



SHIRE OF YORK

**MINUTES OF THE ORDINARY
MEETING OF THE COUNCIL
HELD ON 18 OCTOBER 2010
COMMENCING AT 3.10pm
IN THE SPORTS PAVILION,
SOUTH STREET, YORK**

SHIRE OF YORK

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RAY HOOPER
CHIEF EXECUTIVE OFFICER

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SHIRE OF YORK

THE ORDINARY MEETING OF THE COUNCIL
HELD ON MONDAY, 18 OCTOBER 2010, COMMENCING AT
3.10PM IN THE SPORTS 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
Cr Pat Hooper, Shire President, declared the meeting open at 3.10pm
- 1.2 Chief Executive Officer to read the disclaimer
Ray Hooper, Chief Executive Officer, read the disclaimer
- 1.3 Announcement of Visitors
Two Special Guests:
Tony Hunter – York & Districts Community Bank – Branch of Bendigo Bank
Gary Ashworth – Fuel Distributors of Western Australia Pty Ltd
- 1.4 Announcement of any Declared Financial Interests
Cr Scott – 9.2.4 – Impartial – Proximity
Cr Walters – 9.2.8 – Financial – Proximity
Cr Walters – 9.2.10 – Financial - Proximity

2. ATTENDANCE

- 2.1 Members
Cr Pat Hooper, Shire President; Cr Brian Lawrance, Deputy Shire President;
Cr Roy Scott; Cr Trevor Randell; Cr Tricia Walters
- 2.2 Staff
Ray Hooper, CEO; Tyhscha Cochrane, Deputy CEO; Patrick Ruettjes, Shire Planner,
Brooke Newman, Statutory Planning Officer/Compliance Officer, Nicole McNamara,
DSO; Gordon Tester, Manager – Environmental Health & Building Services;
Simon Patterson, Shire Engineer & Manager Works, Matthew Sharpe, Community
Ranger, Gail Maziuk, Finance & Project Officer; Helen D'Arcy Walker, Executive
Support Officer
- 2.3 Apologies
Cr Tony Boyle
- 2.4 Leave of Absence Previously Approved
Nil

- 2.5 Number of People in Gallery at Commencement of Meeting
There were 17 people in the Gallery at the commencement of the meeting.

RATES INCENTIVE PRIZES

Presentation of the Rates Incentive Prizes was held.

First Prize - \$1,000 Bank Account provided by the Shire of York and York & Districts Community Bank Branch of Bendigo Bank. Tony Hunter, Branch Manager of the Bendigo Bank thanked the community for their support. Maureen Beaton of Beaton Development won first prize but was unable to attend (the Shire will ensure the prize is sent to Beaton Developments Pty Ltd).

Second Prize - \$200 of Unleaded Petrol donated by Fuel Distributors of WA Pty Ltd. Mr Gary Ashworth also thanked the community for their support. Mr Christopher Winton won second prize but was unable to attend (the Shire will ensure the prize is sent to Mr Winton).

Third Prize – One night's accommodation up to the value of \$200 donated by Aspen Parks. Cr Hooper awarded the prize to Mrs Janice Barker on behalf of Aspen Parks who where unable to attend.

Fourth Prize – Four tickets to the Western Australian Symphony Orchestra donated by WASO. Cr Hooper awarded the prize to Mr Graeme Mills on behalf of WASO who where unable to attend.

Mrs Barker and Mr Mills both thanked the Shire Council, Aspen Parks and WASO for their respective prizes.

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

3.1 Previous Public Questions Taken on Notice

*Mr Colin Cable
PO Box 556
York WA 6302*

Question 1:

Asks permission to install two (2) gates at the Qualen West Road Reserve as a deterrent to the illegal dumping of rubbish. A meeting has been held with the Talbot Bush Fire Brigade and they request that if gates are installed they are not to be locked.

Response:

Qualen West Road Reserve

Thank you for your questions at the Council Meeting held on the 20th September, 2010.

Please find set out below the response to the matter taken on notice.

"The Shire of York will approve gates on the main reserve entry when the vesting is transferred from the Shire of York".

Note: The Shire of York has programmed the removal of dumped household rubbish from the site, installation of No Dumping signs, removal of pushed up gravel for use on roads, ripping of the base of the gravel extraction areas and blocking off of secondary entries.

3.2 Written Questions
Nil

Cr Hooper read the Public Question Time statement.

4. PUBLIC QUESTION TIME

*Mr Andy Fraser
17 Pelham Street
York WA 6302*

Four part question regarding delegation of powers.

Question 1 (a):

In the case where a building is classified as being neglected, it is the Council not the Building Surveyor who makes the decision about the building.

Response:

Taken on Notice.

Question 1 (b):

When a building is classified as being neglected, should there not be a written notice?

Response:

Taken on Notice.

Question 1 (c):

When determining the situation, should Councillors focus on professional advice received or their opinions?

Response:

Taken on Notice.

Question 1 (d):

As per the Act, a Building Surveyor can not refuse an application. Council can delegate to an officer, but not to the CEO.

Response:

Taken on Notice.

Question 2:

Radio Station – Council owns the property and building. The building is asbestos clad and has been deemed to be repaired or demolition. Why has this not be done? Work Safe has inspected the building.

Response:

Taken On Notice.

Question 3:

As per the Parking Act (Section 38), can I please have a definition of 'any other offences'.

Response:

Taken on Notice.

*Mr Simon Saint
87 Avon Terrace
York WA 6302*

Question 1:

Does the Shire recognise that Tourism is an important part of the local community?

Response:

Yes

Question 2:

Does the Shire agree there should be facilities for tourists?

Response:

Yes

Question 3:

Does Council believe that toilets should be included in these facilities?

Response:

Yes, which is why the Shire spent a lot of money opening the new toilets on Howick Street.

Question 4:

How much would it cost the Shire to open the toilets at the Town Hall 2 hours earlier on a Saturday and Sunday? Could volunteers open the toilets earlier on the week end?

Response:

I will investigate and get back to you.

*Mrs Alison Marshall
70 Newcastle Street
York WA 6302*

Question 1:

In reference to item 9.2.5 – can I please have the reason as to why my application for four dogs is being refused?

Response:

The application has not been voted on as yet. It is the officers recommendation as to whether Council approves or refuses an application, however it is the Council that votes and makes the decision.

Question 2:

The resolution states 'history surrounding the application' – what is the history?

Response:

I suggest you provide your questions to the CEO, so a written response can be provided.

Question 3:

I have been told that there has been a complaint received regarding my application. If this is so, can I see the document.

Response:

The information is available through the Freedom of Information Act. An application would need to be made to the Shire.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. PETITIONS / PRESENTATIONS / DEPUTATIONS

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Minutes of the Ordinary Council Meeting held September 20, 2010

Corrections

Confirmation

**RESOLUTION
011010**

Moved: Cr Scott

Seconded: Cr Randell

“That the minutes of the Ordinary Council Meeting held September 20, 2010 be confirmed as a correct record of proceedings.”

CARRIED: 5/0

7.2 Minutes of the Special Council Meeting held October 4, 2010

Corrections

Confirmation

**RESOLUTION
021010**

Moved: Cr Randell

Seconded: Cr Lawrance

“That the minutes of the Special Council Meeting held October 4, 2010 be confirmed as a correct record of proceedings.”

CARRIED: 5/0

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

There were a number of events held in York while I was away and I have heard a lot of positive responses. I would like to congratulate the York Agriculture Society, the Shire and the Race Course for the positive outcome of the York Show.

The York Cup was an excellent day with a record number of people in attendance.

On behalf of the Council, I would like to extend my condolences to all families who have lost family members in the last few weeks.

Sincere thanks to Cr Lawrance for filling in for me whilst I was away.

9. OFFICER'S REPORTS

9.1 Development Services

9. OFFICER'S REPORTS

9.1 DEVELOPMENT REPORTS

9.1.1 Additions to Existing Outbuildings, Construction of an Additional Outbuilding, Construction of a Retaining Wall and Retrospective Approval for the Placement of a Demountable Office – Lot 31 Quairading-York Road

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 |
| COUNCIL DATE: | 18 October 2010 |
| REPORT DATE: | 6 October 2010 |
| LOCATION/ADDRESS: | Lot 31 (6031) Quairading-York Road, Mount Hardey |
| APPLICANT: | Graham Bishop (Riverland Agricultural Contractors) |
| SENIOR OFFICER: | Ray Hooper |
| REPORTING OFFICER: | Brooke Newman/Patrick Ruettjes |
| DISCLOSURE OF INTEREST: | Nil |
| APPENDICES: | Location Plan, Site Plans (A and B), Floor Plans, Elevations |
| DOCUMENTS TABLED: | Previous Council Reports (October 2009) |

Summary:

Council is requested to consider issuing planning consent for additions to existing outbuildings on Lot 31, the construction of an additional outbuilding and retaining wall and the retrospective approval of the placement of a demountable office building on Lot 31 (6031) Quairading Road, Mount Hardey.

Background:

The proposed and existing 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).

Council, at its Special Meeting of 29 October 2009, resolved as follows:

"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 substantially commence 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. [...]"*

Further information is available in the Council Minutes relating to the Council Meetings of 19 October 2009 and 29 October 2009. The workers' accommodation has not been relocated to its proposed position yet (see #5 on attached Site Plan A) and is not operational at the moment. The applicant is requesting an extension of 12 months for this approval which can be dealt with under delegated authority as no amendments to the approved plans are proposed and the same conditions apply.

The applicant has submitted a separate application for additions to the existing outbuildings on Lot 31, the construction of an additional outbuilding, the construction of a retaining wall and the retrospective approval of a demountable office building.

The application is requesting the following development:

Additions

The applicant is proposing to construct additions to the existing outbuilding depicted as #1 on Site Plan A (see attachment).

The existing outbuilding is 18m x 19.54m (351.72m²) with a wall height of 5m.

The additions are proposed to be as follows:

| | | | | |
|-----------------|----------------|----------------------|---|-----------------------|
| North Addition: | 7m x 19.54m = | 136.78m ² | } | |
| South Addition: | 12m x 19.54m = | 234.48m ² | } | 371.26 m ² |

Therefore, the total combined area for the existing outbuilding noted as #1 on Site Plan A is proposed to be 722.98m².

The addition proposed for the northern end of the existing outbuilding is to be constructed in the configuration of a 'lean to' and is proposed to be open on all sides. The addition for the south end of the existing outbuilding is proposed to be closed on all sides.

Retaining Wall

The applicant is proposing to construct a retaining wall to the north of the existing outbuilding #1 on Site Plan A and is depicted as #6.

As at the date of writing this report, no specifications for the retaining wall have been received.

However, earthworks have commenced in preparation for the construction of the retaining wall.

Additional Outbuilding

An additional outbuilding is proposed which is depicted as #3 on Site Plan A.

The dimensions of the new outbuilding are proposed to be 12.2m x 25m (305m²) with a wall height of 4.2m.

Demountable Office Building

A demountable office building with the dimensions of approximately 12m x 3m (36m²) was included in the application for planning consent, however, the demountable office building has already been placed to the north of the existing outbuilding #1 on Site Plan A without approval (next to the proposed retaining wall #6).

Other Existing Outbuildings

There are two other existing outbuildings on Lot 31 with the following dimensions:

| | | |
|--------------------------------|------------|----------------------|
| Outbuilding #2 on Site Plan A: | 12m x 24 m | (288m ²) |
| Outbuilding #4 on Site Plan A: | 16m x 9m | (144m ²) |

Summary

The additions to the existing outbuilding #1 and the proposed construction of the outbuilding #3 on Site Plan A will increase the combined floor area of outbuildings on Lot 31 from 783.72m² to 1459.98m².

The demountable office building is proposed to be used in conjunction with the agricultural business currently operating from Lot 31.

Due to the topography of Lot 31 and the location of the existing outbuilding, the proposed additions to that outbuilding and the location of the demountable office building, a retaining wall is required to be constructed in order to ensure the stability of the office and the outbuilding.

The office building will also be required to be clad to include it within the outbuilding area so the external appearance is that of a coherent outbuilding.

Consultation:

The proposed development has been advertised in accordance with clause 7.3.3 of the Scheme, i.e. advert in local newspaper, letter to adjoining landowners and sign erected on site. Detailed plans of the proposed development and relevant documentation have been on display at the Council offices during the advertising period.

Four written submissions have been received (see attached Schedule of Submissions).

Statutory Environment:

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

Policy Implications:

Nil

Financial Implications:

Planning fees have been paid and retrospective planning fees together with building licence fees will be required.

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.”

The proposal by the applicant is consistent with decision making abilities of the Shire in order to facilitate the full development of Lot 31 and to accommodate the needs of the applicant's growing agricultural business.

Voting Requirements:

Absolute Majority Required: **No**

Site Inspection:

Site Inspection Undertaken: **Yes**

A site inspection was undertaken as part of the assessment of this application. During the site inspection, it was found that the demountable office building had been placed on site without approval.

Triple bottom Line Assessment:

Economic and Social Implications:

The applicant is running an agricultural contracting business from the premises at Lot 31. The lot is connected to a Main Roads WA operated road, the Quairading-York Road (part of the York-Merredin Road). The business has been operating at a certain scale for some years now and while an increase in development is proposed, no significant increase in traffic is proposed as mainly the same machinery will be in use. The same access to the property is proposed to be utilised and Main Roads have advised that they have no objection to the proposal subject to no change in type or frequency of vehicles being used.

The objection received relates to the conflict of rural living versus rural industries and is very common in 'General Agriculture' zoned areas or similar around WA. It should be noted that the Scheme allows for both uses to coexist in the 'General Agriculture' zone and that the operation of the applicant is very seasonal.

Environmental Implications:

Nil.

Comment:

The proposal has to be assessed in the context of the operating agricultural contracting business which centres on hay production, storage and distribution. The applicant states that increased demand has led to the application for additional storage space for hay and machinery.

Lot 31 basically consists of two different areas – one area used for cropping and one area where buildings and structures (outbuildings, machine storage areas, workers' accommodation etc.) are located. This area is confined to a central portion of Lot 31.

Additions

The proposed addition at the northern portion of the existing outbuilding is considered appropriate, however, the end facing north should be enclosed to blend more sympathetically with the existing outbuilding and would also serve to protect and screen the demountable office building to give it a coherent appearance.

The proposed addition for the southern end of the existing outbuilding is considered to be acceptable given that the same or similar materials are proposed to be used and the expanded outbuilding area would allow storage of associated agricultural equipment and/or hay.

It is not considered that the additions to the existing outbuilding #1 on Site Plan A are of any significant effect on the amenity of the surrounding locality. The screening of the office building is expected to rather enhance the external appearance.

Retaining Wall

Due to the topography of Lot 31 and the position of the existing outbuilding #1 on Site Plan A, a retaining wall is required to be erected in order to provide stability to the proposed development.

No engineering details have been provided for the retaining wall and these plans will be required to be submitted as a condition of any approval. The final distance from the outbuilding/lean to will be determined by the engineering plans as part of the building licence application.

Additional Outbuilding

The size, location and orientation of the proposed additional outbuilding are considered to be acceptable development and should not pose any significant detriment to the locality or amenity in general.

Demountable Office Building

Although the demountable office building has been placed on Lot 31 without approval, the applicant advises that it will be utilised for the running of the books and general office requirements associated with the business.

There is a concern that the building is not secured to the ground and that there is not enough distance between the outside edge and the retaining wall.

It will be conditioned under any approval that the building be adequately secured to the ground and that more earth be placed to the north of the building which will increase the distance between the building and the proposed retaining wall. This will also enable the installation of adequate footings for the proposed addition to the existing outbuilding. This will be addressed at building licence stage together with relevant engineering plans.

Other Existing Outbuildings

It should be noted that the other existing outbuildings on Lot 31 are located to minimise impact to the locality and to the general amenity of the area.

The workers' accommodation currently located on Lot 31 is to be moved as part of a previous approval and located in a permanent location which is to provide adequate footings, fixture to the ground, effluent disposal and drainage.

Submissions Received

Of the four submissions received, one is noting an objection whereas the remaining three submissions are for non-objections.

The applicant advises that the size and scale of the business currently operating from Lot 31 will not result in any significant increase in traffic or development. The purpose of the additions and the additional outbuilding is to house current machinery as well as additional storage space for hay.

Further, the applicant advises that no additional trucks are proposed to be entering or exiting from Lot 31.

Drainage will be required to be addressed in any approval issued.

Summary

It is considered that the proposed additions and additional outbuilding on Lot 31 are not expected to have any significant detrimental effect to the amenity or the locality in general.

Further, it is recognised that the construction of an additional outbuilding may have the effect of decreasing machinery located on Lot 31 and in turn create a more aesthetically pleasing outcome.

It is considered that the demountable office building is an acceptable form of development on Lot 31 given the current use of the land. Further, any visual impact caused by the demountable office building will be satisfactorily concealed by a closed end being installed to the proposed lean to which will be included as a condition of any approval.

Therefore, it is recommended that approval be granted for the additions to the existing outbuildings, the construction of an additional outbuilding and the construction of a retaining wall on Lot 31. It is also recommended that retrospective approval be granted for the placement of the demountable office building on Lot 31 subject to appropriate conditions.

RESOLUTION 031010

Moved: Cr Lawrance

Seconded: Cr Scott

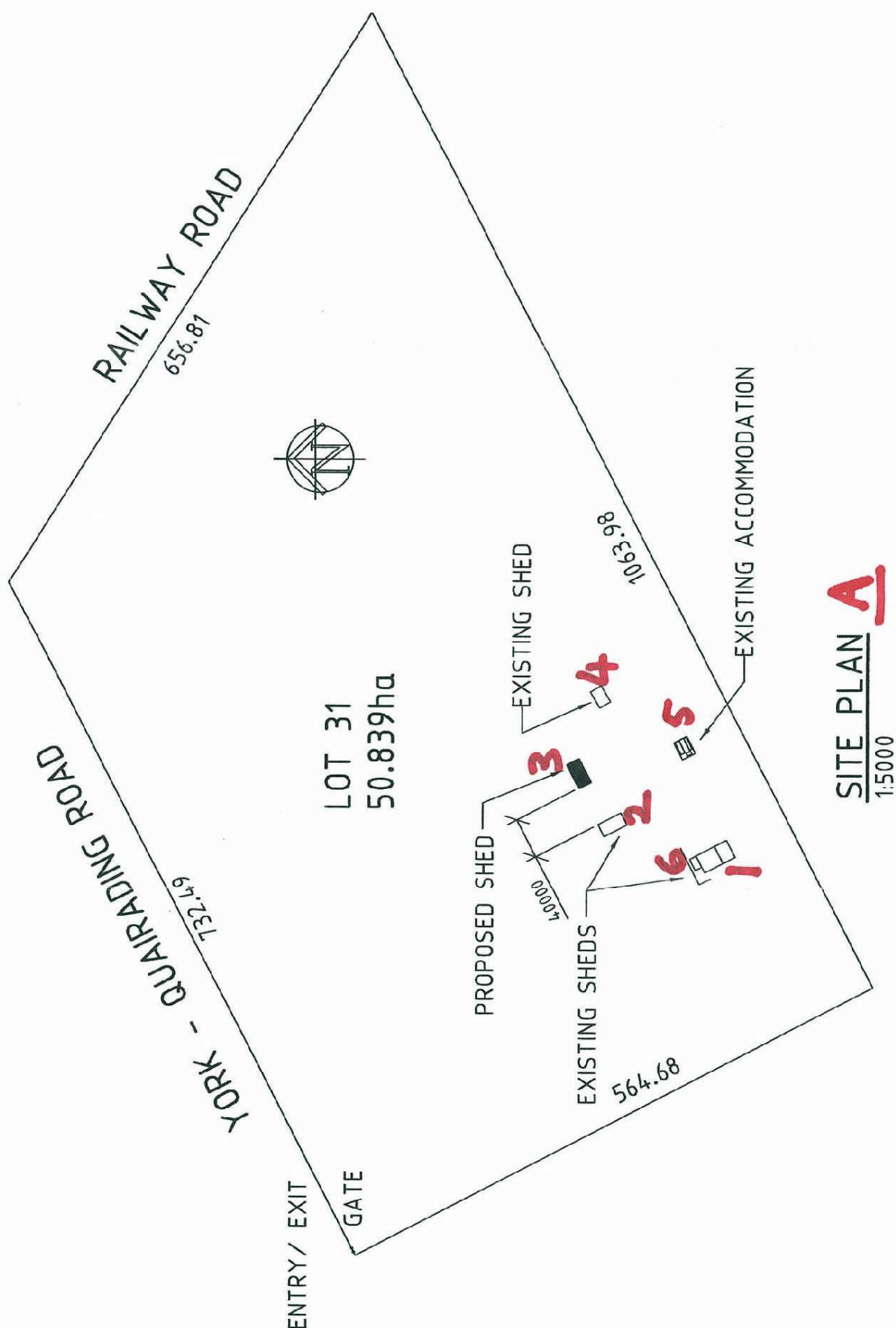
“That Council:

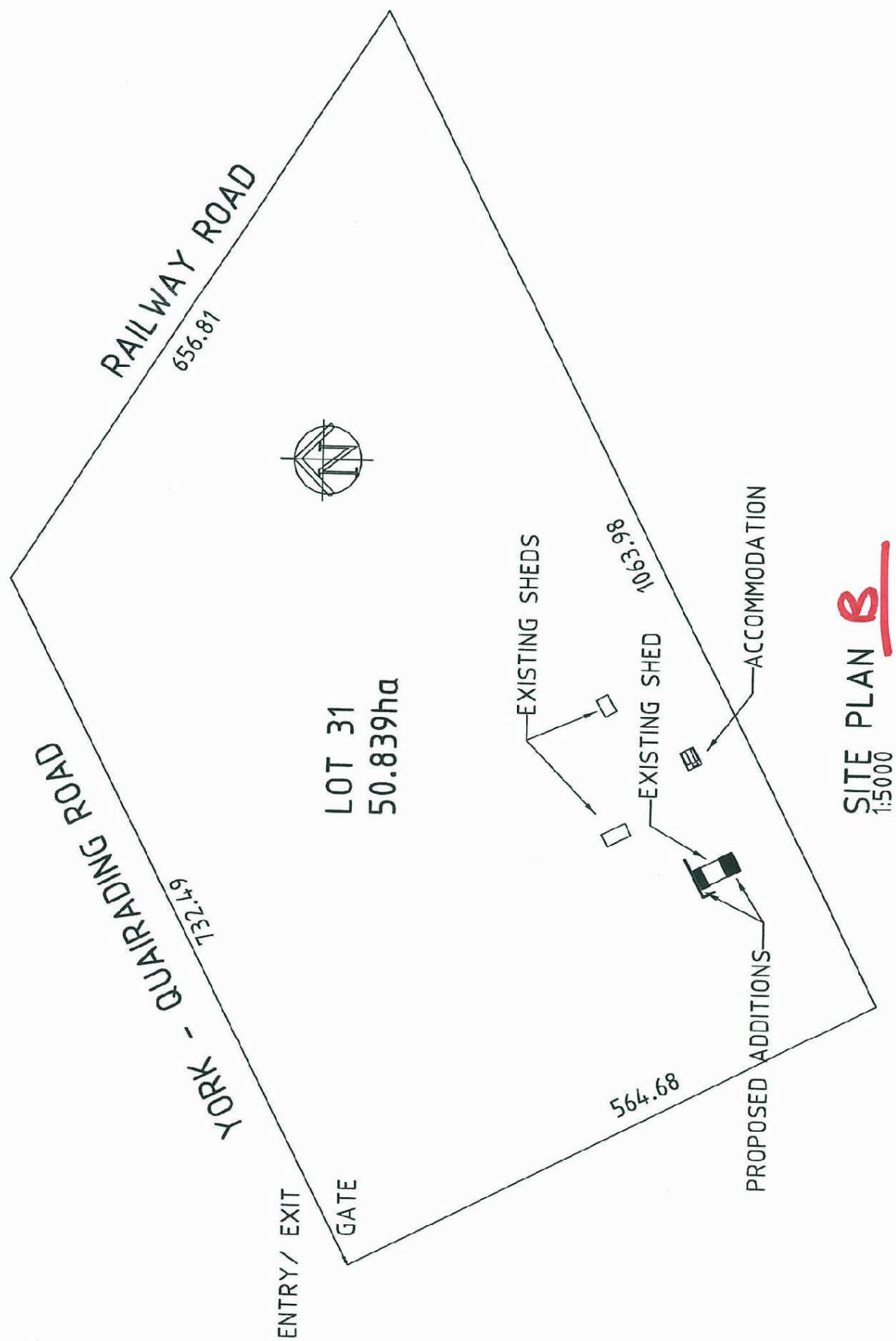
- 1. *Issue planning consent for additions to the existing outbuilding depicted as #1 on the approved Site Plan A for Lot 31 (6031) Quairading-York Road, Mount Hardey, subject to the following conditions:***
 - (a) Development must substantially commence within one (1) year from the date of this decision;***
 - (b) Development must take place in accordance with the approved plans;***
 - (c) Prior to a building licence being issued, a detailed drainage plan shall be submitted and approved by the local government;***
 - (d) Prior to occupation of the development, vehicle crossover(s) shall be constructed to the satisfaction of the local government;***
 - (e) Prior to occupation of the development, stormwater drainage works must be completed in accordance with the approved plans to the satisfaction of the local government;***
 - (f) The on-site drainage system shall be maintained on an ongoing basis to the satisfaction of the local government;***
 - (g) The outbuilding is not to be used for human habitation;***
 - (h) The finish of the outbuilding is to be non-reflective factory applied painted steel to the satisfaction of the local government. A colour scheme is required to be submitted and approved by the local government prior to the issue of a building licence;***
 - (i) Prior to the issue of a building licence, a landscaping plan be received and approved by the local government. The requirements of the landscaping plan are to be implemented within twelve (12) months of the date of completion of the development approved herein;***
 - (j) Prior to the issue of a building licence, a fire management plan be received and approved by the local government. The requirements of the fire management plan are to be implemented within twelve (12) months of the date of completion of the development approved herein;***

- (k) *Prior to the issue of a building licence, an amended plan to the satisfaction of the local government be received to reflect the northern end of the addition being clad.*
2. *Issue planning consent for an additional outbuilding depicted as #3 on the approved Site Plan A for Lot 31 (6031) Quairading-York Road, Mount Hardey subject to the following conditions:*
- (a) *Development must substantially commence within one (1) year from the date of this decision;*
 - (b) *Development must take place in accordance with the approved plans;*
 - (c) *Prior to a building licence being issued, a detailed drainage plan shall be submitted and approved by the local government;*
 - (d) *Prior to occupation of the development, vehicle crossover(s) shall be constructed to the satisfaction of the local government;*
 - (e) *Prior to occupation of the development, stormwater drainage works must be completed in accordance with the approved plans to the satisfaction of the local government;*
 - (f) *The on-site drainage system shall be maintained on an ongoing basis to the satisfaction of the local government;*
 - (g) *The outbuilding is not to be used for human habitation;*
 - (h) *The finish of the outbuilding is to be non-reflective factory applied painted steel to the satisfaction of the local government. A colour scheme is required to be submitted and approved by the local government prior to the issue of a building licence;*
 - (i) *Prior to the issue of a building licence, a landscaping plan be received and approved by the local government. The requirements of the landscaping plan are to be implemented within twelve (12) months of the date of completion of the development approved herein;*
 - (j) *Prior to the issue of a building licence, a fire management plan be received and approved by the local government. The requirements of the fire management plan are to be implemented within twelve (12) months of the date of completion of the development approved herein.*
3. *Issue planning consent for a retaining wall depicted as #5 on the approved Site Plan A for Lot 31 (6031) Quairading-York Road, Mount Hardey, subject to the following conditions:*
- (a) *Prior to a building licence being issued, detailed plans and engineering details be received and approved by the local government;*
 - (b) *Development must substantially commence within one (1) year from the date of this decision;*
 - (c) *Development must take place in accordance with the approved plans;*
 - (d) *The distance between the northern edge of the addition to the existing outbuilding located at number 1 on approved Site Plan A and the inside edge of the retaining wall be increased to a minimum of 1.5m.*
4. *Issue retrospective approval for the placement of the demountable office building which is located to the north of the existing outbuilding depicted as #1 on the approved Site Plan A on Lot 31 (6031) Quairading-York Road, Mount Hardey, subject to the following conditions:*
- (a) *Development must take place in accordance with the approved plans;*
 - (b) *Prior to a building licence being issued, detailed drainage plans shall be submitted to the satisfaction of the local government;*

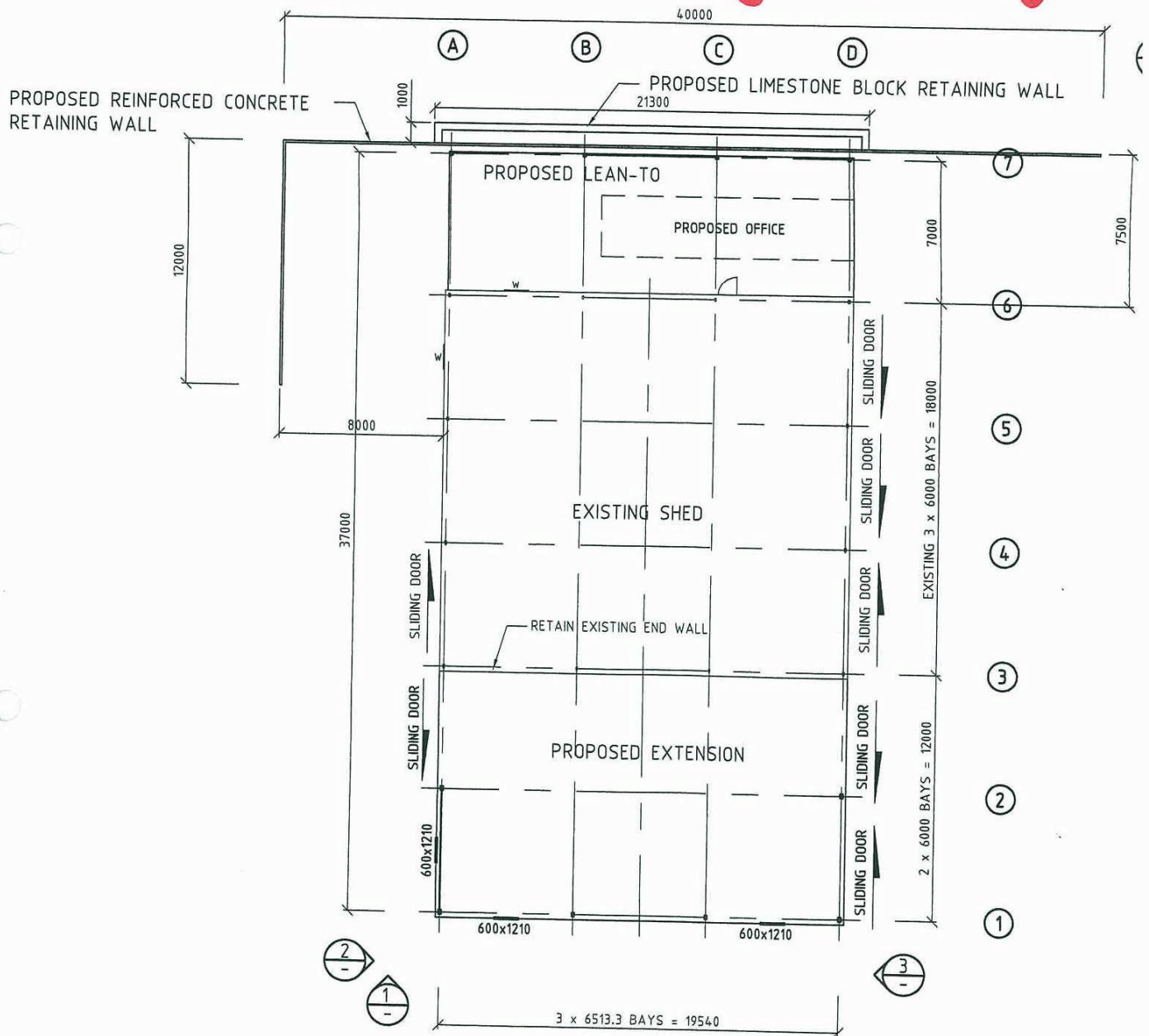
- (c) Prior to occupation of the development, vehicle crossover(s) shall be constructed to the satisfaction of the local government;**
- (d) Prior to occupation of the development, stormwater drainage works must be completed in accordance with the approved plans to the satisfaction of the local government;**
- (e) The on-site drainage system shall be maintained on an ongoing basis to the satisfaction of the local government;**
- (f) The demountable office building is not to be used for human habitation;**
- (g) Prior to the issue of a building licence for the demountable office building, engineering specification shall be received and approved by the local government in relation to the structural integrity of the building;**
- (h) Prior to the issue of a building licence, a landscaping plan be received and approved by the local government. The requirements of the landscaping plan are to be implemented within twelve (12) months of the date of completion of the development approved herein;**
- (i) Prior to the issue of a building licence, a fire management plan be received and approved by the local government. The requirements of the fire management plan are to be implemented within twelve (12) months of the date of completion of the development approved herein;**
- (j) Prior to the issue of a building licence for the outbuilding, retrospective planning fees of \$270.00 shall be paid for the placement of the demountable office building without approval."**

CARRIED: 5/0





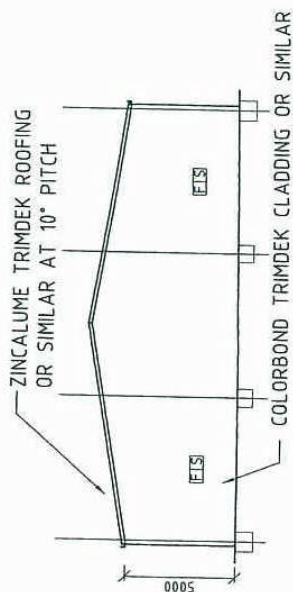
Additions to Existing Outbuilding



PLAN
1:200

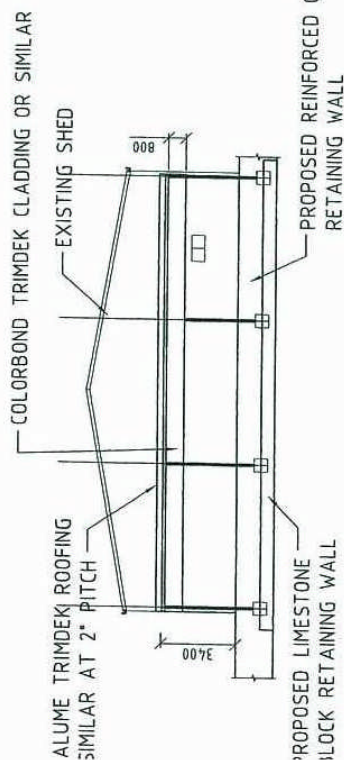
Additions to Existing Outbuilding

PLAN
1:200



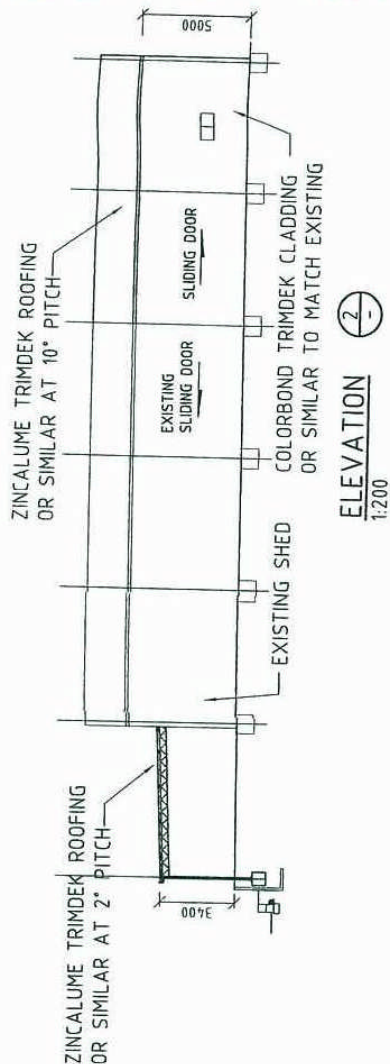
ELEVATION
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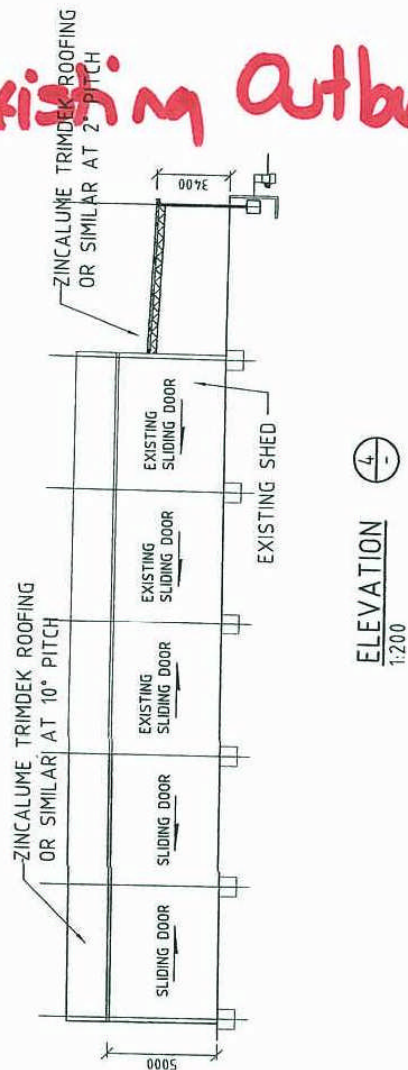
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ELEVATION
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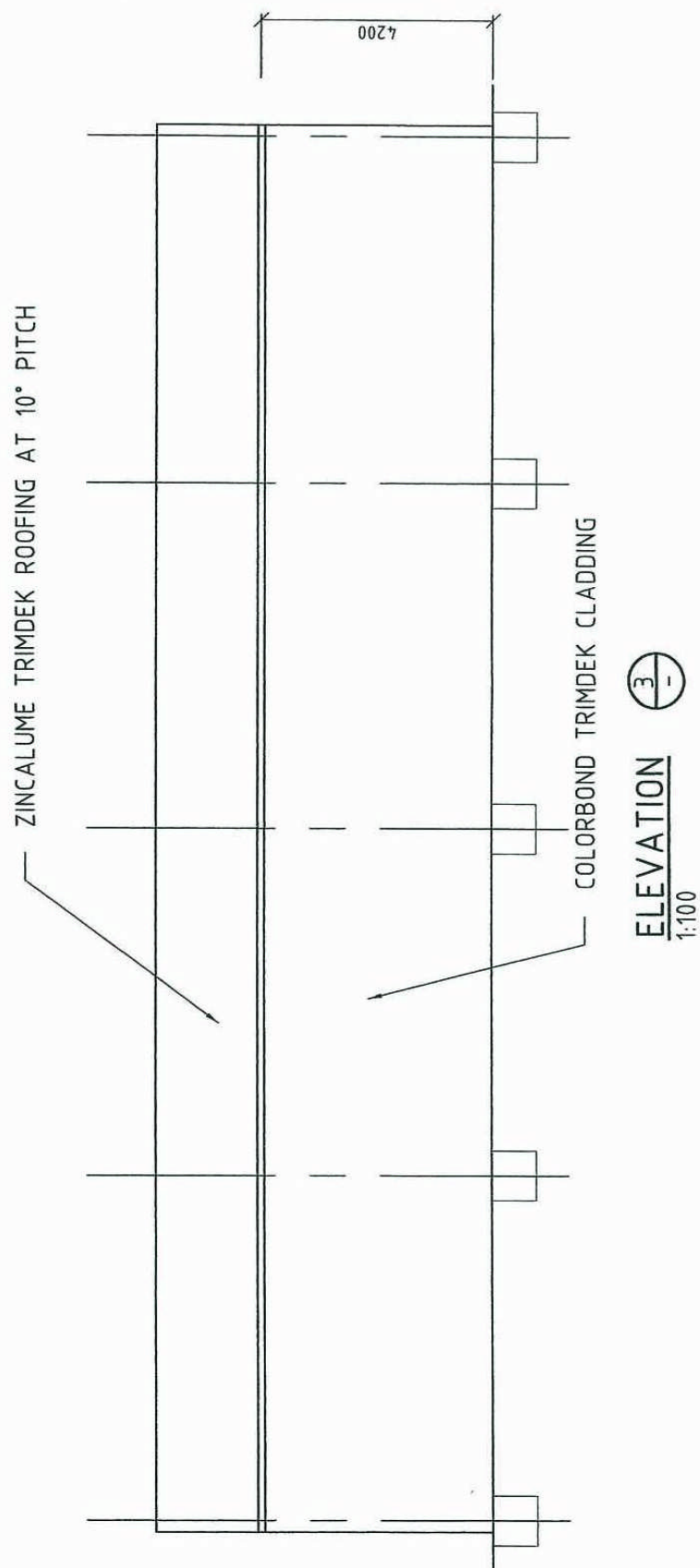
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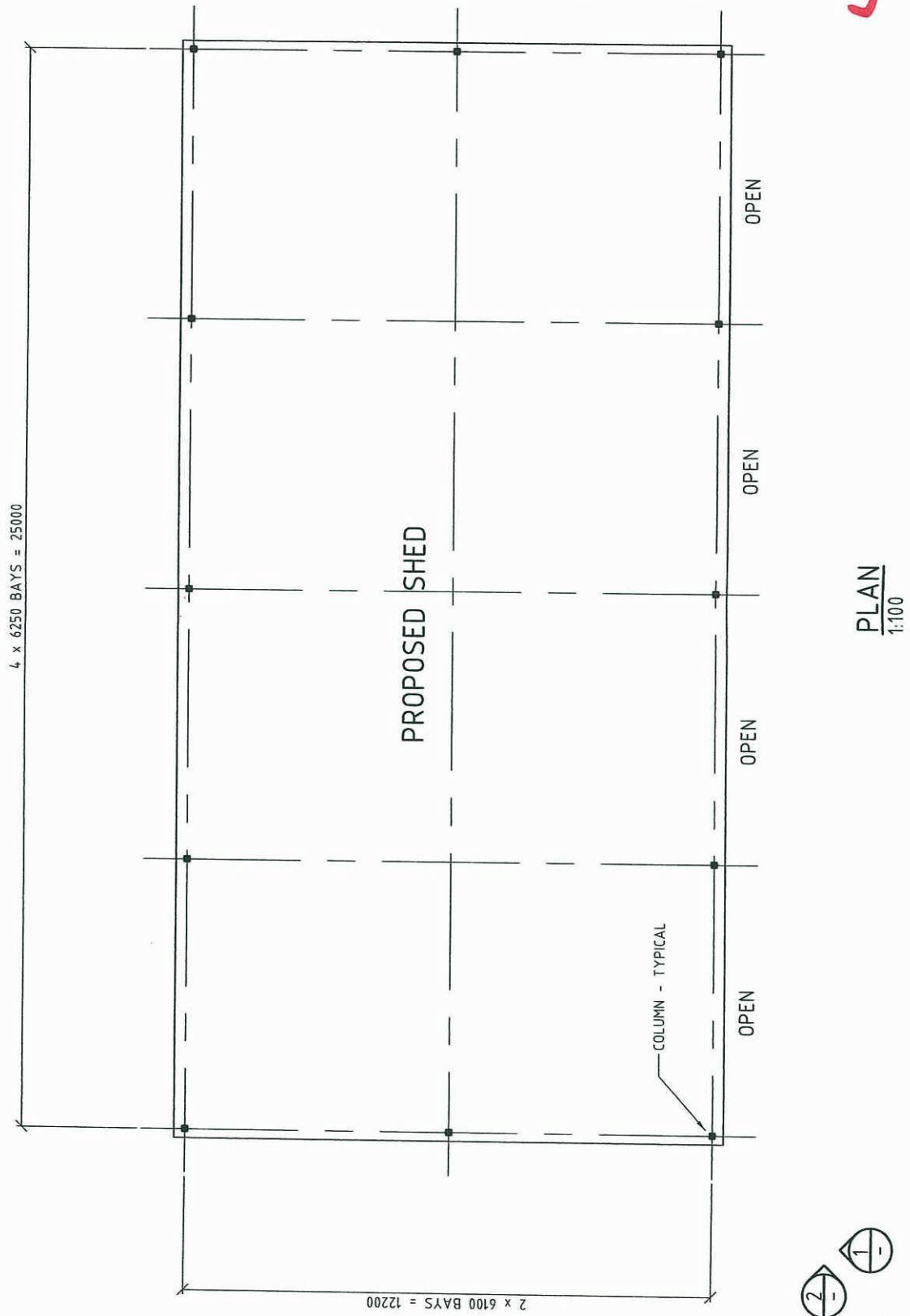
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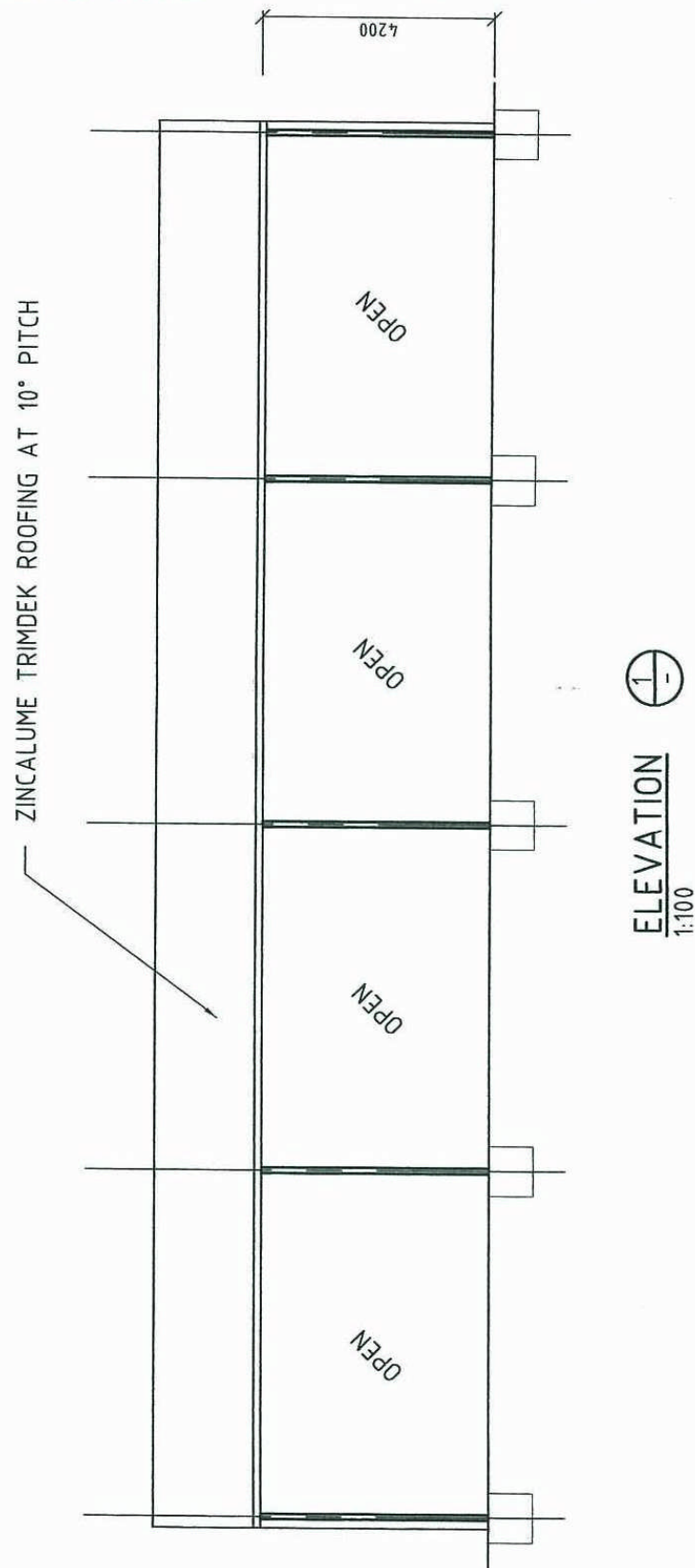
Additional Outbuilding



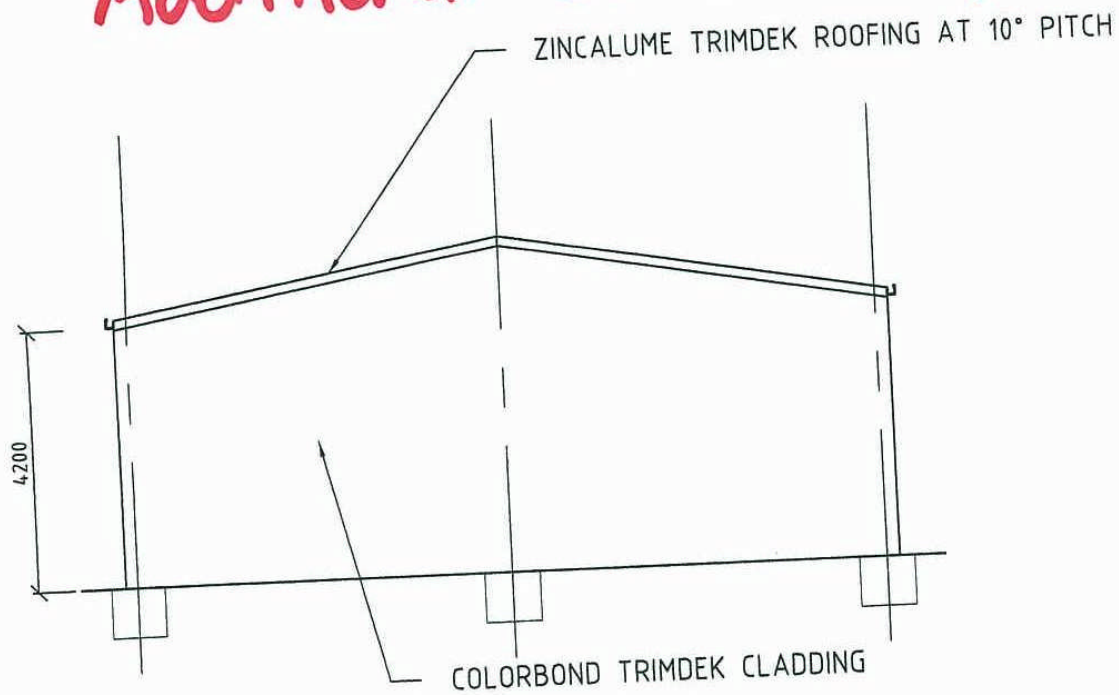
Additional Outbuilding



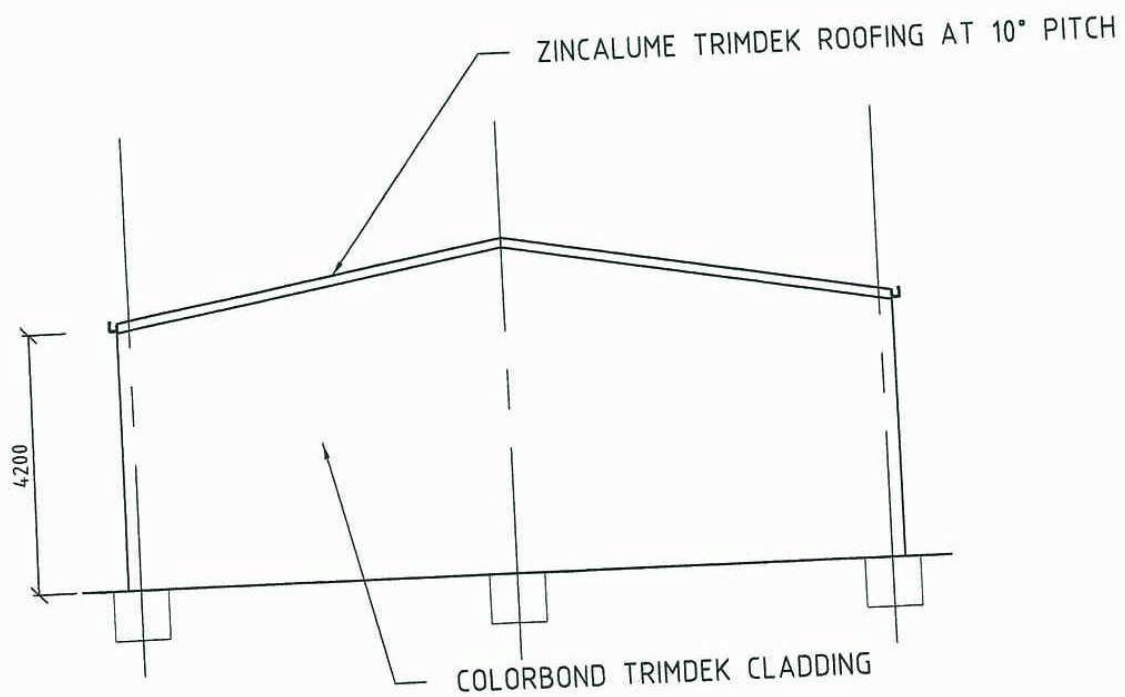
Additional Outbuilding



Additional Outbuilding



ELEVATION $\frac{2}{-}$
1:100



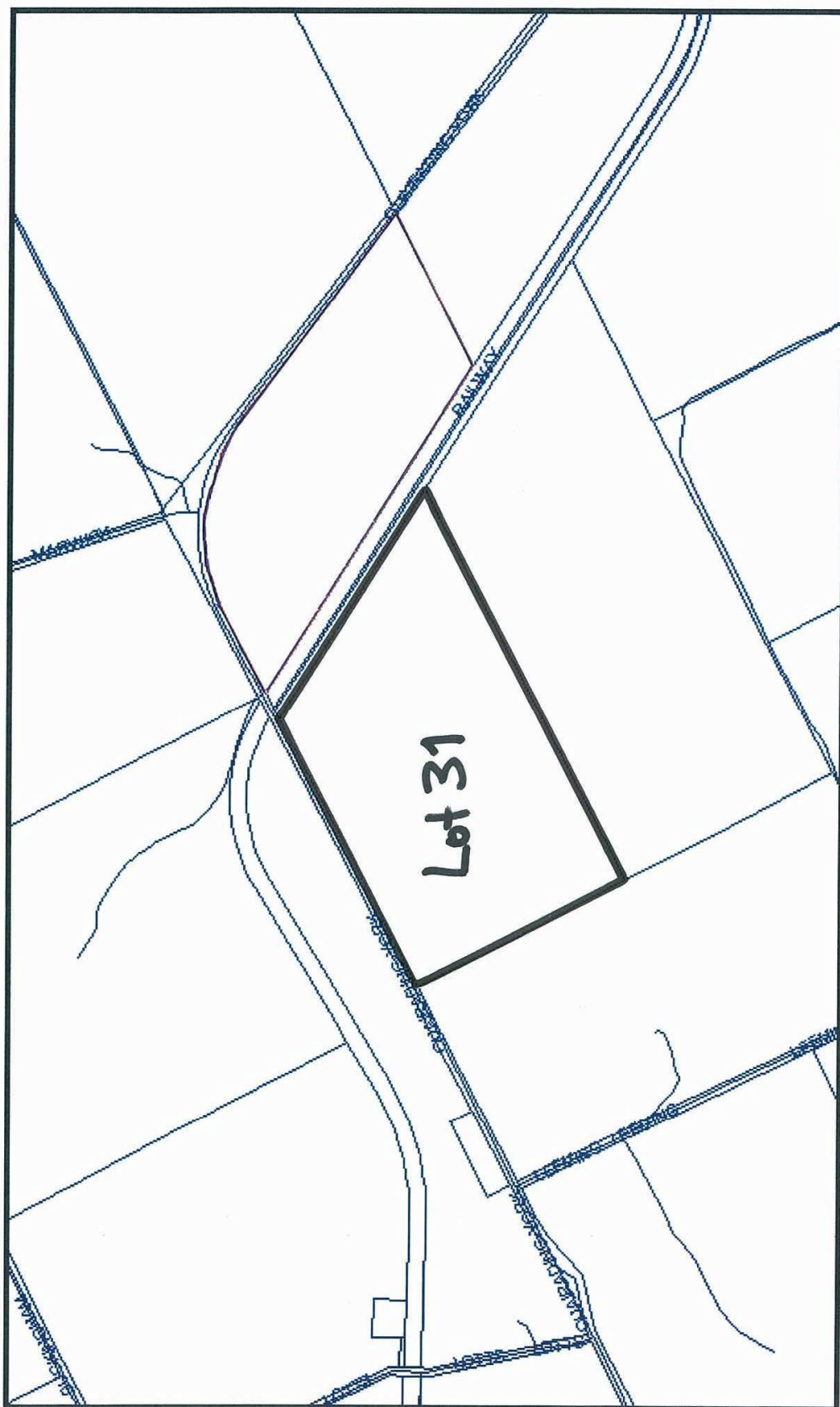
ELEVATION $\frac{4}{-}$
1:100



SHIRE OF YORK – TOWN PLANNING SCHEME NO. 2
SCHEDULE OF SUBMISSIONS
PROPOSED ADDITIONS TO EXISTING OUTBUILDING, CONSTRUCTION OF AN ADDITIONAL OUTBUILDING, CONSTRUCTION OF A
RETAINING WALL AND RETROSPECTIVE APPROVAL FOR THE PLACEMENT OF A DEMOUNTABLE OFFICE
LOT 31 (6031) QUAIRADING-YORK ROAD, MOUNT HARDEY

| Submitter | Submission Received | Applicant's Comments | Officer Comments |
|---------------------|--|---|---|
| Adjoining Landowner | <p>We are concerned about:</p> <ol style="list-style-type: none"> 1. The increasing activity, noise, traffic of the growing industrial nature of the complex. 2. The expansion of the agricultural transport depot and maintenance centre in a rural zoned farm setting. <p>Paperwork/map sent to us (11.06.10):</p> <ol style="list-style-type: none"> 1. Did not show "new" shed. 2. Called road on railway reserve "Railway Road". 3. Did not show earthworks already in progress. 4. Showed no provision for more big trucks and machinery entering and leaving property. 5. Did not explain proposed disposal of big volumes of water/erosion control. | <p>The applicant advises that no significant increase in traffic is proposed and no significant expansion is proposed either.</p> | <p>The proposal has been discussed in detail with the objector(s) in a meeting with Shire staff and all locations and proposals have been explained and all plans have been sighted.</p> <p>'Transport Depot' is a discretionary use class in the 'General Agriculture' zone. This zoning allows for rural industries as well as rural living.</p> <p>Explained where all outbuildings are located in meeting at Shire office.</p> <p>Addressed in proposed conditions.</p> <p>The outbuildings are proposed to be erected to house existing machinery and additional hay.</p> <p>Drainage has been addressed in the proposed conditions.</p> |

| | | | |
|----------------------------|---|--------|--------|
| Department of Water | It would appear that this development proposal is more than 100m from any watercourse. There is no indication as to what the purpose of the proposed buildings is. DoW has no objection to the construction of the proposed buildings. | Noted. | Noted. |
| Public Transport Authority | I refer to your letter dated 11 June and advise the PTA has no objections to the development given it is separated from the railway reserve by a constructed road. | Noted. | Noted. |
| Main Roads WA | <p>Further to your correspondence of the 11th June 2010 with attachments, Main Roads WA (MRWA) provides the following comments.</p> <p>In assessing the proposal, MRWA has determined from the information supplied, the development does not appear to be generating any adverse impacts to the MRWA network.</p> <p>Therefore, MRWA has no objection to the proposed development or require any conditions placed.</p> <p>Should the vehicle type accessing Lot 31 or vehicle frequency change, MRWA reserves the right to reassess the suitability of the access to Lot 31 from the MRWA network.</p> | Noted. | |



Lot 31 (6031) Quairading Road, Mount Hardey.

9. OFFICER'S REPORTS
9.1 DEVELOPMENT REPORTS
9.1.2 Signage In A Heritage Precinct

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

FILE NO: Av1.6500
COUNCIL DATE: 18 October 2010
REPORT DATE: 11 October 2010
LOCATION/ADDRESS: Lots 15 and 200 (89) Avon Terrace, York
(Signage Proposed for Lot 15)
APPLICANT: SIEV Pty. Ltd. (Simon and Heather Saint)
SENIOR OFFICER: Ray Hooper
REPORTING OFFICER: Brooke Newman
DISCLOSURE OF INTEREST: Nil
APPENDICES: Signage Plans (Elevations, Sign Artwork); Extract from Heritage Policy
DOCUMENTS TABLED: Petition

Summary:

Council is requested to consider an application for signage in a Heritage Precinct for Lot 15 (89) Avon Terrace, York. The building is known as the former 'York IT' building and has planning consent in place for renovations/additions and modifications to the verandah.

Background:

Lot 15 is zoned 'Town Centre' and is approximately 1,012m². Lot 200 is adjoining Lot 15 to the rear, is also zoned 'Town Centre' and is approximately 306m². However, there is no development proposed on Lot 200 as part of the current application and is therefore not included in this report.

The applicants submitted plans for external renovations/additions to the existing building on Lot 15 which were approved under delegated authority. The proposal also included the location of signage but did not include the signage itself. The conditions imposed upon the additions/renovations approval were as follows:

"That Council advise the applicant that it approves, under delegated authority, the application for additions/alterations to an existing building and the commencement of a retail shop within a Heritage Precinct at Lots 15 & 200 (89) Avon Terrace, York subject to the following conditions:

- 1. Development must substantially commence within one (1) year from the date of this decision.*
- 2. Development must take place in accordance with the approved plans.*
- 3. Prior to the issue of a building licence, detailed drainage plans shall be submitted to the satisfaction of the local government.*
- 4. Prior to occupation of the development, vehicle crossover(s) shall be constructed to the satisfaction of the local government.*
- 5. Prior to occupation of the development, stormwater drainage works must be completed in accordance with the approved plans to the satisfaction of the local government.*
- 6. The on-site drainage system shall be maintained on an ongoing basis to the satisfaction of the local government.*
- 7. The parking areas, driveways and points of ingress/egress be designed, constructed and marked, and thereafter maintained to the specification and satisfaction of the Local Government. These works are to be done as part of the building program.*

8. *Any content of proposed signage is not part of this application and will be the subject of a separate application for planning consent.*
9. *The existing iron sheeting affixed to the façade of the building be removed within 3 weeks of completion of the works approved herein.*
10. *The development hereby permitted being in accordance with the Shire of York Local Planning Policy for Heritage Places and Precincts and the requirements of the Heritage Council of Western Australia.”*

In accordance with the above conditions, the applicants have submitted an application for signage to be affixed in the locations as approved on the attached plans.

The proposed use for the existing building on Lot 15 is for retail purposes with an internal fit-out to include a number of individual stalls selling a variety of merchandise.

The name of the applicants' retail business is 'The Dogs Bollocks Emporium' and the applicants are proposing signage which displays the business name and corporate logo.

The signage the subject of this report is proposed to be erected on the existing building on Lot 15 which is commonly known as the 'York IT Shop' in which, the approved retail business is proposed to be conducted.

The signage to be affixed to the front façade of the existing building is proposed to be 1.2m x 1.8m (2.16m²) with the additional individual signs proposed to be located along the front edge of the verandah are 1.2m x 0.5m (0.6m²).

The proposed signage artwork is attached to this agenda item.

Lot 15 is located within a Heritage Precinct and therefore is required to comply with the Shire of York Local Planning Policy - Heritage Places and Precincts.

Consultation:

The proposed development has been advertised in accordance with clause 7.3.3 of the Scheme, i.e. advert in local newspaper, letter to adjoining landowners and sign erected on site. Detailed plans of the proposed development and relevant documentation have been on display at the Council offices during the advertising period.

Four (4) written submissions have been received (see attached Schedule of Submissions).

The applicants have also provided a petition in support of their application which is tabled with this report.

Statutory Environment:

Planning and Development Act 2005;
Shire of York Town Planning Scheme No. 2; and
Shire of York Local Planning Policy - Heritage Places and Precincts.

Clause 5.0 of the Shire of York Local Planning Policy - Heritage Places and Precincts specifically deals with signage within a Heritage Precinct (see attached).

Policy Implications:

Nil

Financial Implications:

Planning fees have been paid.

Strategic Implications:**Key Result Area 2 – Objective 1:**

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

The applicants have received approval for the running of a boutique retail shop containing a number of different sellers from the existing building at Lot 15 which is considered to be an opportunity for the opening of a variety of businesses within the town centre thus achieving diversification of industry and increasing employment opportunities.

Signage displaying the applicants' chosen business name is considered appropriate development.

Key Result Area 2 – Objective 2:

“To increase tourism to achieve business viability and growth.”

The opening of a boutique style multiple retail shop within the town centre may have the effect of increasing tourism by providing an additional shopping experience for tourists and may have the effect of increasing business viability and growth within the town centre.

Signage displaying the applicants' chosen business name is considered appropriate development.

Key Result Area 2 – Objective 3:

“To increase the net disposable income of the York community and investigate ways of increasing spending within the Shire.”

The creation of an additional shopping experience for the community in general may have the effect of increasing spending within the Shire.

Signage displaying the applicants' chosen business name is considered appropriate development.

Key Result Area 2 – Objective 4:

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

The proposed signage, whilst complying with the Shire of York Local Planning Policy - Heritage Places and Precincts in terms of size, scale, colours, lettering and logo size, the content of the sign may not utilise the unique features of York in terms of heritage amenity.

Key Result Area 2 – Objective 5:

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

The proposed signage, whilst complying with the Shire of York Local Planning Policy - Heritage Places and Precincts in terms of size, scale, colours, lettering and logo size, the content of the sign may be considered ambiguous and may be perceived as contentious.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:**Site Inspection Undertaken:**

Various site inspections reveal that the approved renovations/additions to the existing building are currently being undertaken.

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

Nil.

Social Implications:

The content of the proposed signage may be considered ambiguous and may be perceived as contentious.

Environmental Implications:

Nil.

Comment:

The applicants have an approved retail shop use for the existing building on Lot 15. The name of the applicants' business is 'The Dogs Bollocks Emporium' (see attached registered business name certificate).

The Shire of York Local Planning Policy - Heritage Places and Precincts, which sets out the assessment criteria for all signage applications in heritage areas or heritage listed properties, does not define acceptable content for signage. However, the Policy states what is acceptable in terms of size, colour, text size and corporate logo size. It also provides guidelines in terms of appropriate locations of signage.

The signage locations have been approved as part of the approval granted under delegated authority for the additions/renovations to the existing building on Lot 15.

The artwork of the proposed signage complies with the Policy in terms of colour, text size, logo size and overall size of the signage.

The proposed signage is also consistent with the proposed use of the building as it depicts the applicants' chosen registered business name.

The content of the signage, however, may be considered ambiguous and may be perceived as contentious. In such case, an application would have ordinarily been referred to the Department of Commerce as the business name registration authority in order to identify whether a business name is considered appropriate. As indicated in the attached documentation, the name has been registered with the Department of Commerce and this information had been provided by the applicants.

It should be noted that the applicants have provided a petition in support of the application for signage which is tabled.

The petition contains a total of 55 signatures - 12 signatures from residents and 43 signatures from visitors. Two questions were included in the petition being:

1. What do you think of the proposed name?

The petition gave the following boxes to select for responses, OK, GOOD, GREAT, FUNNY and OTHER. The below table demonstrates how many responses were indicated on the petition.

| OK | GOOD | GREAT | FUNNY | OTHER | GREAT & FUNNY |
|----|------|-------|-------|-------|---------------|
| 2 | 0 | 34 | 9 | 1 | 9 |

2. Would the name encourage you to look inside the shop?

The responses provided on the petition for this question was 'YES' or 'NO'. Of the 55 signatures, all ticked the yes response box.

Summary:

Despite the fact that some may consider the sign content ambiguous and may perceive it as contentious, the sign is considered to comply with the Policy and it is the officer's recommendation that the proposed signage be approved for the following reasons:

1. The Shire of York Local Planning Policy - Heritage Places and Precincts has been complied with in terms of colour, size, text size, logo size and positioning;
2. The name 'The Dogs Bollocks Emporium' is a registered business name and as such, the applicants are entitled, under the guidelines of the Shire of York Local Planning Policy - Heritage Places and Precincts, to display their chosen business name;
3. The business name is consistent with the approved land use for the existing building on Lot 15.
4. There have been no objections received from either the Shire of York's Heritage Advisor or the Heritage Council of Western Australia.

Therefore, it is recommended that the proposed signage for the external façade and verandah of the existing building on Lot 15 be approved subject to appropriate conditions.

**RESOLUTION
041010**

Moved: Cr Randell

Seconded: Cr Scott

“That Council:

Issue planning consent for the proposed signage to the existing building on Lot 15 (89) Avon Terrace, York subject to the following conditions:

- 1. Development must substantially commence within one (1) year from the date of this decision;***
- 2. Development must take place in accordance with the approved plans;***
- 3. The signs hereby permitted shall not contain any flashing or moving light at any time.***
- 4. The signage hereby permitted be in accordance with the Shire of York Local Planning Policy - Heritage Places and Precincts in regard to materials and colours.***

Advice Notes:

- (a) If the development the subject of this approval is not substantially commenced within a period of 1 year, or such other period as specified in the approval after the date of the determination, the approval will lapse and be of no further effect.***
- (b) Where an approval has so lapsed, no development is to be carried out without the further approval of the local government having first been sought and obtained.***
- (c) If an applicant is aggrieved by this determination there is a right of appeal under the Planning & Development Act 2005. An appeal must be lodged within 28 days of the determination.***
- (d) This approval is not a building licence. 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 any change of classification or prior to the commencement of any structural works within the development hereby permitted.”***

CARRIED: 5/0

**EXTRACT OF SHIRE OF YORK
LOCAL PLANNING POLICY -
HERITAGE PLACES AND PRECINCTS**

**ITEM 9.1.2
APPENDIX A**

5.0 SIGNAGE

5.1 EXTENT OF APPLICATION

These Policy Guidelines shall apply to all applications for signage within the Central York and Blandstown Heritage Precincts.

It is likely that the Shire of York will develop Local Laws and Policies to address all signage applications throughout the entire district. These Policy Guidelines aim to provide a basis for signage in the Precincts, pending the preparation and gazettal and/or adoption of these more detailed requirements.

New signage must be approved by the Shire of York.

5.2 POLICY OBJECTIVES

- To permit adequate identification and business advertising.
- To recognise that advertising signs can help to express the character of the Heritage Precincts, creating an attractive daytime and evening atmosphere.
- To limit the number, scale and positioning of advertising signs.
- To ensure that advertising signs are in keeping with the scale and character of the building upon which they will be attached and do not detract from the architecture of the building.
- To ensure that signage is designed and located in a manner which enhances and conserves the heritage place with which it is associated.

5.3 Policy Definitions

‘Freestanding Sign’ means a sign that is displayed on an advertising structure that is mounted on the ground on one or more supports.

‘Monolith Sign’ means a sign that is not attached to a building or any other structure and with its largest dimension being vertical. Such signs may consist of a number of modules and is generally uniform in shape from ground level to the top of the sign.

‘Pylon Sign’ means a sign supported on one or more piers, not attached to a building or other structure, and includes a detached sign framework supported on one or more piers to which sign infill may be added.

‘Signage or Signs’ means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, used for the purposes of advertisement, announcement or direction and includes any hoarding or similar structure used for the display of advertisements. The term includes any airborne device anchored to any land or building, the

painting of any building and any vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising.

'Temporary Special Event Signs' means a temporary sign which is erected for a short term event such as a fair or festival for charitable, religious, educational, sporting organisations or the like, which has been approved by the Shire of York. Temporary Special Event Signs must be removed at the completion of the event and consent must be sought from the Shire of York when signs are to be placed in a thoroughfare or a reserve.

'Tower Sign' means a sign affixed to or placed on a tower, chimneystack or open structural mast.

All other terms shall have the meanings applied to them under the Shire's Town Planning Schemes and the definitions included in **Appendix G** to the Local Planning Policy.

5.4 Policy Guidelines

This policy includes commentary notes in shaded text boxes. These notes are not part of the policy requirements, though they provide explanation and a context for the policy provisions and should be read in conjunction with the policy.

In heritage precincts such as Central York and Blandstown, architectural and overall setting characteristics must be the dominant elements, and signage must play a minor role. The design and placement of signs on or near heritage buildings and places requires careful consideration to be compatible with, and not detract from, the heritage significance of the building or place.

Traditionally, signs were rarely placed on pilasters, architectural mouldings or across incised decorative patterns. They were placed so as to allow the architectural details of buildings to remain prominent.

Signs must also be visually subservient to the building to which they are attached. Given that motor traffic moves at relatively low speeds through the town, it is not considered that signs need to be large.

While advertising signage will mostly appear in the commercial area, some residents who operate legally established home businesses may also wish to advertise.

Applicants are encouraged to commission a reputable graphic designer for the design of their signage, to ensure that signs are designed to a high standard, and respect the unique setting of the Central York & Blandstown Precincts.

This Local Planning Policy does not provide controls for the following types of signs: street numbers, real estate signs, open/closed signs, building site signs and temporary special event signs.

Complying Principles

All signs within the Central York and Blandstown Precincts shall comply with the following principles:

- a) Signs shall be discreet and shall complement the building and streetscape in which it is located;
- b) Signs shall be of a size, nature, colour and position so that the architectural characteristics of a building remain the dominant element of the building;
- c) Signage must respect and not cover important architectural detail on historic buildings;
- d) Signage should respect the heritage values of the building and streetscape on which it is located, however should not attempt to recreate a historic character through the use of "olde" lettering or other imitation styles;
- e) Signs shall be attached to a building in a manner which does not damage or compromise the structural integrity or heritage values of the building;
- f) Views into and out of shop windows should not be significantly obscured by signage;
- g) All signs should be of a high standard in terms of materials, construction and graphics. All signs shall be designed, constructed, finished, installed and maintained to a standard compatible with its surroundings, including buildings, landscaping and other signs; and
- h) Background colours used in signs shall generally be white or cream or colours from the colour palette available for viewing at the Shire of York offices.

Prohibited Signs

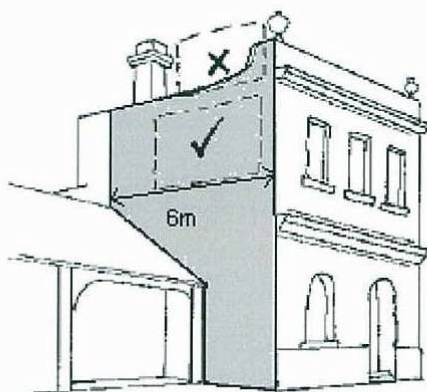
The following signs **are not permitted** within the Central York and Blandstown Precincts:

- a) Signs which consist of modern standardised corporate advertising, unless such signage is modified by placing the modern sign in a panel with a perimeter margin and the background colour of the sign is generally white or cream or colours from the colour palette available for viewing at the Shire of York offices, or appropriate to the period and the building to which it is affixed;
- b) Signs that obstruct the views to and/or from a street or public place and that have the potential to impede safe traffic movement;
- c) Signs that are likely to be confused with or mistaken for an official traffic light or sign, so as to contravene the *Traffic Act 1919* or the Traffic Regulations;
- d) Signs which are affixed to a building in a manner that will damage the building, will negatively impact on the heritage values of the building, or which will affect the stability of the building;
- e) Free-standing or portable signs, including A-frame signs, in a street or a public place, unless they are placed in a location(s) so that they do not impede pedestrian access or cause any form of hazard.

- f) Pylon, tower or monolith signs;
- g) Rotating, flashing and internally lit signs. Small neon signs hanging inside the windows of shops may be appropriate, provided they are of a size and dimension to not become a dominant townscape element;
- h) Roof signs or signs which break a parapet or roof line;
- i) Signs which involve the construction of walls or parapets that would not have been part of the traditional streetscape;
- j) The painting of whole building facades or parapets in bright or corporate colours;
- k) The painting of signage on historic buildings on unpainted brickwork or stonework;
- l) Fluorescent and iridescent paint colours;
- m) A sign located in any position where it would unreasonably obstruct or obscure the existing views from a dwelling or building of a significant feature such as the river or a public park; and
- n) Flags and bunting.

Signs on Side Walls

Signage on the side walls of buildings may be permitted, provided that the signs do not protrude above the parapet breaking the silhouette of the building, and do not have an area greater than 10 sq.m or exceed 10% of wall area, whichever is the lesser. In situations where the side of the building does not front a street, the visible area of the wall up to a maximum depth of 6m, shall be used to calculate the surface area of the wall to determine the size of the sign.



Example of appropriate and prohibited signage on the side wall of a building.

Signs shall not extend above the parapet and break the silhouette of the building.

Figure shows how to calculate the surface area of the wall to determine size of the sign. The sign shall not exceed 10% or 10 sq.m of the area hatched in grey, whichever is the lesser amount.

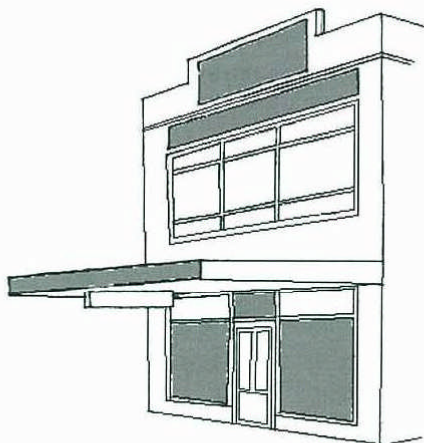
Appropriate Locations for Signs

Generally the following areas on a heritage building are suitable for locating signage, although it is not suggested that all these opportunities should be exploited at the same time:

- the solid parapet above the cornice (horizontal sign);
- the horizontal panel below the cornice (horizontal sign);

- on upper storey side walls;
- small signs on ground or first floor windows; and
- attached to verandahs (verandah fascia and under-awning signs).

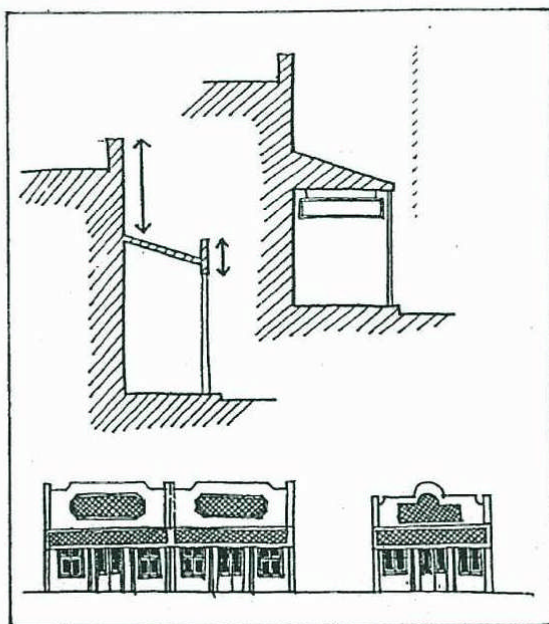
The aggregate number of signs on a building, including the painting of the building and freestanding signs, shall be minimised. The total aggregate of all signs on the frontage of the building to the street shall not exceed 10% of the total (silhouette) area of a building's principal frontage.



The total area of the shaded portions shall not exceed 10% of the total area of the face of the building to the street.

NOTE: This Fig needs to be altered to remove 80% of the shading from the windows.

Signage shall be placed in locations on a building which would traditionally have been used as advertising area. If the building has no such locations, the signage may be deemed inappropriate. Preferred locations for signage shall include: awnings, fascias, doors, walls and hanging under verandahs, either facing the street or at right angles to the street above the footpath.



Example of areas of traditional locations of signage.

Required Overhead Clearance

All signage situated over the footpath or other pedestrian thoroughfare shall maintain a minimum clearway of 2.75m from the natural ground level. Signs situated under the verandah of a building shall not project beyond the outer edge of the verandah.

Permitted Signage Content

The information to be included on a sign shall be limited to:

- a) The name, address, telephone number, email address or website associated with the premises;
- b) The name of the business(es) contained within the premises;
- c) The type of services, activities or products available within the premises.

Unrelated or third party advertising is not permitted.

Lettering on signs is restricted to 300mm high, except on larger two storey buildings, where the lettering on the principal sign may be 380mm high.

Corporate Colours & "Branding"

Signs which consist of modern standardised corporate colours and advertising are not generally permitted, unless such signage is modified by placing the modern sign in a panel with a perimeter margin and the background colour of the sign is generally white or cream or colours from the colour palette available for viewing at the Shire of York offices, or appropriate to the period and the building to which it is affixed;

The use of corporate colours and business logos shall not exceed 40% of the total surface area of the sign. The remaining background colours of the signs shall generally be white or cream or colours from the colour palette available for viewing at the Shire of York offices.

Illumination of Signs

The illumination of signs may be appropriate in some circumstances. The illumination of signs may only occur from external lighting sources or spot lighting of architectural elements or the sign itself. All lighting shall be discreet and all transformers and cabling shall be concealed.

Home Occupation & Business Signs

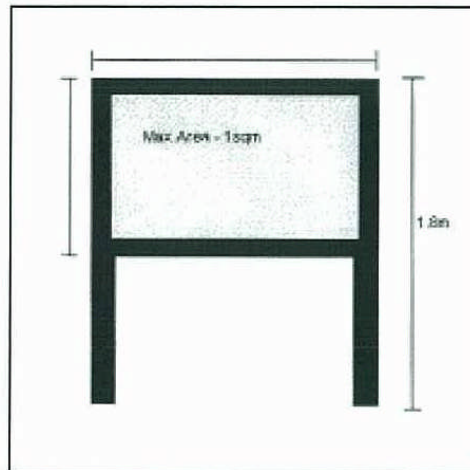
Signage relating to home occupation or home business within a residential dwelling shall be restricted to one advertising sign placed on a wall of the residence or the front fence of the property. The sign shall have a maximum area of 0.2 sq.m and shall display the name of the business and street address only. Where these standards are achieved, no application for planning approval is necessary.

Freestanding Signs

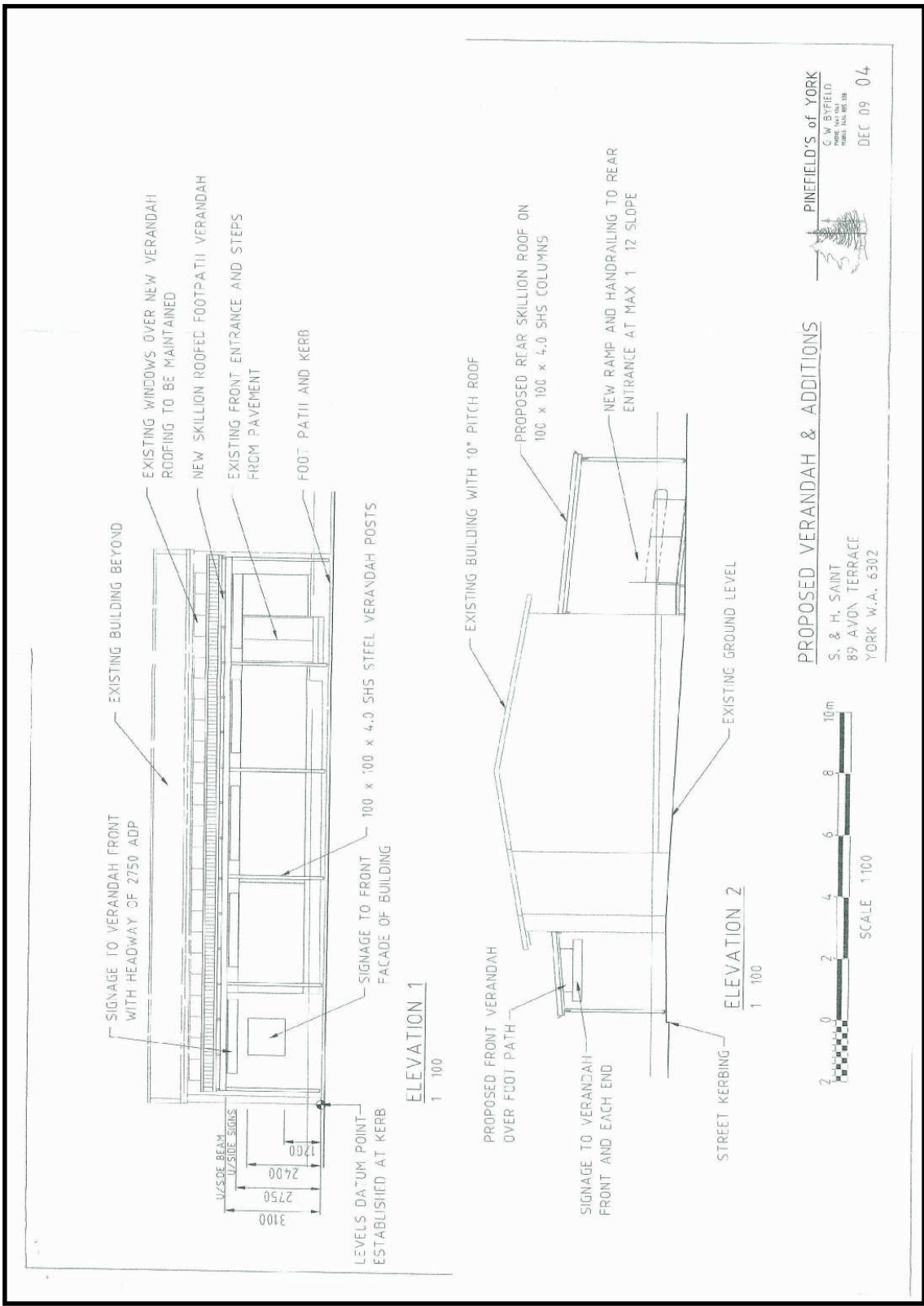
Freestanding signs are only permitted on lots where the building is set back from the street, and must comply with the following;

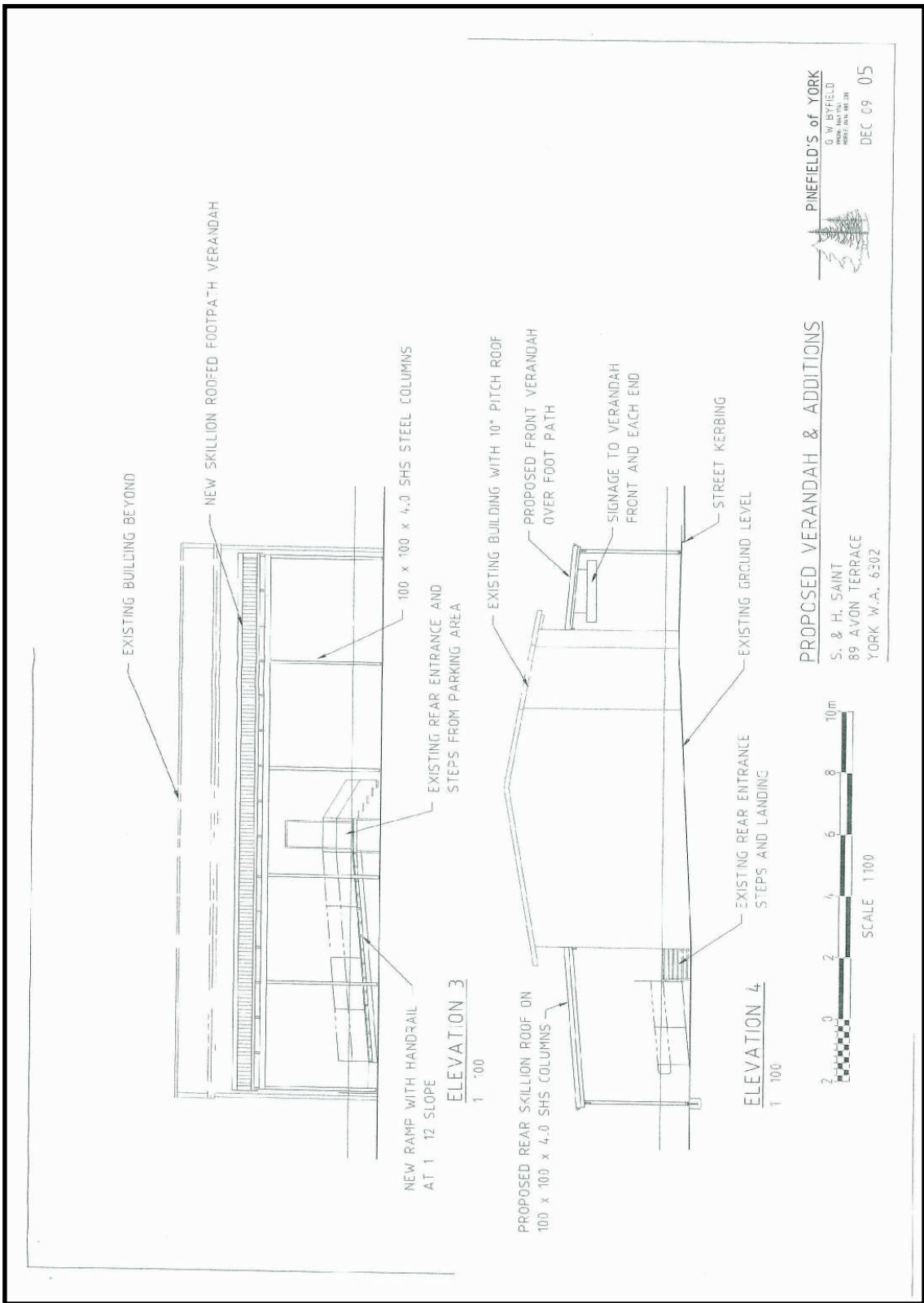
- a) The information included on the sign shall be limited to the name, address, telephone number, email address or website, and hours of operation of the business carried out on the premises;
- b) A maximum of one (1) free standing sign is permitted per property;
- c) The area of the sign (excluding supports) must not exceed 1 sq.m and a maximum length of 2.4m; (IS THIS CORRECT – 2.4M?)

- d) The sign shall have a maximum height of 1.8m above natural ground level;
- e) The sign shall be permanently fixed to the ground; and
- f) Sign must be positioned in a suitable location so that pedestrian movement and views into and out of the premises is not obstructed.



An example of how to calculate the areas/requirements for a freestanding sign.





NEW RETAIL ATTRACTION FOR YORK

The property adjacent to Saint's Diner (at 89 Avon Terrace), is to be developed into a retail shopping facility incorporating approximately seven individual lock up shop units. Each of the unit proprietors will then sell a selection of their own goods. Currently, some units are proposing to retail a variety of the following : - gifts, bags, clothing, shoes, tee shirts, jewellery, tin signs, wrought iron goods, logo items and memorabilia. Interest has also been shown in retailing homemade produce such as jams & honey, patchwork, spinning and various other crafts.

The proposed name for the premises of the new venture is 'The Dog's Bollocks Emporium'. This name has been successfully registered with ASIC and, in accordance with ASIC regulations, no name is accepted or approved by them if it is deemed to be offensive. Each unit within the premises will then have an individual identity name.

The chosen name of the enterprise is intended as a 'Marketing Tool', something with a sense of fun that will create intrigue, capture the imagination and encourage visitors and tourism to York.

Although a somewhat English saying, in brief, Dog's Bollocks means 'excellence', 'the very best of' or 'superb'. It is the equivalent of the sayings 'The Cat's Whiskers', 'The Bees Knees', 'The Puppy's Undercarriage', 'The Duck's Nuts', etc.,

Simon & Heather Saint

THE



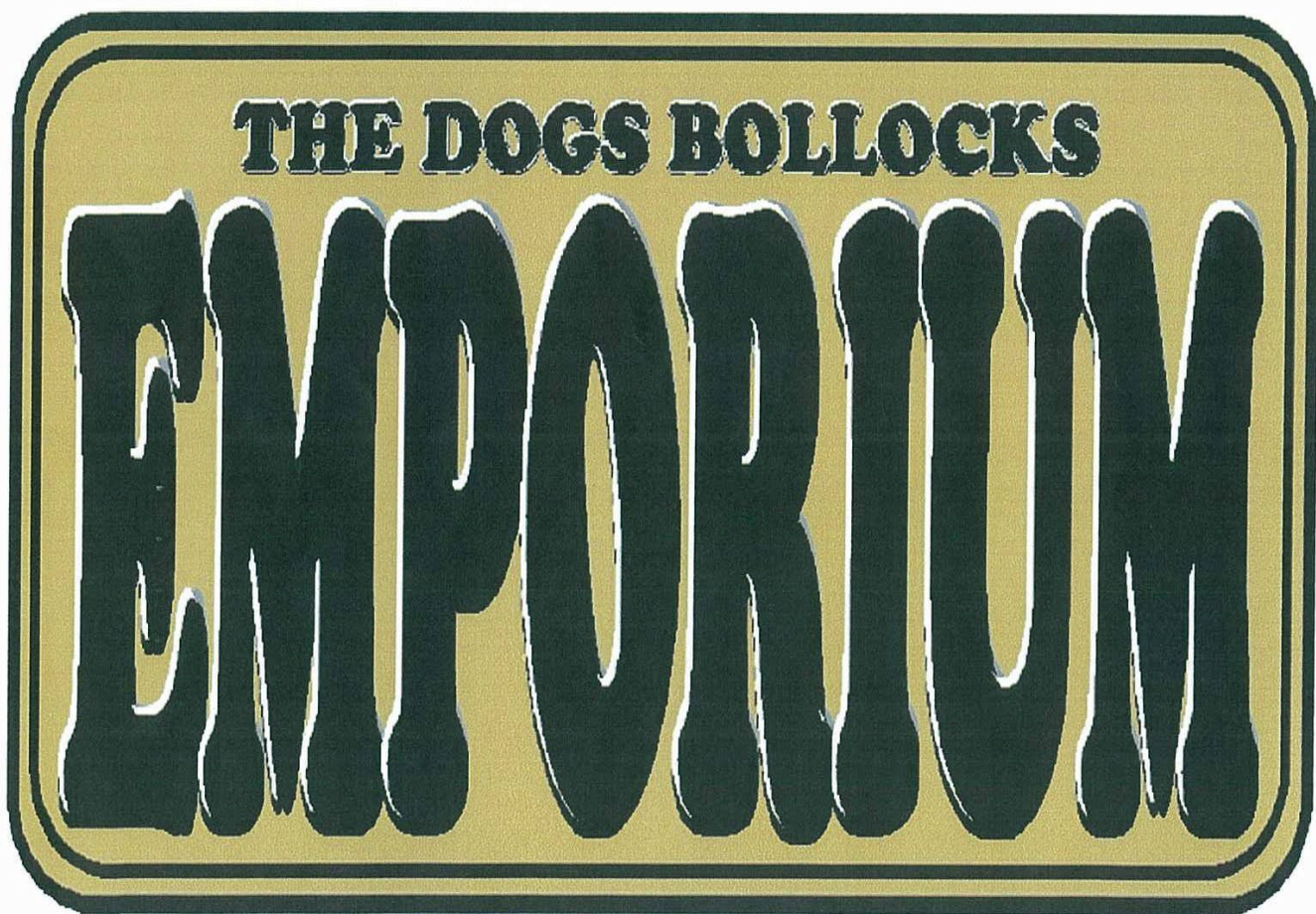
EMPORIUM

**The Dogs Bollocks Emporium
York
Western Australia**

FRONT SIGN 1200mm W x 1800mm H
LETTERING 350mm MAX

NOTE: 1. THIS SIGN WILL BE SITUATED UNDER THE VERANDAH ROOF
AT NORTH + SOUTH END OF VERANDAH AT 90° TO
FRONT WALL OF EXISTING BUILDING

2. 5 HANGING SIGNS FACING ROAD WILL FEATURE
THIS SAME COLOUR SCHEME + FONT AS INDICATED
BELOW. THESE SIGNS NEED TO BE ABLE TO BE
CHANGED FROM TIME TO TIME DEPENDING ON
CURRENT TENANCIES



VERANDAH (NORTH SOUTH)
SIDE SIGN 1200mm x 500mm
LETTERING 300mm MAX



Government of **Western Australia**
Department of **Commerce**

THE PROPRIETOR
THE DOGS BOLLOCKS EMPORIUM
87 AVON TERRACE
YORK WA 6302

WESTERN AUSTRALIA

Business Names Act 1962 Section 7(4) and (5)

Business Number : BN11508371

Certificate of the Registration of a Business Name

I hereby certify that the name

THE DOGS BOLLOCKS EMPORIUM

was on the twenty-first day of January, 2010
registered as a business name under the Business Names Act 1962.
Renewal falls due on the twenty-first day of January, 2013
and each third year thereafter.

Dated this twenty-first day of January, 2010

Commissioner for Consumer Protection

CERTIFICATE



ASIC

Australian Securities & Investments
Commission**National Names
Index**Index of corporate and business
names[SEARCH TIPS](#)

Extracted from ASIC's database at AEST 17:39:40 on 20/08/2010

Name DOGSBOLLOCKS**Registered state/no.** VIC B1847102N**Type** Business Names**Registration Date** Unknown**Next Review Date** Unknown**Status** Registered**Principal Place of Business** not available**Jurisdiction** Office of Fair Trading & Business Affairs, Victoria

No document list available for this organisation type

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To give us your comments send feedback to netsearch@asic.gov.au.



Government of Western Australia
Department of Commerce

BUSINESS NAMES EXTRACT – Western Australia

Created on 21 January 2010 at 03:25PM

Business Name: THE DOGS BOLLOCKS EMPORIUM
Registration Number: BN11508371
Business Status: REGISTERED ORGANISATION
Date Registered: 21 January 2010
Date Business Commenced: 01 March 2010
Nature of Business: RETAIL SHOP,GIFTS,MEMORABILIA,SIGNS,MOTORCYCLE & THEMED GOODS
Renewal Date: 21 January 2013
Comments:

Principal Place of Business (current):

Address: 89 AVON TERRACE YORK WA 6302
Start Date: 21 January 2010

Principal Place of Business (previous):

None

Other Place(s) of Business (current):

None

Other Place(s) of Business (previous):

None

Person(s) Carrying on Business (current):

Name: SIMON MARK SAINT
Address: 87 AVON TERRACE YORK WA 6302
Start Date: 21 January 2010

Name: HEATHER TRUDY SAINT
Address: 87 AVON TERRACE YORK WA 6302
Start Date: 21 January 2010

Person(s) Carrying on Business (previous):

None

Corporation(s) Carrying on Business (current):

None

Corporation(s) Carrying on Business (previous):

None

Address for Service of Notices (current):

For Office Use Only
Address: 87 AVON TERRACE YORK WA 6302
Start Date: 21 January 2010

Address for Service of Notices (previous):

For Office Use Only
None

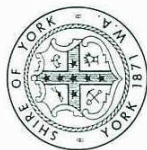
Documents Lodged:

| Document Type | Date Lodged | Date Processed |
|---|-----------------|-----------------|
| Application For Registration Of A Business Name | 13 January 2010 | 21 January 2010 |

Page 1 of 2

Ref No: BN11508371

Forrest Centre 219 St Georges Terrace Perth Western Australia 6000 Locked Bag 14 Cloisters Square Perth WA 6850
Telephone Administration (08) 9282 0777 Call Centre 1300 304 014 Facsimile (08) 9282 0851
Email: online@commerce.wa.gov.au
Internet: www.commerce.wa.gov.au
wa.gov.au



**PROPOSED SIGNAGE
LOT 15 (89) AVON TERRACE, YORK**

| Submitter | Submission Received | Officer Comments |
|---------------------------------------|---|-------------------------|
| Heritage Council of Western Australia | <p>Thank you for your correspondence received on 7 September 2010 regarding the proposed signage at Lot 15 (89) Avon Terrace, York. The subject place is located within the York Town Centre Precinct, which is on the Heritage Council's Assessment Program.</p> <p>A Conservation Officer has assessed the development referral in the context of the identified heritage significance of the place. We confirm that we have no objections to the proposed signage.</p> <p>I write to provide comment on the proposed signage for 89 Avon Terrace as per the Shire of York's Local Planning Policy for Heritage Precincts and Places.</p> | Noted. |
| Shire of York's Heritage Advisor | <p>Following my meeting with Patrick on 16 September, I contacted the applicants to clarify what part of the content of the sign was the actual business logo so that this could be assessed in terms of the Shire's LPP signage guidelines. I spoke to Heather Saint on 17 September who confirmed that the logo consisted of the image of the dog only. Heather also stated that the lettering/text of both signs was definitely only a maximum of 300mm and that it was the limitations of the software they were using which made the font appear so large.</p> <p>In general, and taking into consideration both the material included in the application and the additional information provided by the owner, it appears that the proposed signage meets the Shire's LPP signage guidelines. Some specific comment is as follows:</p> <ul style="list-style-type: none"> • the proposed signage is less than 10% of the total area of the building's principal frontage; • the proposed signage is to be located on areas traditionally used for advertising purposes, including on the verandah; • the proposed colour scheme with its natural tones meets the Shire's colour palette; • the proposed signage content is as per the information detailed on page 31 of the Shire's LPP signage guidelines; • further to the advice of the owner, the proposed lettering does not exceed the maximum 300mm height permitted; and, | Noted. |

| | | |
|---------------------|--|--------|
| | <ul style="list-style-type: none"> • further to the advice of the owner, the proposed logo (comprising the dog image only) is less than 40% of the surface area of the sign and therefore meets the guidelines. <p>It is noted the applicant states in the proposal that five of the hanging signs on the road will be the same as the example shown in terms of size, colour scheme, size of lettering and font, but that the business names will be changed to reflect the tenancies within the building. It is suggested that this is be noted/included in the conditions of approval.</p> <p>Do not hesitate to contact me should you have any questions regarding the above.</p> | |
| Adjoining Landowner | The sign which you refer to us for comment is an absolute insult and disgrace. I fail to understand how any sane councillor could even be considering approval. | Noted. |
| Adjoining Landowner | [The applicants] have made a first class outfit and presentation of "Saints Diner". I am confident they will replicate that level of conversion and presentation. The commercial model he proposes is well founded. I believe it may compel some commercial property owners to lift their game in Avon Terrace. As for the trade name and signage, it would have been unthinkable fifty years ago. In this day and age, quite unremarkable. | Noted. |



LOT 15 (89) AVON TERRACE, YORK

9. OFFICER'S REPORTS

9.1 DEVELOPMENT REPORTS

9.1.3 Single House – 111 Herbert Road – Variation To Restriction On Building Materials Policy

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: | He4.6412 |
| COUNCIL DATE: | 18 October 2010 |
| REPORT DATE: | 7 October 2010 |
| LOCATION/ADDRESS: | Lot 15 (111) Herbert Road, York |
| APPLICANT: | Neville and Alison Matheson |
| SENIOR OFFICER: | Ray Hooper |
| REPORTING OFFICER: | Brooke Newman |
| DISCLOSURE OF INTEREST: | Nil |
| APPENDICES: | Location Plan, Site Plan, Floor Plan, Elevation Plan |
| DOCUMENTS TABLED: | Nil |

Summary:

Council is requested to consider issuing planning consent for a variation to the Shire of York Planning Policy - Restriction on Building Materials for the construction of a single house on Lot 15 (111) Herbert Road.

Background:

Lot 15 is zoned 'Residential R2.5', is approximately 4,050m² and is located within an area defined under the Shire of York Planning Policy - Restriction on Building Materials.

The applicants are proposing to construct a new dwelling on Lot 15 which will be constructed on treated pine poles. This type of construction would exclude the use of brick or stone as a building material due to the weight placed on the pine poles. The proposal is for the house to be constructed on treated pine poles due to the topography of the land.

It is proposed to clad the dwelling in fibro cement sheets and then render the external walls with a cement type of render. The purpose of the render is to give the effect of a rendered brick or stone external wall.

Consultation:

The proposed development has been advertised in accordance with clause 7.3.3 of the Scheme, i.e. advert in local newspaper, letter to adjoining landowners and sign erected on site. Detailed plans of the proposed development and relevant documentation have been on display at the Council offices during the advertising period.

One (1) written submission has been received as detailed below:

"The area in question was specifically a brick only designation to preserve the aesthetic appeal and create uniformity of design to enhance the standard of visual appeal. This will be ruined by an 'odd one out' building within the area negatively effecting the whole suburb."

The above submission will be discussed in the comment section of this report.

Statutory Environment:

Planning and Development Act 2005;
Shire of York Town Planning Scheme No. 2;
Residential Design Codes; and
Shire of York Planning Policy - Restriction on Building Materials.

The Shire of York Planning Policy - Restriction on Building Materials states as follows:

- “1. All class of buildings, except class 10 buildings, which may be erected in that portion of the district of the Shire of York bounded in the first instance by Ulster Road, Macartney Street, Grey Street, Tenth Road and Henry Road and in the second instance by Panmure Road, Steere Street, Pioneer Road, Chandos Road, Mount Street, Cemetery Road and Herbert Road as indicated by the area bordered black on the plan being the schedule hereto shall comply with the following requirements:*
 - (a) All dwellings, extensions or renovations shall have external walls constructed of brick, stone or other like substance, whether finished in facework or render.*
 - (b) External walls of dwellings, additions or renovations are not to be constructed wholly or partly of wood, iron, straw, or fibro cement sheets.*
 - (c) Any building being erected as a habitable dwelling shall have a minimum floor area of 110m². Such specified area to exclude carports or garages associated with the building.*
- 2. The Council may consider an exemption from this policy where the applicant establishes that special or extraordinary circumstances exist or where the building material proposed has the same outwards appearance and texture of face or rendered brick work. An exemption shall be made by a resolution of the Council and will be for a particular application for a permit to build.*
- 3. Where the Council receives an application for an exemption the Council shall give notice in the following manner:*
 - (a) Notice of the proposed development to be served on all owners and occupiers of land within an area determined by the Council as likely to be affected by the proposal stating that submissions may be made to the Council within twenty-one days of the serving of such notice; and*
 - (b) Notice of the proposal to be published in a newspaper circulating in the district stating that submissions may be made to the council within twenty-one days from the publication thereof.”*

Policy Implications:

Nil

Financial Implications:

Planning application fees have been paid by the landowner.

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.”

The application does appear to comply with the Shire's Policy in that the wall cladding will have the appearance of brick or stone rendered walls. The proposal is meeting the community needs in terms of enabling the applicants to construct their desired dwelling whilst still complying with Shire Policy.

Key Result Area 2 – Objective 5:

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

The proposed dwelling is not anticipated to conflict with York's heritage, lifestyle or environment as the building will still achieve the outward appearance of rendered brick or stone walls.

Voting Requirements:

Absolute Majority Required: **No**

Site Inspection:

Site Inspection Undertaken: **Yes**

Lot 15 is currently vacant.

Triple bottom Line Assessment:

Economic Implications:

Nil

Social Implications:

Nil

Environmental Implications:

Nil

Comment:

The applicant is proposing to construct a dwelling which will be clad with fibro cement sheeting. However, it is proposed to finish the cladding with cement render which will give the outwards appearance of rendered brick or stone walls.

The dwelling is proposed to be constructed on treated pine poles due to the topography of the land rather than fill the land.

As the dwelling is to be constructed on treated pine poles, the use of brick or stone would not be appropriate due to the weight placed on the poles.

Clause 2 of the Shire's Policy states that an exemption can be granted provided that:

“...the applicant establishes that special or extraordinary circumstances exist or where the building material proposed has the same outwards appearance and texture of face or rendered brick work. An exemption shall be made by a resolution of the Council and will be for a particular application for a permit to build.”

It is considered that the applicants' proposal is consistent with this clause as the building will have the outwards appearance of rendered brick or stone walls and due to the extraordinary circumstances by way of the topography of the land.

It is further considered that a pole house would have a more aesthetically pleasing appearance than a brick dwelling constructed on a large and significant sand pad.

In terms of the submission received, it is not considered that the dwelling will be an 'odd one out' due to the fact that the external walls will have a rendered appearance and will resemble rendered brick or stone walls and due to the fact that several other dwellings have been approved with alternative building materials in the areas where the restricted building material policy applies.

Therefore, it is recommended that planning consent be granted for a single house with fibro cement sheeting rendered with a cement finish for Lot 15 subject to appropriate conditions.

**RESOLUTION
051010**

Moved: Cr Hooper

Seconded: Cr Lawrance

“That Council:

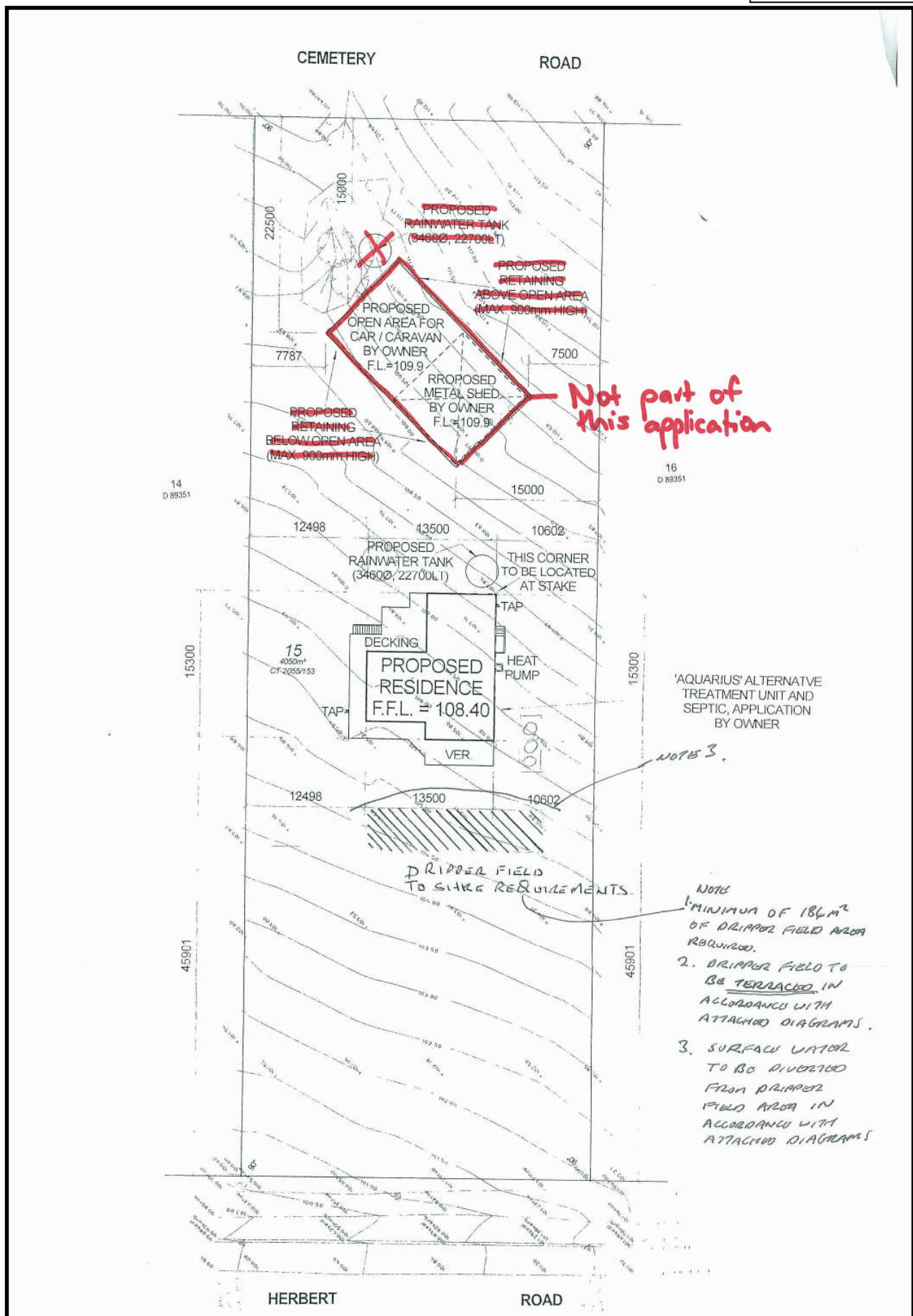
Issue planning consent for the construction of a single house utilising fibro cement sheeting and cement render on Lot 15 (111) Herbert Road, York, subject to the following conditions:

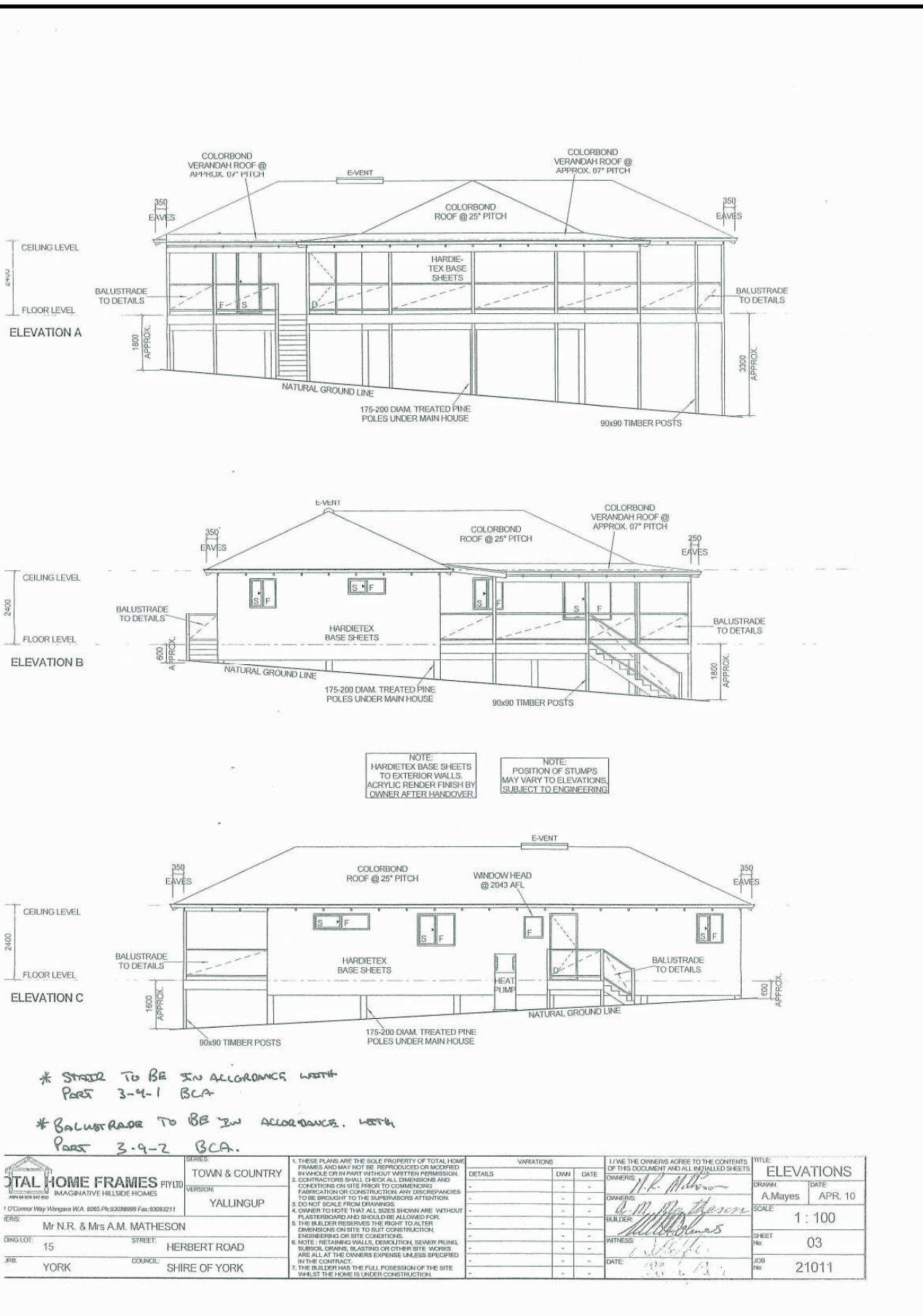
- 1. Development must substantially commence within one (1) year from the date of this decision.***
- 2. Development must take place in accordance with the approved plans.***
- 3. The external wall cladding be finished in a cement render to the satisfaction of the Shire of York upon completion of the building program.***
- 4. Prior to the issue of a building licence, detailed drainage plans shall be submitted to the satisfaction of the local government.***
- 5. Prior to occupation of the development vehicle crossover(s) shall be constructed to the satisfaction of the local government.***
- 6. Stormwater drainage works must be completed in accordance with the approved plans to the satisfaction of the local government.***
- 7. The on-site drainage system shall be maintained on an ongoing basis to the satisfaction of the local government.***

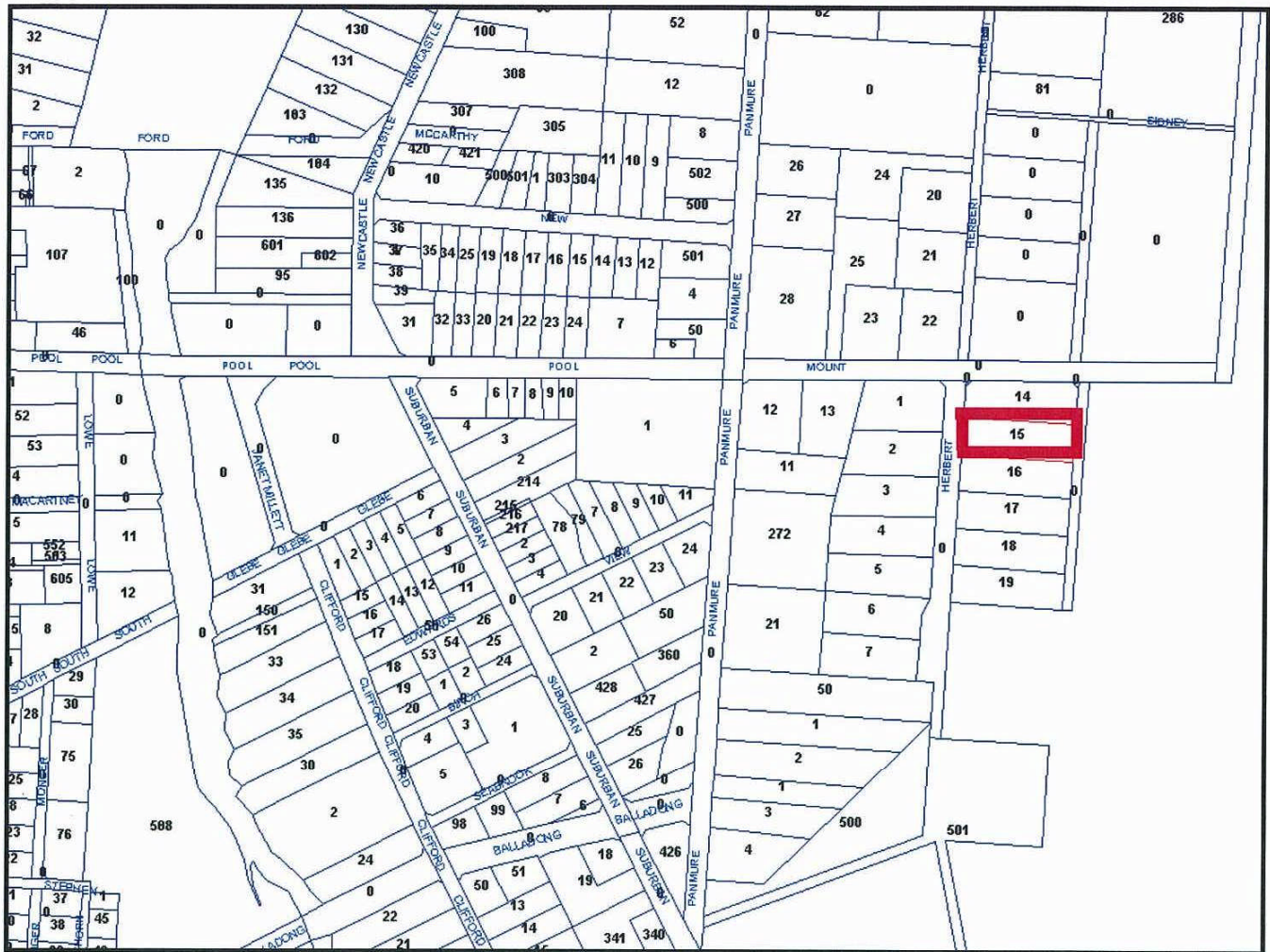
Advice Notes:

- (a) If the development the subject of this approval is not substantially commenced within a period of 1 year, or such other period as specified in the approval after the date of the determination, the approval will lapse and be of no further effect.***
- (b) Where an approval has so lapsed, no development is to be carried out without the further approval of the local government having first been sought and obtained.***
- (c) If an applicant is aggrieved by this determination there is a right of appeal under the Planning & Development Act 2005. An appeal must be lodged within 28 days of the determination.***
- (d) 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.”***

CARRIED: 5/0







LOT 15 (111) HERBERT ROAD, YORK

9. OFFICER'S REPORTS

9.1 DEVELOPMENT REPORTS

9.1.4 Planning Consent And Subdivision Register – Update October 2010

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: PS.DEV
COUNCIL DATE: 18 October 2010
REPORT DATE: 11 October 2010
LOCATION/ADDRESS: Not Applicable
APPLICANT: Not Applicable
SENIOR OFFICER: Ray Hooper
REPORTING OFFICER: Nicole McNamara
DISCLOSURE OF INTEREST: Nil
APPENDICES: Appendix A – Planning Consent and Subdivision Register – Update October 2010
DOCUMENTS TABLED: Nil

Summary:

The following information is provided to Council in relation to the quantity of Development Applications determined by Council and under delegated authority and Subdivision Applications cleared by the Shire.

Background:

As per Appendix A the following Development Applications and Subdivisions were approved:

Development Applications – Determined by Council:

| Month | Number of Approvals |
|---------------|---------------------|
| February | 3 |
| March | 1 |
| April | 1 |
| May | 1 |
| June | 1 |
| July | 1 |
| September | 1 |
| Total: | 9 |

Development Applications – Determined under Delegated Authority:

| Month | Number of Approvals |
|---------------|---------------------|
| January | 1 |
| February | 2 |
| March | 5 |
| April | 4 |
| May | 9 |
| June | 3 |
| July | 4 |
| August | 5 |
| September | 6 |
| Total: | 39 |

Subdivision Applications – Clearances issued by the Shire of York:

| Month | Number of Clearances |
|---------------|----------------------|
| January | 3 |
| February | 3 |
| April | 2 |
| May | 1 |
| June | 1 |
| July | 3 |
| August | 1 |
| September | 1 |
| Total: | 15 |

Consultation:

Not applicable.

Statutory Environment:

Shire of York Town Planning Scheme No 2.

Development Applications may be approved under delegated authority as per Town Planning Scheme No 2 Part 8 that reads:

8.2 *Delegation of Functions*

- 8.2.1 *The local government may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a committee or the CEO, within the meaning of those expressions under the Local Government Act 1995, the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.*
- 8.2.2 *The CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 8.2.1.*
- 8.2.3 *The exercise of the power of delegation under clause 8.2.1 requires a decision of an absolute majority as if the power had been exercised under the Local Government Act 1995.*
- 8.2.4 *Sections 5.45 and 5.46 of the Local Government Act 1995 and the regulations referred to in section 5.46 apply to a delegation made under this clause as if the delegation were a delegation under Division 4 of Part 5 of that Act.*

Policy Implications:

Not applicable.

Financial Implications:

Not applicable.

Strategic Implications:

Not applicable.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Not applicable.

Social Implications:

Not applicable.

Environmental Implications:

Not applicable.

Comment:

Not applicable.

RESOLUTION

061010

Moved: Cr Lawrance

Seconded: Cr Scott

“That Council:

Acknowledge receipt of the Planning Consent and Subdivision Register – Update October 2010”.

CARRIED: 5/0



**SHIRE OF YORK – TOWN PLANNING SCHEME NO. 2
PLANNING CONSENT REGISTER 2010 – INFORMATION FOR COUNCILLORS**

| Month | Address | Proposal | Approved/Refused/Comments |
|------------------------------|--|--|---------------------------|
| Determined by Council | | | |
| February | Lot 70 (79) Georgiana Street, York | Oversize Over Height Outbuilding | Approved with conditions |
| | Lot 888 (9) Howick Street / 125 Avon Terrace, York | Additional 12 Short Stay Accommodation Units (Settlers) | Approved with conditions |
| | Lot 341 (60) Newcastle Street, York | Renovations and Alterations to a Heritage Listed Building | Approved with conditions |
| March | Lot 1 (6362) Great Southern Highway, Gilgering | Extractive Industry (Gravel) | Approved with conditions |
| April | Balladong Country Estate Redmile Road, York | Amendment to previous approval – Aged Care Facility and Aged or Dependent Persons' Dwellings | Recommended for approval |
| May | Lot 71 (74) Newcastle Street, York | Retrospective approval - Home Business (Cold Storage Facility) | Approved with conditions |
| June | Lot 2 (98) Parker Road, Caljie | Extractive Industry (Sand Extraction) | Approved with conditions |
| July | Lot 35 Mt Hardey Road, Mt Hardey | Composting Facility | Approved with conditions |
| September | Lot 11 (7) Chamberlin Street, York | R Codes Variation - Over Height Outbuilding and Retaining Wall | Approved with conditions |



**SHIRE OF YORK – TOWN PLANNING SCHEME NO. 2
DELEGATION REGISTER 2010 – INFORMATION FOR COUNCILLORS**

| Month | Address | Proposal | Approved/Refused/Comments |
|---|--|--|---|
| Determined Under Delegated Authority | | | |
| January | Lot 20 (9) Monger Street, York | Industry – Cottage in Heritage Area | Approved with conditions |
| February | Lot 52 (152) Avon Terrace, York | Addition to Heritage Building | Approved with conditions |
| | Lot 42 (27) South Street, York | Shop, Gallery, Signage (Heritage Building) | Approved with conditions |
| March | Lot 9 (9) Elizabeth Street, York | Outbuilding in Heritage Area | Approved with conditions |
| | Lot 115 (69) Newcastle Street, York | R-Codes Variation (Reduced Setback for Single House) | Approved with conditions |
| | Lot 3 (2) Maxwell Street, York | Industrial Outbuilding | Approved with conditions |
| | Lot 192 (54) Macartney Street, York | Outbuilding (Oversize) on Heritage Listed Property | Approved with conditions |
| | Lots 13 (7), 14 (9), 15 (11) New Street, York | 12 Aged or Dependent Persons' Dwellings and 8 Single Bedroom Dwellings | Assessment Report for Department of Housing/WA Country Builders |
| April | 11 Broome Street (York Mill) , York | Section 40 Liquor Control Act 1988, minor extension of licensed area | Section 40 Certificate issued |
| | Lot 1 (156) Avon Terrace, York | Home Business (Accounting) | Approved with conditions |
| | Lot 36 (5661) Great Southern Highway, Gwambygine | Renovations to Heritage Building (Gwambygine Homestead) | Approved with conditions |
| | Lot 124 (54) Camfield Place, York | Oversize Over Height Outbuilding | Approved with conditions |
| May | Lot 5 (14) Morris Edwards Road, York | Reduced Setbacks for Additions to Existing Dwelling | Approved with conditions |
| | Lot 123 (22) Avon Terrace, York | Renovations (Maintenance) to Heritage Listed Building and Installation of Flood Wall | Approved with conditions |

| | | | |
|--------|---|---|---|
| | Lot 15 (2) Wheeler Street, York | Over Height Outbuilding (Carport) in Heritage Area | Approved with conditions |
| | Lots 1 & 2 (18-20) Panmure Road, York (Laurelville) | Lodging House (Laurelville) | Approved with conditions |
| | Lot 39 (4) Newcastle Street, York | 3 Unit Development | Assessment Report for Department of Housing |
| | Lot 15 (93) Panmure Road (44 Newcastle Street) York | Oversize and Over Height Outbuilding (Shed) | Approved with conditions |
| | Lot 401 (17) Fraser Street, York | Oversize and Over Height Outbuilding (Shed) | Approved with conditions |
| | Lot 3 (96-102) Avon Terrace, York (Old LJ's) | Signage and Alterations | Approved with conditions |
| | Lots 1 & 2 (18-20) Panmure Road, York (Laurelville) | Signage on a Heritage Listed Property | Approved with conditions |
| | | | |
| June | Lot 17 (100) Ulster Road, York | Oversize Outbuilding | Approved with conditions |
| | Lot 21 (98) Herbert Road, York | R Codes Variation - reduced front setback for additions | Approved with conditions |
| | York Racecourse | Harness Training Track | Approved with conditions |
| | | | |
| July | Lot 402 (31) Avon Terrace, York | Additions/Extensions to Heritage Listed building | Approved with conditions |
| | Lot 7 (24) Grey Street, York (Faversham House) | Additions/Extensions to Heritage Listed Building | Approved with conditions |
| | Lot 2 (133) Newcastle Street, York | Oversize and Over Height Outbuilding | Approved with conditions |
| | Lot 402 (31) Avon Terrace, York | Additions/Alterations to Existing Heritage Building and Construction of Ancillary Accommodation | Approved with conditions |
| | | | |
| August | Lot 6 (23) Pool Street, York | Additions/Alterations to a Heritage Listed Building | Approved with conditions |
| | Lot 2 (31) Wheeler Street, York | Change of Land Use - Produce Store (Stock Feed Supplies) | Approved with conditions |
| | Lots 24-27, 38, 58 & 26807 (13) Broome Street, York (York Mill) | Additions/Alterations to a Heritage Listed Building | Approved with conditions |
| | | | |

| | | | |
|-----------|---|---|--------------------------|
| | York Racecourse | Retrospective approval for the demolition and replacement of stalls and washdown Area | Approved with conditions |
| | Lot 10 (12) Redmile Road, York | Earthworks in a Floodplain and a Heritage Precinct (for the construction of a dwelling which was not included in application) | Approved with conditions |
| September | Lots 15 & 200 (89) Avon Terrace, York | Additions/Alterations to an existing building in a Heritage Precinct | Approved with conditions |
| | Lot 20 (9) Monger Street, York | Signage in a Heritage Precinct | Approved with conditions |
| | Settlers House Lot 888(125) Avon Terrace, York | Fencing in a Heritage Precinct | Approved with conditions |
| | Lot 207 (2) Davies Court, York | Over height Outbuilding with Reduced Setbacks | Approved with conditions |
| | Lot 3 (2) Maxwell Street, York | Change of Land Use (Furniture Manufacture) | Approved with conditions |
| | Lot 108 (62) North Road, York | Oversize Outbuilding with Reduced Setbacks | Approved with conditions |
| October | Lot 1 (76) Ulster Road, York | Variation to Brick Area and reduced setbacks | Approved with conditions |

NOTE: DETERMINATIONS UNDER DELEGATED AUTHORITY MAY BE SUBJECT TO THIRD PARTY RIGHTS AND FREEDOM OF INFORMATION LEGISLATION



**SHIRE OF YORK – TOWN PLANNING SCHEME NO. 2
DELEGATION REGISTER 2010 – INFORMATION FOR COUNCILLORS**

| Month | Address | Proposal | Comments |
|--|--|-------------------------------------|------------------------------|
| Subdivisions – Clearances issued by Shire of York | | | |
| January | Lot 5735 Talbot Hall Road, York | Subdivision Application – 140175 | Cleared on 6 January 2010 |
| | Lots 3, 4 & 5 (1) Elizabeth Street, York | Subdivision Application – 132949 | Cleared on 6 January 2010 |
| | Lot 7 (72) Avon Terrace, York | Subdivision Application – 140176 | Cleared on 15 January 2010 |
| February | Lot 22 South Street, York | Subdivision Application – 137947 | Cleared on 5 February 2010 |
| | Lot 11 (70) Cardwell Road, York | Subdivision Application – 135942 | Cleared on 5 February 2010 |
| | Lot 8041 Warding Road, York | Subdivision Application – 140343 | Cleared on 19 February 2010 |
| April | Lot 14938 (24969) Moore Road, York | Subdivision Application – 139220 | Cleared on 12 April 2010 |
| | Wellington Street, Greenhills | Amalgamation Application – 133876 | Cleared on 16 April 2010 |
| May | Lot 3 (396) North Road, York | Subdivision Application – 136889 | Cleared on 20 May 2010 |
| June | Lot 304 (1594) Qualen Road, Talbot | Subdivision Application – 141595 | Cleared on 25 June 2010 |
| July | Lot 303 Avon Terrace, York | Subdivision Application – 139148 | Cleared on 5 July 2010 |
| | Lot 206 (75) Avon Terrace, York | Survey Strata Subdivision – 1113-09 | Cleared on 12 July 2010 |
| | Lot 427 (26) Bird Street, York | Subdivision Application – 135795 | Cleared on 23 July 2010 |
| August | Lot 2 (8) Janet Millet Lane, York | Subdivision Application – 141599 | Cleared on 18 August 2010 |
| September | Lot 25 (4374) Great Southern Highway, Daliak | Subdivision Application – 141679 | Cleared on 22 September 2010 |

NOTE: DETERMINATIONS UNDER DELEGATED AUTHORITY MAY BE SUBJECT TO THIRD PARTY RIGHTS AND FREEDOM OF INFORMATION LEGISLATION

9.2 Administration Reports

9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.1 Swanson's Blacksmith Shop – Plaque - Recognition

| | |
|--------------------------------|--|
| FILE NO: | CS.INF |
| COUNCIL DATE: | 19 July 2010 |
| REPORT DATE: | 12 July 2010 |
| LOCATION/ADDRESS: | Cnr South and Monger Street |
| APPLICANT: | Mr W A Marwick |
| SENIOR OFFICER: | Mr R Hooper, CEO |
| REPORTING OFFICER: | Mrs T Cochrane, A/DCEO |
| DISCLOSURE OF INTEREST: | Nil |
| APPENDICES: | Nil |
| DOCUMENTS TABLED: | Photographs provided by Mr Marwick and Research undertaken by The York Society Inc. |

Summary:

To support the installation of a plaque in recognition of the Swanson/Prunster family at the corner of South and Monger Street (Lots 29 and 30).

Background:

On the 5th February 2007 the following information was received by Mr Marwick, which was forwarded to all Councillors at the time.

"I am just sending a note with some further information which I discovered in my old notes about York. In particular, the block of ground which was gifted to The Shire of York by the Prunster side of the Swanson/Prunster family on the corner of Glebe/Monger Streets; or is it really South/Monger sts?"

However, the last letter which I received was dated 30th. August from Mr. Ray Hooper, Chief Executive Officer. It stated that Council's Officers held discussions with the Heritage Advisor, Mrs. Laura Gray on 29th. August 2005 to discuss the information I had provided. It was decided the first step was to enter this site into the Municipal Inventory and that you would need to liaise with Mrs. Hasluck prior to doing so. It stated then it could be included for consideration for a plaque at a later date.

It is my opinion that the property owned by the Hasluck family does not have anything to do with the land given to the Shire Council by the Prunster family. If my memory serves me correctly the Haslucks own the house in Monger street, but the land in question is the corner block where the old Blacksmith shop once stood.

In my notes on York I found a great story told to me by Mr. Paddy Warren way back in 1986 when I believe we were trying to replace or restore the dangerous swing bridge. I went to see Mr. Warren as I knew he would know some of the history. It goes like this:

Paddy thought the first swing bridge was built around 1903/4 then replaced in a slightly different position, in 1919; then again after a big flood in 1926. The posts broke around 1946 when too many people got on it at one time. Paddy had replaced the decking with oregon timber which later split; then he used Karrie timber.

When the bridge was being built in 1919 a pontoon raft overturned and one of the Swanson boys was trapped underneath. The shouts for help were heard by Mr. Mead who had a Blacksmith shop (In opposition) where the Church of Christ Tennis courts now stand. Mr. Mead was the Grandfather of Mrs. Paddy Warren; who had been one of the Elliott girls. However, Mr. Mead rushed down to the river to try to save the lad but it was too late. He then got a long implement and pulled the dead boy from the depths of the river. Next day, due to remaining in his wet clothes; Mr. Mead developed pneumonia and he too died. Young Swanson was the son

of the other Blacksmith in York which was the one I have asked for a plaque to be displayed because it was later given to the people of York.

I also found a note where I had introduced this topic at one of the Council meetings during my term as a Shire Councillor. I am also of the opinion that I moved a motion; which was seconded and passed; "That we name the land so given to the Shire of York as Swanson Park". The year was probably 1985..."

Consultation:

Mr Warren Marwick
The York Society Inc.

Statutory Environment:

Not applicable.

Policy Implications:

Not applicable.

Financial Implications:

There will be some costs associated with the plaque and the installation.

Strategic Implications:

Not applicable.

Voting Requirements:

Absolute Majority Required: **No**

Site Inspection:

Site Inspection Undertaken: **Not applicable**

Triple bottom Line Assessment:

Economic Implications:

Dependant on the outcome.

Social Implications:

Recognition of the Swanson family.

Environmental Implications:

Although located in close proximity to the Avon River, there would be no environmental implications arising from erecting a plaque in this area.

Comment:

There is a gap in the records, however records show that the land was gifted to the Council and as such it is considered a worthy project in recognition of the Swanson/Prunster family.

RESOLUTION

071010

Moved: Cr Randell

Seconded: Cr Walters

"That Council:

Approves the placement of a plaque at Lots 29 and 30 Corner of Monger and South Street, York to show recognition of the Swanson/Prunster family subject to liaison with the Water Corporation."

CARRIED: 5/0

9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.2 Appointment of Fire Control Officers

| | |
|--------------------------------|---|
| FILE NO: | RS.BFC.1 |
| COUNCIL DATE: | 18 October 2010 |
| REPORT DATE: | 29 September 2010 |
| LOCATION/ADDRESS: | Not Applicable |
| APPLICANT: | Appointment of Fire Control Officers |
| SENIOR OFFICER: | Ray Hooper, CEO |
| REPORTING OFFICER: | Ranger Services |
| DISCLOSURE OF INTEREST: | Nil |
| APPENDICES: | Nil |
| DOCUMENTS TABLED: | Nil |

Summary:

Fire Control Officers' have the responsibility of controlling and extinguishing bush fires, preventing the spread of fires and issuing permits to set fire to bush within their local vicinities within the restricted burning period.

Background:

A meeting of the Fire Control Officers' Advisory Committee was held on 15th September 2010. At the meeting it was requested that Council appoint Mr Steve McDowall, Mr Colin Luelf from Talbot Bush Fire Brigade and Mr Gary Sargent from Greenhills Bush Fire Brigade as Fire Control Officers

Consultation:

Fire Control Officers

Statutory Environment:

Section 38 (1) of the Bush Fire Act 1954 states;

A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

Policy Implications:

Not Applicable

Financial Implications:

Not Applicable

Strategic Implications:

Not Applicable

Voting Requirements:

Absolute Majority Required: Simple Majority

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Not Applicable

Social Implications:

Decisions by a well informed group will give the community confidence.

Environmental Implications:

Environmental implications to be dealt with by a strategic approach to issues raised.

Comment:

RESOLUTION

081010

Moved: Cr Randell

Seconded: Cr Lawrance

“That Council:

In accordance with Section 38 (1) of the Bush Fires Act 1954 appoint Mr Colin Luelf, Mr Gary Sargent and Mr Steve McDowall as Fire Control Officers.”

CARRIED: 5/0

9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.3 Fire Control Officers- Minutes of 15th September 2010

| | |
|--------------------------------|---------------------------------------|
| FILE NO: | RS.BFC.1 |
| COUNCIL DATE: | 18 October 2010 |
| REPORT DATE: | 20 September 2010 |
| LOCATION/ADDRESS: | Not Applicable |
| APPLICANT: | Fire Control Officers' Meeting |
| SENIOR OFFICER: | Ray Hooper, CEO |
| REPORTING OFFICER: | Ranger Services |
| DISCLOSURE OF INTEREST: | Nil |
| APPENDICES: | Appendix A - Minutes |
| DOCUMENTS TABLED: | Nil |

Summary:

That Council endorses the recommendations from the Fire Control Officers meeting held on 15th September 2010.

Background:

All minutes and recommendations from Fire Control Officer's are to be provided to Council for consideration.

Consultation:

Fire Control Officers;
Torben Bendtsen – FESA; and
Council Staff

Statutory Environment:

Bush Fire Act 1954

Policy Implications:

Not Applicable

Financial Implications:

Expenditure has been identified through the minutes and expenditure will occur within budget allocations.

Strategic Implications:

Not Applicable

Voting Requirements:

Absolute Majority Required: Yes

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Not Applicable

Social Implications:

Decisions by a well informed group will give the community confidence.

Environmental Implications:

Environmental implications to be dealt with by a strategic approach to issues raised.

Comment:

That the minutes of the Fire Control Officers' meeting and its recommendations be received and acted upon.

RESOLUTION**091010****Moved: Cr Scott****Seconded: Cr Randell*****"That Council:******Endorse the recommendations, as detailed in the minutes labelled "Appendix A' of the Fire Control Officers' meeting held 15th September 2010."******CARRIED: 5/0***

Cr Walters suggested the Minutes of Meetings should be put in a separate folder in the Library for the general public.

SHIRE OF YORK
BUSH FIRES ADVISORY COMMITTEE
AS AUTHORISED BUSH FIRE ACT 1954
MEETING HELD 15th SEPTEMBER 2010

1. ATTENDANCE

| | |
|------------------|---------------------------------|
| Terry Davies | Chief Bush Fire Control Officer |
| Richard Boulton | Chairperson |
| Angela Plichota | Shire Ranger |
| Matt Sharpe | Shire Ranger |
| Tyhscha Cochrane | A/ Deputy CEO |
| Bruce Gentle | Captain Malebelling |
| Dave Emin | Captain Talbot |
| Murry Hewett | Malebelling |
| Torben Bendtsen | FESA Area Manager |
| Murray McBride | Toodyay CBFCO |
| Warrick McGregor | York VES |
| Justin Corrigan | Captain York FRS |
| Jeremy Marwick | Captain Greenhills |
| Peter Reynolds | York FRS |
| Glen Davies | Burges |
| Peter Boyle | Malebelling |
| Stephen Chipper | Burges |
| Clive Owen | Inkpen |
| Vin Green | Talbot |
| Kevin Pollock | DEC |

APOLOGIES

Mark Bowen (FESA), Simon Patterson, Tony Robinson, Rob Chester, Ray Hooper, Wayne Collins, Simon Penny

2. MINUTES OF PREVIOUS MEETING HELD ON 20 APRIL 2010

Corrections

DCBFCO are Wayne Collins and Jeremy Marwick and not Wayne Collins and Bruce Gentle as stated in previous Minutes.

Confirmation

Moved: Jeremy Marwick

Seconded: Warrick McGregor

That the minutes of the meeting held on the 20th April 2010 be changed to reflect the corrections, and be confirmed as a correct record of proceedings.

Carried

3. BUSINESS ARISING

Business Arising from Previous Meeting

Where are we at with the grants?

We have two (2) sheds, one (1) Fire Unit and one (1) pump granted through The ESL. One of the Sheds is the Malebelling Fire Shed which has been rolled over from last year due to locating a position for it, this has now been decided.

What sort of pump is it that Talbot is receiving?

It is not a standpipe pump but a suction pump to be place at a dam etc and pumped to a truck. The pump is diesel with a three (3) inch outlet. It will be located at the Talbot Fire Shed to be moved wherever it is required. It is similar to the Inkpen Brigade pump that was made.

4. REPORTS

4.1 Burges Siding Brigade

No changes to the Office Bearers, they are Captain remains Tony Robinson and Secretary is Andrew Boulton.

4.2 Greenhills Brigade

Office Bearers remain the same, Captain Jeremy Marwick and Secretary Simon Penny.

The Fire truck is now back in the shed with renovations being completed. Can the keys be left in the truck under the insurances and if so can a changed lock or a set number of keys be allocated to drivers so they can get in if there is an emergency? A coded padlock will be purchased for the fire shed with vehicle keys left in the truck. The code will have to be agreed to with Council being made aware of it so as to have access also.

The Fire Unit is in need of more fire foam – there is a supply in at the depot and a request placed with Torben (FESA) to obtain some from the stores in Northam.

Can the old bush fire radios be purchased by the volunteers once the new radios are in place. This is up to the discretion of the Council as well as whether the Council will be taking over the licences with these radios.

It was nominated for Gary Sargent to become an FCO.

4.3 Malebelling Brigade

The Office Bearers remain the same, Captain Bruce Gentle and Secretary Wayne Collins.

When will the new Fire Truck and shed be arriving? At this stage it has only just been agreed as to the location of the fire shed which is the intersection of Sees Rd and Quellington Rd. The Truck we are not sure about as until it is in FESA Northam yards that is when Council will be informed.

Bruce Gentle is to follow up with Wayne Collins as to the report for the suspicious fire that recently took place in the Malebelling area.

Fire foam and PPE is required.

4.4 **Talbot Brook Brigade**

The Office Bearers are as follows; Garry Lawrance – President, Erin Emin – Vice-President, Secretary/Treasurer – Steve McDowall, Fire Captain – Dave Emin, First Lieutenant – Laurie Fairclough, Second Lieutenant – Colin Luelf.

A request was made to control burn two (2) blocks known as “Stringers” and “Jagers” Reserves in the Talbot Hall vicinity. Angela to follow up with this.

Vin Green is retiring from the radio. It was suggested that we do away with radio schedules. This was dismissed from Council's point of view due to the need of knowledge of what radios are working and what needs repairs as well as the notification of weather etc. The ranger will assist with monitoring the radios in agreement with Vin so as to relieve the load.

With the SMS lists who does these and how do we get the messages put on? At present the Ranger, Talbot Base, and CBFCO can do this with a dial in number. The Ranger needs to go through this with the CBFCO and the DCBFCO's so they are aware of the process.

What is the go with bush blocks privately owned in the Talbot vicinity etc with no firebreaks and how do we get these people to put these in. It was brought to the Rangers attention again just recently and there is a need to speak with Ray Hooper regarding the fact of these people being “greenies”, but it will be followed up with a look into during the firebreak season.

Denis Luelf is retiring as an FCO and Colin Luelf and Steve McDowall nominated as FCO's. It was requested to put this to Council.

4.5 **York VES**

Officer in Charge remains as Richard Boulton, Fire Captain - Warrick McGregor, SES Captain – Neil Crouch, Training Officer – Troy Granville and Administration Officer – Alan Milson.

4.6 **York FRS**

Justin Corrigan remains as Captain with Graeme Ashworth as Vice Captain.

4.7 **Inkpen Brigade**

All remains the same.

5. **GENERAL BUSINESS**

5.1 **FIRS Report Forms**

These report forms are to be filled out for any fires that are attended to even if you are leaving your brigade area as a support you still need to fill it out, as well as any false alarms, control burns that got out of control they are required. This helps with the ESL for when you need equipment etc as without having reports filled out FESA can not justify the reasoning as to why you need the equipment. If you need more / some report forms contact the Ranger. The Ranger will also send some out to all the FCO's.

5.2 **PPE** is there to be used so please use them. If you need new PPE let the Rangers know as soon as possible as an order will be placed this coming week. There is funding available of up to \$5000 - \$6000 for this purpose; only \$600 was spent in the last budget.

5.3 Provision of Standpipe Pump

As per Talbot Brigade report regarding obtaining a pump through the ESL. There is also a standpipe pump on hand at the VES Building which was on display at the York Show. This has the capability of pumping up to 500L per minute and can be used to draw out of dams also. This is on a trailer and can be transported to anywhere within the shire as the need arises. There is also a collar tank that is available when lack of water is an issue.

5.4 Large Scale Incident Control Practices 3/10/10

There is an Incident Control Vehicle based at the Darling Range Bush Fire Brigade with the contact of Susan Smith. The Brigade is prepared to run a full scale incident with enough people. The CBFCO, DCBFCO's, FCO's and FWO's would get great benefit from this. For those that are interested let Terry Davies and / or Richard Boulton know after this meeting.

5.5 DEC – Kevin Pollock

Kevin spoke of the spring burns being carried out by DEC and provided maps to show this.

It was noted that the bush is burning very easily due to the Soil Dryness Index (SDI). The lack of saturated rains has been the main issue.

The DEC spring burning program may be cut shorter if we do not receive any spring rains. This could be cut as short as October.

Kevin emphasised the need to take all precautions when carrying out a controlled burn and to keep a close eye on it.

P Boyle requested the need for upgrading the back roads of DEC areas? There is only so much funding available each year to be utilized throughout the whole state. There have been a few York roads being completed. The comment was made that if we can stop the 4WD's, Motorbikes and shooters this will alleviate the problem dramatically.

5.6 Toodyay CBFCO - Murray McBride

Toodyay have had two (2) major fires and each time they have handed over to FESA for the Incident Control. Toodyay still kept the locals as Operational Officers due to the knowledge of the area. The Chatcup fire was split into five (5) Sectors and the last fire they had seven (7) sectors.

Even at a Level 1 fire the Incident Control is still set up even if it is only one (1) person.

Check in with Incident Control is imperative even if it means you do a radio call around or phone around.

How do you know who the Sectors are? Depending on the level of the fire it could be way of just letting people know via the radios, there could be the use of the incident controller vests that show who they are. At the last fire everybody who needed to be aware as to the Sector Commanders were brought in together at the briefings and handovers.

Good mapping is required as well as trust in your team to ensure that it has runs smoothly. The information that you receive from your guys should be enough to be able to run the fire effectively. The Incident Controller should not have to go onto the fire ground at all.

There were 290 properties affected and you are put under the pump. At the end of the day you have to have good mapping and a trust in your team working with you.

Incident Control did not have any radio's close by – you are relying on obtaining the information from your sectors. When a radio is close by you end up being caught up in listening and responding to the radio.

Mr T Davies noted to all present the need for more guys to step up and do the training in Sector Commanders. A Sector Commander course can be run in 1 ½ days.

Who managed the evacuations of properties? There was no door to door notification. Those that did evacuate did so on their own will and those that were still at their properties were told by the brigades "If you don't feel comfortable, don't stay".

How would it work with the Mobile State Alert? This is another means of getting information to people if the infrastructures are still in place. This system is set to all house phones, if other numbers are required eg. Mobiles, the people need to register them on the website (a link is on the FESA site).

When did recovery start? This started straight away and was implemented by the Shire through the LEMC. The then Shire President ran this and the only role that Murray had was giving them updates on the fire.

Murray suggested getting the ICV across from Northam and running a local scenario instead of trying to get the guys up to Darling Range as it is good training to get use to the unit that you will use.

6. QUESTIONS

Mr Boulton noted that two (2) meetings were held at Talbot and Greenhill to discuss Fire issues. It was noted that the FCO's have a responsibility to notify the shire of the needs and wants of the Brigades. The ESL funding was dropped dramatically in the last grant. The Shire is the administrator, therefore we as the FCO's need to be made more aware of where the money is going and what it has been spent on. It was suggested that maybe a committee be arranged to assist with this and increase the communication between brigades and the shire. Not much interest was shown but maybe the need of getting the captains together for a meeting to discuss the matters required. It was also noted by some that sending out the information to brigades as Tyhscha did to gather the information was also very good.

7. NEXT MEETING

Meeting to be organised for April 2011.

8. CLOSURE

The meeting was closed at 9.15pm.

9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.4 Application To Keep Three (3) Dogs

| | |
|--------------------------------|--|
| FILE NO: | RS.ANC.1 |
| COUNCIL DATE: | 18 October 2010 |
| REPORT DATE: | 13 September 2010 |
| LOCATION/ADDRESS: | 23 Eleventh Road, YORK |
| APPLICANT: | Ms Heather Kennerley |
| SENIOR OFFICER: | Mr R Hooper, CEO |
| REPORTING OFFICER: | Ranger Services |
| DISCLOSURE OF INTEREST: | Nil |
| APPENDICES: | Appendix A – Photographs provided by Ms Kennerley |
| DOCUMENTS TABLED: | Nil |

Summary:

An application has been received from Ms H Kennerley requesting permission to keep three dogs on her property at 23 Eleventh Rd, York.

Background:

It is a requirement of the York Shire Council's Dogs Local Law (2000) that the maximum number of dogs that can be kept on a premise within a townsite is two unless an exemption is granted by Council under the provisions of section 26(3) of the Dog Act 1976 (as Amended).

Council has approved similar applications in the past where all adjoining neighbours have agreed to the request and the Shire Ranger or other authorised Council Officer has considered that there are no valid reasons for withholding such approval.

Consultation:

The applicant has advised all adjoining neighbours of the request to Council who have provided correspondence that they have no objections to the proposal.

Statutory Environment:

Dog Act 1976 (As Amended)

York Shire Council Dogs Local Law (2000)

Policy Implications:

Not Applicable

Financial Implications:

Not Applicable

Strategic Implications:

Not Applicable

Voting Requirements:

Absolute Majority Required: **Yes**

Site Inspection:

The Shire Ranger has inspected the property at 23 Eleventh Road of 1822m² and has advised that there are no reasons to withhold the granting of an exemption to keep three dogs at the property, given the neighbours consent and that no verbal or written complaints have been received.

Site Inspection Undertaken: **Yes**

Triple bottom Line Assessment:

Economic Implications:

Nil

Social Implications:

Keeping of dogs in a townsite may impact on the social cohesion of a community if the dogs create a nuisance.

Environmental Implications:

Nil

Comment:

It is recommended that Council agree to the granting of an exemption for the keeping of three dogs at 23 Eleventh Road subject to the following conditions:

- That the exemption be reviewed in twelve months to ensure that no adverse problems have been experienced as a result of the exemption, and
- That Council reserve the right to withdraw the exemption at anytime if any major or substantial problems are experienced prior to the review period.

Cr Scott declared an Interest Affecting Impartiality to this item and left the room at 3.38pm

RESOLUTION

101010

Moved: Cr Randell

Seconded: Cr Hooper - Against

“That Council:

Approve an exemption for the keeping of three dogs at 23 Eleventh Rd subject to the following conditions:

That the exemption be reviewed in twelve months time to ensure that no adverse problems have been experienced as a result of the exemption,

And

That Council reserve the right to withdraw the exemption at any time if any major or substantial problems are experienced prior to the review period.”

2/2

The Shire President used a casting vote and the motion was defeated.

3/2

Cr Scott returned to the room at 3.44pm.

**ITEM 9.2.4
APPENDIX A**

23 Eleventh Road,

York WA 6302

12 September 2010-09-13

To Whom It May Concern at the Shire

| | |
|------------------------|-----------------------|
| SHIRE OF YORK | |
| FILE: RS.ANC.3 | |
| OFFICER: Matthew Korge | INITIALS: [Signature] |
| 13 SEP 2010 | |
| 1115702 | |
| REFERRED TO COUNCIL | |
| DATE | INITIALS |
| o/c 13/9/10 W | |

Application for a Permit for a 3rd Dog

I have 2 small miniature fox terriers on my property and would like to have a permit to have a 3rd dog, the same breed as a pet. I have both my dogs registered and have had no complaints against my name over the dogs. The property owned by myself and my husband is fully fenced all around and gates at various positions to section separate areas off for the dogs. As the dogs are kept at the rear part of the section it is free for people to come to the front door with no bother. I run a business from home so I am there at all times to supervise the dogs.

On either side of me I have neighbours who are only residing at the weekends at their homes, one of them on a large block of at least 10 acres and their house is some way up the back of the property. Directly across the road there is again a large vacant area with no house, so no neighbours to annoy.

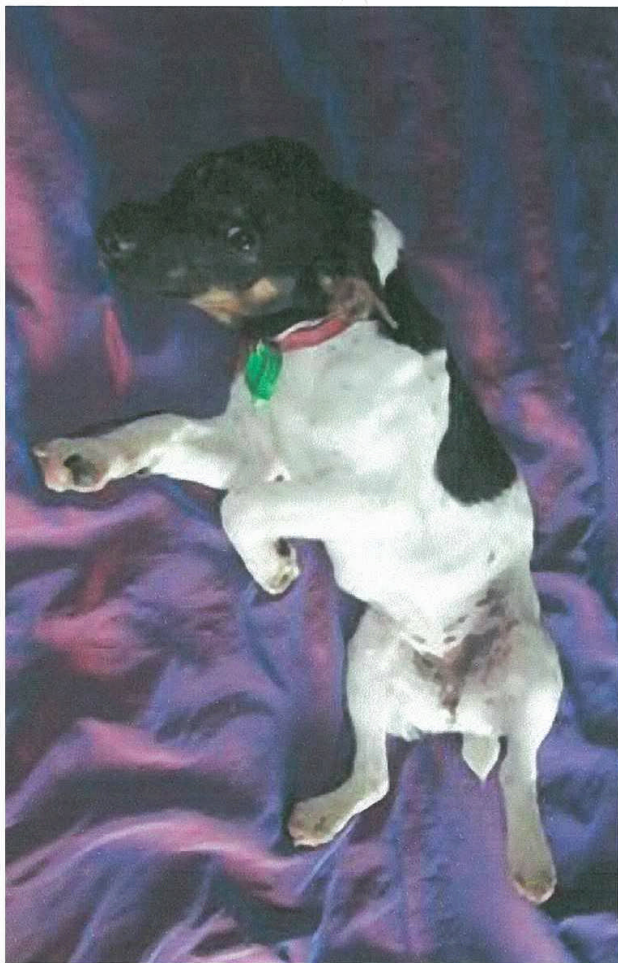
The dog I am intending on purchasing is in New Zealand, where my other dogs came from, so I have the person patiently waiting to hear of the outcome of this application so arrangements can be made to transport the dog over. As there are other local buyers also waiting, she has kindly given me a very short time to have the outcome known, so I will need this matter looked at as soon as possible. I can be contacted during the day on 043 9977632 or 9641 1391.

Included are the 2 photos of my present dogs and 2 of the perspective dog to view. They grow to a very small size and are not aggressive or loud.

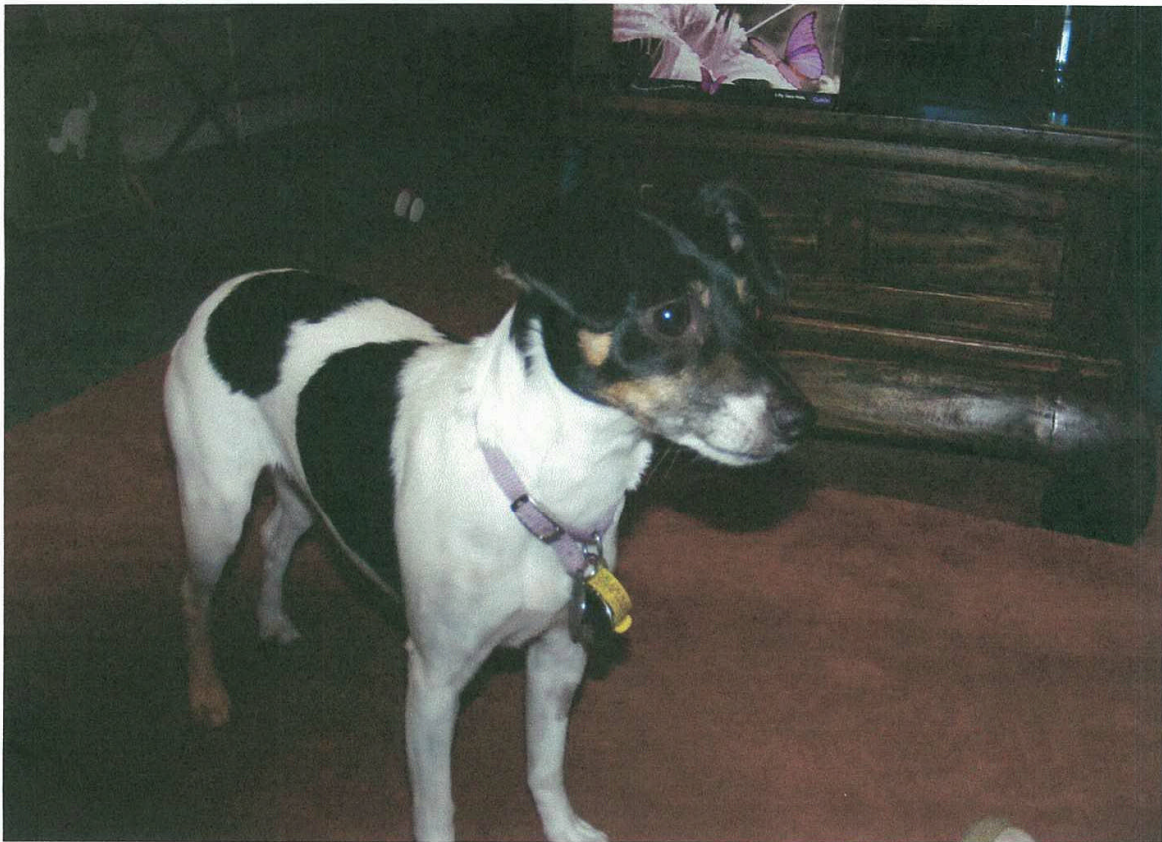
Many thanks for considering my application.

Regards

Heather Kennerley



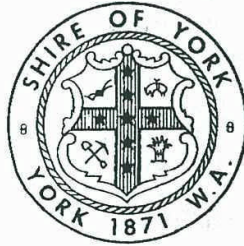
perspective dog currently
6 months old in NZ.



Dogs ages 4 and 5 years old. Currently owned

SHIRE OF YORK

1 JOAQUINA STREET, YORK WA 6302
TELEPHONE (08) 9641 2233
FACSIMILE (08) 9641 2202
WEBSITE www.york.wa.gov.au
EMAIL: records@york.wa.gov.au



P.O. Box 22, York
Western Australia, 6302

All communications to be addressed
to the Chief Executive Officer

OUR REF: RH:ap RS.ANC.1
YOUR REF:
ENQUIRIES: Angela Plichota

14 September 2010

Mr G Galvin
PO Box 359
CLAREMONT WA 6010

Dear Mr Galvin

REQUEST TO KEEP THREE DOGS - 23 ELEVENTH ROAD, YORK - KENNERLEY

Council is in receipt of a request by Ms H Kennerley who resides at 23 Eleventh Road, York for a third dog to be kept as a pet at the abovementioned address.

It is a requirement under the Shire of York Dogs Local Law that the maximum number of dogs that can be kept on a premise within a townsite is two, unless an exemption is granted by Council under the provisions of Section 26(3) of the Dog Act 1976 (as amended).

To enable a report to be prepared for Council's consideration please provide comments by the 4th October 2010.

For your convenience a map is enclosed showing the location of the property in question.

Should you have any questions regarding the above or require additional details regarding the request please do not hesitate to contact Ranger Services on 9641 2489 or 0417 181 349.

Yours sincerely

RAY HOOPER
Chief Executive Officer

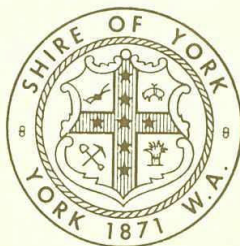
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| | |
|---------------------|------------|
| SHIRE OF YORK | |
| FILE | RS.ANC.1 |
| OFFICER | INITIALS |
| Kanger | [initials] |
| 22 SEP 2010 | |
| 1115835 | |
| REFERRED TO COUNCIL | |
| DATE | INITIALS |
| | |

S:\RANGER\letters\animal\Dogs\2010\various landowners - 3 dogs - Kennerley 14092010.doc

SHIRE OF YORK

1 JOAQUINA STREET, YORK WA 6302
TELEPHONE (08) 9641 2233
FACSIMILE (08) 9641 2202
WEBSITE www.york.wa.gov.au
EMAIL: records@york.wa.gov.au



P.O. Box 22, York
Western Australia, 6302

All communications to be addressed
to the Chief Executive Officer

| | |
|---------------------|-------------|
| SHIRE OF YORK | |
| FILE NO. | RS-ANC-1 |
| OFFICER | Ranger |
| DATE | 04 OCT 2010 |
| 1115974 | |
| REFERRED TO COUNCIL | |
| DATE | INITIALS |

OUR REF: RH:ap RS.ANC.1
YOUR REF:
ENQUIRIES: Angela Plichota

14 September 2010

Mr B Gardiner
27 Eleventh Road
YORK WA 6302

Dear Mr Gardiner

REQUEST TO KEEP THREE DOGS – 23 ELEVENTH ROAD, YORK - KENNERLEY

Council is in receipt of a request by Ms H Kennerely who resides at 23 Eleventh Road, York for a third dog to be kept as a pet at the abovementioned address.


It is a requirement under the Shire of York Dogs Local Law that the maximum number of dogs that can be kept on a premise within a townsite is two, unless an exemption is granted by Council under the provisions of Section 26(3) of the Dog Act 1976 (as amended).

To enable a report to be prepared for Council's consideration please provide comments by the 4th October 2010.

For your convenience a map is enclosed showing the location of the property in question.

Should you have any questions regarding the above or require additional details regarding the request please do not hesitate to contact Ranger Services on 9641 2489 or 0417 181 349.

Yours sincerely


RAY HOOPER
Chief Executive Officer

enc

I have no objection



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[Ranger/YRK/database] SynergySoft - [Property Map Enquiry - A9143 23 ELEVENTH RD YORK G302]

File Systems Codes Related Information Searches Tools Spooler Menu Bar Ranger Window Help

Search Add Query Save Delete First Previous Next Last Lookup Cancel

Asst BR Loan Dr Or Plnt RR Trst GL Stk PO Csh WC Dog Map NSA Rate Prop Bld Pool Rec Sys Rot TP

1:1526 Full Extent Zoom In Zoom Out Map Legend

Property Financial Summary Ownership Parcel Memos

Assess No A9143 Legal flag ☐ Non-current ☐

2 Owners GD KENNERLEY

Property Address 23 ELEVENTH RD YORK G302

House 23 Lot 5

Street ELEVENTH RD

Type RD

Suburb YORK

Ward 1 YORK

Area

Locality

Zoning 2 RESIDENTIAL R5

Land use 2 DWELLING

V. G. No 815371

Pens No

Valuation Details

Gross Rental Value 9256.00

Unimproved Value

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

302

115 114 140 141 138 101 100 132 131

ELEVENTH SCARLETT

2009 [Ranger/YRK/databases...]

Inbox - Microsoft Outlook 9.2.4 Application for thre...

Start

9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.5 Application To Keep Four (4) Dogs

| | |
|--------------------------------|-------------------------------------|
| FILE NO: | RS.ANC.1 |
| COUNCIL DATE: | 18 October 2010 |
| REPORT DATE: | 24 September 2010 |
| LOCATION/ADDRESS: | 70 Newcastle St, YORK |
| APPLICANT: | Ms Alison (Joy) Marshall |
| SENIOR OFFICER: | Mr R Hooper, CEO |
| REPORTING OFFICER: | Ranger Services |
| DISCLOSURE OF INTEREST: | Nil |
| APPENDICES: | Appendix A - Submissions |
| DOCUMENTS TABLED: | Submission |
| | File Note of Ranger Services |

Summary:

An application has been received from Ms M Hines and Ms A J Marshall requesting permission to keep four dogs on her property at 70 Newcastle St, York.

Background:

It is a requirement of the York Shire Council's Dogs Local Law (2000) that the maximum number of dogs that can be kept on a premise within a townsite is two unless an exemption is granted by Council under the provisions of section 26(3) of the Dog Act 1976 (as Amended).

Council has approved similar applications in the past where all adjoining neighbours have agreed to the request and the Shire Ranger or other authorised Council Officer has considered that there are no valid reasons for withholding such approval.

Consultation:

The applicant has advised all adjoining neighbours of the request to Council who have provided correspondence.

Statutory Environment:

Dog Act 1976 (As Amended)
York Shire Council Dogs Local Law (2000)

Policy Implications:

Not Applicable

Financial Implications:

Not Applicable

Strategic Implications:

Not Applicable

Voting Requirements:

Absolute Majority Required: **Yes**

Site Inspection:

The Shire Ranger has inspected the property at 70 Newcastle St of 1028m² and has advised that there are reasons to withhold the granting of an exemption to keep four dogs at the property, given the neighbours verbal and / or written complaints that have been received.

Site Inspection Undertaken: **Yes**

Triple bottom Line Assessment:

Economic Implications:

Nil

Social Implications:

Keeping of dogs in a townsite may impact on the social cohesion of a community if the dogs create a nuisance.

Environmental Implications:

Nil

Comment:

It is recommended that Council does not agree to the granting of an exemption for the keeping of four dogs at 70 Newcastle St subject to the following conditions:

- That due to the verbal complaints and the history surrounding the application that Council does not approve this application

RESOLUTION

111010

Moved: Cr Lawrance

Seconded: Cr Scott

“That Council:

Does not approve an exemption for the keeping of four dogs at 70 Newcastle St, York.”

CARRIED: 4/1

| | |
|---------------------|----------|
| SHIRE OF YORK | |
| FILE: RS.ANC.1 | |
| OFFICER | INITIALS |
| Ranger | 70 |
| 17 SEP 2010 | |
| 115809 | |
| REFERRED TO COUNCIL | |
| DATE | INITIALS |
| | |

Ms M Hines
80 Newcastle Street
YORK WA 6302

16 September 2010

The CEO
Shire of York
PO Box 22
YORK WA 6302

Dear Sir,

I am writing to you to seek permission for Alison Marshall (known as Joy) to look after our dogs due to our move out of York to join my husband who has had to seek work in Karratha. As we will be staying in the Caravan Park we are not able to take them.

We will be away approximately 6 – 12 months and as Joy has looked after our dogs previously, we hope this will be acceptable as my three young children know if they are with her, they will be safe and taken care of very well. My older dog does suffer from Epilepsy.

I attach a letter from Ms Marshall and two of her neighbours.

Yours sincerely


M HINES

Encl.

Alison Joy Marshall
70 Newcastle Street
YORK WA 6302

16 September 2010

The CEO
Shire of York
PO Box 22
YORK WA 6302

Dear Sir,

I would like to make a request re my neighbour's (at 80 Newcastle Street) two dogs and to take care of them while she is out of York for approximately 6-12 months. Ms Hines is moving to Karratha due to her husband re-locating out of York for work and his children missing him immensely. Their accommodation is in a Caravan park where dogs are not allowed.

I have always looked after these dogs when she has been away from her home and as she has three young children, they are anxious that the dogs will be safe while they are away. She does own a property in York.

I also attach a statement from two of my neighbours to reassure that when I have had these dogs they cause no problems re barking and also assure that they are never outside of my property without me. The dogs are very small and do not bark unless someone is on my property. I have also been training dogs for many years.

Thanking you in anticipation.

Yours faithfully



AJ MARSHALL

Encl. 2

16 September 2010

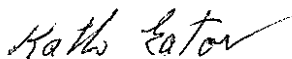
TO WHOM IT MAY CONCERN

I wish to make a statement regarding my neighbour, Joy Marshall's dogs and also when she is taking care of Mel Hines dogs that I never hear them and if they bark it is only for a matter of seconds and usually only when someone comes onto her property.

They are always well behaved and never off the property without Joy being with them.

I do not have a problem with her looking after the other two dogs.

Yours faithfully



KATH EATON
68 Newcastle Street
YORK WA 6302

16 September 2010

TO WHOM IT MAY CONCERN

I wish to make a statement regarding my neighbour, Joy Marshall's dogs and also when she is taking care of Mel Hines dogs that I never hear them and if they bark it is only for a matter of seconds and usually only when someone comes onto her property.

They are always well behaved and never off the property without Joy being with them.

I do not have a problem with her looking after the other two dogs.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Hazel Conway', with a stylized, flowing script.

HAZEL CONWAY
75 Newcastle Street
YORK WA 6302

9. OFFICER'S REPORTS
9.1 DEVELOPMENT REPORTS
9.2.6 Dangerous Building

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: | RE1.60385 |
| COUNCIL DATE: | 18 October 2010 |
| REPORT DATE: | 5 October 2010 |
| LOCATION/ADDRESS: | Lot 12 (17) Redmile Road, York |
| OWNER: | Michael Rust |
| SENIOR OFFICER: | Ray Hooper, CEO |
| REPORTING OFFICER: | Gordon Tester, Manager Health & Building Services |
| DISCLOSURE OF INTEREST: | Nil |
| APPENDICES: | Nil |
| DOCUMENTS TABLED: | Maintenance of House & Land (Council Correspondence) Owners Statement of Intention to restore property Structural Engineers Report |

Summary:

The Shire of York having reason to suspect that the house situated at Lot 12 (17) Redmile Road owned by Mr Michael Rust, within the York Town site, is in a dangerous state, directed that a survey be made by Councils Building Surveyor and a Practicing Structural Engineer.

As a result of this survey Councils Building Surveyor Certifies that this building is in a dangerous state and should be secured and repaired in accordance with Section 403 of the Local Government (Miscellaneous Provisions) Act 1960.

The poor state of the building and its surrounding land requires additional orders to be issued under Councils Health Local Laws and the Local Government Act 1995.

Background

Council has been concerned for some time as to the poor presentation of this house and its prominent position on one of the main entrance roads to the York Town site.

On 3 June 2010 Council Officers inspected the house and noted structural and health deficiencies within the house and that the building and surrounding land was in a poor state of maintenance and out of conformity with other buildings and land in the area.

On 23 June 2010 the house was inspected by a practicing Structural Engineer who noted structural concerns that warranted the exclusion of persons from inhabiting the residence.

On 20 July 2010 the owner of the residence was contacted by Council in writing enquiring as to the owners intentions regarding repairing or removing the dwelling.

On 18 August 2010 the owner of the house replied in writing stating that it was his intention to restore the property and to clean up the surrounding yards.

On 6 October 2010 the owner advised Council by phone that he had engaged a builder to assess the residence.

The brick walled, timber framed roof and floor, metal roofed dwelling house is situated on a 433m² lot, zoned Residential R10 and is currently unoccupied.

The house is situated in a Heritage precinct and is therefore subject to the provisions of Councils Heritage Policy in relation to repair or demolition.

Consultation:

Council has commissioned a consulting structural engineer to examine the residence who has provided a report for Councils consideration as tabled. This report indicates that the building is in a dangerous state and should not be occupied.

Statutory Environment:

Section 403 (Dangerous Building) of the Local Government (Miscellaneous Provisions) Act 1960 state, that where a Council has received a report that a building or structure is in a dangerous state, Council shall cause written notice to be served on the owner or occupier to forthwith take it down, secure , or repair it, as the case requires.

Health Act 1911 – Shire of York Health Local Laws – Part 2 Sanitation, Part 3 Housing and General. (Maintenance of Dwelling House)

Local Government Act 1995 – Schedule 3.1, Unsightly land to be fenced, removal of overgrown vegetation and removal of disused material.

Policy Implications:

The Shire of York Local Planning Policy – Heritage Precincts and Places is of significance should Council consider requiring demolition of this residence as Councils policy suggests that this course of action is a last resort.

2.4.3 Demolition of Heritage Places or in a Heritage Precinct

Demolition of a place listed on the State Register of Heritage Places is rarely appropriate and is not likely to be supported by Council. Applications for demolition of a place on the State Register will be referred to the Heritage Council of Western Australia for comment prior to Council's determination.

Demolition of a Heritage Place should be avoided wherever possible. An application to demolish a heritage place must include clear justifications for the demolition and should be based upon the following:

- a) The significance of the building or place;*
- b) The feasibility of restoring or adapting it or incorporating it into new development;*
- c) The extent to which the community would benefit from the proposed development; and*
- d) The provisions of this Local Planning Policy.*

Council is unlikely to support the demolition of a heritage place based solely on the economic viability of redeveloping a site or because a building has been neglected.

If structural failure is cited as the primary justification for the demolition of a heritage place, evidence must be provided from a registered structural engineer that the structural integrity of the building has failed to the point where it cannot be rectified without removal of a majority of its significant fabric and/or prohibitive costs.

Where Council supports the demolition of a heritage place, the applicant may be required, as a condition of approval, to submit an archival record of the place prior to the demolition occurring.

The archival record is to be in accordance with the Council's standards for archival.

Financial Implications:

In the event Council resolves to issue orders against this property failure by the owner to comply may result in the necessity for legal action to enforce Council's requirements which will involve legal costs.

Where legislation provides for Council to undertake works following failure by the owner to carry out required works, significant costs may be incurred which may be recoverable from the owner of the property.

Strategic Implications:

Preserving buildings of a heritage nature within the York Town site should be encouraged where ever possible.

Voting Requirements:

Absolute Majority Required: **No**

Site Inspection:

Site Inspection Undertaken: **Yes**

Triple bottom Line Assessment:

Economic Implications:

Upgrading of dilapidated and unsightly appearance improves land and building values assists in economic profiling.

Social Implications:

Improvements to dilapidated premises improves social inclusion.

Environmental Implications:

The immediate and surrounding environment and health aspects of this property will be significantly enhanced by implementing the measures stipulated in the proposed notices under Local Government and Health Legislation

Comment:

Recent conversations with the owner of this property have indicated a desire by the owner to restore this property so that it may be suitable to be used for rental purposes.

The owner has also been made aware of the possibility of obtaining low interest loans from the Heritage Council for restoration purposes.

Mr Rust was also advised by phone that he is invited to attend Councils Ordinary meeting scheduled for 18th October 2010 where this matter will be considered.

The building and property in its present state of disrepair and unsightliness requires orders placed on this property to ensure that the building remains unoccupied until such time as all required works have been completed.

As Council has received a report that this building is in a dangerous state Council shall cause written Notice to be served on the owner to forthwith secure and repair the building.

It is also recommended that Council issue a notice requiring general maintenance of the dwelling house to prevent negative impacts on the environmental health of any future occupants of the residence.

Also, it is further recommended that Council issue a notice requiring that the unsightly nature of the land surrounding this property be rectified by surrounding this property with a fence as it does not conform with the general appearance of other land in the locality. The notice would also require the removal of overgrown vegetation, rubbish or disused material as specified.

**RESOLUTION
121010**

Moved: Cr Lawrance

Seconded: Cr Scott

“That Council:

- 1. Serve the following notices requiring improvements to the house and land situated on Lot 12 (17) Redmile Road owned By Mr Michael Rust.***
- 2. Section 403, Local Government (Miscellaneous Provisions) Act 1960 declaring the building dangerous and requiring the building to be forthwith secured and repaired.***
- 3. Health Act 1911, Shire of York Health Local Laws, Part 2 Sanitation & Part 3 Housing and General requiring maintenance of the dwelling house.***
- 4. Local Government Act 1995 Schedule 3.1 ensuring that unsightly land is enclosed adequately by a fence and that overgrown vegetation, rubbish or disused material is removed from Lot 12 (17) Redmile Road that the Shire of York considers to be untidy.”***

CARRIED: 5/0

9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.7 SEARTG – Business Plan – Representation Model

| | |
|--------------------------------|--|
| FILE NO: | OR.RDT.5 |
| COUNCIL DATE: | 18 October 2010 |
| REPORT DATE: | 1 October 2010 |
| LOCATION/ADDRESS: | South East Avon Regional Transition Group |
| APPLICANT: | SEARTG |
| SENIOR OFFICER: | R Hooper, CEO |
| REPORTING OFFICER: | R Hooper, CEO |
| DISCLOSURE OF INTEREST: | Nil |
| APPENDICES: | (A) Minutes of the RTG Meeting of 1 October 2010 – if available |
| | (B) Representation Models |
| DOCUMENTS TABLED: | Nil |

Summary:

To initiate the business plan for the Regional Transition Group the Member Councils are requested to consider and endorse a model for elected member representation as this is a core component of the financial and other analysis.

Background:

The State Government has set the criteria for what is to be considered and included in a regional business plan.

The Shires of York, Beverley, Tammin, Cunderdin and Quairading and the Department of Local Government have signed an agreement for a Regional Transition Group and funding has been provided for business and asset management plans.

Consultation:

Shires of York, Beverley, Quairading, Cunderdin and Tammin

Statutory Environment:

Nil at present as the structural reform process is voluntary at this stage other than the commitment to participate in the business plan and the Regional Transition Group.

Policy Implications:

Not applicable

Financial Implications:

All costs except for elected members and staff time, travel and catering will be met by the State Government.

Strategic Implications:

Not applicable

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

These will be developed and quantified in the business plan.

Social Implications:

The community will be consulted and have full access to relevant information throughout the business planning and structural reform processes.

Environmental Implications:

Not applicable at this stage.

Comment:

SEAVROC has operated over the past five (5) years on a equal contribution, equal representation voluntary grouping for collaborative effort however this would not be acceptable under structural reform and the one vote, one value principles enshrined in legislation.

The South East Avon RTG has large disparities in population and elected numbers which is an issue to be negotiated to ensure that a single entity does not have total control as this would lead to a loss of trust, credibility and work ability.

York has consistently acknowledged and accepted through SEAVROC and now SEARTG that equality of representation may not be achievable initially however elector proportions would be reviewed and amended progressively through the compulsory review processes e.g. every 8 years.

The structural reform process is primarily based on sustainability, retention of identity and service delivery and these principles/objectives have to be balanced against what will be acceptable politically in each member local government.

In the longer term the one vote, one value (plus or minus %) for representation must come into effect. Similarly legislation will mandate a maximum of 9 elected members in a local government. How SEARTG develops an initial position can make it harder or easier to meet statutory benchmarks.

The proportional representation across the South East Avon will be further distorted as growth occurs at differing rates across the region. On existing trends York will have a growth rate higher than all of the other member local governments. This will result in greater disparities in elected member representation over the eight (8) years following any amalgamation until a formal compulsory review is undertaken.

The number of electors on the combined rolls for the 2009 local governments are as follows:

| | |
|------------|-------|
| York | 2,444 |
| Beverley | 1,294 |
| Quairading | 782 |
| Cunderdin | 824 |
| Tammin | 251 |

Based on the above the attached chart shows the options for determining representation. The model adopted by a majority of the SEARTG members is the worst option for representation levels for York.

It has been argued that the 10 member option provides equality between the eastern and western members Cunderdin, Quairading, Tammin equal five (5) elected members and York and Beverley equal five (5) elected members. This demarcation may negate the ideal of full collaboration and trust in the provision of better community services and governing for the region as a whole.

In determining a position on this important matter there are two (2) particular factors which impinge on the result being :

Tammin with a population of 460 and a voter based of 251 and York with a population of 3,894 and a voter base of 2,444 will skew the representation ratios (2009 elector numbers).

If it is a given that all members of the regional transition group are entitled to representation the only option is for one (1) elected member for Tammin which will also be below the plus or minus 10% range across the region. Similarly York will be above the plus or minus 10% range.

In the event that the business plan identifies significant community benefits and amalgamation proceeds trust in the elected member processes and acceptable levels will be of paramount importance in the initial years and there will be built in parochialism and protectionism for individual localities.

There is the potential for the business plan to indicate that a five (5) shire merger is not the best option initially for governance and amalgamations. Combinations of various members may be best initially e.g. York and Beverley, Quairading, Cunderdin and Tammin or York, Beverley, Quairading and Cunderdin, Tammin or any other combination within the five members or even external to the group.

Regardless of who is in government over the next 2-7 years at state and federal levels the structural reform process will continue and forced amalgamations will be the end result if the local government industry does not drive and control the process and the outcomes.

While the representation model endorsed by the majority of the SEARTG members for the purpose of the business plan is not the best or most realistic model for York the process should be robust enough to identify and rectify this and Council could endorse the proposal at this stage as it does not commit York to final adoption.

**RESOLUTION
131010**

Moved: Cr Lawrance

Seconded: Cr Hooper

"That Council:

Endorse the 10 member representation model for the purpose of initiating the business plan only and advise the South East Avon Regional Transition Group members and the Department of Local Government that the Shire of York provides no commitment or guarantee that this will be an acceptable final level of representation as it provides the least equality of representation of any model considered for the Shire of York."

CARRIED: 5/0

SOUTH EAST AVON REGIONAL TRANSITION GROUP

ELECTED MEMBER REPRESENTATION MODELS & OPTIONS

| SHIRE | 2009 Roll | 7 Members | 8 Members | 9 Members | 10 Members | 11 Members | 12 Members | 13 Members | Population Est. 30/9/10 |
|--------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------------------|
| MODEL NO 1 | | | | | | | | | |
| Beverley | 1,294 | 1-1,294 | 2-647 | 2-647 | 2-647 | 2-647 | 3-431 | 3-431 | 1,708 |
| Quairading | 782 | 1-782 | 1-782 | 1-782 | 2-391 | 2-391 | 2-391 | 2-391 | 1,100 |
| Cunderdin | 824 | 1-824 | 1-824 | 1-824 | 2-412 | 2-412 | 2-412 | 2-412 | 1,370 |
| Tammin | 251 | 1-251 | 1-251 | 1-251 | 1-251 | 1-251 | 1-251 | 1-251 | 460 |
| York | 2,444 | 3-815 | 3-815 | 4-611 | 3-815 | 4-611 | 4-611 | 5-489 | 3,894 |
| TOTAL & RATIO | 5,595 | 1:799 | 1:699 | 1:622 | 1:560 | 1:509 | 1:466 | 1:430 | 8,532 |

| MODEL NO 2 | 2009 Roll | 7 Members | 8 Members | 9 Members | 10 Members | 11 Members | 12 Members | 13 Members | Population Est. 30/9/10 |
|--------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------------------|
| Beverley | 1,294 | 2-647 | 2-647 | 2-647 | 2-647 | 3-431 | 3-431 | 3-431 | 1,708 |
| Quairading | 782 | 1-782 | 1-782 | 1-782 | 2-391 | 2-391 | 2-391 | 2-391 | 1,100 |
| Cunderdin | 824 | - | - | - | - | - | - | - | 1,370 |
| Tammin | 251 | - | - | - | - | - | - | - | 460 |
| Cunderdin/Tammin | 1,075 | 1-1,075 | 2-538 | 2-538 | 2-538 | 2-538 | 2-538 | 3-358 | 1,830 |
| York | 2,444 | 3-815 | 3-815 | 4-611 | 4-611 | 4-611 | 5-489 | 5-489 | 3,894 |
| TOTAL & RATIO | 5,595 | 1:799 | 1:699 | 1:622 | 1:560 | 1:509 | 1:466 | 1:430 | 8,532 |

Note: Figures used are those applicable to the October 2009 election as being the most valid and up to date

| MODEL NO 3 | 2009 Roll | 7 Members | 8 Members | 9 Members | 10 Members | 11 Members | 12 Members | 13 Members | Population Est. 30/9/10 |
|--------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------------------|
| Beverley | 1,294 | 2-647 | 3-431 | 3-431 | 3-431 | 3-431 | 4-324 | 4-324 | 1,708 |
| Quairading | 782 | 1-782 | 1-782 | 2-391 | 2-391 | 2-391 | 2-391 | 3-261 | 1,100 |
| York | 2,444 | 4-611 | 4-611 | 4-611 | 5-489 | 6-407 | 6-407 | 6-407 | 3,894 |
| TOTAL & RATIO | 4,520 | 1:646 | 1:565 | 1:502 | 1:452 | 1:411 | 1:377 | 1:348 | 6,702 |
| Beverley | 1,294 | 3-431 | 3-431 | 3-431 | 4-324 | 5-259 | 5-259 | 5-259 | 1,708 |
| York | 2,444 | 4-611 | 5-489 | 6-407 | 6-407 | 6-407 | 7-344 | 8-305 | 3,894 |
| TOTAL & RATIO | 3,738 | 1:534 | 1:467 | 1:415 | 1:374 | 1:340 | 1:312 | 1:288 | 5,602 |
| Quairading | 782 | 3-260 | 3-260 | 4-196 | 4-196 | 4-196 | 4-196 | 5-156 | 1,100 |
| Tammin | 251 | 1-251 | 2-126 | 1-251 | 2-126 | 2-126 | 3-84 | 3-84 | 460 |
| Cunderdin | 824 | 3-275 | 3-275 | 4-206 | 4-206 | 5-165 | 5-165 | 5-165 | 1,370 |
| TOTAL & RATIO | 1,851 | 1:265 | 1:231 | 1:206 | 1:185 | 1:168 | 1:154 | 1:142 | 2,930 |
| Cunderdin | 824 | 5-165 | 6-137 | 7-118 | 8-103 | 8-103 | 9-92 | 9-92 | 1,370 |
| Tammin | 251 | 2-126 | 2-126 | 2-126 | 2-126 | 3-84 | 3-84 | 4-63 | 460 |
| TOTAL & RATIO | 1,075 | 1:154 | 1:134 | 1:119 | 1:108 | 1:98 | 1:90 | 1:83 | 1,830 |
| Quairading | 782 | 1-782 | 2-391 | 2-391 | 2-391 | 2-391 | 3-260 | 3-260 | 1,100 |
| Cunderdin | 824 | 2-412 | 2-412 | 2-412 | 3-275 | 3-275 | 3-275 | 4-196 | 1,370 |
| Beverley | 1,294 | 2-431 | 3-431 | 4-324 | 4-324 | 4-324 | 4-324 | 5-259 | 1,708 |
| Tammin | 251 | 1-251 | 1-251 | 1-251 | 1-251 | 1-251 | 1-251 | 1-251 | 460 |
| TOTAL & RATIO | 3,151 | 1:450 | 1:394 | 1:350 | 1:315 | 1:287 | 1:263 | 1:242 | 4,638 |
| York | 2,444 | 3-815 | 4-611 | 4-611 | 4-611 | 4-611 | 5-489 | 6-407 | 3,894 |
| Beverley | 1,294 | 2-647 | 2-647 | 2-647 | 3-431 | 3-431 | 3-431 | 3-431 | 1,708 |
| Cunderdin | 824 | 1-824 | 1-824 | 2-412 | 2-412 | 2-412 | 2-412 | 2-412 | 1,370 |
| Quairading | 782 | 1-782 | 1-782 | 1-782 | 1-782 | 2-391 | 2-391 | 2-391 | 1,100 |
| TOTAL & RATIO | 5,344 | 1:763 | 1:668 | 1:594 | 1:534 | 1:486 | 1:445 | 1:411 | 8,072 |

From: Gary Tuffin [mailto:ceo@cunderdin.wa.gov.au]
Sent: Monday, 4 October 2010 12:16 PM
To: 'Cr C Gibsone'; 'Cr Carter'; 'Cr Cooper'; 'Cr D Kelly'; 'Cr D Kelly'; 'Cr D Whisson'; Cr David Beard; Cr. Todd Harris
Cc: Ray Hooper; Graham Stanley; gfdon@wn.com.au; kbyers@beverley.wa.gov.au; DCA
Subject: RTG representation

Councillors

STRUCTURAL REFORM - PROPOSED ELECTED MEMBER NUMBERS

Further to the RTG meeting held on Friday, the following tables are provided for your information and consideration.

The first table provides the retention of current Elected Member numbers (%) under the proposed restructure as resolved at the meeting (1/10/10) (subject to each council's formal consideration & endorsement).

(Table 1) - Beverley, Cunderdin, Quairading, Tammin & York (Preferred option)

| Local Govt | Est Population | Est Electors #s | Elector / Cr Ratio | Deviation | Current No of Elected members | No of Proposed Elected Members SEARTG | Retention of current representation % |
|-----------------|----------------|-----------------|--------------------|-----------|-------------------------------|---------------------------------------|---------------------------------------|
| Beverley Ward | 1,708 | 1,235 | 618 | 28% | 9 | 2 | 22% |
| Cunderdin Ward | 1,390 | 823 | 412 | -15% | 8 | 2 | 25% |
| Quairading Ward | 1,134 | 762 | 381 | -21% | 9 | 2 | 22% |
| Tammin Ward | 422 | 243 | 243 | -50% | 6 | 1 | 17% |
| York Ward | 3,662 | 2,282 | 761 | 58% | 6 | 3 | 50% |
| Total | 8,316 | 5,345 | 1:483 | 0% | 38 | 10 | |

Elected member numbers are reduced from 38 to 10.

This model acknowledges York as the major centre having 3 votes and retaining 50% of their current representation numbers, and Tammin being the smallest having 1 vote. However, this model also results in the greatest under representation for York and largest over representation to Tammin. Whilst this model does not comply with current Department guidelines (+/- 10%), it is viewed that this offers the fairest representation in the spirit of the structure that has made SEAVROC so successful to date.

Due to the uncertainty with the Elector numbers I have also looked at these calculations + or - 100 per local govt – there appears to be little material effect.

Alternative models include (Note: These models have been based on the discussions (1/10/10) of possible scenarios);

(Table 2) - Cunderdin, Quairading, Tammin & York

| | | | Elector / Cr Ratio | Deviation | Current No of Elected members | No of Members | Retention of Representation % |
|-----------------|-------|-------|-----------------------|-----------|-------------------------------------|------------------|--|
| Cunderdin Ward | 1,390 | 823 | 412 | 10% | 8 | 2 | 25% |
| Quairading Ward | 1,134 | 762 | 381 | 2% | 9 | 2 | 22% |
| Tammin Ward | 422 | 243 | 243 | -35% | 6 | 1 | 17% |
| York Ward | 3,662 | 2,282 | 456 | 22% | 6 | 5 | 83% |
| Total | 6,608 | 4,110 | 373 | 0% | 29 | 10 | |

(Table 3) - Beverley, Cunderdin, Quairading & Tammin

| | | | Elector / Cr Ratio | Deviation | Current No of Elected members | No of Members | Retention of Representation % |
|-----------------|-------|-------|-----------------------|-----------|-------------------------------------|------------------|--|
| Beverley Ward | 1,708 | 1,235 | 412 | 14% | 9 | 3 | 33% |
| Cunderdin Ward | 1,390 | 823 | 412 | 14% | 8 | 2 | 25% |
| Quairading Ward | 1,134 | 762 | 381 | 5% | 9 | 2 | 22% |
| Tammin Ward | 422 | 243 | 243 | -33% | 6 | 1 | 17% |
| Total | 4,654 | 3,063 | 362 | 0% | 32 | 8 | |

(Table 4) - Beverley & York

| | | | Elector /Cr Ratio | Deviation | Current No of Elected members | No of Members | Retention of Representation% |
|---------------|-------|-------|----------------------|-----------|-------------------------------------|------------------|---------------------------------|
| Beverley Ward | 1,708 | 1,235 | 412 | 4% | 9 | 3 | 33% |
| York Ward | 3,662 | 2,282 | 380 | -4% | 6 | 6 | 100% |
| Total | 5,370 | 3,517 | 396 | 0% | 15 | 9 | |

Alternate models could be considered – the above model produces the lowest deviation range

(Table 5) - Cunderdin, Quairading & Tammin

| | | | Elector / Cr Ratio | Deviation | Current No of Elected members | No of Members | Retention of Representation % |
|-----------------|-------|-------|-----------------------|-----------|-------------------------------------|------------------|--|
| Cunderdin Ward | 1,390 | 823 | 274 | 7% | 8 | 3 | 38% |
| Quairading Ward | 1,134 | 762 | 254 | -1% | 9 | 3 | 33% |
| Tammin Ward | 422 | 243 | 243 | -5% | 6 | 1 | 17% |
| Total | 2,946 | 1,828 | 257 | 0% | 23 | 7 | |

Alternate models could be considered – the above model produces the lowest deviation range

The first table #1 is council's preferred option as was conveyed at the meeting, the others below have been provided as information only on other possible combinations should agreement not be reached on the issue of representation.

Regards

Gary Tuffin

Chief Executive Officer

Shire of Cunderdin

PO Box 100

Cunderdin WA 6407

Phone 9635 1005

Fax 96351464

Mobile: 0415 881 644

Website: www.cunderdin.wa.gov.au

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The views expressed in this e-mail are those of the author and do not represent those of the Shire of Cunderdin unless it is clearly indicated. You should scan this e-mail and any attachments for viruses. The Shire of Cunderdin accepts no liability for any direct or indirect damage or loss resulting from the use of any attachments to this e-mail.

9. OFFICER'S REPORTS
9.2 ADMINISTRATION REPORTS
9.2.8 2011/12 CSRFF Funding Application

| | |
|--------------------------------|---|
| FILE NO: | CCP.7 |
| COUNCIL DATE: | 18 October 2010 |
| REPORT DATE: | 11 October 2010 |
| LOCATION/ADDRESS: | Forrest Oval |
| APPLICANT: | N/A |
| SENIOR OFFICER: | R Hooper, CEO |
| REPORTING OFFICER: | R Hooper, CEO |
| DISCLOSURE OF INTEREST: | Cr Walters – Financial/Proximity |
| APPENDICES: | Grant Applications |
| DOCUMENTS TABLED: | Nil |

Summary:

Applications are currently open through the Department for Sport & Recreation for the 2011/12 funding round. Applications are to be lodged with the Regional Office by the 31st October, 2010.

Background:

This funding application is for what is now Stage 3 of the Forrest Oval Redevelopment and Co-Location process and it involves the Bowling, Tennis and Netball facilities.

Consultation:

All associated clubs/organisations.

Statutory Environment:

The Department for Sport & Recreation requires local governments to rank and prioritise CSRFF applications prior to submission.

Policy Implications:

Not applicable.

Financial Implications:

There will be 2011/12 allocations for income and expenditure and there is no anticipated impact on the 2010/11 budget.

The cost estimate is \$537,000 Bowls, \$510,000 Tennis and \$205,000 Netball and the funding applied for is \$417,333 being one third of the cost.

Strategic Implications:

- Key Result Area – Youth - To enhance recreational and cultural opportunities for young people.

Voting Requirements:

Absolute Majority Required: **No**

Site Inspection:

Site Inspection Undertaken: **Not applicable**

Triple bottom Line Assessment:

Economic Implications:

Co-Location of sports may allow for the sale or development of current use land.

Social Implications:

Co-Location of sports on high quality surfaces will add to community activity and social cohesion.

Environmental Implications:

Any arising will be addressed at the construction stage. With the use of synthetic surfaces for bowls and tennis water use will be minimised.

Comment:

The application is to co-ordinate facilities for the three sports of bowls, tennis and netball at the Forrest Oval precinct as the next stage in the project.

No other sport and recreation has been submitted to the Shire of York for the 2011/12 funding round.

Note: Netball Courts funding is currently being assessed in the 2010/11 small grants (rep to \$150,000) funding round however advice on success or otherwise will not be available until later in October.

Cr Walters declared an Interest Affecting Impartiality to this item and left the room at 3.57pm

**RESOLUTION
141010**

Moved: Cr Randell

Seconded: Cr Lawrance

“That Council:

Fully endorses and supports the application to the Department for Sport & Recreation for submission for government funding in 2011/12 for the construction of the following projects:

- 2 x 7 Rink Synthetic Bowling Greens including lights***
- 8 Synthetic surface Tennis Courts including lights***
- 3 Plexipave Netball Courts including lights***

With a joint highest priority and equal number one ranking.”

CARRIED: 4/0

Cr Lawrance congratulated Gail Maziuk on her application and the time and effort put into it.

Cr Walters returned to the room at 4.00pm.



Government of **Western Australia**
Department of **Sport and Recreation**

Office Use Only

TRIM: _____

Grant No: _____

Project Coordinator: _____

Standard CSRFF Grants Application Form

Year 2011/12 – 2013/14 Triennium

This application form can only be used for applications to be submitted in the 2010/11 funding round. No other forms will be accepted.

You MUST discuss your project with an officer from your nearest Department of Sport and Recreation office before completing and submitting your application. Failure to do so will render your project ineligible.

| | | |
|--|--------------------------------------|--------------------------------|
| DSR Contact: - Clayton White , Jennifer Collins Chelsea Gillard | Date: 1 July 2010 Ongoing contact | Office: Leederville Northam |
|--|--------------------------------------|--------------------------------|

TYPE OF GRANT:

- ☐ **ANNUAL GRANT \$50,000–\$166,666 (Up to \$250,000 with development bonus)**
The total project cost (GST exclusive) is \$500,000 or less.
- ☒ **FORWARD PLANNING GRANT \$166,667–\$4 million**
The total project cost (GST exclusive) exceeds \$500,000.
Note: where the grant requested is \$166,667 or less but the total project cost is over \$500,000, applicants are to follow the criteria for a Forward Planning grant but will be funded as an Annual grant.

Year of Claim (Applicable to forward planning grants only):

Please indicate the year that you would prefer to claim a grant. Only indicate first preference for funding in 2010/11 if all planning is finalised.

☐ 2011/12 ☒ **2012/13** ☐ 2013/14

Would project proceed if funding was allocated in a later year? ☐ Yes ☐ No
If yes, how would the project be impacted (e.g. – delayed etc)?

How would the resulting cost escalation be funded?

Applicant's Details:

| | | | | | |
|--------------------|-------------------|--------|----|-----------|------|
| Organisation Name: | Shire of York | | | | |
| Postal Address: | PO Box 22 | | | | |
| Suburb: | York | State: | WA | Postcode: | 6302 |
| Street Address: | 1 Joaquina Street | | | | |
| Suburb: | York | State: | WA | Postcode: | 6302 |

Preferred Contact Person:

All application correspondence will be directed to this person

| | | | | |
|-----------------|-------------------------|------------|------------------------|----|
| Name: | Ray Hooper | | Title: | Mr |
| Position Held: | Chief Executive Officer | | | |
| Business Phone: | 9641 2233 | Facsimile: | 9641 2202 | |
| Mobile Phone: | 0427 412 202 | Email: | records@york.wa.gov.au | |

Organisation Business Details:

Does your organisation have an ABN? **Yes** **ABN: 553 156 762 47**

Is your organisation registered for GST? **Yes** *** Note, in order to be eligible for funding you must attach a copy of the Incorporation Certificate**

Is your organisation not-for-profit? **No**

Is your organisation incorporated? **No** **Incorporation #: ***

Bank details: **Bank: Bendigo Bank BSB: 633-000 A/c: 118630623**

Local Government Authority Details:

LGA: **Shire of York**

Contact: **Ray Hooper** **Title: Mr**

Position Held: **Chief Executive Officer**

Business Phone: **9641 2233** **Facsimile: 9641 2202**

Mobile Phone: **0427 412 202** **Email: records@york.wa.gov.au**

PROJECT DETAILS**Project Description:****Stage 3 of York Recreation Plan – playing areas – Bowls, Tennis, Netball**

Project location: **Forrest Oval Sports Precinct,**

Land ownership: **Who owns the land on which your facility will be located? Shire of York**
Lease Expiry (if applicable): N/A

Planning approvals **Where applicable, has planning permission been granted? Yes**
Have other approvals been granted, ie building Heritage, N/A

What discussions have been held with adjoining local authorities?
Consultation with SEAVROC – South East Avon Region Of Councils – consisting of York, Beverley, Quairading, Brookton, Cunderdin.

Approximate distance from proposed project to nearest adjoining council boundary: **16 km - Northam**

Have you discussed this project with Regional Development Australia (Federal Government)? **No**

If so, are you seeking funding from them? **No**

Contact: **N/A**

How will your project increase physical activity?

The provision of modern purpose built sport courts and fields, and the co-location of several sports to a centralised site, will encourage a greater percentage of the York community to join a sport club or activity group.

Having multi sport and recreation facilities in the one location is family friendly and allows parents/guardians the freedom to attend a sport/activity of their choosing whilst the children are training/playing their own team sports.

The bowls, tennis and netball facilities are all designed to surround the new recreation and convention facilities, with the newly aligned oval on the other side of the building. This provides excellent viewing of all sport from one centralised area which will increase interest and participation from the general community.

The facilities will be directly adjacent to York District High School to meet school physical education needs. The proximity also supports out of school hours use.

Do you share your facility with other groups? **Yes** If so, who: **The York District High School uses this facility every day and pay an annual fee. The Shire of York has a long term agreement with the Department of Education to hold Regional Carnivals and/or Championships at this facility, and the enhancements planned will provide even further opportunities for school, (local and regional) sport and recreational activities.**

List up to three sport and recreation activities which will **directly benefit** from your proposal. Please indicate the approximate % usage of the facility (or part of the facility relating to this proposal).

| Sport/community organisation | % use of the facility | Hours per week |
|------------------------------|-----------------------|---|
| Lawn Bowls | 30% | All Year – 40 hrs (will increase on synthetic) |
| Lawn Tennis | 20% | Seasonal – 22 hrs (will increase on synthetic and under lights) |
| Netball | 20% | Seasonal – 20 hrs (will increase with additional acrylic courts and under lights) |
| York & Districts High School | 30% | All Year - 15 hrs |

Activity/sport membership numbers over the past three years relevant to your project. For example, if a bowls project, golf members not relevant; social membership numbers not applicable.

Note: if membership is not applicable, ie recreation facility or aquatic centre, please enter the number of users of the facility.

| | Bowls,Tennis, Netball | | Bowls,Tennis, Netball | | Bowls,Tennis, Netball |
|---------|-----------------------|---------|-----------------------|---------|-----------------------|
| 2007/08 | 1043 | 2008/09 | 1098 | 2009/10 | 1146 |

What is the name of the State Sporting Association for your activity/sport?

1) Tennis West - (Tennis WA) - 2) Bowls WA) - 3) WANA (West Australian Netball Association)

Have you discussed your project with your State Sporting Association? Yes ☐ No ☐

Contact Name:

Date of contact:

PLANNING

You need to demonstrate that you have undertaken an appropriate level of planning for your project. Questions 1 – 23 must be completed for all applications. Forward Planning grant applications must complete all the questions in detail. Annual grant applications must provide responses where appropriate and relative to the project.

Attach your responses (in numerical order) to the application form. If you believe that you have a valid reason for answering in the negative to a question please detail that reason.

Ensure that you have addressed the Key Principles of Facility Provision (see Guidelines for a CSRFF application), as they apply to your project. Questions 1 to 23 below relate directly to these principles.

You are expected to provide detail on the planning, management and financial viability of your project. Where research findings are used to justify a project a range of research techniques should be evident in the methodology used. When using comparative analysis local conditions must be considered.

All assumptions must be clearly stated.

- When did you complete your needs assessment? (This is a formal analysis required for projects over \$500,000).

Master Plan Report finalised in November 2008. Refer Master Plan – page 28

How has the need for your project been identified and assessed?

Community consultation before, during and after Master Plan was completed

Is the need or a part of the need that you have identified already being catered for? **No**

Lawn Bowls is currently located within the existing precinct however it is provided on grass which is not economical or efficient for maintenance and water conservation. The current facility is not located in an area that would be compatible to the planned co-location precinct.

Netball is located within the existing precinct with only 2 courts and no lights. The existing courts are in a very poor state, not consistent with safe sporting requirements. The lack of additional courts and the poor condition of those existing does not provide for expansion of the sport or introduction of new competitions.

Tennis is currently not located within the existing precinct, and participation in competition tennis is restricted by not having synthetic surfaces or lights. This sport will be co-located to the precinct, reducing cost of court maintenance and supporting water conservation

2. Have you undertaken a feasibility study? (must be included with Forward Planning applications).
Yes - copy of Master Plan attached with Business Plan
If not, how have you assessed the feasibility of your project?
N/A

3. What alternatives were considered and why were they rejected?
An alternative consideration was to relocate to the York Race Course, however this option was ruled out due to the current investments made in the Forrest Oval Precinct, and the location of the race course was deemed unsuitable for access by the majority of the community as it is not within walking distance from the town centre. There would also be a conflict of usage.

Did you consider sharing with another group? (Please detail).

Yes- the predominant aim of the project is to achieve maximum benefit by co-locating multiple sport and recreational activities to one centralised precinct. Due to the distance between bordering towns, it is not viable to share recreation facilities on a daily basis.

4. How does your project fit into your:
- Club's strategic plan or development plan? **N/A**
 - State Sporting Association's strategic or development plan? **N/A**
 - Local authority's strategic or development plan? **Refer Master Plan**

5. What impact is your project likely to have on other facilities and services in your local and regional area?
The impact will be all positive. The completion of this project will provide York and surrounding regions with a unique modern centralised sport and recreation venue that will carry the community forward in access, achievement, standards and enjoyment for many years.

The co-location of all sports to one precinct on appropriate sport surfaces will allow more family interaction in sport and recreation, and the proximity to the school will encourage greater participation in a variety of sports.

Ref Master Plan – page 77

6. Is your facility multi-purpose (i.e. caters for a variety of activities at one time)? **Yes**
If so, does it service more than one LGA?

The facility will service all LGA's in the SEAVROC group (Shires of York, Beverley, Quairading, Cunderdin & Brookton) for regional sport and recreation activities and events

Site and locality maps should be included with all applications outlining where the proposed facility is located in relation to other sport and recreation infrastructure (where applicable).

See attached

7. Describe the consultation process undertaken for the project. For example, have you:
- invited public submissions; **Yes**
 - conducted a survey **Yes**
 - coordinated a public meeting; **Yes**

- held forums with key groups; **Yes**
- nominated a community representative onto the project team; **Yes**
- other, please detail **Refer Master Plan – page 19**

A range of resources regarding the development of sporting facilities are available on the website. DSR's Decision-Making Guide for Community Facilities and Services is useful to assist in determining the need for, and feasibility of, community and recreation services. The Guide is designed in such a way that it can be entered at any point in the planning process and used by planners for user groups with a range of skills and experiences.

MANAGEMENT

8. Have you developed a management plan for your facility? **Yes**
Please attach a copy with this application. **See Business Plan attached**
If not, please explain how you plan to address management issues i.e. attracting new members, building maintenance and repairs, replacement of broken or stolen items and/or raise sufficient revenue to cover operating costs? An asset management plan detailing provisions for life of asset costs should be provided for projects over \$500,000.
9. How have you catered for management needs in your design (if required)? Consider access, usage and supervision.
All sports located in the precinct will be managed and run by their own appointed management committees, and use a shared committee room and other shared facilities in the recreation and convention centre,
10. Was an experienced facility manager, builder or technical expert involved in planning the design of your project? Please outline their experience.
Yes – architectural company, civil engineer company and building consultants consulted. Sport Surface Suppliers have been consulted and have provided design expertise.
11. If you propose to share a facility, have other groups been asked what features they need? List these needs and describe how they will be accommodated, either through your project's location, design or the way in which it will be managed.
Yes
12. Have you considered:
 - child care facilities **Yes**
 - access for low income earners **Yes**
 - access for the disabled **Yes**
 - access for seniors **Yes**
 - access on a casual and short-term basis **Yes**

Please attach a copy of the proposed fee structure. – **see Business Plan**

DESIGN

Grant applications are required to provide a locality map, site map and building plans. Plans are to be submitted in A3 format.

13. Have you written a design brief for your project? **Yes**
If yes, please respond to the following points:
Describe the process used to obtain an estimate of construction cost. Consultation with approx 5 different sport surface suppliers and quotes or estimates received. Site layout was determined by civil engineers in consultation with the architect appointed to design and construct the new recreation and convention centre.
An estimate from a qualified consultant in the building industry (e.g. architect, quantity surveyor, builder, engineer, etc.) must be provided with your application.
14. What design features will allow your facility to meet changing needs over time?
Layout of all courts and fields have been designed with growth factored into the designs. There will be some areas of the precinct left vacant for future use.
Is your current proposal likely to limit any future development on your site? **No**
If yes, how?

15. How have you determined the most appropriate technical specification for the equipment and systems for your facility (i.e. filtration, lighting, water heating, air quality – as required)?
Consultation with Civil Engineers, Architect, Sport Surface Suppliers
 Do they meet Australian Design Standards for your sport or recreation needs? This will be an assessment factor. **Yes**
 Please refer to DSR's Asset Management Guide on the website for a list of common standards and **note that projects that do not meet Australian Design Standards are ineligible for funding.**
16. What energy and water efficient products or design considerations will be included in your facility or project? (e.g. solar hot water, natural light, geothermal, water recycling etc.).
Synthetic sport surfaces for water and environmental conservation. Drainage plan prepared to direct, manage and harvest surface water for re-use where viable.
17. If your project involves floodlighting, have you determined whether there is a need to upgrade your power supply? If so, is this allowed for in your application?
Power upgrade has been included in the specifications for the construction of the new recreation and convention facility, not required as part of this application.

FINANCIAL VIABILITY

It is understood that some facilities will operate at a loss. It is not necessary to suggest that all facilities will break even or make a profit. The intent of this assessment is to be sure that applicants have a realistic understanding of the impact of their project on the operational budget, membership costs or entry fees and an appreciation of the funding requirements over the life of the facility.

18. Have you applied a Life Cycle Cost Analysis to your project? This is mandatory **for projects that have a total project cost over \$500,000.**

Yes

DSR's Life Cycle Cost Guidelines are available on the website. Developing a life cycle cost approach when considering your project's parameters will assist to make effective financial, economic and operationally sustainable decisions. Applicants may use alternative computer programs to demonstrate compliance.

19. Is your organisation able to meet the ongoing operating costs of your project (e.g. wages, power)?

Yes

For Annual Grant applications please attach a projected income and expenditure statement for the first year of operation, detailing operating costs, and user fees. – **see Business Plan**

Forward Planning applications are to provide income and expenditure statements for the first three years of operation, and include an assessment of the potential impact on the project of social trends, competition, the strategic plans of neighboring local authorities and other factors. Applicants are to consider the financial impact the development of the project will have on existing facilities within the identified catchment area. Applications to include details of a number of scenarios related to projected income and expenditure. This type of sensitivity analysis based on worst, average, and best-case performance should be used to inform proponents of the project development to the variables and consequent implications. A list of assumptions should be included with all analyses.

Attach your audited income and expenditure statements for the last three years (LGAs exempted).

20. Who will be responsible for any operational deficit and how will it be funded?

The Shire of York from municipal funds

21. Will an Asset Replacement Fund be created to ensure the ongoing maintenance of the facility
No - Maintenance and upgrade of Shire facilities are included in standard budget allocations each year. The liabilities will be included in the Forward Capital Plan and the Asset Management Plan.

If yes, how have you determined the required annual contributions? If no, why not?

N/A

Where the facility is owned by an LGA, how will the funds be accounted for and what agreement exists with the council?

Council owned, operated and managed through the local government accounting system and processes

PROJECT DELIVERY

22. Please indicate key milestones of your project. The key milestones need to be realistic and demonstrate that the project can be delivered in the timeframe.

| Task | Date |
|------------------------------|-------------------------------------|
| Council approvals | Take out to 2012/2013 April 2011 |
| Preparation of tender/quotes | April 2011 |
| Issuing of tender | June 2011 |
| Site works commence | June 2011 |
| Construction starts | July 2011 |
| Project 50% complete | October 2011 |
| Project completed | January 2012 |
| Handover – final inspections | February 2012 |
| Project Acquitted | April 2012 |

23. Are there any operational constraints that would impact on the construction phase of your project? (such as your sporting season or major annual event, i.e. if your sport is a winter sport, when will the project commence to ensure that inclement weather does not hinder progress) – provide details.
No operational constraints, existing facilities will still be operational until the new facilities are installed

GST

Grant payments are payable to the applicant/grantee only. This may have taxation implications for grantees. If grantees wish specific advice relating to their grant, this can be obtained from the Australian Taxation Office (ATO). Please note depending upon the value of the project and/or grant, the ATO may require an organisation be registered for GST. If the applicant is registered for GST, the grant is grossed up with the GST amount.

PRIVACY STATEMENT AND STATEMENT OF DISCLOSURE

The Organisation acknowledges and agrees that this Application and information regarding it is subject to the *Freedom of Information Act 1992* and that the Grantor may publicly disclose information in relation to this Application, including its terms and the details of the Organisation.

Any information provided by you to DSR can be accessed by you during standard office hours and updated by writing to DSR or calling (08) 9492 9700. All information provided on this form and gathered throughout the assessment process will be stored on a database that will only be accessed by authorised departmental personnel and is subject to privacy restrictions.

DSR may wish to provide certain information to the media for promotional purposes. The information will only include the applicant's club name, sport, location, grant purpose and grant amount.

APPLICANT'S CERTIFICATION

I certify that the information supplied is to the best of my knowledge, true and correct.

Name: _____

**Position
Held:** _____

Signature: _____

Date: _____

LODGEMENT OF YOUR APPLICATION

- Applications should be stapled or clipped at the top left-hand corner. Please do not bind.
- It is recommended that you photocopy your completed application form, including attachments for your own records and future audit purposes.
- All attachments and supporting documentation (see next section) should be clearly identified and securely attached to the application form.

The following documentation must be included with your application. Applicants may wish to supply additional RELEVANT information.

Grants \$50,000–\$166,666 (where the total project cost is \$500,000 or less):

- ☐ Application form (Parts 1 and 2 including responses to questions 1- 23).
- ☐ Incorporation Certificate.
- ☐ Two written quotes. Quantity Surveyor costs will be accepted; however the responsibility lies with the applicant to ensure the validity of the information. DSR accepts no responsibility for cost variations to projects that were provided a grant based on submitted Quantity Surveyor costs.
- ☐ If your project involves the upgrade of an existing facility, include photograph/s of this facility.
- ☐ Locality map, site map and building plans (in relevant constructions projects), including where the proposed facility is located in relation to other sport and recreation infrastructure.
- ☐ Income and expenditure statements for the current and next financial years. (LGAs exempted).
- ☐ Written confirmation of financial commitments from other sources including copies of council minutes.
- ☐ For resurfacing projects, a written guarantee from the supplier of the product that clearly identifies the product's life expectancy.
- ☐ Itemised project cost for components and identified on the relevant quote for each (including cost escalation).
- ☐ For floodlighting projects, a lighting plan must be supplied showing lux, configuration and sufficient power supply

Grants \$166,667–\$4 million (where the total project cost exceeds \$500,000):

All of the above and:

- ☐ Needs assessment
- ☐ Management plan
- ☐ Locality map, site map and building plans (in relevant constructions projects) in AutoCad or similar format with an additional electronic version
- ☐ Feasibility study
- ☐ Concept design
- ☐ Life Cycle Cost Analysis

Your application will be considered not eligible, if:

- You have not discussed your project with the Department of Sport and Recreation and your State Sporting Association.
- You do not meet the eligibility criteria for the grant category to which you are applying.
- You have not included with your application all the relevant required supporting documentation. There is no onus on Department staff to pursue missing documentation.
- Applicants/projects that have received a CSRFF grant in the past and have not satisfactorily acquitted that grant. In some cases this may apply to localities where other significant projects have not been progressed or have not completed a previous project in accordance with the conditions of the grant provided. An assessment will be made in November and if no physical progress has occurred, new applications may not be recommended.
- It is not on the 2011/12 CSRFF application form.
- The project for which application is made is specifically excluded from receiving CSRFF support.

DEVELOPMENT BONUS APPLICANTS ONLY

If you applied for a CSRFF grant for more than one third of the cost of the project, please provide evidence of meeting at least one of the following criteria.

You MUST contact your local DSR office to determine eligibility before applying.

| Category | | Details |
|---------------------------|---|---------|
| Geographical location | <input type="checkbox"/> Regional/Remote location <input type="checkbox"/> Growth Local Government | |
| Co-location | <input type="checkbox"/> New <input type="checkbox"/> Existing | |
| Sustainability initiative | <input type="checkbox"/> Water saving <input type="checkbox"/> Energy reduction <input type="checkbox"/> Other | |
| Increased participation | <input type="checkbox"/> New participants <input type="checkbox"/> Existing participants – higher level <input type="checkbox"/> Special interest <input type="checkbox"/> Other | |

PROJECT BUDGET

ESTIMATED EXPENDITURE

Please itemise the components of your project in the table below, indicating their cost and which quote or part of quote was used to estimate this. Quantity Surveyor costs will be accepted however the responsibility lies with the applicant to ensure the validity of the information. A contingency allowance is considered an acceptable component.

| Project Description (detailed breakdown of project to be supplied) | \$ Cost ex GST | \$ Cost inc GST | Quote Used (list company name and quote no) |
|---|----------------|-----------------|--|
| Netball - 3 synthetic surface courts | | | |
| Site works and base preparation – 3 netball courts | \$91,165.00 | \$100,281.50 | Tiger Turf (July 2010) |
| Acrylic Surfacing – 3 netball courts | \$24,860.00 | \$27,346.00 | Tiger Turf (July 2010) |
| Accessories adjustable netball posts including ring and chain nets – 3 netball courts | \$3,700.00 | \$4,070.00 | Tiger Turf (July 2010) |
| Design, supply, install and commission LSG sports lighting – 3 netball courts | \$85,800.00 | \$94,380.00 | Lightbase Pty.Ltd (total netball (\$205,525 excl GST) |
| Tennis – 8 synthetic surface courts | | | |
| Preliminaries and construction of base | \$233,070.00 | \$256,377.00 | Tiger Turf |
| Install Tournament synthetic surface to 8 courts | \$91,790.00 | \$100,969.00 | Tiger Turf |
| Fencing | \$49,670.00 | \$54,637.00 | Tiger Turf |
| Net Posts | \$7,010.00 | \$7,711.00 | Tiger Turf |
| Lights – 6 tower Musco Lighting System | \$127,880.00 | \$140,668.00 | Tiger Turf (total Tennis \$509,420 excl GST) |
| Bowls – 2 36.6m x 36.6m synthetic surface bowling rinks | | | |
| Installation of 2 x BowlsWeave Surface rinks laid over bonded aggregate vertical draining sports base | \$427,100.00 | \$469,810.00 | Tiger Turf |
| Ditch grass and ditch bank coverings for 2 rinks | \$8,100.00 | \$8,910.00 | Tiger Turf |
| Landscaping of 1m to perimeter including base construction and installation to 2 rinks | \$13,700.00 | \$15,070.00 | Tiger Turf |
| Lights x 2 bowling rinks, Musco Lighting System | \$88,100.00 | \$96,910.00 | Estimated (total Bowls \$537,000 excl GST) |

Application Form

CSRFF

| | | | | | |
|------------------------------|--|----------------|--|----------------|--------------------------------|
| | | | | | |
| | | | | | |
| Donated materials | | \$0 | | | |
| Volunteer expenses | | \$0 | | | |
| Sub Total | | \$1,251,945.00 | | \$1,377,139.50 | |
| Cost escalation | | \$62,598.00 | | \$68,857.80 | Standard cost escalation of 5% |
| a) Total project expenditure | | \$1,314,543.00 | | \$1,445,997.30 | |

- At least two written quotes are required for each component.
- If your project is a floodlighting installation or upgrades, please ensure that the power supply is sufficient and no upgrade will be required. If upgrade is required and not budgeted for, the grant will immediately be withdrawn. A lighting plan must be supplied showing lux and configuration.
- Projects that do not meet Australian Design Standards are ineligible for funding.

PROJECT FUNDING

| Source of funding | \$ Amount ex GST | \$ Amount inc GST | | Funding confirmed Y / N | Comments to support claim (please attach relevant support) |
|--------------------------------|------------------|-------------------|--|-------------------------|--|
| Local government | \$796,362.00 | \$875,998.00 | LGA cash and in-kind | Yes | Business Plan and Forward Capital Plan |
| Applicant cash | N/A | | Organisation's cash | | |
| Volunteer labour | \$0 | | Cannot exceed applicant cash and LGA contribution – max \$50,000 | | |
| Donated materials | \$0 | | Cannot exceed applicant cash and LGA contribution | | |
| Other State Government funding | N/A | | | | |
| Federal Government funding | N/A | | | | |
| Other funding – to be listed | \$80,000.00 | \$80,000.00 | Contribution committed by York Bowling Club | YES | Letter of confirmation attached |
| CSRFF requested | \$438,181.00 | \$481,999.00 | up to 1/3 project cost | | |
| Development Bonus | N/A | | Up to 1/2 project cost | | |

Application Form

CSRFF

| | | | | | |
|--|----------------|----------------|--|--|---|
| b) Total project funding | \$1,314,543.00 | \$1,437,997.30 | | | |
| *Note: If the funding approved is less than funding requested for this project, or the project is more expensive than indicated in this budget, where would the extra funds be sourced from? | | | | | |
| | | | | | Shire of York Municipal Funds and community contributions |

GST

Grant payments are payable to the applicant/grantee only. This may have taxation implications for grantees. If grantees wish specific advice relating to their grant, this can be obtained from the Australian Taxation Office (ATO). Please note depending upon the value of the project and/or grant, the ATO may require an organisation be registered for GST. If the applicant is registered for GST, the grant is grossed up with the GST amount.

FINANCIAL SUMMARY

| | |
|---------------------------------------|----------------|
| a) Total project expenditure (ex GST) | \$1,314,543.00 |
| b) Total project funding | \$1,314,543.00 |
| c) Project variance* | \$0.00 |

*Balance between a) and b) should equal \$0

PROJECT ASSESSMENT SHEET

This page is for the use of the relevant Local Government Authority to be used for both community and LGA projects. Please attach copies of council minutes relevant to the project approval.

| |
|--|
| Name of Local Government Authority: Shire of York |
| Name of Applicant: Shire of York |

Note: The applicant's name cannot be changed once the application is lodged at DSR.

SECTION A

The CSRFF principles have been considered and the following assessment is provided:
(Please include below your assessment of how the applicant has addressed the following criteria)

All applications

| | Satisfactory | Unsatisfactory | Not relevant |
|---|--------------|--------------------------|--------------------------|
| Project justification | Yes | <input type="checkbox"/> | <input type="checkbox"/> |
| Planned approach | Yes | <input type="checkbox"/> | <input type="checkbox"/> |
| Community input | Yes | <input type="checkbox"/> | <input type="checkbox"/> |
| Management planning | Yes | <input type="checkbox"/> | <input type="checkbox"/> |
| Access and opportunity | Yes | <input type="checkbox"/> | <input type="checkbox"/> |
| Design | Yes | <input type="checkbox"/> | <input type="checkbox"/> |
| Financial viability | Yes | <input type="checkbox"/> | <input type="checkbox"/> |
| Co-ordination | Yes | <input type="checkbox"/> | <input type="checkbox"/> |
| Potential to increase Physical activity | Yes | <input type="checkbox"/> | <input type="checkbox"/> |
| Sustainability | Yes | <input type="checkbox"/> | <input type="checkbox"/> |

Development applications only

| | Satisfactory | Unsatisfactory | Not relevant |
|------------------------|--------------------------|--------------------------|--------------|
| Location | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Sustainability | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Co-Location | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Special Interest Group | <input type="checkbox"/> | <input type="checkbox"/> | X |

SECTION B

| | |
|---|---|
| LGA – priority ranking of this project | |
| Priority ranking of no of applications received | 1 of 1 applications received |
| Is this project consistent with the | Local Plan- YES Regional Plan - YES State Plan – N/A |
| Have all planning and building approvals been given for this project? | Yes |
| If no, what approvals are still outstanding? | N/A |

Project Rating (Please tick the most appropriate box to describe the project)

| | | |
|---|--|--------------------------|
| A | Well planned and needed by municipality | YES |
| B | Well planned and needed by applicant | YES |
| C | Needed by municipality, more planning required | <input type="checkbox"/> |
| D | Needed by applicant, more planning required | <input type="checkbox"/> |
| E | Idea has merit, more planning work needed | <input type="checkbox"/> |
| F | Not recommended | <input type="checkbox"/> |

Application Form

CSRFF

LGA comments:

Signed

Position

Date

Applications for CSRFF funding must be submitted to your Department of Sport and Recreation office by **4pm on the last working day in October**. Late applications cannot be accepted in any circumstances.

DSR Offices

PERTH OFFICE

246 Vincent Street
Leederville WA 6007
PO Box 329
Leederville WA 6903
Tel: (08) 9492 9700
Fax: (08) 9492 9711

PEEL

Suite 3
The Endeavour Centre
94 Mandurah Terrace
PO Box 1445
Mandurah WA 6210
Tel: (08) 9550 3100
Fax: (08) 9550 3199

PILBARA

2/3813 Balmoral Road
PO Box 941
Karratha WA 6714
Tel: (08) 9182 2100
Fax: (08) 9182 2199

SOUTH WEST

80A Blair Street
PO Box 2662
Bunbury WA 6230
Tel: (08) 9792 6900
Fax: (08) 9792 6999

GREAT SOUTHERN

22 Collie Street
Albany WA 6330
Tel: (08) 9892 0100
Fax: (08) 9892 0199

GASCOYNE

4 Francis Street
PO Box 140
Carnarvon WA 6701
Tel: (08) 9941 0900
Fax: (08) 9941 0999

GOLDFIELDS

106 Hannan Street
PO Box 1036
Kalgoorlie WA 6430
Tel: (08) 9022 5800
Fax: (08) 9022 5899

KIMBERLEY – Kununurra

Government Offices
Cnr Konkerberry Drive and
Messmate Drive
PO Box 1127
Kununurra WA 6743
Tel: (08) 9195 5750
Fax: (08) 9166 4999

WHEATBELT - NORTHAM

298 Fitzgerald Street
PO Box 55
Northam WA 6401
Tel: (08) 9690 2400
Fax: (08) 9690 2499

WHEATBELT – NARROGIN

Government Offices
Level 2, 11-13 Park Street
Narrogin WA 6312
Telephone 0429 881 369
Facsimile (08) 9881 3363

MID-WEST

Mid West Sports House
77 Marine Terrace
PO Box 135
Geraldton WA 6531
Tel: (08) 9956 2100
Fax: (08) 9956 2199

KIMBERLEY – Broome

Unit 2, 23 Coghlan Street
PO Box 1476
Broome WA 6725
Telephone (08) 9492 9650
Facsimile (08) 9166 4999
Mobile 0438 916 185

9. OFFICER'S REPORTS
9.2 ADMINISTRATION REPORTS
9.2.9 Code of Conduct – Elected Members & Staff

| | |
|--------------------------------|--|
| FILE NO: | OR.CMA.3 |
| COUNCIL DATE: | 18 October 2010 |
| REPORT DATE: | 11 October 2010 |
| LOCATION/ADDRESS: | N/A |
| APPLICANT: | N/A |
| SENIOR OFFICER: | R Hooper, CEO |
| REPORTING OFFICER: | R Hooper, CEO |
| DISCLOSURE OF INTEREST: | Nil |
| APPENDICES: | Shire of York – Code of Conduct |
| DOCUMENTS TABLED: | Nil |

Summary:

Requirement to review the Code of Conduct within 12 months of each ordinary election.

Background:

The Shire of York has operated under a Code of Conduct from the 16th July, 2001 to date.

The Local Government (Code of Conduct) Amendment Act came into effect on the 20th October, 2007.

Consultation:

Not Applicable

Statutory Environment:

Local Government Act – Part 5, Division 9.

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Nil

Voting Requirements:

Absolute Majority Required: **No**

Site Inspection:

Site Inspection Undertaken: **Not applicable**

Triple bottom Line Assessment:

Economic Implications:

Nil

Social Implications:

The Code of Conduct is integral to the governance and operations of the local government for the good of the community as a whole.

Environmental Implications:

Nil

Comment:

The provisions and requirements of the Shire of York Code of Conduct and the specific legislation is clear cut and sets out procedures and processes.

Minor breaches can result in the following action:

- Public Censure
 - Public Apology
 - Training
- Or a combination of the above

Serious breaches can result in the following action:

- Public Censure
- Public Apology
- Training
- Suspension for a period of up to 6 months
- Disqualification for up to 5 years

Two or more of the above sanctions may be applied. A CEO must advise the Corruption and Crime Commission of any matter of potential serious breaches.

RESOLUTION**151010****Moved: Cr Randell****Seconded: Cr Scott*****“That Council:******Adopt the Shire of York – Code of Conduct for Elected Members and Staff without modification.”******CARRIED: 5/0***



CODE OF CONDUCT FOR ELECTED MEMBERS AND STAFF

History:
Adopted 16 July 2001
Adopted 19 May 2003
Reviewed & Adopted 19 November 2007



SHIRE OF YORK

CODE OF CONDUCT **(INCLUDING STAFF)**

INTRODUCTION

The Local Government Act 1995 requires that every local government is to adopt a Code of Conduct to be observed by Council members, Committee members and employees (S.5.103). The Code of Conduct is also to be reviewed within 12 months of each ordinary election.

OBJECTIVE

Briefly, the Code of Conduct provides Elected Members and staff in local government with consistent guidelines for an acceptable standard of professional conduct. The code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability in individual local governments.

The Code is complementary to the principles adopted in the Local Government Act (and regulations) which incorporates four fundamental aims to result in:

- a) better decisions by local governments;
- b) greater community participation in the decisions and affairs of local governments;
- c) greater accountability of local governments to their communities; and
- d) more efficient and effective local government.

The Code provides a guide and a basis of expectations for Elected Members and staff. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.

POLICY

1. Conflict and Disclosure of Interest

1.1 Conflict of Interest

- a) Members and staff will ensure that there is no actual (or perceived) conflict between their personal interests and the impartial fulfilment of their professional duties.
- b) Staff will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Shire of York, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any

appearance that private dealings could conflict with performance of duties must be scrupulously avoided.

- c) Members and Staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the Shire of York of which may otherwise be in conflict with Council's functions (other than purchasing the principal place of residence).
- d) Staff who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- e) Staff will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity.

1.2 Financial Interest

Members and staff will adopt the principles of disclosure of financial interest as contained with the Local Government Act 1995 (S.5.60).

1.3 Disclosure of Financial Interest

- a) In addition to disclosure of financial interests, members and staff, including persons under a contract for services:
 - Attending a Council or committee meeting; or
 - Giving advice to a Council or committee meeting

Are required to disclose any interest they have in a matter to be discussed at the meeting that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected.

- b) Where an interest must be disclosed under (a) above, the disclosure is to be made at the meeting immediately before the matter is discussed or at the time the advice is given, and is to be recorded in the minutes of the meeting.
- c) Members and staff shall complete the following disclosure for interests which may affect their impartiality.

"With regard to The matter in item (as in agenda) I disclose that I have an association with the applicant* (or person seeking a decision). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."

* The member or employee is encouraged to disclose the nature of the association.

2. Personal Benefit

2.1 Use of Confidential Information

Members and staff will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are

inconsistent with their obligation to act impartially, or to improperly cause harm or detriment to any person or organisation (S.5.93).

2.2 Intellectual Property

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Shire of York upon its creation unless otherwise agreed by separate contract.

2.3 Improper or Undue Influence

Members and staff will not take advantage of their position to improperly influence other members or staff in the performance of their duties or function, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

2.4 Token Gifts

- a) Members and staff are not to accept a gift other than a token gift from a person who is undertaking or likely to undertake business –
 - that requires the person to obtain any authorisation from the local government;
 - by way of contract between the person and the local government;
 - by way of providing any service to the local government.
- b) The Chief Executive Officer will maintain a register of token gifts recorded in accordance with subclause (c).
- c) Members and staff who accept a token gift that is required to be entered in the register are to record –
 - the names of the persons who gave, and received the token gift;
 - the date of receipt of the token gift; and
 - a description and the estimated value of the token gift.
- d) A token gift is defined as being a gift of \$200 or below, but does not include gifts defined by Council as exempt token gifts providing any such exempt token gift does not exceed \$50 in value. (Refer to schedule “A”).
- e) This clause does not apply to gifts received from a relative (as defined in section 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).

3. Conduct of Members and Staff

3.1 Personal Behaviour

- a) Members and staff will:
 - i) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
 - ii) perform their duties impartially and in the best interests of the Shire of York uninfluenced by fear or favour;
 - iii) act in good faith (ie honestly, for the proper purpose and without exceeding their powers) in the interests of the Shire of York and the community;

- iv) make no allegations which are improper or derogatory (unless true and in public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
 - v) always act in accordance with their obligations of fidelity to the Shire of York.
- b) Members will represent and promote the interests of the Shire of York, while recognising their special duty to their own constituents.

3.2 Honesty and Integrity

Members and staff will:

- i) observe the highest standards of honesty and integrity and avoid conduct which might suggest any departure from these standards;
- ii) bring to the notice of the President any dishonesty or possible dishonesty on the part of any other member and in the case of an employee to the Chief Executive Officer;
- iii) be frank, honest and courteous in their official dealing with each other; and
- iv) not remove from the Council Chambers any full or part consumed bottles or containers of alcoholic drink without the permission of the President or in his absence, the Deputy President.

3.3 Performance of Duties

- a) While on duty, staff will give their whole time and attention to the Shire of York's business and ensure that their work is carried out efficiently, economically and effectively and that their standard of work reflects favourably both on them and on the Shire of York.
- b) Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Members will be as informed as possible about the functions of the Council and treat all members of the community honestly and fairly.

3.4 Compliance with Lawful Orders

- a) Staff will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Chief Executive Officer.
- b) Staff will give effect to the lawful policies of the Shire of York, whether or not they agree with or approve of them.

3.5 Administrative and Management Practices

Members and staff will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

3.6 Corporate Obligations

a) Standard of Dress

Staff are expected to comply with neat and respectable dress standards at all times. Management reserves the right to raise the issue of dress with individual staff.

b) Communication and Public Relations

- i) All aspects of communication by staff (including verbal, written or personal), involving the Shire of York's activities should reflect the status and objectives of the Shire of York. Communications should be accurate, polite and professional.
- ii) As a representative of the community, members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so, members should acknowledge that:
 - as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
 - information of a confidential nature ought not be communicated until it is no longer treated as confidential;
 - information relating to decisions of the Council on approvals, permits and so on, ought only be communicated in an official capacity by a designated officer of the Council; and
 - information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.

3.7 Relationships between Members and Staff

An effective Councillor will work as part of the Council team with the Chief Executive Officer and any other members of staff. That teamwork will only occur if Members and staff have a mutual respect and cooperate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that position Members need to:

- Accept that their role is a leadership, not a management or administrative one;
- Acknowledge that they have no capacity to individually direct members of staff to carry out particular functions; and
- Refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility.

3.8 Appointments to Committees

As part of their representative role, Members are often asked to represent the Council on external organisations. It is important that Members:

- Clearly understand the basis of their appointment; and
- Provide regular reports on the activities of the organisation

3.9 Access to Information

Members and staff will ensure that members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities as members.

4. Use of Shire of York's Resources

Members and staff will:

- a) be scrupulously honest in their use of the Shire of York's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- b) use Shire of York's resources entrusted to them effectively and economically in the course of their duties; and
- c) not use Shire of York's resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

5. Travelling and Sustenance Expenses

Members and staff will only claim or accept travelling and sustenance expenses arising out of travel related matters which have a direct bearing on the services, policies or business of the Shire of York in accordance with the Shire of York's policy and the provisions of the Local Government Act 1995.

6. Enforcement of this Code

Breaches of this Code are considered serious by the Council and its Officers, as it outlines the way we work with each other and the community.

All breaches are to be in writing either to the Shire President or Chief Executive Officer.

A decision to deal with a breach of this Code by an elected member shall be a decision of the Council. The Council may, where the circumstances warrant, move a "Motion of Censure" against the elected member and record the reasons for such action in the minutes of the meeting.

The Chief Executive Officer shall take the appropriate disciplinary action where an officer has breached the Code and the circumstances warrant action.

SCHEDULE “A”

Schedule of Exempt Token Gifts

- Trinket gifts of an insignificant nature, i.e. biros, keyrings, diaries, coasters, etc.
- Minor items of apparel, i.e. ties, hats, tee-shirts, etc.
- Minor items of a promotional nature, i.e. mugs, etc.
- Provision of food and refreshment.
- Travel and other related benefits such as accommodation.
- Goods and materials obtained by attendance at courses, conferences and seminars and the like including items such as satchels (and contents of a minor nature), minor spot prizes and raffles, etc. and entertainment provided irrespective of value.
- Attendance or participation at sporting, cultural, recreational facilities and events.
- Receipt of professional, trade or like services, etc.
- Gifts of a seasonal or personal nature.
- Token gifts and hospitality received as a result of attendance at, or involvement with another local government, or the state or federal government (or any other committee or group which Council has endorsed councillors or employees involvement with).

The above schedule of exempt token gifts may be taken as a guide for the purpose of assessing when a gift need not be included in the token gift register provided any such gift does not exceed \$50 in value.



DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT

WORKSHOP HANDOUT

GUIDE TO

MAKING A COMPLAINT

ABOUT THE CONDUCT

OF COUNCIL MEMBERS

CONTENTS

| |
|--|
| 1. Introduction |
| 2. Overview |
| 3. Complaints Officer |
| 4. Cautions |
| 5. Primary Standards Panel |
| 6. State Administrative Tribunal |
| 7. SAT powers and procedures |
| 8. Types of SAT applications |
| 9. Overview of SAT process |
| 10. Representatives |
| 11. Frequently Asked Questions |
| COPY of proposed OFFICIAL CONDUCT FORM 1 (Complaint of a Minor Breach Form) |
| COPY of proposed OFFICIAL CONDUCT FORM 2 (Complaint of a Serious Breach Form) |

COMPLAINTS ABOUT THE CONDUCT OF COUNCIL MEMBERS PART 5 DIVISION 9 OF THE *LOCAL GOVERNMENT ACT 1995*

1. Introduction

1. The *Local Government (Official Conduct) Amendment Act 2007* ("Amendment Act") is intended to commence operation from midnight of 20 October 2007 (i.e. from commencement of 21 October 2007).
2. A consequence of the Amendment Act is that the provisions of Part 5 Division 9 of the *Local Government Act 1995* ("LG Act") on codes of conduct ("the Official Conduct provisions") provide a disciplinary framework to deal with certain individual misconduct by local government council members where they do not comply with a code of conduct (rules) or they contravene particular laws applying to them in Acts and Regulations.

2. Overview

3. The key matters in the Official Conduct provisions are:
 - the establishment of a statewide primary Standards Panel ("the Standards Panel") to deal with complaints about minor breaches which are to be contraventions of the new code (rules) of conduct with penalties including public censure, public apology or an order to undertake training; and
 - for complaints about serious breaches to be sent to the Department of Local Government and Regional Development ("the Department") for possible referral to the State Administrative Tribunal ("SAT") for determination including similar penalties as above and stronger penalties of up to six months suspension or up to five years disqualification as an elected member of any local government.
4. The rules of conduct cover the following key areas:
 - principles of general behaviour;
 - local law as to conduct at meetings;
 - use of information;
 - securing personal advantage or disadvantaging others;
 - misuse of council resources;
 - prohibition against involvement in administration;
 - relations with local government employees;
 - disclosure of interest adversely affecting impartiality; and
 - gifts.
5. The Official Conduct provisions provide that contraventions of the rules of conduct are a minor breach and complaints are to be referred to the Standards Panel. Additional panels may be appointed should it be necessary.

[Note: A local government Chief Executive Officer ("CEO") must still give written notice to the Corruption and Crime Commission of any matter which the CEO suspects on reasonable grounds concerns or may concern a council member's misconduct (as defined under section 4 of the *Corruption and Crime Commission Act 2003*).]

3. Complaints Officer

6. Each council must appoint a complaints officer ("complaints officer") who is a senior local government employee, otherwise the position will fall to the local government's CEO.
7. Complaints referred to the local government must be in writing in an approved Complaint Form (as per the attached copies). It is an offence for a complainant to give false or misleading information.
8. When the complaints officer initially receives a complaint of a minor breach, it should be checked to ensure that it has been properly completed (and is dated and signed), and the complaints officer acknowledges its receipt, and sends a copy of the complaint to the council member complained about.
9. The complaints officer must refer the minor breach complaint to the Standards Panel, along with any relevant information the complaints officer has in relation to the complaint.
10. The council member complained about may respond in writing to the Standards Panel to any adverse allegations in the complaint.

4. Cautions

11. A minor breach complaint must be made according to the Complaint Form approved by the Minister for Local Government, and must follow a statutory process, in order for the Standards Panel to deal with it. Before making the formal complaint a complainant is advised to read or be aware of the following CAUTIONS, and to otherwise follow this guide.

GENERAL CAUTION AGAINST PROVIDING FALSE OR MISLEADING INFORMATION:

A person commits an offence if the person gives information in a complaint knowing the information to be false or misleading in a material particular (LG Act, section 5.124). The penalty for committing this offence is a fine of \$5,000 (LG Act, section 9.14).

CAUTION WHERE COMPLAINT BEING MADE DURING AN ELECTION CAMPAIGN PERIOD:

A person who:

- (a) makes a complaint during a campaign period (that is, the period beginning on the first day of the nomination period and ending on the election day); or
- (b) performs a function under the LG Act in respect of a complaint made during a campaign period; or
- (c) as a result of anything done under [Part 5 Division 9 of the LG Act], becomes aware of any detail of a complaint made during a campaign period knowing it to be relevant to the complaint,

and during the campaign period discloses information that the complaint has been made, or discloses information of any detail of the complaint, commits an offence (LG Act, section 5.123(1)). The penalty for committing this offence is a fine of \$5,000 (LG Act, section 9.14).

12. However, it is not an offence against section 5.123(1) of the LG Act to disclose information if:
 - (a) the disclosure is made for the purposes of investigating or dealing with the complaint;
 - (b) the disclosure is required under a written law;
 - (c) the complaint to which the information relates is a complaint of a minor breach and a standards panel has dealt with the breach under section 5.110(6)(b) or (c); or
 - (d) the complaint to which the information relates is a complaint of a serious breach and SAT has made an order under section 5.117(1).

5. Standards Panel

13. The Standards Panel deals with minor breach complaints, and details of any decisions against a council member are included in a public register and are to be entered into the local government's annual report.
14. The Standards Panel's finding that a breach has occurred in relation to the complaint must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur (balance of probabilities).
15. The Standards Panel consists of three persons, a chairperson from the Department (with his or her Deputy Member also being a Department officer), a nominee from WALGA with experience in local government (with his or her Deputy Member also being a nominee from WALGA with such experience) and a person having relevant legal knowledge (with his or her Deputy Member also having relevant legal knowledge) (LG Act, Schedule 5.1, clause 2).
16. Complaints referred to the Standards Panel are to be kept confidential by all parties and the Standards Panel if the complaint is made during the campaign period prior to a local government election.
17. The Official Conduct provisions provide for sanctions where the Standards Panel finds that a person has committed a breach. These include the Standards Panel making an order that publicly censures the council member, requires the council member to apologise publicly or requires the member to undertake training. A person not agreeing with these determinations has a right of appeal to SAT.

6. State Administrative Tribunal

18. Allegations of repeated minor breaches (3 or more) may be treated as a serious breach and referred by the Standards Panel to the Director General of the Department ("the Director General"). Allegations of serious contraventions of the LG Act, such as financial interest breaches or the misuse of information for personal gain, are serious matters for referral to the Director General.
19. The Director General may then direct those matters to SAT for assessment and the imposition of particular penalties where it appears that there is a case to answer. This will be an alternative to undertaking prosecution and other types of enforcement action also open to the Department.
20. The Director General may refer the matter to another enforcement agency if that agency is the more appropriate authority to deal with the matter. Allegations of criminal or corrupt behaviour will continue to be referred to the Police Service or other appropriate authorities.
21. For serious breaches referred to SAT by the Director General, the Tribunal will have the penalties available to the Standards Panel at its disposal, as well as being able to suspend the council member for a period of not more than six months, or disqualify the member for a period of not more than five years, from holding office as a member of a council.
22. The serious breaches to be dealt with by SAT are those which are offences under an Act or Regulations and relate to the actions of council members. The most common include non-declarations of financial interest and the failure to complete annual financial returns.
23. If SAT finds that a member has committed a recurrent breach (LG Act, section 5.105(2)), it may make the same orders as if it has found that the member has committed a serious breach. A recurrent breach is discussed later in this guide.

7. SAT powers and procedures

24. SAT's vocational regulation and other functions and powers are established by the *State Administrative Tribunal Act 2004* ("the SAT Act"). The LG Act is an enabling Act that together with the SAT Act gives SAT the jurisdiction to review decisions, consider disciplinary matters and make original decisions.

8. Types of SAT applications

25. Under the SAT Act, SAT's activities are divided into two jurisdictions - original and review:
- *Original.* SAT can make original or primary decisions regarding recurrent breaches and serious breaches by a council member, and breaches of orders made by it or by the Standards Panel.
 - *Review.* On the application of a person who made a complaint or the member complained about, SAT can review a decision made by the Standards Panel to dismiss the complaint or make an order relating to the member.

9. Overview of SAT process

26. Once SAT accepts an application, all parties named in the application are notified whether:
- a directions hearing has been scheduled;
 - a final hearing has been scheduled; or
 - the Tribunal will be making a decision based on documents.
27. A directions hearing, if required, is usually held within a short time of the application being received. The matter may be resolved at this stage, or a Tribunal member will give directions on how the matter will be handled and what further information is required.
28. At a directions hearing, the matter may be scheduled for:
- mediation;
 - compulsory conference; or
 - final hearing.
29. A final hearing allows all parties to give their sides of the story. At the end of the final hearing, the Tribunal will consider the matter. Its decision and orders may be delivered immediately or may be held over for detailed consideration (reserved). A decision may be reserved for up to three months. The SAT gives reasons for all of its final decisions.

10. Representatives

30. Parties to SAT applications can be represented by a lawyer or other representatives at a hearing.
31. The SAT Act provides:
- a body corporate can be represented by its director, secretary or other officer;
 - a public sector body can be represented by an authorised public sector employee; and
 - a public sector employee whose performance or purported performance of their duties is the subject of the application, may be represented by another public sector employee.
32. Parties may choose to be represented by a person:
- with special knowledge or expertise relevant to the matter (not counting expertise obtained by being involved in another proceeding); or
 - who is authorised by SAT, or the SAT Regulations, Rules & Practice Notes.



11. FAQ (Frequently Asked Questions)

Q1: What conduct or behaviour of a council member can be complained about under the Official Conduct provisions of the LG Act?

Minor Breach

33. A council member commits a **minor breach** if he or she contravenes:
- a rule of conduct for council members in Part 2 (regulations 5 to 12) of the *Local Government (Rules of Conduct) Regulations 2007* ("the Regulations"); or
 - a local law relating to conduct of people at council or committee meetings (standing orders local law).
34. See Q3 and Q4 in this Guide for examples of minor breaches.

Recurrent Breach

35. A recurrent breach occurs where a council member is found to have committed 3 or more minor breaches (LG Act, section 5.105(2)).

Serious Breach

36. A council member commits a **serious breach** if he or she commits an offence under a written law, other than a local law made under the LG Act, of which it is an element that the offender is a council member or is a person of a description that specifically includes a council member.
37. The usually applicable written law in this case will be the LG Act, but may be other laws where corruption or criminal offences or other offences are alleged in relation to public officers.
38. If corruption is alleged, the appropriate agency to make a complaint to in the first instance is the Corruption and Crime Commission.
39. If any criminal offence under the Criminal Code is alleged, the appropriate agency to make a complaint to in the first instance is the WA Police Service.
40. See Q11 in this Guide for examples of serious breaches.

Q2. Who may make a complaint?

41. A complaint may be made by any person (including the complaints officer) who has reason to believe that a council member has committed a minor breach or a serious breach.

Q3. What are examples of a minor breach under Part 2 of the Local Government (Rules of Conduct) Regulations 2007 ("the Regulations")?

| Brief description of alleged breach | Explanatory note |
|--|--|
| Improper use of information | Reg 6 - A breach occurs where, subject to certain limited permitted disclosures under regulation 6(3), a council member discloses: (a) information that he or she derived from a confidential document (marked by the CEO to clearly show that the information in the document is not to be disclosed); or (b) any information that he or she acquired at a closed meeting other than by deriving it from a non-confidential document. |
| Securing personal advantage or disadvantaging others | Reg 7 - A breach occurs where a council member makes improper use of the person's office as a council member: (a) to gain directly or indirectly an advantage for the person or any other person; or (b) to cause detriment to the local government or any other person, (note, this does not apply to conduct that contravenes section 5.93 of the LG Act or The Criminal Code section 83). |
| Misuse of council resources | Reg 8 - A breach occurs where a council member directly or indirectly uses the resources of a local government: (a) for the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the LG Act, the Electoral Act 1907 or the Commonwealth Electoral Act 1918; or (b) unless authorised under the LG Act to do so, for any other purpose. |
| Prohibited involvement in administration | Reg 9 - A breach occurs where a council member undertakes tasks that contribute to the administration of council functions unless authorized by the council or the CEO (although this does not apply to anything that a member does as part of the deliberations at a council or committee meeting). |
| Direction given to or attempts to influence a local government employee | Reg 10 - A breach occurs where a council member: (a) directs a local government employee to do or not to do anything in the person's capacity as a local government employee; or (b) attempts to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in the person's capacity as a local government employee (although this does not apply to anything that a member does as part of the deliberations at a council or committee meeting). |
| Improper statements or use of improper expression about a local government employee | Reg 10 - A breach occurs where a council member, during a council or committee meeting or other organized event at which members of the public are present, either orally, in writing or by any other means: (a) makes a statement that a local government employee is incompetent or dishonest (although this does not apply to conduct that is unlawful under The Criminal Code Chapter XXXV); or (b) uses offensive or objectionable expressions in reference to a local government employee. |
| Non-disclosure of interest adverse to impartiality | Reg 11 - A breach occurs where a council member, who has an interest in any matter to be discussed at a council or committee meeting attended by the member, fails to disclose the nature of the interest (a) in a written notice given to the CEO before the meeting; or (b) at the meeting immediately before the matter is discussed. [Here, "interest" means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association, but regulation 10(2) does not apply to a direct or indirect financial interest or a proximity interest referred to in section 5.60 of the LG Act.] |

| | |
|--|--|
| Acceptance of a prohibited gift | Reg 12 - A breach occurs where a council member accepts a prohibited gift from a person: (a) who is undertaking or seeking to undertake; or (b) who it is reasonable to believe is intending to undertake, an activity involving a council discretion. [Note: Subject to the exceptions stated in regulation 12(1), a prohibited gift is a gift worth \$300 or more, or that is one of 2 or more gifts given by the same person within 6 months that are in total worth \$300 or more.] |
| Failure to notify CEO of a notifiable gift within 10 days of acceptance of the gift | Reg 12 – A breach occurs where a council member who accepts a notifiable gift from a person: (a) who is undertaking or seeking to undertake; or (b) who it is reasonable to believe is intending to undertake, an activity involving a council discretion; fails (within 10 days of accepting the gift) to notify the CEO of the acceptance in accordance with regulation 12(4). [Note: Subject to the exceptions stated in regulation 12(1), a notifiable gift is a gift worth between \$50 and \$300 or that is one of 2 or more gifts given by the same person within 6 months that are in total worth between \$50 and \$300.] |

Q4. What is an example of a type of conduct for a complaint of a minor breach of a Standing Orders Local Law (relating to conduct of people at council or committee meetings)?

44. It depends on the contents of the Standing Orders Local Law concerned. However, for example, in relation to conduct of persons at Council and Committee meetings a Standing Order may provide that:

"8.4(2) No member of the Council or a committee is to use offensive or objectionable expressions in reference to any member, employee of the Council, or any other person."

Q5. What is a suitable wording of a minor breach complaint in the case of an alleged breach of a relevant Standing Order?

45. It depends. For the example given under Q4, a suitable wording of a minor breach complaint may be:

"Mayor/President/Councillor *[insert name]* used an offensive or objectionable expression in reference to *[insert name and position of person]* at the *[insert type of meeting]* meeting held on *[insert date]*, which is a breach of Standing Order 8.4(2) of the *[insert name of local government]* Standing Orders Local Law *[insert year of local law]*."

The expression/s complained about is/are:

[Set out the expressions, and the context in which it was/they were used.]

Q6. Is there a time limit or restrictions to making a complaint?

46. An alleged minor breach must have occurred after midnight of 20 October 2007 (i.e. from the commencement of 21 October 2007), when the Official Conduct provisions come into operation.
47. A minor breach complaint must be made within 2 years after the breach occurred, but not later (LG Act, s. 5.107(4)).
48. If a council member has already been tried by a court for an offence the commission of which is the serious breach, the Director General cannot make an allegation to SAT that the member has committed a serious breach (LG Act, s. 5.116(4)).
49. Where a serious breach is alleged, if there is a limit on the time within which proceedings may be commenced for the relevant offence, the complaint cannot be made after that time has elapsed (LG Act, s. 5.114(3)).

Q7. How do I make a complaint about a council member's minor breach?

50. Before lodging a formal minor breach complaint it is advisable to check with the complaints officer to see whether a mediation service is available, to discuss the type or category of complaint and the appropriate process to deal with it. However, mediation is not a requirement under the law.
51. A minor breach complaint must be made according to the Complaint Form approved by the Minister for Local Government, and must follow a statutory process, in order for the Standards Panel to deal with it. Before making a formal complaint it is advisable to read or be aware of the CAUTIONS set out in the above Overview, and to otherwise follow this guide.
52. Attached to this guide are copies of:
 - the proposed Official Conduct Form 1 (the proposed Complaint of Minor Breach Form); and
 - the proposed Official Conduct Form 2 (the proposed approved Complaint of Serious Breach Form).
53. The completed Complaint Form is to be delivered or sent to the complaints officer, who – after issuing to you an acknowledgement of its receipt, and sending to the council member complained about a copy of the complaint – then sends it to the Departmental member of the Standards Panel.
54. To help the Standards Panel to understand what a complaint is about it is advisable to send the complaints officer photocopies (or PDFs or JPEGs if emailing the complaint) of any witness statements and documents that would help the complaint to be dealt with.

Q8. If a council member is found to have committed a minor breach, what are the possible sanctions?

55. If the Standards Panel finds that a council member has committed a minor breach, it is required to deal with the complaint by dismissing the complaint or ordering that the member be subject to or do one or more of:
 - (a) being publicly censured as specified in the order;
 - (b) apologise publicly as specified in the order; or
 - (c) undertake training as specified in the order;or a combination of these.

Q9. What are the contact addresses and details of the Standards Panel?

56. The addresses and fax number for the Standards Panel are:

The Chair
Standards Panel
Department of Local Government and Regional Development

| | | |
|--|--|--------------------------------------|
| <i>Street Address:</i> Level 1 Dumas House 2 Havelock Street WEST PERTH WA 6005 | <i>Postal Address:</i> GPO Box R1250 PERTH WA 6844 | <i>Fax No:</i> (08) 9217 1555 |
|--|--|--------------------------------------|

57. You can contact the Panel's executive officer by telephone via the Department on (08) 9217 1500 or, for Country callers, FREECALL 1800 620 511.

Q10. How is a recurrent breach (3rd or more minor breach) dealt with?

58. If a minor breach is alleged, and if it were found to have been committed would be a recurrent breach, the Standards Panel may send the complaint to the Director General or proceed to make a finding and deal with the complaint.
59. If the Standards Panel sends the complaint to the Director General, the Director General has to decide whether to make an allegation to SAT that the council member has committed the breach as a recurrent breach, and if the decision is in the negative the Director General is required to send the complaint back to the Standards Panel to deal with it.
60. Under subsection 5.112(5) of the LG Act, the fact that the person who made the complaint does not want an allegation to be made to SAT does not prevent the Director General from making the allegation.
61. If the Director General decides to make such an allegation to SAT and it finds that the council member committed a recurrent breach, it may make any of the orders that it can as if the breach was a serious breach (see Q15 of this Guide).

SERIOUS BREACHES

Q11. What are examples of a serious breach under the LG Act?

| Section of the LG Act | Description |
|-----------------------|--|
| 5.21 | A council member present at a Council or Committee meeting refuses or fails to vote |
| 5.65 | A council member fails to disclose a direct or indirect financial interest or a proximity interest in a matter to be discussed at meeting which the member attends |
| 5.67 | A council member, who discloses a direct or indirect financial interest or a proximity interest in a matter to be discussed at meeting which the member attends, wrongfully participates in the meeting |
| 5.69 | A council member, who discloses a direct or indirect financial interest or a proximity interest in a matter to be discussed at meeting which the member will attend, contravenes a condition imposed by the Minister allowing the member to participate etc. in the council or committee meeting |
| 5.75 | A council member fails to lodge a primary return with the CEO within a certain time limit |
| 5.76 | A council member fails to lodge an annual return with the CEO within a certain time limit |

| | |
|------|--|
| 5.78 | Non-compliance with the requirements of sections 5.79, 5.80, 5.81, 5.82, 5.83, 5.84, 5.85 and 5.86 in relation to the disclosure of information in a return |
| 5.89 | In relation to a disclosure under section 5.65, or a return lodged under section 5.75 or 5.76, a council member provides information in written or oral form that the member knows to be false or misleading in a material particular or likely to deceive in a material way |
| 5.90 | A council member publishing: (a) any information derived from a register of financial interests unless that information constitutes a fair or accurate report or summary of information contained in the register and is published in good faith; or (b) any comment on the facts set forth in a register of financial interests unless that comment is fair and published in good faith |
| 5.93 | A council member making improper use of any information acquired in the performance by him or her of any of his or her functions under the LG Act or any other written law: (a) to gain directly or indirectly an advantage for the person or any other person; or (b) to cause detriment to the local government or any other person |

[Note: A CEO must still give written notice to the Corruption and Crime Commission of any matter which the CEO suspects on reasonable grounds concerns or may concern a council member's misconduct (as defined under section 4 of the *Corruption and Crime Commission Act 2003*).]

Q12. What are examples of a serious breach under the Criminal Code?

62. Although the following examples are included within the definition of a 'serious breach' under the LG Act, if there is evidence that any of these offences have occurred **the matter should be reported to the Police Service**, as they are the appropriate agency to investigate and deal with the matter.

| Section of the Criminal Code | Offence |
|---|---|
| s. 82 Bribery of public officer | "Any public officer who obtains, or who seeks or agrees to receive, a bribe ... is guilty of a crime and is liable to imprisonment for 7 years." |
| s. 83 Corruption of public officer | "Any public officer who, without lawful authority or a reasonable excuse: (a) acts upon any knowledge or information obtained by reason of his office or employment; (b) acts in any matter, in the performance or discharge of the functions of his office or employment, in relation to which he has, directly or indirectly, any pecuniary interest; or (c) acts corruptly in the performance or discharge of the functions of his office or employment, so as to gain a benefit, whether pecuniary or otherwise, for any person, or so as to cause a detriment, whether pecuniary or otherwise, to any person, is guilty of a crime and is liable to imprisonment for 7 years." |
| s. 85 Falsification of records by public officer | "Any public officer who, in the performance or discharge of the functions of his office or employment, corruptly: (a) makes any false entry in any record; (b) omits to make any entry in any record; (c) gives any certificate or information which is false in a material particular; (d) by act or omission falsifies, destroys, alters or damages any record; (e) furnishes a return relating to any property or remuneration which is false in a material particular; or (f) omits to furnish any return relating to any property or remuneration, or to give any other information which he is required by law to give, is guilty of a crime and is liable to imprisonment for 7 years." |

Q13. How do I make a complaint about a council member's serious breach?

63. It is advisable that a serious breach complaint should be made only after the complainant has read or been made aware of the CAUTIONS set out in the above Overview and in the Complaints Forms on the possible offences that may be committed in relation to a formal complaint, and then by completing the approved Complaint Form attached as discussed or suggested under this guide.
64. The Department requires that all serious breach complaints are made by a completed Complaint Form. However, if a complainant has a disability that makes it difficult to complete forms, the complainant can contact the Standards Panel's executive officer on (08) 9217 1500 [Freecall Country 1800 620 511] and ask if the complaint can be lodged by another method.
65. To help the Department to understand what a complaint is about it is advisable to send it photocopies (or PDFs or JPEGs if a complainant is emailing information relating to a complaint) of any witness statements and documents that would help the complaint to be dealt with.
66. A serious breach complaint can be lodged with the Department by completing a Complaint Form as discussed or suggested under this guide and then sending it:

| | |
|--------------|---|
| By mail to: | The Director General Department of Local Government and Regional Development GPO R1250 PERTH WA 6844 |
| By fax to: | (08) 9217 1555 |
| By email to: | The current email address for that purpose (please telephone the Department between 8.30am and 5.00pm Monday to Friday, on (08) 9217 1500 [Freecall Country 1800 620 511] to find out that address) |

Q14. What happens after a serious breach complaint is made?

67. Within 14 days after the Director General of the Department of Local Government and Regional Development receives a serious breach complaint, the Director General is to give each party notice in writing:
- (a) acknowledging that the complaint is in accordance with the LG Act; and
 - (b) advising that the Director General has commenced the process of assessing the complaint to decide whether to make an allegation of serious breach to SAT or if the allegation should be dealt with in a more appropriate way.
68. After this process is completed, the Director General will make a decision as to whether the matter will be referred to SAT or dealt with in another way.
69. The fact that a person who made the serious breach complaint does not want an allegation arising from the complaint to be made to the SAT does not prevent the Director General from making the allegation (LG Act, section 5.116(6)).
70. Serious breaches may be dealt with by:
- the Corruption and Crime Commission;
 - the Police Service;
 - the Western Australia Electoral Commissioner; or
 - SAT, on the Director General's allegation under section 5.116(2) of the LG Act.

Q15. If a council member is found to have committed a serious breach, what are the possible sanctions?

71. If SAT finds that a council member has committed a serious breach, it may:
- (a) order that:
 - (i) the member be publicly censured as specified in the order;
 - (ii) the member apologise publicly as specified in the order;
 - (iii) the member undertake training as specified in the order;
 - (iv) the member is suspended for a period of not more than 6 months specified in the order; or
 - (v) the member is, for a period of not more than 5 years specified in the order, disqualified from holding office as a member of a council;
 - or
 - (b) order 2 or more of the sanctions described in paragraph (a).
72. Any such SAT order may be suspended by SAT so that the order is a "suspended order" for up to 2 years.

REPORTING FORMS

The Local Government (Official Conduct) amendment Act 2007 and associated regulations came into effect from midnight on 20th October 2007.

The Department of Local Government & Regional Development is responsible for the administration of the Standards Panel.

Attached is the documentation required to meet the legislative and administrative requirements in regard to reporting and investigation of complaints. These forms are:

- A pro forma Complaints Officer Details Form
- A copy of the Complaint of Minor Breach Form approved by the Minister under sections 5.107(1) and (2) and 5.109(1) of the Act
- A copy of the Complaint of Serious Breach ?Form approved by the Minister under sections 5.114(1) and (2) of the Act
- A copy of the Complainant Details Form
- A copy of the Council Member Details Form

NOTICE OF COMPLAINT OFFICERS DETAILS

To: The Standards Panel
Email:

The local government specified below hereby gives notice that the details of its complaints officer under section 5.120 of the Local Government Act 1995 are as specified below:

Name of local government:

| |
|--|
| |
|--|

Complaints officer details:

| | |
|------------------------------|--|
| Full name | |
| Other position / office held | |
| Street address for notices | |
| Postal address | |
| | |
| Work phone number | |
| Mobile / Cell phone number | |
| | |
| Email address | |

Chief Executive Officer

Full name of Chief Executive Officer:

COMPLAINT OF MINOR BREACH FORM(Subsections 5.107(1) and (2) of the *Local Government Act 1995* ("the LG Act"))

NOTE: A person who makes a false or misleading complaint commits an offence (penalty: \$5,000). If this complaint is made during the campaign period for a local government election (that is, during the period from opening of nominations to the Election Day), the fact of making the complaint and its details must be kept confidential during that period (penalty: \$5,000).

The law requires a copy of this complaint to be given to the Council member complained about.

| |
|---|
| NAME OF PERSON WHO IS MAKING THE COMPLAINT: |
| Name: _____ <div style="display: flex; justify-content: space-around; width: 80%; margin: 0 auto;"> <u>Given Name(s)</u> <u>Family Name</u> </div> |
| NAME OF THE LOCAL GOVERNMENT (CITY, TOWN, SHIRE) CONCERNED: |
| |
| NAME OF COUNCIL MEMBER/S ALLEGED TO HAVE COMMITTED BREACH: |
| |
| WHAT IS YOUR COMPLAINT: State the type of your complaint by ticking the box of the particular breach that occurred under the Local Government (Rules of Conduct) Regulations 2007. |
| <div style="margin-bottom: 10px;"> <input type="checkbox"/> Regulation 4 - Breach of Meeting Procedures Local Law (Standing Orders) <input type="checkbox"/> Regulation 6 - Improper use of information <input type="checkbox"/> Regulation 7 - Securing personal advantage or disadvantaging others <input type="checkbox"/> Regulation 8 - Misuse of local government resources <input type="checkbox"/> Regulation 9 - Prohibition against involvement in administration <input type="checkbox"/> Regulation 10 - Relations with local government employees <input type="checkbox"/> Regulation 11 - Non-disclosure of interest adverse to impartiality <input type="checkbox"/> Regulation 12 - Gifts </div> <p><i>(State full details of What Happened in that section on the next page)</i></p> |
| DATE OF INCIDENT: |
| _____ / _____ / 20____ |

WHAT HAPPENED? What are the details of the contravention that is alleged to have resulted in the breach? *[Attach further information if insufficient space]*

I declare that, to the best of my knowledge and belief, the information I have given in this complaint is not false or misleading.

SIGNED:

Complainant's Signature:

Date of signing: _____ / _____ / 20_____

COMPLAINT OF SERIOUS BREACH FORM(Subsections 5.114(1) and (2) of the *Local Government Act 1995* ("the LG Act"))

NOTE: A person who makes a false or misleading complaint commits an offence (penalty: \$5,000). If this complaint is made during the campaign period for a local government election (that is, during the period from opening of nominations to the Election Day), the fact of making the complaint and its details must be kept confidential during that period (penalty: \$5,000).

| |
|--|
| NAME OF PERSON WHO IS MAKING THE COMPLAINT: |
| Name: _____ <div style="display: flex; justify-content: space-around; width: 100%;"> <i>Given Name(s)</i> <i>Family Name</i> </div> |

| |
|--|
| NAME OF THE LOCAL GOVERNMENT (CITY, TOWN, SHIRE) CONCERNED: |
| |

| |
|---|
| NAME OF COUNCIL MEMBER/S ALLEGED TO HAVE COMMITTED BREACH: |
| |

| |
|--------------------------|
| DATE OF INCIDENT: |
| |

WHAT IS YOUR COMPLAINT: State the type of your complaint by ticking the appropriate box, and include full details of What Happened in that section on the next page

| SECTION OF LG ACT | SECTION OF LG ACT |
|--|--|
| <input type="checkbox"/> s. 5.21 - Member failed to vote on a matter at a Council meeting or a delegated power Committee meeting | <input type="checkbox"/> s. 5.78 - Non-compliance by Member with the requirements of sections 5.79, 5.80, 5.81, 5.82, 5.83, 5.84, 5.85 and 5.86 in relation to the disclosure of information in a return |
| <input type="checkbox"/> s. 5.65 - Member failed to disclose a disclosable or non-exempted direct or indirect financial interest or a proximity interest in a matter discussed at a Council or Committee meeting | <input type="checkbox"/> s. 5.89 - In relation to a disclosure under section 5.65, or a return lodged under section 5.75 or 5.76, Member provided information in written or oral form that he or she knew to be false or misleading in a material particular or likely to deceive in a material way |
| <input type="checkbox"/> s. 5.67 - After disclosing a direct or indirect financial interest or a proximity interest in a matter before a Council or Committee meeting, Member remained in the meeting or participated in the discussion or decision-making process on the matter without being allowed to do so under s. 5.68 or s. 5.69 of the LG Act | <input type="checkbox"/> s. 5.90 - Member published information, derived from register of financial interests, without it being a fair or accurate report or summary of the information contained in the register, and without it being published in good faith |
| <input type="checkbox"/> s. 5.69 - Member, with a direct or indirect financial interest or a proximity interest in a matter at Council or any Committee meeting, contravened a condition imposed by the Minister under s. 5.69 of the LG Act allowing the member to participate etc. in the meeting | <input type="checkbox"/> s. 5.90 - Member published comment on the facts in register of financial interests, without comment being fair and published in good faith |
| <input type="checkbox"/> s. 5.75 - Member failed to lodge a primary return when due | <input type="checkbox"/> s. 5.93 - Member made improper use of information acquired in the performance of his or her functions under the LG Act or any other written law: (a) to gain directly or indirectly a [financial] advantage for the member or any other person; or (b) to cause [financial] detriment to the local government or any other person |
| <input type="checkbox"/> s. 5.76 - Member failed to lodge an annual return when due | |
| <input type="checkbox"/> Other (specify section and Act, as applicable): | |

SIGNED:

Date of signing: _____ / _____ / 20_____

NOTE TO COMPLAINTS OFFICER: The Council member complained about is not entitled to, and must not be sent or provided with, a copy of this form (or any address or contact details in it) submitted by a person making a complaint.

Name: _____

Given Name(s) Family Name

Telephone No.(s): _____ (Hm) _____ (Wk) _____ (Mob)

Email address: _____

.....
Complainant / Complaints Officer *[Delete as appropriate]*

COUNCIL MEMBER DETAILS FORM

| DETAILS OF COUNCIL MEMBER/S ALLEGED TO HAVE COMMITTED BREACH: |
|---|
| Name: _____ <div style="display: flex; justify-content: space-around; width: 80%; margin: 0 auto;"> <u>Given Name(s)</u> <u>Family Name</u> </div> |
| Address: _____ _____ Postcode: _____ |
| Telephone No.(s): _____ (Hm) _____ (Wk) _____ (Mob) |
| Email address: _____ |

| NAME OF THE LOCAL GOVERNMENT (CITY, TOWN, SHIRE) CONCERNED: |
|---|
| |
| NAME OF PERSON WHO IS MAKING THE COMPLAINT: |
| |
| DATE OF INCIDENT: |
| _____ / _____ / 20____ |

| WITNESS DETAILS: If there is/are any person/s who witnessed the alleged breach, and who <u>is/are willing to provide information on behalf of the Council member complained about</u> , state the name and contact details of each such person. |
|--|
| Name: _____ <div style="display: flex; justify-content: space-around; width: 80%; margin: 0 auto;"> <u>Given Name(s)</u> <u>Family Name</u> </div> |
| Telephone No.(s): _____ (Hm) _____ (Wk) _____ (Mob) |
| Email address: _____ |
| Name: _____ <div style="display: flex; justify-content: space-around; width: 80%; margin: 0 auto;"> <u>Given Name(s)</u> <u>Family Name</u> </div> |
| Telephone No.(s): _____ (Hm) _____ (Wk) _____ (Mob) |
| Email address: _____ |

SIGNED:

.....
Complaints Officer

9. OFFICER'S REPORTS
9.2 ADMINISTRATION REPORTS
9.2.10 Country Local Government Fund

FILE NO: FI.FAG.8
COUNCIL DATE: 18 October 2010
REPORT DATE: 12 October 2010
LOCATION/ADDRESS: Wheatbelt Region
APPLICANT: N/A
SENIOR OFFICER: R Hooper, CEO
REPORTING OFFICER: R Hooper, CEO
DISCLOSURE OF INTEREST: Nil
APPENDICES: Nil
DOCUMENTS TABLED: Local Government Reform Steering Committee Report

Summary:

The Country Local Government incorporates a direct allocation to each rural local government for a four year term due to end in 2012/13. This report requests Council action to lobby for direct grant to continue beyond 2012/13.

Background:

In December 2008, the Western Australian Government announced \$400 million, over 4 years to assist country local governments build and maintain their community infrastructure.

The primary objective of the Royalties for Regions' Country Local Government Fund (CLGF) is to address infrastructure backlogs across the country local government sector.

On the 2nd July, 2010, Mr Paul Rosair (Director General – Department of Regional Development and Lands) advised by general circular that individual allocations to local governments is 50% and 50% for regional groups of country local governments for 2011/12 and 2012/13. Then in 2013/14 the CLGF 100% is allocated to regional groups of country local government – no local component.

Funding received to date:

| | 2008/09 | 2009/10 | 2010/11 |
|----------------------------------|-------------------------|----------------|-------------------------|
| <u>Local Component</u> | \$97,500,000.00 | \$ - | \$61,464,000.00 |
| <u>Regional Component</u> | \$ - | \$ - | |
| Gascoyne Region | \$ - | \$ - | \$1,367,739.00 |
| Goldfields | \$ - | \$ - | \$2,892,577.00 |
| Great Southern | \$ - | \$ - | \$3,058,657.00 |
| Kimberley | \$ - | \$ - | \$2,344,449.00 |
| Mid West | \$ - | \$ - | \$4,579,621.00 |
| Peel | \$ - | \$ - | \$1,827,769.00 |
| Pilbara | \$ - | \$ - | \$2,275,067.00 |
| South West | \$ - | \$ - | \$4,538,995.00 |
| Wheatbelt | \$ - | \$ - | \$10,211,123.00 |
| Capacity Building | \$2,500,000.00 | | \$7,440,000.00 |
| | \$100,000,000.00 | \$ - | \$101,999,997.00 |

According to the guidelines produced by the Department of Regional Development;

The Fund aims to:

- *Address infrastructure backlogs and support capacity building*
- *Improve the financial sustainability of country local governments in WA through improved asset management*
- *Provide financial assistance to country local governments which choose to amalgamate voluntarily*
- *Assist groups of country local governments to fund larger scale infrastructure projects.*

In the Minister's speech at the launch of the programme at UWA he stated:

"Local decision making in regional areas will be a cornerstone to this initiative, so that communities are once again empowered to plan for their own future; and"

*....The first of these is the Country Local Government Fund. Today I am very proud to launch this fund, which will ensure that regional local governments are provided with the means to invest in **new and existing local infrastructure**.....*

These funds have all been established to bring the focus back onto regional communities, to give them the opportunity to help the State once again build strong communities by:

*Building capacity
Retaining benefits **locally**
Improving Services
Building sustainability;
Expanding opportunities; and
Growing prosperity"*

Consultation:

Avon Midland Ward – WALGA
South East Avon Regional Transition Group
Wheatbelt Development Commission – Regional Forum

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

If a 50% direct grant can continue from 2013/14 the benefit to York will be \$397,835 per year.

Strategic Implications:

Nil

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Local and regional benefits will accrue from continuing direct funding through materials being purchased and local trades people and business providing services.

Social Implications:

The community will benefit significantly from continuing direct grants as infrastructure back logs are dealt with from external funding.

Environmental Implications:

Nil at this stage.

Comment:

The current 4 year funding arrangements will deliver the Shire of York \$2,100,000 which will be used to meet infrastructure needs such as pool upgrades, townsite drainage, community resource centre, recreation/convention centre which provide long term benefits for the community.

The proposal to allocate the complete Country Local Government Funds to regional level projects is not practical in the Wheatbelt with 43 local governments with no full commonality of interests and covering a large area.

Each rural local government has an identified infrastructure shortfall which will be further defined as Forward Capital Plans are developed.

Identifying and quantifying a regional level project across the Wheatbelt will be difficult and any individual project is unlikely to receive unanimous support.

Proposals/suggestions that these funds be used for infrastructure services such as power, water, sewer and telecommunications have real benefits however the value may be diminished by the corporate entities making annual payments to the state government coffers instead of investing in their own infrastructure needs.

In the structural reform process the certainty of ongoing direct grants would have high benefits in assessing and meeting local needs in a regional context and allay concerns that some localities will be penalised through amalgamations.

The current funding arrangements of 50% direct allocations in years 3 & 4 is a good base for future grants and in the Wheatbelt this would result in \$5.1 million direct to local governments and \$5.1 million for regional level projects.

The media has attacked the governments over some of the direct grant uses however this ignores the fact that the programme was initially a stimulus package in the global financial crisis. The opportunity is here now to address infrastructure needs and develop facilities for long term use and benefit.

Cr Walters declared an Interest Affecting Impartiality to this item and left the room at 4.01pm

RESOLUTION

161010

Moved: Cr Lawrance

Seconded: Cr Randell

“That Council:

- 1. Request the State Government to promulgate legislation to retain 50% a direct grant allocation and process for funding to individual local governments from the Country Local Government Fund component of Royalties for Regions funding.***
- 2. Lobby political parties, politicians, WALGA and other parties to support an ongoing direct allocation process for Royalties for Regions grants to rural local governments.”***

CARRIED: 4/0

Cr Walters returned to the room at 4.05pm.

9.3 Works Reports

9.4 Finance Reports

9. OFFICER'S REPORTS

9.4 FINANCE REPORTS

9.4.1 Monthly Financial Reports – September 2010

| | |
|--------------------------------|--|
| FILE NO: | FI.FRP |
| COUNCIL DATE: | 18 October 2010 |
| REPORT DATE: | 11 October 2010 |
| LOCATION/ADDRESS: | Not Applicable |
| APPLICANT: | Not Applicable |
| SENIOR OFFICER: | Ray Hooper, CEO |
| REPORTING OFFICER: | Tabitha Bateman, Administration Officer |
| DISCLOSURE OF INTEREST: | Nil |
| APPENDICES: | Yes – Appendix A as detailed in Summary |
| DOCUMENTS TABLED: | No |

Summary:

The Financial Report for the period ending 30 September 2010 is hereby presented for the consideration of the Council.

Appendix A includes the following:

- Bank Account Reconciliations
- Cheque drawings on the Municipal Account
- EFT drawings on the Municipal Account
- Cheque drawings on the Trust Account
- Reserve Accounts Balances Summary
- Payroll Direct Debits Summary
- Corporate Credit Card Summary
- 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 2010;

| | |
|---|------------------------|
| Sundry Creditors as per General Ledger | \$ 3,165.16 |
| Sundry Debtors as per General Ledger | \$ 513,904.67 |
| Unpaid rates and services current year (paid in advance inc. ESL) | \$ 2,286,737.25 |
| Unpaid rates and services previous years (inc. ESL) | \$ 273,403.95 |

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.

RESOLUTION

171010

Moved: Cr Scott

Seconded: Cr Lawrance

“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 2010:

| | <u>VOUCHER</u> | <u>AMOUNT</u> |
|---|---------------------------|-----------------------------|
| <i>MUNICIPAL FUND</i> | | |
| <i>Cheque Payments</i> | <i>29041-29096</i> | <i>\$ 116,781.81</i> |
| <i>Electronic Funds Payments</i> | <i>7166-7260</i> | <i>\$ 266,746.22</i> |
| <i>Direct Debits Payroll</i> | | <i>\$ 137,383.63</i> |
| <i>Bank Fees</i> | | <i>\$ 583.63</i> |
| <i>Corporate Cards</i> | | <i>\$ 1,144.91</i> |
| <i>Shell Cards</i> | | <i>\$ 420.05</i> |
| <i>TOTAL</i> | | <i>\$ 523,060.25</i> |

TRUST FUND

| | | |
|---------------------------------------|-------------------------|-----------------------------|
| <i>Cheque Payments</i> | <i>3727-3733</i> | <i>\$ 1,875.00</i> |
| <i>Direct Debits Licensing</i> | | <i>\$ 121,571.70</i> |
| <i>TOTAL</i> | | <i>\$ 123,446.70</i> |

TOTAL DISBURSEMENTS ***\$ 646,506.95”***

CARRIED: 5/0

Note to this item

The Chief Executive Officer has delegated authority under Delegation DE1 (Council Meeting 21 September 2009) to make payments from the Municipal and Trust accounts.

CEO stated that it was the first year the Shire of York had on-line facilities for payments and it was extremely well used by the Community.

**ITEM 9.4.1
APPENDIX A**

| BANK RECONCILIATION | | | | |
|---|-------------------|---------------------|---------------------|---------------------|
| SEPTEMBER 2010 | | | | |
| | | MUNICIPAL | TRUST | RESERVE |
| OPENING BALANCE PER SYNERGY | | (167,129.01) | 457,589.75 | 2,853,312.76 |
| Receipts as per daily cash book | | 1,303,866.70 | 125,931.39 | |
| Muni Interest | | | | |
| Muni - Trust Transfer | | | | |
| Trust Interest | | | 1.83 | |
| Trust-Muni Transfer | | | | |
| Reserve Interest | | | | 0.39 |
| Reserve Interest 11AM At Call a/c | | | | |
| Reserve Interest TD 382829 | | | | 5,990.57 |
| Returned WALGA funds by journal | | 29,668.23 | | |
| | | | | |
| TOTAL RECEIPTS | | 1,333,534.93 | 125,933.22 | 5,990.96 |
| | | | | |
| Payments as per schedule cheques | 29041 - 29096 | (116,781.81) | | |
| EFT Direct payments | 7166 - 7260 | (266,746.22) | | |
| Payment as per schedule chqs - Trust | 3727 - 3733 | | (1,875.00) | |
| Direct Debit Licensing | | | (121,571.70) | |
| Direct Debit Payroll | | (137,383.63) | | |
| Bank fees BendigoTrust | | (67.95) | | |
| Bank fees Bendigo Muni | | (143.58) | | |
| Bank fees Bendigo Muni | | (40.00) | | |
| Bank fees Bendigo Reserve | | 0.00 | | |
| Business Cards Bank Fees | | (8.00) | | |
| Dishonour Cheque Fee | | 0.00 | | |
| Eftpos Bank Fee Trust | | (182.45) | | |
| Eftpos Bank Fee Muni | | (141.65) | | |
| TOTAL BANK FEES | (583.63) | | | |
| Business Card Bendigo - CEO | | (374.91) | | |
| Business Card Bendigo - DCEO | | (770.00) | | |
| PAYMENTS IN ADVANCE - Previous month | | | | |
| PAYMENTS IN ADVANCE - Current month | | | | |
| NET PAYMENTS IN ADVANCE | 0.00 | | | |
| TOTAL BUSINESS CARDS Direct Debits | (1,144.91) | | | |
| Shell Card | | (420.05) | | |
| Cancelled receipt 150716 | | (3,300.00) | | |
| Police licensing 9/6/10 - not prev recorded | | | (0.24) | |
| Rounding | | | | |
| TOTAL EXPENDITURE | | (526,360.25) | (123,446.94) | 0.00 |
| | | | | |
| CLOSING BALANCE - CALCULATED | | 640,045.67 | 460,076.03 | 2,859,303.72 |
| | | | | |

| BANK RECONCILIATION | | | | |
|--|-----|-------------------|-------------------|---------------------|
| SEPTEMBER 2010 | | | | |
| | | MUNICIPAL | TRUST | RESERVE |
| BALANCES AS PER BANK STATEMENTS | | | | |
| BENDIGO MUNICIPAL 118630623 | | 533,190.87 | | |
| BENDIGO MUNICIPAL AT-CALL ACCT 61158 | | 72,000.00 | | |
| BENDIGO TRUST 13074174 | | | 174,921.95 | |
| BENDIGO TRUST NCD Open space DUE 1/11/2010 | T26 | | 133,375.18 | |
| BENDIGO TRUST TERM DEPOSIT DUE 30/12/10 | T2 | | 24,177.93 | |
| BENDIGO TRUST TERM DEPOSIT DUE 30/12/10 | T16 | | 9,901.94 | |
| BENDIGO TRUST TERM DEPOSIT DUE 30/12/10 | T40 | | 22,682.84 | |
| BENDIGO TRUST TERM DEPOSIT DUE 30/12/10 | T77 | | 58,401.81 | |
| BENDIGO TRUST TERM DEPOSIT DUE 30/12/10 | T78 | | 50,254.76 | |
| BENDIGO RESERVE 119521748 | | | | 869.16 |
| BENDIGO RESERVE AT CALL | | | | 100,000.00 |
| BENDIGO RESERVE NCD DUE 22/2/11 | | | | 717,151.43 |
| BENDIGO RESERVE NCD DUE 16/11/10 - R4R FUNDS | | | | 608,157.00 |
| BENDIGO RESERVE NCD DUE 1/11/10 | R1 | | | 607,281.49 |
| WESTPAC RESERVE | | | | 0.00 |
| WESTPAC RESERVE TERM DEPOSIT - due 23/1/11 | R5 | | | 314,631.46 |
| WESTPAC RESERVE TERM DEPOSIT - due 04/12/10 | R7 | | | 511,213.18 |
| | | | | |
| TOTAL PER BANK STATEMENTS | | 605,190.87 | 473,716.41 | 2,859,303.72 |
| | | | | |
| RECONCILING ITEMS | | | | |
| Plus Outstanding Deposits | | 102,557.49 | 6,772.60 | |
| Less Outstanding cheques | | (33,615.18) | (3,240.00) | |
| Less Outstanding Licence Debits | | | (13,444.85) | |
| Less credit received 9/3/10 - to be receipted | | (50.00) | | |
| Less credit received 26/11/09 - to be receipted | | (132.00) | | |
| Less credit received 7/1/10 - to be receipted | | (132.00) | | |
| Less credit received 22/9/10-(Dpt Housing & Works) to be receipted | | (6,249.40) | | |
| Less credit received 22/9/10 (rates) to be receipted | | (1,105.00) | | |
| Less credit received Sept - to be receipted Oct | | (30,197.11) | | |
| Less Outstanding EFT payments - Sept | | 0.00 | | |
| Trust - Muni Transfer | | 3,045.61 | (3,045.61) | |
| Muni - Trust Transfers | | | | |
| Muni - Reserve Transfers | | | | |
| Reserve - Muni Transfers | | | | |
| Less Outstanding EFT payments | | | | |
| Plus dishonoured cheque | | | | |
| Plus payments in advance to Business Cards | | | | |
| Police Licensing receipt adjustment 13/9/10 | | | 44.50 | |
| Adjustments | | 732.53 | (727.02) | |
| TOTAL CLOSING BALANCE - CALCULATED | | 640,045.81 | 460,076.03 | 2,859,303.72 |
| - PER SYNERGY | | 640,045.81 | 460,076.03 | 2,859,303.72 |

| BANK RECONCILIATION | | | | |
|---|---------------|---------------------|---------------------|---------------------|
| SEPTEMBER 2010 | | | | |
| | | MUNICIPAL | TRUST | RESERVE |
| OPENING BALANCE PER SYNERGY | | (167,129.01) | 457,589.75 | 2,853,312.76 |
| Receipts as per daily cash book | | 1,303,866.70 | 125,931.39 | |
| Muni Interest | | | | |
| Muni - Trust Transfer | | | | |
| Trust Interest | | | 1.83 | |
| Trust-Muni Transfer | | | | |
| Reserve Interest | | | | 0.39 |
| Reserve Interest 11AM At Call a/c | | | | |
| Reserve Interest TD 382829 | | | | 5,990.57 |
| Returned WALGA funds by journal | | 29,668.23 | | |
| | | | | |
| TOTAL RECEIPTS | | 1,333,534.93 | 125,933.22 | 5,990.96 |
| | | | | |
| Payments as per schedule cheques | 29041 - 29096 | (116,781.81) | | |
| EFT Direct payments | 7166 - 7260 | (266,746.22) | | |
| Payment as per schedule chqs - Trust | 3727 - 3733 | | (1,875.00) | |
| Direct Debit Licensing | | | (121,571.70) | |
| Direct Debit Payroll | | (137,383.63) | | |
| Bank fees Bendigo Trust | | (67.95) | | |
| Bank fees Bendigo Muni | | (143.58) | | |
| Bank fees Bendigo Muni | | (40.00) | | |
| Bank fees Bendigo Reserve | | 0.00 | | |
| Business Cards Bank Fees | | (8.00) | | |
| Dishonour Cheque Fee | | 0.00 | | |
| Eftpos Bank Fee Trust | | (182.45) | | |
| Eftpos Bank Fee Muni | | (141.65) | | |
| TOTAL BANK FEES | (583.63) | | | |
| Business Card Bendigo - CEO | | (374.91) | | |
| Business Card Bendigo - DCEO | | (770.00) | | |
| PAYMENTS IN ADVANCE - Previous month | | | | |
| PAYMENTS IN ADVANCE - Current month | | | | |
| NET PAYMENTS IN ADVANCE | 0.00 | | | |
| TOTAL BUSINESS CARDS Direct Debits | (1,144.91) | | | |
| Shell Card | | (420.05) | | |
| Cancelled receipt 150716 | | (3,300.00) | | |
| Police licensing 9/6/10 - not prev recorded | | | (0.24) | |
| Rounding | | | | |
| TOTAL EXPENDITURE | | (526,360.25) | (123,446.94) | 0.00 |
| | | | | |
| CLOSING BALANCE - CALCULATED | | 640,045.67 | 460,076.03 | 2,859,303.72 |
| | | | | |

| BANK RECONCILIATION | | | | |
|--|-----|-------------------|-------------------|---------------------|
| SEPTEMBER 2010 | | | | |
| | | MUNICIPAL | TRUST | RESERVE |
| BALANCES AS PER BANK STATEMENTS | | | | |
| BENDIGO MUNICIPAL 118630623 | | 533,190.87 | | |
| BENDIGO MUNICIPAL AT-CALL ACCT 61158 | | 72,000.00 | | |
| BENDIGO TRUST 13074174 | | | 174,921.95 | |
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| BENDIGO TRUST TERM DEPOSIT DUE 30/12/10 | T2 | | 24,177.93 | |
| BENDIGO TRUST TERM DEPOSIT DUE 30/12/10 | T16 | | 9,901.94 | |
| BENDIGO TRUST TERM DEPOSIT DUE 30/12/10 | T40 | | 22,682.84 | |
| BENDIGO TRUST TERM DEPOSIT DUE 30/12/10 | T77 | | 58,401.81 | |
| BENDIGO TRUST TERM DEPOSIT DUE 30/12/10 | T78 | | 50,254.76 | |
| BENDIGO RESERVE 119521748 | | | | 869.16 |
| BENDIGO RESERVE AT CALL | | | | 100,000.00 |
| BENDIGO RESERVE NCD DUE 22/2/11 | | | | 717,151.43 |
| BENDIGO RESERVE NCD DUE 16/11/10 - R4R FUNDS | | | | 608,157.00 |
| BENDIGO RESERVE NCD DUE 1/11/10 | R1 | | | 607,281.49 |
| WESTPAC RESERVE | | | | 0.00 |
| WESTPAC RESERVE TERM DEPOSIT - due 23/1/11 | R5 | | | 314,631.46 |
| WESTPAC RESERVE TERM DEPOSIT - due 04/12/10 | R7 | | | 511,213.18 |
| | | | | |
| TOTAL PER BANK STATEMENTS | | 605,190.87 | 473,716.41 | 2,859,303.72 |
| RECONCILING ITEMS | | | | |
| Plus Outstanding Deposits | | 102,557.49 | 6,772.60 | |
| Less Outstanding cheques | | (33,615.18) | (3,240.00) | |
| Less Outstanding Licence Debits | | | (13,444.85) | |
| Less credit received 9/3/10 - to be receipted | | (50.00) | | |
| Less credit received 26/11/09 - to be receipted | | (132.00) | | |
| Less credit received 7/1/10 - to be receipted | | (132.00) | | |
| Less credit received 22/9/10-(Dpt Housing & Works) to be receipted | | (6,249.40) | | |
| Less credit received 22/9/10 (rates) to be receipted | | (1,105.00) | | |
| Less credit received Sept - to be receipted Oct | | (30,197.11) | | |
| Less Outstanding EFT payments - Sept | | 0.00 | | |
| Trust - Muni Transfer | | 3,045.61 | (3,045.61) | |
| Muni - Trust Transfers | | | | |
| Muni - Reserve Transfers | | | | |
| Reserve - Muni Transfers | | | | |
| Less Outstanding EFT payments | | | | |
| Plus dishonoured cheque | | | | |
| Plus payments in advance to Business Cards | | | | |
| Police Licensing receipt adjustment 13/9/10 | | | 44.50 | |
| Adjustments | | 732.53 | (727.02) | |
| TOTAL CLOSING BALANCE - CALCULATED | | 640,045.81 | 460,076.03 | 2,859,303.72 |
| - PER SYNERGY | | 640,045.81 | 460,076.03 | 2,859,303.72 |

Date: 11/10/2010
Time: 4:47:52PM

**SHIRE OF YORK
MUNICIPAL CHEQUE PAYMENTS
SEPTEMBER 2010**

USER:Tabitha Batemar
PAGE:1

| Cheque /EFT No | Date | Name Invoice Description | INV Amount | Amount |
|-------------------|------|---|---------------|-----------|
| | | SYNERGY | | |
| 29041 | | ELECTRICITY 29/5-30/7/10 - ADMIN/T HALL/VISITOR CENTRE | | 7,570.40 |
| INV 5183365 | | | 6,908.60 | |
| INV 3140037 | | ELECTRICITY 4/6-4/8/10 - CEMETERY | 22.55 | |
| INV 696999C | | ELECTRICITY 9/6-5/8/10 - PEACE PARK | 27.70 | |
| INV 7854883 | | ELECTRICITY 2-30/7/10 - POWERWATCH LIGHTING | 507.70 | |
| INV 3699816 | | ELECTRICITY 4/6-3/8/10 - CANDICE BATEMAN PARK | 103.85 | |
| | | INSTITUTE OF PUBLIC ADMINISTRATION AUSTRALIA | | |
| 29042 | | ANNUAL MEMBERSHIP 10/11 - CEO | | 195.00 |
| INV REIMBI | | | 195.00 | |
| | | SLIDE & RIDE CONTRACTING | | |
| 29043 | | PICKUP/ DELIVERY - CHERRY PICKER Y4189 | | 346.50 |
| INV 52 | | | 346.50 | |
| | | SENSIS PTY LTD | | |
| 29044 | | YELLOWPAGES ONLINE LISTING - VISITORS CENTRE - AUG | | 17.00 |
| INV 0195898 | | | 17.00 | |
| | | M2 COMMANDER PTY LTD | | |
| 29045 | | MAINTENANCE CONTRACT - TELEPHONE SYSTEM - VISITOF | | 34.24 |
| INV 01G7W2 | | | 34.24 | |
| | | THE LIFTING COMPANY | | |
| 29046 | | WINCH/ LIFT - WASTE TRANSFER STATION | | 132.00 |
| INV 50469 | | | 132.00 | |
| | | ANITA KAREN BOTICA | | |
| 29047 | | Rates refund for assessment A60437 30 HOPE ST YORK 6302 | | 60.00 |
| INV A60437 | | | 60.00 | |
| | | SHIRE OF BROOKTON | | |
| 29048 | | REIMBURSE - ROMAN ROAD ASSET INVENTORY UPDATE | | 2,750.00 |
| INV 2130 | | | 2,750.00 | |
| | | LANDGATE | | |
| 29049 | | GRV INT VALS - CNTRY SHARED & FESA | | 343.58 |
| INV 256895- | | | 311.28 | |
| INV 256673- | | MINING TENEMENTS - SCHEDULE M2010/4 | 32.30 | |
| | | TELSTRA | | |
| 29050 | | TELEPHONE 22/7-21/8/10 - VISITORS CENTRE | | 581.29 |
| INV BP0271- | | INTERNET ACCESS 26/7-25/8/10 - CEO | 59.95 | |
| INV 9439452 | | TELEPHONE 22/7-21/8/10 - VISITORS CENTRE | 521.34 | |
| | | WATER CORPORATION OF WA | | |
| 29051 | | WATER USAGE 16/4-24/8/10 - FORREST OVAL TANK | | 21,650.25 |
| INV 9007875 | | WATER USAGE 15/4-20/8/10 - CEMETERY | 744.35 | |
| INV 900789C | | WATER USAGE 16/4-24/8/10 - PEACE PARK/ AVON PARK | 5,270.30 | |
| INV 900789C | | WATER USAGE 14/4-20/8/10 - LINCOLN ST STANDPIPE | 103.80 | |
| INV 9007882 | | WATER USAGE 20/4-25/8/10 - HOWICK ST TOILETS/ JOHANNA | 1,078.50 | |
| INV 9007876 | | WATER USAGE 16/4-24/8/10 - WAR MEMORIAL | 130.85 | |
| INV 9007875 | | WATER USAGE 15/4-25/8/10 - MUSEUM | 1,177.50 | |
| INV 900788C | | WATER USAGE 16/4-24/8/10 - OLD CEMETERY | 1,397.90 | |
| INV 900788C | | WATER USAGE 16/4-24/8/10 - REDMILE RD STANDPIPE | 115.05 | |
| INV 900788C | | WATER USAGE 16/4-24/8/10 - DEPOT | 1,801.60 | |
| INV 9007882 | | WATER USAGE 16/4-24/8/10 - SHOW GROUNDS | 97.25 | |
| INV 9007882 | | WATER USAGE 16/4-24/8/10 - FORREST OVAL TANK | 5,362.35 | |
| INV 9007882 | | WATER USAGE 16/4-24/8/10 - SPORTS GROUND | 124.50 | |
| INV 9007881 | | WATER USAGE 16/4-24/8/10 - FORREST OVAL LAWN | 187.40 | |
| INV 9007881 | | WATER USAGE 16/4-24/8/10 - ADMIN/ T/HALL | 394.25 | |
| INV 9007876 | | WATER USAGE 20/4-25/8/10 - AVON PARK | 756.70 | |
| INV 9007881 | | WATER USAGE 20/4-25/8/10 - OLD CEMETERY | 19.15 | |
| INV 9007884 | | WATER USAGE 21/4-26/8/10 - 38 FRASER ST | 60.50 | |

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|---|------|--|---------------|-----------|
| WATER CORPORATION OF WA | | | | |
| INV 9007889 | | WATER USAGE 20/4-25/8/10 - FIRE STN COMMUNITY CENTRE | 57.45 | |
| INV 9007890 | | WATER USAGE 21/4-26/8/10 - CENT UNITS | 1,066.10 | |
| INV 9007891 | | WATER USAGE 21/4-26/8/10 - ARBORETUM GREY ST | 13.15 | |
| INV 9016178 | | WATER USAGE 21/4-26/8/10 - 75 OSNABURG RD | 23.30 | |
| INV 9016178 | | WATER USAGE 21/4-26/8/10 - 51 ROE ST | 36.65 | |
| INV 9008751 | | WATER USAGE 23/4-30/8/10 - FORREST OVAL DAM | 866.25 | |
| INV 9014893 | | WATER USAGE 23/4-30/8/10 - CANDICE BATEMAN PARK | 733.70 | |
| INV 9007890 | | WATER USAGE 23/4-30/8/10 - 17 FORBES ST | 31.70 | |
| SHIRE OF YORK | | | | |
| 29052 | | RATES 10/11 - 40 MACARTNEY ST | | 11,697.75 |
| INV LICENC | | VEHCILE LICENCE 10/11 - Y711 | 196.45 | |
| INV 2405 | | COMMUNITY BUS HIRE 5/8/10 - TRAFFIC MANAGEMENT COI | 379.60 | |
| INV A60082 | | RATES 10/11 - 40 MACARTNEY ST | 4,607.88 | |
| INV A31580 | | RATES 10/11 - 24 FORD ST | 1,113.28 | |
| INV A31640 | | RATES 10/11 - 2 DINSDALE ST | 1,225.54 | |
| INV A31700 | | RATES 10/11 - 26 BARKER ST - RADIO STATION | 1,095.00 | |
| INV A60001 | | RATES 10/11 - UNIT 1/ 40 MACARTNEY ST | 255.00 | |
| INV A60002 | | RATES 10/11 - UNIT 2/ 40 MACARTNEY ST | 255.00 | |
| INV A60003 | | RATES 10/11 - UNIT 3/ 40 MACARTNEY ST | 255.00 | |
| INV A60004 | | RATES 10/11 - UNIT 4/ 40 MACARTNEY ST | 255.00 | |
| INV A60005 | | RATES 10/11 - UNIT 5/ 40 MACARTNEY ST | 255.00 | |
| INV A60006 | | RATES 10/11 - UNIT 6/ 40 MACARTNEY ST | 255.00 | |
| INV A50052 | | RATES 10/11 - 5 BROOK ST - MUSEUM | 255.00 | |
| INV A31350 | | RATES 10/11 - 5 JOAQUINA ST - TELECENTRE | 1,095.00 | |
| INV A31760 | | RATES 10/11 - 13 MAXWELL ST - COMMUNITY BUS | 200.00 | |
| YORK DISTRICT HIGH SCHOOL | | | | |
| 29053 | | SPONSORSHIP 10/11 - PRESENTATION NIGHT BOOK AWARDS | | 550.00 |
| INV 244 | | | 550.00 | |
| WESTPAC BANKING CORPORATION | | | | |
| 29054 | | WESTPAC BANK AUDIT CERTIFICATE 2009/2010 | | 50.00 |
| INV EBWHZ | | | 50.00 | |
| RAY HOOPER | | | | |
| 29055 | | REIMBURSEMENT - MEMBER REFRESHMENT PURCHASES 31 | | 363.90 |
| INV REIMBI | | | 363.90 | |
| SYNERGY | | | | |
| 29056 | | ELECTRICITY 24/7-24/8/10 - STREETLIGHTS | | 4,310.65 |
| INV 31/8 | | | 4,310.65 | |
| WESTSCHEME SUPERANNUATION | | | | |
| 29057 | | SUPERANNUATION CONTRIBUTIONS | | 203.06 |
| INV SUPER | | | 203.06 | |
| PRIME SUPER | | | | |
| 29058 | | SUPERANNUATION CONTRIBUTIONS | | 155.40 |
| INV SUPER | | | 155.40 | |
| WILDFLOWER SOCIETY -AVON BRANCH | | | | |
| 29059 | | SUPPLY PLANTS - COMMUNITY SEED ORCHARD | | 300.00 |
| INV 1409201 | | | 300.00 | |
| YORK SHIRE COUNCIL (payroll only) | | | | |
| 29060 | | PAYROLL DEDUCTIONS | | 1,765.74 |
| INV DEDUC | | | 1,100.00 | |
| INV DEDUC | | | 665.74 | |
| DOMINIC CARBONE | | | | |
| 29061 | | FINANCIAL CONSULTANCY - VISITORS CENTRE/BUDGET JU | | 10,431.51 |
| INV 18 | | SEAVROC MANAGEMENT & ADMIN - JUL - SEP 10 | 4,799.51 | |
| INV 15 | | FINANCIAL CONSULTANCY - VISITORS CENTRE/BUDGET JU | 5,632.00 | |
| SUNCORP WEALTHSMART BUSINESS SUPER | | | | |
| 29062 | | Superannuation contributions | | 192.92 |

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| INV SUPER | | SUNCORP WEALTHSMART BUSINESS SUPER Superannuation contributions | 192.92 | |
| 29063 | | RETAIL EMPLOYEES SUPERANNUATION TRUST Superannuation contributions | | 222.00 |
| INV SUPER | | | 222.00 | |
| 29064 | | HESTA Superannuation contributions | | 123.18 |
| INV SUPER | | | 123.18 | |
| 29065 | | ASGARD Superannuation contributions | | 221.72 |
| INV SUPER | | | 221.72 | |
| 29066 | | MEAT INDUSTRY EMPLOYEES SUPERANNUATION FUND Superannuation contributions | | 165.40 |
| INV SUPER | | | 165.40 | |
| 29067 | | CARE SUPER Superannuation contributions | | 155.40 |
| INV SUPER | | | 155.40 | |
| 29068 | | AMP SUPER LEADER Superannuation contributions | | 165.40 |
| INV SUPER | | | 165.40 | |
| 29069 | | AUSTRALIAN SERVICES UNION UNION FEES | | 216.70 |
| INV DEDUC | | | 216.70 | |
| 29070 | | PETTY CASH PETTY CASH RECOUP | | 140.95 |
| INV PETTY | | | 140.95 | |
| 29071 | | TELSTRA TELEPHONES 25/7-24/8/10 | | 1,789.30 |
| INV 9434282 | | | 1,456.77 | |
| INV 9436723 | | TELEPHONE 28/7-28/8/10 - MUSEUM | 51.95 | |
| INV 3334864 | | MOBILE PHONES 11/8-10/9/10 | 280.58 | |
| 29072 | | TALBOT BROOK COMMUNITY GROUP INC SPONSORSHIP 10/11 - TALBOT HALL | | 4,620.00 |
| INV 47 | | | 4,620.00 | |
| 29073 | | WATER CORPORATION OF WA WATER USAGE 7/5-7/9/10 - RAILWAY STANDPIPE | | 3,253.90 |
| INV 9007967 | | WATER USAGE 6/5-6/9/10 - DOVEY CRT STANDPIPE | 14.65 | |
| INV 9007947 | | WAER USAGE 6/5-6/9/10 - GWAMBY TOIELTS | 385.65 | |
| INV 9007946 | | WATER USAGE 7/5-6/9/10 - GWAMBY STANDPIPE | 194.90 | |
| INV 9007946 | | WATER USAGE 7/5-7/9/10 - RAILWAY STANDPIPE | 2,260.50 | |
| INV 9007946 | | WATER USAGE 7/5-8/9/10 - HAMERSLEY STANDPIPE | 398.20 | |
| 29074 | | SHIRE OF YORK RATES 10/11 - 81 AVON TCE - VISITORS CENTRE | | 654.00 |
| INV A31319 | | | 255.00 | |
| INV A14300 | | RATES 10/11 - FIRE STN COMMUNITY CENTRE | 255.00 | |
| INV 2444 | | COMMUNITY BUS HIRE YAC - 2/9/10 | 144.00 | |
| 29075 | | AUSTRALIA DAY COUNCIL OF WESTERN AUSTRALIA BRONZE MEMBERSHIP 10/11 RENEWAL | | 200.00 |
| INV 1733 | | | 200.00 | |
| 29076 | | WA LOCAL GOVT SUPER PLAN PTY LTD, (ACN 0 SUPERANNUATION CONTRIBUTIONS | | 12,009.40 |
| INV SUPER | | | 8,024.83 | |
| INV DEDUC | | | 1,375.00 | |
| INV DEDUC | | | 709.67 | |

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| | | WA LOCAL GOVT SUPER PLAN PTY LTD, (ACN 0 | | |
| INV DEDUC | | SUPERANNUATION CONTRIBUTIONS | 972.19 | |
| INV DEDUC | | | 127.76 | |
| INV DEDUC | | | 31.94 | |
| INV DEDUC | | | 258.90 | |
| INV DEDUC | | | 95.11 | |
| INV DEDUC | | | 39.52 | |
| INV DEDUC | | | 158.07 | |
| INV DEDUC | | | 45.14 | |
| INV DEDUC | | | 37.53 | |
| INV DEDUC | | | 25.01 | |
| INV DEDUC | | | 58.73 | |
| INV DEDUC | | | 50.00 | |
| | | YORK SHIRE COUNCIL (payroll only) | | |
| 29077 | | PAYROLL DEDUCTIONS | | 1,026.30 |
| INV RDO PA | | | 1,026.30 | |
| | | WESTSCHEME SUPERANNUATION | | |
| 29078 | | SUPERANNUATION CONTRIBUTIONS | | 224.31 |
| INV SUPER | | | 224.31 | |
| | | PRIME SUPER | | |
| 29079 | | SUPERANNUATION CONTRIBUTIONS | | 155.40 |
| INV SUPER | | | 155.40 | |
| | | YORK SHIRE COUNCIL (payroll only) | | |
| 29080 | | PAYROLL DEDUCTIONS | | 1,540.75 |
| INV DEDUC | | | 1,100.00 | |
| INV DEDUC | | | 395.00 | |
| INV DEDUC | | | 45.75 | |
| | | AIR POWER PTY LTD | | |
| 29081 | | SUPPLY & INSTALL/ TRADE AIR COMPRESSOR - WORKSAFE | | 3,667.83 |
| INV 40110 | | | 3,667.83 | |
| | | SUNCORP WEALTHSMART BUSINESS SUPER | | |
| 29082 | | Superannuation contributions | | 192.92 |
| INV SUPER | | | 192.92 | |
| | | RETAIL EMPLOYEES SUPERANNUATION TRUST | | |
| 29083 | | Superannuation contributions | | 223.89 |
| INV SUPER | | | 223.89 | |
| | | ASGARD | | |
| 29084 | | Superannuation contributions | | 221.72 |
| INV SUPER | | | 221.72 | |
| | | MEAT INDUSTRY EMPLOYEES SUPERANNUATION FUND | | |
| 29085 | | Superannuation contributions | | 165.40 |
| INV SUPER | | | 165.40 | |
| | | CARE SUPER | | |
| 29086 | | Superannuation contributions | | 155.40 |
| INV SUPER | | | 155.40 | |
| | | AMP SUPER LEADER | | |
| 29087 | | Superannuation contributions | | 165.40 |
| INV SUPER | | | 165.40 | |
| | | SENSIS PTY LTD | | |
| 29088 | | YELLOW PAGES ONLINE LISTING - VISITORS CENTRE - SEP : | | 17.00 |
| INV 1978134 | | | 17.00 | |
| | | M2 COMMANDER PTY LTD | | |
| 29089 | | MAINTENANCE CONTRACT TELEPHONE SYSTEM - VISITOR | | 36.44 |
| INV 01G7W2 | | | 36.44 | |

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| | | ENVIRONMENTAL HEALTH ASSOCIATION (AUSTRALIA) | | |
| 29090 | | REGISTRATION - HEALTH CONFERENCE 13/10/10 - L OAKLEY | | 1,180.00 |
| INV GORDC | | REGISTRATION - HEALTH CONFERENCE 14/10/10 - G TESTER | 360.00 | |
| INV JUDITH | | REGISTRATION - HEALTH CONFERENCE 13/10/10 - J ANDERS | 360.00 | |
| INV LES OA | | REGISTRATION - HEALTH CONFERENCE 13/10/10 - L OAKLEY | 460.00 | |
| | | AUSTRALIAN SERVICES UNION | | |
| 29091 | | UNION FEES | | 216.70 |
| INV DEDUC | | | 216.70 | |
| | | PETTY CASH | | |
| 29092 | | PETTY CASH RECOUP | | 428.25 |
| INV PETTY | | | 428.25 | |
| | | TELSTRA | | |
| 29093 | | MOBILE PHONE 11/8-10/9/10 - WORKS | | 102.20 |
| INV 4062574 | | | 102.20 | |
| | | BUSH CONTRACTING PTY LTD | | |
| 29094 | | SIDE TIPPER/ BOBCATE HIRE - JULY 10 | | 6,787.00 |
| INV 3395 | | | 6,787.00 | |
| | | WA LOCAL GOVT SUPER PLAN PTY LTD, (ACN 0 | | |
| 29095 | | SUPERANNUATION CONTRIBUTIONS | | 12,596.36 |
| INV SUPER | | | 8,089.24 | |
| INV DEDUC | | | 1,375.00 | |
| INV DEDUC | | | 709.67 | |
| INV DEDUC | | | 961.21 | |
| INV DEDUC | | | 127.76 | |
| INV DEDUC | | | 31.94 | |
| INV DEDUC | | | 258.90 | |
| INV DEDUC | | | 95.11 | |
| INV DEDUC | | | 39.52 | |
| INV DEDUC | | | 158.07 | |
| INV DEDUC | | | 50.70 | |
| INV DEDUC | | | 31.70 | |
| INV DEDUC | | | 30.11 | |
| INV DEDUC | | | 80.27 | |
| INV DEDUC | | | 50.00 | |
| INV SUPER | | | 238.00 | |
| INV DEDUC | | | 269.16 | |
| | | YORK FRIENDSHIP CLUB | | |
| 29096 | | RAG BAGS X 4 | | 40.00 |
| INV 94 | | | 40.00 | |

REPORT TOTALS

| Bank Code | Bank Name | TOTAL |
|--------------|---------------------|-------------------|
| 1 | MUNICIPAL FUND BANK | 116,781.81 |
| TOTAL | | 116,781.81 |

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| CORPORATE EXPRESS | | | | |
| EFT7166 | | STATIONERY | | 548.06 |
| INV WKI356 | | | 246.44 | |
| INV WKI355 | | | 28.24 | |
| INV EWI279 | | LAMINATOR | 31.64 | |
| INV WKI356 | | PAPER/ TONER | 241.74 | |
| COMMERCIAL AIR SOLUTIONS | | | | |
| EFT7167 | | AIRCON REPAIRS - ADMIN 20/8/10 | | 539.00 |
| INV 665 | | | 539.00 | |
| YORK BUILDING SUPPLIES | | | | |
| EFT7168 | | CEMENT - RACECOUSE | | 1,187.72 |
| INV 024245 | | CEMENT - GREENHILLS RD | 23.22 | |
| INV 024486 | | NIPPLE/ SOCKET REDUCER - AVON PARK RETIC | 4.47 | |
| INV 024487 | | CEMENT - OSBORNE RD SIGNS | 16.50 | |
| INV 024510 | | TAP SPINDLE - ADMIN | 35.20 | |
| INV 024548 | | CEMENT - AVON TCE SIGNS | 16.50 | |
| INV 024618 | | PAINT ROLLER - ADMIN | 23.13 | |
| INV 024653 | | GUIDE POST/ TAPE | 57.16 | |
| INV 024655 | | CEMENT - AVON PARK TOILETS | 82.50 | |
| INV 024257 | | ROD - ADMIN | 8.80 | |
| INV 024269 | | MASKING TAPE - DEPOT | 22.11 | |
| INV 024407 | | BOLLARD REPAIRS - AVON TCE | 36.75 | |
| INV 024408 | | CEMENT - AVON TCE | 16.50 | |
| INV 024465 | | PVC PIPE/ VALVE - AVON PARK RETIC | 32.34 | |
| INV 024466 | | STORMWATER CAP/ KEY TAG - FORREST OVAL | 9.76 | |
| INV 042267 | | NIPPLE/ SOCKET REDUCER - AVON PARK RETIC | 24.80 | |
| INV 024475 | | CEMENT/ GALVANISED NAIL - ALLENS RD SIGNS | 28.05 | |
| INV 024711 | | PLANER BLADE - ADMIN FRONT DESK | 24.20 | |
| INV 025110 | | CEMENT - AVON PARK | 24.75 | |
| INV 025175 | | CEMENT - RACECOUSE | 165.00 | |
| INV 025213 | | CEMENT - YORK ENTRY STATEMENT | 74.80 | |
| INV 025273 | | SCREWS/ FRAME - AVON TCE SEATS | 36.52 | |
| INV 025321 | | ANGLE/ PENCIL - AVON TCE SEATS | 48.07 | |
| INV 024850 | | CEMENT - YORK ENTRY STATEMENT | 56.10 | |
| INV 024888 | | HOOK/ KNIFE/ WIPER BLADE - DEPOT | 45.43 | |
| INV 024889 | | BRACKET/ BOLTS - AVON TCE SEATS | 16.72 | |
| INV 024899 | | CEMENT - AVON TCE BUS SHELTER | 49.50 | |
| INV 024992 | | CEMENT - ADMIN CENTRE WALL | 56.10 | |
| INV 024994 | | STEEL ROD - ADMIN CENTRE WALL | 37.24 | |
| INV 025092 | | CEMENT - YORK ENTRY STATEMENT | 56.10 | |
| INV 025094 | | CEMENT/ DUSTPAN - MOKINE RD GUIDE POSTS | 59.40 | |
| YORK NEWSAGENCY | | | | |
| EFT7169 | | PAPERS/ STATIONERY - AUG 10 | | 83.45 |
| INV 5861 | | | 83.45 | |
| YORK AUTO ELECTRICS | | | | |
| EFT7170 | | ELECTRICAL REPAIRS | | 789.80 |
| INV 5591 | | REPAIR ELECTRICAL WIRING - Y345 | 297.00 | |
| INV 5614 | | ELECTRICAL REPAIRS | 492.80 | |
| YORK LANDSCAPE SUPPLIES | | | | |
| EFT7171 | | SUPPLY & DELIVER SAND | | 361.00 |
| INV 1918 | | | 361.00 | |
| PARS RURAL PTY LTD | | | | |
| EFT7172 | | GREASE CARTRIDGES | | 330.00 |
| INV D163 | | | 330.00 | |
| TATTY PARROT BAKERY | | | | |
| EFT7173 | | REFRESHMENTS - HEALTH & AGING FORUM 27/8/10 | | 256.00 |
| INV 29 | | REFRESHMENTS - RTG AGREEMENT MTG 23/8/10 | 56.00 | |

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|---|------|---|---|-----------|
| INV 30 | | TATTY PARROT BAKERY REFRESHMENTS - HEALTH & AGING FORUM 27/8/10 | 200.00 | |
| EFT7174 INV 85230 | | 4 FARMERS WEED SPRAYING CHEMICALS - SUNDRY PARKS | 335.50 | 335.50 |
| EFT7175 INV 5036 | | SHIRE OF NORTHAM TIPPING FEES - JULY 2010 | 6,530.80 | 6,530.80 |
| EFT7176 INV 310810 | | MOTORCHARGE LTD GULL CARD | 1,450.52 | 1,450.52 |
| EFT7177 INV 4638276 | | SPECTRUM DISTRIBUTORS (ORICA AUSTRALIA PTY LTD) CHLORINE SERVICE FEE - AUG 10 - POOL/ OVAL | 116.62 | 116.62 |
| EFT7178 INV 2714 INV 2711 | | HENDERSON, PJ & KD SEWER LOCATION & DEPTH - SPORTS CENTRE BUILDING REPAIR TOILETS - GWAMBY PARK SEWER LOCATION & DEPTH - SPORTS CENTRE BUILDING | 220.00 1,408.00 | 1,628.00 |
| EFT7179 INV 5562 | | REECE'S HIRE & STRUCTURES MARQUEE/LIGHTING & EQUIP HIRE - 4/9/10 | 9,950.60 | 9,950.60 |
| EFT7180 INV 1268863 | | WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION REGISTRATION - LOCAL GOVT COVENTION 2010 | 7,846.30 | 7,846.30 |
| EFT7181 INV 130049 | | FIRE & EMERGENCY SERVICES AUTH. OF WA ESL PAYMENT QUARTER 1 - 10/11 | 39,610.08 | 39,610.08 |
| EFT7183 INV REIMB1 | | PATRICK RUETTJES REIMBURSEMENT | 239.90 | 239.90 |
| EFT7184 INV 82098 | | HODGE & COLLARD ARCHITECTS SPORTS CENTRE BUILDING TENDER FEE - PROG PAYMENT 1 | 1,237.50 | 1,237.50 |
| EFT7185 INV 48669 INV 47355 | | MCLERNONS OFFICE DESK X 2 - PLANNING OFFICE MOBILE PEDESTAL FILE DRAWERS X 2 - PLANNING OFFICE OFFICE DESK X 2 - PLANNING OFFICE | 302.40 494.40 | 796.80 |
| EFT7186 INV TRANS1 INV TRANS1 INV TRANS1 | | COURIER AUSTRALIA FREIGHT FREIGHT - STATIONERY FREIGHT | 15.34 7.82 60.59 | 83.75 |
| EFT7187 INV 56256 | | MCLEODS BARRISTERS AND SOLICITORS LEGAL ADVICE - SETTLERS HOUSE CARPARKING | 1,179.75 | 1,179.75 |
| EFT7188 INV 2010801 INV 2010801 INV 2010802 INV 2010806 | | AVON VALLEY TYRE SERVICE SUPPLY & FIT GRADER TYRE - Y205 SUPPLY & FIT TYRES - Y299 GRADER TYRE REPAIRS - Y205 TYRE REPAIRS - Y711/ Y641 | 1,250.00 1,100.00 75.00 150.00 | 2,575.00 |
| EFT7189 INV 10349 | | MAL AUTOMOTIVES VEHICLE SERVICE - Y96 10,000KM | 269.95 | 269.95 |

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**SHIRE OF YORK
MUNICIPAL EFT PAYMENTS
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| Cheque /EFT No | Date | Name Invoice Description | INV Amount | Amount |
|---|------|---|-----------------------------|-----------|
| EFT7190 INV 2354 | | AVON EXPRESS FREIGHT - AUG 10 | 104.50 | 104.50 |
| EFT7191 INV 910 | | YORK COMMUNITY RESOURCE CENTRE INC SPONSORSHIP 10/11 - PUBLIC AREA COMPUTER UPGRADE | 2,200.00 | 2,200.00 |
| EFT7192 INV 89582 | | FUEL DISTRIBUTORS DISTILLATE X 3810 LTRS | 4,722.11 | 4,722.11 |
| EFT7193 INV 889091 | | LANDMARK GATE/ PINE POLE - RACECOURSE | 445.72 | 445.72 |
| EFT7194 INV GRD 18 | | AVON TOURISM SPONSORSHIP - AVON TOURISM ROYAL SHOW EXHIBITION | 11,000.00 | 11,000.00 |
| EFT7195 INV 89603 | | FUEL DISTRIBUTORS DISTILLATE X 2000 LTRS | 2,482.40 | 2,482.40 |
| EFT7196 INV 7940 | | CLAW ENVIRONMENTAL PROCESSING CHEMICAL DRUMS - DRUMMUSTER MARCH 20 | 2,464.83 | 2,464.83 |
| EFT7197 INV 2876 | | VISIMAX SAFETY PRODUCTS DOG CONTROL POLE | 279.65 | 279.65 |
| EFT7198 INV 154706 | | COOL CLEAR WATER BEVERAGES LTD WATER FILTRATION UNIT - SEP 10 | 66.00 | 66.00 |
| EFT7199 INV 7020910 | | SHIRE OF CUNDERDIN REIMBURSE TRAINING FEES - BASIC WORKSITE/ TRAFFIC C | 2,733.00 | 2,733.00 |
| EFT7200 INV 103-106 | | LGIS PROPERTY SCHEME INSURANCE 10/11 - ELECTRONIC EQUIP/ MACHINERY/ MULTI | 16,063.45 | 16,063.45 |
| EFT7201 INV WKI357 INV WKI356 INV WKI358 | | CORPORATE EXPRESS SHREDDER INK CARTRIDGES - DEPOT SHREDDER STATIONERY | 50.38 4,007.69 283.60 | 4,341.67 |
| EFT7202 INV 10/1923 | | THE CHURCHES' COMMISSION ON EDUCATION SPONSORSHIP 2010/11 - SCHOOL CHAPLAINCY YDHS | 4,400.00 | 4,400.00 |
| EFT7203 INV 1967 | | YORK LANDSCAPE SUPPLIES SUPPLY & DELIVER SAND - YORK ENTRY STATEMENT | 137.00 | 137.00 |
| EFT7204 INV S20067 INV S20068 | | GEMINI MEDICAL SERVICES PL PAYMENT IN LEIU - DR _ CAR - _ _ | 497.60 550.00 | 1,047.60 |
| EFT7205 INV 3498 | | YORK & DISTRICTS COMMUNITY MATTERS ADVERTISING | 777.70 | 777.70 |
| EFT7206 INV IAM110 | | CARDNO (WA) PTY LTD ROMAN DATA CAPTURE - SEAVROC | 39,600.00 | 39,600.00 |
| | | ING CORPORATE SUPER | | |

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| Cheque /EFT No | Date | Name Invoice Description | INV Amount | Amount |
|-------------------|------|---|---------------|----------|
| | | ING CORPORATE SUPER | | |
| EFT7207 | | Superannuation contributions | | 182.01 |
| INV SUPER | | | 182.01 | |
| | | DARREN LONG CONSULTING | | |
| EFT7208 | | SEAVROC ASSET MANAGEMENT PLANNING - BEVERLEY | | 6,091.67 |
| INV 131 | | | 1,540.00 | |
| INV 132 | | SEAVROC ASSET MANAGEMENT PLANNING - BROOKTON | 1,496.00 | |
| INV 130 | | SEAVROC ASSET MANAGEMENT PLANNING - YORK | 1,540.00 | |
| INV 135 | | DRAFTING SEAVROC LOCAL LAWS - AUG 10 | 1,515.67 | |
| | | BROOKE NEWMAN | | |
| EFT7209 | | REIMBURSE TRAVEL - PIA SEMINAR 9-10/9/10 | | 237.46 |
| INV REIMB1 | | | 237.46 | |
| | | KLEEN WEST DISTRIBUTORS | | |
| EFT7210 | | BIN LINERS/ISSUES/HAND TOWELS/T ROLLS | | 232.71 |
| INV 2400 | | | 232.71 | |
| | | MARVIC SUPER FUND | | |
| EFT7211 | | Superannuation contributions | | 69.15 |
| INV SUPER | | | 69.15 | |
| | | ANL LIGHTING | | |
| EFT7212 | | EMERGENCY LIGHTING GLOBES - ADMIN | | 310.48 |
| INV 347585 | | | 310.48 | |
| | | AUSTRALIA POST | | |
| EFT7213 | | POSTAGE/PAPER - AUG 10 | | 2,030.37 |
| INV 618964- | | | 2,030.37 | |
| | | AVON COMMUNITY DEVELOPMENT FOUNDATION | | |
| EFT7214 | | ANNUAL SUBSCRIPTION 10/11 | | 550.00 |
| INV 3108201 | | | 550.00 | |
| | | COURIER AUSTRALIA | | |
| EFT7215 | | FREIGHT | | 147.90 |
| INV TRANS1 | | | 62.96 | |
| INV TRANS1 | | | 61.08 | |
| INV TRANS1 | | | 23.86 | |
| | | EASTERN HILLS SAWS AND MOWERS | | |
| EFT7216 | | VACUUM CLEANER HEAD - STIHL SE 121 | | 81.00 |
| INV 22802#7 | | | 81.00 | |
| | | KLEENHEAT GAS | | |
| EFT7217 | | BULK GAS X 238 LTRS - GWAMBYGINE PARK | | 281.96 |
| INV 4533731 | | | 281.96 | |
| | | MCLEODS BARRISTERS AND SOLICITORS | | |
| EFT7218 | | LEGAL ADVICE - SEAVROC REGIONAL TRANSITION GROUP | | 3,502.79 |
| INV 56254 | | LEGAL ADVICE - LGS COMPUTER SOFTWARE AGREEMENT | 1,469.33 | |
| INV 56255 | | LEGAL ADVICE - SEAVROC REGIONAL TRANSITION GROUP | 2,033.46 | |
| | | AVON WASTE | | |
| EFT7219 | | RUBBISH COLLECTION - 10/9/10 | | 8,737.61 |
| INV 5871 | | RECYCLING SERVICES - 10/9/10 | 2,879.66 | |
| INV 5870 | | RUBBISH COLLECTION - 10/9/10 | 5,857.95 | |
| | | HOME HARDWARE | | |
| EFT7220 | | PAINT/ BRUSHES - WHEATBELT NRM GRANT NOONGAR PRO | | 1,329.02 |
| INV 428899 | | | 287.30 | |
| INV 429031 | | PAINT - WHEATBELT NRM GRANT NOONGAR PROJECT PAH | 32.00 | |
| INV 429053 | | HACKSAW - MUSEUM | 8.90 | |
| INV 429220 | | MASKING TAPE - MUSEUM | 13.00 | |
| INV 430388 | | HOSE/ SEEDLINGS/ FERTILISER - WHEATBELT NRM GRANT 1 | 228.93 | |
| INV 426784 | | KEY CUTTING - DEPOT | 13.36 | |
| INV 428116 | | SPRINKLERS - SUNDRY PARKS | 39.83 | |
| INV 428218 | | BOLT/ NUT/ WASHER - DEPOT | 23.80 | |

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|--|------|--|---------------|----------|
| HOME HARDWARE | | | | |
| INV 430184 | | FERTILISER | 15.75 | |
| INV 426606 | | DOOR BOLT - AVON PARK TOILETS | 40.95 | |
| INV 427919 | | JUG - WEED SPRAYING | 7.29 | |
| INV 427974 | | GAS BOTTLE - TRANSFER STN | 91.50 | |
| INV 427990 | | DOOR LATCH - MOTORCROSS TRACK | 11.16 | |
| INV 428100 | | DYNABOLT/ DRILL/ SCREW - AVON TCE SEATS | 44.68 | |
| INV 428178 | | SCREW/ BOLT/ NUT/ WASHER - AVON TCE BUS SHELTER | 34.86 | |
| INV 428838 | | WIRE BRUSH - AVON PARK BBQ | 15.75 | |
| INV 429180 | | LIGHT - AVON PARK TOILETS | 5.85 | |
| INV 429922 | | LIGHT GLOBES - ADMIN CENTRE | 126.00 | |
| INV 431183 | | GOLVES/ BOLT/ TAP/ VALVE - AVON PARK TOILETS | 51.76 | |
| INV 431261 | | WASHER/ SPRAY PAINT - AVON TCE SEATS | 8.69 | |
| INV 426705 | | BOLT/ NUT - ROAD SWEEPER | 8.72 | |
| INV 426771 | | BOLT/ NUT/ WASHER - AVON PARK | 9.00 | |
| INV 426817 | | DOOR HANDLE/ DOOR CATCH - TOWN HALL | 12.64 | |
| INV 426828 | | SCREW/ PLUG/ HOOK - TOWN HALL | 14.26 | |
| INV 427326 | | HOOK - ADMIN CENTRE | 13.59 | |
| INV 427788 | | PADLOCK - GWAMBY PARK | 26.10 | |
| INV 427842 | | DYNABOLT/ NUT/ STEEL ROD - ADMIN CENTRE WALL | 63.45 | |
| INV 427909 | | GAS REFILL - STREET SWEEPER | 79.90 | |
| YORK IGA | | | | |
| EFT7221 | | MILK/ COFFEE | | 353.94 |
| INV 02/2335 | | MILK | 8.78 | |
| INV 02/9554 | | BISCUITS/ MILO | 27.15 | |
| INV 02/9579 | | MILK | 14.80 | |
| INV 03/7891 | | MILK/ BISCUITS/ TISSUES | 34.43 | |
| INV 03/8913 | | MILK | 9.66 | |
| INV 01/5065 | | CLEANING PRODUCTS - ADMIN | 9.48 | |
| INV 01/5224 | | CONDIMENTS - FAREWELL PARTY | 10.30 | |
| INV 02/3323 | | MILK/ BISCUITS | 18.05 | |
| INV 02/3983 | | BISCUITS | 11.52 | |
| INV 02/4161 | | MILK | 3.48 | |
| INV 01/7118 | | | 6.18 | |
| INV 03/3272 | | BISCUITS | 9.41 | |
| INV 03/3481 | | BISCUITS/SUGAR | 15.90 | |
| INV 02/4082 | | MILK/ BAND AID | 8.57 | |
| INV 02/4701 | | TEA TOWEL/ DISHWASHING LIQUID | 5.87 | |
| INV 03/4611 | | PAPER PLATES - STORYTIME | 2.14 | |
| INV 02/5685 | | BISCUITS/ COFFEE | 23.33 | |
| INV 03/5449 | | BISCUITS/ TEA/ MILK | 30.50 | |
| INV 02/9104 | | MILK/ COFFEE | 68.38 | |
| INV 02/3531 | | FOAM CUPS/ BISCUITS/ TEA/ MILK/ COFFEE - MUSEUM | 21.13 | |
| INV 03/5935 | | MILK/CAKE | 5.33 | |
| INV 01/5285 | | MILK/BISCUITS - MUSEUM | 9.55 | |
| THE YORK SOCIETY (INC) | | | | |
| EFT7222 | | SPONSORSHIP 10/11 | | 3,250.00 |
| INV SPONS | | | 3,250.00 | |
| BOC GASES | | | | |
| EFT7223 | | ANNUAL CONTAINER SERVICE OXYGEN/ AGROSHIELD - DE | | 375.70 |
| INV 6394415 | | | 375.70 | |
| IT VISION | | | | |
| EFT7224 | | REMOTE SUPPORT - ASSET SYSTEM | | 561.00 |
| INV 19423 | | | 561.00 | |
| RURAL PRESS REGIONAL MEDIA (WA) PTY LTD | | | | |
| EFT7225 | | ADVERTISING - AUG 10 | | 741.54 |
| INV 1171507 | | | 741.54 | |
| BURGESS RAWSON (WA) PTY LTD | | | | |

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|-------------------|------|---|---------------|-----------|
| | | BURGESS RAWSON (WA) PTY LTD | | |
| EFT7226 | | STANDPIPE WATER CHARGES 7/5-8/9/10 - BURGESS SIDING | | 29.76 |
| INV 307879 | | | 29.76 | |
| | | AUSTRALIAN TAXATION OFFICE | | |
| EFT7227 | | AUGUST 10 BAS | | 13,669.00 |
| INV AUG 10 | | | 13,669.00 | |
| | | DUSTRY PTY LTD | | |
| EFT7228 | | BACKHOE HIRE - GRAVE DIGGING | | 1,045.00 |
| INV 671 | | | 110.00 | |
| INV 679 | | | 935.00 | |
| | | G N MCNAMARA & CO | | |
| EFT7229 | | CEILING REPAIRS & PAINTING - MUSEUM | | 7,568.00 |
| INV 137497 | | | 7,568.00 | |
| | | CORPORATE EXPRESS | | |
| EFT7230 | | STATIONERY | | 39.92 |
| INV WKI358 | | | 39.92 | |
| | | YORK SPRING GARDEN FESTIVAL | | |
| EFT7231 | | SPONSORSHIP 10/11 - FUNDING TO CONTINUE OPERATIONS | | 3,000.00 |
| INV SPONS | | | 3,000.00 | |
| | | YORK AUTO ELECTRICS | | |
| EFT7232 | | REPAIR ALTERNATOR - Y130/ REPAIR ALARM SYSTEM - 1CA | | 1,468.50 |
| INV 5743 | | | 929.50 | |
| INV 5762 | | SUPPLY & FIT BATTERIES - Y130 | 539.00 | |
| | | CONPLANT | | |
| EFT7233 | | WINDSCREEN/ HINGE - Y830 | | 1,086.54 |
| INV 179701 | | | 1,086.54 | |
| | | ALLROUND CONCRETE | | |
| EFT7234 | | SUPPLY & LAY CONCRETE - CRICKET PITCH/ FORREST OVA | | 7,392.00 |
| INV 10109 | | SUPPLY & LAY CONCRETE - FOOTPATH REPAIRS SOUTH ST | 660.00 | |
| INV 10111 | | SUPPLY & LAY CONCRETE - CRICKET PITCH/ FORREST OVA | 6,732.00 | |
| | | HENDERSON, PJ & KD | | |
| EFT7235 | | RELOCATE FLOOR WASTE DRAIN - AVON PARK TOILETS | | 342.65 |
| INV 2753 | | | 342.65 | |
| | | SUNNY SIGN COMPANY | | |
| EFT7236 | | STREET SIGNS | | 1,159.09 |
| INV 199729 | | SIGNS - MACARTNEY ST | 51.17 | |
| INV 199448 | | STREET SIGNS | 1,107.92 | |
| | | AVON FENZING | | |
| EFT7237 | | FENCING REPAIRS - POOL/ PAVILION | | 566.50 |
| INV 0509 | | | 566.50 | |
| | | YORK GENERAL CONTRACTING | | |
| EFT7238 | | EXCAVATOR/ BOBCAT HIRE - AUG 10 | | 506.00 |
| INV 591953 | | | 506.00 | |
| | | IMPACT SWEEPING | | |
| EFT7239 | | STREET SWEEPING - AUGUST 10 | | 1,320.00 |
| INV 114 | | | 1,320.00 | |
| | | ING CORPORATE SUPER | | |
| EFT7240 | | Superannuation contributions | | 182.01 |
| INV SUPER | | | 182.01 | |
| | | SIMON PATTERSON | | |
| EFT7241 | | REIMBURSE - REMAINDER 50% REMOVAL COSTS | | 812.40 |
| INV REIMB | | | 812.40 | |
| | | STATEWIDE EQUIPMENT HIRE | | |
| EFT7242 | | ROLLER HIRE - AUG 10 | | 6,292.00 |
| INV 90993 | | | 6,292.00 | |

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|------------------|------|--|---------------|----------|
| EFT7243 | | BROOKE NEWMAN | | |
| INV REIMB1 | | REIMBURSE TRAVEL - LOCAL GOVT COMPLIANCE SEMINAR | 124.25 | 124.25 |
| EFT7244 | | TERRACE FRUIT, VEG AND CAFE | | |
| INV 25 | | REFRESHMENTS - COUNCIL BRIEFING 20/9/10 | 216.00 | 216.00 |
| EFT7245 | | MARVIC SUPER FUND | | |
| INV SUPER | | Superannuation contributions | 69.15 | 69.15 |
| EFT7246 | | NICE AND EASY SINGERS | | |
| INV 1 | | SPONSORSHIP 10/11 - SENIORS APPRECIATION DAY | 1,500.00 | 1,500.00 |
| EFT7247 | | THE POLICE COMMISSIONERS CHARITY | | |
| INV SPONSOR | | SPONSORSHIP 10/11 - WALL TO WALL MOTORCYCLE RIDE FOR | 200.00 | 200.00 |
| EFT7248 | | YORK WEDDING EXPO | | |
| INV SPONSOR | | SPONSORSHIP 10/11 - FUNDING TO CONTINUE OPERATIONS | 2,000.00 | 2,000.00 |
| EFT7249 | | AUSTRALIAN TRAINING MANAGEMENT | | |
| INV 578 | | CHAINSAW TRAINING & ASSESSMENT - DEPOT | 3,300.00 | 3,300.00 |
| EFT7250 | | WORMALD | | |
| INV 5379518 | | FIRE FOAM X 6 | 1,881.00 | 1,881.00 |
| EFT7251 | | DAVID JOHN AYOUB | | |
| INV 355 | | REMOVE RUBBLE - SOUTH ST FOOTPATH | 88.00 | 88.00 |
| EFT7252 | | AVON TRACTOR & IMPLEMENT | | |
| INV 110331 | | ELBOW FITTING - Y130 | 56.25 | 56.25 |
| EFT7253 | | COURIER AUSTRALIA | | |
| INV TRANSIT | | FREIGHT | 30.69 | 30.69 |
| EFT7254 | | CJD EQUIPMENT PTY LTD | | |
| INV 176290 | | BEARINGS/ PADLOCKS - Y205 | 662.53 | 662.53 |
| EFT7255 | | GREENHILLS PROGRESS ASSOCIATION | | |
| INV 852672 | | SPONSORSHIP 10/11 - GREENHILLS HALL MTCE | 4,200.00 | 4,200.00 |
| EFT7256 | | MIDALIA STEEL | | |
| INV 5646164 | | PANELLING/ FLASHING - AVON TCE BUS SHELTER | 32.56 | 399.80 |
| INV 5647995 | | STEEL BAR - KNOTTS RD BRIDGE | 367.24 | |
| EFT7257 | | KEITH WILLIAM MOORFIELD | | |
| INV 2809 | | VEHICLE REPAIRS - AUG 10 | 940.50 | 940.50 |
| EFT7258 | | BGC QUARRIES | | |
| INV Q13690 | | SUPPLY & DELIVER DUST/ GRANITE - CARPARKING | 3,531.09 | 3,531.09 |
| EFT7259 | | MAL AUTOMOTIVES | | |
| INV 10617 | | SERVICE GREENHILLS FIRE TRUCK - 1CNW823 | 139.80 | 1,043.55 |
| INV 10634 | | DIFF OIL - Y830 | 903.75 | |
| EFT7260 | | AVON TOURISM | | |
| | | SILVER MEMBERSHIP 10/11 - MUSEUM | | 146.00 |

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|--------------------------|-------------|-------------------------------------|-----------------------|---------------|
| | | AVON TOURISM | | |
| INV MS 51 | | SILVER MEMBERSHIP 10/11 - MUSEUM | 146.00 | |

REPORT TOTALS

| Bank Code | Bank Name | TOTAL |
|------------------|---------------------|-------------------|
| 1 | MUNICIPAL FUND BANK | 266,746.22 |
| TOTAL | | 266,746.22 |

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**SHIRE OF YORK
TRUST CHEQUE PAYMENTS
SEPTEMBER 2010**

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|--------------------------|-------------|--|-----------------------|---------------|
| 3727 | | BUILDERS REGISTRATION BOARD | | |
| INV T6 | | BRB LEVY AUGUST 2010 | 490.00 | 490.00 |
| 3728 | | SHIRE OF YORK | | |
| INV T6 | | BRB COMMISSION AUGUST 2010 | 77.00 | 77.00 |
| 3729 | | BUILDERS REGISTRATION BOARD | | |
| INV RECON | | UNDERPAYMENT OF BRB LEVY FROM 03/04 TO 08/09 | 218.00 | 218.00 |
| 3730 | | SUE MCCABE | | |
| INV T1 | | REFUND CAT TRAP BOND - REC 149989 - SUE MCCABE | 50.00 | 50.00 |
| 3731 | | CHILDREN'S LEUKAEMIA & CANCER RESEARCH FOUNDATION | | |
| INV T24 | | REFUND KIDS LEUKAEMIA RAFFLE TICKET MONEY - REC 15 | 40.00 | 40.00 |
| 3732 | | WA COUNTRY BUILDERS | | |
| INV T4 | | REFUND KERB BOND - S LISTER - 98 GEORGIANA ST - REC 14 | 500.00 | 500.00 |
| 3733 | | BRIAN GORDON JOHNS | | |
| INV T4 | | REFUND KERB BOND - BRIAN JOHNS - 3 LEWIS RD - REC 140 | 500.00 | 500.00 |

REPORT TOTALS

| Bank Code | Bank Name | TOTAL |
|------------------|------------------|-----------------|
| 2 | TRUST FUND BANK | 1,875.00 |
| TOTAL | | 1,875.00 |

| TOTAL RESERVES | |
|---|------------------------|
| 30-Sep-10 | |
| Reserve Name | Current Balance |
| 4. Plant Reserve | 365,427.53 |
| 6. Staff Leave Reserve | 119,252.58 |
| 7. Town Planning Reserve | 12,630.99 |
| 8. Recreation Complex Reserve | 116,423.42 |
| 9. Avon River Maintenance Reserve | 20,644.80 |
| 14. Industrial Land Reserve | 94,453.81 |
| 15. Refuse Site Development Reserve | 200,418.09 |
| 22. Centennial Gardens Reserve | 107,994.08 |
| 23. Public Open Space Cont Reserve | 320.70 |
| 24. Community Bus Reserve | 40,646.95 |
| 25. Pioneer Memorial Lodge Reserve | 133,120.88 |
| 26. Residency Museum Reserve | 20,362.04 |
| 27. Carparking Reserve | 60,303.40 |
| 30. Building Reserve | 61,559.89 |
| 35. Disaster Reserve | 24,433.38 |
| 37. Archives Reserve | 22,608.00 |
| 38. Water Supply Reserve | 6,778.29 |
| 40. Tied Grant Funds Reserve | 919,885.70 |
| 42. Main Street (Town Precinct) Update Reserve | 120,299.50 |
| 43. Strategic Planning Reserve | 11,903.25 |
| 44. Cemetery Reserve | 27,675.99 |
| 45. York Town Hall Reserve | 41,522.85 |
| 46. RSL Memorial Reserve | 20,156.25 |
| 47. Greenhills Townsite Development Reserve | 22,204.69 |
| 48. Youth Capital Works | 23,632.71 |
| 49. Roads | 61,065.70 |
| 50. Land & Infrastructure | 203,578.25 |
| TOTAL RESERVE FUNDS | 2,859,303.72 |
| Funded by | |
| BENDIGO RESERVE 119521748 | 869.16 |
| BENDIGO RESERVE AT CALL | 100,000.00 |
| BENDIGO RESERVE NCD DUE 2/11/10 | 717,151.43 |
| BENDIGO RESERVE NCD DUE 1/11/10 | 607,281.49 |
| BENDIGO RESERVE NCD R4R | 608,157.00 |
| WESTPAC RESERVE | 0.00 |
| WESTPAC RESERVE TERM DEPOSIT DUE 23/1/11 | 314,631.46 |
| WESTPAC RESERVE TERM DEPOSIT DUE 4/12/10 | 511,213.18 |
| TOTAL | 2,859,303.72 |
| 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. | |

STATEMENT OF PAYROLL DIRECT DEBITS
FOR THE MONTH ENDING SEPTEMBER 2010

| | |
|--|----------------------|
| 9 September 2010 | 68,684.58 |
| 23 September 2010 | 68,699.05 |
| 23 September 2010 | 1,026.30 |
| | |
| PAYROLL TOTALS | \$ 138,409.93 |
| | |
| (LESS PAYMENTS BY CHEQUE) | 1,026.30 |
| TOTAL PAYROLL DIRECT DEBITS AS PER BANK REC | \$ 137,383.63 |

**SUMMARY OF CREDIT CARD PAYMENTS
FOR THE MONTH ENDING SEPTEMBER 2010**

| | |
|--|--------------------|
| REFRESHMENTS | 330.25 |
| TRAINING & CONFERENCES | 688.50 |
| LIBRARY BOOKS | 36.80 |
| FUEL | 39.36 |
| OFFICE EXPENSES / STATIONERY | 50.00 |
| OTHER | 0.00 |
| TOTAL PURCHASES | \$ 1,144.91 |
| PAYMENTS TO C/C IN ADVANCE | 0.00 |
| (LESS PREVIOUSLY PAID IN ADVANCE) | |
| TOTAL PAYMENTS TO C/C AS PER BANK REC | \$ 1,144.91 |

**STATEMENT OF SHELL CARD PURCHASES
FOR THE MONTH ENDING SEPTEMBER 2010**

| | | |
|--|-----------|---------------|
| 0 Y - CEO | | 0.00 |
| Y 000 - MHB | | 77.00 |
| 1DFJ928 - BUILDING | | 43.01 |
| Y 86 - HEALTH | | 29.31 |
| Y 00 - DCEO | | 258.23 |
| CARD FEES | | 12.50 |
| TOTAL PURCHASES | \$ | 420.05 |
| TOTAL PAYMENTS TO SHELL AS PER BANK REC | \$ | 420.05 |

9. OFFICER'S REPORTS

9.4 FINANCE REPORTS

9.4.2 Budget Variation – Plant Purchase - Capital

| | |
|-------------------------|-------------------------------------|
| FILE NO: | FI.BUD1011 |
| COUNCIL DATE: | 18 October 2010 |
| REPORT DATE: | 6 October 2010 |
| LOCATION/ADDRESS: | N/A |
| APPLICANT: | N/A |
| SENIOR OFFICER: | R Hooper, CEO |
| REPORTING OFFICER: | R Hooper, CEO |
| DISCLOSURE OF INTEREST: | Nil |
| APPENDICES: | 10 Year Plant Replacement Programme |
| DOCUMENTS TABLED: | 2010/11 Budget |

Summary:

Requirement to amend the 2010/11 budget to allow for the purchase of a Hino Tip Truck in place of a tractor/loader.

Background:

The truck purchase order (No. 16589) was placed in June 2010 however the transaction was not completed by the 30th June, 2010 and the costs need to be allocated in 2010/11.

Consultation:

Not application.

Statutory Environment:

Local Government Act – Section 6.8

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government;
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

** Absolute majority required.*

- (1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

- (2) Where expenditure has been incurred by a local government —
 - (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
 - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

[Section 6.8 amended by No. 1 of 1998 s. 19.]

Policy Implications:

Not applicable

Financial Implications:

No net impact on the budget as this purchase will replace a proposed purchase and there is the opportunity to review the cash backed Plant Reserve Fund to bring the proposed plant purchases back into the 2010/11 budget.

Strategic Implications:

Not applicable

Voting Requirements:

Absolute Majority Required: Yes

Site Inspection:

Site Inspection Undertaken: Not applicable

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

Nil

Social Implications:

Nil

Environmental Implications:

Nil

Comment:

The tip truck is a vital part of the works programme while the tractor/loader and other plant is of lesser importance as it is used primarily for depot purposes, slashing, etc.

**RESOLUTION
181010**

Moved: Cr Lawrance

Seconded: Cr Randell

“That Council:

Amend the 2010/11 Municipal Fund Budget as follows:

Account 127394 – Plant Purchase Capital

| | |
|---|-------------------------|
| <i>Delete purchase of Tractor/Loader to replace Kubota Tractor</i> | <i>\$138,600</i> |
| <i>Delete purchase of Engineers vehicle</i> | <i>\$30,000</i> |
| <i>Delete purchase of Spray utility</i> | <i>\$25,000</i> |
| <i>Delete purchase of Low Loader Trailer</i> | <i>\$30,000</i> |

Account 12739 – Plant Purchase Capital

| | |
|---|----------------------------|
| <i>Add purchase Hino 700 Tip Truck</i> | <i>\$219,479.66</i> |
|---|----------------------------|

Proceeds Sale of Assets

| | |
|---|------------------------|
| <i>Account 127297 - Sale of Kubota Tractor</i> | <i>\$20,000</i> |
| <i>Sale of Engineers vehicle</i> | <i>\$25,000</i> |
| <i>Sale of Spray utility</i> | <i>\$10,000</i> |
| <i>Sale of Low Loader Trailer</i> | <i>\$30,000</i> |

| | |
|---|--------------------------|
| <i>Account 127297 - Add Sale of Hino Tip Truck</i> | <i>\$104,000”</i> |
|---|--------------------------|

Advice Note:

A Plant Reserve Review will be undertaken during the statutory half yearly financial review to determine if the deleted items can be re-instated.

CARRIED: 5/0

| SHIRE OF YORK PLANT REPLACEMENT PROGRAM | | | | | | | | | | | | | |
|---|---|---------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Plant purchase costs | | | | | | | | | | | | | |
| All figures in 2010 dollars | | | | | | | | | | | | | |
| YEAR | EQUIPMENT | REG NO. | 2010/2011 | 2011/2012 | 2012/2013 | 2013/2014 | 2014/2015 | 2015/2016 | 2016/2017 | 2017/2018 | 2018/2019 | 2019/2020 | 2020/2021 |
| | | | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| | TRAILERS | | | | | | | | | | | | |
| | Trailers as required | | 3,500 | 3,500 | | 3,500 | | | 3,500 | | | 3,500 | |
| | Spray Unit pump | | 500 | | | 500 | | | 500 | | | 500 | |
| | Water tanks for utes | | | 1,600 | | | | | | 1,600 | | | |
| | Side tipper trailer | | 22,000 | | | | | | | 28,000 | | | |
| | CHAINSaws/POLESaws | | | | | | | | | | | | |
| | General provision to replace as required. | | 3,800 | 3,800 | 3,800 | 3,800 | 3,800 | 3,800 | 3,800 | 3,800 | 3,800 | 3,800 | 3,800 |
| | WHIPPER SNIPPERS | | | | | | | | | | | | |
| | General provision to replace as required. | | | 2,000 | | 2,000 | | 2,000 | | 2,000 | | 2,000 | |
| | BLOWERS | | | | | | | | | | | | |
| | General provision to replace as required | | 1,600 | | 1,600 | | 1,600 | | 1,600 | | 1,600 | | 1,600 |
| | LAWN MOWERS | | | | | | | | | | | | |
| 1992 | SCOTT BONNER GANG | | | | | | | | | | | | |
| 2000 | Sm self propelled mower | | 1,800 | | | | 1,800 | | 1,800 | | | 1,800 | |
| 2002 | DEUTSCHER H26 - Slasher | | | | | | 4,500 | | | | 4,500 | | |
| 2003 | MEY 36 - Hockey Field | | | | | | | | | | | | |
| 2004 | TURF TEC VERTI MOWER | | | | | | 2,500 | | | | | | 2,500 |
| 2007 | MOWER Gianni Ferrari inc | Y 1328 | | | 65,000 | | | | | | 65,000 | | |
| 2009 | Trailer | | | | | | | | | | | | |
| | Mower John Deere | | | | | | | | | | | | |
| | TOOLS/EQUIPMENT | | | | | | | | | | | | |
| | General provision to replace as required. | | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 |
| | Metro Count Road Counters | | | 3,000 | | 3,000 | | 3,000 | | 3,000 | | 3,000 | |

| YEAR | EQUIPMENT | REG NO. | 2010/2011 | 2011/2012 | 2012/2013 | 2013/2014 | 2014/2015 | 2015/2016 | 2016/2017 | 2017/2018 | 2018/2019 | 2019/2020 | 2020/2021 |
|------|---------------------------|---------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| | | | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| | RANGER VEHICLES | | | | | | | | | | | | |
| | TOYOTA 4WD | Y 4160 | | 43,000 | | | | 43,000 | | | | | 43,000 |
| 2001 | BACK OF RANGER'S VEHICLE | | 5,000 | | | | | 5,000 | | | | | 5,000 |
| | SECOND RANGER VEHICLE | | | 35,000 | | | | | | 35,000 | | | |
| | OTHER VEHICLES | | | | | | | | | | | | |
| | COMMUNITY BUS | | | | | | | | | | | | |
| 2005 | TOYOTA | TC 498 | | | 100,000 | | | | | | | | |
| | UTILITIES | | | | | | | | | | | | |
| | BUILDING MAINTENANCE | | | | | | | | | | | | |
| 2006 | - Les | Y 387 | | 25,000 | | | | 25,000 | | | | | 25,000 |
| | PARKS & GARDENS | | | | | | | | | | | | |
| 2008 | (Sacha) | Y 3777 | | | | | 50,000 | | | | | 50,000 | |
| 2001 | Spray ute (Rob W) | Y 4118 | 25,000 | | | | | | 25,000 | | | | |
| 2003 | WORKS (Grader Ute) - Neil | Y 770 | | | | | 25,000 | | | | | | 25,000 |
| | ENGINEER - Simon | | 60,000 | 60,000 | 60,000 | 60,000 | 60,000 | 60,000 | 60,000 | 60,000 | 60,000 | 60,000 | 60,000 |
| | EQUIPMENT | | | | | | | | | | | | |
| 1998 | CAT vibrating roller | | | | 180,000 | | | | | | | 180,000 | |
| 2010 | LOADER JOHN DEERE | Y 600 | | | | | | | | | | | |
| | TRACTOR/LOADER | | | | | | | | | | | | |
| 2001 | KUBOTA | Y 299 | 138,600 | | | | | 150,000 | | | | | 150,000 |
| 2006 | ROLLER Amman Multi | Y 830 | | 190,000 | | | | | | 190,000 | | | |
| 2000 | CHERRY PICKER GUND | Y 466 | | | | | | 5,000 | | | | | 60,000 |
| 2003 | TRAILER LOW LOADER | ITAJ921 | 30,000 | | | | | | | | | | |
| | Boxer Footpath sweeper | | 44,000 | | | 44,000 | | | 44,000 | | | 44,000 | |
| | ROAD BROOM | | | | | 35,000 | | | | | | | 35,000 |
| | Chipper Mulcher | | | | | | | | | 61,000 | | | |
| | Post hole digger | | | | | | | 1,800 | | | | | 1,800 |
| | GRADERS | | 1,800 | | | | | | | | | | |
| 2006 | VOLVO 930 (Peter) | Y 205 | | | | 340,000 | | | | | 340,000 | | |
| 2004 | VOLVO G710B (Neil) | Y130 | | 340,000 | | | | | 340,000 | | | | |

| YEAR | EQUIPMENT | REG NO. | 2010/2011 | 2011/2012 | 2012/2013 | 2013/2014 | 2014/2015 | 2015/2016 | 2016/2017 | 2017/2018 | 2018/2019 | 2019/2020 | 2020/2021 |
|------|--|---------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| | | | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| | TRUCKS | | | | | | | | | | | | |
| 2008 | Maintenance Truck - 5t with Hiab | Y1660 | | | 97,000 | | | | | 97,000 | | | |
| 2008 | HINO RANGER 50 13 tonne | Y 345 | | | | | 215,000 | | | | | | 215,000 |
| 2010 | HINO 13 tonne | Y 711 | | | | | 215,000 | | | | | 215,000 | |
| 2002 | HINO 9 tonne two way tipper | Y 641 | | | | 65,000 | | | | | 65,000 | | |
| 2003 | Hino 3 tonne Dual Cab gear | Y397 for Y397 | | | 60,000 | | | | | 60,000 | | | |
| 2005 | mitsubishi canter 3t w/Hiab | Y 4099 | | 60,000 | | | | | 60,000 | | | | |
| 2010 | CEO'S SEDAN | Y0 | 74,000 | 74,000 | 75,000 | 75,000 | 75,000 | 75,000 | 75,000 | 75,000 | 75,000 | 75,000 | 75,000 |
| 2010 | DEPUTY SEDAN | Y00 | 64,000 | 64,000 | 65,000 | 65,000 | 65,000 | 65,000 | 65,000 | 65,000 | 65,000 | 65,000 | 65,000 |
| 2010 | M. HEALTH OFFICER'S SE | Y000 | 60,000 | 60,000 | 61,000 | 61,000 | 61,000 | 61,000 | 61,000 | 61,000 | 61,000 | 61,000 | 61,000 |
| 2010 | EHO Vehicle | - | - | - | 26,000 | - | 26,000 | - | 26,000 | - | 26,000 | - | 26,000 |
| 2010 | Building Vehicle | - | - | 25,000 | - | 26,000 | - | 26,000 | - | 26,000 | - | 26,000 | - |
| 2004 | DOCTORS SEDAN | - | - | - | - | - | - | - | - | - | - | - | - |
| 2010 | SHIRE PLANNERS SEDAN | | 60,000 | 60,000 | 60,000 | 60,000 | 60,000 | 60,000 | 60,000 | 60,000 | 60,000 | 60,000 | 60,000 |
| | SUB TOTAL | | 598,600 | 1,052,900 | 857,400 | 872,800 | 904,200 | 823,600 | 855,200 | 831,400 | 829,900 | 853,600 | 917,700 |
| | TRADE IN VALUES | | 298,600 | 500,000 | 445,000 | 385,000 | 453,000 | 455,000 | 425,000 | 455,000 | 400,000 | 475,000 | 475,000 |
| | TOTAL | | 300,000 | 552,900 | 412,400 | 487,800 | 451,200 | 368,600 | 430,200 | 376,400 | 429,900 | 378,600 | 442,700 |
| | SOURCES OF FUNDING | | | | | | | | | | | | |
| | MUNICIPAL FUNDS | | 0 | 252,900 | 112,400 | 187,856 | 158,200 | 78,600 | 137,200 | 80,400 | 130,900 | 76,600 | 142,700 |
| | PLANT/ EQUIPMENT RESERVE | | 300,000 | 300,000 | 300,000 | 299,944 | 293,000 | 290,000 | 293,000 | 296,000 | 299,000 | 302,000 | 300,000 |
| | TOTAL | | \$300,000 | \$552,900 | \$412,400 | \$487,800 | \$451,200 | \$368,600 | \$430,200 | \$376,400 | \$429,900 | \$378,600 | \$442,700 |
| | PLANT & EQUIPMENT RESERVE SUMMARY | | | | | | | | | | | | |
| | OPENING BALANCE | | 101,944 | 68,944 | 40,944 | 17,944 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | INTEREST EARNINGS | | | 7,000 | 7,000 | 7,000 | 7,000 | 7,000 | 7,000 | 7,000 | 7,000 | 7,000 | 7,000 |
| | TRANSFERS TO RESERVE - DEPR | | 260,000 | 265,000 | 270,000 | 275,000 | 286,000 | 283,000 | 286,000 | 289,000 | 292,000 | 295,000 | 293,000 |
| | TRANSFERS TO RESERVE - MUNICIPAL | | | | | | | | | | | | |
| | TRANSFERS FROM RESERVE | | 300,000 | 300,000 | 300,000 | 299,944 | 293,000 | 290,000 | 293,000 | 296,000 | 299,000 | 302,000 | 300,000 |
| | CLOSING BALANCE | | \$68,944 | \$40,944 | \$17,944 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |

9.5 Confidential Reports

9.6 Late Reports

Prosecution for Fire

Councillors Lawrance, Scott and Randell agreed to bring this item into the meeting agenda.

RESOLUTION

191010

Moved: Cr Randell

Seconded: Cr Scott

“That Council:

Prosecute the landowner responsible for the recent fire in the Cut Hill/Knots Road locality rather than use infringements due to the danger and impost on adjoining and adjacent landowners and the cost to volunteers and Bush Fire Brigades.”

CARRIED: 5/0

10. NEXT MEETING

**RESOLUTION
201010**

Moved: Cr Scott

Seconded: Cr Randell

“That Council:

Hold the next Ordinary Meeting of the Council on November 15, 2010 at 3.00pm in the Lesser Hall, York.”

CARRIED: 5/0

11. CLOSURE

Cr Hooper thanked all for their attendance and declared the meeting closed at 4.14pm.