

# SHIRE OF YORK

**MINUTES OF THE ORDINARY  
MEETING OF THE COUNCIL  
HELD ON 24<sup>TH</sup> NOVEMBER, 2008  
COMMENCING AT 3.02PM IN THE  
LESSER HALL, YORK**

## **MISSION STATEMENT**

***"To build on our history to create our future"***



## **SHIRE OF YORK**

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RAY HOOPER  
CHIEF EXECUTIVE OFFICER



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## SHIRE OF YORK

THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL WILL BE  
HELD ON MONDAY, NOVEMBER 24<sup>th</sup>, 2008, COMMENCING AT  
3.02PM IN THE LESSER HALL, YORK.

### 1. OPENING

- 1.1 Declaration of Opening  
The Shire President, Cr Pat Hooper, declared the meeting open at 3.02pm.
- 1.2 Chief Executive Officer read the disclaimer
- 1.3 Announcement of Visitors  
Ex Deputy Shire President, Mr Graham Fisher
- 1.4 Announcement of any Declared Financial Interests
  - Cr Boyle - Item 9.1.1 – Proximity
  - Cr Fisher – Item 9.1.7 – Financial
  - Item 9.5.1 - Impartial

### 2. ATTENDANCE

- 2.1 Members  
Cr Hooper, Cr Fisher, Cr Boyle, Cr Walters, Cr Lawrance
- 2.2 Staff  
CEO R Hooper, DCEO G Stanley, MATS T Cochrane, Planner D Lawn, ESO J Treloar
- 2.3 Apologies  
EHO/BS P Stevens
- 2.4 Leave of Absence Previously Approved  
Cr Randell
- 2.5 Number of People in Gallery at Commencement of Meeting  
- 10

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

- 3.1 Previous Public Questions Taken on Notice  
- Nil
- 3.2 Written Questions – Current Agenda  
- Nil

#### 4. PUBLIC QUESTION TIME

Mr Peter McInnes

Qu 1. Who made the decision to remove most of the cemetery trees?

Qu 2. Why?

Qu 3. Who selected the trees for removal and how?

Qu 4. One flowering gum standing alone away from the road and gravel was selected.

Why?

Qu 5. How old are the trees?

Answer: Council has asked the CEO and staff to prepare a report and plan into the removal and replacement of the trees in the cemetery as the present species is not native to WA and is causing damage to roads and graves and is beginning to invade the Mt Brown reserve. The report is to be presented as an agenda item at the December 2008 or February 2009 Council Meeting and no work will commence to remove trees in the cemetery until this report is adopted by Council.

Mr Bob Anderson

RE: Items 9.1.4 & 9.1.6 Current agenda

Question: Where was this advertised?

Answer: Avon Valley Advocate, Shire Notice Board, York Post Office Notice Board, Letters to affected landowners.

Mr Ron Gray

RE: Item 9.2.3 Current Agenda

Question: Will the proposal for a skate park/ youth centre be fully advertised for public comment?

Answer: The agenda item is to enable the Youth Officer to prepare a plan/ proposal for the relocation of the skate park and will include a period for public comment.

#### 5. APPLICATIONS FOR LEAVE OF ABSENCE

- Nil

#### 6. PETITIONS / PRESENTATIONS / DEPUTATIONS

- Nil

#### 7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

##### 7.1 Minutes of the Ordinary Meeting of Council held October 20<sup>th</sup>, 2008

Corrections - Nil

Confirmation

#### RESOLUTION

031108

Moved Cr Boyle      Seconded Cr Fisher

***"That the minutes of the Ordinary Council Meeting held October 20<sup>th</sup>, 2008 be confirmed as a correct record of proceedings."***

**CARRIED (5/0)**



7.2 Minutes of the Special Meeting of Council held November 5<sup>th</sup>, 2008

Corrections - Nil

Confirmation

**RESOLUTION  
041108**

**Moved Cr Fisher      Seconded Cr Hooper**

***“That the minutes of the Special Council Meeting held November 5<sup>th</sup>, 2008 be confirmed as a correct record of proceedings.”***

**CARRIED (5/0)**

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

There have been murmurs around town that the recent trip to Canberra for the Australian Council of Local Governments Inaugural Forum made by the President and Chief Executive Officer was a waste of ratepayers money.

In reference to this I would like to advise that the Shire of York has received a grant of \$100,000 to be spent on infrastructure. I have asked the CEO and staff to prepare a brief on how this money would be best spent. The funds must be spent by the 30<sup>th</sup> September, 2009.

There will be a second forum held in 2009 and local governments have been told to bring a 'wish list' for infrastructure projects they would like funded.

The CEO and I were also able to secure a number of meetings with government departments and agencies while in Canberra which have resulted in an increased federal awareness of York, SEAVROC and the Avon and Wheatbelt regions as well as the opportunity to discover further federal funding possibilities.

Prime Minister Rudd had these answers for anyone who questioned local government attendance at the forum:

1. Each Council received a minimum of \$100,000 funding.
2. History was made when the heads of Australian Local Governments met with the full cabinet.
3. Anyone who is critical should be advised to write to their local newspaper asking the Shire President to return the money to the federal government.

**9. OFFICER'S REPORTS**



## 9.1 Development Services



**9. OFFICER'S REPORTS**  
**9.1 DEVELOPMENT REPORTS**  
**9.1.1 Scheme Amendment 28 - Adoption**

*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.*

<b>FILE NO:</b>	<b>PS.TPS.23</b>
<b>COUNCIL DATE:</b>	<b>24<sup>th</sup> November 2008</b>
<b>REPORT DATE:</b>	<b>21<sup>st</sup> October 2008</b>
<b>LOCATION/ADDRESS:</b>	<b>Mt Hardey Precinct - Top Beverley Road, York</b>
<b>APPLICANT:</b>	<b>Shire Council</b>
<b>SENIOR OFFICER:</b>	<b>R Hooper, CEO</b>
<b>REPORTING OFFICER:</b>	<b>D Lawn, Planner</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil.</b>
<b>APPENDICES:</b>	<b>Appendix A - Scheme Amendment Appendix B – Schedule of Submissions Appendix C – Map of land - Buffers</b>
<b>DOCUMENTS TABLED:</b>	<b>Nil.</b>

**Summary:**

To grant final approval for the Scheme Amendment No. 28 to rezone the land within the Mt Hardey Precinct, as depicted on the Local Planning Strategy mapping, from General Agriculture Zone to Rural Residential Zone.

**Background:**

Council initiated this Scheme Amendment, in November 2007, in accordance with the Local Planning Strategy recommendations for the land to be set aside for rural residential development.

The amending document included a guide to future road layout and set performance criteria prior to accepting any application for subdivision.

**Consultation:**

The amendment was sent to the EPA on 5<sup>th</sup> March, 2008, requesting consent to advertise. The EPA granted consent and the amendment advertised 13<sup>th</sup> August 2008.

The Act requires that the proposal be advertised for public comment for a period of not less than 42 days; this was undertaken with the closing period for submissions ending on the 26<sup>th</sup> September, 2008. All owners of land who were to be affected by the amendment were notified and public authorities were requested to provide their comment. These authorities include the following:

Health Department;  
Department of Environment & Conservation;  
Department of Water;  
Department of Agriculture;  
Department of Industry and Resources;  
Main Roads WA;  
FESA;  
Public Transport Authority;  
Western Power;  
Telstra;  
Heritage Council of WA; and  
Water Corporation.

At the close of the advertising period 11 submissions were received, which are summarised in Appendix B.

Landowners in the area were also notified directly.

**Statutory Environment:**

Scheme Amendment to Town Planning Scheme No 2.  
Planning and Development Act 2005.

**Policy Implications:**

No policy implications arise from this report.

**Financial Implications:**

Costs will be recouped from the applicants.

**Strategic Implications:**

Compliant with the Local Planning Strategy, but with certain exemptions, which emerged during the advertising period.

**Voting Requirements:**

**Absolute Majority Required:**                      **No**

**Site Inspection:**

**Site Inspection Undertaken:**                      Several inspections were made during the preparation of the amendment.

**Triple bottom Line Assessment:**

**Economic Implications:**

Denser development in this precinct will increase land values for the owners and future subdivisions will increase the rate income from the locality.

**Social Implications:**

Additional lots will be provided for rural residential occupation.

**Environmental Implications:**

There are several issues which will affect the amendment as first presented.

There is an existing registered piggery on the north side of the York-Merredin Road.

A buffer area is required from the piggery. This buffer includes extensive areas on the north side of the precinct and existing rural residential developments. The Environmental Guidelines for new and Existing Piggeries (Bulletin 4416 – ISSN 1326-415 March 2000) may affect Lots 67, 45, 44, and 43 in the potential development, subject to how many pigs are licensed for the site.

The piggery operates on an annual licence basis. Once the existing piggery ceases to become legally operational, the buffer demises.

Gilmac Hay Processing Plant. Some people referred to the noise emitted from this plant. There is no prescribed buffer for this plant.

**Comment:**

Before the Scheme Amendment can advance any further, the final approval of the Council is required. Following this approval the Scheme Amendment is submitted to the Western Australian Planning Commission for final consideration and the approval of the Minister for Planning.

The issue of the buffer zone around the piggery may be of concern.

Cr Boyle declared an interest in this item and left the meeting at 3.17pm.

**OFFICER RECOMMENDATION**

**RESOLUTION  
051108**

**Moved Cr Lawrance                      Seconded Cr Fisher**

***“That Council:***

***adopt Scheme Amendment No 28 with minor modification subject to the indicative buffer zones being determined for the existing piggery/offensive trades being shown on the zoning map and land in the relevant buffer being deferred for development as long as the approved piggery continues to operate in accordance with all or any environmental, planning or health conditions.”***

**CARRIED (4/0)**

Cr Boyle returned to the meeting at 3.21pm.







***SHIRE OF YORK***

**TOWN PLANNING SCHEME NO 2**

**AMENDMENT NO 28**

**PLANNING AND DEVELOPMENT ACT 2005**  
**RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME**  
**SHIRE OF YORK**  
**TOWN PLANNING SCHEME NO. 2 - AMENDMENT NO. 28**

Resolved that the Council, in pursuance of the Planning and Development Act 2005 amend the above Town Planning Scheme by:

**To amend the Scheme and Scheme Maps to rezone the My Hardey Precinct, as depicted in the Local Planning Strategy from General Agriculture Zone to Rural Residential Zone.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2007.

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

## **SCHEME AMENDMENT REPORT**

- |           |  |          |                            |
|-----------|--|----------|----------------------------|
| <b>1.</b> | <b>LOCAL AUTHORITY</b>                     | <b>:</b> | SHIRE OF YORK              |
| <b>2.</b> | <b>DESCRIPTION OF TOWN PLANNING SCHEME</b> | <b>:</b> | TOWN PLANNING SCHEME NO. 2 |
| <b>3.</b> | <b>TYPE OF SCHEME</b>                      | <b>:</b> | DISTRICT ZONING SCHEME     |
| <b>4.</b> | <b>SERIAL NUMBER OF AMENDMENT</b>          | <b>:</b> | 28                         |

### **INTRODUCTION**

The Mt Hardey Rural Residential Precinct has been defined by the Western Australian Planning Commission and the Shire Council as being appropriate for rural residential development as depicted in the Local Planning Strategy.

The Local Planning Strategy is quite clear in its objectives and requirements to ensure any development occurs in a logical and coherent manner.

The whole precinct contains approximately 778 hectares.

Part of the precinct is already subdivided (Osborne Road) but remains in the General Agriculture Zone.

The entire precinct is to be rezoned to Residential Development Zone.

The intent of this Structure Plan is to provide a broad guidance to the future subdivision and development given the constraints of the natural landform, road access as well as the servicing requirements.

Part of the process is that for an application seeking subdivision and development approval shall provide a detailed Development Plan based on the land capability and the provisions for the WAPC Rural Land Policy.

Council may require developers to undertake measures for the protection and enhancement of the natural environment – particularly in regard to ridge lines, watercourses and degraded land.

**Statutory Status**

The land is currently zoned General Agriculture.

The proposal is to rezone all of the land as Rural Residential.

All subdivisions and development shall be in accordance with an approved Development Plan as endorsed by the Council.

The Local Planning Strategy depicts part of this precinct, being the subdivisions along Osborne Road, as being zoned Rural Residential. Town Planning Scheme No 2 shows the same land as being General Agriculture.

**Landform Description**

Boundaries provided through the mapping.

**Proposals**

In accordance with the Structure Plan.

**MT HARDEY  
STRUCTURE PLAN**

**DRAFT**

**November 2007**

## **Introduction**

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## **INTRODUCTION**

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The Local Planning Strategy is quite clear in its objectives and requirements to ensure any development occurs in a logical and coherent manner.

The whole precinct contains approximately 778 hectares.

Part of the precinct is already subdivided (Osborne Road) but remains in the General Agriculture Zone.

The entire precinct is to be rezoned to Residential Development Zone.

The intent of this Structure Plan is to provide a broad guidance to the future subdivision and development given the constraints of the natural landform, road access as well as the servicing requirements.

Part of the process is that for an application seeking subdivision and development approval shall provide a detailed Development Plan based on the land capability and the provisions for the WAPC Rural Land Policy.

Council may require developers to undertake measures for the protection and enhancement of the natural environment – particularly in regard to ridge lines, watercourses and degraded land.

### **1:0      ENABLEMENT**

The Council has the power to prepare, adopt and implement a Scheme Amendment, all advertising and public participation provisions are adhered to.

Council has resolved to amend the Shire of York Town Planning Scheme No. 2 for the Mt Hardey Precinct, as prescribed in the Local Planning Strategy (2007).

The modifications to the Scheme maps is for the change of zoning from General Agriculture zone to Rural Residential zone and provisions for development and land use are added to Schedule 6 – Rural Residential Use.

Each land holding, when considered for subdivision, shall be in accordance with these provisions. Site specific provisions may be added to each Development Plan in order to protect and enhance the environment and amenity of the created lots.

### **2.0      LOCAL PLANNING STRATEGY (LPS) and TOWN PLANNING SCHEME (TPS)**

The Local Planning Strategy has as its objectives to consolidate the town's development around existing development and where services are available.

The Local Planning Strategy recommended that the land be converted from General Agriculture to Rural Residential (Stages 2 and 3).

### **2.1      Objectives**

**Gwambygine Townsite and Mount Hardey Locality (refer Map 4)**

**Objectives:**

- Retain and consolidate existing rural residential development and where appropriate encourage its logical expansion.
- Preserve and enhance the environment and natural resources, especially with regard to the Avon River.
- Promote development and employment opportunities that are compatible with rural residential living.

**Strategies:**

1. *No further subdivision will be supported in areas zoned rural residential.*
2. *Future rezoning of land for rural residential to be guided by the areas identified on Map 4. Applications for rezoning will need to:*
  - i. *demonstrate that development occurs in a orderly manner consistent with the staging on Map 4 to ensure that residential development occurs in response to reasonable demand and facilitates coordinated use of infrastructure. In this regard, support to rezone land for rural residential will be guided by whether the previous stage has been substantially developed;*
  - ii. *submit an outline development plan (ODP) and intended scheme provisions to the requirements of the Shire. In considering the ODP, the Shire may, at its discretion, require that wider structure planning be undertaken to ensure that proposed development is coordinated with other lots, with particular regard to transport and open space networks, service and infrastructure provision and compatibility with existing development;*
  - iii. *demonstrate that the land is able to sustain the proposed development and use (including lot size) through the provision of a detailed land capability assessment that is prepared in accordance with the guidelines provided by the Western Australian Planning Commission and Agriculture WA;*
  - iv. *demonstrate that the proposed development will not have a significant adverse impact on the environment;*
  - v. *identify, protect and incorporate significant environmental values into the proposed development;*
  - vi. *demonstrate how proponents intend to undertake measures to environmentally enhance the land through extensive replanting of native vegetation and its ongoing management;*
  - vii. *where relevant, consider how proposed development will interface with the Avon River including the need to allow for river management and community access;*
  - viii. *minimise the visual impact of the proposed development and use in order to maintain the rural character of the area;*
  - ix. *restrict direct vehicle access to Great Southern Highway or the Top Beverley Road from any new individual lot proposed;*
  - viii. *consider the Shire's requirements for the provision of open space and other relevant linkages;*
  - ix. *demonstrate that the proposed development can be provided with adequate infrastructure, community services and bush fire protection;*



- xii. *demonstrate that the intended scheme provisions will provide adequate controls to manage the development and may include requirements to restrict further subdivision, restrict the type of development permitted, use of building envelopes, vehicle access restrictions, protection of native vegetation, bush fire protection and any other matter required by the Shire;*
- xiii. *protect and incorporate any value that is identified as having heritage significance;*
- xiv.. *ensure that proposed development has an appropriate interface with surrounding land uses, existing or proposed; and*

*11. any other matter deemed relevant by the Shire.*

- *Encourage actions that support environmental enhancement through revegetation and waterways improvements.*
- *Encourage tourism and cottage industries.*

#### ***Actions:***

1. *Review the scheme to ensure that tourism and cottage industries are permissible with discretion of Council and that guidance is given on how these applications will be assessed and the conditions that are likely to be imposed through Scheme provisions or policies.*
2. *Prepare a local planning policy for the assessment of non-residential development with the primary objective to avoid potential land use conflicts and, where necessary, the need to provide appropriate buffers.*
3. *The Scheme to be amended to include existing small lot subdivisions that are zoned Rural in the Rural Residential zone (as depicted on Map 4) with the appropriate provisions.*
4. *Promote education of landowners on issues relating to land management and best practice methods.*
5. *Undertake a structure planning exercise for the proposed rural residential area on Map 4, which will include: identifying opportunities and constraints; outline how development and transport networks will be coordinated; and provide guidance for future servicing, community, environmental protection and open space needs.*

### **3.0 TOWN PLANNING SCHEME and WAPC POLICIES**

#### **3.1 Current Zoning**

The current zoning over the whole of the Mt Hardey Precinct is General Agriculture. This is reflected by the current land uses with the exception of the Osborne Road Subdivision.

All of the Osborne Road subdivision remains in the General Agriculture Zone for a reason not readily known, even though it is shown as such on the Local Planning Strategy.

As a result there are no land use conditions or performance criteria as are applied to other rural residential developments in the Shire. Part of this Structure Plan and Policy

is to include this subdivision into the Rural Residential Zone with specific conditions similar to those to be applied to the whole of the precinct.

Notwithstanding, any proposed scheme provisions to be applied to the Osborne Road subdivision the Non-conforming Use rights apply to the occupants/landholders so there are to be no detrimental impositions on those lots.

### **3.2 WAPC and Council Policies**

The Western Australian Planning Commission regulates the subdivision process under Policy 3.4. This Policy sets the criteria for lot sizes and other development criteria.

Policy 3.4 is currently under review by the WAPC (as of 2007) but the final recommendations have yet to be formally published.

Council initiates the rezoning process. Provisions for Rural Residential development are included in the town planning scheme under Schedule 6.

Both the Commission and the Council require a Structure Plan as part of the process outlining the general disposition of roads, lot layout and constraints to support the rezoning.

The broad structure of road circulation and performance criteria is the basis for the future subdivision and development.

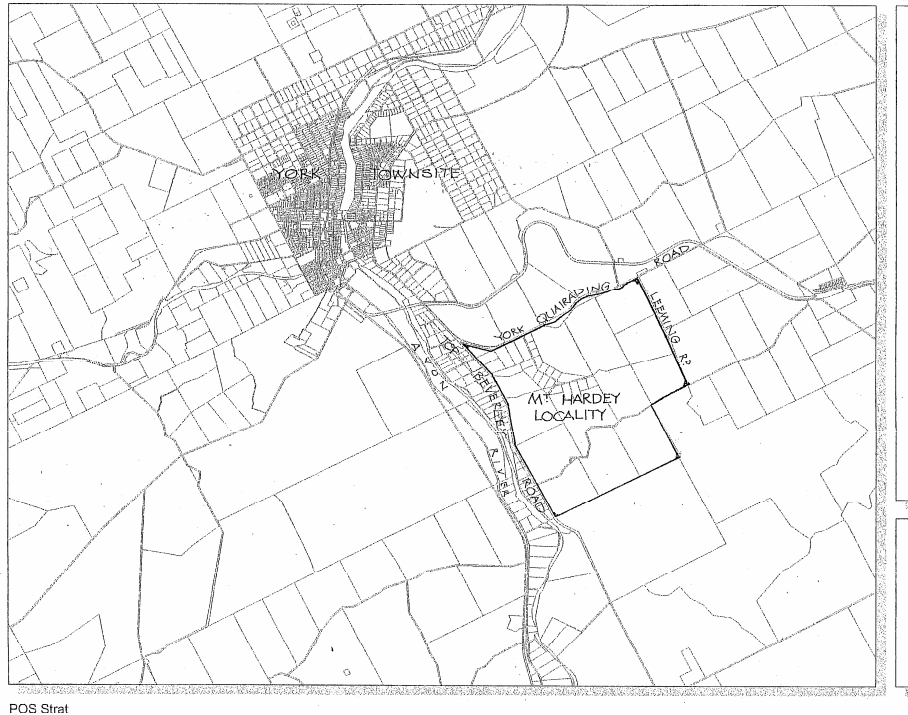
Individual lot owners/developers are required to provide a detailed land capability assessment of the larger lots together with a subdivisional layout as part of the rezoning process.

### **4.0 LOCATION (Figure 1: Location)**

The Mt Hardey Rural Residential Precinct lies approximately 6-7 kilometres south of the York CBD.

The proposed development area of this precinct as depicted on the Local Planning Strategy comprises all of the land between the Top Beverley Road, the York Quairading Road and the southern common boundary with the open farmland, but excluding the Osborne Road rural residential subdivision.

In view of the possible realignments for part of the York Quairading Road and the integration of the road system of the Osborne Road area it is relevant that the whole area be subject to review as a composite rural residential precinct.



**Figure 1 Location**

## **5.0 LAND DESCRIPTION**

### **5.1 Overview of Landform**

The land rises from the west to the east the lowest point being alongside the Top Beverley Road (185 metres AHD) to the highest point in the north eastern quadrant (at 280 metres AHD). Consequently, the drainage systems run from the top plateau westwards, southwards and northwards towards the Avon River.

The more precipitous landforms are found to be on the western side of the precinct fronting the Top Beverley Road, and to the minor watercourses which run down the steeper slopes.

Throughout the precinct there is rock outcropping in varying densities ranging from spasmodic isolated instances to extensive areas of sheet rock and steep inclines. Some of these surface rock outcrops on the cleared and cropped areas have been well isolated by tillage for grain and pasture management.

The soils are generally shallow to deep heavy loams and clays. The eastern side of the precinct comprises gentle undulating plateau landforms supporting cropping whilst to the centre, northern and western sections the land becomes less tillable and has been cleared or semi-cleared for grazing. The outcropping of rock is indicative of subsurface sheet rock resulting in poor drainage – a significant factor in the allocation of building envelopes when subdivisions occur.

*Because of the landform constraints, not all of the land is suitable for rural residential development. Care is needed in the design for rural residential development and it is therefore essential that detailed land capability assessments are undertaken as a base for the future land uses.*

### **5.2 Land Uses**

The land varies in land use type with the predominance of the higher land on the plateau more suitable for cropping. The other larger land holdings have been partially cleared for open grazing.

The smaller area to the north - west has been subdivided into rural residential lots. These smaller lots range in area from two to over eight hectares. This locality is referred to as the Osborne Road Subdivision. Some have the capacity for further subdivision although they may have to rely on battle-axe access because of the constraining layout of the original subdivision.

## **6.0 SERVICES**

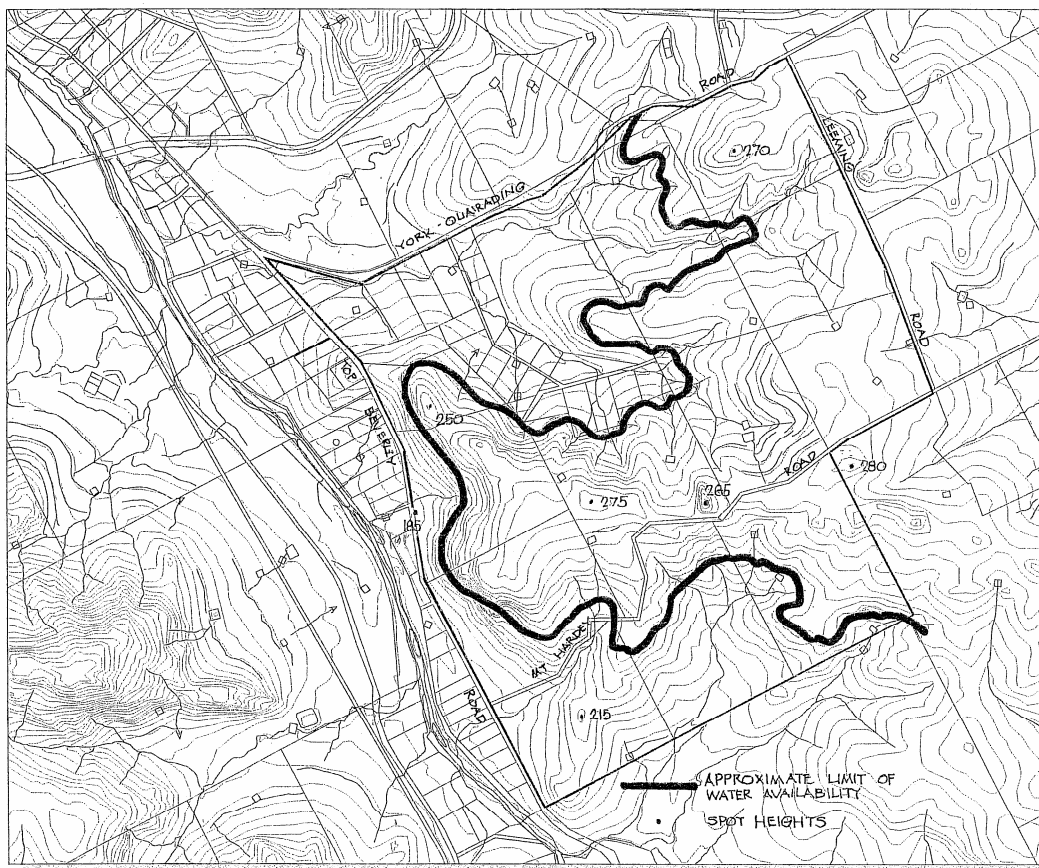
### **6.1 Water**

Potable water supplies are essential either by scheme water provided by the Water Corp or by rainwater catchment if scheme water is not available. If scheme water is not available, storage of roof catchment shall be 120,000 litres.

With a scheme water supply roof catchment storage is still required in order to conserve scheme supply and a storage capacity of 90,000 litres shall be mandatory for each household.

If potable water is to be supplied by a licensed water provider there may be a requirement for a new header tank to be installed to make available adequate pressure to the future households.

At present the elevated tank on Mt Brown provides water pressure to dwellings in the vicinity. From the assessment for Mt Matilda, the water pressure is available to elevations to 229 metres AHD given the tank being at 244 metre AHD and allowing for 15 meters below that to provide adequate pressure. The majority of the Mt Hardey Precinct is above the 229 metre contour.



worker aa

**Figure 2: Water Availability**

## **6.2 Power**

Electricity is available via the mains along Top Beverley Road and Osborne Road. Additional infrastructure may be required for transformers. All power services are to be underground in accordance with prevailing WAPC policies.

## **7.0 DEVELOPMENT CONSTRAINTS**

### **7.1 Road Access**

Road access to the precinct is extremely limited due to the landform, the constraining geometry of the perimeter roads and the above ground water main along the Top Beverley Road.

The northern perimeter road, York-Quairading Road, has a combined vertical and horizontal geometry which precludes any further access due to the potential hazards of limited sight distances. There is also a linear recreation reserve along the road reserve with substantial remnant vegetation. Access from within the precinct is therefore limited to Osborne Road and Leeming Road to the east.

The western frontage is Top Beverley Road, which also has similar geometrical constraints limiting access points to the precinct. Added to this is the elevated water main which is either too difficult to cross or too expensive to lower to below ground level.

With the exception of Mt Hardey Road, towards the southern end of the precinct, there is only one other opportunity and that is limited in traffic service due to the relatively steep incline immediately to the east.

The Top Beverley Road reserve is required to be widened by 10 metres to allow for road works and remnant vegetation protection.

Internally, there is only Osborne Road (sealed) and Mt Hardey Road. Mt Hardey Road has only a rudimentary carriageway partly of gravel surface with rugged rock outcropping and of an alignment unsuitable for the increase in traffic. This road connects Top Beverley Road to Leeming Road.

Mt Hardey Road needs realignment and substantial upgrading to eliminate the existing tight and hazardous corners and improved carriageway. The reserve is required to be widened to a minimum of 30 metres, with perhaps additional width to accommodate steep embankments and remnant vegetation.

All internal roads intersecting the perimeter roads shall require a slip-lane design and shall be constructed to Main Roads WA design standards to improve road safety.

Other than a very small location on Top Beverley Road no proposed lots will be permitted to front the perimeter roads.

New roads for internal lot access are to be within 25-30 metre reservations. Cul-de-sac access roads may be permitted only in special circumstances. Where culs-de-sac are necessary there shall be emergency access tracks linking the cul-de-sac to another dedicated road for escape in the event of a fire or other emergency.

## **7.2 Topographical Constraints**

Access tracks to each lot and land within building envelopes shall not exceed 15%. This limitation is required to provide ease of access to conventional vehicles, service trucks as well as fire fighting vehicles.

Crossings of watercourses are to be avoided unless absolutely necessary to avoid development costs and to protect streambeds and banks from interference and the removal of perennial vegetation.

Apart from gradient restrictions avoidance of bedrock is essential to allow for ease of excavation soils.

## **7.3 Biodiversity Protection**

Existing natural vegetation is scarce throughout the precinct. These areas need to be protected and enhanced to improve the biodiversity particularly along the ridgelines and watercourses.

Weed management is important so as to protect the natural elements from being overtaken by introduced species.

Grazing animal keeping shall be limited to ensure overgrazing does not occur. The Council can provide information on stocking rates. No animal shall be permitted to gain access to remnant vegetation or watercourses.

## **8.0 SUBDIVISION REQUIREMENTS**

### **8.1 Building Envelopes**

Outline Development Plans require the depiction of building envelopes or building exclusion zones either of which are intended to both protect elements of the natural environment or afford the optimum building site.

Strong consideration should be to view lines to take advantage of the many attractive rural character and aspects of the precinct and not to interfere with the neighbouring dwellings sites.

No buildings are to be permitted on the prominent ridgelines in order to preserve the landscape attributes. Nor are buildings to be permitted immediately uphill of steep inclines. In this case the risk of fire hazard is too great to be ignored.

### **8.2 Public Open Space**

Contributions towards public open space are not normally required in rural residential subdivisions. Developers may choose to provide areas for POS if there is a need for a community purpose.

Council may require a reserve of land for special purposes such as a fire brigade building or for infrastructure headworks e.g. water tower, water standpipes for fire fighting purposes or power sub-stations and the like.

Any such lots for these purposes shall be ceded to the crown and have frontage to a constructed road.

### **8.3 Lot Sizes**

Lot sizes shall be in accordance with the standards set down by the Western Australian Planning Commission.

At present, (2007) the requirements are for 4.0 hectares without scheme water and one hectare with scheme water. The revised Planning Policy 3.4 is still in the process of review where one hectare without scheme water may be considered.

This change makes sense for many reasons. Firstly the density of development does not detract from the intent of a rural lifestyle. Secondly the increased density means a higher population and occupancy in a less land take. Thirdly, the maintenance of larger lots is a burden to many occupants requiring expensive machinery and maintenance costs.

Because of the landform constraints it is expected that there will be a variety of lot sizes.

### **8.4 Fire Management Plan**

All Outline Development Plans shall be accompanied by a Fire Management Plan.

The Council may require the construction of Strategic Fire Breaks, access gates and other measures as conditions of subdivision.

## **9.0 STRUCTURE PLAN**

This Outline Development Plan for this precinct is essentially a broad Structure Plan.

Without the detailed land capability assessment it is not logical to predict the final layout. Rather, the indicative Structure Plan illustrates only the primary road system allowing for interconnecting roads to be generally in accordance with it.

Each major land holding is required to have a detailed Outline Development Plan based on location and the land capability assessment.

The approved ODP shall be the foundation of any application for a Scheme Amendment.

## **9.1 General Provisions**

- a. Subdivision shall be generally in accordance with the approved Structure Plan and Development Plan.
- b. Council will not support any further subdivision of the lots other than for minor adjustments to lot boundaries or amalgamation of lots as depicted on an approved Development Plan.
- c. A building envelope or building exclusion zone shall be depicted on each lot. A minimum area of 2000 m<sup>2</sup> on each lot shall be designated for the containment of all structures.
- d. The disposal of liquid wastes on a lot is to be by means of an Aerobic Treatment Unit (ATU) to the satisfaction of the Council and the Department of Health. A dwelling is not to be occupied without the prior approval and installation of such a disposal system.
- e. On-site effluent disposal systems shall not be located within 50 metres of any watercourse or other water body. A greater separation may be required to account for soil conditions and or bedrock, land gradients, drainage and natural vegetation.
- f. Fencing. Council shall require the construction of all boundary fences to all lots as a condition of subdivision.
- g. The Council may permit the keeping of grazing animals subject to adequate measures to prevent overgrazing that may lead to erosion; the export of nutrients into any watercourse, or access by animals to any natural vegetation.
- h. Where land is degraded or overgrazed Council may require remedial planting to stabilise the soil to prevent erosion.
- i. Property crossovers shall be designated and constructed for each lot created as a condition of subdivision. The location of crossovers shall be agreed between the developer and the Shire of York and shall take into account sight distance, drainage, traffic management and any other relevant factors.



- j. Public Open Space provisions will apply.

## 9.2 Permitted Uses

Single Dwelling	P
Bed and Breakfast	P
Community Facilities	AA
Tourism Facilities	AA
Home Occupation	AA
Home Business	AA
Ancillary Accommodation	IP
Cottage Industry	AA
Intensive agriculture	SA
Rural Industry	SA
Rural Pursuit	SA
Plant Nursery	SA
Veterinary Centre	SA

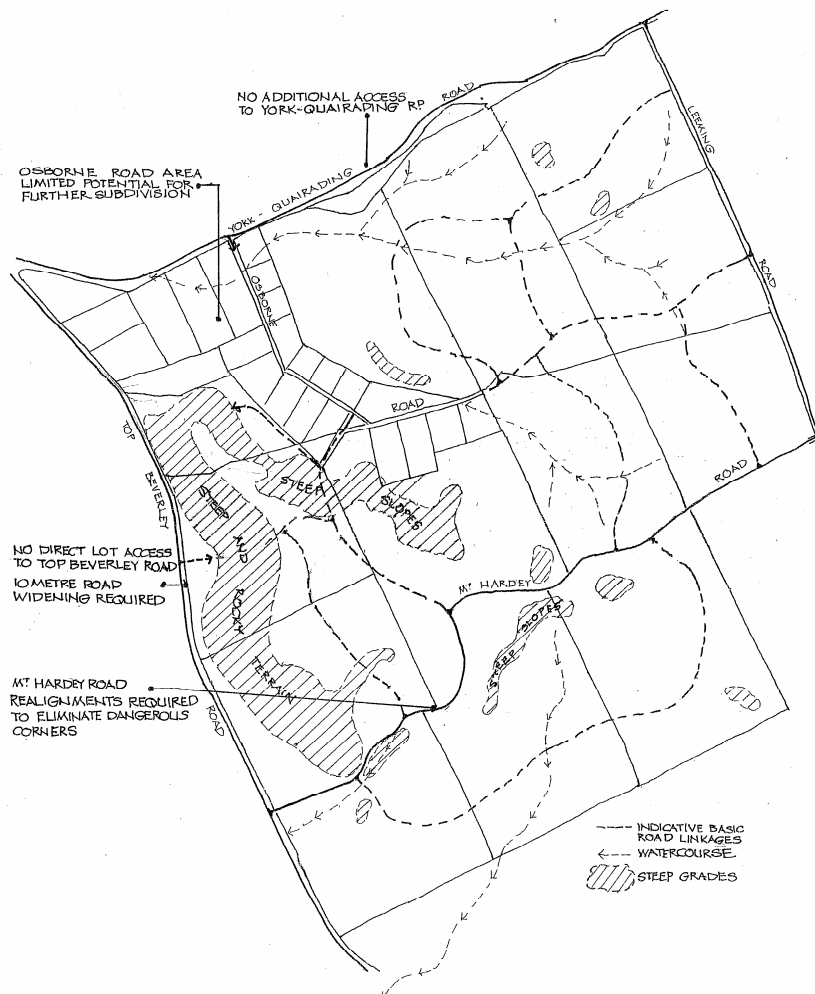
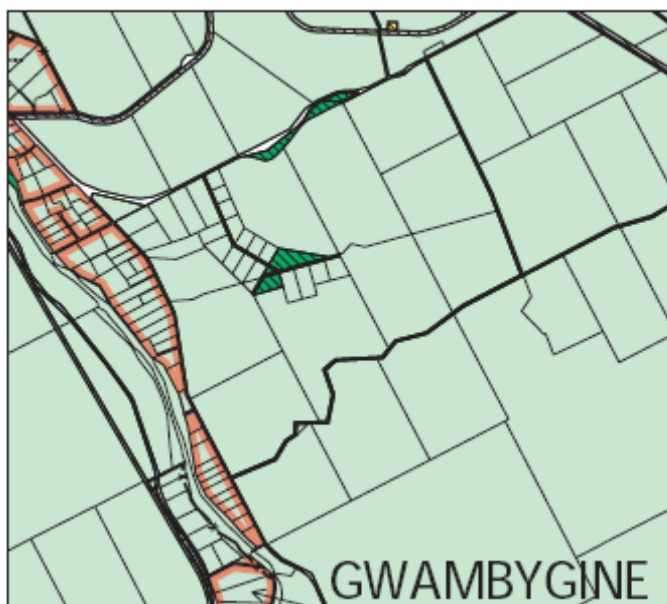


Figure 3: Structure Plan



EXISTING ZONING

#### LEGEND

York Z 2

ROAD

GENERAL AGRICULTURE

RAILWAY

RURAL RESIDENTIAL

PUBLIC PURPOSES

RECREATION AND OPEN SPACE

↗ LPS Town Bdy Land Act - Enquiry data

↘ LPS Cadastre - Capture data



Department for  
Planning and Infrastructure

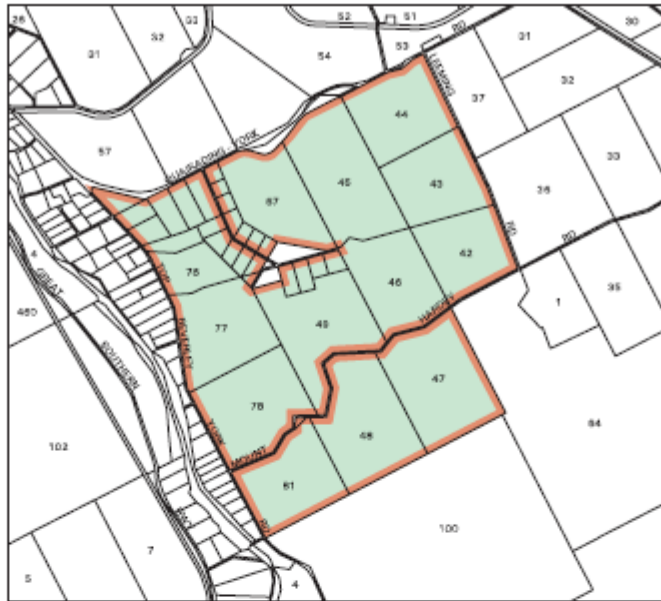


SHIRE OF YORK  
TOWN PLANNING SCHEME NO 2  
AMENDMENT NO. 28



Scale 1:50000

0 500 m



SCHEME AMENDMENT MAP

# LEGEND

- LPS Cadastre - Capture date
- York Z 2
- RURAL RESIDENTIAL



Department for  
Planning and Infrastructure



SHIRE OF YORK  
TOWN PLANNING SCHEME NO 2  
AMENDMENT NO. 28



Scale 1:50000  
0 500 m

## 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.....2006

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

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

## 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 .....2007

- (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

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

**ITEM 9.1.1 APPENDIX B**

<b><u>No</u></b>	<b>ADDRESS</b>	<b><u>COMMENTS</u></b>	<b>RECOMMENDATION</b>
<u>1</u>	Environment Protection Authority	<p>Recommended that the Amendment not be assessed.</p> <p>Advice given on: Remnant vegetation; Clearing of remnant vegetation is prohibited without a permit.</p> <p>Watercourse/ Drainage -Surface water should be controlled to control erosion but allow natural clean flows to reach the river.</p> <p>The application of the Dept of Water Drainage Management Manual is required for all drainage systems in the precinct.</p> <p>Effluent Disposal Systems Requirements for adequate PRI taking into consideration soils types, proximity to water bodies and ground water levels.</p> <p>Separation between industrial and sensitive land uses. Eg piggeries and hay processing facility.</p> <p>Requirement for more detailed landform analysis to verify the above .</p>	<p>All points acknowledged.</p> <p>It is a requirement for all proposals for subdivision to include a land capability assessment, development plan for each of the large landholdings depicting each lot, building envelopes/building exclusion areas, protection and enhancement of remnant vegetation and description of septic disposal systems.</p>
<u>2</u>	Heritage Council of WA.	No comments	Acknowledged.
<u>3</u>	Water Corporation	<p>No objection.</p> <p>Water supply limited to land below the 220 m AHD contour. Requirement for all proponents for subdivision to liaise with Water Corp.</p>	Acknowledged.
<u>4</u>	FESA	No comment at this time.	<p>Acknowledged.</p> <p>Fire Management Plans required with all applications for development.</p>
<u>5</u>	Main Roads WA	<p>No objections.</p> <p>Supports the position that no lot be permitted to have access to the York – Merredin Road.</p>	<p>Acknowledged.</p> <p>Council will also restrict direct access to the Top Beverley Road.</p>
<u>6</u>	Public Transport Authority	No objections.	Acknowledged.
<u>7</u>	<u>Dept of Water</u>	<p>Requests a submission of a District Water Management Strategy that reflects risk to water resources (Avon River) Approval of the Dept of Water necessary.</p> <p>Application of Stormwater Manual required.</p>	Supported.
<u>8</u>	<u>Landholder</u>	<p>Objects to the amendment;</p> <p>Rezoning of lots to one hectare will use</p>	Minimum lot area of one ha. Is

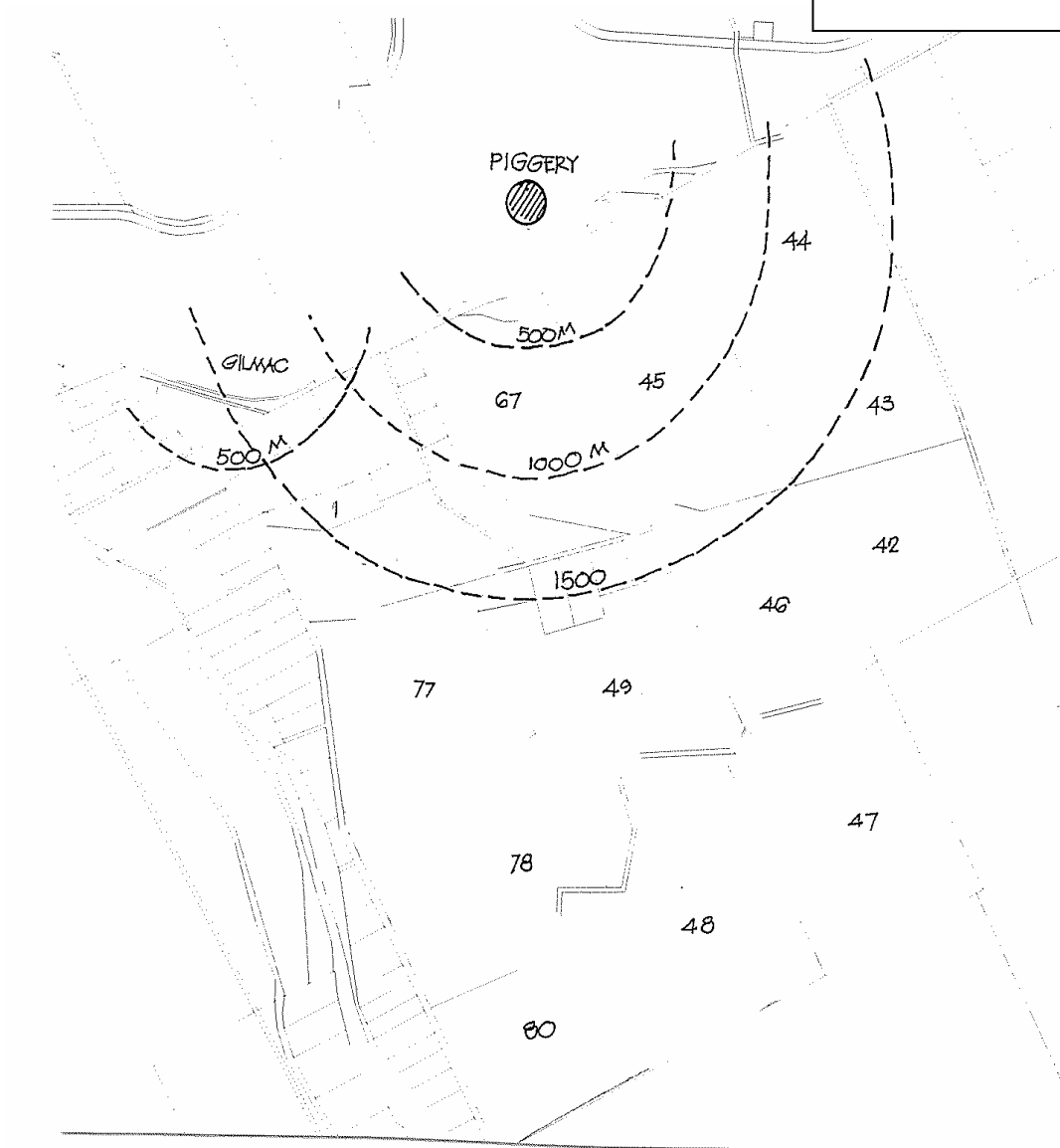
		<p>productive agricultural land;</p> <p>Part of the precinct falls within the buffer of the piggery on York-Merredin Road; Land not directly accessible to water;</p> <p>Land off Top Beverley Road steep and rocky and therefore not conducive to closer settlement;</p> <p>Some of the land overlooks the Gilmac Hay processing plant and sewerage treatment plan, therefore not suitable for rural living environment – 500 metre buffer inadequate eg for noise and odour;</p> <p>Closer settlement brings increased pressure on the health of the Avon River ;</p> <p>Top Beverley Road hazardous;</p> <p>Some merit in 5- 10 ha lots where roads, electricity and water are available.</p>	<p>in line with WAPC Policy. Not all of the lots can fit the minium lot size due to landform and servicing constrains.</p> <p>Acknowledged. Buffer zones shall apply in accordance with EPA criteria.</p> <p>Not all of the lots can fit the minium lot size due to landform and servicing constrains.</p> <p>Acknowledged. As above.</p> <p>Application of Drainage management is to be applied to Dept Water standards.</p> <p>Restricted access to Top Beverley Road is necessary</p> <p>Acknowledged</p>
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9	<u>Landholder</u>	<p>Questions</p> <ol style="list-style-type: none"> <li>1. What was the origin of the Osborne Road subdivision?</li> <li>2. Application for seeking subdivision approval. Who and when were the applications made?</li> <li>3. When was Mt Hardey Precinct depicted as a rural residential precinct?</li> <li>4. LPS has objective of consolidating development around existing services. How does Mt Hardey fit with this objective?</li> <li>5. What long term strategy exists east of Leeming Road and north of Quairading - Merredin Road.</li> <li>6. What does it mean by interface with surrounding land uses?</li> <li>7. What kind of buffer zone between rural land and rural residential land?</li> <li>8. Summarise the unsuitability for high density occupation. Physical geography and geology is not cost effective for servicing.</li> <li>9. Requirement for 120,000 litre rainwater tanks. Could result in heavy traffic supplying water to numerous lots.</li> <li>10. Building an additional header (water) tank would shift the cost of water to this precinct onto the general community.</li> <li>11. Underground power supply will be expensive due to the geology (rock base).</li> <li>12. Density of development detracts from rural lifestyle. 2000m2 building envelope.</li> </ol>	<p>Council does not hold records relating to this subdivision, the small lots have been in existence prior to the piggery being in place.</p> <p>No formal applications received. Interest only from some landholders.</p> <p>During the preparation and adoption of the LPS as prepared by the WAPC and this was fully advertised.</p> <p>Rural Residential Precinct planning is part of providing alternate lifestyles as compared with regular urban dwellings.</p> <p>East of Leeming Road remains rural for the long term. Cold Harbour has no planning focus for change at this time. Compatible land uses for rural living environment.</p> <p>There are no specific buffers prescribed between these two land uses.</p> <p>There is no high density development proposed. Land capability assessments will determine areas for development and those that are not suitable.</p> <p>Rainwater catchment is to supplement scheme water provision.</p> <p>Developers pay the costs of infrastructure. Not the general community.</p> <p>Underground power is compulsory.</p> <p>All buildings to be contained in the building envelope. Not all the building envelope will be developed for building construction.</p>
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10	Landholder	<p>Mt Hardey Precinct development would provide a corridor from the town of rural residential. Alternate developments should be looked at.</p> <p>Land in this area consists of gravel and some salt affected land not necessarily appropriate for viable broad acre agriculture.</p> <p>Development should be environmentally friendly – use of Biolyx Systems should be required.</p>	<p>Development standards are mainly governed by Commission Policies.</p> <p>Acknowledged. Detailed landform assessment is required before subdivisions can be assessed.</p> <p>Acknowledged.</p>
11	Landholder	<p>Generally support the amendment.</p> <p>Opposed to the amendment – new plan required-</p> <p>Lots of one hectare on productive land;</p> <p>Some of the land falls within the buffer of the piggery;</p> <p>Areas off Osborne Road not accessible to water supply;</p> <p>Land off Top Beverley Road steep and rocky and not suitable for residential development.</p> <p>Some land overlooks Gilmac Hay Sheds and close to the sewerage treatment ponds. Winds can carry odour beyond the 500 metre buffer;</p> <p>Noise pollution from Gilmac Sheds;</p> <p>Adverse impacts on the health of the Avon River;</p> <p>Top Beverley Road is dangerous – more traffic will increase the hazard;</p> <p>Some merit in smaller lots depending on topography.</p>	<p>Acknowledged.</p> <p>Only the broad structure exists at this time.</p> <p>Variable lot sizes are expected to be in accordance with landform constraints.</p> <p>Acknowledged.</p> <p>Existing limit of supply can be modified by the inclusion of additional header tanks.</p> <p>Not supported.</p> <p>Acknowledged, buffers will address these issues.</p> <p>Noise controlled under the Environmental Act.</p> <p>This needs to be addressed through development stage.</p> <p>Crash data does not support claims of traffic danger. Road programmed for upgrading.</p> <p>Acknowledged.</p>



ITEM 9.1.1  
APPENDIX C





**9. OFFICER'S REPORTS**  
**9.1 DEVELOPMENT REPORTS**  
**9.1.2 Amendment 26 - Developer Contributions**

*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.*

<b>FILE NO:</b>	<b>PS.TPS.21</b>
<b>COUNCIL DATE:</b>	<b>24<sup>th</sup> November 2008</b>
<b>REPORT DATE:</b>	<b>22<sup>nd</sup> October 2008</b>
<b>LOCATION/ADDRESS:</b>	<b>Balladong Farm</b>
<b>APPLICANT:</b>	<b>Shire of York</b>
<b>SENIOR OFFICER:</b>	<b>R Hooper, CEO</b>
<b>REPORTING OFFICER:</b>	<b>D Lawn, Planner</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>Nil</b>
<b>DOCUMENTS TABLED:</b>	<b>Nil</b>

**Summary:**

Developer Contributions: Adding Balladong Farm to the List in Schedule 14.

**Background:**

Amendment No 26 was passed by Council at the October Meeting, however it has been brought to our attention that Balladong Farm has been erroneously omitted from the Schedule referring to Developer Contributions.

Balladong Farm is included on the map accompanying the amending documents.

**Consultation:**

As per the advertising for Amendment 26.

**Statutory Environment:**

Scheme Amendment for developer Contributions.

**Policy Implications:**

Nil

**Financial Implications:** Nil

**Strategic Implications:** Nil

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

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

**Triple bottom Line Assessment:**

**Economic Implications:**

Additional contributions from the developer will come to assist in infrastructure and community facilities.

**Social Implications:**

Improvements to York's community facilities.

**Environmental Implications:**

Nil

**Comment:**

This modification is correcting an omission from the original documentation.

**OFFICER RECOMMENDATION****RESOLUTION****061108****Moved Cr Boyle****Seconded Cr Walters*****"That Council:******Modify Scheme Amendment 26 to add Balladong Farm Residential Precinct to Schedule 14 – Developer Contributions the following:"***

<i>DCA No.</i>	<i>Location</i>	<i>Requirements</i>
<i>DCA-1</i>	<i>Balladong Residential Precinct Lt 12, Great Southern Highway, York  Residential and Heritage Precinct</i>	<i>Contributions towards Roads, Public Open Space and Drainage are required for the acquisition of land for the watercourses/ drainage reservations as depicted on the approved Outline Development Plan.</i>

**CARRIED (5/0)**

**9. OFFICER'S REPORTS**  
**9.1 DEVELOPMENT REPORTS**  
**9.1.3 Local Planning Policy – Tree Crop**

*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.*

<b>FILE NO:</b>	<b>OR.RDT.4.1</b>
<b>COUNCIL DATE:</b>	<b>24<sup>th</sup> November 2008</b>
<b>REPORT DATE:</b>	<b>27<sup>th</sup> October 2008</b>
<b>LOCATION/ADDRESS:</b>	<b>Whole of Shire</b>
<b>APPLICANT:</b>	<b>Shire of York</b>
<b>SENIOR OFFICER:</b>	<b>R Hooper, CEO</b>
<b>REPORTING OFFICER:</b>	<b>D Lawn, Planner</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>Appendix A - Tree Farming Policy</b>
<b>DOCUMENTS TABLED:</b>	<b>Final Report Opportunities and Issues Associated with Farm Forestry in the South East Avon Low Rainfall Region.</b>

**Summary:**

Local Planning Policy for the management of Tree Cropping in the SEAVROC region.

**Background:**

URS, consulting firm, prepared this draft policy related to tree cropping and the associated opportunities for the SEAVROC region.

The consultants had prepared preliminary drafts for discussion purposes outlining the benefits of tree cropping and after the discussions prepared the final report which, was in turn, presented to the SEAVROC Councils for consideration of adoption.

The Report is very well researched and sound in its recommendations.

The more appropriate crops include sandalwood, mallee eucalyptus, brushwood and other specialty timbers.

The Sustainable Land Use Management (SLUM) group, under direction from SEAVROC engaged URS consultants to prepare a draft policy in relation to tree cropping. It is anticipated the policy will provide a consistent Planning framework for tree cropping throughout the SEAVROC region.

For the policy to be effective throughout the SEAVROC region, it is required to be adopted by the individual member Councils. Therefore it is proposed Council adopt the attached draft tree cropping policy for the purpose of advertising, as required under Clause 7.6.2 of the Shire of Beverley's Town Planning Scheme No. 2 (TPS 2).

The proposed policy has been prepared in order to provide a standardised Planning framework for the purpose of:

- Determining when a Development Application is required for tree cropping; and
- To provide guidance when assessing applications lodged for Planning Approval.

**Consultation:**

The majority of the consultative process involved the SEAVROC member councils, Department of Agriculture and Food, Avon Grow. This Planning Policy is required to be advertised throughout the community and SEAVROC Councils for comment.

**Statutory Environment:**

Council has the power to make Policies under Clause 8.8 of the Shire of York's Town Planning Scheme No. 2.

**Policy Implications:**

This policy is common for all SEAVROC Councils and a "block" submission is to be made to the WAPC stating that SEAVROC supports this as a group.

The objectives in a common policy are

- Achieve a consistent, efficient and equitable system for assessing and approving tree crop applications;
- Demonstrate local government support for tree crops and to keep track of tree crop developments which will assist in promoting the region to potential processors;
- Encourage tree crop developers to adhere to industry guidelines and standards as specified in relevant codes of practice and other documents.

The policy is compliant with the WAPC Policy on Farm Forestry (Planning Bulletin No 56) and the Code of Practice for Timber Plantation in Western Australia. (Planning Bulletin No 56 is being reviewed by the Commission – time of new policy unknown). Some of the content of the existing policy is excessive – such as a transport study, as mentioned in the URS Report.

The Planning Bulletin has some reasonable guidelines such as:

- a) Using plantations as a 'D' Use in the Scheme. (Discretionary) where Planning Approval is required with indications that the tree cropping is "as-of-right"
- b) Management Plans including the Codes of Practice,
- c) Visual amenity (rather dubious in the Wheatbelt as it is a very subjective matter)
- d) Favourable consideration of Strata Plans.

**Financial Implications:**

Advertising costs.

**Strategic Implications:**

The areas under tree cropping, at this time, are relatively small but are likely to expand in a variety of forms. As the planting increases and reaches the 'critical mass' there will be the need for a processing plant. The location of such a plant will require careful consideration taking into account the required services and suitable road access.

**Voting Requirements:**

**Absolute Majority Required:**                      **No**

**Site Inspection:**

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

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

Apart from the value of the raw materials from tree harvesting there is the potential for a processing plant somewhere in the SEAVROC region. The employment opportunities are obvious but the transportation of raw material from farm to plant will have an impact on location including the availability of water, power and roads.

Traditional farming will continue with the tree plantations being located on the less productive soils giving some farmers an alternative source of income.

**Social Implications:**

The arguments against tree cropping include the absentee landlords and loss of permanent inhabitants from the locality (population decline). Absentee landholders pose threats of low maintenance, fire management weeds and feral animals.

Proper management plans, as included in the Policy documentation, are an essential component of this industry.

**Environmental Implications:**

The impact of trees plantings means that it can be a part solution to rising groundwater regimes and salinity arrest.

Poorer soils should be the target for tree plantings and alley farming provides wind breaks and animal shelter. Carbon trading may also give the landowner additional financial benefits.

**Comment:**

Although not a new industry for dry land farming the benefits are obvious and highly supportable if appropriate management plans are in place and implemented. This diversity of product may have a longer term outcome and may well provide significant benefits for the landowner, the environment and the prosperity of the region as a whole.

The requirement for the policy stems from an increasing interest in tree cropping within the SEAVROC region. Planning for tree crops not only involves managing potential impacts from the growing of the tree crops, but also allowing for possible future downstream processing. As such it is believed Councils should be proactive in their approach to policy development.

Currently non irrigated tree crops are a use not listed under TPS 2, therefore, in the absence of a Shire policy, the only guidance for assessing Development Applications is the Western Australian Planning Commission's (WAPC) Planning Bulletin No. 56, Farm Forestry Policy. The proposed Shire policy generally complies with the WAPC Planning Bulletin 56, with the exception of the minimum recommended size of plantings that generate the requirement for Development Approval. The Shire's proposed policy recommends a minimum area of planting to be 40 ha before Development Approval is required. The WAPC Planning Bulletin recommends a minimum of 10 ha.

The thrust of the proposed policy is to encourage landowners to notify the Shire of any tree crop plantings. When contiguous plantings are proposed for, or reach 40ha the requirement for Development Approval is triggered. It is considered that plantings 40ha and above should require Planning Approval and thereby provide fire, dust, traffic and any other relevant management plans.

The policy has been extensively workshopped by members of the SEAVROC Shires, Department of Agriculture and Food and Avon Grow. Further consultation may be attained by advertising for public comment as required under Clause 7.6.2 of TPS 2. It is proposed, if Council adopts the policy, that joint advertising be conducted with the other SEAVROC Shires.

**OFFICER RECOMMENDATION**

**RESOLUTION  
071108**

**Moved Cr Lawrance                      Seconded Cr Boyle**

***“That Council:***

- 1.        resolve to adopt the draft Tree Cropping Policy as attached in Appendix A for the purpose of advertising; and***
- 2.        advertise the policy for public comment for a period of not less than 21 days in accordance with Clause 8.8.2 of the Shire of York Town Planning Scheme No. 2.”***

**CARRIED (5/0)**



## Local Planning Policy Tree Crops

### 1. Background

Tree crops have the potential to become an important land use in medium to low rainfall agricultural areas in Western Australia (WA). Landholders and private investors are looking to capitalise on emerging opportunities for farm forestry in these regions, diversify income streams and to gain the on-farm environmental benefits that integrated tree cops can provide. Given the increasing opportunities and interest in tree crop development, it is timely for local governments to ensure that these developments are adequately supported and addressed in local planning.

The South East Avon Voluntary Regional Organisation of Councils (SEAVROC) member local governments, which are the Shires of Brookton, Beverley, York, Quairading and Cunderdin, wish to maximise the benefits and opportunities associated with tree crops, such as new industry development and regional investment, while minimising any potential negative impacts. They also recognise that having consistent policy across the region can facilitate planning approvals and provide landowner and investor confidence.

This policy aims to achieve this.

Background information relating to tree crops is provided in the report Opportunities and Issues Associated with Farm Forestry in the South East Avon Low Rainfall Region.

### 2. Objectives/Purpose

**The objectives of this Local Planning Policy are to:**

- Achieve a consistent, efficient and equitable system for assessing and approving tree crop applications, in particular ensuring consistency across the five Shires;
- Allow local governments to keep track of tree crop developments, which will assist in promoting the region to potential processors;
- Demonstrate that SEAVROC local governments support and promote tree crops as a land use in the General Agriculture Zone;
- Encourage tree crop developers to adhere to industry guidelines and standards as specified in relevant codes of practice and other documents; and
- Identify specific issues that local governments wish to see addressed in the planning and development of tree crops.
- Any tree crop development shall not be justification for an application for subdivision nor any proposed tree cropping or an approved application for tree cropping on any land be a deemed precursor to subdivision

A body of legislation, policy and guidelines relevant to tree crops already exists and a range of government agencies and other stakeholders are involved in regulating and managing tree crop issues.

This policy aims to be consistent and complementary with existing regulations and not to place additional undue burden on landowners and investors wishing to pursue tree crop development.

### 3. Definitions

**Term Definition**  
**Applicant**

An Applicant is defined as the person or entity (e.g. company or organisation) responsible for management of the tree crop. The Applicant does not have to be the owner of the trees or the land on which trees are planted (e.g. the Applicant could be a third party management agency). The Applicant is responsible for ensuring adherence to this policy and other relevant legislation and regulations.

**Tree crop** For the purpose of application of this policy a tree crop is defined as:

- Trees planted with the intent of producing commercial products. Commercial products include all wood and non-wood products that can be sold to a third party. Wood products are produced when trees are harvested, such as woodchips or sawlogs, while non-wood products include products such as carbon and potentially other environmental services; and
- Trees under the management of one Applicant with an aggregate area greater than 40 hectares in any one Shire.

#### **Landowner**

A Landowner is defined as the person or entity that holds the title to the land.

Management Plan Provides details of the way in which a tree crop will be developed and managed, and aims to demonstrate the means by which the principles of environmental care, cultural and fire management objectives are achieved.

#### **A Management Plan includes the following components:**

- Establishment plan;
- Management plan; and
- Fire Management plan.

Code of Practice Code of Practice for Timber Plantations in Western Australia 2006, produced by Forest Industries Federation WA, Forest Products Commission Australian Forest Growers, or as revised.

#### **Guidelines for Plantation Fire Protection**

Guidelines for Plantation Fire Protection 2001, produced by Fire and Emergency Services Authority WA, or as revised.

#### **4. Areas of application**

This policy applies to land zoned 'General Agricultural' in the Local Planning Schemes of the Shires of Brookton, Beverley, York, Quairading and Cunderdin.

#### **5. Application and approval requirements**

##### **5.1. When is an application required?**

A Tree Crop Development Application must be submitted and approved prior to the commencement of a tree crop development.

An application is required for all tree crop developments greater than 40 hectares in size. If an Applicant has tree crops with an aggregate area of less than 40 hectares within any one Shire an application is not required. However, the Applicant is required to submit a Tree Crop Development.

Application when new tree crop developments will result in the total aggregate area exceeding 40 hectares.

A Tree Crop Development Application can cover multiple tree crop developments, which may be on different titles, provided they are under the management of one Applicant.

##### **5.2. Tree Crop Development Application requirements**

A Tree Crop Development Application consists of three parts:

###### **1) Registration; which must contain the following information:**

- Title details of the subject land;
- Name of the Landowner(s);
- Name of the Applicant (tree crop manager);
- Address and contact details of the Applicant;
- Area (hectares) to be planted and species to be planted; and
- Signatures of the Applicant and the Landowner(s).

*A Registration form is provided in Attachment 1.*

###### **2) Management Plan.**

- A checklist of information that should be included in a Management Plan is provided in Attachment 2. The checklist is based on the guidelines in the Code of Practice.
- The Management Plan must address the policy measures described in Section 6 of this Policy.

### **3) Map; which should show the following:**

- Location of tree crops;
- Access roads;
- Structures and buildings;
- Natural features including native vegetation and water courses; and
- Other relevant information such as hazards or significant features.

#### **5.2.1. Modification to Tree Crop Development Application**

An Applicant with an existing Tree Crop Development Application approval may modify the existing application, including the addition of new tree crops or expansion of existing tree crops. Additional areas of tree crops may therefore be managed under existing Management Plans, without the need for the Applicant to prepare a new Management Plan for every new tree crop development. However the Applicant must ensure that the management measures in an existing Management Plan are relevant to new tree crops and the sites on which they will be developed, and meet the requirements of this policy.

If this is not the case the Applicant is required to submit a modified or new Management Plan.

If an Applicant transfers management responsibilities to another organisation they are required to notify the Shire and provide details of the new managing entity.

### **5.3. Assessment of applications**

Tree Crop Development Applications should be submitted to the Shire in which the development will occur.

Assessment of Tree Crop Development Applications is to have regard to the application requirements and policy measures described in Sections 5.2 and 6 of this Policy.

### **6. Additional policy measures**

The following policy measures must be addressed in the Management Plan.

#### **6.1. General tree crop management**

The Shires encourage all tree crop developments to be undertaken with appropriate consideration to the specifications and guidelines in the Code of Practice and Guidelines for Plantation Fire Protection.

The Code of Practice provides management goals and operational guidelines to tree managers to “ensure tree crop operations in WA are conducted in a manner that is in accordance with accepted principles for good plantation management, while recognising that a primary aim of tree crops is to be economically competitive and sustainable”.

#### **6.2. Access and roading**

When planning tree crop developments, Applicant’s should consider how tree crops will be accessed for management, harvesting and removal of products (if applicable). Potential access roads should be identified on the Map.

The harvest and haulage of tree crop products results in ‘wear and tear’ of roads and other transport infrastructure and the Shires are seeking to minimise adverse affects on local roads within their control.

The future locations of processing facilities in or near the SEAVROC region are currently unknown, and it is therefore difficult to prepare a transport strategy prior to commencement of tree crop development.

#### **6.3. Fire management**

A fire management plan must be included as part of the overall Management Plan (see Attachment 2).

The Guidelines for Plantation Fire Protection contain guidelines for appropriate tree crop location, design and fire protection measures.

**Attachment 1**  
**Tree Crop Development Application Registration Form**

**Section 1 – New application or modification**

Select one of the following:

New Tree Crop Development Application

Complete all Sections except Section 6

Modification to existing Tree Crop Development Application

Complete all Sections except Section 5

**Section 2 – Applicant details**

Name of Applicant (company or individual): \_\_\_\_\_

Name of contact person: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

\_\_\_\_\_

**Section 3 – Landowner details** (if multiple Landowners provide details of additional Landowners on page 3)

As above (tick box): or \_\_\_\_\_

Name of landowner: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

\_\_\_\_\_

**Section 4 – Land title**

Title details of the land on which trees will be planted (if multiple titles, specify the area to be planted on each title):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**COMPLETE IF NEW APPLICATION**

**Section 5 – Tree crop information (new applications only)**

Total area to be planted (hectares): .....

Species to be planted (and area of each): .....

Proposed planting dates: .....

Management Plan attached (circle one): Yes / No .....

Map attached (circle one): Yes / No .....

*Note: a Management Plan and a Map are prerequisites for approval of a new Tree Crop Development Application*

**COMPLETE IF APPLICATION MODIFICATION**

**Section 6 – Tree crop information (modifications only). Complete relevant sections**

Reason for modification (e.g. new or changed tree crop area) .....

Additional area to be planted (hectares): .....

Species to be planted: .....

Proposed planting dates: .....

Management Plan attached (circle one): Yes / No .....

Map attached (circle one): Yes / No .....

*Note: previously approved Management Plans and Maps may be used for modification if relevant*

If no, provide reference to relevant Management Plan and/or Map

Signature of Applicant .....

Print Name - Date .....

Signature of Landowner (if land owner is not Applicant) .....

Print Name- Date .....

**SHIRE USE ONLY**

Application received on: .....

Application reviewed by: .....

Approved / Not approved: .....

Reasons for non approval: .....

Advice provided to Applicant on: .....

Tree crop register updated on: .....

**Additional Landowners**

**Landowner 2**

Name of landowner: -----

Address: -----

Land title: -----

Telephone: -----

Fax: -----

**Landowner 3**

Name of landowner: -----

Address: -----

Land title: -----

Telephone: -----

Fax: -----

**Landowner 4**

Name of landowner: -----

Address: -----

Land title: -----

Telephone: -----

Fax: -----

**Signature of Landowner 2**

Print Name -----

Date-----

**Signature of Landowner 3**

Print Name -----

Date-----

**Signature of Landowner 4**

Print Name -----

Date-----

Attachment 2  
**Tree Crop Development Application  
Management Plan Checklist**

## Tree Crop Development Application Management Plan Checklist

The following is provided as a checklist of information recommended to be included in a tree crop Management Plan. It is based on the guidelines in the *Code of Practice for Timber Plantations in Western Australia* and provides a reference to the relevant sections of the Code of Practice where relevant.

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### Section in Code of Practice

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#### Establishment Plan

This should outline the following topics and how they will be managed:

- Areas of native vegetation 4.3
- Management and protection, including setback distances,  
• of watercourses, wetlands, reservoirs and significant features 4.3
- Setback distances to structures, dwellings and gazetted infrastructure
- Note: *the Guidelines for Plantation Fire Protection recommend a setback distance of 50 metres.*
- Areas to be planted and size of compartments
- *The Guidelines for Plantation Fire Protection* contain guidelines on compartment size.
- Access and firebreaks 4.5, 4.7.6

Also refer to the *Guidelines for Plantation Fire Protection*.

- Species to be planted 4.6.2
- Direction of planting lines in relation to contours and natural drainage 4.6.3
- Soil preparation methods 4.6.3
- Pest and weed control methods/prescription,  
including control of declared animals and plants 4.6.5 – 4.6.7
- Planting methods/prescription
- Fertilising methods/prescription 4.6.4

#### Maintenance Plan

This should outline the activities to be conducted during the tree crop rotation and how they will be managed:

- Pest and weed control methods/prescription,  
including control of declared animals and plants 4.6.5 – 4.6.7
- Grazing strategy 4.7.6
- Fertilising methods/prescription 4.6.4
- Pruning and thinning regimes 4.6.9
- Access and firebreak maintenance 4.5, 4.7.6

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#### Fire Management Plan

This should contain the following details:

- Contact names and telephone numbers
- Names and addresses of local fire control bodies

- . Map or details of access roads, firebreaks, water points etc.  
*Note: this information may be included on the main Map that forms part of the Tree Crop Development Application*
- . Location of fire fighting equipment, including details of cooperative arrangements
- . Specific measures to protect services e.g. power lines and gas supplies, or surrounding values (if relevant)

*Refer to Guidelines for Plantation Fire Protection*

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**9. OFFICER'S REPORTS**  
**9.1 DEVELOPMENT REPORTS**  
**9.1.4 Planning Consent – Extractive Industry**

*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.*

<b>FILE NO:</b>	<b>Mo 4.60354</b>
<b>COUNCIL DATE:</b>	<b>24 November 2008</b>
<b>REPORT DATE:</b>	<b>3 November 2008</b>
<b>LOCATION/ADDRESS:</b>	<b>Lot 45/801 Morris Edwards Drive, York</b>
<b>APPLICANT:</b>	<b>Flame Tree Nominees Pty Ltd/ Yarnell Pty Ltd</b>
<b>SENIOR OFFICER:</b>	<b>R Hooper, CEO</b>
<b>REPORTING OFFICER:</b>	<b>T Cochrane, MATS</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>Appendix A - Location</b>
<b>DOCUMENTS TABLED:</b>	<b>Nil</b>

**Summary:**

The property owners and applicants are requesting Council's permission to have an extractive industry use approved at Lot 45/801 Morris Edwards Drive, York.

**Background:**

The subject property is zoned 'General Agriculture' under the Shire of York Town Planning Scheme No. 2.

This proposal requires two separate application processes. Firstly the planning consent of Council is required for an extractive industry and the second process is an application for a license to be issued under the Extractive Industry Local Law.

**Consultation:**

The application was advertised for public comment in accordance with the Shire of York Town Planning Scheme, four submissions were received.

**Submission 1 – Main Roads WA:**

*"...To ensure there is no detrimental effect from the proposal to the safe and efficient movement of traffic on Chidlow-York Road via Morris Edwards Road, the Shire should consider the following.*

- *The volume and type of vehicle proposed by the development.*
- *Whether existing access onto Chidlow-York Road is adequate to allow safe entry and exit onto the main road.*
- *The intersection of Chidlow-York Road and Morris Edwards Drive may require upgrading to accommodate the increase in heavy vehicles.*

The cost of any improvements will be the responsibility of the proponent."

**Submission 2 – Resident:**

*"We wish object in the strongest terms to the proposed development of Lot 801 for use as a Quarry for the extraction of rock. Our property, Lot .... Our objections are on the following grounds:*

**Noise**

*...the sound carries very well and on the occasions that we have seen people in this area we can hear voices quite clearly, even at normal speaking levels. The prospect of day-long heavy machinery, reversing beepers, cutting tools, jack-hammers, rock breakers and explosives would be unbearable.*

### **Appearance**

*We purchased our property primarily for its beautiful views for which we paid a premium price. From where our house is, just in front of Mount Bakewell will be the quarry – an ugly scar on an otherwise impressive view. We would hate our panorama of the beautiful Avon countryside to turn into a first class view of something akin to the Kalgoorlie “super pit”. We appreciate that this is hard to explain in words – the attached photograph gives a clearer appreciation of what we stand to lose. The quarry is marked as ‘A’ on the picture*

*We would also like to point out this section from the Shire's Local Planning Strategy – section 2.4.3 Western Slopes 2(a)*

- c. **Any development to have regard for protection of views**, particularly those from Great Southern Highway.*

### **Location**

*There are five properties in the immediate vicinity, all of which are small landholder lots – currently used as lifestyle blocks or hobby farms. Most of the residents are here for the seclusion and tranquillity that this area provides.*

*Whilst it may be true that this area has been used as a quarry in the 1980s we would like to point out that the circumstances back then were completely different to the present day. At that time all of the adjoining lots were part of same farm as Lot 801. In the 1990s the owners subdivided and sold off the surrounding lots creating a neighbourhood of small acreage blocks upon which several houses now sit. It seems quite immoral that the very people responsible for creating this neighbourhood now propose to build what amounts to an industrial estate on their doorstep.*

*As recently as a few months ago, the current owners sold off Lot 800 which borders the proposed quarry site to the west. It is our understanding that the boundary was changed so that the new owners could build a house with views similar to our own. Yet only a few months after of this being sold, there appears an application to perform industrial mining not 500m away. We find this kind of behaviour distinctly underhand.*

### **Explosives**

*The proposed quarry is only 3.7Km from the centre of town as measured by direct line from the York Post Office. The noise from explosives will no doubt be audible at this distance. Is this what tourists come to York to experience?*

*For us in the immediate vicinity, apart from the loudness of the noise that will disturb animals and the risk of flying debris, there is an additional danger of structural damage by vibration. All of the houses on the neighbouring blocks are double-brick homes. The ground in this area is heavy clay so any vibrations are likely to be felt at extended distances. The closest house is on Lot 428 which is a mere 350m from the proposed site.*

*The application also talks about closing off the area including all access via Morris Edwards Drive when blasting is due to take place. We would like to point out that this is our only means of access to our properties. This effectively makes us prisoners in our own homes at whatever times the operators of the quarry deem it suitable for them to detonate their explosives.*

### **Need**

*The Shire's Local Planning Strategy<sup>3</sup> states in section 2.3.4:*

*It is unlikely that more than one hard rock quarry would be required in the shire in the foreseeable future, although there is potential for granite to be cut into blocks for dimension stone, and a quarry exists to the south of York although production has been intermittent.*

*In contrast to gravel which is used locally for road building, the rock from this quarry will be shipped straight to the city. According to the proposal it will be used in Fremantle Harbour – i.e. it will end up in the Indian Ocean. This seems like a sad waste to us. Clearly there is no demonstrated benefit to the local area.*

### **Traffic**

*Since the rock will have to be transported long distances by road, we can look forward to long, heavily laden vehicles travelling (very slowly) along the Chidlow-York Road with the associated impact on our already overstretched road infrastructure.*

*Morris Edwards Drive is not gazetted as a heavy vehicle route. Also the intersection with Great Southern Highway is potentially dangerous for slow moving traffic joining the road as the speed limit on the highway is 110Km/h.*

*The application neglected to mention both the size and the number of trucks that would be leaving each day although the term Road Train was mentioned at some point.*

### **Environment**

*In the 9 years we have had our property in York, we have seen the wildlife population increase dramatically. Studies<sup>4</sup> have shown that prolonged excessive noise has a detrimental effect on wildlife numbers and their health. This can only be detrimental to the dwindling population of native animals in this area.*

*The area around the quarry is quite overgrown and will no doubt require the clearing of trees to make access for mining equipment and large vehicles. This will result in the reduction of habitat for native animals. There is also the risk of the spread of Phytophthora (Dieback) where soil disturbance is followed by mass vehicle movements which carry the spores on their tyres.*

### **Devaluation**

*If this proposal is approved, a significant reduction in property prices is inevitable in this area. Who wants to live next to an industrial area with heavy machinery running all day and explosives being detonated periodically? We put it to the councillors that should they ever find themselves in this situation they would be writing a letter very similar to this.*

### **Dust**

*Strong winds often blow in this direction particularly during summer. Apart from the nuisance factor there are potential health effects. Inhalation of dust particles that have been linked to lung problems such as silicosis. Animals that graze the land in this area and will be similarly affected.*

### **Water**

*This area is not supplied with scheme water, consequently water for mining equipment and processing will have to be taken from other sources. Similarly there is no sewerage so any waste water will have to be disposed of in a responsible manner. Depending on the amount of water required there may be adverse effects on the water table in this area water and/or contamination due to incorrect disposal. All water from this region drains towards the Avon River so whatever starts here has the potential to affect many more people closer to town.*

### **Future development**

*The shire has already taken steps to approve the Daliak Precinct<sup>2</sup> as a residential area. We would like to point out that the proposed quarry will be located only 600m from the closest end of this new precinct. This is not an appropriate land use for something so close to a residential area.*

## Summary

We believe the above are all valid reasons for objection to this proposal and are backed up by the Shire's own policies. To quote from the Town Planning Scheme<sup>1</sup> (Bold emphasis is ours)

### 4.15 General Agriculture Zone

#### 4.15.1 Objectives:

- (a) To ensure the continuation of **broad-hectare agriculture as the principal land use in the district** encouraging where appropriate the retention and expansion of agricultural activities.
- (b) To consider non-rural uses where they **can be shown to be of benefit to the district and not detrimental to the natural resources or the environment.**
- (c) To allow for facilities for tourists and travellers, and for recreation uses.
- (d) **To have regard to residential use of adjoining land** at the interface of the General Agriculture zone with other zones to avoid adverse effects on local amenities.

#### 4.15.2 Development:

**Having regard to the scenic values of the district** and the views from roads the local government **may refuse an application for planning consent if, in the opinion of the local government, the development if approved will have a detrimental effect on the rural character and amenities.**

We realise that it may be possible for the applicant to address each of the objections above in turn and squeeze through on each point by just managing to meet some minimum obligation. The point is that all of these smaller issues add up to one big issue and cannot be considered in isolation.

The question here is not can this be approved but rather should it be approved. Just because it is technically possible to do something doesn't mean that it should be done. There is also a matter of ethics involved here. The Shire has the perfect clause in its Town Planning Policy to cover this within its zoning classification:

'AA' means that the use is not permitted unless the local government has exercised it's discretion by granting planning consent.

The key word here is discretion. The dictionary defines this as:

- The power of making free choices unconstrained by external agencies
- The trait of judging wisely and objectively

We hope the council will act "wisely and objectively" and decline this application for the benefit of the local community. York is a quiet country town with a strong heritage background, a thriving tourist industry and some beautiful scenery. Does this kind of activity really belong here - we think not. We are hoping that the Council will see this application for what it is and do the right thing on behalf of its residents.

## References:

- [1] Shire of York Town Planning Scheme No. 2
- [2] Shire of York Council Minutes - July 2008
- [3] Shire of York Local Planning Strategy
- [4] Fletcher, J.L., 1980. Effects of noise on wildlife: a review of relevant literature 1971-1978. Pages 611-620 in J.V. Tobias, G. Jansen, and W.D. Ward, eds. Proceedings of the Third International Congress on Noise as a Public Health Problem. Am. Speech-Language-Hearing Assoc., Rockville, MD."

Submission 3:

*"I viewed the preliminary documents on the above proposal at the York Shire offices on 23rd October 2008. At that time there were only three pages to the proposal. Since then a larger more informed document has been advertised for public comment, I hope to view this document before the 14th of November. My comments are based only on the information in the preliminary proposal as they were advertised as being due on or before the 31st October 2008.*

*We are residents of Lot .....The reason why we bought a block in this area was to live in a rural environment rather than urban, industrial or small special rural. Our house sits high on the hill overlooking the Davies farm, a location that was not only appealing but added also to the value of the block.*

*Subdivision of farm lots creates new housing and different lifestyles, the original owners profit from the subdivision and I am sure are fully aware of the longer term consequences of subdividing their land. One of these consequences is neighbours and the consideration of their use of the land and lifestyles. Had Fernleigh not been subdivided an extractive industry would not be a problem, or if the extraction was in an area closer to the centre of the farm there would be little disruption to other landholders. This appears not to be the case.*

*My concerns are the exit path of the trucks, the level of activity and if there will be any regular blasting and road closures. How much material will be extracted and over how long a duration.*

*We are not objecting formally, this decision will be made after reading the second planning documents."*

Submission 4: Resident

*"We object to the above proposal on the following grounds:*

- (1) ...only .... metres by GPS from the wall of the existing quarry which is much less than the 400 metres specified for the crib hut and much less than the sentry points on Morris Edwards Drive and the Great Southern Highway. At this distance and difference in elevation the effects of flying debris and dust will have an adverse effect on our only drinking supply which is rainwater from the house and shed roofs stored in tanks.*
- (2) During the course of drilling, blasting and transport the effects on our detrimental to both our house and bore. Along with this will be the constant noise of loaders and trucks operating on the site.*
- (3) With the use of explosives the requirements for a powder magazine are laid down by law but as this is only a single shift, 5 day operation and the position of the quarry, the security of the explosives could be in doubt. Any unauthorised persons entering the site and starting any equipment could easily finish up on our property if not in our house. There is no mention of security guards during non-work periods.*
- (4) According to the Risk Assessment Record, dust suppression is used at all times even when no work is being carried out, other than when it is raining, our house and shed roofs will constantly be covered in dust which will increase the risk of silicosis and other breathing difficulties to anyone visiting our property but mainly to ourselves.*
- (5) During the after rainstorms water issues from the face of the quarry and flows eventually down to the dam next to our house which hosts a diverse range of frogs and yabbies. This also attracts a varied range of bird life. What precautions, if any, will be taken to prevent this dam from becoming polluted as it eventually feeds into the Avon River?*

- (6) *During the periods of preparation and detonation it is indicated that vehicles will be stopped from entering the site at the point where the Old Perth Road meets Morris Edwards Drive, as this is our only means of ingress and egress does this mean:*  
(a) *We will not be allowed access to our property, or*  
(b) *We will have to leave our property during this time?*  
*If either or both of these are correct it is totally unrealistic and if it is not correct and anything untoward happens then we are in a position of danger and would come under Duty of Care Regulations if not OH & S legislation.*
- (7) *The point of access onto Morris Edwards Drive and the Great Southern Highway are at best difficult and at worst extremely dangerous, at the moment, for a light truck as vehicles turn off the highway at considerable speed giving rise to frequent near misses. A road train entering at this point will have difficulty proceeding into Morris Edwards Drive due to the closeness of the highway junction and also onto the highway as the road curves from this point and vehicles proceeding down the hill at the maximum speed limit will be lucky to avoid the rear trailer.*
- (8) *The Risk Assessment Record submitted with the proposal was obviously produced by a person sat at a desk in an office. As I have created numerous of these documents I find this totally inadequate and the risk levels incorrect in many cases. As we are the nearest residents to the proposed site we would hope that the controls relating to the hazards in various tasks which would appear too many people good, to a person trained in this field, they are totally inadequate. If the proposal is accepted these will need to be corrected and expanded before work begins.*
- (9) *If this proposal is granted the value of our property will drop significantly, possibly to the point of being unsaleable. IF this should occur then we would require compensation and the rateable value of the property would need to reduce by the same percentage.*

*In the documentation we have seen there is little or no acknowledgement of the local population and as the area was divided into small lots to encourage more people to settle in the area, we feel such a development would be contrary to the efforts of the local Shire Council and the people of York.*

*As we purchased this property for our retirement, after having moved many times during our married life, we hope that this proposal will be turned down so we can end our days in the peace and tranquillity of this beautiful part of Western Australia."*

**Statutory Environment:**

Part one of this application is an application for planning consent in accordance with Town Planning Scheme No. 2.

In the zoning table an extractive industry is an “AA” use in the ‘General Agriculture’ zone. An ‘AA’ use is defined in the Scheme as:

*“AA’ means that the use is not permitted unless the local government has exercised its discretion by granting planning consent.”*

In addition to the requirement for planning consent any proposal for an extractive industry requires a license to be issued under the Local Law relating to Extractive Industry. Clause 2.1 of the local law states:

*“2.1 A person must not carry on an extractive industry -  
(a) unless the person is the holder of a valid and current licence; and  
(b) otherwise than in accordance with any terms and conditions set out in, or applying in respect of, the licence.”*

The WAPC Statement of Planning Policy 2.4 – Basic Raw Materials recognises that raw materials such as gravel are a valuable resource and identifies resources that must be protected. While the policy area does not extend to the Shire of York, in relation to identifying priority protection areas, the requirements of the policy do apply and clause 6.2.1 states:

*“6.2.1 Proposals in local planning schemes, to prohibit extractive industries in zones that permit broad rural land uses (in future referred to as a Rural zone), will not be supported without adequate justification being provided. Extractive industry could also be a permitted use in other zones, subject to the location of these zones in relation to sensitive uses.”*

It should be noted that Council is in receipt of advice from the Department for Planning and Infrastructure that the Western Australian Planning Commission is seeking to update its Basic Raw Materials Resource Protection Strategy for the Perth Metropolitan Region and expand it further east to the outer Metropolitan areas and to cover the Peel and South West regions of Western Australia.

The intention of this policy statement is that local authorities cannot list extractive industries as a prohibited use in the zoning table in the scheme. The use must be listed as either a permitted use or a discretionary use. The Council must consider an application for planning consent however they have the discretion to approve or refuse any application on the merits of that application.

If the conditions of a Development Approval are breached then action will be taken in accordance with the *Planning and Development Act 2005*.

If the conditions of an Extractive Industry Licence are breached then action will be taken in accordance with the Shire of York’s Extractive Industry Local Law.

The following terms are extracts from the Shire of York Local Planning Strategy and are provided for information:

#### 2.3.4 Minerals and Basic Raw Materials

The potential for extractable minerals and materials in the Shire is generally restricted to basic raw materials, however, significant exploratory drilling has occurred in 2005 and 2006 for gold and other metals. Basic raw materials of hard rock, sand, and gravel must be reserved and protected with buffers to ensure their staged utilisation during future development of the shire. Excavations for basic raw materials take up very small areas when compared to the total area occupied by roads, houses, or other land uses. Without their ready availability, however, development could be restricted through conflicting land uses.

Quartz sand occurs in both the western and eastern parts of the shire. Frequently this sand requires little or no processing apart from perhaps screening. Laterite gravel is present on the plateau remnants. However, these areas remain covered by remnant vegetation. Currently, active and completed gravel pits bottom on duricrust that restricts rehabilitation and future land use. Hardrock resources occur where basement granite is exposed. It is unlikely that more than one hard rock quarry would be required in the shire in the foreseeable future, although there is potential for granite to be cut into blocks for dimension stone, and a quarry exists to the south of York although production has been intermittent.

#### Section 2.3.6 - Planning Implications:

- Areas suitable for basic raw material extraction need to be protected from encroachment by inappropriate uses.
- Impact of extractive industry on adjoining landowners, the environment and the transport network.

#### 3.1.9 Buffers

Developments that may need a buffer include industries (including rural and extractive), agriculture, infrastructure and services. Buffer requirements are generally guided by State and regional policy, including that which is set by the Environmental Protection Authority, Western Australian Planning Commission and the Department of Industry and Resources. Any proposed land use or expansion of an existing land use that may require a buffer should be referred to the relevant State Government Department for advice.

#### **Actions**

10. Identify and map the current and proposed basic raw material extraction operations in the Shire and the location of high quality, high volume basic raw material resources elsewhere in the Shire.
11. Prepare a local planning policy on basic raw materials that addresses issues such as buffer requirements, traffic impacts, management plan requirements and community consultation.
87. Review scheme to ensure that a range of agricultural uses, tourism and basic raw materials are permissible with discretion of Council and that guidance is given on what basis such applications will be assessed and what conditions imposed through Scheme provisions or policies.
93. Review scheme to ensure that tourism and basic raw materials are permissible with discretion of Council and that guidance is given on what basis such applications will be assessed and what conditions imposed through Scheme provisions or policies.



98. Review scheme to ensure that a range of agricultural uses, tourism and basic raw materials are permissible with discretion of Council and that guidance is given on what basis such applications will be assessed and what conditions imposed through Scheme provisions or policies.
106. Review scheme to ensure that a range of agricultural uses, tourism and basic raw materials are permissible with discretion of Council and that guidance is given on what basis such applications will be assessed and what conditions imposed through Scheme provisions or policies.
115. Review scheme to ensure that a range of agricultural uses, tree farming, tourism and basic raw materials are permissible with discretion of Council and that guidance is given on what basis such applications will be assessed and what conditions imposed through Scheme provisions or policies.
122. Review scheme to ensure that tree farming, tourism and basic raw materials are permissible with discretion of Council and that guidance is given on what basis such applications will be assessed and what conditions imposed through Scheme provisions or policies.

This planning application identifies yet another area within York that has basic raw materials for potential extraction and use.

**Policy Implications:**

No policy implications arise from this report.

**Financial Implications:**

The maximum security bonds for rehabilitation of the site as permitted under the local law will be imposed on the project to protect the community from any future costs, if it proceeds to the extraction stage.

Planning fees of \$615.00 were paid and the advertising costs of \$104.50.

Annual license fees are payable under the Extractive Industry Local Law, which will cover the cost to Council of administration and monitoring of the development.

**Strategic Implications:**

The objectives of KRA 2 – Economic Development and Tourism, include:

“To ensure economic development does not conflict with York’s heritage, lifestyle and environment.”

**Voting Requirements:**

**Absolute Majority Required:**                      **No**

**Site Inspection:**

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

**Triple bottom Line Assessment:**

**Economic Implications:**

No economic implications arise from the granting of planning consent as the Extractive Industry Licence process still has to be followed.

**Social Implications:**

As this application only relates to planning consent no adverse social impacts are envisaged. Should an extractive industry application be received consideration to the approved uses onsite will need to be considered and managed appropriately.

**Environmental Implications:**

If or when an extractive industry licence is issued monitoring and compliance regimes will need to be in place for all relevant conditions.

**Comment:**

Extractive industry is a special case, as it can be a temporary use or a long term use. In the case of basic raw materials, or materials used in the development of urban areas for buildings, roads and infrastructure, its cost effectiveness often requires proximity to the urban areas.

The Shire will require the submission of appropriate management plans prior to the issue of an extractive industry licence. The management plans will be provided to the relevant State Government agencies for comment and advice but it is unlikely that the plans will be advertised for public comment.

Extractive Industry Licence's and their associated conditions will be audited by the Shire to ensure compliance.

The following issues must be addressed to ensure that the amenity of the area is protected.

- Traffic Impact
- School Bus Route
- Lifespan of Operation
- Extent of Activities
- Noise
- Dust Control
- Water Run-Off
- Intersections of Local and State Roads
- Hours of Operation
- Landscape Views
- Rehabilitation
- Damage to the Environment
- Danger to Children

Planning consent relates to the use of the land, or a portion of that land, for a purpose in addition to the uses already permitted under the 'general agriculture' zoning. The term of the planning consent may be definite, for example 20 years, or open - no end date.

The issuing of planning consent identifies the use as being permitted on the subject land; it does not permit the excavation to occur. For excavation to occur a license under the Extractive

Industry Local Law must be issued. This license is the controlling power over the actual removal of the resource from the land. It is proposed that any approval under the local law be limited to five years. If at the conclusion of that time further activities are planned the applicant will have to again make application for a license. Extension of the activities outside the condition of the license is an offence under the local law.

Due to the expansion of the town (Daliak) it is intended to restrict the planning consent to a five year timeframe.

The proposal has merit and the activities can be supported and approved in the rural area. The 'general agriculture' zone is the only zone within the scheme area where an extractive industry can be permitted, however there is the potential for environmental and social problems occurring if not managed properly.

The following comments are offered in relation to Submission 2:

#### Noise

Noise levels emitted are not to exceed the requirements of the Environmental Protection (Noise) Regulations 1997.

#### Appearance

The rock quarry already exists and is part of the landform.

#### Location

The property is located within the general agricultural zone, which allows Council to exercise its discretion in granting planning consent.

#### Explosives

Blasting is carried out in accordance with the Department of Industry and Resources and needs to adhere to strict regulations.

The applicants carried out testing in Northam and advised that no-one could hear the blasting within 500 metres.

#### Need

This is a State Government need for the Port of Fremantle.

#### Traffic

This will be assessed at the Extractive Industry Licence Stage and Main Roads WA will provide input.

The traffic needs to be assessed by a qualified Traffic Engineer.

### Environment

Should any clearing be required appropriate approvals will need to be obtained from the Department of Conservation and Environment.

### Devaluation

This is subjective and unquantifiable at this stage as no landform changes or other impacts come into effect at the planning stage. An Extractive Industry Licence application must follow on from any planning consent, if granted.

### Dust

This will be addressed via a management plan, if an Extractive Industry Licence is granted.

### Water

This will be addressed via a management plan if an Extractive Industry Licence is granted.

### Future development

A timeframe on the rock quarry will address this issue.

The use of the land for the purpose of an extractive industry should be supported, however to support the commercial operations further information must be provided. Accordingly it is recommended that the planning application be approved.

## **OFFICER RECOMMENDATION**

### **RESOLUTION**

**081108**

**Moved: Cr Hooper**

**Seconded: Cr Boyle**

***“That Council:***

***1. Advise Flame Tree Nominees that it grants planning consent for an extractive industry use for the extraction of rock on Lot 45/801 Morris Edwards Drive, York subject to compliance with the following:***

***a. Noise levels emitted are not to exceed the requirements of the Environmental Protection (Noise) Regulations 1997.***

***b. Dust produced from the site is to be controlled so as not to cause a nuisance to surrounding residents.***

***c. Detailed plans including contours at a distance of 1.0 metre to be submitted to Council confirming the position of contour banks and bunding designed to control the flow of surface water across the site. Contours for the immediate area within 100 metre radius of the pits to be supplied.***

***d. Warning signs are to be erected in accordance with the Extractive Industry Local law.***

***Advice Note:***

***This is planning consent only and is not a licence to extract rock from the site.***

***The planning consent protects the property owner.***

***No Extractive Industry Licence will be issued if there is any residence with a 500 metre radius of the boundary of any proposed excavation site until and unless a formal agreement is entered into with the owner of the residence.***

***Advice from Main Roads WA – To ensure there is no detrimental effect from the proposal for the safe and efficient movement of traffic on Chidlow-York Road via Morris Edwards Road, the Shire should consider the following.***

- The volume and type of vehicle proposed by the development.***
- Whether existing access onto Chidlow-York Road is adequate to allow safe entry and exit onto the main road.***
- The intersection of Chidlow-York Road and Morris Edwards Drive may require upgrading to accommodate the increase in heavy vehicles.”***

**Lost (0/5)**

**RESOLUTION  
091108**

**Moved: Cr Fisher**

**Seconded: Cr Lawrance.**

***“That Council:***

***Not grant planning approval on the basis that the proximity of residences, traffic on Morris Edwards Drive, access to Great Southern Highway and blasting is potentially dangerous, justify a prohibition on an extractive industry in this locality.”***

**CARRIED (5/0)**

Item 9.1.4  
Appendix A



Views from surrounding property.





**9. OFFICER'S REPORTS**  
**9.1 DEVELOPMENT REPORTS**  
**9.1.5 Scheme Amendment No. 30**

*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.*

<b>FILE NO:</b>	<b>PS.PPD.4.6/PS.TPS.25</b>
<b>COUNCIL DATE:</b>	<b>24<sup>th</sup> November 2008</b>
<b>REPORT DATE:</b>	<b>13<sup>th</sup> November 2008</b>
<b>LOCATION/ADDRESS:</b>	<b>Balladong Farm</b>
<b>APPLICANT:</b>	<b>Shire of York</b>
<b>SENIOR OFFICER:</b>	<b>Ray Hooper, CEO</b>
<b>REPORTING OFFICER:</b>	<b>Tyhscha Cochrane, MATS</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>Appendix A - Scheme Amendment 30</b>
<b>DOCUMENTS TABLED:</b>	<b>Nil</b>

**Summary:**

Scheme Amendment No 30 – Amending the zoning in accordance with the direction from the Department for Planning and Infrastructure.

**Background:**

Initially, the recommended zone was for a dual zoning Residential Zone/Special Use with a variable density coding of R5 – R40.

The Residential Zone was deemed unsuitable by the Department for Planning and Infrastructure officers and the following advice was received:

*“Suggested that the most appropriate zone for the area would be a Special Use zone given the tourism potential and historical significance of the Balladong Farm associated with the proposal.*

*A Residential zone with a separate tourism zone for the Balladong Farm area separates the subject land into two separate provisions within the Scheme and is not supported from DPI's perspective.”*

The original Council resolutions need to be modified to change the terms “Residential Zone” to “Special Use Zone” and accompanying provisions included in Schedule 3 of the Scheme.

**Consultation:**

Advertising has been carried out through the phase of the Scheme Amendment procedure.

**Statutory Environment:**

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

**Policy Implications:**

Nil at this time.

**Financial Implications:**

Nil at this stage as all costs will be recouped from the developer.

**Strategic Implications:**

This area has been depicted in the Local Planning Strategy.

**Voting Requirements:**

**Absolute Majority Required:**           **No**

**Site Inspection:****Site Inspection Undertaken:**

Several site inspections have been carried out over the past two years.

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

Large scale development potential for a variety of residential lots sizes. The current disposition of lots in this precinct precludes viable agriculture. Developer contributions will apply.

**Social Implications:**

Additional lots for residential purposes as well tourism uses will result. Additional community facilities and minor retail functions will provide more services to the occupants.

**Environmental Implications:**

The heritage environment will be protected through any processes.

**Comment:**

The main matter in this item is the classification of the zones. The modifications are recommended to allow for an outcome for this project.

## **OFFICER RECOMMENDATION**

### **RESOLUTION 101108**

**Moved Cr Boyle**

**Seconded Cr Fisher**

***“That Council:***

**1. *Rescind the Resolution of the 22<sup>nd</sup> September 2008 (Resolution Number 260908), as follows:***

***“That Council adopt Scheme Amendment 30 for the Balladong Farm Precinct in accordance with Attachment A and generally as follows:***

***Amending the Scheme map by rezoning Balladong Farm being Lot 12, Certificate of Title Volume 1399, Folio 919 (DP 10 990) and Lot 9 Certificate of Title Volume 1102, Folio 705 from General Agriculture Zone to Residential Zone/Special Use in the Shire of York Town Planning Scheme No.2, with a variable density coding of R5 to R40.***

***Advice Notes:***

***A copy of the Concept Plan is to be attached to Amendment 30 prior to advertising and distribution.***

***The final definition of the zoning classification will be subject to the approval of the Western Australian Planning Commission.”***

***With regard to the proposition of a small shop attached to the site, Council has the discretion to approve or refuse any such proposal under the provisions of the Scheme.***

***Any site for the development of a tourist accommodation complex will be subject to a specific application and inclusion in the Scheme at a later date.***

***The proponents are to lodge a formal application of a Development Area Plan showing much more detail of the proposals prior to Councils supporting any subdivision. ”***

**2. *resolution reads, as follows:***

***That Council adopts Scheme Amendment 30 with minor modifications, as follows:***

***Amending the Scheme map by rezoning Balladong Farm being Lot 12, Certificate of Title Volume 1399, Folio 919 (DP 10 990) and Lot 9 Certificate of Title Volume 1102, Folio 705 from General Agriculture Zone to a Special Use zone in the Shire of York Town Planning Scheme No.2.***

***Cont’d.....***

**Adding to Schedule 3, the following:**

**SCHEDULE 3  
SPECIAL USE ZONES**

<b>No.</b>	<b>PARTICULARS OF LAND</b>	<b>SPECIAL USE</b>	<b>CONDITIONS</b>
4	Balladong Farm, Great Southern Highway, York as depicted on the Local Planning Strategy Maps (2007).	Residential development, aged persons units, tourist accommodation and facilities, Heritage Conservation of Balladong Farm buildings, shop and community facilities.	<p>Subdivision and development shall be in accordance with an approved Development Area Plan and will be subject to a formal planning application.</p> <p>All development within the site will comply with Council's Policy on Heritage Precincts and Places.</p>

**Advice Notes:**

***The rescinding of this motion was to carry out a directive from the Department for Planning and Infrastructure:***

***“by deleting the words; “Residential/Special Use Zone” and replacing them with “Special Use Zone” and deleting the words “with a variable density coding of R5 to R40.”***

***With regard to the proposition of a small shop attached to the site, Council has the discretion to approve or refuse any such proposal under the provisions of the Scheme.***

***The proponents are to lodge a formal application of a Development Area Plan showing much more detail of the proposals prior to Councils supporting any subdivision.***

**CARRIED (5/0)**

**SHIRE OF YORK**  
**TOWN PLANNING SCHEME NO. 2**  
**AMENDMENT NO. 30**

S:\SAO\Planning Building Health Signage\Planning\Blandstown Balladong ODP\Amendment 30\TPS 2 Amendment 30 - Text.rtf

**PLANNING AND DEVELOPMENT ACT 2005  
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME**

**SHIRE OF YORK**

**TOWN PLANNING SCHEME NO. 2 - AMENDMENT NO. 30**

Resolved that the Council, in pursuance of the Planning and Development Act 2005 amend the above Town Planning Scheme by:

***That Council adopts Scheme Amendment 30 with minor modifications, as follows:***

***Amending the Scheme map by rezoning Balladong Farm being Lot 12, Certificate of Title Volume 1399, Folio 919 (DP 10 990) and Lot 9 Certificate of Title Volume 1102, Folio 705 from General Agriculture Zone to a Special Use zone in the Shire of York Town Planning Scheme No.2.***

***Adding to Schedule 3, the following:***

**SCHEDULE 3  
SPECIAL USE ZONES**

<b>No.</b>	<b>PARTICULARS OF LAND</b>	<b>SPECIAL USE</b>	<b>CONDITIONS</b>
4	Balladong Farm, Great Southern Highway, York as depicted on the Local Planning Strategy Maps (2007).	Residential development, aged persons units, tourist accommodation and facilities, Heritage Conservation of Balladong Farm buildings, shop and community facilities.	Subdivision and development shall be in accordance with an approved Development Area Plan and will be subject to a formal planning application.  All development within the site will comply with Council's Policy on Heritage Precincts and Places.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2008

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

## SCHEME AMENDMENT REPORT

1. **LOCAL AUTHORITY** : SHIRE OF YORK
2. **DESCRIPTION OF TOWN PLANNING SCHEME** : TOWN PLANNING SCHEME NO. 2
3. **TYPE OF SCHEME** : DISTRICT ZONING SCHEME
4. **SERIAL NUMBER OF AMENDMENT** : 30

### REPORT

#### Background

York is experiencing a high demand for land for residential development from outside the district by people seeking a lifestyle change. This demand has been facilitated by the upgrading of the Great Eastern Highway, which when completed, will significantly improve access to Perth.

York is also experiencing demographic change with an ageing population and smaller household sizes in line with national trends. The housing choices currently available in York are very limited, with little medium density group housing development that may better serve the needs of singles and the older population than the current predominantly single residential housing stock.

There is therefore a demand for providing for an increase in the amount of housing available to meet the needs of a growing population and to provide a greater variety of housing choice to meet different lifestyle needs, particularly those of singles and the older population.

The capacity for the Shire to meet this demand is mostly dictated by the availability of reticulated sewer service.

#### Proposal

In order to provide greater flexibility in the size and type of housing that may be constructed close to the town centre and so promote a variety of housing choice to meet different lifestyle needs which will contribute to the economic, social and environmental sustainability of the town.

The proposed Balladong ODP demonstrates an innovative design approach to the conservation of the heritage precinct values and the integration of aged accommodation. Support from the Shire of York and the local community has been achieved.

It is proposed by the applicant that the site be rezoned Residential R5-R40 with Additional Uses inserted in Schedule 2 of the Shire of Yorks TPS No.2, which provides for Aged Or Dependent Persons' Dwelling, Tourism Facilities, small scale Retail/Café, Heritage Conservation and Enhancement, Recreation and Public Open Space Reserves in accordance with the approved Outline Development Plan.

It is recommended that:

That Council adopts Scheme Amendment 30 with minor modifications, as follows:

Amending the Scheme map by rezoning Balladong Farm being Lot 12, Certificate of Title Volume 1399, Folio 919 (DP 10 990) and Lot 9 Certificate of Title Volume 1102, Folio 705 from General Agriculture Zone to a Special Use zone in the Shire of York Town Planning Scheme No.2.

Adding to Schedule 3, the following:

**SCHEDULE 3  
SPECIAL USE ZONES**

<b>No.</b>	<b>PARTICULARS OF LAND</b>	<b>SPECIAL USE</b>	<b>CONDITIONS</b>
4	Balladong Farm, Great Southern Highway, York as depicted on the Local Planning Strategy Maps (2007).	Residential development, aged persons units, tourist accommodation and facilities, Heritage Conservation of Balladong Farm buildings, shop and community facilities.	<p>Subdivision and development shall be in accordance with an approved Development Area Plan and will be subject to a formal planning application.</p> <p>All development within the site will comply with Council's Policy on Heritage Precincts and Places.</p>

It is envisaged Council and the Western Australian Planning Commission will use the attached Outline Development Plan for Balladong Farm (ODP) as a framework to assess subdivision and development in the area proposed.

**Public Open Space**

Public Open Space provisions will apply.

**Developer Contributions**

Developer Contributions will apply in accordance with the Model Scheme Text or other appropriate documentation.

**Statutory**

The Local Planning Strategy provides direction and strategies for this area, as follows:

**2.3.8 Heritage**

**Objective:**

- Recognise the opportunity to protect and preserve the significant heritage values of York and promote new development that integrates and enhances these values.



### 2.3.9 Heritage and Retirement Living Precinct

**Objective:**

- Facilitate the development of a integrated Heritage and Retirement Living Precinct that accommodates a wide variety of retirement household needs and which is centred around the significant historic values of Balladong Farm and the Avon River.
- To provide a balance between protecting the significant heritage values of Balladong Farm whilst allowing development that is consistent with, and which enables, these values to be enhanced and maintained.

**Strategies:**

- a. Ensure that the significant heritage values of Balladong Farm are protected, enhanced, maintained and integrated into any new development in consultation with the Council of WA and the National Trust.
- b. Ensure that as part of any development, the proponent prepares a management plan for the significant heritage values of Balladong Farm.
- c. Ensure that a variety of accommodation and lot sizes are provided to allow for the development of a mix of housing types to cater for various retirement needs.
- d. Ensure that development is appropriately planned for to avoid ad hoc development and adverse impacts on the heritage values of Balladong Farm, the Avon River and Bland Brook through requiring the preparation of an Outline Development Plan that addresses issues such as heritage protection, land assembly, developer contributions, infrastructure provision, transport and pedestrian networks, interface with the Avon River, pedestrian access along the Avon River foreshore, protection of flood prone areas, open space and providing a continuous open space corridor for Bland Brook.

**Actions:**

78. Undertake a structure planning exercise for the precinct to identify opportunities and constraints and provide guidance on the heritage, retirement living, environmental and development issues that need to be addressed.
79. Amend the scheme to make provision for such planning when development is proposed including provisions for the preparation of an Outline Development Plan and management plan for the significant heritage values of Balladong Farm.





**PLANNING AND DEVELOPMENT ACT 2005**

**SHIRE OF YORK**

**TOWN PLANNING SCHEME NO. 2 - AMENDMENT NO. 30**

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:

***That Council adopts Scheme Amendment 30 with minor modifications, as follows:***

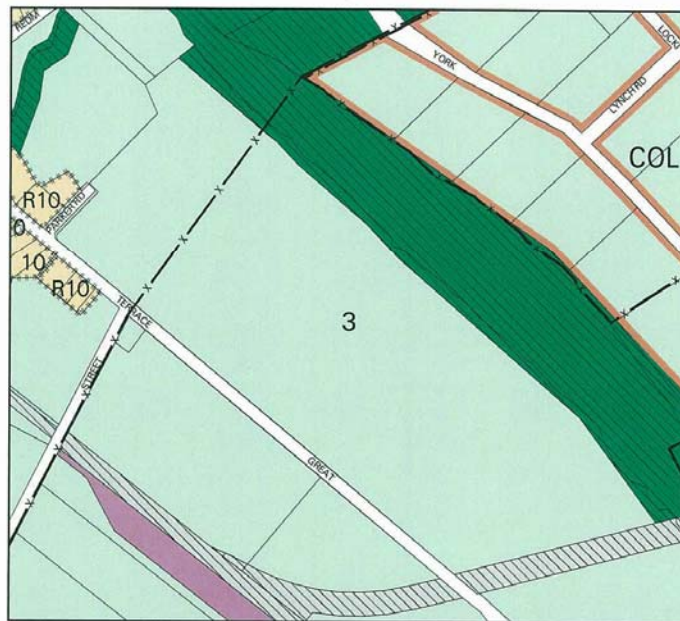
***Amending the Scheme map by rezoning Balladong Farm being Lot 12, Certificate of Title Volume 1399, Folio 919 (DP 10 990) and Lot 9 Certificate of Title Volume 1102, Folio 705 from General Agriculture Zone to a Special Use zone in the Shire of York Town Planning Scheme No.2.***

***Adding to Schedule 3, the following:***

**SCHEDULE 3  
SPECIAL USE ZONES**

<b>No.</b>	<b>PARTICULARS OF LAND</b>	<b>SPECIAL USE</b>	<b>CONDITIONS</b>
4	Balladong Farm, Great Southern Highway, York as depicted on the Local Planning Strategy Maps (2007).	Residential development, aged persons units, tourist accommodation and facilities, Heritage Conservation of Balladong Farm buildings, shop and community facilities.	Subdivision and development shall be in accordance with an approved Development Area Plan and will be subject to a formal planning application.  All development within the site will comply with Council's Policy on Heritage Precincts and Places.





EXISTING ZONING

#### LEGEND

York Z 2

RECREATION AND OPEN SPACE

RURAL RESIDENTIAL

PUBLIC PURPOSES

RESIDENTIAL

GENERAL AGRICULTURE

RAILWAY

INDUSTRIAL

ROAD

LPS Rcodes - Capture data

LPS Town Bdy Land Act - Capture data

LPS Cadastre - Capture data

LPS Map sheets Boundaries - Capture data



Department for  
Planning and Infrastructure



SHIRE OF YORK

TOWN PLANNING SCHEME NO 2

AMENDMENT NO. 30



Scale 1:8930

0 125 m

Mapping to be inserted once zoning is to be accepted by Council.

## 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.....2008

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

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

## 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 .....2008

- (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

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





**9. OFFICER'S REPORTS**  
**9.1 DEVELOPMENT REPORTS**  
**9.1.6 Extractive Industry Licence – Local Law**

*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.*

<b>FILE NO:</b>	<b>Mo 4.60354</b>
<b>COUNCIL DATE:</b>	<b>24 November 2008</b>
<b>REPORT DATE:</b>	<b>13 November 2008</b>
<b>LOCATION/ADDRESS:</b>	<b>Lot 45/801 Morris Edwards Drive, York</b>
<b>APPLICANT:</b>	<b>Flame Tree Nominees Pty Ltd/Yarnell Pty Ltd</b>
<b>SENIOR OFFICER:</b>	<b>R Hooper, CEO</b>
<b>REPORTING OFFICER:</b>	<b>T Cochrane, MATS</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>Appendix A - Documentation</b>
<b>DOCUMENTS TABLED:</b>	<b>Nil</b>

**Summary:**

The property owners and applicants are requesting Council's permission to have an extractive industry licence approved at Lot 45/801 Morris Edwards Drive, York.

**Background:**

The subject property is zoned 'General Agriculture' under the Shire of York Town Planning Scheme No. 2.

This proposal requires two separate application processes. Firstly the planning consent of Council is required for an extractive industry and the second process is an application for a license to be issued under the Extractive Industry Local Law (dealt with in Item 9.1.4).

**Consultation:**

The application was advertised for public comment in accordance with the Shire of York Town Planning Scheme, four submissions were received.

**Submission 1 – Main Roads WA:**

*"...To ensure there is no detrimental effect from the proposal to the safe and efficient movement of traffic on Chidlow-York Road via Morris Edwards Road, the Shire should consider the following.*

- *The volume and type of vehicle proposed by the development.*
- *Whether existing access onto Chidlow-York Road is adequate to allow safe entry and exit onto the main road.*
- *The intersection of Chidlow-York Road and Morris Edwards Drive may require upgrading to accommodate the increase in heavy vehicles.*

The cost of any improvements will be the responsibility of the proponent."

**Submission 2 – Resident:**

*"We wish object in the strongest terms to the proposed development of Lot 801 for use as a Quarry for the extraction of rock. Our property, Lot .... Our objections are on the following grounds:*

## **Noise**

*...the sound carries very well and on the occasions that we have seen people in this area we can hear voices quite clearly, even at normal speaking levels. The prospect of day-long heavy machinery, reversing beepers, cutting tools, jack-hammers, rock breakers and explosives would be unbearable.*

## **Appearance**

*We purchased our property primarily for its beautiful views for which we paid a premium price. From where our house is, just in front of Mount Bakewell will be the quarry – an ugly scar on an otherwise impressive view. We would hate our panorama of the beautiful Avon countryside to turn into a first class view of something akin to the Kalgoorlie “super pit”. We appreciate that this is hard to explain in words – the attached photograph gives a clearer appreciation of what we stand to lose. The quarry is marked as ‘A’ on the picture*

*We would also like to point out this section from the Shire's Local Planning Strategy – section 2.4.3 Western Slopes 2(a)*

- c. **Any development to have regard for protection of views**, particularly those from Great Southern Highway.*

## **Location**

*There are five properties in the immediate vicinity, all of which are small landholder lots – currently used as lifestyle blocks or hobby farms. Most of the residents are here for the seclusion and tranquillity that this area provides.*

*Whilst it may be true that this area has been used as a quarry in the 1980s we would like to point out that the circumstances back then were completely different to the present day. At that time all of the adjoining lots were part of same farm as Lot 801. In the 1990s the owners subdivided and sold off the surrounding lots creating a neighbourhood of small acreage blocks upon which several houses now sit. It seems quite immoral that the very people responsible for creating this neighbourhood now propose to build what amounts to an industrial estate on their doorstep.*

*As recently as a few months ago, the current owners sold off Lot 800 which borders the proposed quarry site to the west. It is our understanding that the boundary was changed so that the new owners could build a house with views similar to our own. Yet only a few months after of this being sold, there appears an application to perform industrial mining not 500m away. We find this kind of behaviour distinctly underhand.*

## **Explosives**

*The proposed quarry is only 3.7Km from the centre of town as measured by direct line from the York Post Office. The noise from explosives will no doubt be audible at this distance. Is this what tourists come to York to experience?*

*For us in the immediate vicinity, apart from the loudness of the noise that will disturb animals and the risk of flying debris, there is an additional danger of structural damage by vibration. All of the houses on the neighbouring blocks are double-brick homes. The ground in this area is heavy clay so any vibrations are likely to be felt at extended distances. The closest house is on Lot 428 which is a mere 350m from the proposed site.*

*The application also talks about closing off the area including all access via Morris Edwards Drive when blasting is due to take place. We would like to point out that this is our only means of access to our properties. This effectively makes us prisoners in our own homes at whatever times the operators of the quarry deem it suitable for them to detonate their explosives.*

**Need**

The Shire's Local Planning Strategy<sup>3</sup> states in section 2.3.4:

*It is unlikely that more than one hard rock quarry would be required in the shire in the foreseeable future, although there is potential for granite to be cut into blocks for dimension stone, and a quarry exists to the south of York although production has been intermittent.*

*In contrast to gravel which is used locally for road building, the rock from this quarry will be shipped straight to the city. According to the proposal it will be used in Fremantle Harbour – i.e. it will end up in the Indian Ocean. This seems like a sad waste to us. Clearly there is no demonstrated benefit to the local area.*

**Traffic**

*Since the rock will have to be transported long distances by road, we can look forward to long, heavily laden vehicles travelling (very slowly) along the Chidlow-York Road with the associated impact on our already overstretched road infrastructure.*

*Morris Edwards Drive is not gazetted as a heavy vehicle route. Also the intersection with Great Southern Highway is potentially dangerous for slow moving traffic joining the road as the speed limit on the highway is 110Km/h.*

*The application neglected to mention both the size and the number of trucks that would be leaving each day although the term Road Train was mentioned at some point.*

**Environment**

*In the 9 years we have had our property in York, we have seen the wildlife population increase dramatically. Studies<sup>4</sup> have shown that prolonged excessive noise has a detrimental effect on wildlife numbers and their health. This can only be detrimental to the dwindling population of native animals in this area.*

*The area around the quarry is quite overgrown and will no doubt require the clearing of trees to make access for mining equipment and large vehicles. This will result in the reduction of habitat for native animals. There is also the risk of the spread of Phytophthora (Dieback) where soil disturbance is followed by mass vehicle movements which carry the spores on their tyres.*

**Devaluation**

*If this proposal is approved, a significant reduction in property prices is inevitable in this area. Who wants to live next to an industrial area with heavy machinery running all day and explosives being detonated periodically? We put it to the councillors that should they ever find themselves in this situation they would be writing a letter very similar to this.*

**Dust**

*Strong winds often blow in this direction particularly during summer. Apart from the nuisance factor there are potential health effects. Inhalation of dust particles that have been linked to lung problems such as silicosis. Animals that graze the land in this area and will be similarly affected.*

## **Water**

This area is not supplied with scheme water, consequently water for mining equipment and processing will have to be taken from other sources. Similarly there is no sewerage so any waste water will have to be disposed of in a responsible manner. Depending on the amount of water required there may be adverse effects on the water table in this area water and/or contamination due to incorrect disposal. All water from this region drains towards the Avon River so whatever starts here has the potential to affect many more people closer to town.

## **Future development**

The shire has already taken steps to approve the Daliak Precinct<sup>2</sup> as a residential area. We would like to point out that the proposed quarry will be located only 600m from the closest end of this new precinct. This is not an appropriate land use for something so close to a residential area.

## **Summary**

We believe the above are all valid reasons for objection to this proposal and are backed up by the Shire's own policies. To quote from the Town Planning Scheme<sup>1</sup> (Bold emphasis is ours)

### **4.15 General Agriculture Zone**

#### **4.15.1 Objectives:**

- (a) To ensure the continuation of **broad-hectare agriculture as the principal land use in the district** encouraging where appropriate the retention and expansion of agricultural activities.
- (b) To consider non-rural uses where they **can be shown to be of benefit to the district and not detrimental to the natural resources or the environment.**
- (c) To allow for facilities for tourists and travellers, and for recreation uses.
- (d) **To have regard to residential use of adjoining land** at the interface of the General Agriculture zone with other zones to avoid adverse effects on local amenities.

#### **4.15.2 Development:**

**Having regard to the scenic values of the district and the views from roads the local government may refuse an application for planning consent if, in the opinion of the local government, the development if approved will have a detrimental effect on the rural character and amenities.**

We realise that it may be possible for the applicant to address each of the objections above in turn and squeeze through on each point by just managing to meet some minimum obligation. The point is that all of these smaller issues add up to one big issue and cannot be considered in isolation.

The question here is not can this be approved but rather should it be approved. Just because it is technically possible to do something doesn't mean that it should be done. There is also a matter of ethics involved here. The Shire has the perfect clause in its Town Planning Policy to cover this within its zoning classification:

*'AA' means that the use is not permitted unless the local government has exercised its discretion by granting planning consent.*

The key word here is discretion. The dictionary defines this as:

- The power of making free choices unconstrained by external agencies
- The trait of judging wisely and objectively

We hope the council will act "wisely and objectively" and decline this application for the benefit of the local community. York is a quiet country town with a strong heritage background, a thriving tourist industry and some beautiful scenery. Does this kind of activity really belong here - we think not. We are hoping that the Council will see this application for what it is and do the right thing on behalf of its residents.

## References:

- [1] Shire of York Town Planning Scheme No. 2
- [2] Shire of York Council Minutes - July 2008
- [3] Shire of York Local Planning Strategy
- [4] Fletcher, J.L., 1980. Effects of noise on wildlife: a review of relevant literature 1971-1978. Pages 611-620 in J.V. Tobias, G. Jansen, and W.D. Ward, eds. Proceedings of the Third International Congress on Noise as a Public Health Problem. Am. Speech-Language-Hearing Assoc., Rockville, MD."

### Submission 3:

*"I viewed the preliminary documents on the above proposal at the York Shire offices on 23rd October 2008. At that time there were only three pages to the proposal. Since then a larger more informed document has been advertised for public comment, I hope to view this document before the 14th of November. My comments are based only on the information in the preliminary proposal as they were advertised as being due on or before the 31st October 2008.*

*We are residents of Lot .....The reason why we bought a block in this area was to live in a rural environment rather than urban, industrial or small special rural. Our house sits high on the hill overlooking the Davies farm, a location that was not only appealing but added also to the value of the block.*

*Subdivision of farm lots creates new housing and different lifestyles, the original owners profit from the subdivision and I am sure are fully aware of the longer term consequences of subdividing their land. One of these consequences is neighbours and the consideration of their use of the land and lifestyles. Had Fernleigh not been subdivided an extractive industry would not be a problem, or if the extraction was in an area closer to the centre of the farm there would be little disruption to other landholders. This appears not to be the case.*

*My concerns are the exit path of the trucks, the level of activity and if there will be any regular blasting and road closures. How much material will be extracted and over how long a duration.*

*We are not objecting formally, this decision will be made after reading the second planning documents."*

### Submission 4: Resident

*"We object to the above proposal on the following grounds:*

- (10) ...only .... metres by GPS from the wall of the existing quarry which is much less than the 400 metres specified for the crib hut and much less than the sentry points on Morris Edwards Drive and the Great Southern Highway. At this distance and difference in elevation the effects of flying debris and dust will have an adverse effect on our only drinking supply which is rainwater from the house and shed roofs stored in tanks.*
- (11) During the course of drilling, blasting and transport the effects on our detrimental to both our house and bore. Along with this will be the constant noise of loaders and trucks operating on the site.*
- (12) With the use of explosives the requirements for a powder magazine are laid down by law but as this is only a single shift, 5 day operation and the position of the quarry, the security of the explosives could be in doubt. Any unauthorised persons entering the site and starting any equipment could easily finish up on our property if not in our house. There is no mention of security guards during non-work periods.*
- (13) According to the Risk Assessment Record, dust suppression is used at all times even when no work is being carried out, other than when it is raining, our house and shed roofs*

*will constantly be covered in dust which will increase the risk of silicosis and other breathing difficulties to anyone visiting our property but mainly to ourselves.*

- (14) *During the after rainstorms water issues from the face of the quarry and flows eventually down to the dam next to our house which hosts a diverse range of frogs and yabbies. This also attracts a varied range of bird life. What precautions, if any, will be taken to prevent this dam from becoming polluted as it eventually feeds into the Avon River?*
- (15) *During the periods of preparation and detonation it is indicated that vehicles will be stopped from entering the site at the point where the Old Perth Road meets Morris Edwards Drive, as this is our only means of ingress and egress does this mean:*  
(a) *We will not be allowed access to our property, or*  
(b) *We will have to leave our property during this time?*  
*If either or both of these are correct it is totally unrealistic and if it is not correct and anything untoward happens then we are in a position of danger and would come under Duty of Care Regulations if not OH & S legislation.*
- (16) *The point of access onto Morris Edwards Drive and the Great Southern Highway are at best difficult and at worst extremely dangerous, at the moment, for a light truck as vehicles turn off the highway at considerable speed giving rise to frequent near misses. A road train entering at this point will have difficulty proceeding into Morris Edwards Drive due to the closeness of the highway junction and also onto the highway as the road curves from this point and vehicles proceeding down the hill at the maximum speed limit will be lucky to avoid the rear trailer.*
- (17) *The Risk Assessment Record submitted with the proposal was obviously produced by a person sat at a desk in an office. As I have created numerous of these documents I find this totally inadequate and the risk levels incorrect in many cases. As we are the nearest residents to the proposed site we would hope that the controls relating to the hazards in various tasks which would appear too many people good, to a person trained in this field, they are totally inadequate. If the proposal is accepted these will need to be corrected and expanded before work begins.*
- (18) *If this proposal is granted the value of our property will drop significantly, possibly to the point of being unsaleable. IF this should occur then we would require compensation and the rateable value of the property would need to reduce by the same percentage.*

*In the documentation we have seen there is little or no acknowledgement of the local population and as the area was divided into small lots to encourage more people to settle in the area, we feel such a development would be contrary to the efforts of the local Shire Council and the people of York.*

*As we purchased this property for our retirement, after having moved many times during our married life, we hope that this proposal will be turned down so we can end our days in the peace and tranquillity of this beautiful part of Western Australia."*

Meetings were held with the applicant and it was agreed that the applicants would meet with the surrounding neighbours and advise of the processes involved with the rock quarry. The applicants were also to ensure that there were no dwellings within a 500 metre radius. The submission period has shown that there is a dwelling located within this buffer distance and therefore the following correspondence was sent to the applicant:

*"Further to the meeting on the 9<sup>th</sup> October 2008 where the following requests were made and agreed upon:*

- *That you would ensure that the nearest dwelling was at least 500 metres away from the proposed site; and*

- *That you would visit all property owners in the near vicinity to explain the process.*

*It would appear that the above processes were not completed, as Council has received a submission stating that there is a dwelling located only 128 metres from the wall of the existing quarry.*

*It is disappointing that the research was not conducted thoroughly. The Officers recommendation to Council will not support the application for an Extractive Industry Licence under the Local Law."*

#### **Statutory Environment:**

Part one of this application is an application for planning consent in accordance with Town Planning Scheme No. 2.

In the zoning table an extractive industry is an "AA" use in the 'General Agriculture' zone. An 'AA' use is defined in the Scheme as:

*"AA' means that the use is not permitted unless the local government has exercised its discretion by granting planning consent."*

In addition to the requirement for planning consent any proposal for an extractive industry requires a license to be issued under the Local Law relating to Extractive Industry. Clause 2.1 of the local law states:

*"2.1 A person must not carry on an extractive industry -*

- (a) unless the person is the holder of a valid and current licence; and*
- (b) otherwise than in accordance with any terms and conditions set out in, or applying in respect of, the licence."*

If the conditions of an Extractive Industry Licence are breached then action will be taken in accordance with the Shire of York's Extractive Industry Local Law.

The following terms are extracts from the Shire of York Local Planning Strategy and are provided for information:

#### **2.3.4 Minerals and Basic Raw Materials**

The potential for extractable minerals and materials in the Shire is generally restricted to basic raw materials, however, significant exploratory drilling has occurred in 2005 and 2006 for gold and other metals. Basic raw materials of hard rock, sand, and gravel must be reserved and protected with buffers to ensure their staged utilisation during future development of the shire. Excavations for basic raw materials take up very small areas when compared to the total area occupied by roads, houses, or other land uses. Without their ready availability, however, development could be restricted through conflicting land uses.

Quartz sand occurs in both the western and eastern parts of the shire. Frequently this sand requires little or no processing apart from perhaps screening. Laterite gravel is present on the plateau remnants. However, these areas remain covered by remnant vegetation. Currently, active and completed gravel pits bottom on duricrust that restricts rehabilitation and future land use. Hardrock resources occur where basement granite is exposed. It is unlikely that more than one hard rock quarry would be required in the shire in the foreseeable future, although there is potential for granite to be cut into blocks for dimension stone, and a quarry exists to the south of York although production has been intermittent.

#### **Section 2.3.6 - Planning Implications:**

- Areas suitable for basic raw material extraction need to be protected from encroachment by inappropriate uses.

- Impact of extractive industry on adjoining landowners, the environment and the transport network.

### 3.1.9 Buffers

Developments that may need a buffer include industries (including rural and extractive), agriculture, infrastructure and services. Buffer requirements are generally guided by State and regional policy, including that which is set by the Environmental Protection Authority, Western Australian Planning Commission and the Department of Industry and Resources. Any proposed land use or expansion of an existing land use that may require a buffer should be referred to the relevant State Government Department for advice.

#### **Actions**

10. Identify and map the current and proposed basic raw material extraction operations in the Shire and the location of high quality, high volume basic raw material resources elsewhere in the Shire.
11. Prepare a local planning policy on basic raw materials that addresses issues such as buffer requirements, traffic impacts, management plan requirements and community consultation.
87. Review scheme to ensure that a range of agricultural uses, tourism and basic raw materials are permissible with discretion of Council and that guidance is given on what basis such applications will be assessed and what conditions imposed through Scheme provisions or policies.
93. Review scheme to ensure that tourism and basic raw materials are permissible with discretion of Council and that guidance is given on what basis such applications will be assessed and what conditions imposed through Scheme provisions or policies.
99. Review scheme to ensure that a range of agricultural uses, tourism and basic raw materials are permissible with discretion of Council and that guidance is given on what basis such applications will be assessed and what conditions imposed through Scheme provisions or policies.
106. Review scheme to ensure that a range of agricultural uses, tourism and basic raw materials are permissible with discretion of Council and that guidance is given on what basis such applications will be assessed and what conditions imposed through Scheme provisions or policies.



116. Review scheme to ensure that a range of agricultural uses, tree farming, tourism and basic raw materials are permissible with discretion of Council and that guidance is given on what basis such applications will be assessed and what conditions imposed through Scheme provisions or policies.

122. Review scheme to ensure that tree farming, tourism and basic raw materials are permissible with discretion of Council and that guidance is given on what basis such applications will be assessed and what conditions imposed through Scheme provisions or policies.

This planning application identifies yet another area within York that has basic raw materials for potential extraction and use.

**Policy Implications:**

No policy implications arise from this report.

**Financial Implications:**

The maximum security bonds for rehabilitation of the site as permitted under the local law will be imposed on the project to protect the community from any future costs, if it proceeds to the extraction stage.

Planning fees of \$615.00 were paid and the advertising costs of \$104.50.

Fees associated with the application for a licence under the Local Law have been paid.

**Strategic Implications:**

The objectives of KRA 2 – Economic Development and Tourism, include:

“To ensure economic development does not conflict with York’s heritage, lifestyle and environment.”

**Voting Requirements:**

**Absolute Majority Required:**                      **No**

**Site Inspection:**

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

**Triple bottom Line Assessment:**

**Economic Implications:**

Nil at this stage.

**Social Implications:**

There is a potential for this extractive industry application to cause concerns, due to its location.

**Environmental Implications:**

Nil at this stage.

**Comment:**

Extractive industry is a special case, as it can be a temporary use or a long term use. In the case of basic raw materials, or materials used in the development of urban areas for buildings, roads and infrastructure, its cost effectiveness often requires proximity to the urban areas.

Planning consent relates to the use of the land, or a portion of that land, for a purpose in addition to the uses already permitted under the ‘general agriculture’ zoning. The term of the planning consent may be definite, for example 20 years, or open - no end date.

The issuing of planning consent identifies the use as being permitted on the subject land; it does not permit the excavation to occur. For excavation to occur a license under the Extractive Industry Local Law must be issued. This license is the controlling power over the actual removal of the resource from the land. It is proposed that any approval under the local law be limited to five years. If at the conclusion of that time further activities are planned the applicant will have to again make application for a license. Extension of the activities outside the condition of the license is an offence under the local law.

The 'general agriculture' zone is the only zone within the scheme area where an extractive industry can be permitted, however there is the potential for environmental and social problems occurring due to the location of dwellings.

The use of the land for the purpose of an extractive industry should not be supported at this time.

#### **OFFICER RECOMMENDATION**

#### **RESOLUTION**

**111108**

**Moved Cr Lawrance**

**Seconded Cr Boyle**

***"That Council advise Flame Tree Nominees and Yarnell Pty Ltd that it does not approve an Extractive Industry Licence under the Local Law due to the following reasons:***

- 1. Insufficient information has been received;***
- 2. A dwelling not associated with the proposal is located within the 500 metre buffer area; and***
- 3. Planning consent has been refused."***

**CARRIED (5/0)**



**Yarnell Pty Ltd**



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17 October 2008  
SHIRE OF YORK  
PO BOX 22  
YORK, WA 6302  
FAX: 9641 2202

Attention: Tyhscha Cochrane/Ray Hooper

Dear Ms Cochrane

**RE : EXTRACTIVE INDUSTRY APPLICATION**

Thank you for your assistance so far it is much appreciated.

Further to discussions please find attached our Application for Licence for Extractive Industry. I have noted on there that we are applying for an initial short term permit and also a long term permit of 3-5 years.

Also please find attached our Drilling and Blasting scheme for the initial short term permit and our Project Management Plan including our completed risk assessment for the project.

If we need to provide any further clarification please contact the undersigned.

Yours Sincerely,

Phillip Adams  
Project Manager  
Yarnell Contracting  
0419 877 264



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**Yarnell Pty Ltd T/as Yarnell Contracting & Safety Barriers WA**  
PO BOX 1906 MIDLAND DC WA 6936  
ABN 17 009 218 446  
Ph 08 9250 4431 Fax 08 9250 4432  
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♦ Civil Construction ♦ Earthmoving ♦ Subdivisions

Item		Task	Hazard	Risk Likelihood(1) Consequence(1)	Risk Level(1) Likelihood(1) Consequence(1)	Risk Likelihood(1) Consequence(1)	Risk Level(1) Likelihood(1) Consequence(1)
1	Natural Site Hazards		<ul style="list-style-type: none"> <li>Burn Land</li> <li>Wetland</li> <li>Wetland Roads</li> </ul>	<ul style="list-style-type: none"> <li>Site of Land or Person</li> <li>Damage to public or third party's property or structures</li> </ul>	High Risk	High Risk	<ul style="list-style-type: none"> <li>Fire, Smoke, Escalation</li> <li>Traffic Management Plan</li> <li>Structural Integrity checks of adjoining properties prior to blasts being conducted</li> </ul>
2	Unloading and loading machinery at site		<ul style="list-style-type: none"> <li>Machinery / Personnel Interface</li> <li>Failure of machine whilst unloading</li> <li>Machine not operating to manufacturers specifications</li> <li>Noise</li> </ul>	<ul style="list-style-type: none"> <li>Collision</li> <li>Crush Injuries</li> <li>Blackdowns</li> <li>Hearing loss</li> </ul>	High Risk	High Risk	<ul style="list-style-type: none"> <li>Transport vehicle to be parked on a hard level surface</li> <li>Assessed or VOC trained prior to operating machine including BMP and risk assessment understanding</li> <li>Exclude zone to be identified</li> <li>Hearing Protection</li> <li>Paging Procedures</li> </ul>
3	Set up work area		<ul style="list-style-type: none"> <li>Machinery / Personnel Interface</li> <li>Machinery / Machine Interface</li> <li>Wetland handling</li> <li>Slips tripe falls</li> <li>Machine not operating to manufacturers specifications</li> <li>Noise</li> </ul>	<ul style="list-style-type: none"> <li>Collision</li> <li>Crush Injuries</li> <li>Sprain strains</li> <li>Blackdowns</li> <li>Hearing loss</li> </ul>	High Risk	High Risk	<ul style="list-style-type: none"> <li>Pre-start check to be carried out</li> <li>Tools and equipment to be laid out prior to set up</li> <li>Wetland handling</li> <li>Hearing Protection</li> </ul>
4	Prestart		<ul style="list-style-type: none"> <li>Machinery / Personnel Interface</li> <li>Machinery / Machine Interface</li> <li>Wetland handling</li> <li>Slips tripe falls</li> <li>Machine not operating to manufacturers specifications</li> <li>Noise</li> </ul>	<ul style="list-style-type: none"> <li>Collision</li> <li>Crush Injuries</li> <li>Sprain strains</li> <li>Blackdowns</li> <li>Hearing loss</li> </ul>	High Risk	High Risk	<ul style="list-style-type: none"> <li>Working light to be on</li> <li>Operator to be site assessed and risk assessment understanding</li> <li>Traffic management to be in place</li> <li>Longitudinal grade of road not to exceed 20 degrees with hard compacted soil 10 degrees for uncompact</li> <li>Records of competency to be kept in personnel file on site and competency shown on training matrix</li> <li>Guiding to be in place</li> <li>Vehicle to be warmed up for 5mins before use</li> </ul>
5	Paving		<ul style="list-style-type: none"> <li>Machinery / Personnel Interface</li> <li>Fuel Spill</li> </ul>	<ul style="list-style-type: none"> <li>Collision</li> <li>Environmental Damage</li> <li>Fire of Land or Person</li> <li>Explosion</li> <li>Pollution</li> </ul>	High Risk	High Risk	<ul style="list-style-type: none"> <li>No Smoking in Area</li> <li>Well Ventilated Area</li> <li>Equipment Checked and Maintained for proper operation</li> <li>Eye Protection</li> <li>Eye Creams</li> <li>Water to be used if required (depending on dust level)</li> <li>No person in area of scaling</li> </ul>
6	Drilling		<ul style="list-style-type: none"> <li>Noise</li> <li>Overturns</li> <li>Dust</li> <li>Fractured Rock face</li> </ul>	<ul style="list-style-type: none"> <li>Crush Injuries</li> <li>Hearing Loss</li> <li>Low Visibility</li> <li>Falling Rock</li> </ul>	High Risk	High Risk	<ul style="list-style-type: none"> <li>Visual Assessment of rock face</li> <li>Excavator attended to scale rock face</li> <li>Eye Protection</li> <li>Eye Creams</li> <li>Water to be used if required (depending on dust level)</li> <li>No person in area of scaling</li> </ul>
7	Blasting		<ul style="list-style-type: none"> <li>Flyrock (stones)</li> <li>Blindfire</li> <li>Overturns</li> <li>Noise</li> <li>Vibration</li> <li>Machinery / People in blasting zone</li> <li>Gas submer</li> </ul>	<ul style="list-style-type: none"> <li>Crush injuries / Death</li> <li>Crush injuries</li> <li>Hearing Loss</li> <li>Fire of Land or Person</li> <li>Damage to public or third party's</li> </ul>	A-Almost Certain	High Risk	<ul style="list-style-type: none"> <li>Blind zones to be identified</li> <li>Work while site approved hours</li> <li>Notification of nearby land owners, third parties of blast times, vibration monitoring etc. (Letter, doorknock)</li> <li>UHF Comm, signage displaying channel</li> <li>Traffic Management to be in place to keep area clear</li> <li>Blasters to clear All People / Plant outside of blast zone</li> <li>Signs to be erected to ensure clear area before detonation</li> <li>Follow Blast Procedures</li> <li>Follow Blast Procedures</li> <li>Hard Hat</li> <li>Goggles to be in place</li> <li>Work during in the day</li> <li>Work done and after detonation before entering blast zone</li> </ul>
8	Earthmoving / Mobilising machinery around site		<ul style="list-style-type: none"> <li>Vehicles / Machinery Interface</li> <li>Vehicles / Personnel Interface</li> </ul>	<ul style="list-style-type: none"> <li>Collision</li> <li>Crush Injuries</li> <li>Roll-overs</li> <li>Falls</li> </ul>	C-Possible	High Risk	<ul style="list-style-type: none"> <li>Diving circuit to designed and monitored</li> <li>Current drives license</li> <li>Cherry lift speed limit and stay all traffic signs</li> <li>All machinery/equipment to be tied down and restrained as per the vehicle haul restraint guidelines</li> <li>Machine Operator to be well assessed</li> </ul>
9	Pick up site and dismantle machinery from site		<ul style="list-style-type: none"> <li>Machinery / Personnel Interface</li> <li>Fuel Spill</li> <li>Machine not operating to manufacturers specifications</li> <li>Noise</li> </ul>	<ul style="list-style-type: none"> <li>Collision</li> <li>Crush injuries</li> <li>Hearing loss</li> </ul>	High Risk	High Risk	<ul style="list-style-type: none"> <li>Transport vehicle to be parked on a hard level surface</li> <li>Operator to be site assessed and risk assessment understanding</li> <li>Operator to ensure area is clear of all personnel prior to lowering ramps, raising ramps and loading</li> <li>Ramps to be able to sustain total weight of machine</li> <li>Ramp angle not to exceed 30 degrees</li> <li>Work done and after detonation before entering blast zone</li> <li>Work done and after detonation before entering blast zone</li> <li>PPE</li> </ul>

				<b>Location Work Area:</b> Morris Edwards Rd Quarry <b>Date of this Revision:</b> 21/02/08 <b>Risk Assessment For:</b> York, Morris Edwards Road Quarry		<b>Company:</b> Morris Edwards Rd Quarry <b>Contact Number:</b> 21/02/08 <b>Revision No. 1</b>	
<b>RISK ASSESSMENT RECORD</b>							
Item	Task	Hazard	Risk/Hazards "What can go wrong?"	Level(1) Likelihood(1) Consequence(1)	Level(2) Likelihood(2) Consequence(2)	Controls	Risk
1	Natural Site Hazards	<ul style="list-style-type: none"><li>Bulk Land</li><li>Homes</li><li>Nearby Roads</li></ul>	<ul style="list-style-type: none"><li>Fire of Land or Person</li><li>Damage to public or third party's property or structures</li></ul>	High Risk B-Likely 3-Moderate	High Risk D-Unlikely 3-Moderate	<ul style="list-style-type: none"><li>Fire Breaks</li><li>Backburning</li><li>Structural Management Plan</li><li>Threats Integrity checks of adjoining properties prior to blasts being conducted</li></ul>	Moderate D-Unlikely 3-Moderate
2	Unloading and loading machinery at site	<ul style="list-style-type: none"><li>Machinery / personnel interface</li><li>Falling of machine whilst unloading</li><li>Machine not operating to manufacturers specifications</li><li>Noise</li></ul>	<ul style="list-style-type: none"><li>Collision</li><li>Crush injuries</li><li>Spalling materials</li><li>Breakdowns</li><li>Hearing loss</li></ul>	High Risk B-Likely 3-Moderate	High Risk D-Unlikely 3-Moderate	<ul style="list-style-type: none"><li>Transport vehicles to be parked on a hard level surface</li><li>Excavation zone to be identified</li><li>Excavation zone to be fenced</li><li>Warning signs</li><li>Tagging Procedures</li></ul>	Moderate D-Unlikely 3-Moderate
3	Set up work area	<ul style="list-style-type: none"><li>Machinery / Personnel Interface</li><li>Machinery / Machine Interface</li><li>Manual handling</li><li>Slips trips falls</li><li>Machinery not operating to manufacturers specifications</li><li>Noise</li></ul>	<ul style="list-style-type: none"><li>Collision</li><li>Crush injuries</li><li>Spalling materials</li><li>Breakdowns</li><li>Hearing loss</li></ul>	High Risk D-Unlikely 4-Major	High Risk D-Unlikely 4-Major	<ul style="list-style-type: none"><li>Pre-start check to be carried out</li><li>Excavation zone to be laid out prior to set up</li><li>Warning signs</li><li>Tagging Procedures</li><li>Warning Protection</li></ul>	High Risk D-Unlikely 4-Major
4	PreStart	<ul style="list-style-type: none"><li>Machinery / Personnel Interface</li><li>Manual handling</li><li>Slips trips falls</li><li>Machinery not operating to manufacturers specifications</li><li>Noise</li></ul>	<ul style="list-style-type: none"><li>Collision</li><li>Crush injuries</li><li>Spalling materials</li><li>Relieves</li><li>Hearing loss</li></ul>	High Risk C-Possible 3-Moderate	High Risk D-Unlikely 3-Moderate	<ul style="list-style-type: none"><li>Flashing light to be on</li><li>Operation to be site assessed and risk assessment understanding</li><li>Traffic management to be in place</li><li>Minimum safe distance to be maintained</li><li>Minimum safe grade of road not to exceed 20 degrees with hard compacted soil 10 degrees for uncompact soil</li><li>Records of competency to be kept in personnel file on site and competency shown on training matrix</li><li>Warning signs to be in place</li><li>Warning signs to be in place</li><li>Vehicle to be warmed up for 5mins before use</li></ul>	Moderate D-Unlikely 3-Moderate
5	Fueling	<ul style="list-style-type: none"><li>Machinery / personnel interface</li><li>Fuel Spill</li></ul>	<ul style="list-style-type: none"><li>Collision</li><li>Environmental Damage</li><li>Fire of Land or Person</li><li>Explosion</li><li>Fume Inhalation</li></ul>	High Risk D-Unlikely 4-Major	High Risk D-Unlikely 4-Major	<ul style="list-style-type: none"><li>No Smoking in Area</li><li>Well Ventilated Area</li><li>Equipment Checked and Maintained for proper operation</li><li>Warning signs</li><li>First Aid Kits</li><li>Extinguishers</li></ul>	High Risk D-Unlikely 4-Major
6	Drilling	<ul style="list-style-type: none"><li>Noise</li><li>Overhangs</li><li>Dust</li><li>Fractured Rock face</li></ul>	<ul style="list-style-type: none"><li>Crush injuries</li><li>Hearing Loss</li><li>Low Visibility</li><li>Falling Rock</li></ul>	High Risk C-Possible 4-Major	High Risk D-Unlikely 3-Moderate	<ul style="list-style-type: none"><li>Visual Assessment of rock face</li><li>Excavation zone to be fenced</li><li>Excavation zone to be fenced</li><li>Excavation zone to be fenced</li><li>Excavation zone to be fenced</li><li>Excavation zone to be fenced</li><li>Excavation zone to be fenced</li><li>Excavation zone to be fenced</li><li>Excavation zone to be fenced</li><li>Excavation zone to be fenced</li><li>Excavation zone to be fenced</li><li>Excavation zone to be fenced</li><li>Excavation zone to be fenced</li><li>Excavation zone to be fenced</li><li>Excavation zone to be fenced</li><li>Excavation zone to be fenced</li><li>Excavation zone to be fenced</li><li>Excavation zone to 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CONSTRUCTION OPERATIONS – YORK  
**DRILLING AND BLASTING SCHEME**



## Yarnell Pty Ltd Drilling & Blasting Scheme

### DRILLING AND BLASTING SCHEME

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#### Purpose

□ The purpose of the Drilling and Blasting Scheme is to provide consistent rules and procedures for Drilling and Blasting at the York Morris Edwards Rd Quarry Road

**Blast Design**

Prior to drilling blast holes, a Blast Proposal Form (Appendix C) shall first be completed by the Shot firer and should include the following:

1. Blast details including pit name, shot number, RL, bench height.
2. Hole angle and drilling depth.
3. Accurate diagram of the blast area including blast direction, position with respect to other blasts and north point.
4. Burden, spacing and hole diameter.
5. Subdrill depth.
6. Stemming height.
7. Date submitted.
8. Explosive type (ANFO/Slurry) or combination.
9. Booster types as well as surface and down hole delays.
10. Amount of charge per hole and powder factor.
11. Name of person submitting the proposal.
12. A cross-sectional diagram indicating hole angle and position with respect to wall, berm and ramp.
13. Any survey requirement.

Following completion of the Blast Proposal Form, it shall be signed off as approved for use by the Shot firer and the Quarry Manager and Yarnell Site Representative. Copies of the approved blast proposal form shall be forwarded to:

- ☐ Driller.
- ☐ Yarnell Contracts Manager.
- ☐ Yarnell Site Representative.

### **Drilling of Holes**

#### **General Safety**

1. All communication by radio shall be by UHF Radio Channel 25.
2. A hard hat must always be worn when in any area of the open pit environment except when seated inside the cabin of the drill.
3. Safety boots to be worn at all times.
4. Hearing protection (ear plugs/ear muffs) to be worn when working around drilling equipment.
5. Long hair to be tied back to minimise risk of being caught in rotating machinery.
6. No loose clothing to be worn near the drill to minimise risk of being caught in rotating machinery.
7. Red cones will be used to delineate areas where drill rig is operating. Any person entering an area where drilling equipment is operating shall notify the driller of their presence by radio contact or visual contact.
8. Prior to commencing drilling, the driller shall ensure no one is standing in a position next to the drill rig where they may be hit by flying debris whilst the hole is collared.
9. Care must be taken to climbing on and off the drill rig, ensuring three point contact is maintained at all times whilst ascending or descending the ladder / steps.
10. It is important that the drill cabin be kept tidy free of trip hazards and waste oil/grease.
11. Take extra care in wet/muddy conditions.

### **Drilling Operations**

1. Prior to drilling operations commencing, the driller shall inspect the area to be drilled noting:
  - a) Presence of any misfires from previous blasts.
  - b) Sections of loose or uneven ground that may lead to the drill becoming unstable during tramming operations
2. The drilling of blast holes shall be undertaken with reference to the relevant Blast Proposal Form that has been approved in writing by the Shotfirer and the Quarry Manager.
3. The Driller shall maintain detailed record keeping such as collapsed holes, bulled holes, distance to break through, and any other information to enable the holes to be properly charged.
4. The sequence for drilling shall be such to minimise travel over previously drilled holes.
5. All holes are to be plugged with suitable material after drilling to reduce amount of fallback or foreign material entering the hole and to prevent potential blockages.



### **Charging of Shots**

Person permitted to Fire Shots:

1. Appointed Shotfirers,
2. Trainee Shotfirer approved by Quarry Manager
3. Relieving Shotfirers, providing they have had "hands on" training in the mine blasting procedures, within the preceding six months and been appointed by the Quarry Manager.

Persons permitted to Charge Shots:

- a) Explosives may only be handled by persons authorised by the Quarry Manager or when undergoing training for the purpose of authorisation.
- b) The Shotfirer in charge of any blasting operation shall ensure by the provision of training or retraining that each person in the blast crew is adequately trained for the tasks they are required to perform, with respect to the particular blasting systems and materials being employed.

The Quarry Manager or his/her delegate will be directly responsible for the coordination and control of all blasting activities on the mine site.

### **Priming**

- a) On any shot, persons shall be delegated responsible for the assembly and distribution of priming devices and the retrieval of unused priming devices.
- b) The number of priming devices used in each blast hole will be determined by the Shotfirer and based upon the recommended design and taking into account blast hole diameter, length of explosive column, type of explosive and geology of the area.
- c) Priming devices shall be located at the recommended position in the blast hole.
- d) Where a column of explosives is, or may be, discontinuous, each part of the column will include a priming device.
- e) Where a column of explosives consists of more than one explosive type, the Shotfirer shall determine if a priming device shall be located in each explosive type.
- f) Charging of blast holes must not take place within **ten (10) meters** of drilling operations or within **ten (10) meters** of projected holes not drilled but intended in the designed blast, unless approval is given by the Quarry Manager. If it becomes necessary for equipment to come onto the shot area, e.g. Drill breakdown, it shall be carried out in accordance with procedures outlined in Appendix A.

#### **Charging of Blast holes**

- a) Charging of blast holes will be carried out in accordance with an approved blast proposal form. If variation is necessary it shall be authorised by the Quarry Manager and documented on the blast proposal form.
- b) Consideration should be given to the actual depth of blast holes, obstructions and presence of water so as to minimise loss of collar length.
- c) If a blast hole is overloaded such that the length of stemming is inadequate, the Shotfirer shall flush out the excess explosive with water to allow adequate stemming. The Shotfirer shall ensure that such hole is covered with as much stemming as is practicable and will take into account potential fly rock effects when firing the shot.
- d) All activity must be sequenced to prevent equipment passing over charged holes.
- e) Apart from explosive carrying and stemming vehicles directly engaged in charging activities, no other vehicles may pass within 6 metres a charged hole unless a safe access has been established and such vehicle is under the direction of a person delegated to the task by the official in charge of blasting operations or the Shotfirer.

#### **Fencing, Access and Nearby Activities**

- a) Access to the blast area is to be restricted by a visual barrier adjacent to the shot and by reflective warning signs placed at entry points.
- b) All vehicles, other than those directly involved with shot firing activities, must remain outside the defined barriers.
- c) Where a mobile crib hut or similar facility is used, it will be located no closer than 400 metres from the edge of the shot.

#### **Restrictions on Personnel**

- a) Other than those directly involved with the blasting operation, no person shall enter the blast area without first notifying the appointed Shotfirer of the blasting operation.

#### **Tying up of Shots**

- a) For other than instantaneous shots, shots are to be tied together in strict accordance with the agreed initiation plan as shown on Blast Proposal Form.
- b) Wherever practicable, the initiation plan will provide for two alternative signal paths to each blast hole.

## CONSTRUCTION OPERATIONS – YORK DRILLING AND BLASTING SCHEME

- c) Prior to initiating a shot, all surface connections made are to be visually inspected and the entire shot area checked in a systematic manner.
- d) The Shotfirer shall ensure the recommended practices for particular initiation devices are carried out strictly in accordance with the manufacturer's instructions.
- e) No holes shall be left tied up at the end of any workday. (No sleeping shots allowed)

### York Firing Procedures

#### General

- a) Normal blast clearing procedures as per this scheme will be undertaken for the area within the Fenced boundary. Further to this, two Yarnell Contractor vehicles will be positioned at the intersection of Morris Edwards rd and Gt Southern Hwy Construction Site. These vehicles will be fitted with flashing orange lights and have radio contact with the Blast Coordinator.
- b) Once the area within the lease boundaries is deemed clear by the Blast Coordinator and the shot is ready to be fired, then the Yarnell vehicles and personnel will block Morris Edwards rd and Gt Southern Hwy to all traffic at the points afore mentioned. (See Appendix D)
- c) In restricting the access along Morris Edwards rd, Yarnell Personnel will use the standard Stop/Go signs as used by road maintenance personal as well as having a precautionary sign down the road, indicating the Stop/Go signs use. Once the access road is clear of traffic and people, the go ahead will be given to fire the blast by the blast Coordinator. As per the scheme, traffic along Morris Edwards rd will be let through when an all clear off the blast area is given by the Shotfirer after the blast
- d) As continual radio communication is maintained with the guards and the Blast Coordinator, it is possible to delay the blast at any time to allow emergency vehicles to travel along the highway if they are required to do so.
- e) The whole procedure will be worked to minimize the impact of the Blasting operation on the York traffic, and it is considered that the guards on the Morris Edwards rd Access Road will be competent in managing the traffic to an acceptable level.

#### Electric and Non Electric Detonation

The Shotfirer/Blast Coordinator shall in conjunction with the blast checklist in Appendix B:-

- a) Ensure the guards have received the necessary instructions regarding the shot and that they clear their area before firing time. The Quarry Manager in agreement with the Shotfirer may also take on this responsibility.
- b) Post guards in position. Guards are to clear all areas from the blast outwards to their designated guarding position. A person shall not be allowed past the guard without the permission of the Shotfirer.
- c) Once the area has been confirmed as secure, run out the lead-in line or bell wire and retreat to the firing position. If firing with electric detonators, test the circuit for continuity before firing using a tester designed for such purpose.
- d) Call for radio silence. The call should include the location and type of blast to be fired. Once the radio silence call is completed, the continuous radio beeper and

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CONSTRUCTION OPERATIONS – YORK  
**DRILLING AND BLASTING SCHEME**

siren shall be switched on and a second check made to verify the blast area security.

- e) Guards when responding to verification checks shall indicate who they are and their position.
- f) The Shotfirer shall be fully satisfied that guards have carried out guarding instructions before firing.

When all elements of the above procedure are complete the Shotfirer shall:

- a) Connect the lead-in line to the firing apparatus.
- b) Announce over the two-way radio - **"Firing now"**.
- c) Fire the shot.
- d) The Shotfirer will, immediately after firing, check the blast once any dust cloud has cleared the blast area. He/she will request the guards to stay in position, and carry out a detailed inspecting of the blast area, and if there are no obvious defects; give the "All Clear", and release the guards from their positions.
- e) Radio silence may only be broken for an emergency situation

**Safe Practices to be observed during Priming and Charging**

The following safe practices are to be observed during priming and charging:

- a) Smoking is not permitted within 8 metres of a blast area.
- b) Only designated roads are to be used to gain access to the area.
- c) Driving over rills or through fences is not permitted, and may result in disciplinary action being taken.
- d) All explosives delivered to a blast site shall be stored inside the clearly defined charging area.
- e) Conveyance of explosives from the magazine to the shot shall be in the designated explosive vehicles and at the end of each day charging all unused explosives are to be returned to the magazine.

**Misfire procedures**

- a) If the cause of the misfire is not obvious the Shotfirer shall wait five minutes before making an inspection.
- b) If the misfire is to be attended to immediately, the Shotfirer shall notify the guards to remain in position and treat the misfire in accordance with the following procedures:

In the case of Electric and Non Electric Detonation

- a) Replace the surface line to the point at which the misfire occurred and attempt to re-fire.
- b) Blast area clearance for the initiation of misfires shall take account of any necessary increase of clearance radius in accordance with the potential for fly rock.

If the initiation is successful

- a) The Shotfirer shall make an inspection and announce that the shot area is clear. The guards may now leave their positions.

If the initiation is un-successful

- a) Clearly identify the location of the misfire by barricading and/or designate with an explosive sign to restrict entry to unauthorised persons. Wherever practicable the location of any misfire shall be established by survey and/or marked on the plan by a surveyor. Mining may take place in another part of the pit if the Quarry Manager has determined that it is safe to do so.
- b) Excavation shall cease in the immediate area if uninitiated explosives are found during normal operations. The Quarry Manager shall undertake a detailed examination of the site and determine whether operations can continue in another part of the pit.
- c) If a misfire is suspected due to poor profile or other reasons, mining is to be monitored, and the operator fully informed of the circumstances and to pay particular attention for any signs of a misfire. Misfired blast holes shall be dealt with as soon as possible.
- d) Uncovering of misfires shall be carried out under the supervision of the Shotfirer and will normally be carried out during daylight hours. Provided suitable lighting is available it may be done other than during daylight hours and under the supervision of the Shotfirer.
- e) Operators carrying out the recovery of misfires are to be made fully conversant with all of the circumstances by the Shotfirer, with respect to the type and quantity of explosives likely to be encountered, how to identify them, the method of initiation and the location of the holes.
- f) In all cases where a misfire has been located or suspected the Shotfirer shall make the Quarry Manager fully conversant with all of the details. The Quarry Manager will then record these details in the record book. The Shotfirer shall also complete a report to be made to the Quarry Manager of any misfire.

#### **Disposal of non-initiated Explosives**

Non initiated explosives associated with a misfire shall be disposed of by either:

- a) Flushing out with water.
- b) Initiating in-situ.
- c) Initiating at a place remote from the area.
- d) Returned to the magazine for safe keeping until final disposal can be effected.
- e) Bulk explosives may be dispersed after dealing with the detonator and primer.

#### **Sleeping Shots**

- a) Sleeping shots will not be permitted. All holes loaded on a given day shall be fired on that day within the allowable blast times.

### **Secondary Blasting**

- a) Secondary blasting may be required at any time and it will normally be the responsibility of the shot firer under the direction of the Quarry Manager.
- b) Where possible oversized material shall be broken using a rock breaker.

### **Handling of detonators**

- a) Detonators are to be treated with respect and care.
- b) All detonators and relays may be transported by a vehicle, which is transporting other explosives provided the detonators and relays are placed in separate bomb boxes.

### **Security**

- a) The Shotfirer in charge of blasting shall be responsible for the security of all magazines and the contents thereof.
- b) The Shotfirer shall ensure that the magazines are kept in good order, free of flammable material or defect and that Regulation is properly observed.
- c) The Shotfirer shall ensure that locks on magazines are in good working order and that the keys to the magazines can always be accounted for.
- d) Explosive stocks are to be regularly turned over such that old stocks do not accumulate.
- e) In co-operation with the supply controller, the Shotfirer shall ensure a daily stocktake to ensure all explosives are accounted for.
- f) The Shotfirer shall notify the Quarry Manager and the police immediately any loss or suspected loss of any explosive material is discovered.
- g) Any misuse or theft of explosive is a dismissible offence.
- h) Explosive materials shall not be used on the mine site for any purpose other than blasting cap rock used for construction purposes without the separate permission of the Quarry Manager. This rule will also apply to the use of explosive powered tools.

**Appendix A: Procedure for equipment other than that used in the charging of a shot**

Where it becomes necessary for equipment, other than that used in the charging of the shot holes, to be brought on to the shot area during charging, e.g. Bogged equipment and equipment to repair the drill when it cannot be moved, the following procedure shall be adhered to:

- a) The route to be taken will be set out by the Shotfirer and the equipment will travel under his/her direction.
- b) All tails, for ten meters on either side of the route, must be covered to prevent catching, and shall remain covered whilst the work is being carried out.
- c) On completion of the work, the equipment shall be withdrawn under the direction of the Shotfirer.
- d) The Shotfirer shall then carry out an inspection of the work site to ensure the area is safe before charging may resume in that area. The tails may then be uncovered.

**Appendix B: Blast Checklist**

On the morning of the proposed blast:

1. Blast Board at Morris edwards rd completed showing  
date, time and location of blast ☐
2. Notify local authorities. ☐
3. Notify council/shire. ☐
4. Notify property owners. ☐
8. Arrange Blast Guard #1 – Main Turnoff ☐
9. Arrange Blast Guard #2 – Morris edwards rd Turnoff/Intersection ☐

After the Blast is given the "All Clear"

1. Clear Blast Board ☐
2. Return stock to magazine ☐
3. Carry out stocktake ☐
4. Review meeting with Shotfirer, Quarry Manager, Driller, Yarnell Rep ☐

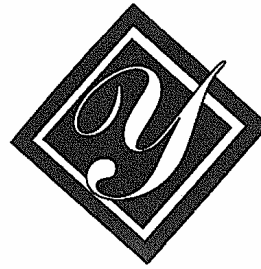


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CONSTRUCTION OPERATIONS – YORK  
**DRILLING AND BLASTING SCHEME**

**Appendix C: Blast Proposal Form**

Date submitted:    /    /		<b>PROJECT</b> _____		Proposed blast date:    /    /	
Location:		R.L. from:	R.L. to:	Blast No.:	
<b>Production Blast Holes</b>		<b>Batta Holes</b>		<b>Prespill</b>	
Hole diameter	mm.	Hole diameter	mm.	Hole diameter	mm.
Nominal bench height	m.	Vertical depth	m.	Vertical depth	m.
Subdrill	m.	Subdrill	mm.	Hole inclination	
Spacing	m.	Burden at toe	m.	Spacing	m.
Burden	m.	Spacing	m.	Air gap	m.
Stemming height	m.	Hole inclination		<b>Stab holes</b>	
Stemming material		Stemming height	m.	Hole diameter	mm.
Firing sequence		Stemming material		Vertical depth	m.
In hole delay	ms.	Primer size & type		Hole inclination	
Inter row delay	ms.	In hole delay	ms.	Spacing	m.
Primer size & type		Delay from production	ms.	Kg per hole	kg
Explosive type		Kg per hole	kg		
Explosive density					
Kg per hole	kg	<b>Comments</b>			
Powder factor					
<b>Confirmation of blast design</b>					
PRS					
Client					

<b>Well Control</b>	<b>Blast Diagram</b>																																																																																																						
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Yarnell Pty Ltd t/as

# Yarnell Contracting

## Project Management Plan

Rev 2

**Client: Rock Quarry**

**Project Title: Yarnell Quarry York**

Controlled Copy

**Safety is Everyone's Responsibility**

Revision	Date	Description	Reviewed	Approved
1	10/09/08	First Issue for review and comment		

### **Summary of Proposed Project**

Project: Making and Stockpiling of Rock Armour for the Fremantle Ports Inner Harbour Deepening Project.

The works include cartage to site and are likely to take 12 -18 months depending on the construction period.

The proposed mine will be used as a granite quarry for government civil construction projects.

There will be no treatment of any rock on site as we only require 3-8 Tonne rock armour and 1T>fines for the marina's core material.

We will stockpile all material for a period of three to five months prior to delivery to Fremantle.

Yarnell Pty Ltd would employ a quarry manager for the duration of the works. Yarnell would operate a working crew of between 4-5 personnel at all times. This would include the Drill and Blast crew as a sub contractor under Yarnell OH&S Management System.

### **Company Mine and Name Address**

Quarry Name: BJT Quarries  
Quarry Address: Lot 45 Morris Edwards Road York WA 6401  
Contact Person: Bodie Palmer  
Telephone: 08 9250 4431  
Facsimile: 08 9250 4432

### **Location and Access**

The location of the mine is 45 Morris Edwards Road York WA 6401. Please view the attached map. The principal access routes to the quarry are Gt Southern Hwy onto Morris Edwards Road which leads directly into York.

### **Regional Geology**

The quarry is located in a rocky outcrop and has previously being mined by another contractor. There has already been approximately 225,000 Tonne of materials taken out from the early 1980's to early 1990's. We have been advised these details from the old quarry manager. The mine is situated on a large farm in a rural area.

### **Mine Geology**

The current layout of the mine consists of two ten metre benches in a circle shape. The mine was previously run by Mine Manager Tony Virgin who believes the quarry would be ideal for the purposes we are intending. All rock faces appear to be solid and stable and we do not believe there are any major structural features which will have an effect on the safety of the mine or mining methods used. We have also carried out some sample test drilling to confirm the extent of the rock available. The testing shows that the rock is abundant and there is ample material available. We have also tested the rock for its density and the results show that the material is suitable for construction purposes.

#### **Previous Mine History**

There are no other mines in the area that would affect the area we propose to re-use. We have attached a plan of the surveyed area.

#### **Outline of Work Rosters**

Local employees will be utilised. No village or camp will be required as the mine is located within 1 hour from Perth.

Normal working week hours will be followed. Mon – Fri, 8am – 5pm

#### **Employment Summary**

Yarnell Pty Ltd would employ a quarry manager for the duration of the works. Yarnell would operate a working crew of between 4-5 personnel at all times. This would include the Drill and Blast crew as a sub contractor under the Yarnell OH&S Management System.

#### **Occupational Safety and Health Policy**

Yarnell Contracting Occupational Safety and Health Policy will be communicated to all employees, contractors and contract personnel:

- During the induction process.
- Available on the site safety notice board.

Yarnell Contracting recognises its responsibilities to provide a safe workplace and is committed to complying with all current and relevant safety legislation including (but not limited to):

- Western Australia Mining Act.
- Western Australia Mines Safety and Inspection Regulations.
- Western Australia Occupational Safety and Health Act.
- Western Australia Occupational Safety and Health Regulations.

The Yarnell Contracting Company Policy is found on the following page.

## **HEALTH AND SAFETY POLICY STATEMENT**

Yarnell Contracting is committed to providing a health and safe work place for all employees, Sub-contractors and visitors.

Resources commensurate with the priority the Company places on Health, Safety and Welfare, will be made available to comply with the appropriate legislation or standards to protect the Health, Safety and Welfare of all employees.

Yarnell Contracting will continue to address accident prevention and control, hazard control and training as priorities. The Company considers Health, Safety and Welfare an integral part of production.

Health, Safety and Welfare is both an individual and shared responsibility of all employees.

Acceptance of the following responsibilities is essential to the success of the policy.

All Yarnell Contracting's Management will:

- Plan, Develop, Implement and Monitor a comprehensive Health, Safety and Welfare Programme.
- Promote communication about Health, Safety and Welfare as a normal component of all aspects of work.
- Take effective action to provide and maintain a healthy and safe work place.

Yarnell Contracting employees will share the responsibility to:

- Work in a healthy and safe manner.
- Encourage others to work in a healthy and safe manner.
- Co-operate with management in the support of promotion of health, safety and welfare in the workplace.
- Report or rectify any unsafe conditions that come to their attention.

Yarnell Contracting believes that occupational rehabilitation is of benefit to all and will commence as soon as possible following work related injury or illness. The Company will ensure access to good first aid and high quality medical care. Every effort will be made to assist injured employees in an early and safe return to meaningful and productive work.

## **MANAGER**

---

### **Assessment of Hazards and Management of Risk**

Hazards and housekeeping issues will be controlled by:

- Project risk analysis prior to start-up. – Refer to attached "Risk Assessment for York Morris Edwards Rd Quarry"
- Daily vehicle start-up checks on plant.
- Daily Pre-start talks
- Weekly safety toolbox meetings.
- Safety Inspections

Natural Hazards believed to be dangers to the mine and those working there have been covered in the above mentioned risk assessment.

### **Evacuation Response Procedures**

Yarnell Contracting will nominate a muster point location at the start of each job location for the project. This will be communicated to the work crew at the first Prestart or Toolbox meeting for that job location. Any changes to the muster point will be reflected in the next days' prestart or Toolbox meeting.

Local authorities such as the York Hospital, Fire and Police details will be available onsite for emergency contact. Details will be kept on the site notice board. Backup emergency services may need to come from Perth.

In the event of an emergency the Site Supervisors will:

- Announce over the two way radio channel "25" three times "EMERGENCY" "EMERGENCY" "EMERGENCY". This will then be repeated over channel "40" for any traffic personnel in the area.
- A siren will also be blown to get attention of those not near a radio.
- The call will then be repeated one minute later.
- All personnel are required to report to the muster point within 5 minutes of the initial call.

- A roll call of personnel assigned to each Site Supervisor (or nominated person) at the beginning of the site day will then be called to account for all personnel.
- If Yarnell Contracting decides that the site is unsafe for works to recommence, all personnel will be escorted from the site until the area is declared safe for return.
- All personnel will be escorted using the safest possible exit, preferably via any designated roadway or paths.
- All emergency contact details are located on the Site Notice Board.
- The Site Supervisor will contact the head office to report an Evacuation has occurred. Mobile Phone, Sat phone or a nearby landline may be utilized to communicate the message depending on services in the area.

### **Accident/Incident Response**

Injuries such as minor cuts or burns may occur but there can be injuries severe such as the hazardous effects of chemical exposure, slips and falls or serious incidents such as amputations from machinery, heart attacks, or strokes.

Supplies in First Aid Kit's will be located in the Site Supervisors Vehicle and can be used to treat minor scratches, cuts, and burns.

All procedures are intended to limit injuries and minimise damage should an accident occur:

#### **Minor Injuries:-**

- Contact First Aid personal
- First Aid personal to treat wound.
- Record details in First Aid Register

#### **Serious Injuries:-**

- Contact First Aid personal
- First Aid personal to treat wound.
- Notify Supervisor so that the area can be closed off for incident investigation.
- Record details in Hazard/Problem Report Form (Form 04).

### **Risk Assessment**

The OSH Manager with the assistance of the Site Supervisor (or nominated person) will carry out a site specific Risk Assessment, recording all existing controls and using

the risk matrix to determine the level of risk. These risk assessments will be carried out for all new works.

Controls for each identified risk are as follows:

- Elimination.
- Substitution.
- Isolation.
- Engineering.
- Administrative.
- Personal Protective Equipment.

Elimination will be the preferred method of dealing with a hazard and the associated risks. Where elimination is not possible or practicable, then one or more options listed in the hierarchy of control will be utilised.

The use of Personnel Protective Equipment alone as a method of reducing a hazard risk is not acceptable.

#### **Distribution**

The risk assessment will be made available to all site personnel during the induction process. It will also be posted on all notice boards and a copy will be kept with the OSH Manager.

All visitors to site will be made aware of the risks at the site and appropriate methods of dealing with risks.

#### **Job Safety Analysis**

In addition to the Risk Assessment, a JSA will be undertaken for major tasks in the works. These would include (but not be limited to) the following:

- Loading and unloading of materials.
- Vehicle and Personnel Movement
- Working at heights
- Fatigue
- Regular vehicle maintenance and pre-starts.
- Drilling
- Blasting

#### **Site Safety Equipment**

The following equipment will be maintained on site:



- Industrial First Aid kit in supervisor's vehicles.
- Resuscitation Equipment.
- Fire extinguisher in each vehicle.
- Communication devices (e.g. two way radios, mobile phones).

The location of any other safety equipment that is later determined will be communicated to employees/subcontractors through toolbox meetings as required.

#### **Provision of First Aid**

The Site Supervisor will ensure that first aid facilities are provided on the project site in accordance with statutory requirements.

First aid boxes and facilities will be stored in the Supervisors vehicle and will be explained during the induction process. Access to first aid facilities will be available at all times that work is being carried out on the project site.

A person holding a current first aid certificate will be on site at all times when work is being carried out on the project site. The names and contact details of site personnel qualified for first aid will be posted on the notice board.

As far as practicable, a person qualified and experienced in advanced first aid will also be available or on call while persons are working at the mine.

The OSH Manager will be responsible for ensuring that first aid supplies are maintained at a satisfactory level. The driver of company vehicles will be responsible for the supplies in the vehicle's first aid kit.

All employees must report injuries as soon as possible (regardless of how minor in nature) to the Site Supervisor who will be responsible for ensuring the injury is recorded on a Hazard/Problem form.

Minor injuries can be recorded in the First Aid Register which is located in each First Aid Kit.

#### **Rehabilitation**

The Administration Manager will ensure that any injured person is provided with rehabilitation support and assistance in order to return to work at the earliest opportunity.

Consultation with the injured person's medical practitioner will be maintained in order to agree the appropriate types of alternative (light) duties that would be suitable for the injured person until the person is able to recommence normal work activities.

#### **Induction and Training**

Prior to personnel commencing work onsite, all new employees & subcontractors must be trained prior to entering the construction site.

Persons not in possession of certification "Blue Card" otherwise known as Construction Safety Awareness Training will not be permitted to work onsite under any circumstance.

The Site Supervisor, Ray Palmer will ensure that all employees entering the project site attend a site safety induction before commencing any work activity.

The induction will include (but not be limited to):

- Safety Policy.
- Drugs and Alcohol Policy.
- Duty of Care-Employer/Employee/Contractor.
- Emergency Procedures and location of muster point.
- Disciplinary action.
- Risk Assessment.
- Site requirements for Personal Protective Equipment.
- Site orientation, including first aid facilities and toilets.
- Injury reporting and treatment.
- Manual handling.
- Plant Safety and blind spots.
- Material Safety Data Sheets (MSDS) for any hazardous substance or materials on site.
- Avoidance of Noise induced hearing loss
- Procedures for the resolution of safety issues at the work place

At the end of the induction process, the employee/subcontractor will sign a declaration that they have read and accept the procedures in the safety handbook. A test will also be completed showing they have read and understood the site safety procedures. This will be retained by the OSH/Q/E Manager (as necessary).

All Yarnell Contracting staff will have undertaken necessary training and acquired certification in the Construction Safety Awareness course and operation of relevant vehicles they will operate before working onsite.

#### **Competency Training**

The Contracts Manager will ensure that all employees and contractors receive or have received appropriate training in their occupational safety and health responsibilities.

The Contracts Manager will identify and arrange specific training as required for relevant staff:

- Construction Safety Awareness Training (Blue card)
- First Aid Training
- Heavy Haulage Fatigue Management
- OSH Representatives Training
- Plant operator training for relevant machinery
- Traffic Management
- Correct use of PPE

The Administration staff will maintain all training records at head office.

#### **Visitors and Delivery Personnel**

Visitors and delivery personnel/groups will not be required to attend a full induction but will be required to be accompanied by inducted Yarnell Contracting personnel. They will be shown where all first aid and amenities are located.

Visitors will not engage in any work activity or operate any plant or equipment.

### **Communication and Consultation**

#### **Safety Tool Box Meetings**

The Site Supervisor, Jed Palmer and/or Wylie Woolcock will hold a Safety Tool Box Meeting every week and all project site employees will attend.

A Safety Tool Box Talk Meeting minutes sheet will be completed recording the names or signatures of the attendees and all of the safety issues that were raised during the meeting.

The Site Supervisor, Jed Palmer and Wylie Woolcock will retain the Safety Tool Box Meeting Minutes on file on site and a copy on the site's safety notice board as required.

Tool Box Talks will be held to provide information on (but not limited to):

- Safety and health issues.
- Newly identified hazards.
- Safety alerts.
- Safety inspection findings.
- Incident investigation findings.
- Training information.
- Feedback from site personnel.

#### **Consultation**

Yarnell Contracting is committed to encouraging consultation with the Client, employees and contractors to achieve and maintain the desired safety levels on the project site.

Consultation will be encouraged by:

- Safety Toolbox meetings.
- Prestart meetings.
- Involving employees in Risk Assessments.
- Hazard reporting procedures.

#### **Safety Meetings**

The Client or the local council with Yarnell Contracting Project Management Staff will meet as required by the project contract to discuss safety.

The safety meeting will review any safety issues that have not been satisfactorily closed out recently and any matters arising out of the resulting discussions.

The Site Supervisor will retain the minutes of the safety meeting on file on site and display a copy of the minutes on the safety notice board or circulate any pertinent information to all employees as required.

#### **External Parties**

Blasting times will be approved by local councils and communicated to residents with any other relevant information that may affect residents. Information will be communicated to them by way of letter drop, local paper, noticeboard, doorknocking or a combination of the above mentioned.

## **9. OFFICER'S REPORTS**

### **9.1 DEVELOPMENT REPORTS**

#### **9.1.7 Modification - Amendment No 18 Crawford Court Precinct**

*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.*

<b>FILE NO:</b>	<b>PS. TPS. 13</b>
<b>COUNCIL DATE:</b>	<b>24<sup>th</sup> November 2008</b>
<b>REPORT DATE:</b>	<b>18 November 2008</b>
<b>LOCATION/ADDRESS:</b>	<b>Crawford Court Precinct</b>
<b>APPLICANT:</b>	<b>Shire of York</b>
<b>SENIOR OFFICER:</b>	<b>Ray Hooper, CEO</b>
<b>REPORTING OFFICER:</b>	<b>Tyhscha Cochrane, MATS</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Cr Fisher - Financial</b>
<b>APPENDICES:</b>	<b>Nil</b>
<b>DOCUMENTS TABLED:</b>	<b>Nil</b>

#### **Summary:**

To amend the resolution of the Ordinary Council meeting held on the 20<sup>th</sup> October 2008 to reflect that there were minor modifications to the Scheme Amendment documentation.

#### **Background:**

Council considered the Scheme Amendment for adoption at its Ordinary Council meeting on the 20<sup>th</sup> October 2008, where it resolved as follows:

*"That Council:*

*adopt without modification Scheme Amendment 18 to modify Schedule 6 of Town Planning Scheme No 2 relating to Area – Panmure (Boothill), including the requirements against Lots 6, 283, 284 Northam Road, Lots 1-5, 7 Crawford Court and Lots 279 – 282 Herbert Road, to read as follows and in accordance with Appendix A:*

**Schedule 6**

Land Description	Requirements
<p>Lots 6,283,284 Northam Road; Lots 1-5. 7 Crawford Court; Lots 279-282 Herbert Road.</p>	<p>An Outline Development Plan shall be prepared and endorsed by the local government and the Western Australian Planning Commission prior to subdivision.</p> <p>Subdivision and development shall generally be in accordance with the approved Outline Development Plan with no lot being less than one hectare."</p> <p>The Outline Development Plan shall have due regard to the provisions of Clause 4.1.4 and the additional development conditions listed below:-</p> <ul style="list-style-type: none"> <li>a) Site plan showing all buildings and improvements;</li> <li>b) Any remnant vegetation and the manner by which it is to be protected.</li> <li>c) Emergency plan – for the evacuation in case of a severe natural event.</li> <li>d) any new lot shall require a building envelope within which all buildings shall be contained;</li> <li>e) Remedial planting area, where horses or other grazing animals are to be kept;</li> <li>f) All newly created lots shall be fenced;</li> <li>g) For the keeping of grazing animals, the proposed number of stock to be kept and the method by which they are to be sustained;</li> <li>h) the keeping of horses shall be in accordance with the Department of Agriculture and Food WA and the Council's Health Local Law;</li> <li>i) Evidence of an adequate water supply for domestic animals and for the maintenance of stock;</li> <li>j) Any storage facility for feed, machinery, workshops, chemical and other equipment;</li> <li>k) All new dwellings shall have installed a roof catchment water tank of a capacity of no less than 90,000 litres connected to the dwelling and/or outbuildings.</li> <li>l) All lots shall have a crossover to be located and constructed to the satisfaction of the local authority.</li> <li>m) Council may require the installation of a high performance septic disposals system where it deems appropriate to the soil characteristics and depth of soils above bedrock.</li> <li>n) Any other matter that the Council may deem appropriate to the well being of the community in terms of threat to the amenity of the precinct.</li> </ul>

**Consultation:**

Discussions were held with the Department for Planning and Infrastructure and it was noted that a section (h) had been added to the Scheme Amendment, therefore the resolution should read that Council adopts Scheme Amendment 18 with minor modifications.

**Statutory Environment:**

Planning and Development Act 2005.

**Policy Implications:**

Compliant with the Local Planning Strategy.

**Financial Implications:**

Nil at this stage.

**Strategic Implications:**

Nil

**Voting Requirements:**

**Absolute Majority Required:**                      **No**

**Site Inspection:**

**Site Inspection Undertaken:**

Nil.

**Triple bottom Line Assessment:**

**Economic Implications:**

Nil at this stage.

**Social Implications:**

Nil at this stage.

**Environmental Implications:**

Nil at this stage.

**Comment:**

That Council insert the word with minor modifications to the resolution of Council so that a true and correct record exists.

Cr Fisher declared a financial interest in this item and left the meeting at 3.39pm.

## OFFICER RECOMMENDATION

### RESOLUTION 121108

Moved Cr Boyle

Seconded Cr Lawrance

***That Council modify its resolution 091008 by deleting the word “without” and replace with “with minor” so that the resolution reads as follows:***

***That Council adopt with minor modification Scheme Amendment 18 to modify Schedule 6 of Town Planning Scheme No 2 relating to Area – Panmure (Boothill), including the requirements against Lots 6, 283, 284 Northam Road, Lots 1-5, 7 Crawford Court and Lots 279 - 282 Herbert Road, to read as follows and in accordance with Appendix A:***

Schedule 6	
Land Description	Requirements
Lots 6,283,284 Northam Road; Lots 1-5, 7 Crawford Court; Lots 279-282 Herbert Road.	<p>An Outline Development Plan shall be prepared and endorsed by the local government and the Western Australian Planning Commission prior to subdivision.</p> <p>Subdivision and development shall generally be in accordance with the approved Outline Development Plan with no lot being less than one hectare."</p> <p>The Outline Development Plan shall have due regard to the provisions of Clause 4.1.4 and the additional development conditions listed below:-</p> <ul style="list-style-type: none"><li>a) Site plan showing all buildings and improvements;</li><li>b) Any remnant vegetation and the manner by which it is to be protected.</li><li>c) Emergency plan -- for the evacuation in case of a severe natural event.</li><li>d) any new lot shall require a building envelope within which all buildings shall be contained;</li><li>e) Remedial planting area, where horses or other grazing animals are to be kept;</li><li>f) All newly created lots shall be fenced;</li><li>g) For the keeping of grazing animals, the proposed number of stock to be kept and the method by which they are to be sustained;</li><li>h) the keeping of horses shall be in accordance with the Department of Agriculture and Food WA and the Council's Health Local Law;</li><li>i) Evidence of an adequate water supply for domestic animals and for the maintenance of stock;</li><li>j) Any storage facility for feed, machinery, workshops, chemical and other equipment;</li><li>k) All new dwellings shall have installed a roof catchment water tank of a capacity of no less than 90,000 litres connected to the dwelling and/or outbuildings.</li><li>l) All lots shall have a crossover to be located and constructed to the satisfaction of the local authority.</li><li>m) Council may require the installation of a high performance septic disposals system where it deems appropriate to the soil characteristics and depth of soils above bedrock.</li><li>n) Any other matter that the Council may deem appropriate to the well being of the community in terms of threat to the amenity of the precinct.</li></ul>

#### **Advice Note:**

***The change from the original documentation is the insertion of section (h) where it states:***

***“the keeping of horses shall be in accordance with the Department of Agriculture and Food WA and the Council’s Health Local Law;”***

**CARRIED (4/0)**

Cr Fisher returned to the meeting at 3.41pm



## 9.2 Administration Reports



**9. OFFICER'S REPORTS**  
**9.2 ADMINISTRATION REPORTS**  
**9.2.1 Management Plan – Mt Brown**

**FILE NO:** CCP.13  
**COUNCIL DATE:** 24 November 2008  
**REPORT DATE:** 31 October 2008  
**LOCATION/ADDRESS:** Mt Brown  
**APPLICANT:** Shire of York  
**SENIOR OFFICER:** R Hooper, CEO  
**REPORTING OFFICER:** T Cochrane, MATS  
**DISCLOSURE OF INTEREST:** Nil  
**APPENDICES:** Appendix A - Management Plan  
**DOCUMENTS TABLED:** Photos

**Summary:**

That Council receive the Mt Brown Management Plan (the Plan) and advertise the Plan for public comment for a period of 35 days.

**Background:**

Council engaged Terri Watson to research and update the Plan that was prepared by the Mt Brown Rehabilitation Group and the Shire of York in order for funding to be granted for the Our Patch program.

**Consultation:**

Volunteer Groups;  
Councillors; and  
Terri Watson.

**Statutory Environment:**

Department of Environment and Conservation.

**Policy Implications:**

Nil.

**Financial Implications:**

Council paid for the services of Terri Watson to complete the review in last years budget. There will be costs involved with advertising.

**Strategic Implications:**

Key Result Area 6 – Objective 5 states:

*“To work with the community and other stakeholders to protect the Shire’s natural resources and redress degradation and other environmental issues.”*

**Voting Requirements:**

**Absolute Majority Required:** No

**Site Inspection:**

**Site Inspection Undertaken:** Various

**Triple bottom Line Assessment:**

**Economic Implications:**

It is proposed to have an action plan for the next five (5) years to identify areas of need. This will incur costs and it is likely that items will need to be budgeted for in the coming years.

**Social Implications:**

The Plan will provide a community accepted framework to protect and enhance the values of the Reserves.

It will provide clear direction for Council when assessing and determining proposals.

It will provide guidance for the general public.

**Environmental Implications:**

Management Plans will assist with weed control, flora, fauna etc and existing and future land uses.

**Comment:**

It is proposed to proceed to advertising as the first step of community consultation.

**OFFICER RECOMMENDATION****RESOLUTION****131108****Moved Cr Hooper****Seconded Cr Boyle*****“That Council:***

- 1. receive the Management Plan for the Mt Brown Reserve;***
- 2. proceed to advertising for a period of 35 days welcoming public comment; and***
- 4. refer the Management Plan to the Department for Conservation and Environment and Mt Brown Rehabilitation Group.”***

**CARRIED (5/0)**

**ITEM 9.2.1**

**APPENDIX A**

**MT BROWN RESERVE  
MANAGEMENT PLAN**  
2008

This management plan has been prepared under the direction of the Shire of York  
by Terri Watson

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## BACKGROUND INFORMATION

**Reserve No:** 6915

**Vested** Shire of York

**Purpose** Recreation and open space

**Location** Steer rd York

**Latitude** 31° 53 03 43 S

**Longitude** 116° 47 06 77 E

**Area of reserve** 138 ha

**Fenced** No

**Granite Outcrop Assessment:** Moderate quality site – considerable disturbance

### ADDITIONAL NOTES

Concrete steps installed in 1968

Mrs N.H. Davies erected bronze plaque at lookout in 1991

Draft by laws to control vehicles restricting speed to 8ks hr in 1992

New BBQ's were installed in 2003/4

Mount Brown Rehabilitation Group formed 2004

Our Patch funding approved in August 2005

Memorial grove planted in 2005

## HISTORY

### The Legend of Mt Bakewell and Mt Brown

To the Nyungar people the taller mountain was called Walwalling (place of weeping) and the lower hill was called Wongborel (sleeping woman)

Koorain Kwotjut in the Dreamtime, the hills Nyungars used to meet the plains and valley people on the flat area at the tjenna of Walwalling for games and sport. Wundig was a Moorditj young man of the hill people who was Kwobinyarn in the skills of Gitjul. Kylie, and Tjenna races. A lot of young yorgas had their Meowl's on him. However, Wilura a Mooditj young yorga of the valley people was Tjeruping for him. They were not betrothed because within their tribal groupings it would have been a Warrah relationship. The two decided to ignore the taboo and they woort kooliny together. When it was discovered, the valley Nyungars demanded the return of the young yorga.

The hills Nyungars said they didn't know where the young couple were. The valley Nyungars did not believe them and declared war.

The hills Nyungars came down over the slopes outnumbering the challengers and a blood thirsty battle ensued with the valley Nyungars coming off badly. They called in their Mubarm man and asked him to use his Mubarm powers. He was able to change all the hills fighting men into blackboy bushes and to this day you can see the wide band of grass trees where in the Dreamtime the warriors from the hills were coming over the top of Walwalling and down the eastern slope and they stand there still.

The Mubarm man then turned his Mubarm on the young people who caused such bloodshed and put a curse on them. Their Nortch bodies were found later and his curse was that the man's Kunya would stay on Walwalling and the Yorgars Kunya was sent to Wongborel and that they would never meet again until the mountains came together.

By Emily Winmar



## **THE NEED FOR A MANAGEMENT PLAN**

The reserve of Mt Brown has many attributes that the Shire of York has an obligation and a keen desire to protect.

This reserve is a well known rocky outcrop within the township of York; locals and tourists have been visiting it for many years.

Very few outstanding assets, especially rocky outcrops such as Mt Brown, have been developed to the extent that visitors are able to enjoy at this present time.

Most of those visitors however, would not know, that approximately 55% of crown reserves in the Wheatbelt are under 5ha and 72% are less than 20ha. This puts reserves such as Mt Brown in a small class, and its protection and future development must be based on sound planning.

Much of WA is made up of an ancient continental mass, it is principally made up of granite and is generally known as the Yilgarn block. The Yilgarn block was formed about 6,200 million years ago, and is one of the oldest land masses on earth.

Granite outcrops in WA are highly valued habitats that have a likely-hood of containing rare species of both Flora and Fauna. It is generally agreed amongst those who manage lands of conservation value that granite outcrops require individual and careful management if their local plant and animals species are to survive into the future.

In the Wheatbelt particularly (mainly because of the loss of habitat due to clearing) more and more Granite outcrops are used as a source of water and food by many species of animals, birds and insects, some of which are endemic only to rocky outcrops, these include reptiles, dragon lizards and gecko's. There are also some species of moths and spiders that are thought to be totally reliant on the granite hills of the Wheatbelt.

The constant disturbance from vehicles, visitors, dogs, cats, foxes and fires has virtually ensured that there is no safe refuge for most of the native animals that rely on the reserve for food and habitat.. Flora and Fauna are reliant on each other and both must be protected from recreational users and none native animals if the reserve is to recover from past management, and re-establish itself as a self functioning and healthy biological system.

York is in a unique position, having both Mt Brown and Mt Bakewell on its outskirts. Both of these sites will be under more stress as the years go by, with demands on the Shire of York to accommodate many groups of people wishing to continue using the reserves for their recreational pursuits.

The Mt Brown reserve is 137 ha, it has been used without any regard for its natural assets for many years and it is unreasonable to expect that the Shire of York or a community group could re-establish the vegetation and protect it without a comprehensive plan for its future management.

The aim of this plan is to set aside areas for revegetation and protection of local flora and fauna, whilst giving tourists and locals the opportunity to enjoy the views and amenities. This plan also takes into account the proposed walk and bridle trails currently under consideration of the Shire of York.

While we cannot compare Mt Brown with Mt Bakewell in terms of vegetation health and species abundance, there is a lesson to be learnt in that unrestricted access to Mt Bakewell will no doubt mean the end for that reserve, as has almost been the case of Mt Brown.

Every effort must be made to keep visitors and locals confined to a manageable area of one reserve only. It seems that a choice must be made if we are to preserve the integrity of the Mt Bakewell reserve.

Mt Brown has been the subject of many types of disturbances for a very long time and it would be the logical solution to accommodate visitors in the long term when assessing the care and protection of both reserves.

To look at the management of Mt Brown as a single entity would be irresponsible, as the reserve of Mt Bakewell is only a few hundred meters away "as the crow flies", and its continued protection is dependant on the exclusion of locals and visitors alike.

Data collected by CALM indicates that it isn't necessarily the number of people who visit a site, that any damage, erosion etc can be attributed to. but that the detrimental effects of just a few people can equal that of hundreds.

Mt Bakewell is a rare and fragile reserve that has only retained its beauty and biodiversity because of the minimal interference by man. This can mainly be attributed to the determined actions of surrounding land holders in denying access to the reserve to almost everyone except those on official business.

Seeing the need for the protection and enhancement of the fading local flora and fauna of York, and especially Mt Brown, a small conservation group has put in considerable effort to improve the condition of the reserve with plantings of local species, documenting its threatening processes and offering advice to the Shire of York regarding other management issues.

Unfortunately any attempt to manage the reserve as a whole, as far as conservation is concerned is doomed to fail under the present conditions.

The current situation of conservation and protection of the reserve mixed with the recreational users who frequent the hill, would and has proved to be, impossible. This is due to the fact that it is generally agreed that everyone owns Mt Brown therefore conservationists, horse-riders and visitors all have a right to enjoy the benefits of the reserve, and just as some surrounding landholders with properties adjoining the reserve care and help to conserve the reserve, others do not.

The protection and revegetation of the whole reserve cannot be managed in a manner that would suit all other members of the public as there is a need to accommodate the tourist market as well as an increase of locals wanting to use this reserve for recreational purposes.

There is evidence compiled by CALM, that proves if we can accommodate tourists at one site, other sites (usually more fragile as in the case of Mt Bakewell) are otherwise left alone, therefore avoiding the high risk of the introduction of weeds and diseases and other visitor related problems. The same report shows that if there are amenities such as cooking, parking and ablutions available, the majority of visitors, both tourists and locals will prefer to visit that site rather than a site with no such available amenities.

That is not to say that Mt Brown should be left to cope on its own with no plan to care and protect it, but it should be made clear that to save one reserve of high significance then a part of the other must be looked at realistically as a sacrifice, not just to save Mt Bakewell but to also protect the part of the Mt Brown that will remain as a conservation reserve.

Without a defined plan for the Mt Brown its chances of recovery and re-establishment of native plants will be minimal and it will be left to languish and degrade even further until the reserve is left with nothing more than a few stands of York gum and jam trees with the remainder of the parkland covered in weeds, almost as it is now.

This reserve is visited by a large number of people during the year both local and tourists, with the majority of locals taking advantage of the wooded area so close to town, as an exercise area, both for walking and horse riding, and then there are the motor vehicle degradation issues.

Records show that most of any allocated funds whether by the Shire or funds obtained through other means has been spent on the lookout, and the picnic and parking area below the lookout. Both sites are well managed and add value to the reserve and the town of York.

Only a small amount of revegetation has been attempted in the last 30 yrs or so and to date there is no species list available to guide anyone interested in revegetating the reserve. The WA herbarium has around 60 specimens that have been collected from the reserve since settlement, many are annuals. The lack of information makes for a very difficult situation when recovery plans are attempted, as species selection and provenance is integral to any revegetation plans.

It is clear that there are many interest groups who need to be accommodated while looking at the management options for this reserve, while also giving landholders close to the reserve less reasons for complaint, of which uncontrolled vehicles and associated noise levels is by far the main concern.

Due to the large number of interest groups who wish to make use of the reserve, a concerted effort must be made to delineate sections of the reserve according to the needs of each group, while still taking into account the protection of the flora and fauna. It is assumed that during the life of this plan, the equine precinct below Mt Bakewell will be finalised and the number of visitors to Mt Brown will increase, resulting in a lot of pressure being put on the hill.

It is proposed that this plan shall be used as a tool to guide special interest groups and the Shire of York with their planning for the future of the reserve. Mt Brown has been the subject of both complaints and compliments from as far back as Shire records go, and has been on the Council meeting agenda many, many times.

There have been a lot of well intentioned plans and ideas that have been floated, but so far nothing seems to have worked too well in favour of the reserve itself. This problem to a large part is due to a lack of boundaries and regulations, not just for the protection of the reserve but also for public safety purposes.

Well defined boundaries will let the public know where they can and cannot go, it will allow for revegetation projects to continue without infringing on the rights of the public to enjoy the reserve as they have done so in the past.

Unfortunately the past uses of the reserve have added much to the loss of diversity of both flora and fauna. Weeds gradually took over the reserve which added to the concerns of the public, especially close neighbours which led to demands for burning the reserve on a regular basis.

The subsequent burn offs that frequented the reserve up until recently has added to the increased number of weed varieties and prevalence.

Burning has been used very successfully in many reserves and forests across Australia and is proved to be of a huge benefit for the region of local species, however burning off must not be an approach that is adhoc or opportunistic. Great care must be applied when considering the benefits or potential threatening processes of using fire as part of a management of any bushland or parkland.

One of the prerequisites for burning is the need for a sufficient amount of seed on the ground or on surrounding vegetation for the fire to aid in germination. In the case of Mt Brown it is highly unlikely that any seed remains on the reserve except for that of weeds. Of the 2 remaining common native species on the reserve *Acacia acuminata* and *Eucalyptus loxophleba* do not require smoke to aid in germination though York gums do benefit from occasional burns which encourages growth of lignotubers, but fires kill off new plants if they are not protected. *Acacia acuminata* seed will remain viable in the soil for up to 25 yrs, it will germinate with or without fire. Now that local native seed is not available the only thing left to grow is weeds.

A current study is looking at the relationship between fire management and the recolonisation of fauna after fire. The study questions the use of fire as a useful tool for land managers when looking to maintaining the diversity of animals and plants in the many different ecosystems of Australia. Results of this survey will be available towards the end of 2008, it is hoped that this new knowledge will give land managers a clearer picture of the fire management strategies that can be used to the best advantage of the native animals while still protecting the safety of the community.

Fires that are too frequent or not frequent enough will not produce the effects we as land managers are looking for. If fires are used as a management tool then it must be realised that many native plants need to have reached maturity and have set seed before a burn could help with re-establishment of local native species, in some cases this could take up to 8 to 10 yrs. Fires that are too frequent also add to the degradation of soils, poor growth of annuals and a poorly formulated fire regime will completely devastate stands of *Allocasuarina*, Wandoo and other fire susceptible species. This could explain to some degree why only fire tolerant native species have continued to spread and survive in the Mt Brown reserve, while others no longer exist in the reserve or are few in number. While *Allocasuarina* will germinate easily after fire, any subsequent fires, too soon, will wipe out any new seedlings.

It is absolutely necessary that the remaining York gums are protected in the future as they are the food source, protection and breeding places for many birds, snakes, goannas, skinks and possums these are just a few of the native fauna that still exist on the reserve that need protection.

The hollows in the trees are integral to the survival a large array of species of animals, they take many years to form and there is nothing to replace them once they are lost. With the diminishing numbers of tree hollows on public lands Mt Brown could be looked upon in years to come as a haven for local birdlife and other fauna, but that will not happen if man-made disturbances are allowed to continue in its present form.

It can be safely assumed that in the Wheatbelt the availability of food and refuge for native species will only reduce in the foreseeable future, one would be a fool to expect any other scenario, and in that light the Shire, community groups, and individuals interested in protecting what we have left of our natural heritage, must do whatever is necessary to ensure that reserves such as Mt Brown are properly managed well into the future.

## PREVIOUS MANAGEMENT

Since the Mt Brown rehabilitation group was formed in early 2000 there have been a few activities carried out on the reserve which include trialling alternative weed management strategies, planting of local native species, seed collection and providing advice to the Shire of York re fire management and weed control using herbicides.

The Mt Brown Rehabilitation Group (MBRG) has set up a trial area for testing the use of sugar to aid in the control of weeds. It is claimed that sugar has the potential to control annual weeds by reducing soil nitrates which most weeds depend upon for growth. While this method reduces the nitrates that weeds need, it has no effect on the development of our native plants. The project involves burning a patch of weeds and spreading sugar on the ground just before rains. The timing is important, as if weeds are allowed to grow before the sugar is spread then the results are compromised. Ongoing trials and monitoring is being documented and other trials in the Shire of York are showing some success.

While this method has a huge benefit for the control of weeds the cost for the farmer is not justified but its use on reserves can be a very important tool. With funding and sponsorship options available to landcare groups and local governments there is a real probability that this method could be used for a large number of reserves close to Wheatbelt towns where the threat of fire induces shires to burn off too frequently weather they prefer to or not.

The MBRG group has also planted a small section at the beginning of the Pioneer drive (being the triangle) with local natives, and have arranged for the Shire of York to spray some sections of the reserve. Additional seedlings were added to that section in 2007.

The Shire was responsible for applying for a Green Corps team in early 2007 and yet another team in late 2007; these teams were able to commit to completing most of the works requested by the Mt Brown rehabilitation group.

Some of the works involved the following:

- Weed slashing and spraying around the lookout and BBQ areas using Roundup Bi-active
- Application of sugar to trial area
- Steps repaired at the lookout and a path was constructed to the BBQ area by Green Corps team and Shire employee
- Weeding by hand of Patterson's curse and Deadly nightshade using cut and paint method
- A total of 3243 seedlings planted in areas previously agreed upon by MBRG and Shire. A list of species planted is in appendix
- A trial planting of *Gastrolobium* to control rabbits was begun using direct seeding method; the direct planting of treated seeds was carried out on the granite outcrop its-self. This project is being monitored by successive Green Corp teams.
- A survey was conducted to ascertain the number and location of rabbit burrows in the reserve, and arrangements were made for a rabbit baiting program. The baiting program had some effect on the population of rabbits as a small number of carcasses were found in the weeks following the program. It was interesting to note that a lot of the carcasses were found at the base of the hill and on roads between the hill and the town. It was concluded that though the rabbits were frequenting the picnic and lookout areas they were mainly based/living in the township of York. The results of the survey were passed on to the Shire.

A joint application by the Shire of York and the MBRG in 2006 resulted in funding approval through the 'Our Patch' program which allocated \$16,050 to the protection and development of eco-tourism on Mt Brown.

The Shire of York has also completed a path constructed of cement, giving those with disabilities access to the ablution block from the undercover BBQ area.

Improvements and the upkeep of the new BBQ's and picnic tables in the undercover area is budgeted for each financial year.

## **VALUES**

### **Conservation values**

A healthy over story of *Acacia acuminata* and *Eucalyptus loxophleba* gives those responsible for the care of the reserve much hope for recreating a vegetation system that could once again sustain itself and add to the biodiversity of the hills surrounding York.

The reserve has been subject to bird surveys in the past and a large number of insect eating and pollen distributing birds were observed, along with a small number of birds of prey. It is understood that further bird surveys are planned in the near future.

Though there are many weeds on the reserve, field surveys have included some native annuals indicating that with protection from visitors, weeds and fire, then some understorey species are bound to return to the reserve.

Echidnas and possums are still evident in the reserve and an increase in native vegetation will no doubt help protect these species and allow others to find food and habitat in the future.

A small area has been used by the MBRG to trial the use of sugar spread after fire to restrict the number and variety of weeds that emerge after fire. The group continues to monitor and inform interest groups of their progress. Mt Brown offers a unique project site as it is close to the township where some interested project members reside.

There are some fauna that are restricted to granite out crops only; they include some species of reptiles such as dragon lizards and gecko, some spiders and a species of lichen consuming moth larvae. Though it has not been established what species are using Mt Brown for food or habitat some species have been documented and further surveys will reveal much more about the reserves fauna.

### **Recreation**

This rocky outcrop was once a beautiful sight to see from the Avon River, both to early explorers and the new settlers who moved to the area in the early 1830's.

MT Brown is a focal point for the large number of visitors to the Shire of York, though it seems that its existence is not publicised a great deal, it still receives a lot of attention almost every day of the year.

In general the reserve and the lookout is not just a destination site for tourists from the Perth city and the Eastern states, but it is also very popular with locals. It is also a place close to the heart of families who have been in the area for generations as well as indigenous peoples from well before settlement..

To many, this hill is a family heritage site as has been evidenced in the amount of interest in the memorial park at the BBQ gardens since its inception.

The Shire of York is currently looking at erecting signage that will tell the story of early aboriginal inhabitants as well as a brief history of the early settlers in the vale of York.

### **Picnic area**

Over the years a lot of damage has been done to the amenities at the picnic site. The installation of near vandal proof BBQ's has allowed the Shire to concentrate on installing an ablution block with an easy to negotiate path to provide access to the toilet block for the disabled visitors. The undercover recreational area of the picnic site houses tables and seating which are at a standard that the community would find adequate for their needs. There is more than enough room for the parking of vehicles in the recreation area.

The site is regularly inspected and cleaned by Shire employees and it is noticeable that rubbish is not a major issue in this part of the reserve.

## **Lookout**

The lookout lends itself to a magnificent view of the town of York and surrounds, including the beautiful Mt Bakewell. Informative plaques give visitors an insight to the history of the placement of the lookout, which was instigated by a Mrs Davies who was a Town Councillor, she also initiated the concept of building Pioneer Drive.

There are steps leading down the hill from the lookout, which take visitors to the BBQ area, they were originally built in 1968? And have been repaired by the Shire, in keeping with the tradition of the original plans for the steps.

## **Memorial site**

The memorial site is growing in popularity and now houses quite a few memorial plaques and signs. It has proven to be very popular with the community, offering family members a place to sit in peace, surrounded by the natural beauty of Mt Brown and its magnificent views.

## **THREATS**

- Environmental
- Fire regime
- Visitors

## **Environmental and Fire**

Though the casual observer might think that the reserve is full of trees, this is a misconception as the life of a jam tree (*Acacia acuminata*) is only 20yrs on average and only grows to the height of about 5 metres, they have no hollows and are rarely used as nesting sights. The Jam cannot be counted as a tree when assessing sites for habitat, therefore the only dominant tree or over story in the reserve is that of the York Gum, with the occasional stand of *Allocasuarina huegeliana* or Rock she-oak, which are mainly to the south west end of the reserve.

There can be only 2 reasons for the lack of over story, mid and lower story species on this particular reserve and they are weed dominance and fire regimes of the past. Though rabbits have played a part they would not be as prevalent now if they weren't invited to eat new shoots of natives and weeds alike, just after fire and the first rains of the season have begun the growth cycles of both.

The proliferation of weeds on this reserve can be directly linked to fire management, and to a large degree, the unrestricted access of vehicles, visitors and horses have also been the prime source of weeds seeds entering the reserve. The removal of rocks and soil, and the wood from fallen trees are other contributors to the degradation of the reserve and also play a part in the erosion process.

The threat of fire and weed proliferation has already been discussed to some degree in the aims of this plan. The safety of the public must be paramount and the complaints of the amount of fuel on the ground that can add to the threat of fire is always going to be an issue in both bush reserves and parklands. Weeds will fuel a fire; make it burn hotter and faster than if local species were the only vegetation that was on the hill. It would be to the benefit of all to begin a large replanting program, even with the many weeds present, the introduction of tall tree species will aid in weed reduction by shading out weed species which in turn allows for more water to be available for new native seedlings.

## **VISITORS**

Unauthorised use of the firebreaks by motor bikes and other vehicles has no doubt added to the weed invasion problem as well as the erosion of firebreaks and tracks. The close proximity of Mt Brown to the town of York has added the collection of firewood to the list of threats on this reserve.

The recreational area is under constant pressure from vehicles and the winter rains are contributing to the surface water erosion problems that are a cause for concern every year within the Shire offices, as well as allocating funds and manpower for the repairs that need to be made to the parking and recreation site.

The area set aside for the memorial is not fenced and there is a real possibility that vehicles could be used to vandalise the trees, bushes and personal effects of those people who have taken advantage of the dedicated site for memorial to their families and loved ones.

The control of the memorial site has been compromised by people taking advantage of the locality of the site and its apparent solitude, giving rise to uncontrolled plantings. It has been noted that two separate areas have now been chosen by different families to dedicate a tree to their loved ones, they have planted species that are not in keeping with the natural species of the area and it sets a worrying precedent. The new plantings are not a part of the original plans of the Shire of York, but now there is a chance that the whole scheme could go pear shaped with plantings all over the reserve not just close to the designated site, there is also the question of weeds being purposely (though unintentionally) planted on the memorial site.

Though this community based project has its merits, the lack of management or a planned set of guidelines has once again put the reserve at risk, by encouraging the introduction of more weeds, soil erosion and even more damage to the aesthetics of the site.

The placement of the memorial site near the BBQ area has been questioned and rightly so, as some people might find it a little unsettling to be having a good time with their family at their BBQ where a memorial cross is only just a few meters away. The choices however for the placement of the site were very limited, as consideration had to be given to the vehicle access and parking availability in any chosen site for the memorial garden, such an area would be difficult to establish given the topography of the reserve.

The memorial site is now a matter that concerns the council a great deal as the intention was well meaning, the Shire, as its managers, are responsible for ensuring that this initiative does not get out of hand, and practical measures are now being considered by council to ensure sensible management in the long term.

This problem and many others concerning the uses of Mt Brown is indicative of what can occur in reserves when there is no management plan or a set of guidelines to help facilitate new projects or community based initiatives.

Access to tracks and firebreaks has been a major cause of concern for the Shire, neighbours and other visitors for many years. There is a risk of accidental fires being started, and when considering the slope of some of the tracks, there is also the high risk of an accident happening especially when more than one vehicle is using the tracks at the same time. There are a few "no access" signs at the entrance to some of the tracks but they are simply ignored, not just by visitors but more often than not, the vehicles belong to locals who have absolutely no regard for the vegetation or animals on the reserve.

There is a perception in the local community that the reserve belongs to them only and they have a right to do as they please on the reserve without consequence, to some extent this is true when considering consequences, as there are no local planning laws in place to protect the reserve regarding vehicular regulations except for an 8 km speed limit on Pioneer Drive which in itself is unreasonable as it is very difficult to go up the hill at that speed.

There are a large number of tracks/firebreaks on this reserve and they are particularly inviting for those people with off road vehicles and bikes.

Recreational vehicle sales are increasing every year but the allocation of places for their use has never been on State Government agendas and Local Governments are left with the task of policing such vehicles with very little support from regulatory authorities.



Unrestricted access to the whole reserve by horses, bushwalkers and feral animals has the potential to further impact on the reserve by introducing more weeds, eroding tracks and compacting the soil. The addition of unrestrained dogs puts local fauna at risk as does the large number of feral and domestic cats who visit the reserve, mainly at night.

## **PRIORITIES**

Areas to be set aside for revegetation and protection of local flora and fauna  
Reasons for the degradation of parking area at picnic site to be identified and eliminated  
Parking area at BBQ site to be defined and confined to a smaller area  
Fencing to be allocated by Shire or funding to be applied for as soon as possible  
Fire regime to be adjusted  
Weed management plan  
Continued trials of weed management using sugar  
Realistic long term objectives set for protected area  
Continued firebreak servicing  
Signage explaining reasons for new plans  
Memorial site guidelines  
Allocation of Horse riding tracks  
Construction of safe walking tracks  
Continued species survey and planting local native species

Mt Brown has been visited by tourists and locals for many years and it is expected that the number of visitors will grow in the future. The damage to the reserve in the past is indicative of what can happen when people, both tourists and locals alike have uncontrolled access to a bushland reserve so close to the town centre.

In order to accommodate all interest groups and co-owners of the hill, who frequently use the reserve we must define areas of the reserve that can be put aside for conservation and recreation.

## **PROPOSED ACTIONS**

To date there has been no management plan for the reserve of Mt Brown, this is unusual when taking into consideration the many interest groups, the years of complaints regarding noise and vehicles and its value to the town of York as a recharge system for the Avon River and a tourist attraction.

There is no designated area for any conservation purposes nor is there a set walk\bridle trail and even the recreational area is so widely spread that the memorial garden is mixed in amongst the BBQ's.

The lack of a management plan could be due to the limited resources and funds of the Shire of York and the small number of active community group members who are particularly concerned for the welfare of the hill.

It is therefore suggested in this plan that priorities must be related to, and designed to fit the manpower, (both volunteers and Shire employees) available at this time and in the foreseeable future. Realistic targets are and should be the most important factor in this or any plan, keeping projects at a manageable size is the logical preference.

To address the requirements of all interested parties this plan begins with setting boundaries for conservation purposes leaving the remainder of the reserve for recreational purposes. See map 1

The area set aside for conservation purposes equates to approximately two thirds of the reserve, it includes areas that have the highest vegetation cover in the reserve and takes in areas such as some rock formations and the quadrant used by WWF for a species survey in 2004. This suggested perimeter also takes into account the large number of tracks on the reserve and the range of soil types and areas of rocks making it as easy as possible for the erection of the fencing.

Because of the high number of tracks in the reserve there should be no problem for the Shire to access and grade the firebreaks or to allow entry for the FESA vehicles if they are required, as all gates will be on the same lock and key system.

The main entrance onto Pioneer Drive is the logical starting point for the fencing, as at least 4 tracks lead from this road into the reserve. There are natural barriers along Pioneer Drive that prevent access to most vehicles, such as high banks and deep culverts where no fencing would be required. The majority of the fencing would be along the Northern and Eastern boundaries, and sections to be fenced inside the reserve have been chosen as there is already a track/firebreak and it would also be easier for access and installation of the fences and gates.

This option is preferred to the clearing of any vegetation to facilitate the fence.

The plan also includes the restriction of access from private properties mainly on the Eastern side of the reserve and from Chandos Road to the North. This can be achieved either by continuing the fencing across the track or the installation of gates in some circumstances (this should be discussed with MBRG and responsible neighbours)

It is estimated that approximately 5.5 kms of fencing will be required and around 7 gates in total, there are of course opportunities to either extend or reduce the area of the conservation enclosure but consideration must be given to the difficulties faced by a fencing contractor when the final planning stages are under way

When planning the erection stage of the fencing project there should be guidelines for the contractor to follow, such as leaving enough room at the bottom of the fence for the easy and uninterrupted access of local fauna such as the Echidnas as they have a wide range sometimes up to 90ks, they have a 45 yr life span and their day to day life should not be affected by any interference such as lack of thought when erecting the fence. A careful plan could also leave an occasional gap in the fence for kangaroos, their tracks are easily recognisable and a meter wide gap along an area not accessed by people would allay any fears of trapping the animals in or out of the conservation enclosure.

The current arrangement that the Shire has with community groups could now be furthered with a clear plan in mind of how and where revegetation and trial plans could be carried out without the works being subject to outside influences. It is hoped that this plan will lead to the concept that we may now look after the natural values of the reserve and build on what we already have there.

It is proposed that fencing and gates will be sought through funding applications either by the Shire or community groups. There is also the possibility of joining forces with the local Equine clubs to gain the funds needed for the fence as it would be in their interest to help facilitate the fencing project. The proposal in this plan to allow horse riding on the reserve, is dependant on the eventual erection of the fence.

The possible presence of rare fauna or flora species on Mt Brown can be used when applying for funding

### **Flora and Fauna surveys**

The importance of gaining knowledge from the current flora and fauna of the reserve is a large part of the restoration and protection of the whole reserve. The proposed conservation enclosure does not limit the scope of any flora and fauna surveys.

## **Lookout**

The exposed rocks at the lookout are not as likely to be at risk of erosion or damage from people as the track leading to the BBQ area is well defined and the slope and precarious nature of the outcrop is not too inviting to visitors.

These rocks are important to native fauna in particular as, most importantly, they are the protection for small species of animals especially during fire.

When investigating the rabbit population the Green Corps team consistently found diggings not related to rabbits but to something else. Cape tulip corms and seed pods were found in piles surrounding the holes and under rock crevices, in tree hollows and in piles under trees. When associated with the tunnel like runs in many areas of the reserve the assumption is that rats are the cause of the tunnels and diggings. There are however a number of rodents that could be responsible for these findings and further investigation is definitely warranted.

## **BBQ and Recreation area**

### **Parking bay bollards**

The open area surrounding the BBQ's, tables and path to the ablution block is made up of gravel which slopes to the western side of the hill. This area is under constant pressure from vehicles and surface water flowing down the hill. This parking bay area also gives access to 4 tracks that go in different directions on the hill, this is an invitation to those with vehicles to go for a tour even though signs are clear that this is not permitted.

Map 2 shows a plan which will stop all vehicles except motor bikes from entering the BBQ area, while still giving visitors plenty of room for parking. An added section of pathway to the parking area would still give access for the disabled members of the community to the BBQ's and the ablution block. It is estimated that the bollards would number about 20 and most would be along access tracks making it easier for installation.

When looking at the planned area for the fencing and bollards, it will be apparent that all tracks in and around the reserve have been blocked off. This will in no way infringe on the rights of others to visit the reserve, but it will give control to the managers of the reserve to make it a safe place, not just for people but for the fauna that live and visit there.

## **Surface water erosion**

It is expected that with the reduction in traffic the water erosion, should be minimised especially in the parking area of the BBQ site, but there is also an opportunity to install small drains in the worst affected areas, which would divert the water down the hill in a way that would be more manageable in the future. Expert opinion should be sought before starting any drainage projects.

## **Memorial grove guidelines**

As discussed earlier in this document there has been some inappropriate use of the memorial grove which needs to be tackled as soon as possible, before it gets too out of hand. The original plan for the memorial grove was simple enough, Men of the Trees planted a variety of species in the allocated site and locals were invited to adopt a tree in memory of family members. It wasn't long before some people started putting small plaques and crosses next to some of the trees which eventually led to a large number of rather large commemorative signs and other personal items being placed at the base of the trees. As already stated in this plan there haven't been a few people who have taken it upon themselves to start plantings of their own in other areas of the reserve.

The Shire of York has now installed a sign to inform people that all memorial plaques and signs are to be removed and guidelines have been formulated to prevent any other misconceptions about the uses of the memorial grove.

The Shire of York will now attempt to make it clear that only previously planted trees will be offered to the public for memorial purposes and no personal effects will be permitted.

## **Fires and Weeds**

As can be seen in the reserve now the fire regime has done little to control weeds, it has just exacerbated the situation and stimulated even more weed growth. The amount of funds and time invested in the reserve can be better spent by tackling the problem with increased knowledge and careful planning.

Attempts in the past to control weeds on the reserve with fire have now ensured that little or no native seed remains viable. The frequency of fires and weed invasion have caused a marked decline in the number of insects which draw bird species to the reserve, they in turn, help with revegetation efforts when they deposit seeds in the reserve.

A small patch here and there of some annuals must have found a way to adapt or somehow escaped the rigours of the previous management and their continued existence must be taken into account when setting goals for the future management of this reserve.

Weed eradication alone is a complicated and resource rich part of landcare works in reserves for all land managers.

Though a whole of reserve approach would be preferable to control the weeds presently in the reserve, this would be out of the scope of the Shire and Community groups, therefore plans should be aimed at the long term protection of the townspeople first and the reserve second.

While arranging for any fuel reduction burns it should also be planned to effectively give the desired effect of depleting the weed seed supply at the same time, while protecting trees and their hollows, low lying natives, those natives susceptible to fire and wood debris on the floor of the reserve.

The issue of a so called large number of tree branches and logs on the reserve floor can be looked upon as a threat to people if they remain and a threat to fauna if they do not remain, as they are absolutely necessary as habitat, a source of food and protection.

A compromise must be reached, as without cover for animals and food sources for birds and insects the burning of the branches without careful planning will be detrimental to the fauna of the reserve. Echidnas especially rely on termites for food, for them logs and other debris on the ground is a necessary food source.

If it is considered necessary to have a hazard reduction fire in the reserve there should be consultation either with the MBRG or with the many conservation groups or government agencies that are available to recommend the latest safe and best practices in this area of landcare.

A fuel reduction burn could take place using piles of collected branches in selected open areas and followed up with appropriate weed control, be that traditional (chemical) or otherwise (sugar) and to follow up with a planting or direct seeding program no matter how small the burnt area is, this regulated and best practise method will gradually increase the native species population.

A fire has been attached to this plan to give stakeholders a guide as to how and when to plan fuel reduction burns.

It might be considered for safety reasons that fuel reduction burns take place only in areas that would be frequented by visitors and along exit tracks and Pioneer Drive.

The planned fencing off of some of the reserve and the exclusion of vehicles on tracks will ensure that there will be a smaller area on the reserve occupied by the public on any given day.

The MBRG are well aware of the practice of working from the inside out when dealing with weeds. That is, to find an area where the cover of natives is most apparent and working from this section towards the outside of that space, the weeds are eventually eradicated, this will only work if there is a program of planting out with natives at the same time.

Therefore it would be in the interests of all concerned to reintroduce as many native species as is possible. For the purposes of the safe and responsible management plan there is an appendix to this plan explaining the cycle of the most common weeds on the reserve and the best management practices for each species.

### **Horse Riding**

Horse riders have been using the tracks of the reserve as exercise areas and for pleasure for some years, they enter from all of the entrances to the reserve and there are many instances where tracks have been ignored with riders choosing to ride wherever they please.

As previously discussed this practice is detrimental to the reserve in many ways with there being absolutely no benefit to the reserve or its fauna in any way.

With the Equine precinct at the lower slopes of Mt Bakewell close to finalisation there will undoubtedly be more riders looking for a safe and scenic place to ride their horses on Mt Brown. It is suggested that after the fence has been erected around the conservation enclosure, then a plan could be formulated to accommodate those of the horse riding community. There are enough tracks available to the public for walking and horse riding in the recreation area of the reserve, being mainly below the BBQ area and to the south of the reserve, there are also the tracks around the perimeter of the reserve that could be utilised, as fencing would be erected on the inside of the tracks on the reserve.

It is recommended that the equine community be made responsible for ensuring riders stick to tracks and all manure is picked up on a regular basis, this would perhaps be made easier if riders were to register their interests in using the reserve with the controlling body, it would then be self regulating but also responsible for any members actions.

This could be reviewed annually to ensure all guidelines are being observed by members, with those acting irresponsibly being asked to stick to guidelines or be refused entry to the reserve.

A designated area where riders can park vehicles and ride into the reserve safely should be chosen with the possibility of using the vacant land adjoining the cemetery.

Funding is available through a number of different community organisations and government departments to help with the cost of setting up designated riding tracks, though many tracks that are already in place can be utilised and improved upon.

As stated earlier, the reserve belongs to the whole community, even horse-riders, but everyone is responsible for the care and protection of the reserve also.

### **Walk track**

The proposed walk trail that covers a large area of York and intends to take visitors to the Mt Brown reserve has been considered during the formulation of this plan, and there seems to be no conflict of interest regarding that proposition. If horse riders are required to use the tracks only early mornings and evenings then the tracks currently accessed for that purpose could also be used for walking purposes.

Envirofunds have been utilised in country towns for the purpose of setting up walk trails in the past, with other funding options being available to those wishing to look for the right one.

## **Signage**

Though signage can be looked upon as an expenditure that is not necessarily an effective way to spend funding dollars the case of Mt Brown should be assessed on its own unique merits. The location of the reserve so close to town, its already well known attributes and popularity with tourist and locals for a long time can be used to the advantage of all stakeholders.

If worded correctly it can be explained how the conservation community and recreational users are not necessarily far apart, that without the protection of the bush there would be none of the benefits in the future, that people are now able to appreciate.

There are plans designed by the MBRG that involve more sugar trials, revegetation and other weed control methods that could be signposted, perhaps along the fence-line.

Some well worded and placed information signs could be placed at the lookout and in the BBQ areas, there is already a planned information sign relating to the Noongars history in the district. Other signs around the reserve such as those of the rehabilitation group and those of the horse riding community should be kept to a minimum in size so as not to be an obvious distraction to those who are sightseeing or bird watching.

## **Feral animals**

A report from the Green Corps team who spent some weeks investigating the rabbit population and burrow locations on Mt Brown has concluded that the majority of rabbits are not residing in the reserve but are located mainly in the township of York and particularly near the silos to the South of York. The rabbit baiting program in 2007 was successful to a degree as a number of carcasses were located, with most found at the base of the MT Brown reserve. The contractor at the time recommended that a subsequent baiting program be carried out in the following year. Animal welfare guidelines recommend that to prevent the young from starving to death baiting should not be carried out during breeding season; rabbits do not go far from burrows at this time so baits could be wasted if not placed close to the burrows.

## **Fox and rabbit control**

Foxes and rabbits will not be controlled unless there is a continued effort by all landowners to bring down their numbers. A small baiting program on Mt Brown only, does little to affect these populations and surrounding landholders also need to be involved if a real decline is to be realised.

This issue also affects the Mt Bakewell reserve and its adjoining landholders so every effort must be made to ensure that appropriate programs are carried out on these lands at the same time if possible.

Perhaps a bi annual rabbit baiting program could be initiated and supported by council. Red card for Red Fox is an excellent way to reduce fox numbers and there are many shires involved in its program with some very promising results.

## **Domestic pests**

The reserves of Mt Brown and Mt Bakewell are both frequented by domestic animals which have a huge effect on native animals, cats can roam for up to 3 kms in a night and for them a smorgasbord is available right next door.

David Paton, Zoologist at the University of Adelaide, states that cats prey on 186 species of native birds, 64 species of native mammals and 97 species of reptiles and amphibians. One cat that was caught was found to have eaten almost thirty small reptiles, probably in the one day.

National Parks & Wildlife Service estimate that there are over 400,000 feral cats in New South Wales, and as many as 12,000,000 (twelve million) scattered throughout Australia!

That isn't counting the pet cats living in and around York.

There are a large number of Local Governments in Australia that have introduced the Domestic Animals Act, the whole State of Victoria is covered by this law, but its not just in the Eastern States.

The Shire of Mundaring is one district, close to York that has adopted a 'responsible cat ownership' law that could well be considered by the Shire of York.

There is no set format and each Shire has formulated a Local Law that suits their purposes and their own unique situations. It is proposed that some discussion be entered into with the public regarding the introduction of a local bylaw to control pet cats.

## Appendix

In the demonstration of local native plants area and the memorial site, the following species were planted with tree guards

Supplied by Avon Wildflower Society with guarantee of provenance:

Acacia meisneri, Callistemon phoeniceus, Calothamnus rupestris and quadrifidus, Eucalyptus caesia, Petrophile heterophylla, and Pattersonia occidentalis

Supplied by Whispering gums nursery Beverley, seed supplied by reputable company

Eucalyptus wandoo, Eucalyptus astringens

Casuarina obesa, Eucalyptus cassia, Eucalyptus loxophleba, Allocasuarina campestris, Calothamnus quadrifidus, and Acacia meisneri

## REFERENCES:

Florabase Western Australian Herbarium

David Paton, Zoologist at the University of Adelaide

Australian biodiversity information facility

Managing your Bushland by BMJ Hussey and KJ Wallace

Shire of York records

Managing tourism and recreation on Wheatbelt granite outcrops by D Moncrieff CALM

Bushland Weeds 2002 by Kate Brown and Kris Brooks

## Acknowledgements

Julia Murphy Greening Australia

Department of Water Northam

Noongar story by Emily Winmar





**9. OFFICER'S REPORTS**  
**9.2 ADMINISTRATION REPORTS**  
**9.2.2 Management Plan – St Ronan's Well**

**FILE NO:** CCP.43  
**COUNCIL DATE:** 24 November 2008  
**REPORT DATE:** 31 October 2008  
**LOCATION/ADDRESS:** Great Southern Highway, York  
**APPLICANT:** Shire of York  
**SENIOR OFFICER:** R Hooper, CEO  
**REPORTING OFFICER:** T Cochrane, MATS  
**DISCLOSURE OF INTEREST:** Nil  
**APPENDICES:** Nil  
**DOCUMENTS TABLED:** Management Plan

**Summary:**

That Council receive the St Ronan's Well Management Plan (the Plan) and advertise the Plan for public comment for a period of 35 days.

**Background:**

Council engaged Terri Watson to research and update the Plan that was prepared by the WA National Parks Association.

**Consultation:**

Penny Huessey.  
Terri Watson.

**Statutory Environment:**

Department of Environment and Conservation.

**Policy Implications:**

Nil.

**Financial Implications:**

Council paid for the services of Terri Watson to complete the review in last years budget. There will costs be involved with advertising.

**Strategic Implications:**

Key Result Area 6 – Objective 5 states:

*"To work with the community and other stakeholders to protect the Shire's natural resources and redress degradation and other environmental issues."*

**Voting Requirements:**

**Absolute Majority Required:** No

**Site Inspection:**

**Site Inspection Undertaken:** Various

**Triple bottom Line Assessment:**

**Economic Implications:**

It is proposed to have an action plan for the next five (5) years to identify areas of need. This will incur costs and it is likely that items will need to be budgeted for in the coming years.

**Social Implications:**

The Plan will provide a community accepted framework to protect and enhance the values of the Reserves.

It will provide clear direction for Council when assessing and determining proposals.

It will provide guidance for the general public.

**Environmental Implications:**

Management Plans will assist with weed control, flora, fauna etc and existing and future land uses.

**Comment:**

It is proposed to proceed to advertising as the first step of community consultation.

**OFFICER RECOMMENDATION**

**RESOLUTION**

**141108**

**Moved Cr Hooper    Seconded Cr Lawrance**

***“That Council:***

- 1.      receive the Management Plan for the St Ronan’s Well Reserve;***
- 2.      proceed to advertising for a period of 35 days welcoming public comment; and***
- 3.      refer the Management Plan to the Department for Conservation and Environment and WA National Parks Association.”***

**CARRIED (5/0)**

**ITEM 9.2.2**

**APPENDIX A**

# **St RONAN'S WELL RESERVE MANAGEMENT PLAN 2008-2013**

June 2008

This management plan has been prepared under the direction of the Shire of York  
by Terri Watson

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## **Acknowledgements**

The following people are thanked for their advice or contributions

Mrs Penny Hussey WANPARA  
The department of Water Northam

## BACKGROUND INFORMATION

**Reserve No:** 10895

**Vested:** WANPARA in 1981 (WA National Parks and Reserves Association)

**Purpose:** Conservation and Protection of historic site

**Location:** Great Southern Hwy 16 kms west of York

**Latitude:** 31° 53 11 42 S

**Longitude:** 116° 36 07 38 E

**Area of Reserve:** 19.4 ha

**Fenced:** Yes

**Vegetation condition:** Good

### ADDITIONAL NOTES

Situated on the eastern edge of the Darling range

LOW WOODLAND; Acacias, Sheoak and Marri, Melaleuca, and a variety of Eucalypts.

First listed on Register of the National Estate on 28/9/1982

Well was constructed in 1830

Site was used as a convict depot in 1850s and 60s.

Buildings destroyed in 1968 (foundations remain)

Last fire burnt out the whole reserve in 1987

Direct seeding trials began in 1991

# HISTORY

Documentation of the history of the reserve is very limited, it might be appropriate to contact the York Historical Society in regard to improving the knowledge of the reserve.

It is thought that the stonework of the larger well is representative of the Scottish dry wall construction, and the smaller well was built with hand made bricks during an expedition by Governor Stirling to the Avon Valley in the 1830's. The wells are fed by a rocky outcrop on the reserve, they are considered to be the oldest inland wells in WA

Though the convict buildings were bulldozed in 1968, from the air, the foundations of the five buildings including police quarters and cells can still be seen.

It is claimed that one of the cells of the jail was where the Bushranger Moondyne Joe was held overnight while being transported to Perth in 1865.

The site was used by travellers and visitors for many years as the first fresh water beyond the Darling ranges.

This small reserve had been heavily grazed for a number of years before WANPARA applied to take over the vesting and management in 1981. In that same year the purpose was changed to Conservation and Protection of historic site.

Very little vegetation remained and the wells were in a badly degraded condition, little or no information has been documented regarding the original species that were on the reserve prior to the introduction of stock.

# VALUES

## **Nature conservation values**

Though this is a small reserve the vegetation provides a valuable food source for native fauna and would act as an emergency refuge for native animals along the main road, the South Western Hwy. As the revegetation of the reserve is increased the habitat for fauna such as frogs will also increase. The larger well is surrounded by native rushes and trees which are in good condition and it provides a safe environment for many aquatic fauna. Vegetation on other properties nearby act as a corridor, allowing small birds and other fauna to use the reserve as a food source and resting place.

## **Educational and research opportunities**

The site is located only a few hundred meters away from the large reserve of St Ronans nature reserve this is 116 ha? Seed was collected from the nature reserve which was used to a great extent to repopulate the Well reserve with local native species. The direct seeding trial has resulted in a number of landcare agencies using the site as a demonstration site. Publications and field excursions have helped landcare groups and landowners understand the use and method of direct seeding, while increasing the biodiversity of the reserve. It is still used as a seed orchard for use in local landcare projects.

Trials involving the use and placement of native species to help control the spread of saline water runoff have aided the community in general and have been of educational use in the fight against salinity. A plaque has been erected explaining the purpose of the trial site and records have been kept regarding the success of the species selected

**Heritage values**

The heritage listing was sought to aid in the preservation of the two wells on the reserve. The recent restoration of the wells will ensure that the site will be of significance not only to the local people of York but to the many visitors to the reserve.

**Recreational values**

During fine weather the access to the reserve is relatively easy, in winter however the stretch of track is usually flooded though this does not tend to stop determined trekkers from crossing the stream/drain. The area is a popular destination site especially for 4 wheel drive vehicles. The larger well is still used by visitors in the summer as it is very shaded and cool and presents itself as being a restful and relaxing place to stop.

It is anticipated that the planned walk trail will also add recreational value to the reserve.

Under present arrangements there are some picnic tables available for use and a small parking area is close to the well. Plaques around the well describe a short history of the reserve and give travellers a brief outline of the species in the area.

## THREATS

**Fire**

The fire of 1987 burnt through the whole reserve before it was controlled. Due to its location, size and distance from the town of York there is nothing to stop this from happening again.

Though fire is a naturally occurring factor in the Australian bush its proximity to St Ronans reserve would place that reserve in danger of also being engulfed. As there are a number of priority species on that reserve it is preferred that all threats of fire be reduced as much as possible.

Increased numbers of visitors present a higher risk of a fire starting whether it be accidental or purposely lit. A fire would leave the area vulnerable to soil erosion, increased number of weeds and the killing of some fire sensitive species now growing on the reserve. Habitat trees are also susceptible to hot fires which in turn would endanger any animal species living or hiding in them. Public safety and neighbours are also a high priority should there be a fire on the reserve.

**Increased salinity**

After a number of years the planting of salt tolerant native species has limited the spread of the salt scald to a small degree. Deep groundwater rising to the surface is the cause of the problem and this is not a condition that can be rectified by WANPARA or the Shire, therefore the threat still remains that it could cause the seep to spread even after planting out the whole seep has occurred.

**Weeds**

Some areas of the reserve are still affected by weeds and the risk of further introduction of other weeds is always a possibility due to the number of visitors to the area. Weeds surrounding the well and picnic sites are of particular concern as a fire would almost certainly destroy the historic flooded gums.

### **Visitors**

Despite the best efforts of WANPARA and the Shire, visitors are still accessing areas of the reserve that are susceptible to erosion, dieback, weed infestation and fire. Parts of the well have been removed and used to help people get their vehicles out of the boggy sections of the reserve. The risk to bush walkers will increase once the walk trail plan has been implemented and consideration must be given to finding an alternative to stopping people gaining access to vulnerable areas of the reserve in their vehicles.

It is expected that for as long as people can get their vehicles into the reserve there will always be problems with vandalism to the wells, this must be avoided at all costs. Visitors have also been responsible for vandalising the picnic furniture and unless a vandal proof set of tables is installed then any other picnic tables will not be installed in the future of this plan.

## **PREVIOUS MANAGEMENT (1980-1990)**

Since taking over the management of the reserve WANPARA had three main goals, they were

- 1 To restore the Well, while keeping both wells in as original condition as possible.
- 2 To rehabilitate the reserve with local native species
- 3 Create a picnic area for visitors

Both wells were cleaned and restored with the convict brick well now being in good condition, and a portion of the stone lined well was partially rebuilt.

A large number of tree and shrub species were planted over a number of years, though not all species were of local origin, and 4 picnic tables were installed. And attempts were made at keeping the picnic area clear of weeds and debris.



## MANAGEMENT (1990-2005)

WANPARA representative Mrs Penny Hussey reported that a fire in 1987 destroyed most of the new plantings on the reserve as well as other original species.

This gave rise to a new course of action and a concerted effort to reintroduce species local to the area into the reserve. Due to the lack of information about the make up of the vegetation of the reserve in the past, the usual guidelines for the revegetation could not be followed.

The new plan was to conserve and enhance the conservation values of the site, this would be achieved by

- increasing the diversity and extent of native understorey
- using, wherever possible local provenance seed
- making the site available as a seed orchard
- and attempt to limit the spread of surface soil salinity

Species from surrounding reserves and roadsides were planted matching the soil types and hydrological conditions so as to ensure the plants had maximum potential for growth and survival. This was achieved by using direct seeding methods as well as planting seedlings using different site preparation methods.

The plantings were, to a great degree very successful and large amounts of seed have been used in other revegetation projects on nearby properties. The site has also been visited by others involved in landcare including local farmers.

WANPARA hosted a number of specialist field excursions and the trials were cited in West Australian publications.

The planting of salt tolerant species has been carried out recently to help restrict the spread of the salt scald and the site is monitored on a regular basis.

A new firebreak was established north-east of the creek as regeneration after the fire had taken over the original firebreak.

In 1997 interpretive signs were erected, some close to the well and another at the top of the seep.

An attempt to restrict vehicular access to the reserve using bollards was made. However a section close to the well was left open for reasons of fire control and visitors have made use of that opening. The installation of the bollards was made necessary due to continued vandalism of the Wells.

Mrs Penny Hussey has since submitted a draft management plan with certain aims for the future of the reserve, this was in Feb 2005.

## MANAGEMENT 2007

In accordance with the management plan of WANPARA certain actions have been undertaken by the Shire of York.

Dead trees were collected and small piles up which will be burnt in accordance with Fire Regulations.

A walk trail has been designed by a team of Green Corps workers. The planned trail incorporates existing firebreaks and takes walkers through the many different aspects of the reserve. As requested by WANPARA the historical remains of the buildings were not included on the walk trail plan.

A variety of salt tolerant species have been planted in and around the salt seep. It was a successful project and many of the plants have survived and monitoring of the site will continue.

A section of rushes was removed to form a channel from the main well which was over-flowing, this has allowed the water to drain along the line of rushes that are used by native frogs and other fauna as habitat.

Other species have been planted on the reserve namely Eucalyptus wandoo and Acacia acuminata.

Rocks were placed around the perimeter of the well cover in the hope that they will prevent animals falling into it. If vandalism continues then it will be necessary to redesign the cover over the shaft. Future monitoring will indicate what next steps need to be taken.

## Proposed Objectives of the Management plan for St Ronan's Well

### Nature conservation

Install low fuel buffer around wells and the picnic site. Slash and rake the area and remove debris. The trees around the well are of historic and conservation value and must be protected from fire. This could involve the planting of a local native perennial groundcover *Atriplex semibaccata*, it is salt and drought tolerant and a good food source for native fauna

1½ meter wide strips will be slashed and sprayed using Glyphosate in readiness for planting of seedlings and direct seeding. This should be carried out just before the weed seeds have developed in August\September. Alternatively the strips could be used as part of the walk trail and they would help protect new plantings in the event of fire.

Seed collection and propagation for continued revegetation purposes. Only seed local to the area is to be collected. Community groups are welcome to continue to collect from the site as are local land owners.

The burning of heaps in open areas is for the purpose of creating ash beds. Planting out of the ash beds must be carried out as the new seasonal rains commence to give plants best chance of survival.

A heritage tree growing in the reserve alongside the highway fence-line is to be monitored and protected.

Consultation should be sought with neighbours regarding the planting of a corridor from the Northern end of the reserve to the St Ronans reserve only a few hundred meters away. Regard must be given to the possibility that fencing may be required on the farmland until trees have matured or grown enough to withstand the introduction of stock.

There is some sediment movement in the drain as well as signs of collapsing banks. Attempts should be made to stabilise the banks which will in turn cut down on the amount of sand (sediment) moving into and along the drain. The planting of species to aid in soil stabilisation on the banks is encouraged; this would also reduce the number of weed species along the drain.

### **Recreation and tourism**

The nature trail has been pegged out by members of the Green Corps team and WANPARA is now considering the potential impacts and recreational values of the planned walk trail. Further consultation will be sought with WANPARA and the Shire of York before continuing with this project.

The entrance to the reserve is continually in need of repair. The Department of Water was consulted and have suggested a way to remedy the situation. Using half a truck load each, of football sized rocks and smaller rocks, plus a half truck load of 150 cm ballast rock, this project will solve the problem with the washouts during winter. Offshoot drains may also need to be installed to prevent channelling of water along the driveway.

The largest rocks are to be placed around the exit side of the drain and must be packed up the edges and sides. Cover the sides all the way down to the bottom of the drain with some at the base. Follow this with the next size rocks and then the ballast is placed on top. Slant the track toward the outflow side of the drain, this will prevent rocks and sand from washing into the drain.

### **Protection**

The potential for a fire to completely ravage the reserve before being extinguished is very high due to the distance from the closest fire unit.

Fire breaks have been installed but they are in need of servicing as some vegetation has grown on the firebreaks and branches have fallen across them in some places. A nearby landholder volunteered to service the firebreaks in the past but this is no longer the case.

Due to the inundation of weeds in some areas of the reserve the chance of a vehicle starting a fire is not remote; therefore all efforts must be made to restrict vehicle access, while still leaving an access point for fire control vehicles. Install bollard and steel entrance blocker with padlock key made available to the closest fire fighting unit.

Any burning of vegetation to create an ash bed for regeneration will be confined to small heaps and will only be carried out with suitably qualified personnel on hand.

Neighbours will be encouraged to report and tackle any fire that they become aware of and a sign informing visitors of emergency contact information should be erected in a conspicuous place.

Vehicular access is to be restricted to nominated parking areas only

Funds must be made available for post fire weed control and revegetation works. After a fire many weeds will be the first to germinate, smothering any new native species that may emerge.

Rabbit control is also necessary to allow regeneration to go on unabated during spring.

Realign firebreak close to the highway along the St Ronans brook (being careful not to damage Sandalwood tree) and service current firebreak

Slash weeds along same section as above to protect seeding area

Continue firebreak to creek

Remove overhanging branches and dead trees including regrowth on current firebreak

Install vehicle barrier at firebreak near entrance. This could involve the use of fallen branches or trees.

A copy of the "Small Remnant Fire Management checklist" is attached, and this should be referred to in the event of a planned fire on the reserve.

## PROPOSED ACTION PLANS

### **Nature conservation:**

- Install low fuel buffers around the wells and picnic site
- Install low fuel buffers around other important sites such as planted areas
- Site preparation for new shrubby habitat islands
- Seed collection, propagation and planting for new areas
- Contact neighbours regarding planting of corridor to nearby St Ronans Reserve
- Burn small heaps of timber
- Sediment movement and bank stabilisation practices to be implemented

### **Recreation and tourism**

- Install nature trail
- Upgrade entrance driveway

### **Protection**

- Realign and redefine firebreaks
- Install bollards and steel gate with padlocks
- Monitor cover of well shaft and replace if necessary
- Prune overhanging branches on entrance driveway and firebreaks

### **Research**

- Continue to monitor salt scald.
- Continue to monitor previous plantings

**9. OFFICER'S REPORTS**  
**9.2 ADMINISTRATION REPORTS**  
**9.2.3 Youth Officers Activity Summary**

<b>FILE NO:</b>	<b>CS.LCS.6</b>
<b>COUNCIL DATE:</b>	<b>24 November 2008</b>
<b>REPORT DATE:</b>	<b>3 November 2008</b>
<b>LOCATION/ADDRESS:</b>	<b>Not Applicable</b>
<b>APPLICANT:</b>	<b>Not Applicable</b>
<b>SENIOR OFFICER:</b>	<b>Ray Hooper, CEO</b>
<b>REPORTING OFFICER:</b>	<b>Kim Crawford, YDO</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>Nil</b>
<b>DOCUMENTS TABLED:</b>	<b>Nil</b>

**Summary:**

The need for a new Skate Park/BMX track in conjunction with the proposed new Youth Centre will maximize the youth participation of both facilities.

**Background:**

A Youth Multi Purpose precinct, which was to be developed on Lot 186 near the present skate park, has been determined through consultation with YAC members and the youth community, to no longer meet the needs of the youth population. The site does not maximize the youth participation, given its isolated nature and lack of basic amenities. The Council was made aware that the YAC would like to share a proposed Youth Centre with the Scouts and make use of the land to build a new Skate Park/BMX facility.

**Consultation:**

**What makes a good skating playground?**

- Location, location, location – accessibility and visibility are critical.
- Design features – cater for a range of skill levels and provide challenges for both novice and intermediate skaters.
- Minimal risk to users – construction plans ratified by 'expert' user group; codes of use promoted.
- Regular on-going maintenance – prevent injury.
- Management plan – address issues such as graffiti, program to increase usage and community support.

**Construction Options**

There are three distinct types of skate/BMX parks built:

- Mobile — demountable structures usually stored within a custom designed trailer, easy to move between locations, often provided as an interim measure
- Semi permanent — structures such as vertical ramps and rails placed on top of a hard-court surface, configuration can be altered using lifting equipment
- Concrete course — sunk into the ground including bowls, half and quarter pipes, fun box and grinding rails

**Site Specific Planning**

Planning the construction of a skate park takes 6–12 months.

**Step 1****FORM A STEERING GROUP**

Collectively, the group must have the skills to manage the project. These skills include:

- Project management
- Financial management
- Design and building
- Fundraising/grants application
- Youth/community and recreation development

**Step 2****PROJECT BREAK DOWN**

There are several distinct project components that need to be addressed separately within a site-specific plan:

- Design and construction
- Management and maintenance
- Marketing and promotion
- Program development
- Monitoring and evaluation

Budget — knowing the total financial resources available to the project at the outset establishes clear parameters.

**Step 3****MANAGING THE FACILITY**

A management plan systematically details the following:

- Availability or times of use.
- Safety policies and procedures.
- Procedures to address antisocial behaviours.
- Procedures to address community complaints.
- Programming for increased usage may be either semi informal or structured activities.
- Marketing and cost recovery approaches.

**Step 4****DESIGN**

Providing a facility that is safe and well used requires input from those for whom the facility is intended — local young people.

- Ask users what key features they would design within a facility, keeping costs in mind.
- Ask construction firms to submit designs within budget limitations
- Go back to user groups and ask them to pick a design.

### **Step 5**

#### **CONSTRUCTION**

- Assess contractors on their experience in building skate/BMX parks or skating structures and their ability to meet the desired and their ability to meet the desired design requirements.
- For insurance purposes, a skate park facility is considered akin to playgrounds and must be built to Australian Safety Standards incorporating signposts, which encourage the use of protective equipment, and outlining acceptable user activities.

### **Step 7**

#### **MAINTENANCE AND MONITORING PROGRESS**

- Skate/BMX parks require routine inspection to ensure structural elements are safe for use.

#### **Statutory Environment:**

Nil to this report

#### **Policy Implications:**

Nil to this report

#### **Financial Implications:**

##### **Potential Funding**

Lotterywest Grant	\$19,000
YAC fundraising	\$ 3,000
Ministry of Sport and Recreation	\$30,000
Office of Youth Affairs	\$20,000
<b>Total Potential Funding</b>	<b>\$72,000</b>

Total Budget	<b>\$83,000</b>
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#### **Strategic Implications:**

Strategic Plan Key Result Area 2 – Youth:

*Objectives 2 - To enhance recreational and cultural opportunities for young people.*

#### **Voting Requirements:**

**Absolute Majority Required:** No

#### **Site Inspection:**

**Site Inspection Undertaken:** Not applicable

#### **Triple bottom Line Assessment:**

##### **Economic Implications:**

Nil applicable at this stage.

**Social Implications:**

- Promoting a more inclusive policy involving young people and the wider community
- Possible increased participation in the Scouts and other positive groups
- Possible decrease in anti-social activities and related negative youth behaviors.
- Youth ownership of the site.
- An opportunity for the local police to become more involved in their interaction with young people

**Environmental Implications:**

The impact any proposed youth precinct would have on surrounding residents and community members.

**Comment:**

Given the increasing youth population, it would benefit the Councilors to consider the needs of the young people of York in the placement of any youth precinct that isolates them from the wider community.

The land proposal for the youth facilities is on land zoned for recreation purposes and vested in the Shire of York and it is adjacent to other youth facilities in the York Swimming Pool and the Scout Hall.

**OFFICER RECOMMENDATION****RESOLUTION****151108****Moved Cr Lawrance****Seconded Cr Boyle*****“That Council:***

- 1. Direct the Youth Co-ordinator and the York Advisory Committee to prepare a site plan detailing all proposed uses.***
- 2. Advertise the proposed development application of a skate park on the Scout Hall location for public comment for a period of 21 days when the outline development plan is prepared”.***

**CARRIED (5/0)**



**9. OFFICER'S REPORTS**  
**9.2 ADMINISTRATION REPORTS**  
**9.2.4 Private Road Closure**

<b>FILE NO:</b>	<b>Gr 3/Gr 3.2906</b>
<b>COUNCIL DATE:</b>	<b>24 November 2008</b>
<b>REPORT DATE:</b>	<b>12 November 2008</b>
<b>LOCATION/ADDRESS:</b>	<b>Lot 105 Greenhills Road</b>
<b>APPLICANT:</b>	<b>Shire of York</b>
<b>SENIOR OFFICER:</b>	<b>R Hooper, CEO</b>
<b>REPORTING OFFICER:</b>	<b>T Cochrane, MATS</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>Appendix A - Location</b>
<b>DOCUMENTS TABLED:</b>	<b>Nil</b>

**Summary:**

To formally close an old roadway in the Greenhills Townsite in accordance with Section 52 of the Land Administration Act.

**Background:**

Council considered this item at its Ordinary Council meeting held on the 21<sup>st</sup> April 2008, however it has only recently come to staff attention that the Section of the Land Administration Act was incorrect and should be Section 52 and not 58, as the road is a private road.

The resolution was as follows:

***"That Council:***

- 1. accede to the proposed road closure of the old roadway in the Greenhills locality, as shown on the attached map labeled "Appendix A", for the purpose of facilitating public advertising in accordance with Section 58 of the Land Administration Act 1997 (as amended);***
- 2. in the event that no adverse submissions are received during the advertising period, delegate authority to the Chief Executive Officer to finalise the road closure; and***
- 3. advise Mr Leahy and Mr Murgatroyd of the advertising period."***

**Consultation:**

AA Moore & Associates; and  
Department for Planning and Infrastructure – State Land Services.

The following advice was provided through the above Department on the 7 November 2008, which is detailed below:



Department for Planning and Infrastructure  
Government of Western Australia

State Land Services



Your ref: Tc:tc Gr 3.2906  
Our ref: 50995-2007 (Job No. 073617)  
Enquiries: Leon Gammon Ph: (08) 9347 5184  
Fax: (08) 9347 5002  
E-mail: leon.gammon@dpi.wa.gov.au

Chief Executive Officer  
Shire of York

Attention: Tyhscha Cochrane

**Proposed road closure – Lot 105 Greenhills**

Further to our previous discussion and correspondence of 29 July and 31 October 2008, firstly my apologies for the delay in providing the background map of the creek area that I promised and for the other delays.

As to the road closure, as this is a private road the relevant section of the LAA is 52 rather than 58 as per your April 21 resolution. The matter will need to be the subject of corrigendum motion or new motion to refer instead to section 52.

Further to my earlier undertaking, I hope to shortly to be able to provide you with some detail for the creek line to assist in the definition of your development area for incorporation in the Structure Plan.

In relation to the closure of the section of road near lot 105 as well as all the roads within this area of the Greenhills townsite, as per our discussion and as indicated in earlier correspondence, to comply with s.52 and to enable us to close any area of road in Greenhills, it is necessary for you to submit a "sketch plan" to WAPC for their consideration. This s.52 LAA requirement would be met if you were to provide them with a copy of the abovementioned Structure Plan or the earlier David Gray plan. I note that in the sketch plan in the Structure Plan document that the treatment of the amalgamation of Lot 105 is not as per the David Gray concept or the AA Moore and Associates sketch. You will need to settle on one of these or an alternate new one when you send the 'sketch' to the Commission for their support for the road closure/rationalisation.

When they have responded, and Council has passed the new s.52 resolution, we will be ready to deal with the closure and disposal of the section of land into Lot 105.

To effect the amalgamation of the lane with Lot 105 there will have to be a Landgate Deposited Plan prepared at cost to the applicant. The price for the plan preparation and for the land in the lane and the amalgamation - all included, will cost the owner of Lot 105 in the order of \$4,000 GST inclusive. Can you please obtain the owners agreement to proceed and to pay this amount when called upon by us.

With the Commission's support for the road closures we are almost out of the woods on this one, or at least the road closure stage of it.

**HENTY FARRAR**  
**MANAGER \_ Wheatbelt Region**

**7 November 2008**

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1 Midland Square, Midland, Western Australia 6056  
Postal Address: PO Box 1575, Midland, Western Australia 6936  
Tel: (08) 9347 5000 www.dpi.wa.gov.au ABN 40 996 710 314  
wa.gov.au

## Statutory Environment:

Land Administration Act, 1997 (as amended) Section 52:

### 52. Local government may request acquisition as Crown land of certain land no longer required

- (1) Subject to this section, a local government may request the Minister to acquire as Crown land —
  - (a) any alienated land designated for a public purpose on a plan of survey or sketch plan lodged with the Registrar;
  - (b) any private road; or
  - (c) any alienated land in a townsite which the Minister proposes to abolish under section 26,within the district of the local government (in this section called **the subject land**).
- (2) A request made under subsection (1) is to be accompanied by —
  - (a) a plan of survey or sketch plan —
    - (i) showing the subject land; and
    - (ii) approved by the Planning Commission;and
  - (b) copies of all objections lodged with the local government during the period referred to in subsection (3)(b)(i) or (ii), as the case requires.
- (3) Before making a request under subsection (1), a local government must —
  - (a) take all reasonable steps to give notice of that request to —
    - (i) the holder of the freehold in the subject land unless the local government holds that freehold;
    - (ii) the holders of the freehold in land adjoining the subject land unless the local government holds that freehold; and
    - (iii) all suppliers of public utility services to the subject land;and
  - (b) in the case of —
    - (i) alienated land referred to in subsection (1)(a) or a private road referred to in subsection (1)(b), state in the notice a period of not less than 30 days from the day of that notice during which period persons may lodge objections with it against the making of that request; or
    - (ii) any land referred to in subsection (1)(c), advertise or take such steps as may be prescribed to notify interested persons of an intention to make the request and state in the notification a period of not less than 30 days from the day of that notification during which period persons may lodge objections with it against the making of that request.
- (4) The Minister may, on receiving a request made under subsection (1), the accompanying plan of survey or sketch plan referred to in subsection (2)(a) and copies of all objections referred to in subsection (2)(b) —
  - (a) by order grant that request;
  - (b) direct the local government to reconsider that request, having regard to such matters as he or she thinks fit to mention in that direction; or
  - (c) refuse to grant that request.
- (5) On the registration of an order made under subsection (4)(a), the subject land —
  - (a) ceases to belong to the holder of its freehold;

- (b) is freed from all encumbrances; and
  - (c) becomes Crown land.
- (6) Subject to subsection (7), compensation is payable under Part 10 to any holder of the freehold in the subject land who suffers loss on the registration of an order referred to in subsection (5) as if that loss resulted from a taking under Part 9.
- (7) A person with an interest in land that is a private road (including a person who has the benefit of an easement created under section 167A of the TLA) the subject of an order under subsection (4)(a) who suffers loss on the registration of the order is not entitled to compensation under Part 10.
- (8) Sections 188, 189, 190 and 191 do not apply to a private road or an interest in land that is a private road if the land is the subject of an order under subsection (4)(a) and the land was taken or resumed or purportedly taken or resumed under a written law for the purpose of a right of way or a right of way and recreation.

**Policy Implications:** Nil.

**Financial Implications:**

There are administration costs associated with staff time.

**Strategic Implications:**

Community Services – Key Result Area 7 – Objective 1 states:

*“To meet community needs in terms of physical infrastructure and overall community services.”*

**Voting Requirements:**

**Absolute Majority Required:** No

**Site Inspection:**

**Site Inspection Undertaken:** Not applicable

**Triple bottom Line Assessment:**

**Economic Implications:**

No further economic implications arise for Council, however there are costs associated with the Deposited Plan and the amalgamation of land into the lot.

**Social Implications:**

The applicants are keen to see this happen, their building already exists over the right of way and they are awaiting further approvals for an extension.

**Environmental Implications:**

The Bally Bally creek should be protected from development encroaching on the banks.

**Comment:**

This procedure will provide a correct record and all plans will be completed in due course if the recommendation is accepted.

**OFFICER RECOMMENDATION**

**RESOLUTION  
161108**

**Moved Cr Fisher                      Seconded Cr Lawrance**

***“That Council amends the resolution 120408 to reflect Section 52 of the Land Administration Act 1997, as follows:***

- 1. accede to the proposed road closure of the old roadway in the Greenhills locality, as shown on the attached map labeled “Appendix A”, in accordance with Section 52 of the Land Administration Act 1997 (as amended).”***

**CARRIED (5/0)**



**ITEM 9.2.4**

**APPENDIX A**







### 9.3 Finance Reports



## **9. OFFICER'S Reports**

### **9.3 FINANCE REPORTS**

#### **9.3.1 Tender 01-0809 - Design & Construct Community Co-Location Building**

<b>FILE NO:</b>	<b>AS.TEN.17</b>
<b>COUNCIL DATE:</b>	<b>24 NOVEMBER 2008</b>
<b>REPORT DATE:</b>	<b>10 NOVEMBER 2008</b>
<b>LOCATION/ADDRESS:</b>	<b>LOT 24,25 &amp; 26 AVON TERRACE, YORK</b>
<b>APPLICANT:</b>	<b>SHIRE OF YORK</b>
<b>SENIOR OFFICER:</b>	<b>RAY HOOPER</b>
<b>REPORTING OFFICER:</b>	<b>PETER STEVENS</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>NIL</b>
<b>APPENDICES:</b>	<b>NIL</b>
<b>DOCUMENTS TABLED:</b>	<b>YES- TENDER SPECIFICATIONS &amp; SUBMITTED TENDERS</b>

#### **Summary:**

Tender 01-0809 for the design and construction of a proposed community co-location building closed on 10 October 2008. This report gives details on the tenders received and recommendations and options on how to proceed.

#### **Background:**

Council through its strategic planning process has previously identified the need for a new community building to house various activities that are undertaken in Council buildings. By consolidating various user groups and functions in one building the Shire can dispose of surplus property and achieve a much higher use of building assets through combined use of one facility. This will result in the Shire obtaining savings in maintenance and operating costs whilst also gaining modern convenient facilities for the whole community.

The building is to be designed so that each user group can have individual access to a component whilst allowing integration, sharing and flexibility where possible. Common areas should be accessible by all staff to reduce the need for doubling up toilets and kitchen facilities.

Tenders were called in August 2008 and closed on 10 October 2008. Tenderers were asked to submit tenders in accordance with a Design Brief and the Tender Specifications (Tabled). Selection Criteria were set in the Tender Specifications.

#### **Consultation:**

Public Tender Process

#### **Statutory Environment:**

Local Government Act (1995) Section 3.57, Local Government (Functions and General) Regulations Part 4.

#### **Policy Implications:** Nil

#### **Financial Implications:**

Council budgeted \$1 200 000 toward the construction & fit out of the Co-location Facility.

#### **Strategic Implications:**

Key Result Area 3:  
Community Development

#### **Voting Requirements:**

**Absolute Majority Required:** No

#### **Site Inspection:**

**Site Inspection Undertaken:** Not applicable

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

The asset base of the Shire of York will be increased by the construction of new Co-location Facilities.

Ongoing maintenance and operating costs may increase but may be offset by the disposal of current buildings that require major upgrades and upkeep.

**Social Implications:**

Construction of a new Co-location facility will provide a central location for many of the community based activities and thus enhance social networks for residents.

**Environmental Implications:**

There is a real opportunity to reduce the overall environmental footprint of a new Council facility through smart design initiatives and utilisation of new technologies.

**Comment:**

Tenders were submitted by the due date by seven building companies as listed in the table below. There was one late tender received which has not been included in this report. All tenders have been tabled for this meeting.

The tender called for the design and construction of Co-location facility catering for various community groups with an approximate total floor area of 1000m<sup>2</sup>. Tenderers were invited to tender on an outline floor plan and design that had been previously endorsed by Council or submit their own design with construction price.

Basic details of the tenders submitted were as follows:

NO.	DESIGN	COMPANY	PRICE
1	Tender based on Force 10 panel construction as per Council endorsed floor plan.	Countryside Building & Construction (Northam)	\$1 814 300 Plus Provisional Sum of \$533 500
2	Tender based on Force 10 panel construction as per Council endorsed floor plan.	Creative Construction (Not Registered Builder, York)	\$779 098.10
3	Tender based on their own design incorporating 3 buildings under one roof (double brick, Colourbond roof)	Classic Contractors (Willeton)	\$2 732 141
4	Tender based on their own design incorporating 3 buildings using passive solar design principles (double brick and Colourbond)	Briklay Pty Ltd (Midland)	\$2 817 320
5	Tender based on their own design with large central atrium (double brick)	Multicon (Northam)	\$1 648 200
6	Tender based on Council endorsed floor plan (double brick)	CPD Group (Burswood)	\$2 651 00
7	Tender based on their own modular design (steel framed modular)	Steel Homes (West Perth)	\$6 227 650

Creative Construction are not registered builders and therefore did not meet one of the key selection criteria.

The following is a brief synopsis of the 6 conforming tenders.

**Countryside Building and Construction** based their tender on the endorsed Force 10 design (delivered prefabricated price of \$445 271). The price submitted on this basis seems to be high considering that sewer connection, hydraulic design, electrical design or kitchen appliances are not included in the price.

**Classic Contractors** from Willetton submitted a comprehensive tender with an updated design. The design followed the basic endorsed concept plan however it consisted of 3 separate buildings under the one roof. The building is proposed to be constructed in double brick with a zincalume roof. A comprehensive pricing schedule has been included however there is no specific inclusion for surfacing of car parking areas.

**Briklay Pty Ltd** from Midland also submitted a comprehensive tender and obviously spent some time considering the design brief and site. The design has been specifically formulated for the site using passive solar design principles and maximising natural ventilation flows between the buildings. The design consists of 3 separate buildings with 2 semi enclosed buildings and a signature tower.

The Briklay tender has incorporated flexible design to allow the project to be constructed in stages if desired. The design also allows adjoining spaces to be opened up to allow bigger spaces to be created temporarily for example the library and Telecentre are adjacent to each other and can be combined to create a 220 m2 area. Additionally outside undercover areas can be utilised for events and meetings.

Alternative exterior finishes have been allowed for including face brick or a combination of brick and Colourbond.

**Multicon Commercial Constructions** are based in Northam and have developed and submitted their own design based on the design brief.

The building is proposed to be constructed in double brick with a Zincalume roof. The building is a simple rectangular shape with a large 215 m2 central atrium area. A comprehensive pricing schedule has been included.

Multicon's price is the most competitive of the 6 conforming tenders and offers very good value for money.

**CPD Group's** tender was submitted based on the Council's endorsed design with double brick construction. The tenderers have submitted a detailed cost schedule. The price is competitive with the other brick construction but a lot higher than the Force 10 construction for the same building.

**Steel Homes** tender was comprehensive and included pricing for all elements of the project. The pricing was extremely high particularly considering it was a prefabricated modular design.

The design consists of 20 prefabricated steel framed modules configured into 3 separate buildings.

The basic construction price came in at \$4 355 000 however with a contingency sum, architectural services and GST the final figure was \$6 227 650.00. This figure did not include window treatments, loose furniture, fans, air conditioning, security or fire alarms.

### **Conclusion**

Council has allocated \$1 200 000 in this years budget toward the construction and fit out of the proposed co-location building. None of the tenders were within the budgeted amount.

The budgeted amounts included State and Federal Government funding and with the changes to both these governments in the last year funding opportunities are still to be finalised.

As previously stated Creative Construction's tender must be discounted at this stage due to its non compliance with the specifications. Steel Homes tender seems to be above the average for the tender and is well above the budgeted amount of \$1 200 000 and should be discounted on price.

The remaining 5 tenders can be considered however all fall outside the budgeted amount therefore Council has a number of options and must either;

1. Reject all the tenders and review the project to see where additional savings can be made; or
2. Attract additional funding from State and Federal Governments to meet the proposed costs; or
3. Readjust the budgeted amount to allow consideration of the submitted tenders; or
4. Reject tenders and re-tender based on a scaled down project to fit within the budgeted amount; or
5. Reject all the tenders and consider Council project managing the building to save external costs.

Currently work is continuing to finalise the business plan for the project whilst confirmation from the State and Federal Governments is being sought on what funding opportunities will be available for this type of project in the future.

### **OFFICER RECOMMENDATION**

#### **RESOLUTION 171108**

**Moved Cr Boyle**

**Seconded Cr Lawrance**

***"That Council:***

***Reject all the submitted tenders and commence a review of the project taking into consideration users of the building and alternative designs to identify any areas where cost savings can be made; and***

1. ***Finalise the business plan for the Co-location facility so as to be ready for new funding opportunities as announced by the Federal and State Governments."***

**CARRIED (5/0)**

## **9. OFFICER'S REPORTS**

### **9.3 FINANCE REPORTS**

#### **9.3.2 Material Variances Limit – Monthly Financial Activity Statement**

<b>FILE NO:</b>	<b>FI.FRP</b>
<b>COUNCIL DATE:</b>	<b>24<sup>th</sup> November 2008</b>
<b>REPORT DATE:</b>	<b>17<sup>th</sup> November 2008</b>
<b>LOCATION/ADDRESS:</b>	<b>N/A</b>
<b>APPLICANT:</b>	<b>N/A</b>
<b>SENIOR OFFICER:</b>	<b>Ray Hooper, CEO</b>
<b>REPORTING OFFICER:</b>	<b>Graham Stanley, Deputy CEO</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>Nil</b>
<b>DOCUMENTS TABLED:</b>	<b>Nil</b>

#### **Summary:**

This report recommends the setting a limit of greater than a 10% variance from the month to date budget for the purposes of reporting material variances in the Monthly Financial Activity Statement.

#### **Background:**

Regulation 34 (5) of the Local Government (Financial Management) Regulations 1996 as amended requires Council, annually, to adopt a value or percentage for the purposes of reporting material variances to the year to date budget of the Monthly Financial Activity Statement.

#### **Consultation:**

Department of Local Government & Regional Development; Council's auditors, David Tomasi from Haines Norton – WALGA's Tax Service consultants.

#### **Statutory Environment:**

Local Government Act 1995; Local Government (Financial Management) Regulations (1996)

#### **Policy Implications:** Nil

#### **Financial Implications:**

Will allow Councillors to be more aware of the reasons for variances to budget in the financial reports.

#### **Strategic Implications:** Nil.

#### **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:**

Council has used this limit in the past and 10% is used widely in Local Government as the minimum variance required prior to the reporting of variances to budget. The setting of monthly budgets is imprecise due to the difficulty in estimating the timing of when invoices and income will be received. Setting a lower variance margin would result in a lot of meaningless information being produced and a great amount of officer time reporting on insignificant matters. The key word is "Material" and unless the variance is material it should not be reported on.

**OFFICER RECOMMENDATION**

**RESOLUTION**

**181108**

**Moved Cr Boyle**

**Seconded Cr Lawrance**

***"That Council:***

***adopts a limit of a greater than 10% variance for the purpose of reporting on material variances in the Monthly Statements of Financial Activity for the 2008/09 Financial Year."***

**CARRIED (5/0)**



**9. OFFICER'S REPORTS**  
**9.3 FINANCE REPORTS**  
**9.3.3 Finance Report October 2008**

**FILE NO:** FI.FRP  
**COUNCIL DATE:** 24 November 2008  
**REPORT DATE:** 18 November 2008  
**LOCATION/ADDRESS:** Not Applicable  
**APPLICANT:** Not Applicable  
**SENIOR OFFICER:** Graham Stanley, Deputy Chief Executive  
Officer  
**REPORTING OFFICER:** Tabitha Bateman, Administration Officer  
**DISCLOSURE OF INTEREST:** Nil  
**APPENDICES:** Yes  
**DOCUMENTS TABLED:** Nil

**Summary:**

The Financial Report for the period ending 31 October 2008 is hereby presented for the consideration of the Council.

Appendix A includes the following:

- Statement of Financial Position
- Statement of Financial Activity
- Variance Report
- Bank Account Reconciliations
- 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
- Corporate Credit Card & Fuel Card Summary

**Consultation:** Nil

**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 31 October 2008;

Sundry Creditors as per General Ledger	\$	569.18
Sundry Debtors as per General Ledger	\$	399,673.55
Unpaid rates and services current year (paid in advance inc ESL)	\$	1,118,397.64
Unpaid rates and services previous years (incl ESL)	\$	166,074.50

**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:**

The attached variance report provides explanations of the variances. Many variances are due to timing issues such as delays to jobs commencing or the budget being allocated on a pro-rata basis but the majority of the income or expense being received or incurred over only a few months.

**OFFICER RECOMMENDATION****RESOLUTION**

**191108**

**Moved Cr Boyle**

**Seconded Cr Lawrance**

***"That Council:***

***Receive the Monthly Financial Report and ratify payments drawn from the Municipal and Trust accounts for the period ending 31 October 2008:***

	<b>VOUCHER</b>	<b>AMOUNT</b>
<b><u>MUNICIPAL FUND</u></b>		
Cheque Payments	27900-27966	\$ 124,208.98
Electronic Funds Payments	5007-5124	\$ 352,801.40
Direct Debits Payroll		\$ 50,193.21
Bank Fees		\$ 1,184.25
Corporate Cards		\$ 1,649.75
Photocopier Lease		\$ 1,037.22
Shell Cards		\$ 7.50
<b>TOTAL</b>		<b>\$ 531,082.31</b>

**TRUST FUND**

Cheque Payments	3526-3547	\$ 16,197.30
<u>Direct Debits Licensing</u>		<u>\$ 135,835.30</u>
<b>TOTAL</b>		<b>\$ 152,032.60</b>

**TOTAL DISBURSEMENTS** \$ 683,114.91

**Note to this item**

The Chief Executive Officer has delegated authority under Delegation DE1 (Council Meeting 22 September 2008) to make payments from the Municipal and Trust accounts.

**CARRIED (5/0)**

**SHIRE OF YORK  
STATEMENT OF FINANCIAL POSITION  
AS AT THE 31 OCTOBER 2008**

<b>2007/08 ACTUAL</b>		<b>2008/09 ACTUAL 31-Oct-08</b>
<b>\$</b>		<b>\$</b>
563,946	<b>CURRENT ASSETS</b>	1,631,469
2,034,539	Cash	2,064,970
675,758	Cash Restricted	1,817,716
44,399	Receivables	21,328
0	Stock on Hand	0
	Prepaid Expenses	
<b>3,318,642</b>	<b>TOTAL CURRENT ASSETS</b>	<b>5,535,483</b>
	<b>CURRENT LIABILITIES</b>	
(399,384)	Accounts Payable	(75,704)
0	Income Received in Advance	0
(395,052)	Provision for Leave	(395,052)
(7,799)	Interest Bearing Liabilities	(7,799)
<b>(802,235)</b>	<b>TOTAL CURRENT LIABILITIES</b>	<b>(478,555)</b>
<b>2,516,408</b>	<b>NET ASSETS</b>	<b>5,056,928</b>
	<b>Less Items</b>	
(2,034,539)	Cash Restricted	(2,064,970)
7,799	Interest Bearing Liabilities Included in Budget	7,799
(7,799)	Self Supporting Loan Income	(7,799)
105,636	Add Back LSL	107,343
<b>587,505</b>	<b>TOTAL EQUITY</b>	<b>3,099,300</b>

SHIRE OF YORK STATEMENT OF FINANCIAL ACTIVITY AS AT 31 OCTOBER 2008						
	2008/09 ADOPTED BUDGET	2008/09 Amended Budget	2008/09 Budget Year to Date	2008/09 Actual	Variance % Budget to Actual	Variance \$ Budget to Actual
<b>OPERATING REVENUE</b>						
General Purpose Funding	(1,340,874)	(1,340,874)	(335,813)	(348,517)	4%	12,704
Governance	(221,970)	(221,970)	(56,906)	(9,890)	-83%	(47,016)
Law, Order Public Safety	(123,326)	(123,326)	(13,762)	(10,541)	-23%	(3,221)
Health	(23,000)	(23,000)	(6,236)	(13,819)	122%	7,583
Education and Welfare	(25,000)	(25,000)	(8,332)	(6,198)	-26%	(2,134)
Housing	-	-	-	-	-	-
Community Amenities	(586,056)	(586,056)	(475,527)	(459,866)	-3%	(15,661)
Recreation and Culture	(998,749)	(998,749)	(306,580)	(28,593)	-91%	(277,987)
Transport	(1,522,704)	(1,522,704)	(381,026)	(375,797)	-1%	(5,229)
Economic Services	(101,200)	(101,200)	(33,732)	(13,877)	-59%	(19,855)
Other Property and Services	(129,406)	(129,406)	(44,240)	(7,642)	-83%	(36,598)
	<b>(5,072,285)</b>	<b>(5,072,285)</b>	<b>(1,662,154)</b>	<b>(1,274,740)</b>	<b>-23%</b>	<b>(387,414)</b>
<b>LESS OPERATING EXPENDITURE</b>						
General Purpose Funding	196,698	196,698	38,694	37,522	-3%	1,172
Governance	652,106	652,106	275,600	133,419	-52%	142,181
Law, Order, Public Safety	326,949	326,949	107,936	106,164	-2%	1,772
Health	192,581	192,581	63,970	57,602	-10%	6,368
Education and Welfare	59,578	59,578	26,492	20,003	-24%	6,489
Housing	-	-	0	-	-	-
Community Amenities	1,186,685	1,186,685	350,861	255,314	-27%	95,547
Recreation and Culture	1,119,253	1,119,253	370,300	289,770	-22%	80,530
Transport	4,270,822	4,270,822	1,416,688	1,233,723	-13%	182,966
Economic Services	415,896	415,896	153,232	126,094	-18%	27,138
Other Property & Services	102,000	102,000	65,563	43,933	-33%	21,630
	<b>8,522,568</b>	<b>8,522,568</b>	<b>2,869,336</b>	<b>2,303,542</b>	<b>-20%</b>	<b>565,793</b>

SHIRE OF YORK STATEMENT OF FINANCIAL ACTIVITY AS AT 31 OCTOBER 2008						
	2008/09 ADOPTED BUDGET	2008/09 Amended Budget	2008/09 Budget Year to Date	2008/09 Actual	Variance % Budget to Actual	Variance \$ Budget to Actual
<b>ADD</b>	3,450,283	3,450,283	1,207,182	1,028,803		
Proceeds on Sale of Assets		-	0	-		
Profit/Loss on Sale of Assets	(665,310)	(665,310)	-21,125	2,115		
Increase(Decrease) Non Current Debtors Rates	-	-	6,000	(26,064)		
Increase(Decrease) Non Current Debtors S/S Loan	242,221	242,221	(2,592)	-		
Change Employee Leave Provisions				-		
Long Service Leave Cash at Bank (Increase)/Decrease in Balance	(7,395)	(7,395)	-	(1,707)		
Depreciation Written Back	(4,027,368)	(4,027,368)	(1,342,456)	-		
Book Value of Assets Sold Written Back	665,310	665,310	21,125	(2,115)		
	<b>(3,792,542)</b>	<b>(3,792,542)</b>	<b>(1,339,048)</b>	<b>(27,771)</b>		
<i>Sub Total</i>	(342,259)	(342,259)	(131,867)	1,001,032		
<b>LESS CAPITAL PROGRAMME</b>						
Purchase Tools	-	-	0	-		
Purchase Land & Buildings	2,184,002	2,184,002	112,833	99,454		
Purchase Plant & Equipment	768,201	768,201	209,081	74,713		
Purchase Furniture & Equipment	93,375	93,375	39,675	35,648		
Infrastructure Assets - Roads	2,390,862	2,390,862	208,114	167,102		
Infrastructure Assets - Recreation Facilities	40,000	40,000	0	-		
Infrastructure Assets - Other	30,000	30,000	0	-		
Repayment of Debt - Loan Principal	14,871	14,871	3,831	3,831		
Transfer To Reserves	1,176,785	1,176,785	0	30,431		
Transfer to Other Funds	-	-	0	-		
	<b>6,698,096</b>	<b>6,698,096</b>	<b>573,534</b>	<b>411,179</b>		

SHIRE OF YORK STATEMENT OF FINANCIAL ACTIVITY AS AT 31 OCTOBER 2008							Variance % Budget to Actual	Variance \$ Budget to Actual
	2008/09 ADOPTED BUDGET	2008/09 Amended Budget	2008/09 Budget Year to Date	2008/09 Actual				
ABNORMAL ITEMS	-	-	0	-				
	-	-	0	-				
Plus Rounding								
	6,698,096	6,698,096	573,534	411,179				
Sub Total	6,355,837	6,355,837	441,668	1,412,211				
LESS FUNDING FROM								
Reserves	(816,085)	(816,085)	0	-				
Other Funds	-	-	0	-				
Loans Raised	(950,000)	(950,000)	0	-				
Opening Funds	(565,736)	(565,736)	(565,736)	(587,505)				
Sundry Adjustments								
Closing Funds	(2,331,821)	(2,331,821)	(565,736)	(587,505)				
Total To Be Made up from Rates	(2,883,081)	(2,883,081)	(2,869,745)	(2,871,137)				
Net (Surplus) / Deficit	1,140,935	1,140,935	(2,993,814)	(2,046,431)				

**SHIRE OF YORK  
VARIANCE REPORT  
AS AT 31 OCTOBER 2008**

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**OPERATING REVENUE**

**General Purpose Funding**  
No material variance to report

**Governance**  
SEAVROC Grants / Contributions not yet received

**Law, Order Public Safety**  
Invoices to other shires for Ranger Services to be raised

**Health**  
Income from health prosecutions higher than anticipated

**Education and Welfare**  
Increased Centennial Units rent income yet to come into effect

**Housing**  
No material variance to report

**Community Amenities**  
No material variance to report

**Recreation and Culture**  
Recreation leases to be raised / Hall hire charges lower than expected

**Transport**  
No material variance to report

**Economic Services**  
Building permits lower than expected / Standpipe water charges to be raised

**Other Property and Services**  
Private works income lower than expected / Claim for workers' comp reimbursement to be issued

**OPERATING EXPENDITURE**

**General Purpose Funding**  
No material variance to report

**Governance**  
Less CRS conferences to date / Insurance invoices not received / AROC subscription not paid / No community projects undertaken to date / Strategic planning expenses down / SEAVROC expenses lower than expected

**Law, Order, Public Safety**  
Vehicle expenses down / Salaries down

**Health**  
No material variance to report

**Education and Welfare**  
Invoices not yet received eg. Contributions to YDHS / School Chaplain

**Housing**  
No material variance to report

**Community Amenities**  
Transfer Station mtc down / Consult fees down / Cemetery mtc down

**Recreation and Culture**  
Parks & Gdns mtc lower than anticipated / Swimming Pool expenses down - timing issue

**Transport**  
Plant purchases down

**Economic Services**  
Building control expenses down / Standpipe mtc down

**Other Property & Services**  
Timing issue - less holidays taken to date than anticipated

BANK RECONCILIATION				
OCTOBER 2008				
		MUNICIPAL	TRUST	RESERVE
Balance as previous reconciliation		397,707.28	466,692.84	2,034,588.80
Receipts as per daily cash book		\$ 1,811,268.53	136,856.30	
Muni Interest NCD 712567		\$ 115.07		
Cancelled Cheques - 26636 & 26925		\$ 56.80		
Rounding adjustments - Oct		\$ 0.23		
Trust Interest NCD 638482			1,378.70	
Trust Interest NCD 638481			2,444.93	
Reserve Interest 119521748				22.57
Reserve Interest NCD 663277				30,358.72
<b>Total Receipts</b>		<b>1,811,440.63</b>	<b>140,679.93</b>	<b>30,381.29</b>
Payment as per schedule cheques	27900 - 27966	(124,208.98)		
EFT Direct payments	5007 - 5124	(352,801.40)		
Payment as per schedule chqs - Trust	3526 - 3547		(16,197.30)	
Direct Debit Licensing			(135,835.30)	
Direct Debit Payroll		(50,193.21)		
Bank fees Bendigo Trust		(60.25)		
Bank fees Bendigo Muni		(457.07)		
Bank fees Bendigo Reserve		(0.40)		
Business Cards Bank Fees		(8.00)		
Eftpos Bank Fee Trust		(202.21)		
Eftpos Bank Fee Muni		(456.32)		
<b>TOTAL BANK FEES</b>	<b>-1184.25</b>			
Business Card Bendigo - CEO		(1,622.25)		
Business Card Bendigo - DCEO		(27.50)		
<b>TOTAL BUSINESS CARDS</b>	<b>-1649.75</b>			
Lease photocopier		(1,037.22)		
Shell Card		(7.50)		
<b>TOTAL EXPENDITURE</b>		<b>(531,082.31)</b>	<b>(152,032.60)</b>	<b>0.00</b>
<b>TOTAL RECONCILIATION</b>		<b>1,678,065.60</b>	<b>455,340.17</b>	<b>2,064,970.09</b>
<b>BALANCES AS PER BANK STATEMENTS</b>				
BENDIGO MUNICIPAL 118630623		361,093.85		
BENDIGO MUNICIPAL NCD	12/01/2009	500,000.00		
BENDIGO MUNICIPAL NCD	20/01/2009	600,000.00		
BENDIGO MUNICIPAL NCD	21/11/2008	200,000.00		
BENDIGO MUNICIPAL NCD	5/11/2008	100,115.07		
BENDIGO TRUST 13074174			283,662.35	
BENDIGO TRUST NCD 704014 Open space	5/01/2009		121,954.39	
BENDIGO TRUST NCD 704012 Defects liability	5/01/2009		68,769.83	
BENDIGO RESERVE 119521748				1,000.00
BENDIGO RESERVE NCD	30/01/2009			549,662.86
BENDIGO RESERVE NCD	5/01/2009			1,514,306.83
		<b>1,761,208.92</b>	<b>474,386.57</b>	<b>2,064,969.69</b>
<b>TOTALS</b>				
Plus Outstanding Deposits		8,236.14	7,655.00	
Outstanding cheques		(47,283.98)	(14,576.30)	
Outstanding Licence Debits			(12,126.80)	
October credits - receipted November		(23,539.66)		
Unidentified Direct Credit - Nov 07		(346.83)		
Unidentified Direct Credit - 28/10/08		(795.00)		
Outstanding EFT		(67,159.33)		
Oct Payroll - posted Sept		47,446.86		
Rounding Adjustments		0.03		
Reserve Bank Fees - Trsf muni to reserve		(0.40)		0.40
Underbank 24/10/08 - Bell unsigned cheque		298.85		
Adjustments 7/12/07 - Police Licensing			(0.30)	
Underbank 17/10/08 - to be corrected 4/11/08			(8.00)	
Underbank 27/2/08			10.00	
<b>TOTAL RECONCILIATION</b>		<b>1,678,065.60</b>	<b>455,340.17</b>	<b>2,064,970.09</b>
		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>



Date: 18/11/2008  
Time: 4:08:13PM

**SHIRE OF YORK  
MUNICIPAL CHEQUE PAYMENTS  
OCTOBER 2008**

USER:Tabitha Bateman  
PAGE:1

Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
<b>SHIRE OF YORK</b>				
27900		CONFERENCE EXPENSES 14-17/10/08 - CEO & DCEO		350.00
INV LGMA (			350.00	
<b>SYNERGY</b>				
27901		ELECTRICITY 24/7-22/9/08 T/HALL/ ADMIN/ TOURIST BUREAU		8,912.65
INV 2543224		ELECTRICITY 24/7-22/9/08 DEPOT	293.85	
INV 5183369		ELECTRICITY 24/7-22/9/08 T/HALL/ ADMIN/ TOURIST BUREAU	4,290.00	
INV 6402330		ELECTRICITY 24/7-22/9/08 RAILWAY MEMORIAL PARK	15.95	
INV 1023938		ELECTRICITY 24/7-22/9/08 FORREST OVAL	32.55	
INV 9539156		ELECTRICITY 24/7-22/9/08 REC CENTRE/ BOWLING CLUB	1,554.65	
INV 9815007		ELECTRICITY 24/7-22/9/08 CENT UNITS	68.70	
INV 4675683		ELECTRICITY 24/7-24/8/08 STREETLIGHTS	2,592.50	
INV 7492374		ELECTRICITY 16/7-29/8/08 MT BAKEWELL REPEATER STATIC	13.25	
INV 2837726		ELECTRICITY 24/7-22/9/08 CRICKET CLUB ROOMS	51.20	
<b>T D BURNS</b>				
27902		REFUND 1/2 BUILDING LICENCE FEE (RCPT#118086)		31.80
INV 09/05/06			31.80	
<b>WESTSCHEME SUPERANNUATION</b>				
27904		SUPERANNUATION CONTRIBUTIONS		460.87
INV SUPER			320.21	
INV SUPER			140.66	
<b>AMP CORPORATE SUPERANNUATION</b>				
27905		Superannuation contributions		226.20
INV SUPER			113.10	
INV SUPER			113.10	
<b>DARKZONE</b>				
27906		LAZER COMBAT GAME SESSION		300.00
INV 1252			300.00	
<b>PRIME SUPER</b>				
27907		SUPERANNUATION CONTRIBUTIONS		206.91
INV SUPER			206.91	
<b>YORK SHIRE COUNCIL (payroll only)</b>				
27908		PAYROLL DEDUCTIONS		1,780.00
INV DEDUC			490.00	
INV DEDUC			400.00	
INV DEDUC			490.00	
INV DEDUC			400.00	
<b>EDS SHEDS</b>				
27909		GARAGE CONSTRUCTION HOUSE 1 & 2 OSNABURG RD		6,642.00
INV 618911			6,642.00	
<b>CENTRELINK</b>				
27910		Payroll deductions		200.00
INV DEDUC			100.00	
INV DEDUC			100.00	
<b>MLC MASTERKEY SUPERANNUATION</b>				
27911		Superannuation contributions		152.36
INV SUPER			76.18	
INV SUPER			76.18	
<b>COUNTRY ARTS WA</b>				
27912		SUBSCRIPTION 08/09 COUNTRY ARTS WA		55.00
INV SUBSCI			55.00	
<b>RITZ HOLDINGS PTY LTD ATF THE BRIAN KENNEWELL F/TRUST</b>				
27913		Rates refund for assessment A4710 200 AVON TCE YORK 6302		60.77
INV A4710			60.77	

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**SHIRE OF YORK  
MUNICIPAL CHEQUE PAYMENTS  
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		<b>AUSTRALIAN SERVICES UNION</b>		
27914		UNION FEES		340.10
INV DEDUC			161.10	
INV DEDUC			161.10	
INV DEDUC			17.90	
		<b>TELSTRA</b>		
27915		INTERNET ACCESS 26/8-25/9/08 - CEO		59.95
INV 1007141			59.95	
		<b>JTAGZ PTY LTD</b>		
27916		DOG TAGS x 500 RED - OCT 2011		176.00
INV 13885			176.00	
		<b>WA LOCAL GOVT SUPER PLAN PTY LTD, (ACN 0</b>		
27918		SUPERANNUATION CONTRIBUTIONS		18,785.92
INV SUPER			6,382.55	
INV DEDUC			363.62	
INV DEDUC			564.05	
INV DEDUC			318.35	
INV DEDUC			32.09	
INV DEDUC			175.83	
INV DEDUC			308.37	
INV DEDUC			34.09	
INV DEDUC			136.35	
INV DEDUC			223.14	
INV DEDUC			856.89	
INV SUPER			6,103.03	
INV DEDUC			564.04	
INV DEDUC			185.25	
INV DEDUC			29.05	
INV DEDUC			178.33	
INV DEDUC			312.53	
INV DEDUC			33.09	
INV DEDUC			132.35	
INV DEDUC			214.86	
INV DEDUC			832.45	
INV DEDUC			327.86	
INV SUPER			365.34	
INV DEDUC			112.41	
		<b>FERN COURT ENTERPRISES PTY LTD</b>		
27919		GRAVEL SUPPLY 3368M³		6,736.00
INV GRAVE			6,736.00	
		<b>ROYAL LIFE SAVING</b>		
27920		REQUALIFICATION - POOL LIFE GUARD - W LIVINGSTONE		110.00
INV 13263			110.00	
		<b>YORK SPRING GARDEN FESTIVAL</b>		
27921		SPONSORSHIP GARDEN FESTIVAL FLOWER 08/09		50.00
INV 08/004			50.00	
		<b>CITY OF CANNING</b>		
27922		LOST/ DAMAGED LIBRARY VIDEO CHOCOLAT		27.50
INV 535546			27.50	
		<b>SYNERGY</b>		
27923		ELECTRICITY 24/8-24/9/08 STREETLIGHTS		5,921.95
INV 5225153		ELECTRICITY 29/7-25/9/08 AVON PARK	148.65	
INV 5732039		ELECTRICITY 30/7-26/9/08 RESIDENCY MUSEUM	411.55	
INV 5842381		ELECTRICITY 29/7-25/9/08 AVON PARK - RETIC PUMP	19.95	
INV 0762568		ELECTRICITY 22/8-23/9/08 FIRE STATION COMMUNITY CENT	48.75	
INV 3699816		ELECTRICITY 29/7-25/9/08 CANDICE BATEMAN PARK	15.40	
INV 4301537		ELECTRICITY 30/7-26/9/08 OLD CEMETERY GARDENS	15.40	
INV 4675683		ELECTRICITY 24/8-24/9/08 STREETLIGHTS	5,185.00	

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		<b>SYNERGY</b>		
INV 4686639		ELECTRICITY 29/7-25/9/08 SECURITY LIGHTS LOWE ST	61.15	
INV 5129019		ELECTRICITY - FORREST OVAL BORE PUMP - 24/7-22/9/08	16.10	
		<b>G D MACKAY &amp; T R PATRICK</b>		
27924		Rates refund for assessment A8550 14 BUCKINGHAM RD YORK 62		173.16
INV A8550			173.16	
		<b>R G &amp; M J LISTER</b>		
27925		Rates refund for assessment A60226 LOT 304 QUALEN RD		55.00
INV A60226			55.00	
		<b>SHIRE OF BROOKTON</b>		
27926		COMMUNITY RECREATION OFFICER - AUG 08		485.41
INV 1030			485.41	
		<b>LANDGATE</b>		
27927		GRV INTERIM VALUATIONS COUNTRY		288.42
INV 1000101			288.42	
		<b>TELSTRA</b>		
27928		TELEPHONE 25/8-24/9/08		1,523.21
INV 9434282			1,476.28	
INV 9436723		TELEPHONE USAGE - RES MUS - 29/8-28/9/08	46.93	
		<b>BUSH CONTRACTING PTY LTD</b>		
27929		FLOAT/SIDE TIPPER HIRE - SEES RD		11,058.30
INV 2857			11,058.30	
		<b>WORLD VISION</b>		
27930		RAG BAGS x 4		40.00
INV 70			40.00	
		<b>YORK BOWLING CLUB</b>		
27931		CORPORATE BOWLS - 6 WEEKS 29/10-3/12/08		120.00
INV BOWLS			120.00	
		<b>WESTSCHEME SUPERANNUATION</b>		
27932		SUPERANNUATION CONTRIBUTIONS		217.21
INV SUPER			217.21	
		<b>AMP CORPORATE SUPERANNUATION</b>		
27933		Superannuation contributions		117.00
INV SUPER			117.00	
		<b>YORK SHIRE COUNCIL (payroll only)</b>		
27934		PAYROLL DEDUCTIONS		890.00
INV DEDUC			490.00	
INV DEDUC			400.00	
		<b>CENTRELINK</b>		
27935		Payroll deductions		100.00
INV DEDUC			100.00	
		<b>MLC MASTERKEY SUPERANNUATION</b>		
27936		Superannuation contributions		78.75
INV SUPER			78.75	
		<b>AUSTRALIAN SERVICES UNION</b>		
27937		UNION FEES		161.10
INV DEDUC			161.10	
		<b>WA LOCAL GOVT SUPER PLAN PTY LTD, (ACN 0</b>		
27938		SUPERANNUATION CONTRIBUTIONS		9,412.75
INV SUPER			6,499.43	
INV DEDUC			576.83	
INV DEDUC			311.05	
INV DEDUC			29.48	
INV DEDUC			180.17	
INV DEDUC			319.01	
INV DEDUC			33.95	

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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
		<b>WA LOCAL GOVT SUPER PLAN PTY LTD, (ACN 0</b>		
INV DEDUC		SUPERANNUATION CONTRIBUTIONS	135.82	
INV DEDUC			147.18	
INV DEDUC			841.12	
INV DEDUC			338.71	
		<b>PETTY CASH</b>		
27939		PETTY CASH RECOUP		467.25
INV PETTY			467.25	
		<b>YORK SHIRE COUNCIL (payroll only)</b>		
27940		PAYROLL DEDUCTIONS		1,359.69
INV RDO PA			1,359.69	
		<b>WATER CORPORATION</b>		
27941		NEW CONNECTION CHARGE 75 OSNABURG RD		300.80
INV 9016178			150.40	
INV 9016178		NEW CONNECTION CHARGE 2 ROE ST	150.40	
		<b>YORK NEWSAGENCY</b>		
27942		PAPERS/ STATIONERY SEP 08		77.87
INV 1355			77.87	
		<b>SYNERGY</b>		
27943		ELECTRICITY 30/7-26/9/08 CEMETERY		15.55
INV 3140037			15.55	
		<b>AUSTRALIAN BUILDING CODES BOARD</b>		
27944		BUILDING CODE ANNUAL SUBSCRIPTION 2008/09		695.00
INV 179088			695.00	
		<b>GREGORY N F &amp; P</b>		
27945		Rates refund for assessment A9390 21 PRUNSTER RD YORK 6302		302.87
INV A9390			302.87	
		<b>FLAME TREE NOMINEES PTY LTD</b>		
27946		Rates refund for assessment A60355 LOT 800 GREAT SOUTHERN I		1,371.82
INV A60355			1,371.82	
		<b>WANDASS PTY LTD</b>		
27947		ACCOMMODATION/ MEALS AVON MIDLAND ZONE CONFER		233.50
INV 27			233.50	
		<b>IMPACT SWEEPING</b>		
27948		STREET SWEEPING JUL-SEP 08		10,824.00
INV 16			10,824.00	
		<b>FLEET FITNESS</b>		
27949		GYM EQUIPMENT SERVICE		336.60
INV SRF194:			336.60	
		<b>SHIRE OF BROOKTON</b>		
27950		COMMUNITY REC OFFICER SEP 08		1,482.02
INV 999		COMMUNITY RECREATION OFFICER SEPTEMBER 08	230.44	
INV 1051		COMMUNITY REC OFFICER SEP 08	1,251.58	
		<b>JOYCE, MICHAEL WILLIAM</b>		
27951		GRAVEL SUPPLY 2128M³		2,128.00
INV GRAVE			2,128.00	
		<b>NATIONAL PARTY OF AUSTRALIA</b>		
27952		ROYALTIES FOR REGIONS DINNER - CR HOOPER		180.00
INV 14474			180.00	
		<b>NORM REYNOLDS RETRAVISION</b>		
27953		DIGITAL CAMERA - PANASONIC LUMIX - LS80		208.00
INV 52547			208.00	
		<b>ST JOHN AMBULANCE ASSOCIATION</b>		
27954		SENIOR FIRST AID - DEPOT		1,210.00
INV Y04595			1,210.00	

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<b>TELSTRA</b>				
27955		MOBILE PHONES 11/8-10/9/08		574.32
INV 3334864			295.57	
INV 3334864		MOBILE PHONES 11/9-10/10/08	254.35	
INV 4062574		MOBILE PHONES 11/8-10/9/08	12.20	
INV 4062574		MOBILE PHONES 11/9-10/10/08	12.20	
<b>SHIRE OF YORK</b>				
27956		YAC - BUS HIRE 14-16/07/08		1,382.90
INV 1528		COMPANION TIME - COMMUNITY BUS HIRE	40.70	
INV 1527		YAC - BUS HIRE 14-16/07/08	462.00	
INV 1499		YAC - BUS HIRE 08/08/08	269.20	
INV 1506		YAC COMMUNITY BUS HIRE - 16/08/08	159.20	
INV 1509		COMPANION TIME COMMUNITY BUS HIRE - 19/08	47.30	
INV 1524		YAC COMMUNITY BUS HIRE - 30/09	383.60	
INV 1517		COMPANION TIME COMMUNITY BUS HIRE - 16/09/08	20.90	
<b>YORK AGRICULTURAL SOCIETY</b>				
27957		YORK SHOW SPONSORSHIP 08		2,860.00
INV 255			2,860.00	
<b>HERITAGE COUNCIL OF WESTERN AUSTRALIA</b>				
27958		REGIONAL HERITAGE ADVISORY SERVICE		3,080.00
INV 001116			3,080.00	
<b>AUSTRALIA DAY COUNCIL OF WESTERN AUSTRALIA</b>				
27959		BRONZE MEMBERSHIP 08/09 RENEWAL		200.00
INV 1398			200.00	
<b>BRIAN LAWRANCE</b>				
27960		ALLOWANCE 1/7-30/9/08 & 1/10-31/12/08		1,055.00
INV ALLOW			1,055.00	
<b>PATRICIA WALTERS</b>				
27961		ALLOWANCE 1/7-30/9/08 & 1/10-31/12/08		3,510.00
INV ALLOW			3,510.00	
<b>ANTHONY STEPHEN BOYLE</b>				
27962		ALLOWANCE 1/7-30/9/08 & 1/10-31/12/08		3,510.00
INV ALLOW			3,510.00	
<b>TREVOR WILLIAM JOHN RANDELL</b>				
27963		ALLOWANCE 1/7-30/9/08 & 1/10-31/12/08		3,510.00
INV ALLOW			3,510.00	
<b>ASHLEY JAMES FISHER</b>				
27964		ALLOWANCE 1/7-30/9/08 & 1/10-31/12/08		3,510.00
INV ALLOW			3,510.00	
<b>YORK JUNIOR BOWLS</b>				
27965		DONATION		1,758.75
INV DONAT			1,758.75	
<b>YORK JUNIOR NETBALL</b>				
27966		DONATION		1,758.75
INV DONAT			1,758.75	

**REPORT TOTALS**

Bank Code	Bank Name	TOTAL
1	MUNICIPAL FUND BANK	124,208.98
<b>TOTAL</b>		<b>124,208.98</b>

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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
		<b>YORK CONCRETE</b>		
EFT5007		CONCRETE FOOTPATH CONSTRUCTION		14,144.24
INV 404		CROSSOVER INSTALLATION 17 BAYLY RD	1,404.04	
INV 402		CROSSOVER INSTALLATION LOT 148 ANDREWS AVE	660.00	
INV 403		CONCRETE FOOTPATH CONSTRUCTION	12,080.20	
		<b>INFINAT CONSULTING</b>		
EFT5008		APPLICATION SPORTING COMPLEX DRAFT PLAN		2,631.75
INV SOY002			1,815.00	
INV SOY001		SPORTING COMPLEX MEETING EXPENSES	816.75	
		<b>AVON WASTE</b>		
EFT5009		RECYCLING SERVICES		34,931.01
INV 0000377		RUBBISH SERVICE	5,645.52	
INV 0000377		RECYCLING SERVICES	11,803.69	
INV 0000383		RUBBISH SERVICE	5,676.69	
INV 0000383		RECYCLING SERVICES	11,805.11	
		<b>YORK VISITORS CENTRE</b>		
EFT5010		YVC FUNDING SECOND QUARTER 08/09		27,557.20
INV 0000315			27,557.20	
		<b>PETER SPECIALE SMASH REPAIRS</b>		
EFT5011		INSURANCE CLAIM EXCESS Y000		300.00
INV 8579/2			300.00	
		<b>BORAL CONSTRUCTION MATERIALS</b>		
EFT5012		COLDMIX		1,243.00
INV 014096		COLDMIX 5 TONNE	610.50	
INV WA5480		COLDMIX	632.50	
		<b>YAKKA PTY LTD</b>		
EFT5013		WORK UNIFORM S TURNER		1,410.20
INV 9861508		WORK UNIFORM - JULIEANNE TRELOAR	142.12	
INV 9861502		WORK UNIFORMS L DEWAR	158.84	
INV 9861507		WORK UNIFORM T BATEMAN	180.84	
INV 9861505		WORK UNIFORM T COCHRANE	266.20	
INV 9861506		WORK UNIFORM K HOOPER	50.60	
INV 9861503		WORK UNIFORM S TURNER	331.32	
INV 9861504		WORK UNIFORM D WRIGHT	280.28	
		<b>YORK AUTO ELECTRICS</b>		
EFT5014		ISOLATOR SWITCH		229.48
INV 3400			229.48	
		<b>GEMINI MEDICAL SERVICES PL</b>		
EFT5015		PAYMENT IN LEIU OF DOCTOR'S VEHICLE -		497.60
INV YO1008			497.60	
		<b>CREATIVE CONSTRUCTION</b>		
EFT5016		FLOOR PAINTING		507.88
INV 2008-30			507.88	
		<b>RURAL PRESS REGIONAL MEDIA (WA) PTY LTD</b>		
EFT5017		TPS ADVERT AMENDMENT 21		2,614.69
INV 2037486		TPS ADVERT AMENDMENT 30	233.16	
INV 2042489		TP ADVERT 27 FRASER ST/ 29 SOUTH ST	183.19	
INV 2045905		ADVERT - DRAFT PLAN FOR FUTURE	116.58	
INV 2045918		TP ADVERT 165 AVON TCE	149.89	
INV 2048574		TP ADVERT MOKINE RD/ 6 HOWICK ST/ 145 AVON TCE	233.16	
INV 2048576		TPS ADVERT AMENDMENT 24	183.19	
INV 2048577		TPS ADVERT AMENDMENT 28	183.19	
INV 2051253		TP ADVERT 16 WHEELER ST/ 5200 GT SOUTH HWY	183.19	
INV 2054594		TP ADVERT 19 AVON TCE	149.89	
INV 2054595		TPS ADVERT AMENDMENT 18	366.39	
INV 2054597		TPS ADVERT AMENDMENT 26	233.16	

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INV 2037484		<b>RURAL PRESS REGIONAL MEDIA (WA) PTY LTD</b> TPS ADVERT AMENDMENT 21	399.70	
EFT5018		<b>L J'S CAFE</b> REFRESHMENTS COUNCIL BRIEFING 22/9/08		396.00
INV 31			227.70	
INV 32		REFRESHMENTS ROAD INSPECTION MEETING	168.30	
EFT5019		<b>NAVIGATOR PERSONAL RETIREMENT PLAN</b> STAFF SUPERANNUATION		376.49
INV SUPER			133.27	
INV SUPER			243.22	
EFT5020		<b>TATTY PARROT BAKERY</b> REFRESHMENTS FIREBREAK MEETING		50.30
INV 170908			50.30	
EFT5021		<b>SHIRE OF NORTHAM</b> TIPPING FEES JULY 08		10,718.45
INV 1710		TIPPING FEES AUG 08	4,083.05	
INV 1667		TIPPING FEES JULY 08	6,635.40	
EFT5022		<b>M &amp; R MACHINING</b> PULLEY & SHAFT REPAIRS - ROLLER		154.00
INV 433			154.00	
EFT5023		<b>ALLROUND CONCRETE</b> SHED FLOOR PAD HOUSE 1 & 2 OSNABURG RD		2,860.00
INV 0889			2,860.00	
EFT5024		<b>SPECIALISED TREE SERVICE</b> STUMP GRINDING		1,747.85
INV 2219			1,747.85	
EFT5025		<b>YORK &amp; DISTRICTS COMMUNITY MATTERS</b> ADVERTISING		1,028.50
INV 573			1,028.50	
EFT5026		<b>LOCAL GOVERNMENT MANAGERS AUSTRALIA</b> LGMA STATE CONFERENCE OCT 08 - DCEO		1,216.00
INV 13016			1,216.00	
EFT5027		<b>SUNNY SIGN COMPANY</b> STREET SIGNS		1,023.00
INV 150686		SIGN CLAMP/ BRACKET	418.00	
INV 150203		STREET SIGNS	605.00	
EFT5028		<b>YORK IT &amp; COMMUNICATION</b> DVD RECORDABLE MEDIA		14.95
INV 71			14.95	
EFT5029		<b>DARRY'S PLUMBING AND GAS</b> EXCAVATION JUNCTION CUT IN DEEP SEWAR CONNECTION		918.50
INV 48		STANDPIPE REPAIRS RAILWAY RD	264.00	
INV 19		EXCAVATION JUNCTION CUT IN DEEP SEWAR CONNECTION	654.50	
EFT5030		<b>YORK GENERAL CONTRACTING</b> FOOTPATH/ ROADWORKS		1,485.00
INV 240908			1,485.00	
EFT5031		<b>GREAT EASTERN MOTOR LODGE</b> ACCOMODATION/ MEALS RANGER CONFERENCE 17-20/9/08		511.00
INV 46430			511.00	
EFT5032		<b>AYOUB, DAVID JOHN</b> LANDSCAPING HOUSE 1 & 2 OSNABURG RD		627.00
INV 236			627.00	
EFT5033		<b>ARROW BRONZE</b> NICHE WALL PLAQUES,VASES		216.48
INV 499722			216.48	

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EFT5034		<b>COURIER AUSTRALIA</b>		
INV 0425682		FREIGHT	37.22	37.22
EFT5035		<b>EASTERN HILLS SAWS AND MOWERS</b>		
INV 18846		VACUUM STIHL SE61	265.00	439.00
INV 18822		2 STROKE OIL/ FILES	174.00	
EFT5036		<b>MCLEODS BARRISTERS AND SOLICITORS</b>		
INV 44558		LEGAL FEES HEALTH PROSECUTION ROSMILL PTY LTD	1,785.85	3,794.65
INV 44559		LEGAL FEES HEALTH PROSECUTION R TURNER	2,008.80	
EFT5037		<b>PERFECT COMPUTER SOLUTIONS PTY LTD</b>		
INV 13721		COMPUTER SUPPORT SEP 08	637.50	637.50
EFT5038		<b>HOME HARDWARE</b>		
INV 314379		GAS REFILL STREET SWEEPER	70.00	107.75
INV 317944		PADLOCK/ CABLE	27.19	
INV 317993		VELCRO WRAP	10.56	
EFT5039		<b>BGC QUARRIES</b>		
INV Q129004		ROAD BASE 50T	263.80	1,100.11
INV Q129100		ROAD BASE 25T	836.31	
EFT5040		<b>MAL AUTOMOTIVES</b>		
INV 7836		VEHICLE SERVICE Y211 DR CAR - 5000KM	177.50	177.50
EFT5041		<b>RYLAN PTY LTD</b>		
INV 00672		CEMENT KERB INSTALLATION - MACARTNEY ST	4,290.00	4,290.00
EFT5042		<b>SHIRE OF QUAIRADING</b>		
INV 80999		TRAILER HIRE 16-22/9/08	825.00	825.00
EFT5043		<b>KIMBERLY KLARK CRAWFORD</b>		
INV TRAVE		TRAVEL REIMBURSEMENT 25/9-8/10/08	215.93	215.93
EFT5044		<b>SHIRE OF YORK</b>		
INV A14300		PAYROLL DEDUCTIONS	223.00	7,965.12
INV A60006			223.00	
INV A60005			223.00	
INV A31350			963.00	
INV A60004			223.00	
INV A60003			223.00	
INV A60002			223.00	
INV A9411			111.55	
INV A9412			104.12	
INV A9413			104.12	
INV A31580			1,049.14	
INV A60439			1,611.46	
INV A31640			1,158.32	
INV A31700			963.00	
INV A60082			171.41	
INV A60001			223.00	
INV A31760			168.00	
EFT5045		<b>AUSTRALIAN TAXATION OFFICE</b>		
INV REVISE		BAS ADJUSTMENTS - JULY 08	22,626.00	22,626.00



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		<b>AUSTRALIAN TAXATION OFFICE</b>		
EFT5046		BAS - SEPTEMBER 2008		52,448.00
INV SEPT 08			52,448.00	
		<b>COOL CLEAR WATER BEVERAGES LTD</b>		
EFT5047		MONTHLY MTCE FEE OCT 08 - WATER FILTRATION UNIT - A		66.00
INV 50896			66.00	
		<b>YAKKA PTY LTD</b>		
EFT5048		UNIFORM PURCHASE - EHO		80.52
INV 9887368		WORK UNIFORMS D WRIGHT	38.72	
INV 9913361		UNIFORM PURCHASE - EHO	41.80	
		<b>KEEBLE, CINDY REA</b>		
EFT5049		STORYTIME SUPPLIES / LIBRARY BOOKS		255.04
INV STORY'			255.04	
		<b>YORK AUTO ELECTRICS</b>		
EFT5050		SUPPLY & FIT TRAILER PLUG - Y2606		124.30
INV 3426		GLOBES - FLASHING LIGHTS & HEADLIGHTS	58.30	
INV 3445		SUPPLY & FIT TRAILER PLUG - Y2606	66.00	
		<b>PARS RURAL PTY LTD</b>		
EFT5051		CHEMICAL - WEED CONTROL / HYDRAULIC OIL - LOADER		742.50
INV A109			742.50	
		<b>L J'S CAFE</b>		
EFT5052		REFRESHMENTS DISABILITY TRAINING 6-9/10/08		695.12
INV 35			603.65	
INV 34		SANDWICHES/HOT FOOD - FIRST AID TRAINING	91.47	
		<b>JOHNS LOCAL CLEANING SERVICE</b>		
EFT5053		CLEANING RES MUS - SEPT 08		100.00
INV 199			100.00	
		<b>4 FARMERS</b>		
EFT5055		CHEMICAL SPRAY - WEED CONTROL		1,716.00
INV 76459			1,716.00	
		<b>SHIRE OF NORTHAM</b>		
EFT5056		TIPPING FEES - SEPT 08		6,199.40
INV 1770			6,199.40	
		<b>M &amp; R MACHINING</b>		
EFT5057		WELD CRACKS - Y600 / COVER PLATES - Y345		264.00
INV 452			264.00	
		<b>RURAL ROAD SERVICES</b>		
EFT5058		ENGINEERING CONSULTANCY SEPTEMBER 08		7,078.50
INV 0430134			7,078.50	
		<b>MOTORCHARGE LTD</b>		
EFT5059		GULL CARD		400.67
INV 300908			400.67	
		<b>YORK &amp; DISTRICTS COMMUNITY MATTERS</b>		
EFT5060		ADVERTISING		237.60
INV 530			237.60	
		<b>YORK IT &amp; COMMUNICATION</b>		
EFT5061		CANON TONER CARTRIDGE - DEPOT		190.95
INV 0807-58		REPAIR SAMSUNG PRINTER - RES MUS	45.00	
INV 249		CANON TONER CARTRIDGE - DEPOT	145.95	
		<b>SETTLERS HOUSE PTY LTD</b>		
EFT5062		AROC MEETING LUNCH - 25/9/08		665.30
INV 49017		REFRESHMENTS SEAVROC MTG 2/10/08	199.60	
INV 48077		AROC MEETING LUNCH - 25/9/08	465.70	
		<b>GOODYEAR / DUNLOP DISTRIBUTORS (AUS)</b>		
EFT5063		SUPPLY & FIT TUBES/TYRES - Y641		1,150.25

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INV 37 0429:		<b>GOODYEAR / DUNLOP DISTRIBUTORS (AUS)</b> SUPPLY & FIT TUBES/TYRES - Y641	1,150.25	
EFT5064		<b>WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION</b> MEMBER SUBSCRIPTIONS 08/09	18,278.70	18,278.70
INV 1267775				
EFT5065		<b>MIDLAND RUBBER STAMPS</b> SELF INKING STAMP "SHIRE OF YORK" DETAILS	32.80	32.80
INV 36684				
EFT5066		<b>FIRE &amp; EMERGENCY SERVICES AUTH. OF WA</b> ESL - SHIRE PROPERTIES - 2008/09	1,231.99	1,231.99
INV 125561				
EFT5067		<b>DARRY'S PLUMBING AND GAS</b> CONNECT SEWERAGE - HOWICK ST TOILETS	363.00	363.00
INV 58				
EFT5068		<b>TREVS TRANSPORT</b> FREIGHT - SUNNY SIGNS	39.60	39.60
INV 40				
EFT5069		<b>THE GARDEN GURUS</b> FILMING - YORK SPRING GARDEN FESTIVAL 2008	4,400.00	4,400.00
INV 2628				
EFT5070		<b>ALLPACK SIGNS</b> ROAD / SAFETY SIGNS - SEES/YORK-TAMMIN RD	686.40	686.40
INV 1076				
EFT5071		<b>BEN SGHERZA</b> DAIP GRANT - AWARENESS TRAINING - 6-9/10/08	5,850.00	5,850.00
INV 304				
EFT5072		<b>MAKIN &amp; SONS</b> PUMP OUT TELSTRA PIT / INVESTIGATE BURST PIPE- HENRI	390.50	390.50
INV 2910				
EFT5073		<b>AUSTRALIA POST</b> POSTAGE/ PAPER SEPTEMBER 08	2,973.54	2,973.54
INV 080930C				
EFT5074		<b>AVON TRACTOR &amp; IMPLEMENT</b> HYDRAULIC HOSE - KUBOTA TRACTOR	76.07	76.07
INV 66387				
EFT5075		<b>BRIDGESTONE AUSTRALIA LTD</b> SUPPLY TYRES - Y641 / Y4099	1,221.26	1,221.26
INV 610780C				
EFT5076		<b>JR &amp; A HERSEY</b> RAKES/FLAGGING TAPE/ BROOMS/PAINT BRUSHES	428.01	748.00
INV S14066				
INV S14067		METRIC TAPES/ELECT TAPE/HAMMER/EAR MUFFS - DEPOT	319.99	
EFT5077		<b>LGIS INSURANCE BROKING</b> REGIONAL RISK COORDINATOR - 1/7-31/12/08	3,836.80	3,836.80
INV 1189				
EFT5078		<b>PEERLESS JAL PTY LTD</b> FLOOR CLEANER - TOWN HALL	184.23	184.23
INV S194550				
EFT5079		<b>AVON VALLEY TYRE SERVICE</b> SUPPLY & FIT RECAPS - Y 711	360.00	458.00
INV 1842				
INV 1915		STRIP GRADER TYRE, CLEAN & REASSEMBLE	65.00	
INV 1920		SUPPLY & FIT TYRE - Y345	33.00	
		<b>YORK IGA</b>		

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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
<b>YORK JGA</b>				
EFT5080		REFRESHMENTS - RES MUS		50.06
INV 03/8887			11.51	
INV 01/0776		MILK / BISCUITS - RES MUS	6.08	
INV 02/3610		REFRESHMENTS - RES MUS	32.47	
<b>ROCLA</b>				
EFT5081		PIPES/ HEADWALL		5,519.36
INV 774723			5,519.36	
<b>STEWART &amp; HEATON CLOTHING CO PTY LTD</b>				
EFT5082		BUSHFIRE PERSONNEL UNIFORMS		3,964.62
INV SIN-172			3,964.62	
<b>FUEL DISTRIBUTORS</b>				
EFT5083		DISTILLATE X 5400 LTRS		8,659.44
INV 81402			8,659.44	
<b>LANDMARK</b>				
EFT5084		RAPID SET CONCRETE / WIRE TIES - GREENCORP SUPPLIES		83.65
INV 169398		POLY PIPE JOINER - SEES RD	10.34	
INV 154540		RAPID SET CONCRETE / WIRE TIES - GREENCORP SUPPLIES	65.39	
INV 154550		RAPID SET CONCRETE - GREENCORP SUPPLIES	7.92	
<b>BURGESS RAWSON (WA) PTY LTD</b>				
EFT5085		STANDPIPE WATER USAGE - BURGESS SDG - 23/5-11/9/08		10.18
INV 233394			10.18	
<b>CORPORATE EXPRESS</b>				
EFT5086		ADMIN OFFICE STATIONERY & TONER SUPPLIES		1,495.20
INV WK1288			1,495.20	
<b>NAVIGATOR PERSONAL RETIREMENT PLAN</b>				
EFT5087		STAFF SUPERANNUATION		197.17
INV SUPER			197.17	
<b>CITY PANELBEATERS TRUCK REPAIRS PTY LTD</b>				
EFT5088		INSURANCE CLAIM EXCESS Y711		600.00
INV 5795			600.00	
<b>NORTHAM HYUNDAI</b>				
EFT5089		CAR HIRE 15-17/9/08		251.00
INV MMISC			251.00	
<b>CELLARBRATIONS DUKE OF YORK</b>				
EFT5090		REFRESHMENTS		543.92
INV 0710			543.92	
<b>DUSTRY PTY LTD</b>				
EFT5091		EXCAVATION SEWER CONNECTION HOWICK ST CARPARK		1,870.00
INV 494			935.00	
INV 497		DRAINAGE TRENCH MT BROWN/ BOX THORN REMOVAL	550.00	
INV 499		BACKHOE HIRE GREENHILLS SOUTH RD	385.00	
<b>YAKKA PTY LTD</b>				
EFT5092		WORK UNIFORMS - K HOOPER		77.00
INV 9913362			77.00	
<b>YORK BUILDING SUPPLIES</b>				
EFT5093		FAST SETTING CONCRETE - GOLDFIELDS RD		124.30
INV 0909		GALV DYNABOLT	33.44	
INV 3010		ROOFING SCREWS	9.79	
INV 3010		FAST SETTING CONCRETE - GLEBE STREET	29.48	
INV 3010		FAST SETTING CONCRETE - GOLDFIELDS RD	51.59	
<b>YORK AUTO ELECTRICS</b>				
EFT5094		PHONE AERIAL REPAIRS		270.60
INV 3509		AMBER LIGHT GLOBE	56.10	
INV 3500		ELECTRICAL FAULT/ AIRCON REPAIR	71.50	
INV 3510		PHONE AERIAL REPAIRS	143.00	

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		<b>GEMINI MEDICAL SERVICES PL</b>		
EFT5095		PAYMENT IN LEIU OF DOCTOR'S VEHICLE -		497.60
INV YO1108			497.60	
		<b>L J'S CAFE</b>		
EFT5096		REFRESHMENTS COUNCIL BRIEFING 20/10/08		136.02
INV 37			136.02	
		<b>CONPLANT</b>		
EFT5097		FERRARI MOWER SERVICE		206.60
INV 108909			206.60	
		<b>M &amp; R MACHINING</b>		
EFT5098		SCREEN REPAIRS		253.00
INV 474			253.00	
		<b>SPECTRUM DISTRIBUTORS (ORICA AUSTRALIA PTY LTD)</b>		
EFT5099		CHLORINE GAS 70KG X 2		662.64
INV 4233696		SWIMMING POOL - CHEMICALS, FORREST OVAL - WATER SI	75.24	
INV 4246102		CHLORINE GAS 70KG X 2	587.40	
		<b>WA HINO</b>		
EFT5100		WHEEL DISC		396.00
INV 83760			396.00	
		<b>METRO COUNT</b>		
EFT5101		BATTERY PACK		116.60
INV 13308			116.60	
		<b>SUNNY SIGN COMPANY</b>		
EFT5102		SIGNS		1,551.99
INV 155130			1,551.99	
		<b>FIRE &amp; EMERGENCY SERVICES AUTH. OF WA</b>		
EFT5103		04/05 ESL DEFERRED PENSIONER PENALTY INTEREST		33.45
INV 121835		03/04 ESL DEFERRED PENSIONER PENALTY INTEREST	12.12	
INV 121874		04/05 ESL DEFERRED PENSIONER PENALTY INTEREST	21.33	
		<b>T-QUIP</b>		
EFT5104		FERRARI MOWER SERVICE		956.10
INV 2521#7			956.10	
		<b>FUJI XEROX AUSTRALIA PTY LTD</b>		
EFT5105		PHOTOCOPIER METRE CHARGES SEPTEMBER 08		880.21
INV MA0296		CREDIT PHOTOCOPIER FREE COPIES	-2,200.00	
INV CG6973		PHOTOCOPIER METRE CHARGES APRIL 08	104.06	
INV CG7631		PHOTOCOPIER METRE CHARGES MAY 08	625.97	
INV CG8114		PHOTOCOPIER METRE CHARGES JUNE 08	201.06	
INV 325.72		PHOTOCOPIER METRE CHARGES JULY 08	325.72	
INV IAJ0215		STAPLE CARTRIDGE SUPPLY	231.44	
INV CG9568		PHOTOCOPIER METRE CHARGES AUGUST 08	572.74	
INV CH0206		PHOTOCOPIER METRE CHARGES SEPTEMBER 08	1,019.22	
		<b>DARRY'S PLUMBING AND GAS</b>		
EFT5106		PIPE REPAIR - LESSER HALL AIR-CON		143.00
INV 65			143.00	
		<b>NICOLE MCNAMARA</b>		
EFT5107		TRAVEL PARKING MEALS ALLOWANCE LICENSING TRAININ		388.34
INV REIMB1			388.34	
		<b>PROCIFIC PACKAGING PTY LTD</b>		
EFT5108		ASPHALT/ COLDMIX		990.00
INV 385			990.00	
		<b>AVON TRACTOR &amp; IMPLEMENT</b>		
EFT5109		TRANSMISSION OIL/ COOLANT		213.05
INV 67717			213.05	
		<b>COURIER AUSTRALIA</b>		

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		<b>COURIER AUSTRALIA</b>		
EFT5110		FREIGHT		74.60
INV 0434711			62.75	
INV 0432002			11.85	
		<b>CENTRAL DISTRICTS AIRCONDITIONING</b>		
EFT5111		ANNUAL SERVICE - 2 DINSDALE ST		85.00
INV 27126			85.00	
		<b>KLEENHEAT GAS</b>		
EFT5112		CYLINDER RENTAL GWAMBYGINE		43.14
INV 670865			43.14	
		<b>MCLEODS BARRISTERS AND SOLICITORS</b>		
EFT5113		LEGAL ADVICE - TROTTER CLUB LEASE		3,122.35
INV 44879			1,965.70	
INV 44888		LEAGAL FEES HEALTH PROSECUTION R TURNER - 803 CUT I	1,156.65	
		<b>PEERLESS JAL PTY LTD</b>		
EFT5114		POLIVAC AUTO SCRUBBER/ HOLDER		3,984.20
INV S195044			3,984.20	
		<b>PROTECTOR ALSAFE</b>		
EFT5115		SAFTEY EQUIPMENT - HELMET/ GOGGLES		1,616.23
INV PSEA89			1,616.23	
		<b>ROUS, ERIC DAVID</b>		
EFT5116		PUMP REPAIRS PML		3,700.90
INV 3208		SWIMMING POOL - WIRING OF PUMP	601.15	
INV 3209		BATEMAN PARK - RETIC	88.00	
INV 3204		PUMP REPAIRS PML	2,800.05	
INV 3198		OVEN ELEMENT REPAIRS	211.70	
		<b>AVON WASTE</b>		
EFT5117		RECYCLING SERVICE		26,049.64
INV 3884		RUBBISH SERVICE	5,680.09	
INV 3885		RECYCLING SERVICES	2,822.60	
INV 3898		RUBBISH SERVICE	5,746.10	
INV 3893		RECYCLING SERVICE	11,800.85	
		<b>HOME HARDWARE</b>		
EFT5118		LOCKWOOD KEY SYSTEM - REC CENTRE		632.57
INV 0110		PLANTS/ BRUSH - MUSEUM	78.95	
INV 318730		GAS REFILL - STREET SWEEPER	70.00	
INV 318930		FAST SET CONCRETE - SEED ORCHARD	92.61	
INV 319744		HAND PLATFORM - ADMIN BUILDING	49.95	
INV 320911		LOCKWOOD KEY SYSTEM - REC CENTRE	193.82	
INV 322051		GAS REFILL - STREET SWEEPER	70.00	
INV 322396		CEMENT - GREENCORP SUPPLIES	41.85	
INV 322413		SCREWS / ALLEN KEY SET - GREENCORP SUPPLIES	35.39	
		<b>YORK IGA</b>		
EFT5119		MILK / COFFEE / BISCUITS - ADMIN		455.31
INV 03/2387		MILK - ADMIN	4.90	
INV 02/1450		PAPER PLATES - STORYTIME SUPPLIES	8.28	
INV 01/0854		MILK - ADMIN	4.90	
INV 02/4045		MILK / COFFEE / BISCUITS - ADMIN	43.75	
INV 02/4962		MILK / BISCUITS - DEPOT	14.28	
INV 02/5038		CLEANING PRODUCTS - REC CENTRE	11.46	
INV 01/4156		MILK / BISCUITS - ADMIN	10.06	
INV 01/5533		MILK / BISCUITS - MTG REFRESHMENTS	30.13	
INV 03/8277		KITCHEN UTENSILS - ADMIN	35.39	
INV 03/8408		CELLOPHANE WRAP - STORYTIME SUPPLIES	7.60	
INV 02/7642		PAPER PLATES / MILK - DEPOT	9.20	
INV 02/8065		MILK / TOM SCE - ADMIN	5.54	
INV 01/6530		BATTERIES / BISCUITS - DEPOT	9.65	

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<b>YORK IGA</b>				
INV 02/8490		MILK / BISCUITS - ADMIN	8.18	
INV 01/6893		SUGAR / COFFEE / BISCUITS - DEPOT	38.39	
INV 02/9960		CLEANING PRODUCTS - TOWN HALL / AVON PARK	31.96	
INV 02/0324		CRS MTG REFRESHMENTS - ADMIN	20.94	
INV 01/8539		PAPER PLATES / CLEANING PRODUCTS - REC CENTRE / PAVI	15.58	
INV 04/2025		PAPER TOWEL / MILK / TEA / BISCUITS - ADMIN	42.58	
INV 01/7702		CRS REFRESHMENTS - ADMIN	6.38	
INV 02/8737		TISSUES - ADMIN	5.97	
INV 01/8499		MILK - ADMIN	9.89	
INV 02/9333		MILK / COFFEE / BISCUITS - MTG REFRESHMENTS	37.22	
INV 02/9724		CLEANING PRODUCTS - TOWN HALL	2.93	
INV 02/1079		CLEANING PRODUCTS / BISCUITS - ADMIN	19.59	
INV 02/1424		MILK / TEA / SUGAR - DEPOT	20.56	
<b>AVON EXPRESS</b>				
EFT5120		FREIGHT		99.00
INV 876			99.00	
<b>BENARA NURSERIES</b>				
EFT5121		STREET TREES AVON TCE		4,056.00
INV 300614			4,056.00	
<b>YORK RURAL TRADING</b>				
EFT5122		LAWN FERTILISER		2,684.60
INV 1000492			2,549.00	
INV 1000522		COUPLER - GREASE GUN	31.90	
INV 1000536		CASTOR WHEELS	79.80	
INV 1000545		FLEXI HOSE	23.90	
<b>YORK QUALITY BUTCHERS</b>				
EFT5123		REFRESHMENTS - JOHN CURTIN VOLUNTEER WK		30.37
INV 552373			30.37	
<b>JOHN PATRICK HOOPER</b>				
EFT5124		ALLOWANCE 1/7-30/9/08 & 1/10-31/12/08		10,215.00
INV ALLOW			10,215.00	

**REPORT TOTALS**

Bank Code	Bank Name	TOTAL
1	MUNICIPAL FUND BANK	352,801.40
<b>TOTAL</b>		<b>352,801.40</b>

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		<b>SIDS AND KIDS</b>		
3526		PAY OUT FUNDRAISING MONEY SIDS AND KIDS REC 134580		31.00
INV T1		SIDS & KIDS RED NOSE DAY FUNDRAISER	31.00	
		<b>GREG PLAYER</b>		
3527		REFUND HALL BOND REC 133627		220.00
INV T83		GREG PLAYER SWING DANCE 28/05/2008	200.00	
INV T8			20.00	
		<b>LISA POCOCK</b>		
3528		REFUND HALL BOND REC 134563		220.00
INV T83		LISA POCOCK 13/9/08	200.00	
INV T8		LISA POCOCK	20.00	
		<b>CBH</b>		
3529		REFUND PAVILLION BOND REC.134882		120.00
INV T83		PAV BOND	100.00	
INV T8		KEY BOND PAV	20.00	
		<b>DARLENE MERRILL BARRATT</b>		
3530		REMAINDER BUILDING BOND R/FUND D BARRATT RECEIPT		3,000.00
INV T7			3,000.00	
		<b>WA COUNTRY BUILDERS</b>		
3536		REFUND KERB BOND REC:133651 B:2001521		500.00
INV T4		App # 2001521 WA COUNTRY BUILDERS	500.00	
		<b>TREVOR EDWARDS</b>		
3537		REFUND HALL BOND R:132725		220.00
INV T83		T EDWARDS CYCLO CLUB 14/09/08	200.00	
INV T8			20.00	
		<b>D M BARNES &amp; W J BURTENSHAW</b>		
3538		REFUND RESITED HOUSE BOND REC:120233 B:2000988		5,000.00
INV T7		App # 2000988 DUNCAN BARNES	5,000.00	
		<b>BUILDERS REGISTRATION BOARD</b>		
3539		BRB LEVY SEPTEMBER 2008		569.50
INV BRB LE			569.50	
		<b>MOOREFIELD HOLDINGS</b>		
3540		CORRECT LICENSING VALUE REMITTED 782.Y P. MOOREFIE		50.00
INV T76		\$50 EFTPOS NOT RECEIPTED - RECEIPTED EXTRA 50	50.00	
		<b>STEPHANIE BRIGITEE HAWKINS</b>		
3541		REFUND KEY BOND R:131241		20.00
INV T8		KEY BOND - S HAWKINS	20.00	
		<b>KATY DUFFIELD</b>		
3542		REFUND KEY BOND R:128055		20.00
INV T8		KATY DUFFIELD GYM MEMBER	20.00	
		<b>SANDRA GERARDA PREISIG</b>		
3543		REFUND RESITED HOUSE BOND R:130415 B:2001392		5,000.00
INV RESITE			5,000.00	
		<b>BUILDING CONSTRUCTION INDUSTRY TRAINING FUND</b>		
3544		BCITF LEVY SEPTEMBER 2008		803.00
INV BCITF I			803.00	
		<b>BENADDI</b>		
3545		REFUND KEY BOND R:134076		20.00
INV T8		I BENADDI	20.00	
		<b>SHIRE OF YORK</b>		
3546		BRB COMMISSION SEPTEMBER 2008		283.80
INV BRB CC		BRB COMMISSION JULY 2008	49.50	
INV BCITF C		PAYROLL DEDUCTIONS	19.80	
INV BRB SE		BRB COMMISSION SEPTEMBER 2008	93.50	

Date: 13/11/2008  
Time: 12:19:20PM

**SHIRE OF YORK**  
**TRUST CHEQUE PAYMENTS**  
**OCTOBER 2008**

USER:Tabitha Bateman  
PAGE:2

Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
<b>SHIRE OF YORK</b>				
INV BCITF 5		BCITF COMMISSION SEPTEMBER 2008	33.00	
INV BRB AU		BRB COMMISSION AUGUST 2008	55.00	
INV BCITF /		BCITF COMMISSION AUGUST 2008	33.00	
<b>CBH</b>				
3547		REFUND HALL BOND R:134877		120.00
INV T83		BOND	100.00	
INV T8		KEY BOND	20.00	

**REPORT TOTALS**

Bank Code	Bank Name	TOTAL
2	TRUST FUND BANK	16,197.30
<b>TOTAL</b>		<b>16,197.30</b>



<b>TOTAL RESERVES</b>	
<b>31-Oct-08</b>	
<b>Reserve Name</b>	<b>Current Balance</b>
4. Plant Reserve	285,765.77
6. Staff Leave Reserve	107,342.80
7. Town Planning Reserve	11,369.53
8. Recreation Complex Reserve	268,584.31
9. Avon River Maintenance Reserve	18,583.02
14. Industrial Land Reserve	85,020.69
15. Refuse Site Development Reserve	180,402.35
22. Centennial Gardens Reserve	99,876.16
23. Public Open Space Cont Reserve	288.68
24. Community Bus Reserve	32,125.55
25. Pioneer Memorial Lodge Reserve	139,816.94
26. Residency Museum Reserve	18,328.47
27. Carparking Reserve	54,280.90
30. Building Reserve	55,411.92
35. Disaster Reserve	21,993.21
37. Archives Reserve	45,591.73
38. Water Supply Reserve	6,778.29
40. Tied Grant Funds Reserve	147,353.49
42. Main Street (Town Precinct) Update Reserve	108,285.22
43. Strategic Planning Reserve	17,866.28
44. Cemetery Reserve	24,911.98
45. York Town Hall Reserve	37,375.96
46. RSL Memorial Reserve	18,143.25
47. Greenhills Townsite Development Reserve	19,987.12
48. Youth Capital Works	21,272.51
49. Roads	54,967.08
50. Land & Infrastructure	183,246.88
<b>TOTAL RESERVE FUNDS</b>	<b>2,064,970.09</b>
<b>Funded by</b>	
Bendigo Reserve 119521748	1,000.00
Bendigo NCD	549,662.86
Bendigo NCD	1,514,306.83
Bank fees - transfer required	0.40
<b>Total Cash Funding</b>	<b>2,064,970.09</b>
<b>Comment</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.	

SHIRE OF YORK

Printed on : 13.10.08 at 14:43				
Page No. : 1				
Payroll Reconciliation for - 13.10.08				
With Year To Date Details to 13.10.08				
		This Pay	Y.T.D.	
	Gross Taxable	2188.81	533362.03	
	Gross Non Taxable	0.00	17884.47	
	Group Cert "A" amount	0.00	9734.50	
		-----	-----	
	Total Gross	2188.81	560981.00	
TAX		507.10	119449.26	
LGSP SAL SAC 5%		0.00	1621.10	
LGSP SAL SAC 50%		0.00	946.01	
SUPER MEMBER (VOL)		0.00	0.00	
SUPER MEMBER (BASIC)		0.00	1413.04	
RENT		0.00	3200.00	
UNION - ASU		17.90	1378.30	
PROPERTY RATES PAYMENT		0.00	3770.00	
ATO CHILD SUPPORT AGENCY		0.00	253.22	
LGSP AFTER TAX (VOL) 2%		0.00	272.92	
LGSP SAL SAC 29.5%		0.00	4605.34	
LGSP AFTER TAX (VOL) 3%		0.00	1625.99	
SUPER MEMBER (VOL) 1%		0.00	220.67	
PAY ADJUSTMENTS - ADMIN		0.00	343.86	
LGSP SAL SAC 10%		0.00	6867.36	
LGSP SAL SAC 8%		0.00	1091.57	
LGSP AFTER TAX (VOL) 4%		112.41	2800.61	
LGSP SAL SAC 4%		0.00	2753.09	
PRIME SUPER - AFTER TAX 5		0.00	274.39	
CENTRELINK - STUDENT ASSI		0.00	500.00	
		-----	-----	
Total Deductions		637.41	153386.73	
		-----	-----	
Total Net		1551.40	407594.27	

Printed on : 23.10.08 at 10:41  
Page No. : 1  
Payroll Reconciliation for - 22.10.08  
With Year To Date Details to 23.10.08  
This Pay Y.T.D.

	Gross Taxable	65022.01	598384.04
	Gross Non Taxable	2203.53	20088.00
	Group Cert "A" amount	0.00	9734.50
<hr/>			
	Total Gross	67225.54	628206.54
TAX		14519.31	133968.57
LGSP SAL SAC 5%		311.05	1932.15
LGSP SAL SAC 50%		0.00	946.01
SUPER MEMBER (VOL)		0.00	0.00
SUPER MEMBER (BASIC)		180.17	1593.21
RENT		400.00	3600.00
UNION - ASU		161.10	1539.40
PROPERTY RATES PAYMENT		490.00	4260.00
RATO CHILD SUPPORT AGENCY		33.95	253.22
LGSP AFTER TAX (VOL) 2%		33.95	306.87
LGSP SAL SAC 29.5%		576.83	5182.17
LGSP SAL SAC 3%		147.18	1773.17
LGSP AFTER TAX (VOL) 3%		29.48	250.15
SUPER MEMBER (VOL) 1%		0.00	343.86
PAY ADJUSTMENTS - ADMIN		0.00	0.00
LGSP SAL SAC 10%		841.12	7708.48
LGSP SAL SAC 8%		135.82	1227.39
LGSP SAL SAC 4%		319.01	3119.62
LGSP AFTER TAX (VOL) 4%		338.71	3091.80
LGSP SAL SAC 4%		100.00	274.39
PRIME SUPER - AFTER TAX 5		0.00	600.00
CENTRELINK - STUDENT ASSI			
<hr/>			
	Total Deductions	18583.73	171970.46
<hr/>			
	Total Net	48641.81	456236.08

STATEMENT OF CREDIT CARD PAYMENTS FOR THE MONTH ENDING OCTOBER 2008		
REFRESHMENTS	\$	1,021.65
TRAINING	\$	1,279.30
STATIONERY	\$	-
FUEL	\$	268.21
HOUSING MAINTENANCE	\$	175.62
TOTAL PURCHASES	\$	2,744.78
PAYMENTS TO C/C IN ADVANCE	\$	-
LESS PREVIOUSLY PAID IN ADVANCE	\$	1,095.03
TOTAL PAYMENTS TO C/C AS PER BANK REC	\$	1,649.75

STATEMENT OF SHELL CARD PURCHASES FOR THE MONTH ENDING OCTOBER 2008		
0 Y - CEO	\$	-
Y 00 - DCEO	\$	-
Y 000 - EHO	\$	-
CARD FEES	\$	7.50
TOTAL PURCHASES	\$	7.50
TOTAL PAYMENTS TO SHELL AS PER BANK REC	\$	7.50

## 9.4 Confidential Reports



## 9.5 Late Reports





## **9. OFFICER'S REPORTS**

### **9.5 LATE REPORTS**

#### **9.5.1 York Basketball Association Funds**

<b>FILE NO:</b>	<b>CS.CCS.5</b>
<b>COUNCIL DATE:</b>	<b>24 November 2008</b>
<b>REPORT DATE:</b>	<b>21 November 2008</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, Deputy Chief Executive Officer</b>
<b>DISCLOSURE OF INTEREST:</b>	<b>Nil</b>
<b>APPENDICES:</b>	<b>Nil</b>
<b>DOCUMENTS TABLED:</b>	<b>Nil</b>

#### **Summary:**

This report recommends making a payment of \$2,626.51 from account 41112 Public Relations to the York Basketball Association.

#### **Background:**

Brett Sherry, President of the York Basketball Association has written to Council:

*"The York Basketball Association has been in recess since 2002/03 due to declining player numbers. Before that the Association ran a Men's and Women's competition in York attracting 4 teams for each.*

*When the Association ceased running it was necessary to close the bank account, as there was no committee. The funds were initially put paid to the Hockey Club however it was determined that it was best if the funds were quarantined to be available as seed funding if the Association was to ever start up again. These funds were passed on to the Shire of York as arrangements had been made for the Shire to keep the funds in trust for the Association. The total funds amounted to approximately \$2,500.*

*On 8 October 2008 a general meeting of the Basketball Association was held and I was elected to the position of President. We have formed a Men's and Women's team to participate in the Northam Association competition this summer with the aim of re-establishing a York competition next summer if we can attract interest.*

*As the Association has now re-established we would like to request that the Shire return the funds to the Association. This funding will enable the purchase of uniforms, equipment and the hire of the Recreation Centre for home games."*

On 20<sup>th</sup> May 2005 the Shire received the sum of \$2,626.51 representing the remaining funds of the York Basketball Club following the folding of the club. These funds were receipted into the Municipal fund and were treated as a donation to the Multi Purpose Recreation Centre. However it appears that the funds were not transferred either to the Recreation Centre Reserve or to the Trust Account.

The funds rightfully should have been put in a trust fund on behalf of the basketball club but this didn't happen and the money would have just ended up as part of the carried forward surplus at the end of the 2004/05 financial year.

#### **Consultation:**

York Basketball Association, Annette Hunt

#### **Statutory Environment:**

Local Government Act 1995 (As Amended).

**Policy Implications:**

Nil

**Financial Implications:**

\$2,626.51 to come out of 2008/09 budget allowance for public relations.

**Strategic Implications: Nil**

**Voting Requirements:**

**Absolute Majority Required: No**

**Site Inspection:**

**Site Inspection Undertaken: Not applicable**

**Triple bottom Line Assessment:**

**Economic Implications:**

Nil

**Social Implications:**

Encouraging the reestablishment of the basketball association will have benefits for the physical and mental well being of the adults and juniors who participate.

**Environmental Implications:**

Nil.

**Comment:**

Unfortunately due to a mix up in 2005 it appears that these funds were not put aside in trust for the basketball association. With the re-establishment of the association it is appropriate that the Council makes these funds available to the York Basketball Association to help with the re-establishment of competitive basketball in York.

Cr Fisher declared an impartiality interest as a member of the York Basketball Club.

**OFFICER RECOMMENDATION**

**RESOLUTION**

**201108**

**Moved Cr Boyle**

**Seconded Cr Lawrance**

***“That Council:***

***pays the sum of \$2,626.51 from account 41112 Public Relations to the York Basketball Association representing funds lodged with the Shire following the folding up of the previous basketball club in York.”***

**CARRIED (5/0)**

**10. NEXT MEETING**

**RESOLUTION  
211108**

**Moved Cr Boyle**

**Seconded Cr Fisher**

***“That Council***

***hold the next Ordinary Meeting of the Council on December 15, 2008, commencing at 3.00pm in the Council Chambers, York.”***

**CARRIED (5/0)**

**11. CLOSURE**

There being no further business Cr Hooper declared the meeting closed at 4.11pm.