
	88.49	884.90
	576.92	2845.75
Total Deductions	18003.24	429676.09
Total Net	40080.27	1046394.56

Total - 40,525.57

ACK # 388773

*Adolph*  
SHIRE OF YORK  
CHIEF EXECUTIVE OFFICER

*Graham Stanzey*  
GRAHAM STANZEY  
DEPUTY CHIEF EXECUTIVE OFFICER  
SHIRE OF YORK

40080.27  
- 828.57  
+ 1273.87  
40525.57

Printed on : 22.06.07 at 15:18  
 Page No. : 1  
 Payroll Reconciliation for - 22.06.07  
 With Year To Date Details to 22.06.07  
 This Pay Y.T.D.

Gross Taxable	3572.53	1416098.83
Gross Non Taxable	366.78	58114.43
Group Cert "A" amount	0.00	5796.70
Total Gross	3939.31	1480009.96
TAX	887.28	312853.94
SAL SAC 5%	0.00	5693.35
SAL SAC 50%	187.45	12343.43
SUPER MEMBER (BASIC)	0.00	8621.62
RENT	0.00	9728.61
UNION - ASU	0.00	4988.00
PROPERTY RATES PAYMENT	0.00	12694.25
S/DRS PAYMENT	0.00	1375.40
AFTER TAX (VOL) 2%	0.00	782.84
SAL SAC 24%	0.00	13977.33
SAL SAC 1%	0.00	277.95
AFTER TAX (VOL) 3%	0.00	4307.45
SUPER MEMBER (VOL) 1%	0.00	529.52
SAL SAC 10%	160.75	10861.09
SAL SAC 3%	0.00	2830.58
SAL SAC 8%	0.00	3131.52
AFTER TAX (VOL) 6%	0.00	3450.57
AFTER TAX (VOL) 4%	31.33	14124.84
SALARY SACRIFICE - WORKS	0.00	3840.00
SAL SAC 4%	0.00	640.66
SAL SAC 6%	18.58	903.48
SAL SAC 20%	0.00	2845.75
Total Deductions	1285.39	430516.18
Total Net	2653.92	1049493.78

Net Payroll 1,338,59



The Shell Company of Australia Limited  
ABN 46 004 610 459  
PO Box 1687P Melbourne VIC 3001

001099  
SHIRE OF YORK  
PO Box 22  
YORK WA 6302

RECEIVED  
1.1 JUN 2007  
SHIRE OF YORK

### Statement

Account Number	1013786
Date	31.05.2007
Statement Number	93
Page	1 of 2
Account Enquiries	13 16 18

This is NOT a Tax Invoice

### Statement for period 01.05.2007 - 31.05.2007

Balance from previous period	\$ 364.72
Current Transactions (inclusive of GST) – this period	\$ 556.08
Payments allocated this period	\$ 364.72-
Overdue Amount (inclusive of GST) – Pay Now	
Amount Due (inclusive of GST) by 21.06.2007	\$ 556.08

Currency: AUD

DL\_0421-PERTH/001099/004643

As agreed this amount will be automatically deducted from your nominated bank account on the due date.

**SHELL CARD**  
The Shell Company of Australia Limited  
A.B.N. 46 004 610 459



# TRANSACTION REPORT

001099  
SHIRE OF YORK  
PO BOX 22  
YORK WA 6302

If you have a query

Date 31 May 2007

Phone 1300 655 676

No. 054

Quote Account 1013786

Page 1 of 2

Vehicle/ Co. Indent	Odom Reading	Order Number	Sale Date	Doc No.	Purchase Location	Product	Quantity	Price \$/L	GST Excl Amount	GST Amount	GST Incl Amount	Km Span	Litre/ 100Km	Cents /km
OY			CRD 06/04/667 31 May		TOTALS THIS PERIOD	CRD ADM CH CHARGES	1.00		2.27	0.23	2.50			
	VEHICLE OY				TOTALS LATEST 12 MTHS	FUEL	659.23		677.07	67.71	744.78			
	**** Partial Km Span (incomplete odometers) ****					CHARGES			29.51	2.99	32.50			
						TOTAL			706.58	70.70	777.28			
Y000			CRD 06/539953 27 Apr		PREVIOUS ODOMETER	UNLEADED	58.47	1.2259	65.60	6.56	72.16			
	14852				6901 BENTLEY C F WA	UNLEADED	29.41	1.2798	34.22	3.42	37.64			
	Not Given		03 May	197	SMITHS SHELL SER WA	UNLEADED	35.07	1.2800	40.81	4.08	44.89			
	Not Given		08 May	239	SMITHS SHELL SER WA	UNLEADED	47.37	1.2772	55.00	5.50	60.50			
	Not Given		14 May	245	SMITHS SHELL SER WA	UNLEADED	54.47	1.2888	63.82	6.38	70.20			
	Not Given		15 May	278	SMITHS SHELL SER WA	UNLEADED	49.02	1.2941	58.82	5.88	64.70			
	146		18 May	302	SMITHS SHELL SER WA	UNLEADED	47.48	1.3039	56.28	5.63	61.91			
	432		21 May	317	SMITHS SHELL SER WA	UNLEADED	56.78	1.2682	65.46	6.55	72.01			
	956		25 May	477	4923 KSWDALE C F WA	UNLEADED	48.23	1.3196	58.70	5.87	64.57			
	1475		29 May	366	SMITHS SHELL SER WA	UNLEADED	1.00		2.27	0.23	2.50			
	1883		31 May			CRD ADM CH								
	VEHICLE Y000				TOTALS THIS PERIOD	FUEL	428.10	1.2814	498.71	49.87	548.58			
	**** Partial Km Span (incomplete odometers) ****					CHARGES			2.27	0.23	2.50			
						TOTAL			500.98	50.10	551.08			
Y00			CRD 06/705634 31 May		TOTALS LATEST 12 MTHS	FUEL	4619.02		5159.71	515.99	5675.70			
	VEHICLE Y000					CHARGES			27.24	2.76	30.00			
	**** Partial Km Span (incomplete odometers) ****					TOTAL			5186.95	518.75	5705.70			
	VEHICLE Y00				TOTALS THIS PERIOD	CRD ADM CH	1.00		2.27	0.23	2.50			
						CHARGES			2.27	0.23	2.50			

Centre/Km is based on GST Excl amounts  
Price\$/L = (GST Incl Amount/Quantity)  
FORMA=TR001 - 11/2005



Vehicle/ Co. Ident	Odom Reading	Order Number	Sale Date	Doc No.	Purchase Location	Product	Quantity	Price \$/L	GST Excl Amount	GST Amount	GST Incl Amount	Km Span	Litre/ 100km	Cents /km
YOO	(cont'd)													
	VEHICLE YOO				TOTALS LATEST 12 MTHS	FUEL	1255.98		1408.02	140.82	1548.84			
	*** Partial KM Span (incomplete odometers) ***					CHARGES			27.24	2.76	30.00			
						TOTAL			1435.26	143.58	1578.84			
					ACCOUNT TOTALS THIS PERIOD	FUEL	428.10		498.71	49.87	548.56			
						CHARGES			6.81	0.69	7.50			
						TOTAL			505.52	50.56	556.08			
					ACCOUNT TOTALS LATEST 12 MTHS	FUEL	6534.23		7244.80	724.52	7969.32			
						CHARGES			83.99	8.51	92.50			
						TOTAL			7328.79	733.03	8061.82			





SHIRE OF YORK  
PO BOX 22  
YORK WA 6302

RECEIVED

07 JUN 2007

SHIRE OF YORK

### Card

Manager Tony Hunter  
Branch 114 Avon Tce, York 6302  
Phone 08 96412609

Account Number 691046619  
Customer Number 13074174/M20  
Statement Period 01 May 2007 to 31 May 2007  
Statement Number 027

## Bendigo Business Credit Card

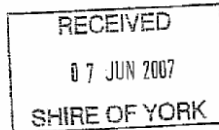
Date	Transaction	Withdrawals	Payments
15May07	BROADWAY NEWS, NEDLA NDS AUS	14.00	
18May07	SETTLERS HOUSE PL, Y ORK AUS	76.00	
20May07	SETTLERS HOUSE PL, Y ORK AUS	54.00	
<b>TOTALS</b>		<b>\$144.00</b>	<b>\$0.00</b>

Bendigo Bank suggests you carefully check all entries on your statement. Apparent errors or possible unauthorised transactions are to be promptly reported to your branch. It is important that you notify Bendigo Bank of any disputed transactions as soon as possible as Bendigo Bank's ability to investigate disputed transactions and to subsequently process a chargeback in your favour is restricted by the time limits imposed under the operating rules of the applicable credit card scheme. If you wish to obtain further information about this product (including your charge back rights) or you have a question or concern about your account or its operation please contact your local Bendigo Bank Branch (details supplied at the top of the statement).

If you are not satisfied with the response you can contact our Customer Help Centre, Fountain Court, Bendigo VIC 3550 (PO Box 480, Bendigo VIC 3552) or by telephone on 1300 361 911. If your concern or complaint cannot be promptly resolved, we will provide you with a written response in a reasonable time.



SHIRE OF YORK  
PO BOX 22  
YORK WA 6302



### Card

Manager Tony Hunter  
Branch 114 Avon Tce, York 6302  
Phone 08 96412609

Account Number 690774575  
Customer Number 13074174/M202  
Statement Period 01 May 2007 to 31 May 2007  
Statement Number 032

## Bendigo Business Credit Card

Date	Transaction	Withdrawals	Payments
02May07	HGC HOBART, HOBART AUS	56.00	
02May07	SAFFRON INDIAN, HOBA RT AUS	162.90	
04May07	DRUNKEN ADMIRAL REST, HOBART AUS	339.00	
04May07	HGC HOBART, HOBART AUS	12.00	
09May07	THE TIMELESS WAY, HO BART AUS	35.20	
09May07	ZERO DAVEY, HOBART AUS	1,440.00	
10May07	SETTLERS HOUSE PL, Y ORK AUS	68.00	
11May07	JAH ROC CAFE RSTRNT, YORK AUS	68.30	
11May07	DELICTABLE GOURMET, KAURING AUS	57.75	
24May07	SETTLERS HOUSE PL, Y ORK AUS	145.50	
25May07	CAFE BUGATTI, YORK AUS	16.50	
<b>TOTALS</b>		<b>\$2,401.15</b>	<b>\$0.00</b>

Bendigo Bank suggests you carefully check all entries on your statement. Apparent errors or possible unauthorised transactions are to be promptly reported to your branch. It is important that you notify Bendigo Bank of any disputed transactions as soon as possible as Bendigo Bank's ability to investigate disputed transactions and to subsequently process a chargeback in your favour is restricted by the time limits imposed under the operating rules of the applicable credit card scheme. If you wish to obtain further information about this product (including your charge back rights) or you have a question or concern about your account or its operation please contact your local Bendigo Bank Branch (details supplied at the top of the statement).

If you are not satisfied with the response you can contact our Customer Help Centre, Fountain Court, Bendigo VIC 3550 (PO Box 480, Bendigo VIC 3552) or by telephone on 1300 361 911. If your concern or complaint cannot be promptly resolved, we will provide you with a written response in a reasonable time.

2006/2007 CAPITAL WORKS/MAJOR PROJECTS STATUS REPORT - JULY 2007						
DETAILS TO 30th JUNE 2007						
ACCOUNT	PROJECT	DETAILS	TIMELINE	RESPONSIBLE OFFICER	BUDGET	ACTUALS
<b>GENERAL PURPOSE FUNDING</b>						
31129	GRV Roll	GRV Roll preparation due 2007/08	Ongoing	DCEO	17,000	26,700
39106	Grants Commission submission	Preparation of Submission to GC	Dec-06	DCEO	3,000	
<b>GOVERNANCE</b>						
41124	Consultant - preparation of new strategic plan	Strategic Plan preparation		CEO	20,000	5,306
42336	Administration Archives Building	Construction of Archives Building		DCEO	35,000	
42339	CEO's/DCEO's Vehicle (3 changeovers each)	Change over of Executive Vehicles	Ongoing	DCEO	240,000	126,859
43142	Administration - Furniture & Equipment	Equipment	Ongoing	DCEO	23,150	10,374
<b>LAW, ORDER &amp; PUBLIC SAFETY</b>						
51105	FESA Shed - Building Construction	Construction of Fire Shed	Sep-06	SAC	350,000	156,482
51124	Misc Fire Equipment - ESL	As per ESL application	Ongoing	DCEO	1,800	
51340	Talbot Fire Station	Construction of Talbot Fire Shed	Oct-06	SAC	4,103	3,766
53102	Crime Plan Preparation	Preparation of Crime Prevention Plan	Dec-06	DCEO	10,000	10,000
53102	Rural Numbering Project	Project	Nov-06	RANGER	10,000	12,484
53102	Crime Prevention Plan Implementation	Crime Prevention Plan costs	Ongoing	DCEO	20,000	
<b>EDUCATION AND WELFARE</b>						
68302	PML Sunroom and Air Con	PML		EHO	150,000	29,945
<b>HEALTH</b>						
77305	EHO Vehicle	EHO Vehicle	Ongoing	DCEO	58,000	53,402
<b>COMMUNITY AMENITIES</b>						
102146	Main Street Blins	Maintenance costs for main street blins	Ongoing	DCEO	2,020	1,534
105105	Dept Of Agriculture Liquid Assets Program	3-yr Water study on Wheatbelt Liquid Assets	Ongoing	CEO	35,000	35,000
106194	York Society Blandtown Conservation Plan	Contribution to plan		SAC	5,000	1,917
106302	Town Planner's Vehicle	Purchase of Town Planner's vehicle		DCEO	60,000	
<b>RECREATION AND CULTURE</b>						
111103	Scout Hall Refurbishment	Improvements to Scout Hall		EHO	2,000	863
111306	Co-Location Facility	Purchase of Co-location Facility		DCEO	700,000	
111370	Multi Purpose Centre Planning	Further planning allocation for MPC		CEO	5,000	
111307	Older Fire Station Community Centre	Older Fire Station Refurbishment	Jan-07	EHO	25,000	5,863
112303	Swimming Pool Upgrade	Paint Swimming Pool Bowl	Apr-07	EHO	12,000	16,797
112304	Swimming Pool Equipment	Purchase/Construction Disabled facilities and Play equipment		EHO	35,500	16,891
113303	RSL Memorial Park Upgrade	RSL Park Upgrade		DCEO	15,000	
113306	Avon Park Toilets	Install windows and vents		EHO	2,500	485
113315	Forrest Oval Bore/Pipe	Installation of Pipe		CEO	50,000	
113327	Cardica Bateman Park Upgrade	Cardica Bateman Park enhancements		SAC	50,496	
113326	Pavilion Upgrades	Install Airconditioning in Pavilion	Nov-06	DCEO	15,000	7,937
115114	Lost and/or damaged library stock	Library stock replacement costs		DCEO	8,000	3,652



2006/2007 CAPITAL WORKS/MAJOR PROJECTS STATUS REPORT - JULY 2007 DETAILS TO 30th JUNE 2007							
ACCOUNT	PROJECT	DETAILS	TIMELINE	RESPONSIBLE OFFICER	BUDGET	ACTUALS	COMMENTS
RECREATION AND CULTURE cont...							
118188	Residency Museum relocation upgrade	Relocation upgrade		EHO	1,500	3,701	Complete (\$521.05 - Contractors' costs)
118300	Residency Museum Projects	Residency Museum Projects	Ongoing	DCEO	10,000		In progress
118302	Residency Museum equipment	Interpretive Panels - Res Museum	Ongoing	DCEO	15,000	480	Incorrect budget completed 05/06
119117	Old Convent Refurbishment	Old Convent refurbishment		EHO	7,500		Assessed 6/12/06
	York History Book	Production of York History Books		DCEO	2,500		Grant application sent
TRANSPORT - ROADS							
ROADS TO RECOVERY PROJECTS STANDARD - 122400							
70061	Quellington Rd	Widen, resal & shoulders	Dec-06	WS	60,000	68,474	Completed
70071	Gwambyne East Rd	Upgrade & seal river crossing	Dec-06	WS	80,000	87,369	Completed
70101	Mokine Rd	Widen, extend seal & shoulders	Dec-06	WS	80,000	52,897	Completed
70461	Hampersley Siding Rd	Reconstruct, Gravel & seal	Dec-06	WS	35,655	49,337	Completed
ROADS TO RECOVERY PROJECTS SUPPLEMENTARY - 122400							
70201	Cut Hill Rd	Gravel & seal	Dec-06	WS	55,655	42,627	Completed
71081	Carter Road	Reseal	Feb-07	WS	36,000	29,629	Completed
71071	Blind Street	Reseal	Feb-07	WS	37,000	41,221	Completed
70851	Ford Street	Reseal	Feb-07	WS	25,000	43,343	Completed
70081	Top Beverley Rd	Verges & Widen seal	Dec-06	WS	100,000	99,126	Completed
REGIONAL ROAD GROUP PROJECTS - 122401							
70012	York - Tammin Rd	Reconstruct & seal	Dec-06	WS	30,000	31,356	Completed
70032	Talbot Rd	Reconstruct & widen seal	Nov-06	WS	29,430	34,860	Completed
70122	Talbot West Rd	Final seal	Dec-06-Mar 07	WS	85,000	85,000	Completed
70122	Talbot West Rd	Extend seal	Mar-07	WS	82,036	89,758	Completed
70042	Spencers Brook Rd	Reseal various sections	Dec-06	WS	30,000	61,558	Completed
REGIONAL ROAD GROUP BRIDGE PROJECTS - 122404							
8153	Qualen West Rd Bridge 4153	Bridge works	Apr-07	WS	8,000		MRWA Project
8156	Burges Siding Road Bridge 4156	Bridge works	Apr-07	WS	22,000		MRWA Project
8151	York - Tammin Rd Bridge 4151	Bridge works	Apr-07	WS	10,000		MRWA Project
MUNICIPAL ROAD CONSTRUCTION PROJECTS - 122402							
7014	Wambyn Rd	Final seal & extend seal	Dec-06	WS	9,000	9,010	Completed
7011	Ovens Rd	Clear, widen & gravel	Feb-Mar 07	WS	27,000	12,422	In progress
7016	Greenhills South Rd	Clear & gravel	Mar/Apr 07	WS	40,000	6,599	
7043	Cameron Rd	Clear & Gravel	Apr/May 07	WS	25,000	4,150	
122406	York Townsite	Reseals - various roads	Feb-07	WS	80,000	77,028	Completed
7502	York Townsite	Drainage works - various roads / drains	Feb-07	WS	30,000		
7245	Attfield Road	York Estates resal	Jun-07	WS	49,000	5,437	Ongoing
7903	Greenhills Townsite	Footpaths & streetlights	Mar-07	WS	20,000		
7904	Kauring Townsite	Gravel & drainage	May-07	WS	25,000		
7036	Cubbine Rd	Reseal, shoulder upgrade	Dec-06	WS	20,000	13,657	In Progress
7051	Ashworth Rd	Seal from Great Silb Hwy	Jan/Feb 07	WS	44,000	44,015	Completed

2006/2007 CAPITAL WORKS/MAJOR PROJECTS STATUS REPORT - JULY 2007  
DETAILS TO 30th JUNE 2007

ACCOUNT	PROJECT	DETAILS	TIMELINE	RESPONSIBLE OFFICER	BUDGET	ACTUALS	COMMENTS
MUNICIPAL FOOTPATH CONSTRUCTION PROJECTS - 122403							
2055	Ford St Footpath			WS		31,178	Completed
2129	Clifford St Footpath			WS		21,389	Completed
2153	Brook St Footpath			WS		398	Completed
2181	Macartney St Footpath			WS		13,814	Completed
2700	Balladong St Footpath			WS		9,163	Completed
7905	Footpath construction	Footpath construction	Jan/Feb 07	WS	50,000		as above individual paths
7905	Cowan Road Footpaths	York Estates	Jan/Feb 07	WS	50,688		
TRANSPORT - PLANT							
127304	John Deere Mower	Purchase of John Deere mower	Nov-06	DCEO	55,000		Deferred 07/03
127304	Protec Roller	Purchase of Protec Roller	Dec-06	DCEO	125,000	157,379	Completed
127304	Cat 12G Grader	Purchase of Grader	Nov-06	DCEO	350,000	295,000	Completed
127304	Chainsaws/Whippersnippers	Purchase of Chainsaws & Whippersnippers	Nov-06	DCEO	3,000	2,048	
TRANSPORT - MAINTENANCE							
125170	Road Verge Maintenance	Weed Control/Tree Lopping Program	Jan-May 07	CEO	90,000	86,032	
ECONOMIC SERVICES							
132102	Town Promotions - Events Funding	Events Funding	Ongoing	DCEO	19,000	2,485	In progress
132145	Area Promotion	175th Anniversary - associated expenses	Ongoing	DCEO	65,000	66,684	Completed
OTHER PROPERTY & SERVICES							
143301	Works Supervisor's utility (2 changeovers)	Changeover of WS vehicle	Ongoing	DCEO	52,200	23,636	One change over to date
143301	Engineer's Vehicle	Purchase of Engineer's Vehicle		DCEO	30,000		Pending employment of Engineer
143301	Small Plant Purchases	Misc Small Plant Purchases	Ongoing	DCEO	4,000	2,352	In progress
KEY - RESPONSIBLE OFFICER							
CEO	CHIEF EXECUTIVE OFFICER						
DCEO	DEPUTY CHIEF EXECUTIVE OFFICER						
WS	WORKS SUPERVISOR						
EHO	ENVIRONMENTAL HEALTH OFFICER						
SAO	SENIOR ADMINISTRATION OFFICER						
YO	YOUTH OFFICER						
RANGER	COMMUNITY RANGER						

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**OFFICER'S REPORTS  
FINANCE REPORTS  
COUNCIL CORPORATE MEMBERSHIP OF  
LOCAL GOVERNMENT MANAGERS  
AUSTRALIA (LGMA) FOR 2007/08**

<b>FILE NO:</b>	<b>PE.PAS</b>
<b>COUNCIL DATE:</b>	<b>16 July 2007</b>
<b>REPORT DATE:</b>	<b>9 July 2007</b>
<b>LOCATION/ADDRESS:</b>	<b>Not Applicable</b>
<b>APPLICANT:</b>	<b>Not Applicable</b>
<b>SENIOR OFFICER:</b>	<b>Ray Hooper, Chief Executive Officer</b>
<b>REPORTING OFFICER:</b>	<b>Graham Stanley, DCEO</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Graham Stanley and Ray Hooper are both Members of LGMA</b>
<b>APPENDICES:</b>	<b>Nil</b>
<b>DOCUMENTS TABLED:</b>	<b>Nil</b>

**Summary:**

LGMA has restructured its approach to Council Corporate Membership for 2007-8 in that some 85% of the funds raised will be used for specific projects that have identifiable benefits to the sector and to the immediate region. A very significant proportion of the funds are to be allocated to a project to address the skills shortage crisis in Local Government. Direct benefits to the Council include member rates for any elected member attending an LGMA event. It is recommended that the Council take up this membership.

**Background:**

The LGMA has made available Council Corporate Membership (CCM) for a number of years and the Shire of York was a member for the years 2001 to 2005 however in 2006 did not take up membership.

As a result of research by LGMA it is launching a major initiative to use CCM funds raised in 2007/8 and beyond to address two major concerns in the sector. In future, some 85% of the funds raised through CCM will be used to address the skills shortage and provide direct funding support LGMA Branches. Therefore, the Association is very keen to recruit more Councils as corporate members.

The specifics of the projects to be funded are as follows.

**(a) Skills Shortage**

There is a major crisis in attracting and retaining suitably skilled staff to work in Local Government in Western Australia. The LGMA views this issue so seriously that nearly 70% of the funds raised through CCM will be used to address the skills shortage. The funds raised for this purpose will be identified separately and reported on regularly.

The skills shortage project will have the objective of -

- Raising the awareness of Local Government as a great career opportunity and an employer of choice with the general public, schoolchildren and university students.

- Working with WALGA and the Department of Local Government and Regional Development as a joint exercise to address the skills shortage. Through this avenue LGMA will bring an officer viewpoint to the table.
- Developing strong and consistent retention policies with individual Local Governments and for the sector as a whole.
- Implementing innovative and constructive methods for attracting people to local government through scholarships, cadetships and school/university vacation employment opportunities.
- Developing and maintaining a web-site extolling the virtues and opportunities when working for Local Government.

If sufficient funds are raised they will be used to employ an appropriately skilled person to undertake the above tasks.

It is a great opportunity for Local Government to prove that when it identifies a problem it self-funds a solution rather than seeking financial support from government.

### **(b) Branch Support**

Strong branches mean a strong LGMA, which is for the benefit of the whole sector. A strong branch is one that provides real benefits for its members in terms of regular meetings to discuss topical issues in the sector, seminars and workshops, social events, regional conferences and development support for younger officers. Such events require funds and well-subscribed CCM program means all branches will receive a significant boost in funding.

The concept is that the funds raised through CCM by the Local Governments in the region will be paid directly to the Branch committee which will then have the funds to provide support and training in the region for Local Government officers.

The proportion of CCM funds allocated to Branches will be around 15%.

### **(c) LGMA Operations**

The remaining 15% of the funds raised will be used to support general LGMA operations.

In regard to the CCM levy by LGMA, Local Governments have been defined as large, medium or small and as outlined above the funds will be allocated to three purposes. We have been classified as a small Local Government. The fee structure and fund allocations for our classification are as follows –

Fee - \$1,000 plus GST

Allocation: Skills Shortage Project - \$700, Branch \$150, LGMA \$150

The benefits of CCM for elected members will be as for previous years. This means elected members pay members rates whenever they register at an LGMA event. This saving will be most pertinent in the 2007/8 year when a number of your elected members may wish to attend the Futures Symposium to be held 11-13 September 2007. In addition the Council receives a copy of Statewide, the LGMA quarterly magazine, to be made available to all Elected Members.

**Consultation:**

Nil.

**Statutory Environment:**

Local Government Act 1995.

**Policy Implications:**

Nil.

**Financial Implications:**

\$1,000 per annum. The expenditure has been included in the draft budget for 2007-08.

**Strategic Implications:**

Nil

**Voting Requirements:**

**Absolute Majority Required:** No.

**Site Inspection:**

**Site Inspection Undertaken:** Not applicable.

**Triple bottom Line Assessment:****Economic Implications:**

\$1,000 per annum.

**Social Implications:**

Nil.

**Environmental Implications:**

Nil.

**Comment:**

This is a significant innovation by LGMA. If successful in attracting sufficient Council Corporate Members the funds raised could make a real difference to the sector response to the skills shortage. For example, if 80 Local Governments signed up to CCM then \$56000 would be available to address the skills shortage. Such funds would have a positive impact on the sector attracting and retaining quality staff.



**OFFICER RECOMMENDATION**

Resolution  
130707

MOVED Cr Fisher seconded Cr Boyle

***“That Council:***

***Take up Council Corporate Membership of the Local Government Managers Australia for 2007-08.”***

***CARRIED (5-0)***

#### **9.4    Confidential Reports**

Nil.

## 9.5 Late Reports

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**9.5**  
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**OFFICER'S REPORTS**  
**LATE REPORTS**  
**REPORT WITHDRAWN**

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**OFFICER'S REPORTS  
LATE REPORTS  
OUTLINE DEVELOPMENT PLAN**

FILE NO:	BA 2.31590/RE 1.31550/31560/31570
COUNCIL DATE:	16 July 2007
REPORT DATE:	12 July 2007
LOCATION/ADDRESS:	Lot 3 Balladong Street & Lots 11 -13 Redmile Road
APPLICANT	Burgess Design Group
SENIOR OFFICER	Ray Hooper, Chief Executive Officer
REPORTING OFFICER	Tyhscha Cochrane, Senior Admin Officer
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Appendix "A" – Outline Development Plan
DOCUMENTS TABLED:	Nil

*When acting as a planning authority in accordance with the powers conferred by the Planning and Development Act 2005 and any relevant scheme, the Council of the Shire is entitled to make decisions based only on proper planning considerations.*

**Summary:**

To proceed to advertising.

**Background:**

Council required the preparation of an Outline Development Plan in accordance with the Shire of York Town Planning Scheme No. 2 for the proper and orderly development of Lot 3 Balladong Street and Lots 11 – 13 Redmile Road, York.

Council owned the lots involved in this ODP and has recently sold Lots 11 – 13 Redmile Road, York to Mr R Kennedy.

**Consultation:**

The ODP requires advertising and assessment of submissions before proceeding to the Western Australian Planning Commission for final endorsement.

Mr R Kennedy; and  
Burgess Design Group.

**Financial Implications:**

Costs of advertising and administration time.

**Voting Requirements:**

**Absolute Majority Required: No**

**Site Inspection:**

Site Inspection Undertaken: Yes

**Triple Bottom Line Assessment:**

**Economic Implications:**

The increase in land values for those areas subject to R Coding increases. Potential population growth to support local businesses.

**Social Implications:**

More development of a higher standard on currently underutilised serviced land should improve the presentation along entrance way into town.

**Environmental Implications:**

Nil at this stage.

Issues associated with the flood fringe and drainage patterns will be dealt with at the building licence stage.

**Comment:**

This ODP shows the development potential. It is worthwhile proceeding to an Outline Development Plan, once it goes out to a consultation period and submissions are assessed then Council can determine whether it wishes to proceed with the ODP and if so the ODP will be forwarded to the WAPC for endorsement.

**OFFICER RECOMMENDATION:**Resolution

140707

MOVED Cr Boyle seconded Cr Randell

***“That Council receive the Outline Development Plan for Lot 3 Balladong Street and Lots 11 - 13 Redmile Road, York and advertise it as part of the community consultation process in accordance with Section 4.8.3 for a period of 21 days.”***

***CARRIED (5-0)***

**OUTLINE DEVELOPMENT PLAN**

**LOT 3 BALLADONG STREET**

**&**

**LOTS 11, 12 & 13 REDMILE ROAD, YORK**

**SHIRE OF YORK**



***PREPARED FOR:***

*Mr Richard Kennedy and Mrs Robyn Kennedy*

***PREPARED BY:***

Burgess Design Group

***JULY 2007***

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### APPENDICES

#### APPENDIX 1 – LOCATION MAP

#### APPENDIX 2 – CERTIFICATE OF TITLE

#### APPENDIX 3 – OUTLINE DEVELOPMENT PLAN

#### APPENDIX 4 – LANDSCAPE PLAN



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## **1.0 INTRODUCTION**

Burgess Design Group has been engaged by the contracted purchasers of Lot 3 Balladong Street and 11, 12 and 13 Redmile Road, York to prepare an Outline Development Plan over their properties.

Under the Shire of York's Town Planning Scheme No.2, an endorsed Outline Development Plan may be required by Council before granting and/or recommending approval to any development which involves subdivision.

This report confirms that the ODP proposed reflects the policy and statutory planning requirements of both Council and the Western Australian Planning Commission. The plan is based on contemporary planning principles facilitating the creation of a sustainable community environment.

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## **2.0 BACKGROUND**

Lots 11, 12 and 13 Redmile Road were previously owned by the Shire of York. Mr Richard Kennedy owns Lot 3 Balladong Street and was under contract with the Shire for the purchase of lots 11-13 Redmile Road.

It was a condition of sale that Mr. Richard Kennedy must apply with the Western Australian Planning Commission for an application of amalgamation, an outline development plan and a development application. Burgess Design Group was engaged to undertake the amalgamation application and the outline development plan. The amalgamation has recently been approved by the Western Australian Planning Commission.

### **3.0 LAND DETAILS**

#### **3.1 Location**

The outline development plan area is located on the between Balladong Street and Redmile Road, York, just off the corner of Avon Terrace (the main street in the town centre). The subject land area is located within south-eastern portion of the York Townsite and approximately 100 kilometres east of Perth. A Location Plan is provided at Appendix 1.

#### **3.2 Ownership**

Lot 3 Balladong Street is owned by Mr. R. Kennedy and Mrs R. Kennedy. Lots 11, 12 and 13 Redmile Road were previously owned by the Shire of York, however they were recently purchased by Mr. R. Kennedy under contract with the Shire.

The titles for the land are provided at Appendix 2. The current titles still list the Shire of York for Lots 11, 12 and 13 Redmile Road. The new titles listing Mr. R. Kennedy will be provided as soon as they are available.

#### **3.3 Land Use**

All four lots are currently vacant. There appears to be no significant vegetation on the site.

## **4.0 SITE ANALYSIS**

### **4.1 Landform, Topography & Land Capability**

The land is rectangular in shape and appears to exhibit red and brown alluvial loams clays and sands which is common throughout the Avon Valley area of the Shire. These are good soils that provide high water and nutrient holding capability and low potential for wind erosion.

The Western Australian Planning Commission's Planning Bulletin No. 64 indicates that the site's soils have a low to no risk of actual or potential Acid Sulphate Soils. Actual risk will be assessed at development stage in accordance with normal procedure.

The York Townsite is bisected by the Avon River and Floodway, which flows from south to north through the town. This is the main catchment for the region and forms the focus of drainage for a number of tributaries (being Bland Brook for the subject land). The land is just located off the flood fringe from the Bland Brook and the south-eastern portion of the site is affected by the 100 year flood plain from the Bland Brook to the south and the Avon River. The land is relatively flat and does not contain any distinguishing topographical feature.

### **4.2 Conservation & Environmental Values**

The lots are cleared, do not accommodate any remnant vegetation. As such, it is considered very unlikely that they would accommodate any significant flora or fauna.

### **4.3 Heritage**

York has a significant Aboriginal heritage as it was a meeting place for Aboriginal people and the Avon River was a place of particular significance. However, despite this, the mapping viewed through the Department of Indigenous Affairs' on-line enquiry system did not reveal the presence of sites of indigenous significance. The subject site does not contain any structure of non-indigenous significance.

York does have strong built heritage and sense of place. It is for this reason that the housing development over the subject lots will be designed to complement York's heritage character.

## **5.0 CONTEXT ANALYSIS**

### **5.1 Neighbourhood Pattern**

The land is designated for urban development and is contained within one of York's significant heritage precincts.

The surrounding properties to the subject land comprise of a mixture of older federation-style residences, some newer modern homes and business uses. York's current development is formed in a grid pattern and maintains a traditional heritage character throughout the town by the use of heritage precincts, the relevant design guidelines and the Municipal Inventory.

### **5.2 Transport Routes**

Balladong Street is the main east-west through route into York, that links through to the Great Southern Highway. Avon Terrace is the main road that runs through the York Town Centre, also connecting to the Great Southern Highway, creating the main north-south route through York. The subject land is located along Balladong Street and just east of Avon Terrace. The site is therefore well-served by key transport routes.

### **5.3 Existing and Future Land Use**

The existing use of the subject land has been discussed previously in this report.

The land is currently zoned for residential use and due to its close location to the York town centre the site is well-suited for infill residential development. Other residential development is occurring to the south of the subject land along the face of the Bland Brook.

Development of the subject land for residential purposes has been supported by the Shire of York.

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## 6.0 PLANNING FRAMEWORK

### 6.1 Statutory Zoning

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

The land is zoned Residential 'R10/R30' under the Shire of York TPS No.2. Clause 4.4. of the Scheme specifies that in the Residential zone, with a dual coding of 'R10/30', the local government may permit an increase up to the maximum density of 'R30' where:

- (i) adequate connection to reticulated sewerage is available;
- (ii) in the opinion of the local government the lot is suitably located close to services and facilities;
- (iii) the local government considers the design of the development will enhance the amenity of the area and has regard to heritage values; and
- (iv) the development is compatible with the surrounding land uses and development.

Through meeting and discussions with Council, it was confirmed that the proposed Outline Development Plan meets all above requirements and therefore the ODP could be designed at an 'R30' density.

A referral letter from the DPI, addressed to the Shire of York (dated 20 April 2007), indicated that the subject land will need to be appropriately zoned prior to advertising and consideration of the ODP. However the land is currently appropriately zoned and Scheme Amendment No.17, which is currently with the Commission for approval will further increase the current density to 'R40'.

There is a discrepancy with the zoning over this land due to the zoning maps available through the Western Australian Planning Commission, indicating a different zoning to that of the Council. Zoning maps from the WAPC show Lot 3 Balladong Street as being zoned 'Mixed Business' and a portion as 'Parks and Recreation' and Lots 11-13 Redmile Road being zoned 'R10/30'. It has been cleared with the Shire of York that the WAPC zoning maps are incorrect and the actual zoning over the entire site is currently 'R10/R30'.

Under the provisions of the Scheme, the local government may require the preparation of an Outline Development Plan before granting and/or recommending approval to any development which involves subdivision or follows subdivision.

## **6.2 Strategic Planning & Policy Framework**

### **6.2.1 Local Planning Strategy**

The Shire of York Draft Local Planning Strategy (LPS) has been prepared primarily to provide the Shire of York and its local community with strategic direction on how it intends to guide and manage future growth over the next fifteen years.

The LPS has identified the subject land to be within a key area for future residential development. Under the LPS, the subject land is zoned Residential 'R10/30', in accordance with the Shire of York Town Planning Scheme No.2.

### **6.2.2 Blandstown Heritage Precinct**

To ensure that York's strong heritage and character are not sacrificed through future development, the Council has designated heritage precincts over different localities in the area. The subject land falls within the Blandstown Heritage Precinct.

This precinct still remains discrete from York's commercial and residential centres and is relatively untouched by contemporary development. It is for this reason that following subdivision, the proposed development to be carried out on the subject site will be of a federation-style and maintaining a significant heritage character.

### **6.2.3 State Planning Policy No.3 – Urban Growth and Settlement**

This policy sets out the principles and considerations which apply to planning for urban growth and settlements throughout Western Australia. The objectives of this policy are:

- To promote a sustainable and well planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space;

- To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities;
- To manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints;
- To promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand while ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community; and,
- To coordinate new development with the efficient, economic and timely provision of infrastructure and services.

This Outline Development Plan aims to achieve the above through the provision of medium-density lots (which will effectively provide for a diversity of housing within York), within a safe and effective street network utilising contemporary urban design principles, undertaken through an efficient planning framework.

#### 6.2.4 Development Control Policy 3.4 – Residential Subdivision

The Policy measures in this Development Control (DC) Policy require consideration to be given to the overall lot layout so as to ensure access to public open space, community facilities, schools and commercial facilities (where relevant) as well as being provided with an adequate level of servicing such as to roads and sewer.

The Outline Development Plan has been appropriately designed so as to ensure a selection of lot sizes are available to York's housing market, developable lots and access to the full range of normal facilities and services.

#### 6.2.5 Liveable Neighbourhoods

Liveable Neighbourhoods is a state-wide development control policy to facilitate the development of sustainable communities. It provides an integrated planning and assessment policy for the preparation of Structure Plans and subdivision designs and represents an alternative performance-based approach to conventional subdivision policies.

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The Outline Development Plan presented within this report adopts the principles of *Liveable Neighbourhoods* policy and should be assessed against the objectives and requirements of each of the *Liveable Neighbourhoods* design elements.

The Draft Liveable Neighbourhoods Edition 3 promotes a number of key principles for creating a vibrant and sustainable community. These principles include the following and are embodied in the elements of the Liveable Neighbourhoods document:

- Walkability;
- Site responsive design;
- Safety and Surveillance;
- Neighbourhood Structure;
- Efficiency.

## **7.0 THE OUTLINE DEVELOPMENT PLAN**

A copy of the Outline Development Plan is provided at Appendix 3.

### **7.1 Design Rationale**

The Outline Development Plan proposes to allocate an R30 density coding over the site. This would facilitate an average lot size of 300m<sup>2</sup> and, therefore, a maximum indicative yield across the land of approximately 30 dwellings.

The ODP proposes 30 residential lots, ranging in area from 320m<sup>2</sup> and 448m<sup>2</sup> and averaging 340.5m<sup>2</sup> consistent with the R10/R30 density code applicable to the site. The proposed lots also comply with the proposed residential coding of 'R40', to come into place through the adoption of Scheme Amendment No.17.

Subdivision and residential development of the subject land is highly desired by the Council. Its close proximity next to the York Townsite provides a prime location for medium-density residential development.

### **7.2 Residential Development**

The development of the subject land at the R30 density coding would facilitate green title residential lots, adding to the overall housing choice of the area, which is earmarked as predominantly low-density residential (R2.5, R5 and R10).

There are a number of R10/R30 sites designated in the locality, which provide a precedent for the medium-density ODP as proposed. Furthermore, the Local Planning Strategy emphasises that a variety of lot sizes in that locality of York should be provided to allow for the development of a mix of housing types to cater for various household needs.

No specific development plan has been submitted so as to provide for full flexibility in terms of future housing outcomes. Specific lot/dwelling layout would be determined at detailed design (subdivision/development) stage.

### 7.3 Integration with Surrounding Land

Integral to the overall ODP is its integration with the surrounding parcels of land. Importantly, the land can accommodate the ODP proposed without prejudicing the future development and implementation of an ODP over land to the east. The neighbouring land to the east is also zoned for residential development with an allocated density coding of 'R10/30'.

Whilst there is no current plan to develop the land to the east of the subject site, the ODP demonstrates how the adjoining area of land could be developed consecutively to the current ODP area. The future ODP area is demonstrated on the plan in half tone and dashed. The proposed cell layout has been indicated for future residential development on the land to the east of Lot 3 Balladong Street and Lots 11-13 Redmile Road. Lots 9 & 11 Redmile Road are also zoned 'R10/30' and Lot 2 is zoned 'Parks and Recreation'.

### 7.4 Roads and Traffic Management

The key issue for the road layout on this ODP is that Main Roads WA has concern with the two access points on to Balladong Street due to their close proximity to the intersections of Avon Terrace and Thorn Street. The distance between Avon Terrace and the proposed laneway is 70m. This is well above the requirements of *Liveable Neighbourhoods* for the distance between intersections. The distance between the 12m access road (point) and Thorn Street is 16m. This is under the requirements for the distance between an intersection, however traffic at this access point would be managed with a left in/left out egress via the creation of a splitter island in the middle of Balladong Street.

As demonstrated in *half-tone* on the ODP plan, there are two existing access points on the site, at the same locations as the proposed access points. This demonstrates that at a previous stage traffic accessed Balladong Street via the proposed location of access points.

To further control the traffic access on to Balladong Street, the proposed lots along Balladong Street have been designed specifically as rear-lane product to eliminate crossovers and direct access on to Balladong Street. Furthermore, the 12m road also provides access to Redmile Road, therefore reducing the potential for all traffic access via Balladong Street.

Car parking embayment's will be provided along the 12m road reserve for the purpose of additional residential parking and visitor parking.

The exact nature of future access would be determined at detailed design stage (future subdivision or development application).

#### **7.5 Parkland Facing Lots**

Lots surrounding the Public Open Space have been designed with direct frontage. Due to the subject land being a relatively small ODP/subdivision area and in addition featuring the concentration of medium-density/rear-lane product, direct frontage to parkland will create an element of space, provide a high level of amenity for residents and furthermore an area of passive surveillance.

As demonstrated in the Landscape Plan (attached at *Appendix 4*), the interface between the Lots and the parkland is harmonised through the provision of pedestrian footpaths, setback from the POS area, deciduous trees which will facilitate solar access for the direct frontage lots and furthermore the elevation of dwellings over the public open space.

Should more detailed design/guidelines be required on this matter, this can be provided at subdivision/development stage.

#### **7.6 Parkland Provision and Management**

In accordance with *Liveable Neighbourhoods (Element 4 - Public Parkland)* the proposed area of Public Open Space in the ODP is classified as a 'local park' with a size of 2,152m<sup>2</sup>. With the ODP having a total site area of 1.3ha, the proposed P.O.S is well above the 10% requirement of 1,300m<sup>2</sup>. Due to the proposed ODP having lots with narrow frontages, a larger public open space at a central location of the ODP area will act as a focal point for the subdivision and provide an attractive amenity for the residents.

The Landscape Plan (attached at *Appendix 4*) demonstrates how the public open space area will be utilised. The proposed area of public open space will be a versatile parkland area, that will cater for both passive and active recreation needs. This versatility is fostered through the provision of a large turf area, shade pavilion, children's playground and interconnecting pedestrian paths.



### **7.7 Urban Water Management**

A water standpipe located on Redmile Road will be removed at the request of Local Government.

Furthermore, drainage of the site will be facilitated through the public open space area and details will be provided at subdivision stage.

### **7.8 Services**

The subject site is currently provided with all standard services such as sewer, reticulated water, telecommunications. There is a concern however from Western Power that there will not be enough electricity to sufficiently service another 30 lots as proposed in the ODP. It will therefore be a requirement of the developer to provide a power transistor/booster on site.



## **8.0 CONCLUSION**

This report and accompanying plan satisfies Council's Scheme requirements with respect to outline development plans being in place prior to subdivision and development of the land.

The plan has been based on sustainable and contemporary planning principles with emphasis on meeting housing demands and providing a greater diversity of housing for York residents. The proposed ODP as described within this report is satisfies the requirements of the Shire of York Town Planning Scheme, the Residential Design Codes of Western Australia and the Liveable Neighbourhoods Edition 3.

The subject land represents a distinct planning parcel capable of supporting an ODP and implementation of the same. It continues the residential density pattern and the proposal does demonstrate that the adjoining land to the east can be developed at some stage in the future.

In light of the above, the ODP as submitted would represent a logical addition to the ongoing development of the York locality.



**10. NEXT MEETING**

Resolution  
150707

MOVED Cr Randell seconded Cr Boyle

***“That Council***

***hold the next Ordinary Meeting of the Council on 20<sup>th</sup> August 2007, commencing at 3.00pm in the Lesser Hall, York.”***

***CARRIED (5-0)***

**11. CLOSURE**

There being no further business, the President closed the meeting at 4.09pm.

Certification of Minutes

*The minutes were confirmed by the Council as a true and accurate record of the Council Meeting.*

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**PRESIDENT**

\_\_\_\_\_  
**Date**