

SHIRE OF YORK

**MINUTES OF THE ORDINARY
MEETING OF THE COUNCIL
HELD ON 21st SEPTEMBER, 2009
COMMENCING AT 3.05PM IN THE
PAVILION, SOUTH STREET YORK.**

MISSION STATEMENT

"To build on our history to create our future"

SHIRE OF YORK

DISCLAIMER

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Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, any statement or intimation of approval made by any member or Officer of the Shire of York during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of York.

The Shire of York notifies that anyone who has any application lodged with the Shire of York must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of York in respect of the application.

RAY HOOPER
CHIEF EXECUTIVE OFFICER

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SHIRE OF YORK

THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL HELD ON MONDAY, 19 OCTOBER, 2009, COMMENCING AT 3.00PM IN THE SHIRE PAVILION, SOUTH STREET, YORK.

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

1. OPENING

- 1.1 Declaration of Opening
The Shire President, Cr Pat Hooper, welcomed everyone and declared the meeting open at 3.00pm.
- 1.2 Chief Executive Officer to read the disclaimer
The Chief Executive Officer, Ray Hooper, read the disclaimer.
- 1.3 Announcement of Visitors
There were no visitors.
- 1.4 Announcement of any Declared Financial Interests
Nil

2. ATTENDANCE

- 2.1 Members
Cr Pat Hooper, President; Cr Brian Lawrance, Deputy President; Cr Tony Boyle; Cr Trevor Randell; Cr Roy Scott; Cr Tricia Walters
- 2.2 Staff
CEO Ray Hooper; Deputy CEO Graham Stanley; EHO Peter Stevens; Shire Planner Patrick Ruettjes; ESO Julieanne Treloar
- 2.3 Apologies
No apologies were received.
- 2.4 Leave of Absence Previously Approved
Nil
- 2.5 Number of People in Gallery at Commencement of Meeting
There were three members of the public in attendance at the commencement of the meeting.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

3.1 Previous Public Questions Taken on Notice

Nil

3.2 Written Questions

Nil

4. PUBLIC QUESTION TIME

Mr David Lawn

Congratulated the successful candidates.

Question 1: Will there be any further public consultation with the pending amalgamation of local Shires as to the responsibilities and powers of the local Council and those which may be transferred to the regional council?

Response: No specific ideas on this at this time. This will be further determined as the process evolves.

Question 2: Has Council made any provisions for the control of dust and sand blowing from the Forrest Oval recreation area given that summer is coming and there will be many hot and windy days before it rains again?

Response: It is planned that there will be green grass on the oval in 2 weeks

Question 3: Will the council give due credit and consideration to Cr Ashley Fisher at the commissioning of the sports complex as he has been heavily involved in the planning and development of this facility over a long period?

Response: Recognition will be given to all of the contributors to this project.

Question 4: Is there any plan for the replacement of the carpark next to the Ambulance Centre when the Telecentre is established?

Response: Consideration will be given to this if and when a decision is made. It is anticipated that the current carpark area will remain.

Question 5: Will the CEO arrange for the repair of the road between my place and the Catholic Church? There is a subsidence leading to the surface breaking up with the potential of becoming a real hazard. This is a school bus route as well as a lot of traffic expected at the Jazz Festival.

Response: CEO will follow this up.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. PETITIONS / PRESENTATIONS / DEPUTATIONS

Cr Walters made an apology to the Shire President regarding her comments at the Ordinary Meeting of Council held on the 21st September, 2009.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Minutes of the Ordinary Meeting of Council held September 21, 2009

Corrections Nil

Confirmation

RESOLUTION 031009

Moved: Cr Boyle Seconded: Cr Lawrance

“That the minutes of the Ordinary Council Meeting held September 21, 2009 be confirmed as a correct record of proceedings.”

CARRIED

7.2 Minutes of the Special Meeting of Council held September 29, 2009

Corrections Nil

Confirmation

**RESOLUTION
041009**

Moved: Cr Lawrance Seconded: Cr Randell

“That the minutes of the Special Council Meeting held September 29, 2009 be confirmed as a correct record of proceedings.”

CARRIED

7.3 Minutes of the Special Meeting of Council held October 9, 2009

Corrections Nil

Confirmation

**RESOLUTION
051009**

Moved: Cr Boyle Seconded: Cr Lawrance

“That the minutes of the Special Council Meeting held October 9, 2009 be confirmed as a correct record of proceedings.”

CARRIED

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Welcome to the new Councillors Tony Boyle, Brian Lawrance and Roy Scott.

On Saturday the Elections drew a 51.37% turnout with 1335 votes with only 1 informal which is an extremely good result.

The community has chosen their representatives and we hope that the community accepts this representation.

The Shire will be open to the questions and discussions from the whole community but will not be involved in a war of correspondence with the Residents and Ratepayers Association or any other group.

9. OFFICER'S REPORTS

9.1 Development Services

9. OFFICER'S REPORTS

9.1 DEVELOPMENT REPORTS

9.1.1 Rural Pursuit – Equine Facility – Lot 62 Bogling Road, Caljie

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

FILE NO:	Bo1.2161
COUNCIL DATE:	19 October 2009
REPORT DATE:	12 October 2009
LOCATION/ADDRESS:	Lot 62 (323) Bogling Road, Caljie.
APPLICANT:	Mario Ameduri
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Patrick Ruettjes, Shire Planner
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Site plans, floor plan and elevation plan, Site inspection photos, April 2008 Report
DOCUMENTS TABLED:	Nutrient Management Plan, Stocking Rate and Property Management Plan

Summary:

Council is asked to consider an application for retrospective planning consent for 'Rural Pursuit - Equine Facility' at Lot 62 (323) Bogling Road, Caljie. The application is recommended for retrospective approval, subject to conditions.

Background:

The proposed development is located on Lot 62 (323) Bogling Road, Caljie. Lot 62 is zoned 'General Agriculture' under the Shire of York Town Planning Scheme No. 2 (the 'Scheme'). Lot 62 comprises an area of 40,500m² (40.5 hectares, approximately 100 acres).

Planning consent was issued previously for manager's accommodation at the Council Meeting of 21 April 2008 (see attached report).

Construction work commenced on the property ignoring the conditions of the original planning consent. The following correspondence was provided to the landowner:

"It has come to the attention of Council that development on the above lot is being undertaken without the necessary building approvals and in contravention of existing planning approval.

A site inspection, conducted by the Shire's Building Surveyor on 26 May 2009, revealed that substantial building works (photographs enclosed) had commenced without a building licence. The building works consist of extensive steel framework erected on steel stumps concreted into the ground. You are advised to cease all work immediately.

You are reminded that Council gave planning approval at its Ordinary Meeting held on 21 April 2008 subject to the following conditions which have not been complied with:

"That Council-

1. grants approval for an additional dwelling to be located at Lot 62 Bogling Road, York subject to the following:

a. a building licence being obtained and to comply with the Building Codes of Australia;

b. the applicant entering into a legal agreement at the applicants cost binding the owner, his/her heirs and successors in title requiring that the sole occupant or occupants of one of the dwellings are for caretakers of the property, utilising the dwelling for workers accommodation or alternatively for family members;

c. appropriate landscaping to be put in place to minimise any visual impacts on the rural character and amenities, as negotiated with the Chief Executive Officer;

d. the applicant providing a revised site plan defining a building envelope of not more than 15% of the total area of land;

e. a fire management plan being submitted and approved by the Chief Executive Officer.

2. delegates to the Chief Executive Officer the finalisation of the approval eg. the affixing of the seal to the Deed.

3. defer consideration of a horse stud farm until such time as more details are at hand eg. how many horses, management plan etc generally in accordance with Appendix B.

4. adhere to Department of Environment and Conservation correspondence of April 9, 2008.

Advice Note:

The applicants are advised that the additional dwelling will not form the basis for a subdivision application to be approved."

No amended site plan with building envelope(s) has ever been received following the said Council meeting and no building licence has been applied for. No landscaping has been undertaken and no fire management plan has been received. There is also no legal agreement on record. None of the current development therefore has any approval.

Please note that while this is not a formal notice issued in accordance with section 214 (3) of the Planning and Development Act 2005, a formal notice may be given if the land is not restored to the condition before commencement of the development or if it is not adhered to the previous planning conditions issued. Council also has the option of serving a formal notice in accordance with section 214 (2) of the Planning and Development Act 2005 and commencing prosecution immediately. Extracts from the Planning and Development Act 2005 and the Shire of York Town Planning Scheme No. 2 have been enclosed for your convenience.

Development without approval constitutes an offence under the Planning and Development Act 2005 and the Shire of York Town Planning Scheme No. 2 and leaves the property owners/occupiers liable to a penalty of \$50,000. In the case of a continuing offence, a further fine of \$5,000 for each day during which the offence continues, is applicable.

You are also advised to contact your insurance company with regard to liability issues if the unauthorised development/activity causes damage or injury.

You are advised, within 7 days, to give reasons in writing as to why you have commenced construction without the necessary approvals and outline when you intend to address the outstanding development approval conditions and submit the relevant information (amended site plans, building envelopes, legal agreement, landscaping plans etc.)."

The landowner advised that the construction work was not for the manager's accommodation but for stables. An application for planning approval was lodged on 24 August 2009 (see attached plans). A building licence application has been lodged as well.

The proposal includes 8 stables, manure bin, tack room and a wash down bay. It is proposed to stable 8 horses on an impervious floor layer for 20 hours daily and an additional 4 horses that are to be grazed for 24 hours daily. A Nutrient Management Plan, Stocking Rate and Property Management Plan for the Keeping of Horses compiled by Small Farm Landcare Consultancy has been submitted with the application.

Consultation:

The development – which has partly commenced – has been advertised in accordance with clause 7.3.3 of the Scheme. Detailed plans of the proposed development and relevant documentation have been on display at the Council offices during the advertising period.

A total of four written submissions have been received, all from government departments.

Submission 1

"The Water Corporation has no objection to the proposed development.

A scheme water supply is connected to Lot 62 Bogling Road, however the capacity of the scheme in this area is limited.

Conditions relating to water supply quality, continuity and flowrate may also apply to the services provided in this area."

Submission 2

"With respect to your correspondence of the 26th August 2009 requesting comment on the development proposal noted above, Main Roads WA have examined the proposal and make the following comment.

As the proposal does not appear to impact the road network under the control of MRWA with respect to traffic frequency, size of vehicle or type of load, MRWA have no requirements in relation to the proposal."

Submission 3

"Reference is made to your letter dated 26 August 2009 regarding a proposed equine development at the above-mentioned property.

The Department of Water has no objection to the proposal provided the equine facilities and activities are managed in accordance with the Environmental Guidelines for Horse Facilities and Activities, with particular reference to the following:

- 1. Stocking rates;*
- 2. Activity and facility buffers of at least 30 metres from watercourses, private water supply wells and farm dams;*
- 3. Stables to be located 1.2 metres above the highest known water table;*
- 4. Stable construction;*
- 5. Waste management;*
- 6. Phosphorus and nitrogen application rates; and*
- 7. Handling and storage of chemicals, fuels etc."*

Submission 4

"I refer to your letter dated 26 August 2009 whereby comment is requested from the Department of Environment and Conservation in Northam regarding a proposed Horse Stud development on lot 62 (Freehold land).

Please note that the Department of Water has the responsibility for advising decision-making agencies on waterway and foreshore protection, as well as catchment management issues (which includes nutrient management issues near waterways). In addition, it is the responsibility of the Department of Agriculture to advise on stocking and sustainable farm management practices. The Department of Environment and Conservation (DEC) in turn advises on any potential dust and noise impacts associated with developments, as well as potential impacts on known conservation values.

A desktop assessment of this proposal has been undertaken based on the information provided and information from DEC databases. The eastern section of Lot 62 contains a valuable 5.6 ha remnant, which is registered Land for Wildlife site (registration number 1236) (see attached Figure 1). This particular remnant contains a vegetation association which is both under-represented in the DEC-management conservation estate, as well as being listed as a high priority ecosystem for protection / conservation in the Avon Catchment Council (ACC) NRM region. In addition, part of this remnant is also a designated Environmentally Sensitive Area (ESA) due to, amongst others, its proximity to the adjacent Mortlock River which partly extends through Lot 62. The fencing of this remnant would restrict stock access and make a significant contribution towards protecting its inherent conservation values.

DEC advises that based on currently available information, they have no objection to the proposed Horse Stud farm subject to the following conditions (this advice should not be interpreted as endorsing or supporting the proposed works):

- 1. Comments are obtained from the Department of Water regarding any potential nutrient management issues near waterways i.e. Mortlock River and any other potential water-related impacts associated with this application;*
- 2. Comments are obtained from the Department of Agriculture and Food regarding stocking rates for the proposed horse stud farm and sustainable farm management practices in general; and*
- 3. The 5.6 ha remnant on the eastern boundary of Lot 62 is fenced between Bogling road and Lot 1593 to the north to adequately protect the remnant from stock access. This fencing condition is consistent with previous written advice provided by DEC to the Shire of York on 9 April 2008 (DEC letter ref eA269661).*

Amendments to the Environmental Protection Act 1986 (EP Act) were introduced on 8 July 2004 whereby clearing of native vegetation is prohibited, unless a clearing permit has been granted, or the clearing is for an exempt purpose. The penalty provisions of the EP Act provide for a maximum penalty for unlawful clearing of \$250,000 for an individual or \$500,000 for a body corporate.

Schedule 6 Clause 9 of the EP Act provides an exemption for the requirement to obtain a clearing permit where the clearing is in accordance with a subdivision approval given by the responsible authority under the Planning and Development Act 2005. Exemptions under the Native Vegetation Clearing regulations of 2004 (section 52 of the Environmental Protection Act 1986) are however not applicable to designated Environmentally Sensitive Areas i.e. any planned clearing of native vegetation in ESA's will first require a clearing permit before any clearing is undertaken.

Information regarding native vegetation clearing legislation is available on DEC's website at www.nvp.wa.gov.au or by contacting Native Vegetation Conservation Branch on 9219 8744. The State Law Publishers website, www.slp.wa.gov.au has current electronic versions of all State legislation."

Statutory Environment:

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

The proposed Equine Facility is considered to meet the definition of 'Rural Pursuit' in Schedule 1 of the Scheme:

"rural pursuit: means the use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith:

- (a) the rearing or agistment of goats, sheep, cattle, or beasts of burden;*
 - (b) the stabling, agistment or training of horses;*
 - (c) the growing of trees, plants, shrubs, or flowers for replanting in domestic, commercial, or industrial gardens;*
 - (d) the sale of produce grown solely on the lot;*
- but does not include intensive agriculture."*

Policy Implications:

Nil

Financial Implications:

Planning fees and building licence fees have been paid.

Strategic Implications:

Key Result Area 2 – Economic Development and Tourism – Objectives 1, 4 & 5 state:

"To encourage a sustainable community by increasing employment opportunities in York, attracting investment and businesses to the town, and achieving diversification of industries."

"To utilise the unique features of York's heritage and rural lifestyle, where appropriate, as the basis for economic development."

"To ensure that economic development does not conflict with York's heritage, lifestyle and environment."

Key Result Area 1 – Objective 1:

"To develop a framework to facilitate planning and decision-making in order to identify and meet community needs, develop opportunities and implement change."

KRA5 – History and Heritage

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

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Yes, see photos attached.

Triple bottom Line Assessment:

Economic Implications:

Equine facilities, if properly managed, can complement the rural infrastructure and services in the district.

Social Implications:

If the proposal is properly managed, it is considered not to have an adverse impact on adjoining properties.

Environmental Implications:

The main factors – stocking rates, nutrient management, buffer to watercourses and water sources and waste management – have been addressed in the submissions by the government departments and are addressed in the proposed conditions as well.

Comment:

The application for 'Rural Pursuit – Equine Facility' with a maximum of 12 horses is considered to be appropriate for the property in question. While the stocking rate mentioned in the Property Management Plan is considered to be debatable in regard to its consistency with the Environmental Guidelines for Horse Facilities and Activities, it is not anticipated to have an adverse impact on the property itself and on adjoining properties.

Some details of the proposal need further clarification, such as the management of the manure bin and the context of the wash down bay, e.g. where does the wastewater go. It is proposed to address these issues by appropriate conditions, such as a separate effluent disposal system for the equine facility to be located in appropriate distance away from watercourses and water courses.

The applicant is strongly advised to adhere to all planning and building conditions to avoid potential prosecution for unauthorised building works and non-compliance with conditions.

The proposal is recommended for approval, subject to conditions.

OFFICER RECOMMENDATION

“That Council advise the Applicant that it approves the partly commenced ‘Rural Pursuit – Equine Facility’ at Lot 62 (323) Bogling Road, Caljie, subject to the following conditions:

- 1. Development must substantially commence within twelve months from the date of this decision;*
- 2. Development taking place in accordance with the approved plans subject to building and management details being provided on the proposed manure bin, tack shed and wash down bay;*
- 3. The maximum number of horses allowed on the property is twelve (12) at any given time in accordance with the Nutrient Management Plan, Stocking Rate and Property Management Plan for the Keeping of Horses compiled by Small Farm Landcare Consultancy;*
- 4. Full compliance with the Environmental Guidelines for Horse Facilities and Activities;*
- 5. An emergency and fire management plan being prepared and approved by FESA and to the satisfaction of the local government;*
- 6. Prior to commencement of the development, a detailed landscaping plan for screening and dust suppression is to be submitted to the satisfaction of the local government;*
- 7. Prior to commencement of the development, detailed drainage plans showing that no nutrients are discharged into watercourses or water sources shall be submitted to the satisfaction of the local government;*
- 8. Prior to occupation, the development hereby permitted shall be connected to an approved effluent disposal system to the specifications of the local government and the Department of Health in accordance with the Environmental Guidelines for Horse Facilities and Activities;*
- 9. Prior to occupation of the development, vehicle crossover(s) shall be constructed to the satisfaction of the local government;*
- 10. All car parking, vehicle access and circulation areas are to be constructed to a gravel standard and to be maintained and available for car parking, vehicle access and circulation on an ongoing basis to the satisfaction of the local government;*
- 11. All landscaped areas are to be maintained on an ongoing basis to the satisfaction of the local government;*
- 12. The on-site drainage system shall be maintained on an ongoing basis to the satisfaction of the local government; and*
- 13. All fencing to commence in accordance with the correspondence from the Department of Environment and Conservation, i.e. between Bogling Road and Lot 1593 to the North, confined within the property boundaries and to the satisfaction of the local government.*

Advice Notes:

- a) *In accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1960, an application for a building licence must be submitted to, and approval granted by the local government prior to the commencement of the development hereby permitted.*
- b) *An application for a vehicle crossover must be submitted to, and approval granted by, the local government prior to the commencement of the development hereby permitted.*
- c) *Any change to stocking rates and other land use details require the prior written approval by the local government and the relevant state government departments/agencies.*
- d) *The development hereby permitted must comply with the access and facilities for disabled requirements of the Building Code of Australia and all other relevant Australian Standards in respect of access and facilities for the disabled.*
- e) *An approved effluent disposal system is to be installed, this must be approved by the State Department of Health in accordance with r.4A(2) of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 and be of sufficient size to cater for the equine facility. A geotechnical report may be required which provides details on the site suitability for onsite effluent disposal.*

**RESOLUTION
061009**

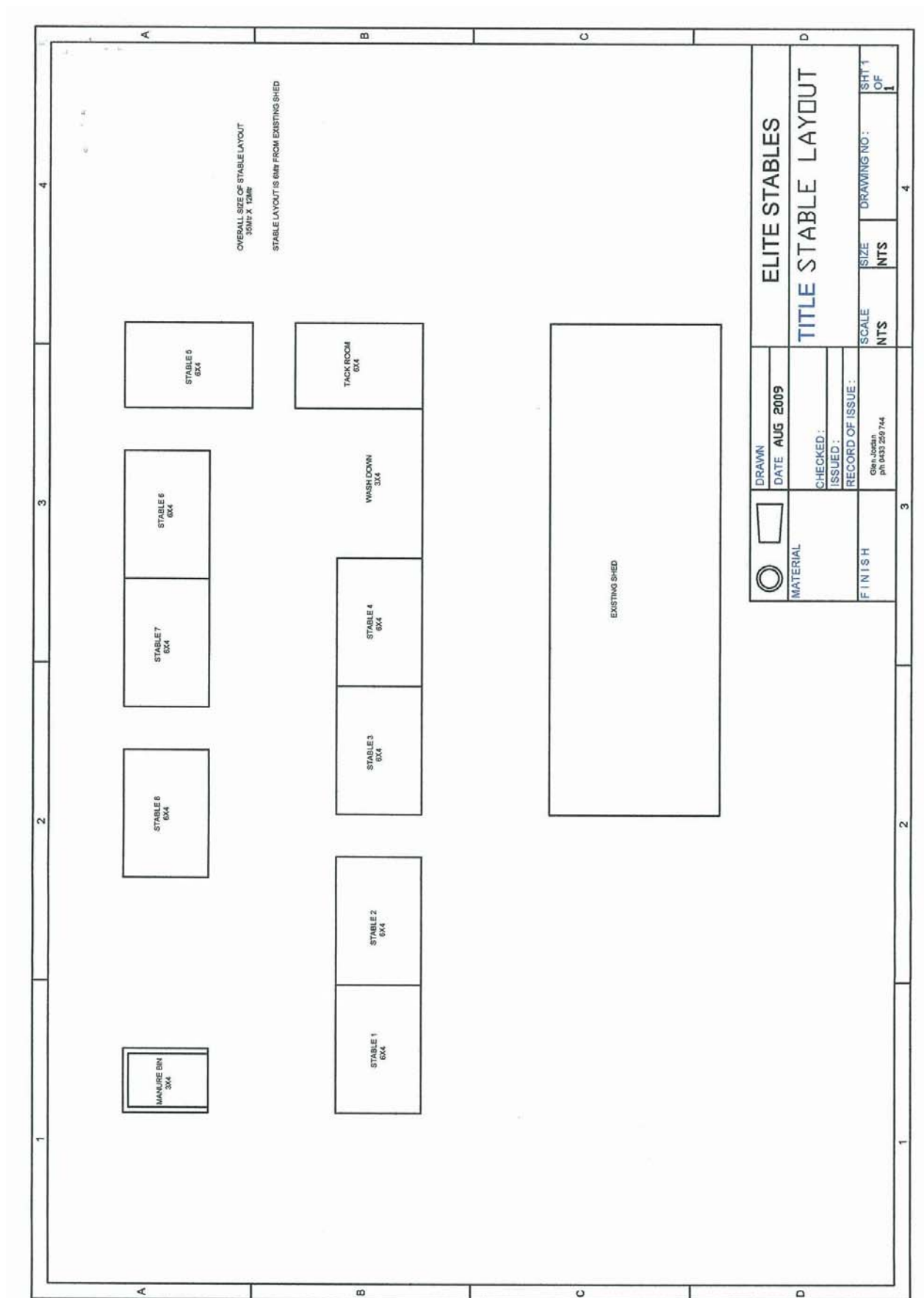
Moved: Cr Boyle Seconded: Cr Hooper

“That Council:

Defer this item to allow the Officers to provide further information to Councillors.”

CARRIED (6/0)





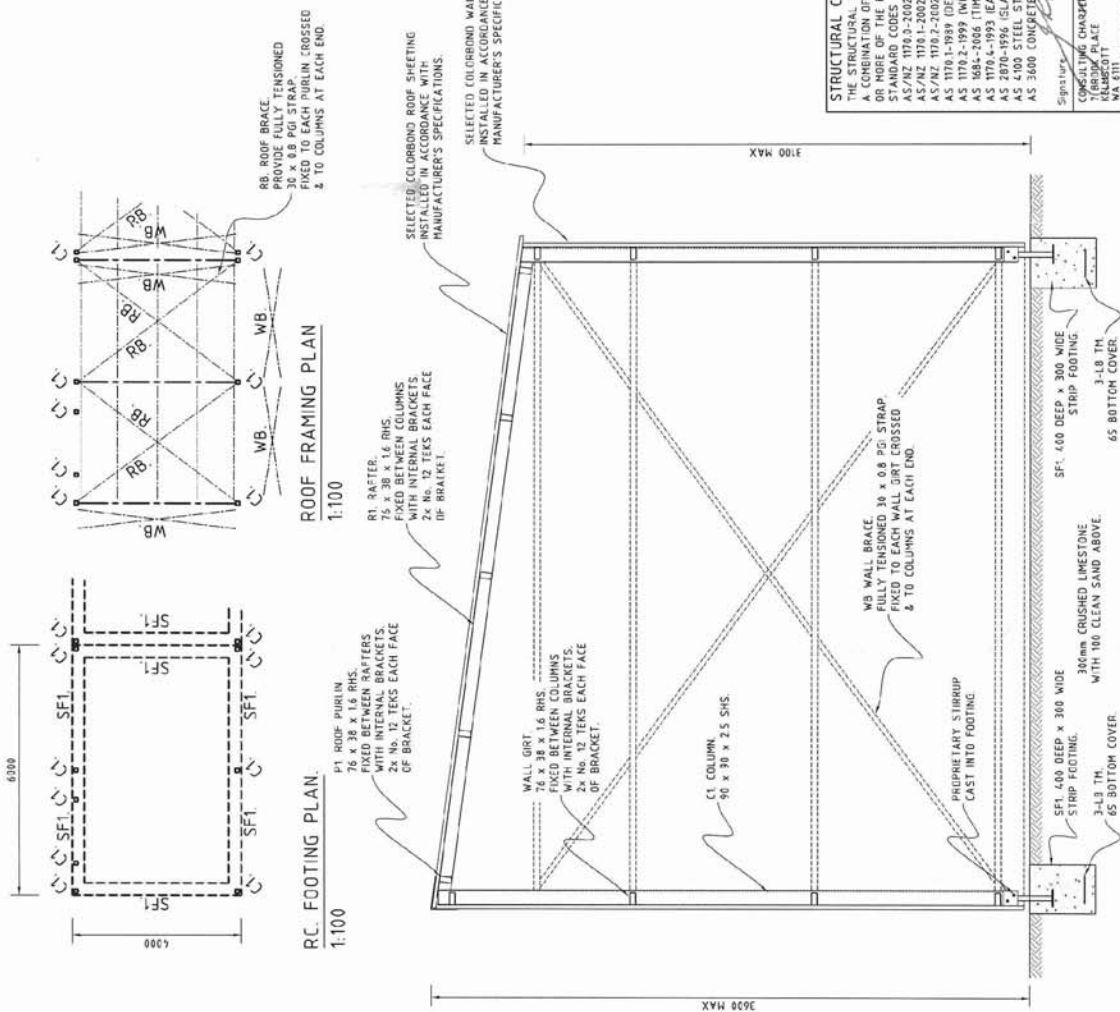
GENERAL NOTES

01. THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL ARCHITECTURAL AND OTHER CONSULTANT'S DRAWINGS AND SPECIFICATIONS. ANY DISCREPANCIES BETWEEN THE DRAWINGS AND SPECIFICATIONS AS MAY BE ISSUED DURING THE COURSE OF THE CONTRACTOR'S WORK SHALL BE REFERRED TO THE ARCHITECT FOR DECISION BEFORE PROCEEDING WITH THE WORK.
 02. DIMENSION SHALL NOT TO BE OBTAINED BY SCALING THE STRUCTURAL DRAWINGS.
 03. SETTING OUT DIMENSION SHOWN ON THE DRAWINGS SHALL BE VERIFIED BY THE BUILDER.
 04. DURING CONSTRUCTION THE STRUCTURE SHALL BE MAINTAINED IN A STABLE CONDITION AND NO PART SHALL BE OVERSTRESSED.
 05. ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SAA CODES AND THE BY-LAWS AND ORDINANCES OF THE RELEVANT BUILDING AUTHORITY.
- FOUNDATIONS**
- FOOTINGS HAVE BEEN DESIGNED FOR AN ALLOWABLE INTENSITY OF 100 KPA. ALL FOUNDATIONS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SAA CODES AND THE BY-LAWS AND ORDINANCES OF THE RELEVANT BUILDING AUTHORITY. APPROVAL OF THE FOUNDATION MATERIAL BEFORE PLACING CONCRETE SHALL BE OBTAINED FROM THE RELEVANT BUILDING AUTHORITY.
- SITE CLASSIFICATION**
- THE SLAB AND FOOTING SYSTEM HAS BEEN DESIGNED IN ACCORDANCE WITH ENGINEERING PRINCIPLES FOR SITE CLASS S TO AS 2870 - 1996. SITE CLASSIFICATION IS CLASS S.

MARKING SCHEDULE

- SF1 300 x 300 RC STRIP FOOTING.
 C1 90 x 90 x 2.5 SHS COLUMN
 R1 76 x 38 x 1.6 RHS RAFTER
 RB 30 x 0.8 PGI STRAP ROOF BRACE
 WB 30 x 0.8 PGI STRAP WALL BRACE

WIND LOAD DESIGN CRITERIA
 AS1702 - 2002 WIND ACTIONS
 WIND REGION - 2
 TERRAIN CATEGORY - 2
 N1 - W4-N



STRUCTURAL CERTIFICATION

THE STRUCTURAL DESIGN ASSESSED USING THE FOLLOWING STANDARDS AND CODES OR MORE OF THE FOLLOWING AUSTRALIAN STANDARD CODES:

AS/NZ 1170.3-2002 (GENERAL PRINCIPLES)
 AS/NZ 1170.1-2002 (PERMANENT, IMPOSED)
 AS/NZ 1170.2-2002 (WIND ACTIONS)
 AS 1170.1-1989 (DESIGN LOADS (D.L. + I.L))
 AS 1170.2-1989 (WIND ACTIONS)
 AS 1684-1993 (TIMBER FRAMING CODE)
 AS 1170.4-1993 (EARTHQUAKE LOADS)
 AS 2870-1996 (SLABS & FOOTINGS)
 AS 4000-1996 (STEEL STRUCTURES CODE)
 AS 3600-1996 (CONCRETE STRUCTURES CODE)

Signature: *J.R. Bradley*
 CONSULTING CHARTERED ENGINEER
 7 BROOK PLACE
 WARRAWEE
 NSW 1511
 Email: jrb@jrbdesign.com

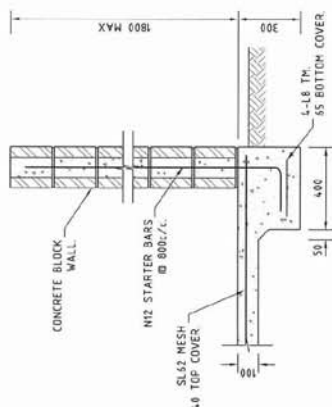
PROPOSED STABLES
 LOT 62 BOGLING ROAD
 YORK
 WESTERN AUSTRALIA.

Client: ELITE STABLES

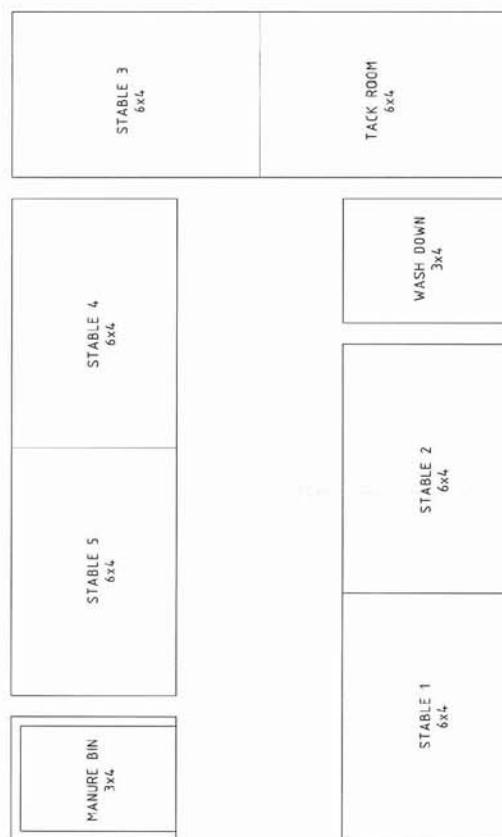
J.R. BRADLEY
 CIVIL & STRUCTURAL
 CONSULTING CHARTERED ENGINEER
 7 BROOK PLACE
 WARRAWEE
 NSW 1511
 TELEPHONE (08) 9495 4212
 FAX (08) 9495 4213
 Email: jrb@jrbdesign.com

STRUCTURAL PLAN & SECTION

Drawing Title	Scale	Drawing Number
Consultant's Day No.	AS SHOWN	3279/09
Drawn	Checked	Sheet No. 1 Of 2
Date	Date	Rev.
AUG 2009	AUG 2009	A B C D

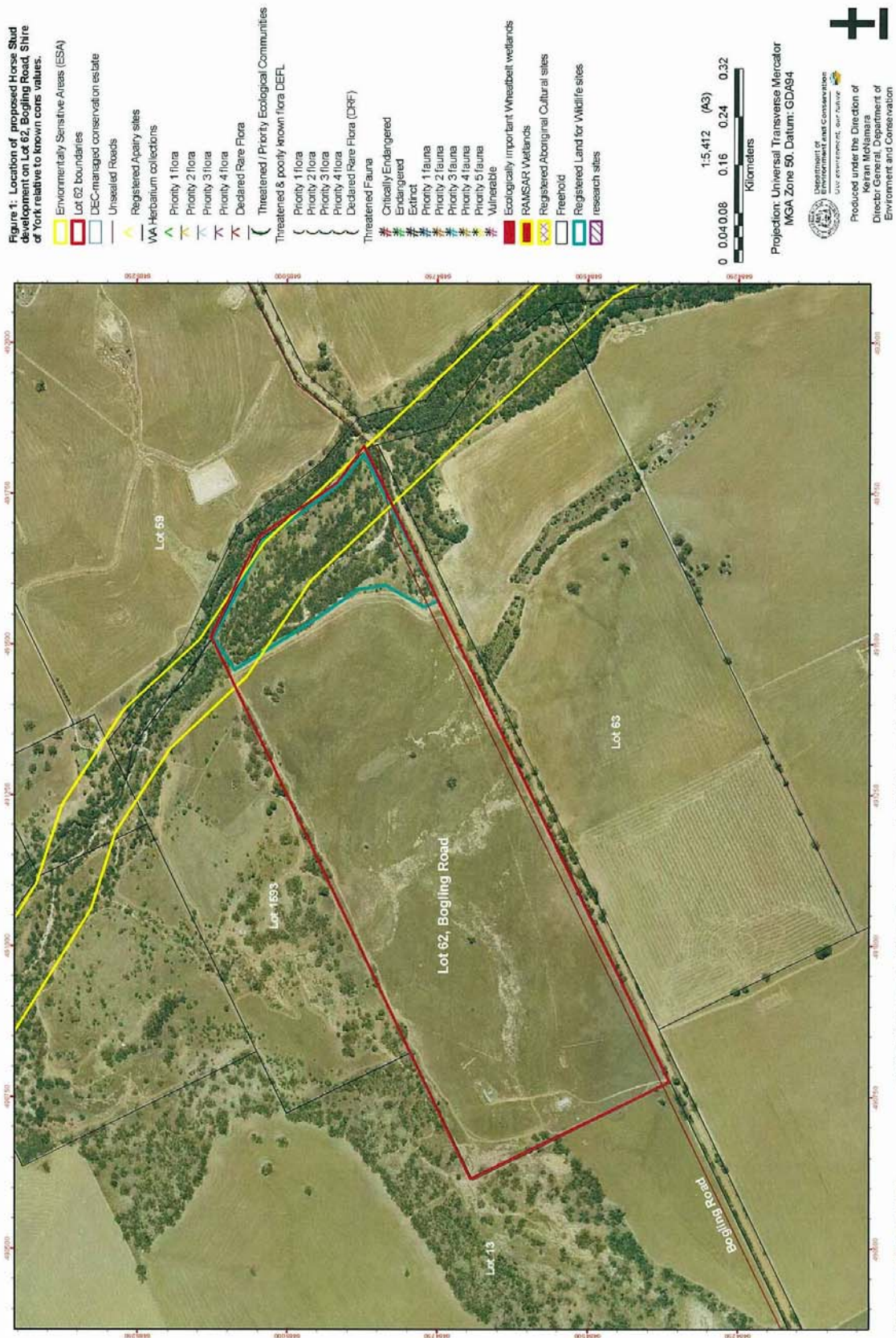


MANURE BIN SECTION
1:20



INDICATIVE LAYOUT
NTS

STRUCTURAL CERTIFICATION THE STRUCTURAL DESIGN ASSESSED USING A COMBINATION OF OR RELIANCE UPON ONE OR MORE OF THE FOLLOWING AUSTRALIAN STANDARD CODES AS/NZ 1170.2-2002 (GENERAL PRINCIPLES) AS/NZ 1170.2-2002 (IMPOSED LOADS) AS/NZ 1170.2-2002 (WIND ACTIONS) AS 1170.1-1989 (DESIGN LOADS D.L. +LL) AS 1170.2-1999 (WIND LOADS) AS 1684-2006 (TIMBER FRAMING CODE) AS 1170.4-1993 (EARTHQUAKE LOADS) AS 2870-1996 (SLABS & FOOTINGS) AS 4100 STEEL STRUCTURES CODE AS 3600 CONCRETE STRUCTURES CODE		PROPOSED STABLES LOT 62 BOGLING ROAD YORK WESTERN AUSTRALIA.	
Consultant J.R. BRADLEY CIVIL & STRUCTURAL BUILDING ON SUCCESS 1/111 ROSS STREET KEMSCOTT WA 6111 PHONE (08) 9495 4213 FAX (08) 9495 4052 Email: rostradley@bigpond.com		Client ELITE STABLES	
Drawing Title INDICATIVE LAYOUT & MANURE BIN SECTION.		Consulting Chartered Engineer J.R. BRADLEY 3779/09	
Consultant Des. No. AS SHOWN		Drawing Number 3779/09	
Drawn Date AUG 2009		Checked Date AUG 2009	
Scale AS SHOWN		Sheet No. 2 OF 2	
Date AUG 2009		Rev. A B C D	



SCHEDULE 1

Photographs of unauthorised building works at Lot 62 Bogling Road, Caljie taken on 26 May 2009 at approximately 1300 hrs.





9. OFFICER'S REPORTS

9.1 DEVELOPMENT REPORTS

9.1.8 Horse Stud Farm, Commercial Activities & Additional Housing – Managers Accommodation/Caretakers Accommodation)

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

FILE NO:	Bo 1.2191
COUNCIL DATE:	21 April 2008
REPORT DATE:	11 April 2008
LOCATION/ADDRESS:	Lot 62 Bogling Road, York
APPLICANT:	Mr M Ameduri & E Parisi
SENIOR OFFICER:	R Hooper, CEO
REPORTING OFFICER:	T Cochrane, MATS
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Appendix A – Site Plan
DOCUMENTS TABLED:	Yes – Proposed Building Project

Summary:

The applicants request permission to build a second dwelling on Lot 62 Bogling Road, York.

Background:

The applicants provided the following information with their application:

"I Mario Ameduri and partner Vincenza Parisi, submit the following reasons as to why we need a second house on the Property Lot 62 , 323 Bogling Rd Caljie.

The Property is to be turned into a Horse Stud Farm, so the existing house will be accommodation for the Stud Manager and Track Riders.

The proposed house will be for myself (Mario Ameduri) and partner. The granny flat will be for my partners invalid mother and sister who is a disability pensioner. Her mother has difficulty waling and uses a walking frame, her sister is helping take care of her mum, however she needs assistance with some health issues as well. They prefer a granny flat as to have some independence.

The reason we have positioned the proposed house in that location, is to have some privacy from the existing house and also to have a better view of the horses and when they are working."

The property is zoned General Agriculture and is approximately 40 hectares in area.

Consultation:

Property owners within the district provided responses on request from the applicants, which are detailed below:

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Submission 1 – not a surrounding landowner:

"I, have no objections to E & M Ameduri building a second house at Lot 62 Bogling Road, York. I see this as being a growth for the York Shire population and a benefit for the future."

Submission 2 – Surrounding property owner:

"Thanks for dropping in to see us yesterday to tell us about your intentions to construct a new private residence and granny flat on your next door property. Just for the record we understand your block is situated at Lot 62 Bogling Road, Caljie and has a common boundary with our block, namely the Mortlock River, which is Lot 59 Bogling Road, Caljie.

From what you describe we expect to see building very much in tune with the environment go up next to us. We see no reason to object to this and hope it all proceeds just as soon as you want it too.

We look forward to having you as a full-time neighbour in the near future and wish you all the best with the building project."

No other submissions were received during the advertising period.

Statutory Environment:

Shire of York Town Planning Scheme No. 2.

A caretakers dwelling and ancillary accommodation under the Scheme is classified as 'IP' under the zoning table, which requires the following:

'IP' means a use that is not permitted unless such use is incidental to the predominant use as decided and approved by the local government.

As workers accommodation is not a use listed on the zoning table the following applies:

3.2.4 *If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type or class of activity of any other use the local government may:*

- (a) determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted; or*
- (b) determine that the use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of clause 7.3 in considering an application for planning consent; or*
- (c) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted.*

The definition of a caretakers dwelling under the Scheme is as follows:

caretakers dwelling: *means a building used as a dwelling by a person having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation area carried on or existing on the same site.*

Policy Implications:

Nil.

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Financial Implications:

No cost shall be incurred by Council.

Strategic Implications:

Nil.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

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

No economic implications arise from this report for the Council.

Social Implications:

There may be some social implications associated with smell, noise etc with the running of a horse stud.

Environmental Implications:

There may be some environmental implications arise from this report due to the location of the Mortlock River adjoining the property. It is unknown whether the area is fenced off from the property or whether any creek lines transverse from or into the Mortlock River through this property.

Comment:

The application is lacking detail in relation to the horse stud farm and therefore this part requires further supporting information.

OFFICER RECOMMENDATION

"That Council:

1. *grants approval for an additional dwelling to be located at Lot 62 Bogling Road, York subject to the following:*
 - a. *a building licence being obtained and to comply with the Building Codes of Australia;*
 - b. *the applicant entering into a legal agreement at the applicants cost binding the owner, his/her heirs and successors in title requiring that the sole occupant or occupants of one of the dwellings are for caretakers of the property, utilising the dwelling for workers accommodation or alternatively for family members;*
 - c. *appropriate landscaping to be put in place to minimise any visual impacts on the rural character and amenities, as negotiated with the Chief Executive Officer;*
 - d. *the applicant providing a revised site plan defining a building envelope of not more than 15% of the total area of land;*
 - e. *a fire management plan being submitted and approved by the Chief Executive Officer.*
2. *delegates to the Chief Executive Officer the finalisation of the approval eg. the affixing of the seal to the Deed.*
3. *defer consideration of a horse stud farm until such time as more details are at hand eg. how many horses, management plan etc generally in accordance with Appendix B.*

Advice Note:

The applicants are advised that the additional dwelling will not form the basis for a subdivision application to be approved."

MOVED Cr Randell

SECONDED Cr Boyle

That the officer recommendation be amended as follows:

"That point 4 be added to the officers recommendation to read 'adhere to Department of Environment and Conservation correspondence of April 9, 2008.'"

CARRIED (5-0)

RESOLUTION

110408

MOVED Cr Walters

SECONDED Cr Boyle

“That Council:

- 1. grants approval for an additional dwelling to be located at Lot 62 Bogling Road, York subject to the following:**
 - a. a building licence being obtained and to comply with the Building Codes of Australia;**
 - b. the applicant entering into a legal agreement at the applicants cost binding the owner, his/her heirs and successors in title requiring that the sole occupant or occupants of one of the dwellings are for caretakers of the property, utilising the dwelling for workers accommodation or alternatively for family members;**
 - c. appropriate landscaping to be put in place to minimise any visual impacts on the rural character and amenities, as negotiated with the Chief Executive Officer;**
 - d. the applicant providing a revised site plan defining a building envelope of not more than 15% of the total area of land;**
 - e. a fire management plan being submitted and approved by the Chief Executive Officer.**
- 2. delegates to the Chief Executive Officer the finalisation of the approval eg. the affixing of the seal to the Deed.**
- 3. defer consideration of a horse stud farm until such time as more details are at hand eg. how many horses, management plan etc generally in accordance with Appendix B.**
- 4. adhere to Department of Environment and Conservation correspondence of April 9, 2008.**

Advice Note:

The applicants are advised that the additional dwelling will not form the basis for a subdivision application to be approved.”

CARRIED (4-1)

1.0 Property Management Plan

1.1 Land Assessment

It is important to take into consideration the nature of the earth and the capacity of the soils to sustain grazing and exercising. Much depends on the type of pasture, water absorption and retention, remnant vegetation, wind erosion potential, gradients of the land, rainfall, propensity to erosion through storm water runoff, watercourses (permanent or seasonal), and water quality. This assessment will expose constraints or exclude areas for particular purposes, such as allocation of buildings, exercise yards, stables and so forth.

1.2 Environmental Factors

Mark on the property plan the areas to be excluded from active uses for horses and land required for natural resource protection or rehabilitation.

The excluded areas category includes land for firebreaks, watercourses, rocky outcrops water logging and remnant vegetation. Land for rehabilitation includes downhill edges where low bunding is to be installed to arrest surface runoff (to prevent discharge from entering neighbouring properties or onto public lands) and where remedial replanting for soil stabilisation, nutrient uptake and shade are required.

Protection of existing trees is important to prevent horses from damaging the trunks and roots. No existing natural vegetation shall be removed without Council consent.

Existing trees need to be excluded from the grazing or exercise areas or protected with chicken wire mesh to prevent destruction by physical force or ringbarking.

1.3 Built Form Factors

A building envelope within which all structures are to be located is required in accordance with the Scheme conditions.

Location of the residence is important in terms of access to a public road, connection to services, water, power, telephone and take into account solar orientation and prevailing wind exposure.

Outbuildings including stables, storage sheds, workshops could be closely located to reduce servicing costs.

Improvements to the property should be strategically located to provide vehicular access to all structures.

Open sided stables should face away from the prevailing winds.

2.0 Stocking rates

Stocking rates are determined by the area of land to be used for the keeping of horses, soils and capability to sustain vegetation, rainfall, pasture species, landform characteristics (gradients rock outcropping waterlogging etc.)

Council has the powers to order the removal of animals if the property is deemed to be overgrazed and pose an environmental degradation by66

means of excessive wind or water erosion. (Town Planning Scheme - Clause 4.14.4 (g)).

3.0 Fire Prevention Planning

In the event of fire escape routes need to be kept clear of stored materials, vehicles and other impediments as well as providing access by fire fighting vehicles.

Adequate water supplies need to be kept in storage for use by fire fighters in case of failure of the reticulation system.

Any building used for storage of chemicals and feedstock should be clearly signed for identification by fire fighters of the nature of the contents, e.g. Hazchem Signage, flammable liquids, or any material that may cause an explosion or emission of toxic fumes.

4.0 Hygiene

Separation of Stored Goods

Feedstock and chemicals should be kept separate to avoid contamination and accidental mixing which may create a hazard. Containers for insecticides, weedicide, and other toxic materials should be clearly marked and safely stored.

Control of vermin

Vermin Control is important to prevent the spread of disease as well as for safety reasons e.g. damage to electrical cables, clothing

Management of Manures

The transport of nutrients i.e. manures can cause environmental problems, particularly in watercourses.

Concentrations of manures in open paddocks, stables and wash down locations can create problems such as excessive fly breeding and odour emissions.

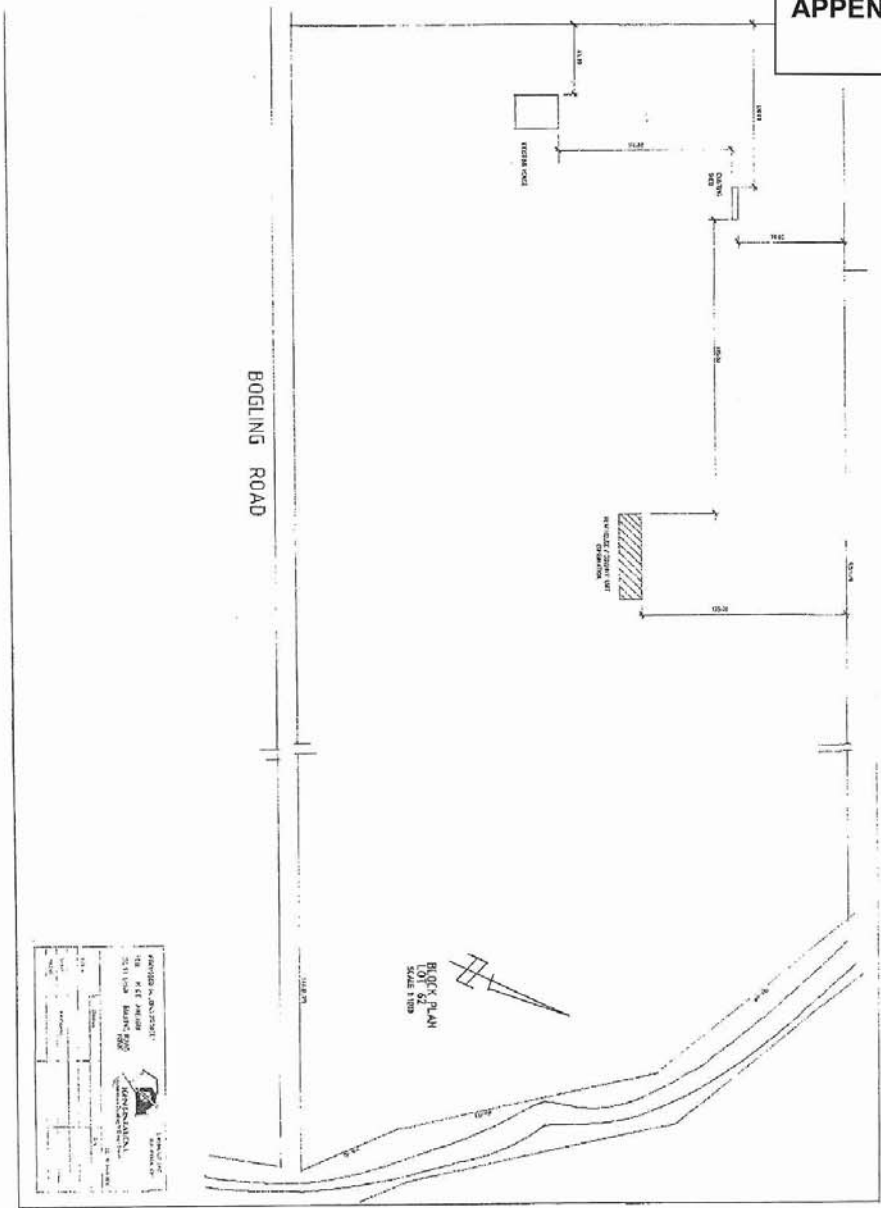
Management of the ground surface is necessary to prevent sand colic and respiratory diseases in horses particularly where overgrazing occurs.

Control of weeds and plants toxic to animals is essential. The Department of Agriculture and Food can advise of the weeds prevalent in the locality, which could be toxic to grazing animals.

References

Horse, Land and Water Management Guidelines

ITEM 9.1.8
APPENDIX A



9. OFFICER'S REPORTS

9.1 DEVELOPMENT REPORTS

9.1.2 Workers' Accommodation – Lot 31 Quairading Road, Mount Hardey

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

FILE NO:	Qu5.60073+Qu5.2871
COUNCIL DATE:	19 October 2009
REPORT DATE:	14 October 2009
LOCATION/ADDRESS:	Lot 31 (6031) Quairading Road, Mount Hardey.
APPLICANT:	Riverland Agricultural Contractors
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Patrick Ruettjes, Shire Planner
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Site plan, floor plan and elevation plan, Site inspection photos, June Council report
DOCUMENTS TABLED:	Previous correspondence, previous file notes

Summary:

Council is asked to consider an application for retrospective planning consent for a use not listed (Workers' Accommodation) at Lot 31 (6031) Quairading Road, Mount Hardey. The application is recommended for retrospective approval, subject to conditions.

Background:

The proposed development is located on Lot 31 (6031) Quairading Road, Mount Hardey. Lot 31 is zoned 'General Agriculture' under the Shire of York Town Planning Scheme No. 2 (the 'Scheme') and comprises an area of 50,843.7 m² (50.8 hectares, approximately 125 acres).

Transportable dongas on the property were in use for workers' accommodation without approval. The Shire has written to the landowner on numerous occasions. The following correspondence was provided to the landowner:

"Further to your correspondence received in April 2009 and further to an inspection of your property undertaken on 4 June 2009 you are advised of the following:

- There are second hand dongas located on your property used for temporary accommodation. You have previously stated that the dongas were on the property when you purchased the land however you also stated that they were not installed in position for use and that you undertook this. The aerial photography from 2004 confirms that the dongas were not in the position they are currently in on the property.*
- As previously advised you are required to obtain planning consent prior to undertaking development on your property and in this case additional policies apply as the dongas are second hand and being used for multiple occupancy short term accommodation. While workers' accommodation may be approved for rural properties, this is basically limited to workers actually working on the property or in the immediate vicinity. Accommodation for workers who work away from the area in question is not permissible.*
- You are also required to obtain a building licence prior to construction of accommodation units whether they are transportable or not. It is also noted that further construction has occurred since the previous inspections carried out where a large trussed roof section has been added to the northern donga.*

- *The septic system also requires approval, this includes any alterations and additions. The system is totally substandard, the plumbing is also completely inadequate and in breach of the Australian Standards.*
- *You should be aware that Council takes all of the issues at your property very seriously as a number of breaches to the Planning and Development Act 2005, Local Government (Miscellaneous Provisions) Act 1960 and the Health Act 1911 (as amended) have occurred and substantial penalties apply. Development without approval constitutes an offence under the Planning and Development Act 2005 and the Shire of York Town Planning Scheme No. 2 and leaves the property owners/occupiers liable to a penalty of \$50,000. In the case of a continuing offence, a further fine of \$5,000 for each day during which the offence continues, is applicable.*
- *The dongas are considered unfit for habitation. No further construction should take place or occupation of the dongas until all necessary approvals are in place. You are also advised to contact your insurance company with regard to liability issues if the unauthorised development/activity causes damage or injury.*
- *You are required within 14 days to complete an application for planning consent and submit it along with plans and any supporting information you have. An application for planning consent must be accompanied by three (3) sets of site plans, elevation plans of structures and any relevant information to enable the assessment of the proposal. An application fee must also be included. This application fee is not refundable should the application be refused by Council. The application will be advertised for public comment and discussed at a formal Council meeting. Additional relevant information to be included with the application has to address fire safety, access, circulation and carparking, emergency evacuation and noise attenuation. The application will not be processed without this relevant information. Council may approve or refuse the application and impose appropriate conditions.*

Please note that while this is not a formal notice issued in accordance with section 214 (3) of the Planning and Development Act 2005, a formal notice may be given if the land is not restored to the condition before commencement of the development or an application for planning consent is not received within 14 days of the date of this letter. Council also has the option of serving a formal notice in accordance with section 214 (2) of the Planning and Development Act 2005 and commencing prosecution immediately. Extracts from the Planning and Development Act 2005 and the Shire of York Town Planning Scheme No. 2 have been enclosed for your convenience."

Following the June Council meeting, a notice in accordance with section 135 of the Health Act 1911 (as amended) declaring the transportable accommodation dongas 'Unfit for Habitation' was issued (see attached report).

Following discussions with the landowner, an application for planning approval was lodged on 15 September 2009 (see attached plans). A building licence application has not been lodged yet.

Consultation:

The development – which has been operational for some time – has been advertised in accordance with clause 7.3.3 of the Scheme. Detailed plans of the proposed development and relevant documentation have been on display at the Council offices during the advertising period.

No written submissions have been received.

Statutory Environment:

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

The 'Workers' Accommodation' has to be assessed against the provisions of clause 3.2.4 of the Scheme:

"3.2.4 If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type or class of activity of any other use the local government may:

- (a) determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted; or*
- (b) determine that the use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of clause 7.3 in considering an application for planning consent; or*
- (c) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted."*

Policy Implications:

Nil

Financial Implications:

Planning fees have been paid.

Strategic Implications:

Key Result Area 1 – Objective 1:

"To develop a framework to facilitate planning and decision-making in order to identify and meet community needs, develop opportunities and implement change."

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Yes, see photos attached.

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

As the proposal is a small scale contractor based workers' accommodation, it is not considered to have an adverse impact on adjoining properties. The maximum occupancy is limited to seven employees, in accordance with the Shire of York Health Local Laws which require a minimum airspace of 14 m³. This means a maximum of 1 person per bedroom.

Environmental Implications:

Issues such as the effluent disposal system have been addressed in the proposed conditions as well.

Comment:

Following various correspondence and meetings with the applicant/landowner, an application finally had been received addressing most of the issues. The application was advertised and no written submissions have been received.

It is positive that the discussion with the applicant/landowner has resulted in the application without incurring prosecution costs. But the applicant/landowner is still reminded to adhere to all planning and building conditions to avoid potential prosecution.

The proposal is of a small scale for a maximum occupancy of 7 people as there are 7 single bedrooms. All occupants have to be registered as employees of the applicant and the maximum stay is 3 months consecutively in accordance with provisions relating to temporary accommodation.

The proposal is recommended for approval, subject to conditions.

OFFICER RECOMMENDATION

"That Council advise the Applicant that it approves retrospectively a use not listed (Workers' Accommodation), in accordance with clause 3.2.4 (b) of the Shire of York Town Planning Scheme No. 2 at Lot 31 (6031) Quairading Road, Mount Hardey, subject to the following conditions:

- 1. Development must be substantially completed within twelve months from the date of this decision;*
- 2. Development taking place in accordance with the approved plans;*
- 3. The Workers' Accommodation is to be used for a maximum of seven (7) employees of Riverland Agricultural Contractors in accordance with the Shire of York Health Local Law and is for a maximum stay of three months consecutively; each bedroom is to be occupied by a maximum of one (1) person;*
- 4. An emergency and fire management plan being prepared and approved by FESA and to the satisfaction of the local government;*
- 5. Prior to commencement of the development, a detailed landscaping plan for screening is to be submitted to the satisfaction of the local government;*
- 6. Prior to occupation, the development hereby permitted shall be connected to an approved effluent disposal system to the specifications of the local government and the Department of Health;*
- 7. Prior to occupation of the development, vehicle crossover(s) shall be constructed to the satisfaction of the local government;*
- 8. All car parking, vehicle access and circulation areas are to be constructed to a gravel standard and to be maintained and available for car parking, vehicle access and circulation on an ongoing basis to the satisfaction of the local government;*
- 9. All landscaped areas are to be maintained on an ongoing basis to the satisfaction of the local government;*
- 10. The on-site drainage system shall be maintained on an ongoing basis to the satisfaction of the local government.*

Advice Notes:

- a) In accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1960, an application for a building licence must be submitted to, and approval granted by the local government prior to the commencement of the development hereby permitted.*
- b) An application for a vehicle crossover must be submitted to, and approval granted by, the local government prior to the commencement of the development hereby permitted.*

- c) *The development hereby permitted must comply with the access and facilities for disabled requirements of the Building Code of Australia and all other relevant Australian Standards in respect of access and facilities for the disabled.*
- d) *An approved effluent disposal system is to be installed, this must be approved by the State Department of Health in accordance with r.4A(2) of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 and be of sufficient size to cater for proposed development. A geotechnical report may be required which provides details on the site suitability for onsite effluent disposal.*

**RESOLUTION
071009**

Moved: Cr Randell Seconded: Cr Randell

“That Council:

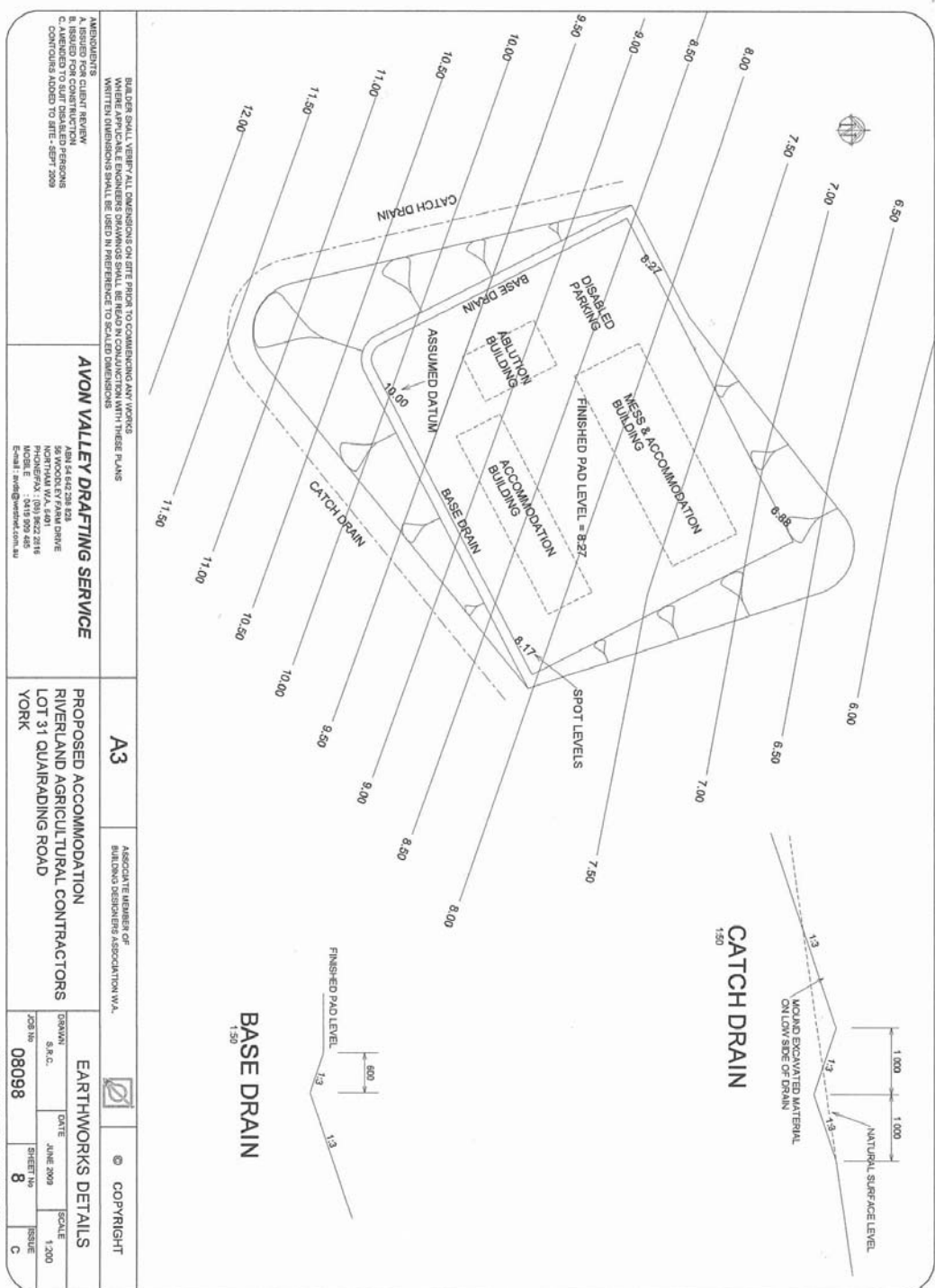
Defer this item to allow for the Officers to provide further information to Councillors including detailing the opportunities for penalties to be applied.”

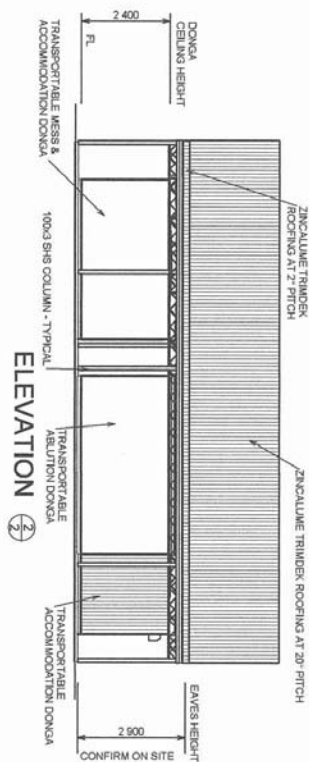
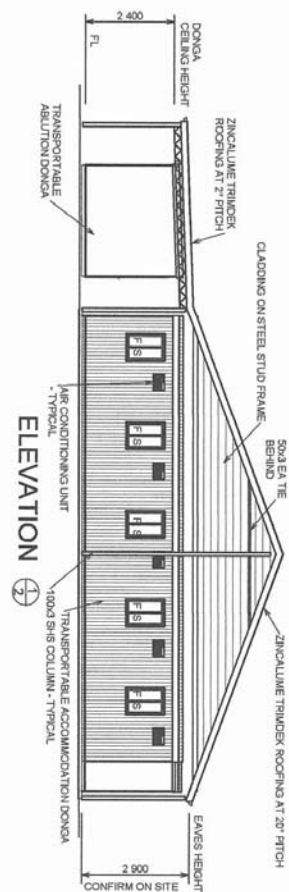
CARRIED (6//0)

**PROPOSED ACCOMMODATION
RIVERLAND AGRICULTURAL CONTRACTORS
LOT 31 QUAIRADING ROAD
YORK**



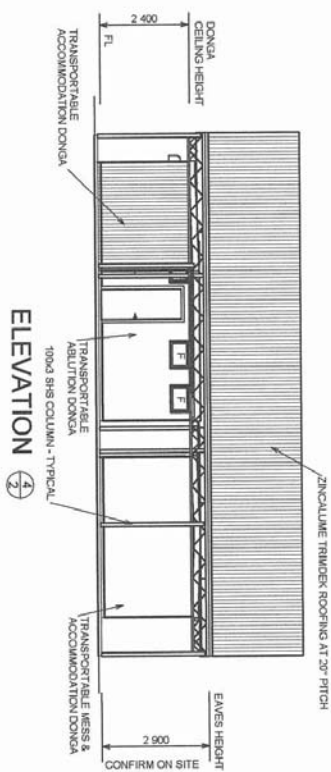
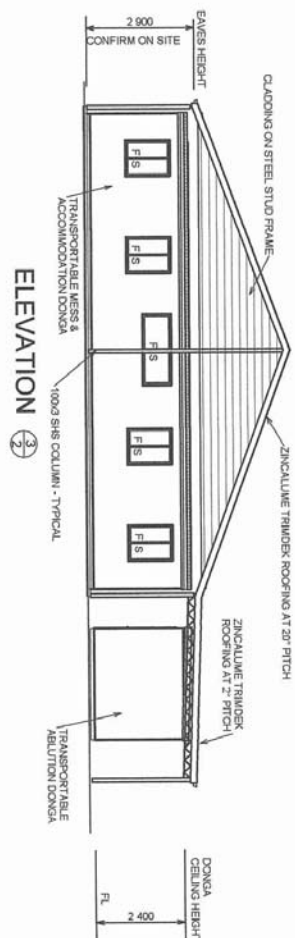
**AVON VALLEY DRAFTING SERVICE
56 WOODLEY FARM DRIVE
NORTHAM W.A. 6401**
Phone / Fax (08) 9622 2816 Mobile 0419 909 485



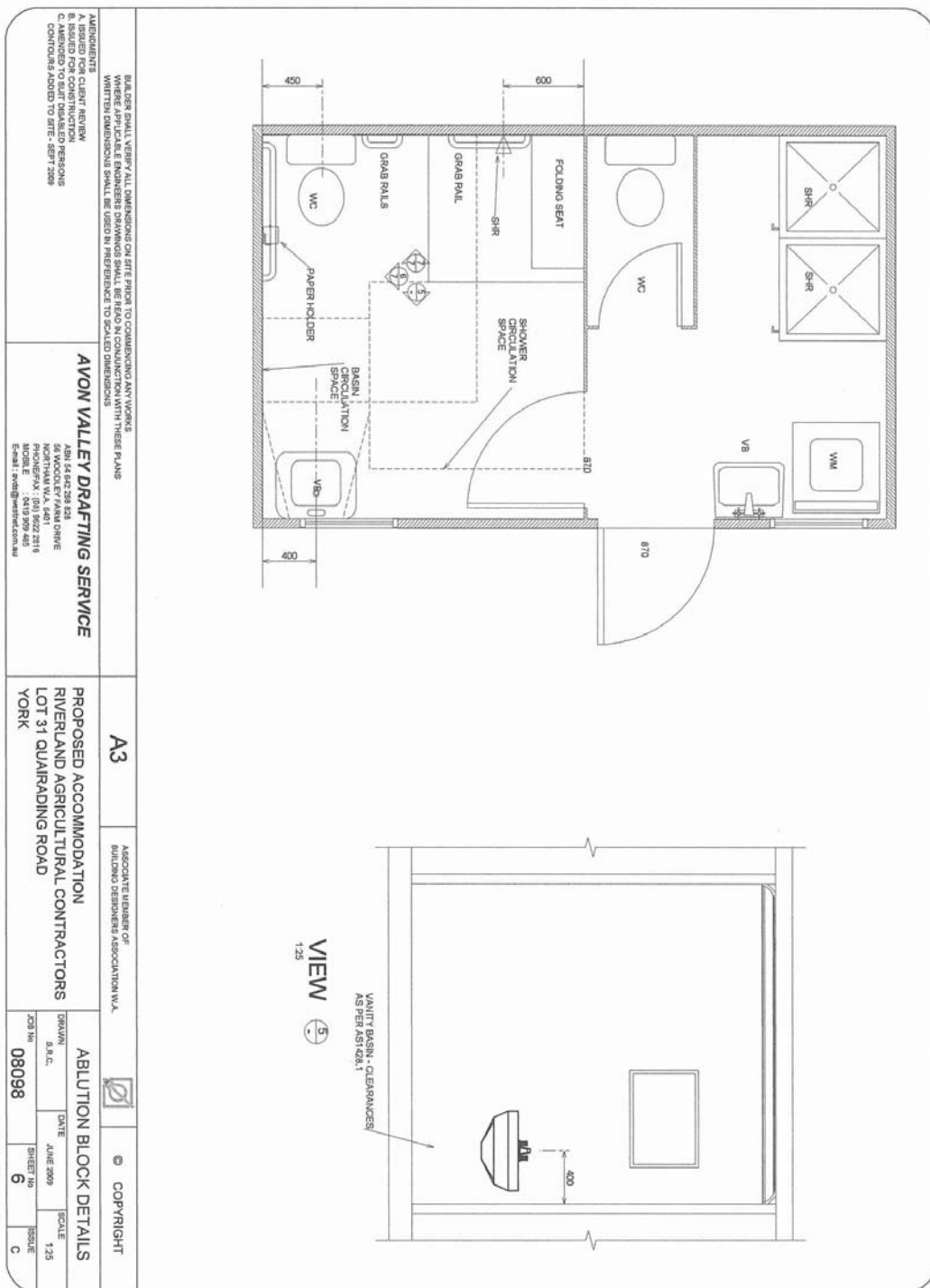


<p>BUILDER SHALL VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING ANY WORKING WHERE APPLICABLE. ENGINEERS DRAWINGS SHALL BE READ IN CONJUNCTION WITH THESE PLANS UNLESS OTHERWISE SPECIFIED. DIMENSIONS SHALL BE GIVEN IN METRIC UNITS TO SOLID DIMENSIONS</p>		<p>AVON VALLEY DRAFTING SERVICE</p> <p>ASB 154 442 238 123 56 WOODLEY PARK DRIVE NORTHAM V.A. 401 PHONE : 08119 999 462 MOBILE : 04119 999 462 E-mail: avon@westnet.com.au</p>		<p>A3</p> <p>ASSOCIATE MEMBER OF BUILDING DESIGNERS ASSOCIATION W.A.</p>		<p>PROPOSED ACCOMMODATION RIVERLAND AGRICULTURAL CONTRACTORS LOT 31 QUAINRADING ROAD YORK</p>		<p>ELEVATIONS</p> <p>DRAWN: S.A.C. DATE: JUNE 2008 SCALE: 1:100 JOB No: 08098 SHEET No: 3 ISSUE: C</p>	
<p>AMENDMENTS</p> <p>A. ISSUED FOR CLIENT REVIEW B. ISSUED FOR CLIENT REVIEW C. ISSUED FOR CLIENT REVIEW D. ISSUED FOR CLIENT REVIEW E. ISSUED FOR CLIENT REVIEW</p>									

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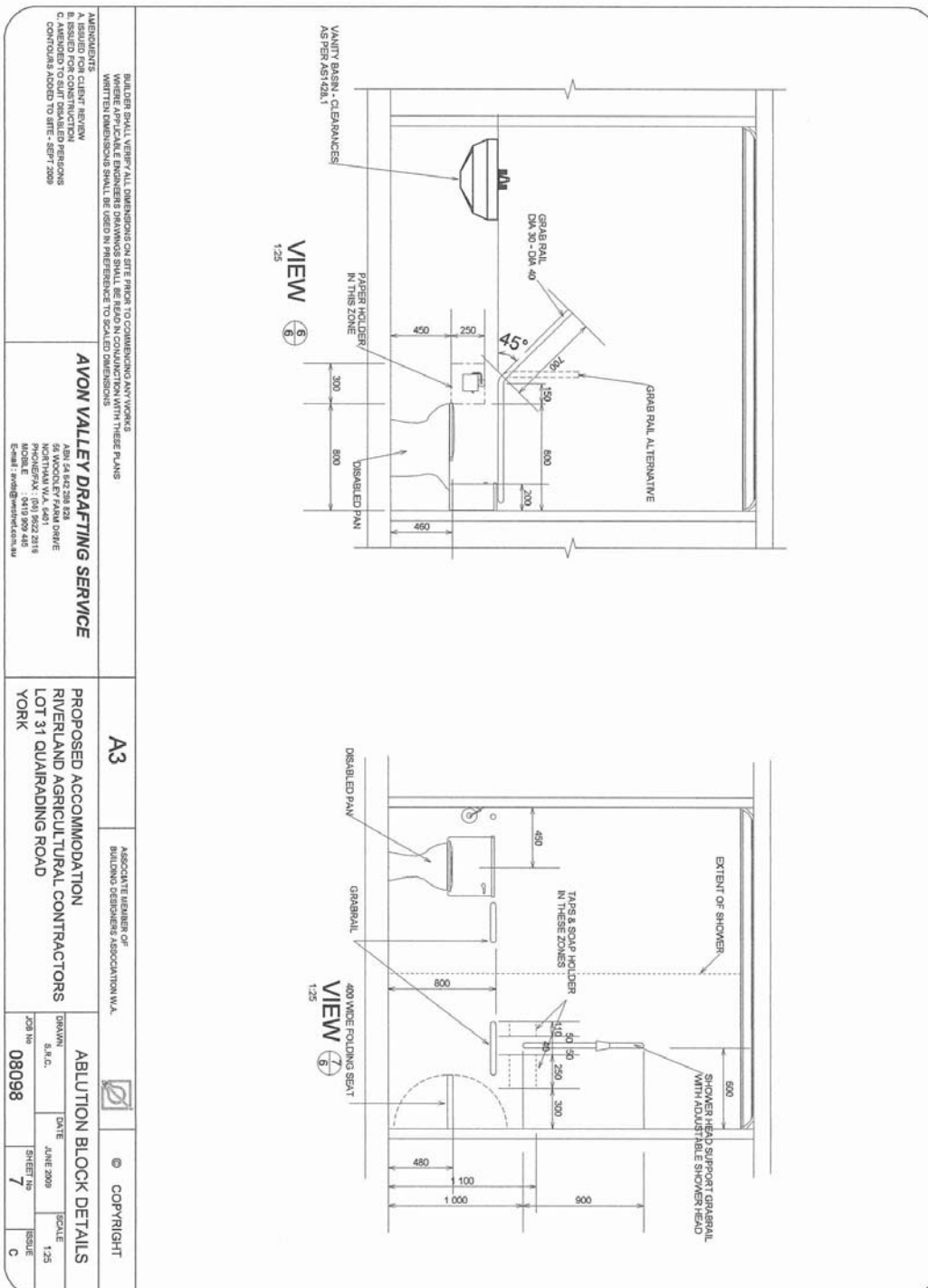


<p>NOTES</p> <p>A. BUILDING SHALL VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING ANY WORKS</p> <p>B. WHERE APPLICABLE ENGINEERS DRAWINGS SHALL BE READ IN CONJUNCTION WITH THESE PLANS</p> <p>C. DIMENSIONS SHALL BE USED IN PREFERENCE TO SCALED DIMENSIONS</p>		<p>AVON VALLEY DRAFTING SERVICE</p> <p>AVON VALLEY DRAFTING SERVICE 56 WOODLEY PARK DRIVE NORTHAMPTON, W.A. 6401 TEL: (081) 909 485 FAX: (081) 909 485 E-mail: avon@avondrafting.com.au</p>		<p>PROPOSED ACCOMMODATION</p> <p>RIVERLAND AGRICULTURAL CONTRACTORS LOT 31 QUARRADING ROAD YORK</p>		<p>ELEVATIONS</p> <p>DATE: JUNE 2009 SHEET NO: 4 SCALE: 1:100 INSET: C</p>	
<p>AMENDMENTS</p> <p>1. BUILDING SHALL VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING ANY WORKS</p> <p>2. WHERE APPLICABLE ENGINEERS DRAWINGS SHALL BE READ IN CONJUNCTION WITH THESE PLANS</p> <p>3. DIMENSIONS SHALL BE USED IN PREFERENCE TO SCALED DIMENSIONS</p>		<p>A3</p> <p>ASSOCIATE MEMBER OF BUILDING DESIGNERS ASSOCIATION W.A.</p>		<p>© COPYRIGHT</p>		<p>PRINTED 11:16:31 AM 12/09/2009 VERSION X1</p>	



<p>BUILDER SHALL VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING ANY WORKS.</p> <p>ALL DIMENSIONS SHALL BE GIVEN IN METERS UNLESS OTHERWISE STATED.</p> <p>WRITTEN DIMENSIONS SHALL BE USED IN PREFERENCE TO SCALED DIMENSIONS.</p>		<p>A3</p>		<p>ASSOCIATE MEMBER OF BUILDING DESIGNERS ASSOCIATION W.A.</p>		<p></p>	
<p>AMENDMENTS</p> <p>A. ISSUED FOR CLIENT REVIEW</p> <p>B. ISSUED FOR CONSTRUCTION</p> <p>C. ISSUED FOR CONSTRUCTION</p> <p>CONTENTS ADDED TO SITE - SEPT 2009</p>		<p>AVON VALLEY DRAFTING SERVICE</p> <p>ASN 14 642 288 828</p> <p>56 WOODLEY PARK DRIVE</p> <p>PROCTORIAH - 081 9522 2116</p> <p>MOBILE - 0419 999 465</p> <p>Email: info@avonvalleydrafting.com.au</p>		<p>PROPOSED ACCOMMODATION</p> <p>RIVERLAND AGRICULTURAL CONTRACTORS</p> <p>LOT 31 QUARRADING ROAD</p> <p>YORK</p>		<p>ABLUTION BLOCK DETAILS</p> <p>DRAWN: B.B.L.</p> <p>DATE: JUNE 2009</p> <p>SCALE: 1:25</p> <p>JOB NO: 08098</p> <p>SHEET NO: 6</p> <p>ISSUE: C</p>	

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SCHEDULE 1

Photographs of unauthorised development at Lot 31 Quairading Road, Mount Hardey, taken on 4 June 2009 at approximately 1600 hrs.





9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.5 House Unfit For Habitation – Lot 31 Quairading Road

FILE NO: Qu5.2871
COUNCIL DATE: 15 June 2009
REPORT DATE: 08 June 2009
LOCATION/ADDRESS: Lot 31 Quairading Road
APPLICANT: N/A
SENIOR OFFICER: Ray Hooper
REPORTING OFFICER: Peter Stevens
DISCLOSURE OF INTEREST: Nil
APPENDICES: Appendix A – Location of Property
Appendix B – Photography of Dongas
DOCUMENTS TABLED: Nil

Summary:

The property at Lot 31 Quairading Road (**the Property, Appendix A**) contains second hand transportable accommodation that has been inspected and is deemed to be unfit for human habitation due to their general poor state of repair, unsanitary condition and substandard plumbing.

No approvals are in place for multiple occupancy short term accommodation at the property.

Background:

The property was initially inspected due to complaints received regarding offensive odours unrelated to the accommodation. Whilst at the property it was noted that there were accommodation rooms in the form of dongas located next to the sheds. The dongas were inspected as there were no approvals in place for any type of accommodation structures at the property.

The dongas and ablution block were found to be in very poor condition (**Appendix B**) and consisted of 7 sleeping rooms a lounge area and ablution block. The structures are not secured to footings, are in a generally filthy condition and have open effluent draining from them.

Attached in appendix B are a number of photographs taken of the dongas and the plumbing works.

A search of Council records has revealed that no approvals are in place for the dongas as is required by the Shire of York Town Planning Scheme No.2 and the Local Government Miscellaneous Provisions Act 1960. No building licence or Health Act approvals have been issued.

The owner of the property has claimed that the dongas were on site when he purchased the property in 2003 however the aerial photography taken at that time does not support this information. The applicant has also stated that he put the dongas in their current position.

Consultation:

Nil

Statutory Environment:

Health Act 1911 - Section 135 Houses Unfit for Occupation

Policy Implications:

Nil

Financial Implications:

Nil to Council as the owner will be responsible for all costs.

Strategic Implications:

Nil

Voting Requirements:

Absolute Majority Required: No

Site Inspection:**Site Inspection Undertaken:**

Yes - EHO and Planner

Social Implications:

Substandard accommodation can lead to poor health and spread communicable diseases.

Environmental Implications:

Unsanitary housing can pollute the environment through the uncontrolled discharge of human waste.

Comment:

The applicant has been contacted both verbally by telephone and in writing regarding the unapproved dongas on the property. The applicant claims the dongas were already on the property when he purchased it in 2003.

This report does not relate to the unapproved accommodation but relates to the continued use of the accommodation for habitable purposes. The dongas are clearly substandard in regards to their sanitary condition and disposal of effluent and are also in a dangerous condition in that they are not adequately secured. If a section 135 Health Act Notice is issued it will be an offence for anybody to occupy the dongas.

OFFICER RECOMMENDATION**RESOLUTION**

090609

Moved: Cr Randell

Seconded: Cr Boyle

"That Council:

- 1. Issue a Notice, in accordance with section 135 of the Health Act 1911(as amended) declaring the transportable accommodation dongas located at Lot 31 Quairading Road, York Unfit for Habitation; and***
- 2. Issue a Notice in accordance with section 137 of the Health Act 1911 (as amended) requiring the dongas and associated plumbing works to be removed within 28 days.***

Advice Note :

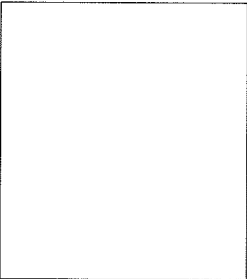
The owner is also advised that no approval is in place for multiple occupancy short or long term accommodation at the property and use for their purpose without approval constitutes a breach of the provisions of the York Town Planning Scheme No. 2.

CARRIED (5/0)



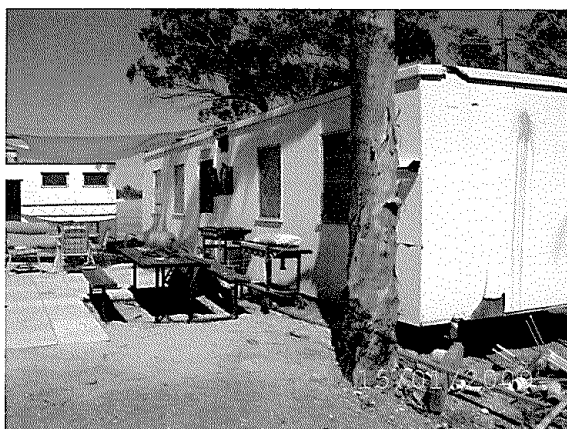
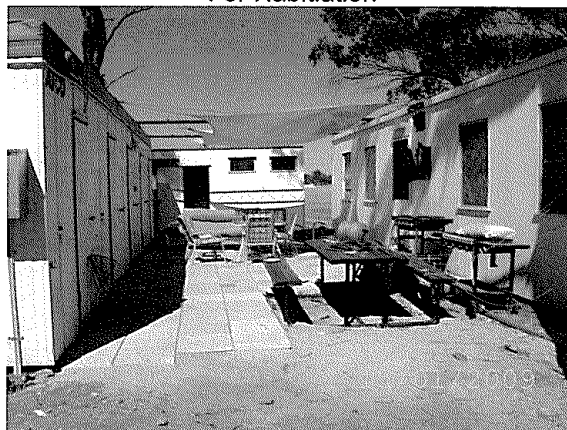
Petes

waterfeatures
 roads-mga50
 25k-contours-mga50
 50k-contours-mga50
 pointfeatures
 cultural
 york_agricult-area-mga50-
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 york_townsite land-act-mga50-
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 york_lga_bdy-mga50-



9/06/2009
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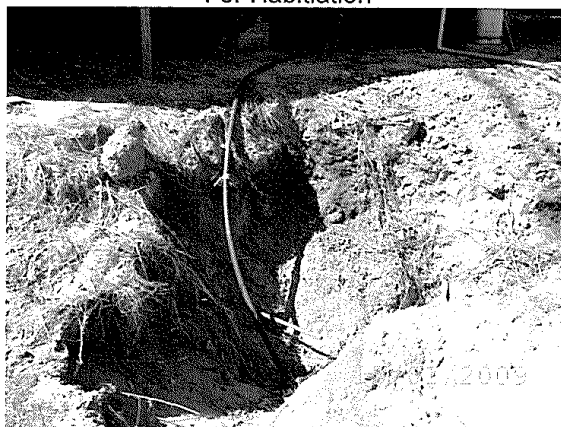
BISHOP- LOT 31 Quairading Road Qu5.2871 Unauthorised Development and Unfit
For Habitation



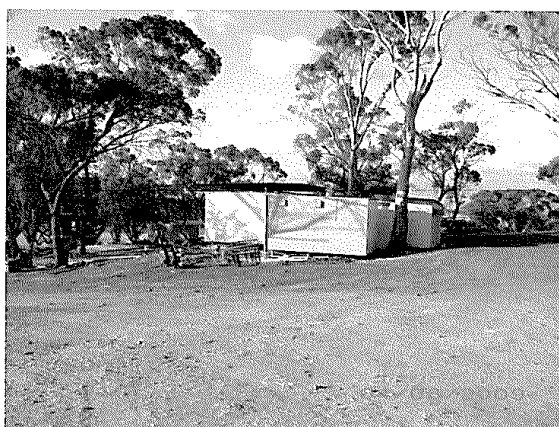
BISHOP- LOT 31 Quairading Road Qu5.2871 Unauthorised Development and Unfit
For Habitation



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For Habitation



BISHOP- LOT 31 Quairading Road Qu5.2871 Unauthorised Development and Unfit
For Habitation



BISHOP- LOT 31 Quairading Road Qu5.2871 Unauthorised Development and Unfit
For Habitation



9.2 Administration Reports

9.3 Finance Reports

9. OFFICER'S REPORTS

9.3 FINANCE REPORTS

9.3.1 Monthly Financial Report – September 2009

FILE NO:	FI.FRP
COUNCIL DATE:	19th October 2009
REPORT DATE:	14th October 2009
LOCATION/ADDRESS:	Not Applicable
APPLICANT:	Not Applicable
SENIOR OFFICER:	Graham Stanley, Deputy CEO
REPORTING OFFICER:	Colin Whisson, Administration Officer
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Yes – Appendix A as detailed in Summary
DOCUMENTS TABLED:	Nil

Summary:

The Financial Report for the period ending 30 September 2009 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
- Reserve Accounts Balances Summary
- Payroll Direct Debits Summary
- Corporate Credit Card Summary and Transaction Listing
- 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 30 September 2009;

Sundry Creditors as per General Ledger	\$	56,009.84
Sundry Debtors as per General Ledger	\$	283,270.37
Unpaid rates and services current year (paid in advance inc. ESL)	\$	2,017,187.00
Unpaid rates and services previous years (inc. ESL)	\$	250,706.24

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 Council currently has a large surplus position due to the fact that the rates have been raised and Royalties for Regions funds have been received. The surplus will decline as the year goes on and projects are completed. Rates were due for payment by 1st October and since 30th September approximately a further \$700,000 has been received. The installment option appears to have been popular again this year.

OFFICER RECOMMENDATION**RESOLUTION****081009****Moved: Cr Lawrance****Seconded: Cr Boyle*****“That Council:***

Receive the Monthly Financial Report for September and ratify payments drawn from the Municipal and Trust accounts for the period ending 30 September 2009:

	<u>VOUCHER</u>	<u>AMOUNT</u>
<u>MUNICIPAL FUND</u>		
<i>Cheque Payments</i>	<i>28428-28458</i>	<i>\$ 696,893.63</i>
<i>Electronic Funds Payments</i>	<i>5981-6029</i>	<i>\$ 240,604.94</i>
<i>Direct Debits Payroll</i>		<i>\$ 107,357.59</i>
<i>Bank Fees</i>		<i>\$ 520.16</i>
<i>Corporate Cards</i>		<i>\$ 7,965.43</i>
<i>Shell Cards</i>		<i>\$ 7.50</i>
<i>TOTAL</i>		<i>\$ 1,053,349.10</i>
<u>TRUST FUND</u>		
<i>Cheque Payments</i>	<i>3624-3629</i>	<i>\$ 4,153.19</i>
<i>Direct Debits Licensing</i>		<i>\$ 145,210.40</i>
<i>TOTAL</i>		<i>\$ 149,363.59</i>
<i>TOTAL DISBURSEMENTS</i>		<i>\$ 1,202,712.69</i>

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 (6/0)

SHIRE OF YORK STATEMENT OF FINANCIAL ACTIVITY AS AT 30 SEPTEMBER 2009						
	2009/10 ADOPTED BUDGET	2009/10 Amended Budget	2009/10 Budget Year to Date	2009/10 Actual	Variance % Budget to Actual	Variance \$ Budget to Actual
	\$	\$	\$	\$	\$	
OPERATING REVENUE						
General Purpose Funding	(1,049,230)	(1,049,230)	(226,755)	(242,126)	7%	15,371
Governance	(1,128,150)	(1,128,150)	(17,773)	(27,916)	57%	10,143
Law, Order, Public Safety	(269,329)	(269,329)	(9,487)	(2,083)	(78%)	(7,404)
Health	(57,000)	(57,000)	(7,502)	(7,904)	5%	402
Education and Welfare	(19,800)	(19,800)	(4,950)	(5,277)	7%	327
Housing	-	-	-	-	-	-
Community Amenities	(688,025)	(688,025)	(478,148)	(463,689)	(3%)	(14,459)
Recreation and Culture	(2,174,274)	(2,174,274)	(624,468)	(627,236)	0%	2,768
Transport	(1,563,091)	(1,563,091)	(250,799)	(117,157)	(53%)	(133,642)
Economic Services	(125,700)	(125,700)	(31,428)	(14,064)	(55%)	(17,364)
Other Property and Services	(276,656)	(276,656)	(150,279)	(110,578)	(26%)	(39,701)
	(7,331,255)	(7,331,255)	(1,801,589)	(1,618,032)	(10%)	(183,558)
LESS OPERATING EXPENDITURE						
General Purpose Funding	160,019	160,019	31,571	32,387	3%	(816)
Governance	1,667,171	1,667,171	131,120	103,115	(21%)	28,005
Law, Order, Public Safety	355,006	355,006	92,427	88,640	(4%)	3,787
Health	320,300	320,300	50,150	43,367	(14%)	6,783
Education and Welfare	86,129	86,129	20,601	18,049	(12%)	2,552
Housing	-	-	0	-	-	-
Community Amenities	1,292,974	1,292,974	281,063	199,951	(29%)	81,112
Recreation and Culture	1,468,483	1,468,483	288,892	262,556	(9%)	26,336
Transport	2,320,154	2,320,154	579,928	904,588	56%	(324,660)
Economic Services	509,010	509,010	132,577	89,561	(32%)	43,016
Other Property & Services	95,000	95,000	44,753	115,911	159%	(71,158)
	8,274,246	8,274,246	1,653,082	1,858,125	12%	(205,043)

SHIRE OF YORK STATEMENT OF FINANCIAL ACTIVITY AS AT 30 SEPTEMBER 2009						
	2009/10 ADOPTED BUDGET	2009/10 Amended Budget	2009/10 Budget Year to Date	2009/10 Actual	Variance % Budget to Actual	Variance \$ Budget to Actual
ADD	942,991	942,991	(148,507)	240,094	(262%)	(388,601)
Proceeds on Sale of Assets	-	-	0	-	-	-
Profit/Loss on Sale of Assets	(994,704)	(994,704)	1,139	-	-	-
Increase(Decrease) Non Current Debtors Rates	-	-	0	-	-	-
Increase(Decrease) Non Current Debtors S/S Loan	(8,363)	(8,363)	-	-	-	-
Change Employee Leave Provisions	-	-	-	-	-	-
Long Serv. Lve Cash at Bank (Increase)/Decrease in Bal.	(5,323)	(5,323)	-	(407)	-	-
Depreciation Written Back	(2,139,000)	(2,139,000)	(4,027,368)	(836,119)	-	-
Book Value of Assets Sold Written Back	(700,278)	(700,278)	(1,939)	-	-	-
Sub Total	(3,847,668)	(3,847,668)	(4,028,168)	(836,526)	(79%)	(3,191,642)
LESS CAPITAL PROGRAMME	(2,904,677)	(2,904,677)	(4,176,675)	(596,432)	(86%)	(3,580,243)
Purchase Tools	-	-	0	-	-	-
Purchase Land & Buildings	2,382,259	2,382,259	1,500	9,391	526%	(7,891)
Purchase Plant & Equipment	1,199,570	1,199,570	187,200	-	(100%)	187,200
Purchase Furniture & Equipment	99,000	99,000	3,500	-	(100%)	3,500
Infrastructure Assets - Roads	2,979,510	2,979,510	506,635	46,772	(91%)	459,863
Infrastructure Assets - Recreation Facilities	1,140,880	1,140,880	30,000	8,380	(72%)	21,620
Infrastructure Assets - Other	41,700	41,700	5,424	-	(100%)	5,424
Repayment of Debt - Loan Principal	22,491	22,491	4,108	4,109	0%	(1)
Transfer To Reserves	1,636,669	1,636,669	24,249	7,417	-	16,832
Transfer to Other Funds	-	-	0	-	-	-
Sub Total	9,502,079	9,502,079	762,616	76,069	(90%)	686,547

SHIRE OF YORK STATEMENT OF FINANCIAL ACTIVITY AS AT 30 SEPTEMBER 2009						
	2009/10 ADOPTED BUDGET	2009/10 Amended Budget	2009/10 Budget Year to Date	2009/10 Actual	Variance % Budget to Actual	Variance \$ Budget to Actual
ABNORMAL ITEMS	-	-	0	-		-
	-	-	0	-		-
Plus Rounding						-
	9,502,079	9,502,079	762,616	76,069	(90%)	686,547
Sub Total	6,597,402	6,597,402	(3,414,059)	(520,364)	(85%)	(2,893,695)
LESS FUNDING FROM						
Reserves	(1,424,384)	(1,424,384)	-	-		-
Other Funds	-	-	0	-		-
Loans Raised	(1,000,000)	(1,000,000)	-	-	#DIV/0!	-
Opening Funds	(1,146,040)	(1,146,040)	(1,146,040)	(1,310,380)	14%	164,340
Sundry Adjustments				1,429		(1,429)
Closing Funds	(3,570,424)	(3,570,424)	(1,146,040)	(1,308,950)	14%	162,910
Total To Be Made up from Rates	(3,026,978)	(3,026,978)	(3,017,176)	(3,019,560)	0%	2,384
Net (Surplus) / Deficit	-	-	(7,577,275)	(4,848,874)	(36%)	(2,728,401)

**SHIRE OF YORK
VARIANCE REPORT
AS AT 30 SEPTEMBER 2009**

OPERATING REVENUE

General Purpose Funding

No material variance to report

Governance

Unbudgeted AROC reimbursement of equity and unbudgeted LGIS Insurance rebate.

Law, Order Public Safety

No material variance to report

Health

No material variance to report

Education and Welfare

No material variance to report

Housing

No material variance to report

Community Amenities

No material variance to report

Recreation and Culture

No material variance to report

Transport

Timing of Main Roads Grants/ Licensing Commission down 25%.

Economic Services

Timing of building permits & fees. Timing of standpipe water accounts

Other Property and Services

Private Works Invoices to be raised. Timing of reimbursements.

**SHIRE OF YORK
VARIANCE REPORT
AS AT 30 SEPTEMBER 2009**

OPERATING EXPENDITURE

General Purpose Funding

No material variance to report

Governance

Timing of Administration expenses.

Law, Order, Public Safety

No material variance to report

Health

Timing of maintenance on PML, Centennial Units & Doctor's Housing

Education and Welfare

No material variance to report

Housing

No material variance to report

Community Amenities

Lower Waste Management, Town Planning & Cemetery Expenses

Recreation and Culture

Timing Issues with the maintenance of various recreation facilities.

Transport

Excessive depreciation of road infrastructure assets/ Timing of Road Maintenance/ High Depot building maintenance

Economic Services

ing Issues with festival assistance, town promotions, Visitor Centre Contribution & building control salaries.

Other Property & Services

Timing issues with allocation of plant operating costs and overheads. Additional Private Works Expenditure.

**SHIRE OF YORK
VARIANCE REPORT
AS AT 30 SEPTEMBER 2009**

CAPITAL PROGRAMME

Purchase Land & Buildings

No material variance to report

Purchase Plant & Equipment

Timing of Plant Tenders

Purchase Furniture & Equipment

No material variance to report

Infrastructure Assets Roads

Timing of budget allocations for road construction program.

Infrastructure Assets Recreation Facilities

No material variance to report

Infrastructure Assets Other

Entry statement works not completed

Repayment of Debt - Loan Principal

No material variance to report

Transfers to Reserves

Timing of Reserve Term Deposits maturing.

LESS FUNDING FROM

Transfers from Reserves

No material variance to report

Loans Raised

No material variance to report

Opening Funds

End of year adjustments to occur in finalisation of accounts.

BANK RECONCILIATION				
SEPTEMBER 2009				
		MUNICIPAL	TRUST	RESERVE
OPENING BALANCE PER SYNERGY		1,110,092.53	503,639.93	2,813,806.97
Receipts as per daily cash book		2,151,569.47	163,087.33	
Muni NCD funds receipted from Bendigo to Westpac		500,000.00		
Muni Interest NCD		5,054.79		
Trust Interest NCD Defects liability			733.11	
Trust Interest NCD Open Space			1,300.07	
Muni - Trust Transfer			449.46	
Reserve Interest 119521748				10.91
Reserve Interest At Call Account				1,553.45
Reserve Interest NCD				5,844.28
TOTAL RECEIPTS		2,656,624.26	165,569.97	7,408.64
Payment as per schedule cheques	28428-28458	(696,893.63)		
EFT Direct payments	5981-6029	(240,604.94)		
Payment as per schedule chqs - Trust	3624-3629		(4,153.19)	
Direct Debit Licensing			(145,210.40)	
Direct Debit Payroll		(107,357.59)		
Bank fees BendigoTrust		(76.30)		
Bank fees Bendigo Muni		(96.44)		
Bank fees Bendigo Reserve				(4.30)
Business Cards Bank Fees		(35.50)		
Dishonour Cheque Fee		(10.00)		
Eftpos Bank Fee Trust		(163.38)		
Eftpos Bank Fee Muni		(138.54)		
TOTAL BANK FEES	(520.16)			
Business Card Bendigo - CEO		(513.83)		
Business Card Bendigo - DCEO		(7,451.60)		
PAYMENTS IN ADVANCE - Previous month	5,763.75			
PAYMENTS IN ADVANCE - Current month	(27.50)			
NET PAYMENTS IN ADVANCE	5,736.25			
TOTAL BUSINESS CARDS Direct Debits SEPTEMBER	(2,229.18)			
Shell Card		(7.50)		
Muni - Trust Transfer		(449.46)		
Adjustment required to previous year trust deposit			(10.00)	
TOTAL EXPENDITURE		(1,053,798.87)	(149,373.59)	(4.30)
CLOSING BALANCE - CALCULATED		2,712,917.92	519,836.31	2,821,211.31
CLOSING BALANCE - SYNERGY		2,712,917.92	519,836.31	2,821,211.31
DIFFERENCE		-	-	-

BALANCES AS PER BANK STATEMENTS				
BENDIGO MUNICIPAL 118630623		916,358.20		
BENDIGO MUNICIPAL AT-CALL ACCT 61158		700,000.00		
BENDIGO MUNICIPAL NCD DUE 31/12/09		505,054.79		
BENDIGO MUNICIPAL NCD DUE 23/11/09		100,000.00		
WESTPAC MUNICIPAL NCD DUE 23/3/10		500,000.00		
BENDIGO TRUST 13074174			335,925.63	
BENDIGO TRUST NCD Open space DUE 31/12/09			128,484.83	
BENDIGO TRUST NCD Defects liability DUE 31/12/09			72,452.34	
BENDIGO RESERVE 119521748				112,627.16
BENDIGO RESERVE AT-CALL ACCT				900,000.00
BENDIGO RESERVE NCD DUE 31/12/09				577,584.15
BENDIGO RESERVE NCD DUE 17/11/09				331,000.00
WESTPAC RESERVE				0.00
WESTPAC RESERVE NCD DUE 26/11/09				300,000.00
WESTPAC RESERVE NCD DUE 26/12/09				300,000.00
WESTPAC RESERVE NCD DUE 24/2/10				300,000.00
TOTAL PER BANK STATEMENTS		2,721,412.99	536,862.80	2,821,211.31
RECONCILING ITEMS				
Plus Outstanding Deposits		250,669.74	15,773.85	
Less Outstanding cheques		(159,014.52)	(5,502.39)	
Less Outstanding Licence Debits			(27,797.95)	
Less September Credits receipted October		(100,910.28)		
Less Unidentified Direct Credit - 11/2007		(346.83)		
Less Unidentified Direct Credit - 02/09/2009		(244.01)		
Less O/bank - unidentified money order 27/11/08		(250.00)		
Plus Dishonoured Cheque		1,670.00	500.00	
Less returned EFT payment 23/7/09		(55.00)		
Overbank 4/8/09		(14.00)		
Adjustments		(0.17)		
TOTAL CLOSING BALANCE - CALCULATED		2,712,917.92	519,836.31	2,821,211.31
- PER SYNERGY		2,712,917.92	519,836.31	2,821,211.31
DIFFERENCE		-	-	-

Date: 12/10/2009
Time: 1:13:18PM

**SHIRE OF YORK
MUNICIPAL CHEQUE PAYMENTS
SEPTEMBER 2009**

USER:Annette Hunt
PAGE:1

Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
		SYNERGY		
28428		ELECTRICITY 24/6-24/7/09 - STREET LIGHTING		3,526.15
INV 4675683			3,526.15	
		MARK ALLEN MATTHEW		
28429		CROSSOVER REBATE - 18A BLAND RD		400.00
INV REIMB1			400.00	
		PETTY CASH		
28430		PETTY CASH RECOUP		456.85
INV PETTY			456.85	
		WATER CORPORATION OF WA		
28431		WATER USAGE 29/4-25/8/09 - 38 FRASER ST		68.00
INV 9007884			45.40	
INV 9007891		WATER USAGE 29/4-25/8/09 - ARBORETUM GREY ST	8.35	
INV 9016178		WATER USAGE 29/4-25/8/09 - 75 OSNABURG RD	9.05	
INV 9016178		WATER USAGE 29/4-25/8/09 - 51 ROE ST	5.20	
		SHIRE OF YORK		
28432		RATES 09/10 - AVON TCE CARPARK		13,023.48
INV A31760		RATES 09/10 - 13 MAXWELL ST - COMMUNITY BUS	175.00	
INV 1872		COMMUNITY BUS HIRE YAC 7-10/7/09	515.00	
INV A60439		RATES 09/10 - AVON TCE CARPARK	1,830.90	
INV A50052		RATES 09/10 - RES MUS - 5 BROOK ST	229.88	
INV A14300		RATES 09/10 - FIRE STN COMMUNITY CENTRE - 151 AVON TC	230.00	
INV A60082		RATES 09/10 - ESL - 40 MACARTNEY ST	80.00	
INV A60001		RATES 09/10 - UNIT 1/40 MACARTNEY ST	961.54	
INV A60002		RATES 09/10 - UNIT 2/40 MACARTNEY ST	961.54	
INV A60003		RATES 09/10 - UNIT 3/40 MACARTNEY ST	961.54	
INV A60004		RATES 09/10 - UNIT 4/40 MACARTNEY ST	961.54	
INV A60005		RATES 09/10 - UNIT 5/40 MACARTNEY ST	961.54	
INV A60006		RATES 09/10 - UNIT 6/40 MACARTNEY ST	961.54	
INV A31640		RATES 09/10 - 2 DINSDALE ST	1,168.32	
INV A31580		RATES 09/10 - 24 FORD ST	1,059.14	
INV A31350		RATES 09/10 - TELECENTRE - 5 JOAQUINA ST	983.00	
INV A31700		RATES 09/10 - RADIO STATION - 26 BARKER ST	983.00	
		BATTERY WORLD MIDLAND		
28433		PANASONIC BATTERIES X 2 - MT BROWN BBQ		76.00
INV 145258			76.00	
		SYNERGY		
28434		ELECTRICITY 4/7-3/9/09 - MT BAKEWELL REPEATER STN		39.20
INV 7492374			39.20	
		CANCER COUNCIL WESTERN AUSTRALIA		
28435		SPONSORSHIP - RELAY FOR LIFE - A ROSS		100.00
INV SPONS0			100.00	
		WASTE & RECYCLE 2009 CONFERENCE		
28436		WASTE & RECYCLE 2009 CONFERENCE - EHO		970.00
INV WR09-1			970.00	
		WESTSCHEME SUPERANNUATION		
28437		SUPERANNUATION CONTRIBUTIONS		152.86
INV SUPER			152.86	
		AMP CORPORATE SUPERANNUATION		
28438		SUPERANNUATION CONTRIBUTIONS		122.27
INV SUPER			122.27	
		PRIME SUPER		
28439		SUPERANNUATION CONTRIBUTIONS		139.43
INV SUPER			139.43	
		YORK SHIRE COUNCIL (payroll only)		
28440		PAYROLL DEDUCTIONS		1,045.00

Date: 12/10/2009
Time: 1:13:18PM

**SHIRE OF YORK
MUNICIPAL CHEQUE PAYMENTS
SEPTEMBER 2009**

USER:Annette Hunt
PAGE:2

Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
		YORK SHIRE COUNCIL (payroll only)		
INV DEDUC		PAYROLL DEDUCTIONS	445.00	
INV DEDUC			600.00	
		STATE LIBRARY OF WESTERN AUSTRALIA		
28441		LOST/ DAMAGED LIBRARY BOOKS X 1		30.80
INV 61400			30.80	
		CENTRELINK		
28442		PAYROLL DEDUCTIONS		100.00
INV DEDUC			100.00	
		DOMINIC CARBONE		
28443		REVALUATION - ROAD INFRASTRUCTURE REPORT		5,060.00
INV 7			5,060.00	
		DEPARTMENT OF PREMIER & CABINET		
28444		ADVERT - GOVERNMENT GAZETTE - TPS 2 AMENDMENT 25		353.58
INV 61816			241.53	
INV 61817		ADVERT - GOVERNMENT GAZETTE - TPS 2 AMENDMENT 39	112.05	
		AMP FLEXIBLE LIFETIME SUPERANNUATION		
28445		Superannuation contributions		60.82
INV SUPER			60.82	
		SUNCORP WEALTHSMART BUSINESS SUPER		
28446		Superannuation contributions		184.56
INV SUPER			184.56	
		AUSTRALIAN SERVICES UNION		
28447		UNION FEES		179.00
INV DEDUC			179.00	
		LANDGATE		
28448		GRV CHARGABLE SCHEDULE G2009/13/ M2009/6		53.85
INV 245291			53.85	
		TELSTRA		
28449		TELEPHONES 24/8-24/9/09		1,478.49
INV 9436723		TELEPHONE 28/8-28/9/09 - RES MUS	45.87	
INV 9434282		TELEPHONES 24/8-24/9/09	1,372.67	
INV BP0271		INTERNET ACCESS 26/7-25/8/09 - CEO	59.95	
		WATER CORPORATION OF WA		
28450		WATER USAGE 7/5-9/9/09 - GWAMBYGINE STANDPIPE		438.85
INV 900789C		WATER USAGE 1/5-27/8/09 - 17 FORBES ST	30.50	
INV 9007965		WATER USAGE 1/5-27/8/09 - TRANSFER STATION	25.00	
INV 9008751		WATER USAGE 1/5-27/8/09 - FORREST OVAL DAM	22.35	
INV 9014893		WATER USAGE 1/5-27/8/09 - GARDEN CNR COWAN & NEWCA	22.90	
INV 9007946		WATER USAGE 7/5-9/9/09 - GWAMBYGINE STANDPIPE	243.30	
INV 9007947		WATER USAGE 7/5-9/9/09 - GWAMBYGINE TOILETS	94.80	
		SHIRE OF YORK		
28451		DONATION - HALL HIRE/ LIQUOR LICENCE - KWONGAN COL		90.00
INV DONAT			90.00	
		YORK JUNIOR NETBALL		
28452		DONATION		1,400.00
INV 15			1,400.00	
		BUSH CONTRACTING PTY LTD		
28453		SIDE TIPPER HIRE - PW - DOWNER EDI WORKS		2,310.00
INV 3047		LOADER HIRE - FIRE CONTROL - 56 NORTH RD	528.00	
INV 3050		SIDE TIPPER HIRE - PW - DOWNER EDI WORKS	1,782.00	
		WA LOCAL GOVT SUPER PLAN PTY LTD, (ACN 0		
28454		SUPERANNUATION CONTRIBUTIONS		10,602.72
INV SUPER			7,289.18	
INV DEDUC			884.45	
INV DEDUC			376.64	

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**SHIRE OF YORK
MUNICIPAL CHEQUE PAYMENTS
SEPTEMBER 2009**

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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
		WA LOCAL GOVT SUPER PLAN PTY LTD, (ACN 0		
INV DEDUC		SUPERANNUATION CONTRIBUTIONS	663.50	
INV DEDUC			539.07	
INV DEDUC			37.08	
INV DEDUC			119.37	
INV DEDUC			29.84	
INV DEDUC			257.18	
INV DEDUC			88.62	
INV DEDUC			36.85	
INV DEDUC			147.42	
INV DEDUC			133.52	
		YORK SHIRE COUNCIL (payroll only)		
28455		PAYROLL DEDUCTIONS		950.72
INV RDO PA			950.72	
		SHIRE OF YORK		
28456		WESTPAC NCD - MUNI		500,000.00
INV MUNI N			500,000.00	
		AUSTRALIAN TAXATION OFFICE		
28457		BAS - JULY 2009		75,856.00
INV JULY 09			75,856.00	
		AUSTRALIAN TAXATION OFFICE		
28458		BAS - AUGUST 2009		77,625.00
INV AUG 09			77,625.00	

REPORT TOTALS

Bank Code	Bank Name	TOTAL
1	MUNICIPAL FUND BANK	696,893.63
TOTAL		696,893.63

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**SHIRE OF YORK
MUNICIPAL EFT PAYMENTS
SEPTEMBER 2009**

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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
		LGIS PROPERTY SCHEME		
EFT5981		INSURANCE 09/10 - ELECTRONIC EQUIP/ MACHINERY/ MULT		13,151.33
INV 105837			13,151.33	
		MOTORCHARGE LTD		
EFT5982		GULL CARD		737.78
INV 310809			737.78	
		LGIS INSURANCE BROKING		
EFT5983		MOTOR VEHICLE INSURANCE 09/10		51,132.51
INV 142962		MARINE CARGO TRANSIT INSURANCE 09/10	231.00	
INV 142967		PERSONAL ACCIDENT INSURANCE 09/10	1,413.50	
INV 142963		MOTOR VEHICLE INSURANCE 09/10	30,308.17	
INV 142949		BUSHFIRE VOLUNTEER INSURANCE 09/10	10,175.00	
INV 142954		COUNCILLORS & OFFICERS LIABILITY INSURANCE 09/10	3,140.43	
INV 142971		STATUTORY & BUSINESS PRACTICES LIABILITY 09/10	3,561.25	
INV 144780		SALARY CONTINUANCE INSURANCE 09/10	2,303.16	
		LGIS WORKCARE		
EFT5984		WORKERS COMPENSATION INSURANCE 09/10		38,313.00
INV 107909			38,313.00	
		LGIS LIABILITY		
EFT5985		PUBLIC LIABILITY INSURANCE 09/10 - FIRST INSTALMENT		22,144.38
INV 106714			19,695.50	
INV 106491		FIDELITY GUARANTEE INSURANCE 09/10	666.88	
INV 106493		CASUAL HIRERS LIABILITY INSURANCE 09/10	1,782.00	
		HODGE & COLLARD ARCHITECTS		
EFT5986		SITE SURVEY - FORREST OVAL REDEVELOPMENT		6,930.00
INV 82091			6,930.00	
		CELLARBRATIONS DUKE OF YORK		
EFT5987		REFRESHMENTS		433.89
INV 117435			231.94	
INV 118470		REFRESHMENTS - DEPOT	201.95	
		COOL CLEAR WATER BEVERAGES LTD		
EFT5988		WATER FILTRATION UNIT - SEPTEMBER 09		66.00
INV 93331			66.00	
		AUTO CONTROL DOORS		
EFT5989		REPAIR AUTO DOORS - TOWN HALL/ ADMIN		812.90
INV 9976			812.90	
		YORK BUILDING SUPPLIES		
EFT5990		DYNAMIC LIFTER - ADMIN		305.61
INV 017714		SASH CORD SPOOL - AVON TCE BANNERS	49.50	
INV 017796		DYNAMIC LIFTER - ADMIN	127.60	
INV 017900		CONCRETE - NEW ST	36.85	
INV 017994		CABLE TIES - AVON TCE	11.00	
INV 018070		SPRAY PAINT - DEPOT	35.32	
INV 018091			13.26	
INV 018130		PINE POLES/ NAILS - GWAMBYGINE PARK	32.08	
		YORK AUTO ELECTRICS		
EFT5991		SUPPLY & FIT RADIO - WORKS DIRECTOR VEHICLE		1,091.53
INV 4410			662.53	
INV 4393		SUPPLY & FIT AMBER LIGHT - Y4894	308.00	
INV 4449		SUPPLY & INSTALL ANTENNA - Y4160	121.00	
		PARS RURAL PTY LTD		
EFT5992		EXIFOAM - DEFOAMING AGENT		132.00
INV D108			132.00	
		VALUE TISSUE		
EFT5993		TOILET ROLLS/ DISPENSER/ HAND TOWEL/ GLOVES		821.48
INV 4761			821.48	

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MUNICIPAL EFT PAYMENTS
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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
EFT5994 INV 017		TATTY PARROT BAKERY LUNCH - 10/8 - 18/8 - 31/8/09	315.00	315.00
EFT5995 INV 84623		4 FARMERS GLYPHOSATE/ TRICLOPYR/ CHLOROSULFURON	695.20	695.20
EFT5996 INV 443305C		SPECTRUM DISTRIBUTORS (ORICA AUSTRALIA PTY LTD) CHLORINE SERVICE - SWIMMING POOL/ FORREST OVAL	194.37	194.37
EFT5997 INV 2044		YORK & DISTRICTS COMMUNITY MATTERS ADVERTISING	1,370.60	1,370.60
EFT5998 INV 83345		CONSTABLE CARE CHILD SAFETY FOUNDATION CONSTABLE CARE SPONSORSHIP 09/10	412.50	412.50
EFT5999 INV 127901		FIRE & EMERGENCY SERVICES AUTH. OF WA ESL PAYMENT QUARTER 1 - 09/10	32,865.30	32,865.30
EFT6000 INV 7697		JBA SURVEYS ROAD SURVEY FEES - WARDING RD	1,650.00	1,650.00
EFT6001 INV CH7097 INV CH6456		FUJI XEROX AUSTRALIA PTY LTD PHOTOCOPIER METRE CHARGES - AUGUST 09 PHOTOCOPIER METRE CHARGES - JULY 09	609.26 180.60	789.86
EFT6002 INV 0349155		COUNTRYWIDE MEDIA ADVERTISING WA STREETSMART HANDBOOK 09	583.00	583.00
EFT6003 INV 503		TASMAN CIVIL GRADER HIRE - DAVIES CT/ PRIVATE WORKS	3,520.00	3,520.00
EFT6004 INV SUPER		ING CORPORATE SUPER Superannuation contributions	169.70	169.70
EFT6005 INV 63A-004		UNITED EQUIPMENT CHERRY PICKER HIRE - AUG 09	3,001.15	3,001.15
EFT6006 INV 49/09		LOCAL GOVERNMENT COMPLIANCE INC SEMINAR - PLANNING & DEVELOPMENT REGS 09 - PLANNEF	175.00	175.00
EFT6007 INV 13209		SCHWANKE CONSULTING BUILDING COMPLIANCE REPORT - SETTLERS HOUSE 125 AV	2,640.00	2,640.00
EFT6008 INV 56		CREIGHTON ELECTRICS ELECTRICITY CONNECTION - 3 PHASE POWER CIRCUIT	88.00	88.00
EFT6009 INV 4998		IDENTITY MATTERS (AUSTRALIA) PTY LTD FLOOR MAT - ADMIN	301.58	301.58
EFT6010 INV REIMB1		ELIZABETH EUSTANCE REIMBURSE CURTAIN HIRE - DAYS OF CHANGE CONCERT 2'	480.00	480.00
EFT6011		AUSTRALIA POST POSTAGE/ PAPER - AUGUST 09		2,284.07

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**SHIRE OF YORK
MUNICIPAL EFT PAYMENTS
SEPTEMBER 2009**

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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
INV 618964-		AUSTRALIA POST POSTAGE/ PAPER - AUGUST 09	2,284.07	
EFT6012		AYOUB, DAVID JOHN LEVEL & COMPACT SAND PAD - HOCKEY CLUB		836.00
INV 267			836.00	
EFT6013		ENVIRONMENTAL HEALTH AUSTRALIA AIEH MEMBERSHIP RENEWAL 09/10		320.00
INV 805690			320.00	
EFT6014		AVON TRACTOR & IMPLEMENT VEHICLE SERVICE - LOADER Y600		1,097.94
INV 85472			1,097.94	
EFT6015		COURIER AUSTRALIA FREIGHT		122.09
INV TRANS			122.09	
EFT6016		JR & A HERSEY TRAFFIC CONES/ BARRIER MESH		2,422.75
INV K2974			2,422.75	
EFT6017		MCLEODS BARRISTERS AND SOLICITORS LEGAL ADVISE - SETTLERS HOUSE SUBDIVISION/ BUILDING		10,827.63
INV 50249			8,290.70	
INV 50256		LEGAL FEES - GT HOMES - PLANNING PROSECUTION	1,455.85	
INV 50396		LEGAL ADVICE - YORK CARAVAN PARK	1,081.08	
EFT6018		ROUS, ERIC DAVID ELECTRICAL REPAIRS - DEPOT/ AVON PARK/ ADMIN		3,800.45
INV 3302			1,536.70	
INV 3303		INSTALL POWERBOX - PAVILION/ LIGHT REPAIRS - REC CEN	1,116.50	
INV 3300		GLOBE/ DIFFUSER SUPPLY - ADMIN/ TOWN HALL	1,147.25	
EFT6019		AVON WASTE RECYCLING SERVICES		17,712.10
INV 4702			11,941.78	
INV 4701		RUBBISH COLLECTION	5,770.32	
EFT6020		AVON VALLEY TYRE SERVICE REPAIR TUBE - ROLLER - Y830		120.00
INV 2983			65.00	
INV 2947		SUPPLY & FIT TYRE TUBE - ROLLER - Y830	55.00	
EFT6021		HOME HARDWARE HARDWARE - RURAL ST NUMBERING		182.83
INV 375363			182.83	
EFT6022		YORK IGA MILK/ COFFEE/ CREAM		423.70
INV 01/7764		MILK/ TEA/ COFFEE/ SPONGES	26.62	
INV 02/7141		MILK/ COFFEE/ BISCUITS	29.30	
INV 02/7664		MILK/ BISCUITS	5.71	
INV 02/7485		PANADOL/ BISCUITS	10.95	
INV 01/0988		WHITE KING	6.98	
INV 01/1448		MILK/ COFFEE/ CREAM	68.64	
INV 02/4072		MILK	7.18	
INV 02/4516		BISCUITS	17.96	
INV 01/2861		MILK/ WIPES	8.27	
INV 04/6959		MILK	12.87	
INV 01/4472		TEA/ BISCUITS	22.45	
INV 01/4843		MILK/ SUGAR	12.75	
INV 04/8118		MILK/ BISCUITS	22.63	
INV 02/8322		BISCUITS	8.45	
INV 03/1863		MILK/ BISCUITS	8.78	
INV 01/7916		MILK - DEPOT	18.36	
INV 02/4798			4.58	

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MUNICIPAL EFT PAYMENTS
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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
YORK IGA				
INV 01/4479		MILK/ BISCUITS	22.55	
INV REPRIN		ACCOUNT REPRINT FEE	5.73	
INV 02/8078		MILK/ BISCUITS	13.79	
INV 02/8698		TISSUES/ GLEN 20	8.60	
INV 02/9411		MILK/ BISCUITS	22.64	
INV 02/0281		BLEACH	17.56	
INV 02/0841		MILK	8.58	
INV 01/9902		MILK/ BISCUITS/ SAUCE	13.52	
INV 02/2335		CREAM/ MILK/ BAND AID	18.25	
YORK VISITORS CENTRE				
EFT6023		SPONSORSHIP - GARDEN FESTIVAL FLOWER 09/10		60.00
INV 3			60.00	
YORK EARTHMOVING				
EFT6024		SUPPLY & DELIVER SAND - CEMETERY		2,574.00
INV 284			2,574.00	
RURAL PRESS REGIONAL MEDIA (WA) PTY LTD				
EFT6025		ADVERTISING - AUG 09		308.88
INV 1171507			308.88	
YORK RURAL TRADING				
EFT6026		DESTINY 250G		843.20
INV 1001607		CHLORSULFURON/ WEED ERADICATOR	343.20	
INV 1001664		DESTINY 250G	500.00	
FUEL DISTRIBUTORS				
EFT6027		DISTILLATE X 5550 LTRS/ UNLEADED X 1300 LTRS		8,543.87
INV 97428			8,543.87	
LANDMARK				
EFT6028		SAFETY BOOTS X 2		216.76
INV 565617			142.19	
INV 514374		DOG BISCUITS - POUND SUPPLIES	74.57	
LO GO APPOINTMENTS				
EFT6029		TEMP EMPLOYMENT FINANCE OFFICER - C WHISSON 30/8-5/		2,585.00
INV 405361			1,320.00	
INV 405318		TEMP EMPLOYMENT FINANCE OFFICER - C WHISSON 23-29/8	1,265.00	

REPORT TOTALS

Bank Code	Bank Name	TOTAL
1	MUNICIPAL FUND BANK	240,604.94
TOTAL		240,604.94

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**SHIRE OF YORK
TRUST CHEQUE PAYMENTS
SEPTEMBER 2009**

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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
		CYCLO SPORTIF		
3624		HALL BOND REFUND - RECEIPT 141356		220.00
INV T83			200.00	
INV T8		KEY BOND REFUND - RECEIPT 141356	20.00	
		BUILDERS REGISTRATION BOARD		
3625		BRB LEVY - JULY 09		799.00
INV BRB LE			419.50	
INV BRB LE		BRB LEVY - AUGUST 09	379.50	
		CRAIG ROBSON		
3626		CAT TRAP BOND REFUND - RECEIPT 141835		20.00
INV T1			20.00	
		PENELOPE JOAN MOSSOP		
3627		HALL BOND REFUND - RECEIPT 141768		220.00
INV T83			200.00	
INV T8		KEY BOND REFUND - RECEIPT 141768	20.00	
		BUILDING CONSTRUCTION INDUSTRY TRAINING FUND		
3628		BCITF LEVY - MARCH 09		2,653.39
INV BCITF I			1,393.40	
INV BCITF I		BCITF LEVY - AUGUST 09	1,259.99	
		SHIRE OF YORK		
3629		KEY BOND REFUND - B LAMPERT - RECEIPT 97148 TO DR AC		240.80
INV T8			100.00	
INV BRB CC		BRB COMMISSION - JULY 09	60.50	
INV BCITF C		BCITF COMMISSION - MARCH 09	6.60	
INV BRB/BC		BRB/BCITF COMMISSION - AUGUST 09	73.70	

REPORT TOTALS

Bank Code	Bank Name	TOTAL
2	TRUST FUND BANK	4,153.19
TOTAL		4,153.19

TOTAL RESERVES	
30-Sep-09	
Reserve Name	Current Balance
4. Plant Reserve	344,659.26
6. Staff Leave Reserve	112,476.50
7. Town Planning Reserve	11,913.26
8. Recreation Complex Reserve	321,574.82
9. Avon River Maintenance Reserve	19,471.76
14. Industrial Land Reserve	89,086.85
15. Refuse Site Development Reserve	189,030.15
22. Centennial Gardens Reserve	106,211.87
23. Public Open Space Cont Reserve	302.49
24. Community Bus Reserve	36,783.12
25. Pioneer Memorial Lodge Reserve	129,934.35
26. Residency Museum Reserve	19,205.03
27. Carparking Reserve	56,876.90
30. Building Reserve	58,062.01
35. Disaster Reserve	23,045.04
37. Archives Reserve	21,323.38
38. Water Supply Reserve	6,778.29
40. Tied Grant Funds Reserve	765,174.11
42. Main Street (Town Precinct) Update Reserve	113,464.00
43. Strategic Planning Reserve	18,720.74
44. Cemetery Reserve	26,103.40
45. York Town Hall Reserve	39,163.48
46. RSL Memorial Reserve	19,010.95
47. Greenhills Townsite Development Reserve	20,943.02
48. Youth Capital Works	22,289.88
49. Roads	57,595.90
50. Land & Infrastructure	192,010.75
TOTAL RESERVE FUNDS	2,821,211.31
Funded by	
Bendigo Reserve 119521748	112,627.16
Bendigo At Call	900,000.00
Bendigo NCD	577,584.15
Bendigo NCD	331,000.00
Westpac NCD	300,000.00
Westpac NCD	300,000.00
Westpac NCD	300,000.00
Total Cash Funding	2,821,211.31
Comment	
The Local Government Act 1995 Part 6 Division 4 Section 6.11 requires the reserves to be fully funded. The reserves are fully funded.	

SUMMARY OF CREDIT CARD PAYMENTS FOR THE MONTH ENDING SEPTEMBER 2009	
REFRESHMENTS	634.60
TRAINING & CONFERENCES	7,155.70
SEAVROC	
FUEL	86.13
HOUSING MAINTENANCE	116.50
OTHER	
TOTAL PURCHASES	\$ 7,992.93
PAYMENTS TO C/C IN ADVANCE	0.00
(LESS PREVIOUSLY PAID IN ADVANCE)	0.00
TOTAL PAYMENTS TO C/C AS PER BANK REC	\$ 7,992.93

TRANSACTION LISTING OF CREDIT CARD PAYMENTS FOR THE MONTH ENDING SEPTEMBER 2009		
CARD 1		
DATE	AMOUNT	DESCRIPTION
5/08/2009	116.50	BUNNINGS 318000, MIDLAND
8/08/2009	32.50	RYDGES HOTEL PERTH, PERTH
12/08/2009	21.60	MISS MAUD, PERTH
19/08/2009	111.00	JANETTE CALLAGHAN, YORK
22/08/2009	109.10	JANETTE CALLAGHAN, YORK
25/08/2009	86.13	BP BALLAJURA 6330, BALLAJURA
27/08/2009	37.00	Cafe Bugatti, YORK
TOTAL CARD 1	513.83	
CARD 2		
DATE	AMOUNT	DESCRIPTION
7/08/2009	350.00	PLANNING INSTITUTE,SOUTH PERTH
12/08/2009	1,320.50	RYDGES HOTEL PERTH, PERTH
12/08/2009	1,421.90	RYDGES HOTEL PERTH, PERTH
12/08/2009	1,181.45	RYDGES HOTEL PERTH, PERTH
12/08/2009	1,242.40	RYDGES HOTEL PERTH, PERTH
16/08/2009	220.00	NPA WA, PERTH
17/08/2009	27.50	ACCOUNT FEE
26/08/2009	1,715.35	RYDGES HOTEL PERTH, PERTH
TOTAL CARD 2	7,479.10	
TOTAL CREDIT CARDS		\$ 7,992.93

STATEMENT OF PAYROLL DIRECT DEBITS FOR THE MONTH ENDING SEPTEMBER 2009	
10 September 2009	54,231.52
24 September 2009	53,126.07
PAYROLL TOTALS	<u>\$ 107,357.59</u>
(LESS PAYMENTS BY CHEQUE)	<u>0.00</u>
TOTAL PAYROLL DIRECT DEBITS AS PER BANK REC	<u>\$ 107,357.59</u>

**STATEMENT OF SHELL CARD PURCHASES
FOR THE MONTH ENDING SEPTEMBER 2009**

0 Y - CEO	0.00
Y 00 - DCEO	0.00
Y 000 - EHO	0.00
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 Depreciation of Road Infrastructure Assets

FILE NO:	FI.ACC
COUNCIL DATE:	19th October 2009
REPORT DATE:	15th October 2009
LOCATION/ADDRESS:	Not Applicable
APPLICANT:	Not Applicable
SENIOR OFFICER:	Ray Hooper, Chief Executive Officer
REPORTING OFFICER:	Graham Stanley, DCEO
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Nil

Summary:

As a result of completing the Structural Reform Checklist it was discovered that the shire had over depreciated its Road Infrastructure over many years with the Balance Sheet stating the Written Down Value of Road Assets as \$11,533,143 as at 30th June 2008.

To correct the situation a plan of action is being proposed, firstly to change the depreciation rates that apply to road infrastructure for the 2008-09 financial year and beyond. Secondly to undertake a full road inventory and condition rating audit during 2009-10, updating Council's ROMAN data, with a view to adopting an asset revaluation effective 30th June 2010 and updating Council's asset register accordingly. Once this has been done then it will be recommended that Council adopts depreciation rates applicable to each of the components of the road (clearing & formation, pavement, seal, kerbing).

Background:

Following changes to the Australian Accounting Standards (AAS) Local Governments in Western Australia were required to bring the value of infrastructure, including roads, to account in 1997 and to depreciate them on an annual basis. This had the effect of greatly increasing the total asset value in the balance sheet as roads then became the largest asset class for most local governments and it greatly increased operating expenses due to the much larger depreciation component that was charged against assets.

At the time councils had to value their existing roads based on the current estimated cost to build the roads and then depreciate them down to the remaining estimated percentage of their useful lives. This was a very inexact science because there was a lot of guesswork as Councils didn't have detailed information on their roads and the present day costs of doing work that may have occurred 50 years earlier. Also the condition of the roads was an estimate and the lifespan of different types of roads varies so much due to location, geography, soil conditions, climate and usage. Guidance to councils wasn't good and it was hard to prove the accuracy of information as there is really no right or wrong method so it was left up to each council to determine their valuations and depreciation rates. Auditors usually accepted what was put forward by the Council if they could demonstrate some sort of methodology that appeared to be reasonable.

The Shire of York adopted the following policy in relation to assets and depreciation:

- *Non-Current Assets Valuation and Depreciation*

Each class of property, plant and equipment, furniture and equipment and infrastructure assets is valued at cost.

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation periods and rates are:

<i>Buildings</i>	<i>40 Years</i>
<i>Furniture and Equipment</i>	<i>8 years</i>
<i>Plant and Equipment</i>	<i>8 years</i>
<i>Infrastructure</i>	
<i>Sealed Roads, Streets and Car parks</i>	<i>6.70%</i>
<i>Unsealed Roads</i>	<i>8.30%</i>
<i>Bridges, Drainage</i>	<i>1.30%</i>
<i>Concrete Footpaths, Cycleways, Walkways and Skate Park</i>	<i>50 Years</i>
<i>Brick Footpaths</i>	<i>25 Years</i>
<i>Effluent systems</i>	<i>20 Years</i>
<i>Sewerage Parks</i>	<i>75 – 80 Years</i>
<i>Water Pipes and Hydrants</i>	<i>20 Years</i>
<i>Bus Shelters</i>	<i>20 Years</i>
<i>Parks Furniture and Equipment</i>	<i>5 – 20 Years</i>

Unfortunately the rate for sealed roads, streets and car parks and unsealed roads has been excessive and too much depreciation has and is being charged. The reasons for this are that different components of the road depreciate at different rates. For example the initial clearing and formation doesn't really depreciate. Once it has been done it doesn't need to be done again if the road continues to be used, whereas when a road has been sealed it usually has to be resealed anywhere between 10 and 25 years later. York adopted a policy of depreciating sealed roads over 15 years and gravel roads over 12. Unfortunately applying the depreciation rate over the whole of the road value, on a straight-line basis means that a road will be fully depreciated from 12 to 15 years where it has not had additions or improvements made to it.

It is clear that Council's road asset value has been written down too far and that too much depreciation is being raised. But the relevant question is "what is a fair value for the roads in their current state?" To determine this a full road inventory and condition rating audit is required to make sure that the information about Council's roads in the ROMAN road management system database is correct so that the replacement cost can be calculated correctly and that the roads can be depreciated to the level that reflects the condition that they are in. It will also allow the components of each road to be valued correctly so that each component can be depreciated at the applicable rate.

Council's records detail the following:

Infrastructure				
Year	Item	Historical Cost	Depreciation	Written Down Value
30 Jun 08	Roads	\$ 46,830,503.00	\$ 35,297,360.00	\$ 11,533,143.00

Consultation:

Dominic Carbone & Associates
Francis Mammone City of Canning
WA Local Government Accounting Manual
Cardno BSD – managers of the ROMAN Road Inventory System.

Statutory Environment:

Local Government Act 1995; Local Government (Financial Management) Regulations 1996; Australian Accounting Standards Board standards.

Policy Implications:

This will be a change to Council's Significant Accounting Policies

Financial Implications:

\$20,000 has been budgeted for 2009-10 to undertake the audit and condition rating. The actual revaluation and change to depreciation rates will have no effect in terms of cash as they will only be a book valuation and a change to depreciation values however currently the over depreciation is causing the Council's Operating Statement to show large deficits and is grossly understating the value of Council's road infrastructure assets in the balance sheet.

Strategic Implications:

The large operating losses that we are showing are all due to the non-cash item of depreciation. On the surface it makes the Shire of York look unsustainable whereas the opposite is in fact the case. The change to depreciation rates being proposed will turn what looks like a substantial deficit into a substantial operating surplus and give a fairer representation of the Council's financial health.

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:

Late last year the Department of Local Government, WALGA & LGMA released the Western Australian Local Government Accounting Manual. The manual provides information on suggested depreciation rates on all types of assets for the various regions of Western Australia. For this region the manual indicates that depreciation rates similar to those below may be appropriate for York.

Clearing and Formation	Nil
Pavement	1.3%
Seal	4.25%
Kerbing	2%
Road furniture	10%

Given that around 60% of the value of our roads is the clearing and formation, which should not be depreciated, and the pavement accounts for another 30% then we should only be applying a depreciation rate of around 1% per annum to the value of our roads. Currently our asset register does not record the road infrastructure in the component form and we therefore should look at obtaining this information. The road audit and condition rating process will allow us to obtain this information for our existing road infrastructure and our job costing system can be amended so

that we can capture this information for new works. It will take some time for this to be implemented by the Shire's finance staff so it is proposed that the depreciation on roads for 2008-09 be recalculated using a depreciation rate of 1% per annum as the accounts for 2008-09 have not been finalised and that this rate be used during 2009-10 financial year. To change the depreciation rate used necessitates a change to Council's Significant Accounting Policy relating to Assets. The change to the policy is outlined in the recommendation.

OFFICER RECOMMENDATION

RESOLUTION 091009

Moved: Cr Hooper

Seconded: Cr Randell

"That Council:

- 1. Amends its Significant Accounting Policy for the 2008-09 and 2009-10 financial years to reduce the rate of depreciation on Sealed Roads, Streets and Car Parks from 6.70% to 1% and on Unsealed Roads from 8.30% to 1%;***
- 2. Undertakes a full road inventory and condition rating audit during the 2009-10 financial year;***
- 3. Uses the information gained to implement a revaluation of its road infrastructure assets at 30th June 2010 and amends its asset register accordingly;***
- 4. Moves to amending its depreciation policy for the 2010-11 financial year, once it has the necessary information to allow the road infrastructure components to be depreciated individually."***

CARRIED (6/0)

10. NEXT MEETING

**RESOLUTION
101009**

Moved: Cr Lawrance

Seconded: Cr Randell

“That Council:

hold the next Ordinary Meeting of the Council on November 16, 2009, commencing at 3.00pm in the Lesser Hall , York.”

CARRIED (6/0)

11. CLOSURE

There being no further business the Shire President declared the meeting closed at 4.20pm.