



# SHIRE OF YORK

**MINUTES OF THE ORDINARY  
MEETING OF THE COUNCIL  
HELD ON 20 MAY, 2013  
COMMENCING AT 3.00pm  
AT THE TALBOT HALL, TALBOT**



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TYHSCHA COCHRANE  
A/CHIEF EXECUTIVE OFFICER



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## SHIRE OF YORK

THE ORDINARY MEETING OF THE COUNCIL  
HELD ON MONDAY, 20 MAY, 2013, COMMENCING AT  
3.00PM AT THE TALBOT HALL, TALBOT

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

### 1. OPENING

- 1.1 Declaration of Opening  
*Cr Tony Boyle, Shire President, declared the meeting open at 3.00pm and thanked the Talbot ladies for a wonderful afternoon tea. Talbot ladies responded with thanks for the Shire of York supporting Talbot.*
- 1.2 A/Chief Executive Officer to read the disclaimer  
*Tyhscha Cochrane, A/ Chief Executive Officer, read the disclaimer*
- 1.3 Suspension of Standing Orders (undergoing the repeal process)  
  
Moved: Cr Hooper; Seconded: Cr Duperouzel - Carried: 6/0
- 1.4 Announcement of Visitors  
*Nil*
- 1.5 Announcement of any Declared Financial Interests  
*Tyhscha Cochrane – Item 9.1.1 – Financial – Neighbouring property*

### 2. ATTENDANCE

- 2.1 Members  
*Cr Tony Boyle, Shire President; Cr Roy Scott, Deputy Shire President; Cr Brian Lawrance; Cr Pat Hooper; Cr Mark Duperouzel, Cr Denese Smythe*
- 2.2 Staff  
*Tyhscha Cochrane, A/Chief Executive Officer; Jacky Jurmann, Manager Planning Services; Gordon Tester – Manager Environmental Health & Building Services; Helen D'Arcy-Walker, Executive Support Officer*
- 2.3 Apologies  
*Ray Hooper, Chief Executive Officer*
- 2.4 Leave of Absence Previously Approved  
*Nil*

- 2.5 Number of People in Gallery at Commencement of Meeting  
*There were 15 people in the Gallery at the commencement of the meeting.*

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

- 3.1 Previous Public Questions Taken on Notice

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

*Public Question Time commenced at 3.04pm*

- 4.1 Written Questions – Current Agenda  
*Nil*

- 4.2 Public Question Time

#### **Ms Jane Ferro**

##### **Question 1:**

Under what local government regulation is the Shire of York given the authority to deny someone their democratic rights?

##### **Response:**

Taken on Notice

##### **Question 2:**

Why does it hold across every meeting?

##### **Response:**

To maintain control of the meeting. The Shire President does what he sees fit, however questions can be submitted in writing.

#### **Mrs Heather Saint**

##### **Question 1:**

With reference to the Confidential item in the April Minutes – when will we receive the letter?

##### **Response:**

It is in the hands of the Solicitors.

#### **Ms Patricia Walters**

##### **Question 1:**

Do Councillors have a duty of care to ensure all monies provided by the Shire of York should be accounted for, reviewed by Council and passed as a true record of all expenditure?

##### **Response:**

Yes



**Question 2:**

Why was the monthly financial report a couple of months ago submitted as a Late Report and passed?

According to WALGA training financial reports cannot be presented as a Late Report as they must be available to the public at the same time as Agendas.

**Response:**

Taken on Notice.

**Mr Simon Saint**

Cr Boyle informed Mr Saint that he did not have a forum, however questions could be submitted in writing.

*There being no further questions the Shire President closed question time at 3.09pm.*

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

*Nil*

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

*Cr Boyle congratulated and thanked Matthew Reid on the opening of the Wellness Centre. All who attended the opening enjoyed the event and were impressed with the building.*

*Also thanked Matthew Reid for allowing the Flower Show to be held in the Old School this year. Congratulations to Cr Smythe for the prizes she won with her flowers.*

*Cr Boyle congratulated the Residency Museum for the Open Evening for National Museums Day. A great attendance of guests and an enjoyable time was had by all.*

**7. PETITIONS / PRESENTATIONS / DEPUTATIONS**

*Nil*

**8. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

8.1 Minutes of the Ordinary Council Meeting held April 15, 2013

Corrections

Confirmation

**RESOLUTION**

**010513**

**Moved: Cr Lawrance**

**Seconded: Cr Scott**

***“That the minutes of the Ordinary Council Meeting held on April 15, 2013 be confirmed as a correct record of proceedings.”***

***CARRIED: 6/0***

**9. OFFICER'S REPORTS**



## **9.1 Development Services**



## 9. OFFICER'S REPORTS

### 9.1 DEVELOPMENT REPORTS

#### 9.1.1 Proposed Villas – 1 Meares Street, York

*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.*

FILE NO:	P852, Me1.60583
COUNCIL DATE:	20 May 2013
REPORT DATE:	14 May 2013
LOCATION/ADDRESS:	Lot 803 (1) Meares St, York
APPLICANT:	Stallion Homes
SENIOR OFFICER:	T Cochrane (A/CEO)
REPORTING OFFICER:	J Jurmann (MPS)
DISCLOSURE OF INTEREST:	T Cochrane – Financial – Neighbouring Property
APPENDICES:	1 – Location Plan 2 – Architectural Plans 3 – Sample of Brickwork Detailing 4 – Schedule of Submissions
DOCUMENTS TABLED:	Unit Internal Floor Plans

#### Summary:

Council is in receipt of a planning application to construct seven (7) single storey villas at Lot 803 (1) Meares Street, York.

The application was advertised in accordance with the provisions of the York Town Planning Scheme No. 2 and one submission was received objecting to the proposal.

It is recommended that the application be approved subject to the conditions listed at the end of this report.

#### Background:

Lot 803 Meares Street is located on the corners of Bird, Meares and George Streets and is a vacant lot. The lot was originally part of a larger property containing an older single dwelling that is listed on the Municipal Heritage Inventory.

It is proposed to construct seven (7) single storey, single bedroom villas. The frontage of the dwellings has been designed to face Meares Street, with vehicular access, including visitor parking at the rear from George Street. The property is zoned R40 and is connected to the Water Corporation's reticulated sewerage system.

On the northern side of the property is a single dwelling that is also listed on the Municipal Heritage Inventory and is typical of the surrounding development, although it should be noted that a number of other properties in the area have been the subject of recently approved subdivisions.

The applicant is seeking a number of variations to the provisions of the Residential Design Codes, including setbacks, lot areas and parking provisions, to facilitate this development. These variations were discussed with Council's Planning Manager prior to submission of the planning application to determine the feasibility of the project, from both a planning and financial perspective. The R-Codes permit concessions for single bedroom dwellings, similar to aged or dependent persons' accommodation.

An assessment of the application has been carried out taking into consideration the provisions of the York Town Planning Scheme No. 2 and the Residential Design Codes. As indicated in the Summary of this Report, it is recommended that the application be conditionally approved.

**Consultation:**

The York Town Planning Scheme No. 2 lists 'grouped dwellings' as an 'AA' use in the Residential zone. 'AA' means that the use is not permitted unless the local government has exercised its discretion by granting planning consent.

Although the Scheme does not require the application to be advertised, the application was advertised by Council's Planning Manager who determined that adjoining landowners should be consulted as part of the assessment process.

The application was advertised in the local newspaper and letters were sent directly to neighbouring landowners.

One submission was received objecting to the proposal. The concerns raised in the objection have been considered in the assessment of the application. Refer to the Schedule of Submissions for further details.

**Statutory Environment:**York Town Planning Scheme No. 2

The subject property is zoned Residential R40 where 'grouped dwellings' are permitted as an 'AA' use. 'Grouped dwellings' are defined in the Residential Design Codes as "a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property." 'AA' means that the use is not permitted unless the local government has exercised its discretion by granting planning consent. This planning application has been submitted in accordance with the provisions of the Scheme.

The matters for consideration listed in Clause 7.5 of the Scheme have been considered as follows:

- (a) *The aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme area.*

The York Town Planning Scheme No. 2 is the only operating scheme in the area and applicable to this application. The objectives of the Residential zone are:

- (a) "To encourage single houses as the predominant form of residential development.  
(b) To require infill residential development in Heritage Precincts to be in accordance with Design Guidelines adopted by the local government.  
(c) To achieve a high standard of development and residential amenity."

The proposal will achieve a high standard of development in an area designated for higher density development in accordance with the R-Codes.

- (b) *The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, which has been granted consent for public submissions to be sought.*

There are no new schemes or amendments applicable to the property or this proposal. However it should be noted that as part of the sewerage in-fill program this property and many others were allocated a R40 coding to encourage higher density development.

- (c) *Any approved statement of planning policy of the Commission.*

There are no statements applicable to this application.

- (d) *Any approved environmental protection policy under the Environmental Protection Act 1986.*

There are no policies applicable to this application.

- (e) Any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State.

State Planning Policy 3.1 – Residential Design Codes

The applicable provisions of the Policy have been assessed as follows:

**TABLE 1 – General Site Requirements for R40 Coded Sites with Single Bedroom Concessions as per Clause 6.11.3.**

Provision	Requirement	Proposed
Site area	Min. 133.34 m <sup>2</sup> Av. 146.74 m <sup>2</sup>	U1: 162 m <sup>2</sup> , U2: 162 m <sup>2</sup> , U3: 162 m <sup>2</sup> , U4: 162 m <sup>2</sup> , U5: 170 m <sup>2</sup> , U6: 170 m <sup>2</sup> , U7: 154.3 m <sup>2</sup> . Av. = 163.2 m <sup>2</sup>
Plot ratio area (floor area)	Max. 60 m <sup>2</sup>	U1: 77.75 m <sup>2</sup> , U2: 80.5 m <sup>2</sup> , U3: 80.5 m <sup>2</sup> , U4: 85.45 m <sup>2</sup> , U5: 80.5 m <sup>2</sup> , U6: 85.45 m <sup>2</sup> & U7: 85.45 m <sup>2</sup> .
Open Space	Min. 45% of site = 724 m <sup>2</sup>	59% or 955 m <sup>2</sup>
Outdoor living (m <sup>2</sup> )	Min. 20 m <sup>2</sup>	Min. 20 m <sup>2</sup>
Primary street setback	4 m	4 m
Secondary street setback	1 m	Min. 10 m
Side setback (*Poss. Nil setback in accordance with clause 6.3.2 or design element 6.3.)	2.1 m	Nil
Building height (top pitched roof)	9 m	6.5 m
Residents parking	1 space	1 space provided to each unit and U5 provided 2 spaces
Visitors car parking	1 per 4 dwellings = 2 spaces required	4 visitor spaces provided

Additional Notes to Table 1:

1. Clause 6.3.2 – Buildings on boundary

- Buildings built up to boundaries other than the street boundary where it is desirable to do so in order to:
  - make effective use of space; or
  - enhance privacy; or
  - otherwise enhance the amenity of the development;
  - not have any significant adverse effect on the amenity of the adjoining property; and
  - ensure that direct sun to major openings to habitable rooms and outdoor living areas of adjoining properties is not restricted.
- The proposed nil setbacks do make effective use of the space; there are no major openings, which will enhance privacy and the amenity of the development; there is no significant adverse effect on the amenity of the adjoining property, however it is acknowledged that there will be some impact on visual amenity; and there will be no overshadowing of habitable rooms or outdoor living areas of the adjoining property due to the property orientation.
- The Building Code of Australia will specify the fire resisting construction requirements.

2. Clause 6.4.5 – Landscaping requirements

- Landscaping will be provided in accordance with the provisions of the R-Codes, including lighting, bin storage areas.

3. Clause 6.9.1 – Solar access to adjoining sites
  - Development designed to protect solar access for neighbouring properties taking into account the potential to overshadow outdoor living areas, major openings to habitable rooms, solar collectors and balconies and verandahs.
  - Solar access is to be measured at 12 midday on 21 June.
  - There are no shadows cast onto the neighbouring property that impact the above due to the orientation of the property and neighbouring dwelling.
  
4. Clause 6.9.2 – Stormwater disposal
  - Stormwater to be contained on site whenever possible.
  - It is proposed to utilise a water sensitive urban design to directed water to permeable pavers and garden areas. Overflow will be directed to the street.
  
5. Clause 6.11.3 – Single bedroom dwellings
  - This type of dwelling is designed to accommodate the one or two-person households that now make up over half of all households in Western Australia. Because dwellings of this nature result in a low population density per dwelling unit, they do not generate the same demands for car parking as two- or three-bedroom dwellings, and result in less building bulk, the codes allow the same concessions as for aged or dependent persons' dwellings. However, there are no constraints on the age of occupants and there is no requirement for special facilities.
  - It is proposed that the dwellings will provide limited accommodation, suitable for one or two persons.
  - Single bedroom dwellings are provided with the same concessions as aged or dependent persons' dwelling and therefore the site area is reduced by one-third.
  - Single bedroom dwellings with a maximum plot ratio area of 60m<sup>2</sup>.

The proposal, although seeking some variations to the R-Codes, meets the objectives and performance provisions of the Codes.

*(f) Any Planning Policy adopted by the local government under clause 8.8, any policy for a designated heritage precinct adopted under clause 5.1.3, and any other plan or guideline adopted by the local government under the Scheme.*

There are no policies applicable to this proposal. However, it should be noted that both adjoining properties are listed on the Municipal Heritage Inventory and as such the design has been considered in this context.

*(g) In the case of land reserved under the Scheme, the ultimate purpose intended for the reserve.*

The land is not reserved under the Scheme.

*(h) The conservation of any place that has been entered in the Register within the meaning of the Heritage of Western Australia Act 1990, or which is included in the Heritage List under clause 5.1.2, and the effect of the proposal on the character or appearance of a heritage precinct.*

The subject property is not heritage listed, however, it should be noted that both adjoining properties are listed on the Municipal Heritage Inventory and as such the design has been considered in this context.

*(i) The compatibility or a use or development with its setting.*

Grouped dwellings are a permissible use within a Residential Zone. This area has the highest Residential Design Code for York as it has been identified strategically as an area of future residential growth and infill. Furthermore, the provision of sewer and water infrastructure within this area should be utilised with higher density development such as this.



*(j) Any social issues that have an effect on the amenity of the locality.*

The dwellings have been specifically designed for occupancy by one or two persons and it is therefore unlikely that there will be any social issues associated with this proposal. Approximately half of Western Australia's households consist of one or two persons and it is important that local housing caters for this market.

*(k) The cultural significance of any place or area affected by the development.*

York has cultural significance as a place of heritage importance in Western Australia and it is important that new development is designed to complement the existing buildings. The proposed development has been designed to be complementary by utilising similar construction materials designed to fit in with existing architecture in a similar manner to the neighbouring heritage listed properties.

*(l) The likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment.*

The development has been designed to minimise impacts on the environment. Trees have been retained where possible.

*(m) Whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bushfire or any other risk.*

The property is not subject to any natural constraints.

*(n) The preservation of the amenity of the locality.*

The construction of single bedroom villas will provide accommodation for one or two person households that will not impact on the amenity of the locality. There is sufficient parking at the rear for residents and visitors. It is acknowledged that the visual amenity from the neighbouring property will be impacted by this development. The applicant has offered to construct the wall with architectural features and/or landscaping.

*(o) The relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal.*

The density proposed in the application is significantly higher than the surrounding development that generally consists of single dwellings. However, the area could be considered to be in transition with a number of subdivisions approved. The R40 density coding allocated to the area is to facilitate group and multiple dwelling developments.

Concerns have been raised over the effect of height and scale of the development when compared to the surrounding area, particularly the proposed nil side boundary setbacks.

*(p) Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles.*

It is proposed to construct car parking accessible from the George Street frontage. Adequate spaces and manoeuvring areas have been provided for in the design.

- (q) *The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.*

The proposed single bedroom dwellings are unlikely to create traffic movements that will detrimentally impact on the local traffic. Some visitor parking may occur in Meares Street and the developer will be required to signpost the availability of car parking from George Street to reduce any impacts.

- (r) *Whether public transport services are necessary and, if so, whether they are available and adequate for the proposal.*

Not applicable to York. Although it is worthwhile noting that the site is within walking distance of the town centre.

- (s) *Whether public utility services are available and adequate for the proposal.*

Public utility services are available to the site. The developer will be responsible for any upgrades required to service the development.

- (t) *Whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities).*

Not applicable to grouped dwelling proposals.

- (u) *Whether adequate provision has been made for access by disabled persons.*

Not applicable to grouped dwelling proposals.

- (v) *Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved.*

It is proposed to maintain as much established vegetation as possible. In addition, landscaping will need to be provided in accordance with the provisions of the R-Codes. The plans indicate the style of landscaping proposed that will be integrated with the water sensitive urban design approach to stormwater management. Further details will be required prior to the commencement of works.

- (w) *Whether the proposal is likely to cause soil erosion and degradation.*

It is unlikely that the development will cause soil erosion or degradation.

- (x) *The potential loss of any community service or benefit resulting from the planning consent.*

No community services or benefits will be affected by this proposal.

- (y) *Any relevant submissions received on the application.*

One submission, from the adjoining landowner, was received objecting to the proposal. The issues raised in the submission have been considered during the assessment of this application. Refer to the Schedule of Submissions for further details.

- (z) *The potential impacts of noise, dust, light, risk, and other pollutants on surrounding land uses.*

There are no potential impacts of pollutants identified.

- (aa) *The comments or submissions received from any authority consulted under clause 7.4.*

No other authorities required consultation as part of the assessment process.

*(bb) Any other planning consideration the local government considers relevant.*

This type of development, particularly in this area of York should not be discouraged as it will become integral to the growth of the community. The applicant is willing to negotiate changes in order to facilitate the development.

**Policy Implications:**

The York Local Planning Strategy identifies the site within the “Future Residential Development – Ford to Henrietta Streets” Precinct. The objective of this Precinct is “to provide timely, coordinated and sustainable residential development and infill development in the central western sector of the town site”. One of the Strategies for the Precinct is to “investigate opportunities for mixed use, grouped and aged housing within existing serviced residential areas”.

This development proposal is consistent with the objective and strategy of the Local Planning Strategy. Therefore, it is concluded that there are no Policy implications associated with this proposal.

**Financial Implications:**

There are no financial implications for the Shire. All relevant fees have been paid and the developer will be responsible for any required upgrades of utilities. In accordance with Council’s Policy, the developer will be responsible for the provision of any road or footpath provision/upgrade.

**Strategic Implications:**

The Shire of York’s 2012 Strategic Community Plan goals are:

**Social**

- Manage population growth, through planned provision of services and infrastructure.
- Strengthen community interactions and a sense of a united, cohesive and safe community.
- Build and strengthen community, culture, vibrancy and energy.

**Environmental**

- Maintain and preserve the natural environment during growth, enhancing the ‘rural’ nature of York, and ensuring a sustainable environment for the future.
- Support sustainable energy and renewable resource choices.

**Economic**

- Build population base through economic prosperity.
- Value, protect and preserve our heritage and past.
- Grow the economic base and actively support local businesses and service provision.

This proposal will build population base in an already serviced area identified in the York Local Planning Strategy. There are no environmental impacts associated with the proposal and the design has considered the architectural features of York to protect the value of the neighbouring heritage buildings.

**Voting Requirements:**

**Absolute Majority Required: No**

**Site Inspection:**

**Site Inspection Undertaken: Yes**

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

Concerns have been raised in the submission and during a number of conversations at the Council Office regarding the density of the proposal. As part of this assessment, the number of units was assessed from an economic viewpoint to determine if six (6) units may be more appropriate. Discussions have also been held with the applicant.

Using the Cordell's Commercial Industrial and Housing Building Cost Guide (February 2013), it is estimated that to construct single storey villas it would cost \$1367.79 per m<sup>2</sup> (\$1270 x 1.077 (Northam Regional Cost Adjustment Factor)), which is a total of \$1,679.017 for the seven (7) villas or \$239,860 per villa. It is estimated that each villa will sell for between \$200,000 and \$250,000. Although these estimates are probably slightly elevated, it demonstrates that by reducing the development to six (6) units, it could affect the financial viability of the project.

The applicant has made the following comment with regards to this: "Having done the feasibility studies, I believe this to be the optimal solution. Diminishing the number of dwellings will make the project too marginal. Separate dwellings are not viable and do not address the market niche."

**Social Implications:**

Providing diversity in housing choice is important for the growth and social wellbeing of York. These units will provide affordable housing in York and provide an alternative to developments such as Balladong Country Estate. It is considered that this proposal will have positive social implications.

**Environmental Implications:**

There are no environmental implications associated with this proposal, particularly as tree removal has been minimised through the design and stormwater will be managed using water sensitive urban design to ensure that there are no impacts on neighbouring properties.

**Comment:**

The visual impact on the northern property can be lessened through the use of architectural design, brickwork features and landscaping. The applicant's architect has provided some examples of design and features that could be used, which will be agreed in consultation with the neighbouring landowner.

As indicated in this report, over one half of Western Australian households consist of one and two persons and it is good and proper planning to provide a variety of housing choice for the community. Although the density proposed in this application is higher than the existing surrounding development, this type of development is important for York and should be encouraged where there are no impacts on neighbouring properties, particularly considering that this area has been identified in the Local Planning Strategy and R-coded to encourage and accommodate higher density development and living.

**RESOLUTION  
020513**

**Moved: Cr Smythe**

**Seconded: Cr Lawrance**

**“That Council:**

**APPROVE the planning application for the construction of a grouped dwelling development consisting of seven (7) single bedroom villas at Lot 803 (1) Meares Street, York, subject to the following conditions and advice notes:**

**Conditions**

- 1. Development must substantially commence within two (2) years from the date of this decision.**
- 2. Development must take place in accordance with the stamped approved plans.**
- 3. Prior to the commencement of development, the approved deposited plan for the boundary realignment between Lots 803 and 804 shall be submitted to the local government.**
- 4. Prior to the commencement of construction, a stormwater management plan must be submitted for approval to the local government.**
- 5. Prior to the commencement of construction, a plan for the north and south elevations shall be submitted for approval to the local government depicting treatment of the brick walls on the boundary. Evidence shall also be submitted of neighbour consultation for the northern wall.**
- 6. Prior to the commencement of construction, detailed landscaping plans shall be submitted to the local government for approval.**
- 7. The car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking prior to the occupation of the development.**
- 8. Prior to occupation, signage shall be erected on the Meares Street frontage advising of the availability of visitor car parking accessible from George Street.**
- 9. Prior to the occupation, all car parking, driveways, crossovers, stormwater infrastructure and landscaping shall be completed to the satisfaction of the local government.**
- 10. Within 12 months from occupation of the final unit, a contribution shall be made to the Shire of York for the upgrade and maintenance of Meares and/or George Streets in accordance with the Local Planning Policy – Contributions for Road & Footpath Construction & Upgrading.**

**Advice Notes:**

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

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

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

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

**CARRIED: 6/0**

*Tyhscha Cochrane returned to the room at 3.19pm*

## Item 9.1.1 – Appendices





## 9.2 Administration Reports



**9. OFFICER'S REPORTS**  
**9.2 ADMINISTRATION REPORTS**  
**9.2.1 Scott Street and Whitfield Street, Mount Hardey**

**FILE NO:** Sc3, Wh3  
**COUNCIL DATE:** 20 May 2013  
**REPORT DATE:** 2 May 2013  
**LOCATION/ADDRESS:** Scott Street and Whitfield Street,  
Mount Hardey  
**APPLICANT:** Shire of York  
**SENIOR OFFICER:** R Hooper, CEO  
**REPORTING OFFICER:** K Robinson, Planning Assistant  
**DISCLOSURE OF INTEREST:** Nil  
**APPENDICES:** Appendix 1 – Schedule of Submissions  
Appendix 2 – Location Map  
**DOCUMENTS TABLED:**

**Summary:**

The original proposal for Scott Street and Whitfield Street, Mount Hardey was addressed at a Council meeting 19 November 2012. The proposal included a three (3) part process.

1. To open a gravel road and continue Whitfield Street Mount Hardey through from Scott Street to Station Street.
2. To close a portion of Scott Street west of Whitfield Street, Mount Hardey and incorporate into Reserve 40642.
3. To close 50m of Whitfield Street from the York-Quairading Road to restrict access to and from Whitfield Street to the York-Quairading Road.

This report proposes to continue to open a portion of a closed gravel road passing through Reserve 40642. Part 2 of the original proposal has been considered however a submission regarding access to Lots 124-126 Scott Street was received and the proposal will no longer proceed. Part 3 of the proposal has not yet been considered as this is unable to proceed until the extension of Whitfield Street is extended through to Station Road.

Part 1 of the proposal is to open a made gravel road passing through Reserve 40642 to continue Whitfield Street through to Station Road. This section of the Reserve is cleared and although closed many residents still use as access to their properties. By excising the road from the reserve and opening as a continuation of Whitfield Street, it will allow the road to be maintained by local government and be entered into ongoing maintenance program for the area.

This entrance will be safer for all residents than the existing entrance onto the York-Quairading Road. The entrance onto the York-Quairading Road is on a bend and has low visibility. The area allows speeds up to 110kms per hour. The excision of a 20m wide road with an 8 metre truncation at Station Road is already cleared and will form a safer entrance for the residents of Mount Hardey.

Part 2 of the original proposal will no longer proceed and Part 3 cannot proceed until Part 1 of the proposal is completed.

**Background:**

Council considered all 3 Parts at its Ordinary Council Meeting on the 19<sup>th</sup> November 2012 in which the proposal was supported.

**Consultation:**

Consultation was conducted with Glen Jones, Shire of York, Works Manager and Jen Vincent, Environmental Officer in the Shire of Quairading to obtain technical support for the proposal. The full three (3) Part proposal was then advertised in the Avon Valley Gazette 1 December 2012 with a closing date of 18 March 2013. Notification was also sent by mail to Department of Environment and Conservation and surrounding landowners.

The first part of the proposal was to open the gravel road through Reserve 40642, this was supported by all landowners and Department of Environment and Conservation as a beneficial proposal. The second part of the proposal to close Scott Street west of Whitfield Street received an objection due to the fact that should development occur on Lots 124-126 the only legal access remaining would be via a right of way at the rear of the properties. The third phase of the proposal was the closure of 50m of Whitfield Street from the York-Quairading Road to the crossover of Lot 112 Whitfield Street. This Part of the proposal received 2 objections from landowners.

Twelve (12) submissions were returned both in and outside the public consultation period. Nine (9) supportive submissions and three (3) objections were received.

The proposal to open the road through Reserve 40642 received no objections and was supported by the Department of Environment and Conservation. Other objections that were received during the advertising period related to the closure of Scott Street and Whitfield Street.

**Statutory Environment:**

Land Administration Act, 1997 (as amended) Section 56

*"Dedication of Roads"*

(1) *If in the district of a local government -*

(a) *land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government;*

(b) *in the case of land comprising a private road constructed and maintained to the satisfaction of the local government –*

(i) *the holder of the freehold in land applies to the local government, requesting it to do so; or*

(ii) *those holders of the freehold in rateable land abutting the private road, the aggregate of the rateable value of whose land is greater than one half of the rateable value of all the rateable land abutting the private road, apply to the local government, requesting it to do so;*

*or*

(c) *land comprises a private road of which the public has had uninterrupted use for a period of not less than 10 years,*

*and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.*

(2) *If a local government resolves to make a request under subsection (1), it must -*

(a) *in accordance with the regulations prepare and deliver the request to the Minister; and*

(b) *provide the Minister with sufficient information in a plan of survey, sketch plan or document to describe the dimensions of the proposed road.*

- (3) *On receiving a request delivered to him or her under subsection (2), the Minister must consider the request and may then –*
- (a) *subject to subsection (5), by order grant the request;*
  - (b) *direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or*
  - (c) *refuse the request*
- (4) *On the Minister granting a request under subsection (3), the relevant local government is liable to indemnify the Minister against any claim for compensation (not being a claim for compensation in respect of land referred to in subsection (6)) in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.*
- (5) *To be dedicated under subsection (3) (a), land must immediately before the time of dedication be –*
- (a) *unallocated Crown land; and*
  - (b) *designated in the relevant plan of survey, sketch plan or document as having the purpose of a road.*
- (6) *If land referred to in subsection (1) (c) is dedicated under subsection (3) (a), the holder of the freehold in that land is not entitled to compensation because of that dedication.*

Land Administration Act, 1997 (as amended) Section 58

*“Closure of roads*

- (1) *When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.*
- (2) *When a local government resolved to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.*
- (3) *A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.*
- (4) *On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) -*
- (a) *by order grant the request;*
  - (b) *direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or*
  - (c) *refuse the request.*
- (5) *If the Minister grants a result under subsection (4) -*
- (a) *the road concerned is closed on and from the day on which the relevant order is registered;*
  - (b) *any rights suspended under section 55 (3) (a) cease to be so suspended; and*

- (c) *the Minister must cause notice of the registration of the relevant order to be published in a newspaper circulating in the district of the relevant local government.*
- (6) *When a road is closed under this section, the land comprising the former road -*
  - (a) *becomes unallocated Crown land; or*
  - (b) *if a lease continues to subsist in that land by virtue of section 57 (2), remains Crown land."*

Land Administration Regulations, 1998 (as amended), Part 2 – General, Regulation 9 –

Preparation and Delivery by Local Government of Request to close a road permanently.

*"9. Preparation and delivery by local government of request to close a road permanently*

*For the purposes of preparing and delivering under section 58(2) of the Act a request to the Minister to close a road permanently, a local government must include with the request;*

- (a) *written confirmation that the local government has resolved to make the request, details of the date when the relevant resolution was passed and any other information relating to that resolution that the Minister may require;*
- (b) *sketch plans showing the location of the road and the proposed future disposition of the land comprising the road after it has been closed;*
- (c) *copies of any submissions relating to the request that, after complying with the requirement to publish the relevant notice of motion under section 58(3) of the Act, the local government has received, and the local government's comments on those submissions;*
- (d) *a copy of the relevant notice of motion referred to in paragraph (c);*
- (e) *any other information the local government considers relevant to the Minister's consideration of the request; and*
- (f) *written confirmation that the local government has complied with section 58(2) and (3) of the Act."*

*York Town Planning Scheme No. 2.*

*"5.6 Development of lots abutting unconstructed roads*

*Notwithstanding anything elsewhere appearing in the Scheme where an application for planning consent is made in respect of land abutting an unconstructed road or a lot which does not have frontage to a constructed road the local government shall either;*

- a) *refuse the application until the road has been constructed or access by means of a constructed road is provided as the case may be; or*
- b) *grant the application subject to a condition requiring the applicant to pay a sum of money in or towards payment of the construction or estimated cost of construction of the road or part thereof and any other conditions it thinks fit to impose; or*
- c) *require such other arrangements are made for permanent access as shall be to the satisfaction of the local government."*

**Policy Implications:**

Nil

**Financial Implications:**

A road closure and opening will incur administration costs associated with staff time and advertising fees. Advice received from the Department of Regional Development and Lands stated that the Department of Environment and Conservation will be required to obtain approvals and a graphic to show the agreed outcome to amend the Reserve 40642, there will be no further cost to Council.

**Strategic Implications:**

The Shire of York's 2012 Strategic Community Plan goals are:

**Social**

- Manage population growth, through planned provision of services and infrastructure.
- Strengthen community interactions and a sense of a united, cohesive and safe community.
- Build and strengthen community, culture, vibrancy and energy.

**Environmental**

- Maintain and preserve the natural environment during growth, enhancing the 'rural' nature of York, and ensuring a sustainable environment for the future.
- Support sustainable energy and renewable resource choices.

**Economic**

- Build population base through economic prosperity.
- Value, protect and preserve our heritage and past.
- Grow the economic base and actively support local businesses and service provision.

**Voting Requirements:**

**Absolute Majority Required: No**

**Site Inspection:**

**Site Inspection Undertaken: No**

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

Council will need to meet any administrative costs for the opening of Whitfield Street.

**Social Implications:**

The continuation of Whitfield Street through to Station Street will allow safer access for all residents within the Mount Hardey town-site.

**Environmental Implications:**

The gravel road traversing through Reserve 40642 is essentially cleared and a made gravel road, this will not require any clearing permits.

**Officers Comment:**

All processes will be carried out in accordance with section 56 and 58 of the Land Administration Act 1997 (as amended), the Planning and Development Act 2005 and the York Town Planning Scheme No.2.

**RESOLUTION  
030513**

**Moved: Cr Duperouzel**

**Seconded: Cr Smythe**

***“That Council:***

- 1. Advises the Department of Environment and Conservation of its intention not to proceed with the closure of Scott Street, Mount Hardey, as this portion is required by the landowner for access.***
- 2. Notification to be sent to the owner of Lots 124-126 to advise that Scott Street to the west of Whitfield Street will not be upgraded.***
- 3. Write to Department of Environment and Conservation and the Department of Regional Development and Lands requesting the excision of a 20m wide road with an 8m truncation at Station Road, as per s. 56 of the Land Administration Act 1997.***
- 4. The Shire of York indemnifies the Minister against any claim for compensation, as per Section 56 of the Land Administration Act 1997.”***

**CARRIED: 6/0**



## Item 9.2.1 – Appendices



9. OFFICER'S REPORTS  
9.2 ADMINISTRATION REPORTS  
9.2.2 Information Services

FILE NO: CS.LCS.8.1  
COUNCIL DATE: 20 May 2013  
REPORT DATE: 1 May 2013  
LOCATION/ADDRESS: N/A  
APPLICANT: Shire of York  
SENIOR OFFICER: R Hooper, CEO  
REPORTING OFFICER: Information Services Officer  
DISCLOSURE OF INTEREST: Nil  
APPENDICES: Appendix A and B  
DOCUMENTS TABLED: Nil

**Summary:**

The following is a summary of items for York Information Services for the month of **April 2013**.

- **Visitor Numbers-** (Appendix A) These numbers are counted manually and only include adults and older children actually walking through the doors of the Information Services office. They do not include people walking into the Town Hall to use toilets, view exhibits etc.

The Information Services are recording additional information on the visitor numbers visiting the Town Hall for such things as shopping, information only, events, family history, sightseeing, and walks. This count will assist any grant applications in the future and are available on request.

The number of visitors coming through the doors in April 2013 was **1300** as compared to **1119** in 2012.

The above visitors to York does not include the count from the York Motorcycle Festival on Sunday as it was too busy to be counted.

- **Product Sales-** (Appendix B) Net sales for the month of April 2013 were **\$778.60** compared to **\$995.10** for the same period 2012.

The York Motorcycle Festival was a great success, a lot of people were saying how nice to have it in a lovely historic town. The main street was very busy with people and motorbikes, also the York Town Hall attracted a lot of people as well. So a great day had by all.

- **Request for Services** - There are certain services that visitors ask for (verbally) on a regular basis, these include:

- Souvenir Gold Coin Machine	5
- Laundromat	8

- **The York Map** - The York maps have just gone to print, so they should be ready within a month. Thank you to all the businesses that have purchased an advertising space for the 2013 York Maps.
- **York Jackets** - Our new winter stock of jackets have arrived for this year, hopefully they will be popular for the visitors and locals.

- **Heritage Festival** - The display in the Town Hall has been a huge success thanks to Carol and her volunteers at the York Residency Museum. Most of the visitors that come into the Town Hall would spend at least 15-45mins walking around the hall and reading all the banners and displays and tell us how impressed they are with the history on display.
- **Feedback**
  - Visitors coming into the Info Services saying they are very impressed to see the 24 hour Free RV Parking site. Visitors have been asking to have more signage around to let them know that there is the Free RV Parking.
  - Visitors wanting the public toilets to be opened earlier in the morning and later at night, we have explained to them that its due to vandalism and security reasons.
  - Visitors saying that York is a wonderful historic place and it's very clean & tidy.

**Background:**

We have the calendar of Event for the year of 2013. All known details are listed on the Calendar of Events, which is distributed through York Information Services and available on the Shire of York website.

**Consultation:**

Shire of York and local business proprietors

**Statutory Environment:**

Nil

**Policy Implications:**

Not Applicable

**Financial Implications:**

Nil

**Strategic Implications:**

Not Applicable

**Voting Requirements:**

**Absolute Majority Required:           No**

**Site Inspection:**

**Site Inspection Undertaken:           Not applicable**

**Triple bottom Line Assessment:**

**Economic Implications:**

Nil

**Social Implications:**

Nil

**Environmental Implications:**

Nil

**Comment:**

This report serves to keep the community informed of the activities in place.

**RESOLUTION  
040513**

**Moved: Cr Smythe**

**Seconded: Cr Hooper**

***“That Council:***

***Receive the April 2013 report prepared by York Information Services.”***

***CARRIED: 6/0***



## Item 9.2.2 – Appendices





**9. OFFICER'S REPORTS**  
**9.2 ADMINISTRATION REPORTS**  
**9.2.3 Recoup of Funds – York Tourist Bureau Inc**

**FILE NO:** CS.LCS.8  
**COUNCIL DATE:** 20 May 2013  
**REPORT DATE:** 8 May 2013  
**LOCATION/ADDRESS:** N/A  
**APPLICANT:** N/A  
**SENIOR OFFICER:** R Hooper, CEO  
**REPORTING OFFICER:** R Hooper, CEO  
**DISCLOSURE OF INTEREST:** Nil  
**APPENDICES:**  
1. York Tourist Bureau Emails dated 7<sup>th</sup> July, 2010 & 9<sup>th</sup> July, 2010  
2. Correspondence to YTB of 18<sup>th</sup> March, 2013  
**DOCUMENTS TABLED:** Nil

**Summary:**

A Council determination is required to decide whether to proceed with the recovery of Court imposed re-imbursalment of funds in accordance with the following clause agreed to by the York Tourist Bureau.

“The York Tourist Bureau will transfer any funds received from its insurance claim (if successful) or any Court order (if made as a result of the police prosecution) to the Shire to reduce the value of the outstanding YTB Shire debt.”

**Background:**

Council resolved at the Council meeting held on the 19<sup>th</sup> April, 2010 to meet the then identified funding shortfall of up to \$85,000 arising from the operations of the York Visitor Centre run by the York Tourist Bureau Inc following on from previous cash advances to meet operating and other shortfalls such as superannuation guarantee payments.

The Shire of York wrote to the York Tourist Bureau on the 18<sup>th</sup> March, 2013 requesting the transfer of funds received through the Police prosecution with no response to date.

**Consultation:**

Council  
D Carbone & Associates

**Statutory Environment:**

Not Applicable

**Policy Implications:**

Financial Management – Recovery of Non-Rates Charges.

**Financial Implications:**

The Court ordered re-imbursalment as a result of the successful prosecution of a YTB employee was \$12,602.62.

An insurance payout for the theft of funds amounting to \$8,500 was paid to the Shire of York by the YTB 2010/11.

Costs incurred to date in meeting the liabilities of the YTB are in the order of \$115,000 which have been met by the community from municipal funds.

**Strategic Implications:**

Nil

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

**Site Inspection:**  
**Site Inspection Undertaken: Not Applicable**

**Triple bottom Line Assessment:**

**Economic Implications:**

Recovery of this amount in accordance with the agreement would allow for the use of funds for events, area promotion or other activity of community benefit.

**Social Implications:**

The community expects and requires Council to recover any funds or debts owed to it to reduce the overall burden on ratepayers.

**Environmental Implications:**

Nil

**Officers Comment:**

The emails from the Chair of the York Tourist Bureau Inc are extremely clear and unequivocal that any funds recovered as a result of a prosecution were to be transferred to the Shire of York and it is reasonable to expect and demand that this commitment and agreement be adhered to.

**OFFICER RECOMMENDATION**

*“That Council:*

- (a) Request the York Tourist Bureau Inc to transfer the funds received as a result of the recent conviction of K Watts to the Shire of York in accordance with the agreed process within 14 days.*
- (b) If the funds are not voluntarily transferred to the Shire of York within the 14 day period the Chief Executive Officer be authorised to initiate appropriate debt recovery processes.”*

**AMENDMENT**

**Moved: Cr Scott**

**Seconded: Cr Lawrance**

***“That Council Amend the Officer Recommendation to read:***

- (a) Request the York Tourist Bureau Inc to transfer the funds received as a result of the recent conviction of K Watts to the Shire of York in accordance with the agreed process within 14 days.***
- (b) If the funds are not voluntarily transferred to the Shire of York within the 14 day period the Chief Executive Officer be authorised to initiate appropriate debt recovery processes.***

***Advice Note:***

***These funds to be used for Tourism when and as required in York.”***

***CARRIED: 5/1***

**RESOLUTION**

**050513**

**Moved: Cr Hooper**

**Seconded: Cr Lawrance**

**The amendment became the motion.**

***CARRIED: 5/1***

*The Officer Recommendation was changed to include an Advice Note to clarify where the funds received would be used.*



### **Item 9.2.3 – Appendices**



**9. OFFICER'S REPORTS**  
**9.2 ADMINISTRATION REPORTS**  
**9.2.4 South East Avon Regional Transition Group**

**FILE NO:** OR.RDT.5  
**COUNCIL DATE:** 20 May 2013  
**REPORT DATE:** 10 May 2013  
**LOCATION/ADDRESS:** South East Avon  
**APPLICANT:** SEARTG  
**SENIOR OFFICER:** R Hooper, CEO  
**REPORTING OFFICER:** R Hooper, CEO  
**DISCLOSURE OF INTEREST:** Nil  
**APPENDICES:** Minutes – SEARTG Board Meeting  
**DOCUMENTS TABLED:** Nil

**Summary:**

The minutes of the South East Avon Regional Transition Group Board Meeting held on 5th April, 2013 in York are provided for Council and Community information.

**Background:**

The South East Avon Regional Transition Group (SEARTG) was formed from SEAVROC to investigate structural reform in this region under a formal agreement with the Department of Local Government.

The Regional Transition Group has received funding of \$500,000 to undertake Business Plans, Asset Management Plans, Community Strategic Plans and 10 Year Financial Plans to properly analysis the structural reform process.

**Consultation:**

Not Applicable

**Statutory Environment:**

Not Applicable

**Policy Implications:**

Nil

**Financial Implications:**

Fully funded by Department of Local Government grants.

**Strategic Implications:**

The Shire of York's 2012 Strategic Community Plan goals are:

**Social**

- *Manage population growth, through planned provision of services and infrastructure.*
- *Strengthen community interactions and a sense of a united, cohesive and safe community.*
- *Build and strengthen community, culture, vibrancy and energy.*

**Environmental**

- *Maintain and preserve the natural environment during growth, enhancing the 'rural' nature of York, and ensuring a sustainable environment for the future.*
- *Support sustainable energy and renewable resource choices.*

**Economic**

- *Build population base through economic prosperity.*
- *Value, protect and preserve our heritage and past.*
- *Grow the economic base and actively support local businesses and service provision.*

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

**Site Inspection:**  
**Site Inspection Undertaken:** Not Applicable

**Triple bottom Line Assessment:**  
**Economic Implications:**  
Not Applicable

**Social Implications:**  
The community will be fully informed of all plans and reports before any final decision is made in relation to any merger arising from the structural reform process.

**Environmental Implications:**  
Nil

**Comment:**  
Provide ongoing information on the current status of the structural reform studies.

**RESOLUTION  
060513**

**Moved: Cr Scott**

**Seconded: Cr Duperouzel**

***“That Council:***

***Receive the Minutes of the South East Avon Regional Transitional Group Board Meeting.”***

***CARRIED: 6/0***



## Item 9.2.4 – Appendices



## 9.3 Works Reports



## 9.4 Financial Reports



**9. OFFICER'S REPORTS**  
**9.4 FINANCE REPORTS**  
**9.4.1 Investments – April 2013**

<b>FILE NO:</b>	<b>FI.FRP</b>
<b>COUNCIL DATE:</b>	<b>20 May 2013</b>
<b>REPORT DATE:</b>	<b>17 April 2013</b>
<b>LOCATION/ADDRESS:</b>	<b>Shire of York</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>SENIOR OFFICER:</b>	<b>Ray Hooper, CEO</b>
<b>REPORTING OFFICER:</b>	<b>Tabitha Bateman, FO</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>Shire of York Investment Portfolio</b>
<b>DOCUMENTS TABLED:</b>	<b>Nil</b>

**Summary:**

That Council consider the investment portfolio as attached.

**Background:**

The investment policy requires Council to review the performance of its investments on a monthly basis.

**Consultation:**

Auditors; and  
Dominic Carbone.

**Statutory Environment:**

Not Applicable.

**Policy Implications:**

In accordance with the Financial Management Investment Policy.

**Financial Implications:**

Credit Ratings:

**Strategic Implications:**

Not applicable.

**Voting Requirements:**

**Absolute Majority Required: No**

**Site Inspection:**

**Site Inspection Undertaken: Not applicable**

**Triple bottom Line Assessment:**

**Economic Implications:**

Not applicable.

**Social Implications:**

Not applicable.

**Environmental Implications:**

Not applicable.

**Comment:**

In accordance with the policy, a report of investments is presented to Council to provide a summary of investments held by the Shire of York as at 30 April 2013.

The Shire of York Investment Portfolio identifies Council's investment type, term to maturity and investment value.

The reporting will be reviewed on an ongoing basis by the Auditors and staff.

**RESOLUTION**

**070513**

**Moved: Cr Lawrance**

**Seconded: Cr Hooper**

***"That Council receive the Shire of York Investment Portfolio as attached to this report."***

***CARRIED: 6/0***



**Item 9.4.1 – Appendices**



**9. OFFICER'S REPORTS**

**9.4 FINANCE REPORTS**

**9.4.2 Monthly Financial Reports – April 2013**

**FILE NO:** FI.FRP  
**COUNCIL DATE:** 20 May 2013  
**REPORT DATE:** 8 May 2013  
**LOCATION/ADDRESS:** Not Applicable  
**APPLICANT:** Not Applicable  
**SENIOR OFFICER:** Ray Hooper, CEO  
**REPORTING OFFICER:** Tabitha Bateman, Administration Officer  
**DISCLOSURE OF INTEREST:** Nil  
**APPENDICES:** Yes – Appendix A as detailed in Summary  
**DOCUMENTS TABLED:** Nil

**Summary:**

The Financial Report for the period ending 30 April 2013 is hereby presented for the consideration of the Council.

Appendix A includes the following:

- Monthly Statements for the period ended 30 April 2013
- Bank Account Reconciliations
- List of Creditors Payments
- Payroll Direct Debits Summary
- Corporate Credit Card Summary
- Fuel Card Summary

**Consultation:**

Dominic Carbone

**Statutory Environment:**

Local Government Act 1995 (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 April 2013;

Sundry Creditors as per General Ledger	<b>\$79,122.24</b>
Sundry Debtors as per General Ledger	<b>\$452,485.75</b>
Unpaid rates and services current year (paid in advance inc. ESL)	<b>\$421,088.10</b>
Unpaid rates and services previous years (inc. ESL)	<b>\$483,065.66</b>

**Strategic Implications:**

Nil

**Voting Requirements:**

**Absolute Majority Required:** No

**Site Inspection:**

**Site Inspection Undertaken:** Not applicable

**Triple bottom Line Assessment:**

**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 future years.

**Social Implications:**

Not applicable.

**Environmental Implications:**

Not applicable.

**Comment:**

Not applicable.

**RESOLUTION  
080513**

**Moved: Cr Lawrance**

**Seconded: Cr Scott**

***“That Council:***

***Receive the Monthly Financial Report for April and ratify payments drawn from the Municipal and Trust accounts for the period ending 30 April 2013:***

	<u>VOUCHER</u>	<u>AMOUNT</u>
<b>MUNICIPAL FUND</b>		
<i>Cheque Payments</i>	30594 - 30664	\$ 154,458.75
<i>Electronic Funds Payments</i>	10646 - 10788	\$ 563,355.46
<i>Direct Debits Payroll</i>		\$ 165,216.55
<i>Bank Fees</i>		\$ 892.52
<i>Corporate Cards</i>		\$ 8,276.15
<i>Shell Cards</i>		<u>\$ 147.59</u>
<b>TOTAL</b>		<u>\$ 892,347.02</u>
 <b>TRUST FUND</b>		
<i>Cheque Payments</i>	4119 - 4131	\$ 6,313.85
<i>Direct Debits Licensing</i>		<u>\$ 127,483.95</u>
<b>TOTAL</b>		<u>\$ 133,797.80</u>
 <b>TOTAL DISBURSEMENTS</b>		 <u><b>\$1,026,144.82</b></u>

**CARRIED: 6/0**

## Item 9.4.2 – Appendices



**9. OFFICER'S REPORTS**  
**9.4 FINANCE REPORTS**  
**9.4.3 Sponsorships and Donations**

**FILE NO:** FI.DON  
**COUNCIL DATE:** 20 May 2013  
**REPORT DATE:** 13 May 2013  
**LOCATION/ADDRESS:** Not Applicable  
**APPLICANT:** Various  
**SENIOR OFFICER:** Ray Hooper, CEO  
**REPORTING OFFICER:** Tyhscha Cochrane, DCEO  
**DISCLOSURE OF INTEREST:** Nil  
**APPENDICES:** Appendix A - Schedule of Non-Recurrent Funding  
Appendix B - Schedule of Recurrent Contributions  
**DOCUMENTS TABLED:** Nil

**Summary:**

Each year Council makes a number of contributions by way of donations to various community groups that operate within the York Shire. Some contributions are for ongoing programs that the Shire contributes to each year and others are for "one-off" projects, which are known as non-recurrent projects. This report makes recommendations to Council for inclusion in the 2013/14 Budget. Note: any decisions made are recommendations to the budget only and Council has the ability to change those recommendations when adopting the budget.

**Background:**

As part of Council's Annual Budget process, submissions for financial assistance with projects that benefit the community are called for from local community groups and organisations. Those applying provide details about their organisation and the project they are seeking funding for including a budget and quotations for the project and details of any other funding sources. Council also provides funding for other projects on an on-going or recurrent basis. Organisations receiving this type of funding are not required to submit applications however all groups receiving either recurrent or non-recurrent funding are required to provide an acquittal report to Council outlining how the funds were spent and providing copies of receipts where appropriate.

**Consultation:**

Council staff, Councillors and some applicants.

Council at its Forward Planning Meeting held on the 6<sup>th</sup> May 2013 assessed the applications.

**Statutory Environment:**

Local Government Act 1995.

**Policy Implications:**

Not applicable.

**Financial Implications:**

If Council accepts the recommendation as it stands, the total expenditure for all funding will be \$70,341.00.

The contributions changed from 2012/13 to 2013/14 by \$12,280.00.

**Strategic Implications:**

Council's support of local community organisations is of strategic importance to the District, as without this support these groups, who in many respects are the backbone of the community, become unviable from a financial perspective.

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

**Site Inspection:**  
**Site Inspection Undertaken: Not applicable**

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

Local community organisations are a vital component of the local economy, as in many cases they provide the lifestyle type activities that attract individuals, families and businesses to a community, improving the overall diversification and market size of the local economy.

**Social Implications:**

Local community organisations provide the social framework of any community and without this type of financial support from the Council; many are not able to function effectively.

**Environmental Implications:**  
Not applicable.

**Comment:**  
The recommendations are put forward for Council's consideration.

**RESOLUTION  
090513**

**Moved: Cr Hooper**

**Seconded: Cr Duperouzel**

***"That Council:***

- 1. approves the recommendations in the attached "Schedule of Non-Recurrent Funding Submissions" totalling \$13,016.00 for inclusion in the 2013/2014 draft Municipal Budget;***
- 2. approves the "Schedule of Recurrent Funding Contributions" totalling \$57,325.00 for inclusion in the 2013/2014 draft Municipal Budget; and***
- 3. advise the unsuccessful applicants as soon as possible to enable the groups to source other funding options.***

***Advice Note: advice to all the successful applicants upon final adoption of the 2013/2014 Municipal Budget."***

***CARRIED: 6/0***



### **Item 9.4.3 – Appendices**



## 9.5 Late Reports



## 9.6 Confidential Reports



## 10. NEXT MEETING

**RESOLUTION  
100513**

**Moved: Cr Hooper**

**Seconded: Cr Smythe**

***“That Council:***

***hold the next Ordinary Meeting of the Council on June 10, 2013 at 3.00pm in Council Chambers, York Town Hall, York.”***

***CARRIED: 6/0***

## 11. CLOSURE

*Cr Boyle thanked everyone for their attendance and declared the meeting closed at 3.40pm.*