

SHIRE OF YORK

**MINUTES OF THE ORDINARY
MEETING OF THE COUNCIL
HELD ON 21st SEPTEMBER, 2009
COMMENCING AT 3.05PM IN THE
GREENHILLS HALL, GREENHILLS.**

MISSION STATEMENT

"To build on our history to create our future"

SHIRE OF YORK
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RAY HOOPER
CHIEF EXECUTIVE OFFICER

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SHIRE OF YORK

THE ORDINARY MEETING OF THE COUNCIL HELD ON
MONDAY, 21 SEPTEMBER, 2009, COMMENCING AT
3.05PM IN THE GREENHILLS HALL, GREENHILLS.

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

1. OPENING

- 1.1 Declaration of Opening
The Shire President, Cr Pat Hooper, welcomed everyone and declared the meeting open at 3.05pm.
- 1.2 Chief Executive Officer to read the disclaimer
The Chief Executive Officer, Ray Hooper, read the disclaimer.
- 1.3 Announcement of Visitors
There were no visitors.
- 1.4 Announcement of any Declared Financial Interests
Cr Trevor Randell – Item 9.2.5 – Proximity
Cr Ashley Fisher – Item 9.2.4 - Proximity
CEO Ray Hooper – Item 9.5.2 - Financial

2. ATTENDANCE

- 2.1 Members
Cr Pat Hooper, President; Cr Brian Lawrance, Deputy President; Cr Tony Boyle; Cr Trevor Randell; Cr Ashley Fisher; Cr Tricia Walters
- 2.2 Staff
CEO Ray Hooper; Deputy CEO Graham Stanley; EHO Peter Stevens; Shire Planner Patrick Ruettjes; MATS Tyhscha Cochrane; ESO Julieanne Treloar
- 2.3 Apologies
Nil
- 2.4 Leave of Absence Previously Approved
Nil
- 2.5 Number of People in Gallery at Commencement of Meeting
13 & 2 children

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

3.1 Previous Public Questions Taken on Notice Nil

3.2 Written Questions

Mr Simon Saint

Question: Was the CEO's statement, calling the Ratepayers and Residents Association "scurrilous and vindictive" a personal response, or a response on behalf of council?

Response: All correspondence on a Shire letterhead and signed by the Chief Executive Officer is an official response from the Shire of York.

The correspondence from the Shire of York did not describe the York Ratepayers and Residents Association as it only describes the action and not the members.

4. PUBLIC QUESTION TIME

Mr Peter Ashworth, Kauring

Question: Will we get a further reduction in our rates due to the fall in value of our properties according to the current rates notices?

Response: The valuations are created by the Valuer General not the Shire. The method of rating was changed by the Valuer General on the 1st July 2009 to improve the uniformity of the rating system and reduce the large increases and decreases from year to year.

Mr Rob Chester

Question 1: Is there any way of protecting the broadacre farmers from the huge increases in rates due to the sale of small properties in the local area affecting the paper values of their land?

Response: At a future meeting with the Minister for Agriculture these issues will be raised. The Shire of York is very aware of this and the need for protection of broadacre farmers.

Question 2: Would the Shire be willing to do an exercise on the rental value of properties in rural areas?

Response: Taken on notice.

Mr Gordon Marwick

Question 1: On behalf of the Greenhills Fire Brigade I ask if the new Fire Shed be in place for the arrival of the new truck?

Response: Mark Bowen (FESA) is aware of the problem and is looking at extending the shed at their cost. It may not be ready in time.

Question 2: Has the old truck now gone to a FESA museum?

Response: it appears that this may be the case against the original agreement.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6. PETITIONS / PRESENTATIONS / DEPUTATIONS

- 6.1 Marion Alexander, Beverley – Petition regarding Greenhills South Road, York.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Minutes of the Ordinary Meeting of Council held August 17, 2009

**RESOLUTION
010909**

Moved: Cr Boyle Seconded: Cr Randell

Corrections - Nil

Confirmation

“That the minutes of the Ordinary Council Meeting held August 17, 2009 be confirmed as a correct record of proceedings.”

CARRIED (6/0)

7.2 Minutes of the Special Meeting of Council held August 20, 2009

**RESOLUTION
020909**

Moved: Cr Randell Seconded: Cr Fisher

Corrections - Nil

Confirmation

“That the minutes of the Special Council Meeting held August 20, 2009 be confirmed as a correct record of proceedings.”

CARRIED (6/0)

8. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Congratulations to the Westpac Bank on the upgrade of the exterior of the building to celebrate their 120th Birthday which enhances the streetscape in Avon Terrace.

Congratulations to our winter sporting teams. 2 York football teams into the finals, several hockey teams into the finals with one women's team winning the grand final.

As this is the last meeting of the current Council on behalf of the community I extend thanks to Councillors Tony Boyle, Brian Lawrance and especially Ashley Fisher, who is not standing again, for their time, efforts and commitment to the Shire of York.

9. OFFICER'S REPORTS

9.1 Development Services

9. OFFICER'S REPORTS

9.1 DEVELOPMENT REPORTS

9.1.1 Municipal Inventory Entry – Malebelling Agricultural Hall

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:	CS.INF.3/FI1.3150
COUNCIL DATE:	21 September 2009
REPORT DATE:	21 August 2009
LOCATION/ADDRESS:	Mannavale Road, Malebelling
APPLICANT:	Ian Crawford
SENIOR OFFICER:	R Hooper, CEO
REPORTING OFFICER:	T Cochrane, MATS
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Appendix A – Index and Categories Appendix B – Malebelling Agricultural Hall
DOCUMENTS TABLED:	Municipal Inventory

Summary:

Council received a request to include the Malebelling Agricultural Hall onto the Municipal Inventory.

Background:

Mr Crawford provided the following information:

“The above-mentioned hall is a building that resides on Goldfields Road, Malebelling, and although once acquiesced to the local community as a multi-purpose community hall, is now, through the subsequent sale and transfer of land title, on land that I now own. This building has not been used for any purposes as such for many years, but still stands in a fairly robust condition. In conducting some research, it was come to my notice that this hall has a distinct and important history within the Malebelling district. It is my sincere hope that the Malebelling Agricultural Hall may be restored and furbished to once again become a facility that can be utilized for the very same purposes as before, i.e. “... the promotion of a healthy social intercourse, dissemination of knowledge and information of a useful character, and a free discussion of all matters affecting their welfare...” (Eastern Districts Chronicle – 13th Feb. 1909).

In order to initiate repairs and progress towards this end, I have approached the Heritage Council of W.A for consideration of any assistance that may be available. After discussions with Ms Kris Bizzaca (Regional Heritage Adviser – Avon), which has included an on-site inspection, a submission of an “Expression of Interest” has been forwarded. It is hoped that consideration may be given towards a Conservation Plan and future Conservation Works. An integral step in the process of Heritage classification is however, inclusion in the Municipal Inventory of local sites and buildings of historical importance, hence this correspondence.

York has an immense wealth of architectural, social and agricultural history, which has contributed greatly to the development of Western Australia. When required by the State Government to compile a listing of local heritage significance (a Municipal Inventory), it is well understood of what an intensive task must have been undertaken. Unfortunately, the building of the Malebelling Agricultural Hall was not included. It is a simple structure, brick, tin and timber with no exemplary embellishment, but it does have a distinct and profound history which reflects the importance and development of the outlying agricultural districts of York.

Mr Hooper, I would ask you if it could be considered that an approach may be made to the York Shire Council for the inclusion of Malebelling Agricultural Hall to be listed within the Municipal Inventory for York and surrounding districts.

Your response will be most welcomed. Please contact me at any time if I can be of assistance or if any further information is required."

The following information was received from the Heritage Council of Western Australia:

"The Heritage Council has recently received a nomination for the above property.

The nomination was considered by our Register Committee at their meeting on 29 May 2009. It was determined that while the place may have some cultural heritage significance, it was unlikely that it would meet the threshold for entry on the State Register of Heritage Places. This determination may be reviewed, should further information become available.

We suggest that you consider this place for inclusion in your Local Government Inventory of Heritage Places when it is next revised."

The Municipal Inventory in its current form was adopted September 2008.

The Municipal Inventory is required under the Heritage of Western Australia Act 1990 to be reviewed every 4 years after compilation, however it is deemed necessary to include this property on the list of heritage places.

The purpose of the Municipal Inventory (MI) as explained from an extract produced by the Heritage Council of WA states:

- *"To assist in determining local government conservation policies and other related policies.*
- *To provide information about heritage in the local government district that may be required under a town planning scheme for that district.*
- *To assist in achieving the heritage conservation objectives of the town planning in WA.*
- *To assist in the maintenance of the State Heritage Register."*

A Fact Sheet produced by the Heritage Council of Western Australia entitled Local Government Municipal Inventories – What it is and What it Means to be Listed indicated how this document can assist Councils, it stated as follows:

"Local government heritage inventories can assist local governments to:

- *Provide a cultural and historic record of the local district.*
- *Determine local government conservation policies.*
- *Provide information about local heritage that may be required under a town planning scheme for that district."*

Consultation:

Heritage Council of WA – Website
Regional Heritage Advisor
Mr I Crawford

Statutory Environment:

Heritage of Western Australia Act 1990:

"Functions of the Council

7. (1) *The functions of the Council are -*

- (a) to advise the Minister, either of its own motion or upon the request of the Minister, as to matters relating to or associated with places that have or may have cultural heritage significance or possess special interest related to or associated with the cultural heritage in the State, and as to the conservation, presentation and use of those places and to represent the Minister ,where the Minister so requires, in negotiations relating to such matters with the Commonwealth or other persons having related interests;*
- (b) to advise the Minister in relation to the Register, and to maintain the Register and records of places in accordance with this Act;*
- (c) to advise the Minister, and with the consent of the Minister other persons, and to negotiate for its own purposes or on behalf of the Minister or those persons, in relation to Heritage Agreements or proposed Heritage Agreements;*
- (d) to provide, or facilitate the provision of, financial or technical assistance or other conservation incentives;*
- (e) to prevent or to endeavour to prevent the destruction of, or deterioration or damage occurring in, or the injudicious treatment of, places that have or may have cultural heritage significance or special interest;*
- (f) in consultation with the National Trust of Australia (WA) Inc. and other relevant persons, to undertake, or to arrange, the recording, conservation and presentation of places that have cultural heritage significance or special interest;*
- (g) to co-operate, so far as may be practicable and the Council may wish to do so, with all persons charged with, or undertaking, the making of a record of, or the conservation or presentation of, the works, documents, things, events and circumstances, whether past or present, associated with such places but, in general, not to act as a custodian except upon an interim basis;*
- (h) to encourage public interest in, and public understanding of, and to promote, organize or engage in research and investigation relating to, issues relevant to the cultural heritage, or to the conservation of any aspect of the cultural heritage, in the State;*
- (i) to promote or provide education or training as to matters related to any such issues;*
- (j) to authorise payments from the Fund for the purposes of this Act; and*
- (k) to carry out such other duties as may be required of it by the Minister under, or in furtherance of the objects of, this Act.*

(2) *In performing its functions the Council shall -*

- (a) so administer the Fund and any other resources from time to time available to the Council;*
- (b) so consult with local and regional heritage groups; and*
- (c) so advise and assist other persons having objectives similar to those of the Council,*

as to ensure that the various measures approved, and the various powers available, for the purpose of recording, conserving, and presenting the places of cultural heritage significance in the State are utilised effectively."

Municipal Inventories:

- "45. (1) The Council of a municipality shall compile and maintain an inventory of buildings within its district which in its opinion are, or may become, of cultural heritage significance.*
- (2) The inventory required by subsection (1) shall be compiled no later than 4 years from the commencement of this Act and shall be -*
- (a) updated annually; and*
- (b) reviewed every 4 years after compilation.*
- (3) The Council of a municipality shall provide the Council with a copy of the inventory compiled pursuant to this section.*
- (4) The Council of a municipality shall ensure that the inventory required by this section is compiled with proper public consultation."*

The Shire of York Town Planning Scheme No. 2 – Clause 5.1 states:

"5.1.1 Purpose and Intent:

The purpose and intent of the heritage provisions are:

- (a) to facilitate the conservation of places of heritage value;*
- (b) to ensure as far as possible that development occurs with due regard to heritage values.*

5.1.2 Heritage List

5.1.2.1 The local government shall establish and maintain a Heritage List of buildings, objects, structures and places considered by the local government to be of heritage significance and worthy of conservation.

5.1.2.2 For the purposes of clause 5.1, the Heritage List means the Municipal Inventory, as amended from time to time, prepared by the local government pursuant to Section 45 of the Heritage of Western Australia Act 1990 (as amended), or such parts thereof as described in the Heritage List.

5.1.2.3 The local government shall keep copies of the Heritage List with the Scheme documents for public inspection during normal office hours."

Policy Implications:

N/A

Financial Implications:

No financial implications arise from this report.

Strategic Implications:

History and Heritage - Key Result Area 5 – Scope states:

“Recognising the importance of York’s history and heritage and taking action to ensure it is preserved and forms the basis for York’s future developments.”

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

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

Heritage buildings are expensive to maintain and may incur costs. There may be benefits for those properties that are listed on the MI, as it can add value due to the importance it presents. Heritage recognition, pride and promotion can provide economic benefits for commercial operations who seize the initiative. There are funding opportunities for public owned buildings on MI lists through the Heritage Loan Subsidy Scheme.

Social Implications:

Enhance community pride and awareness of heritage issues.

Environmental Implications:

The built environment will still be protected under planning law. Development and appropriate development design guidelines will enhance this protection.

Comment:

A MI is a list of buildings, which in the opinion of Council are, or may become, of cultural heritage significance.

All places on the MI have a protection level assigned to them through the use of Categories. This is either protection under the Town Planning Scheme which means that any development must be in accordance with the Heritage Policy or alternatively the place may not be subject to any restrictions or design guidelines, however it is listed because its significance to the York community should be highlighted.

The purpose of this report is to acknowledge the request and enter the place onto the Municipal Inventory with a Category 2, which is:

“A place of considerable cultural heritage significance to Shire of York that is worthy of recognition and protection through provisions of the Shire of York’s Town Planning Scheme.

Recommend: Retain and Conserve the place.

Planning application needs to be submitted to Shire of York for any proposed development. Full consultation with property owner prior to making the recommendation.”

1B/2	Considerable significance	Very important to the heritage of the locality. High degree of integrity authenticity.	Conservation of the place is highly desirable. Any alterations or extensions should reinforce the significance of the place.
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OFFICER RECOMMENDATION

RESOLUTION

030909

Moved: Cr Boyle Seconded: Cr Lawrance

“That Council:

- 1. endorse the inclusion of Malebelling Agricultural Hall on to the Municipal Inventory with a Category 2; and***
- 2. forward a copy of the listing to the Heritage Council of WA and the WA Planning Commission.***

Advice Note:

Other buildings that are worthy of inclusion to be considered eg. Greenhills Tavern and this information can be obtained from the York Society and the Residency Museum.”

CARRIED (6/0)

YORK MUNICIPAL INVENTORY LIST OF HERITAGE PLACES AND PRECINCTS

**APPENDIX
"A"
9.1.1**

KEY

REF - Place Reference Number

CAT.

1A State Registered or on the Assessment Program of the Heritage Council of Western Australia.

A place of exceptional cultural heritage significance for the Shire of York and the State of Western Australia, that is either in the Heritage Council of WA's Register of Heritage Places, or worthy of consideration for entry into the Register.

Recommend: Retain and Conserve the place.

A development application needs to be submitted to Heritage Council of WA for approval for any proposed development prior to it being submitted to Council.

1B A place of considerable cultural heritage significance to Shire of York that is worthy of recognition and protection through provisions of the Shire of York's Town Planning Scheme.

Recommend: Retain and Conserve the place.

Planning application needs to be submitted to Shire of York for any proposed development. Full consultation with property owner prior to making the recommendation.

2 A place of considerable cultural heritage significance to Shire of York that is worthy of recognition and protection through provisions of the Shire of York's Town Planning Scheme.

Recommend: Retain and Conserve the place.

Planning application needs to be submitted to Shire of York for any proposed development. Full consultation with property owner prior to making the recommendation.

3 A place of some cultural heritage significance to Shire of York.

Recommend: Encourage retention of the place and document the place (Archival Record Required) if retention is not possible.

No particular heritage planning constraints.

4 A site without built features, but of some cultural heritage significance to Shire of York.

No particular heritage planning constraints.

Recommend: Interpret the place and/or Archival Record the place.

<i>Cat.</i>	<i>Level of Significance</i>	<i>Description</i>	<i>Desired Outcome</i>
1A	Exceptional significance	Essential to the heritage of the locality. Rare or outstanding example.	<p>The place should be retained and conserved unless there is no feasible and prudent alternative to doing otherwise.</p> <p>Any alterations or extensions should reinforce the significance of the place, and be in accordance with a Conservation Plan (if one exists for the place).</p>
1B/2	Considerable significance	Very important to the heritage of the locality. High degree of integrity/authenticity	<p>Conservation of the place is highly desirable.</p> <p>Any alterations or extensions should reinforce the significance of the place.</p>
3	Some/Moderate significance	Contributes to the heritage of the locality. Has some altered or modified elements, not necessarily detracting from the overall significance of the item.	<p>Conservation of the place is desirable.</p> <p>Any alterations or extensions should reinforce the significance of the place, and original fabric should be retained wherever feasible.</p>
4	Little Significance	Does not fulfil the criteria entry in the local Heritage List.	Photographically record prior to major development or demolition. Recognise and interpret the site if possible.

DESCRIPTION	ADDRESS	HCWA No.	ASSESS No.	CAT .
Wansborough House & Grounds	Avon Tce. No. 22	2830	11640	1A
York Town Hall	Avon Tce. No. 79-81	2880	31319/31320	1A
Imperial Hotel & Outbuildings	Avon Tce. No. 83	10725	12790	1A
Post Office	Avon Tce. No. 134	2855	50028	1A
Fire Station	Avon Tce. No. 151	2860	14300	1A
Police Stn., Court House and Gaol	Avon Tce. Lot 22997	2852	50096	1A
Police Stn. cottages	rear Avon Tce. Lot 22997	2882	50021/50022	1A
former Monger's Store	Avon Tce. cnr. Pool Street Lot 2	3980	4270	1A
Dwelling Eliza's Cottage	Bland St. No. 9	2868	14150	1A
Old Hospital	Brook St.	3019	50037	1A
Residency Museum	Brook St.	2870		1A
Flour Mill	Broome St. No. 7-13	2872	10462	1A
Sandalwood yards – Part of Monger's Store	Ford St. cnr. Avon Sts.		13090	1A
Gwambygine Farm & Pool	Great Southern Hwy	414880	800	1A
Faversham House	Grey St. No. 24	2876	50035	1A
York Primary School	Howick St.	2877	50031	1A
Holy Trinity Church/Hall/Rectory	Newcastle St. cnr. Pool St.	3213	Combined	1A
Marwick's Barn	Newcastle St. No. 19-21	2884	9732	1A
Balladong farm group - Balladong Farm - Granary & Stables - Shearing Shed	Parker St. cnr. Avon St.	2867	Taken Balladong House from this section.	1A
Homestead 'Korrawilla'	Quairading Rd. Greenhills	4184		1A
Monument and Park	Railway St.	2891		1A
York Railway station - Incl. Platforms & Quarters, Landscape and settings	Railway St.	2899	50030	1A
Bridge House & Grounds	Redmile Rd. No. 1	2893	11350	1A
St. Patrick's Catholic Church Presbytery - St. Patrick's Church Hall	South St. cnr. Grey St.	2878	50082	1A
Ragged Robin	South St. No. 25	2898	Done	1A
fmr. Convent of Mercy	South St. No. 29	2879	50038	1A
York Beverley Race Club Building	York Shire	3426		1A
Farmhouse remains / stock shelter 'Glen Irwin'	Gwambygine Rd. East	5975	3691	1A
Ruins / farmhouse 'Glen Irwin'	Gwambygine Rd. East	5975	3691	
Sheep dip 'Glen Irwin'	Gwambygine Rd. East		3691	
Blandstown Heritage Precinct (Refer to other index)	York (as shown on map at Appendix B)			1B
Central York Heritage Precinct (Refer to other index)	York (as shown on map at Appendix B)			1B
Girl Guides Barn	Ford St.			2

"Hartleap" Farmhouse and Outbuildings	Forrest St.			2
"Hillside" Farmhouse	Forrest St.			2
Uniting Church & Hall (frm. Wesley Church)	Grey St. Pt. Suburban Lot D			2
Dwelling	Henry Rd. No. 44		7050	2
Dwelling	Henry Rd. No. 45			2
Dwelling "Peppercorn Cottage"	Henry Rd. No. 79			2
Tipperary Church fmr. St Pauls	Northam Rd.			2
Dwelling "Laurelville"	Panmure Rd. No. 18			2
St Andrews Church and Cemetery	Quairading Rd. Greenhills			2
Four Julias	South St.			2
Farmhouse 'Spice's Farm'	Spices Rd.	5999	780	2
Anglican Rectory & Grounds	Suburban St. No. 75	4201	50026	2
Dwelling	Alfred St. No. 2		12960	3
Dwelling and Shop	Avon Tce. No. 208 (Cnr River Street)	5960	6560	3
Dwelling	Bird St. No. 25		9070	3
Dwelling	Bird St. No. 26		7830	3
Dwelling	Bland Rd. No. 16		11590	3
Dwelling	Bland Rd. No. 24		11560	3
Dwelling	Brunswick St. No. 59		14181	3
Guest House "Hope Farm"	Carter Rd. No. 15		4170	3
Dwelling "Cotmore"	Clifford St. No. 9			3
Dwelling	Clifford St. No. 11 (cnr Seabrook St.)			3
Dwelling	Clifford St. No. 33		8260	3
Dwelling	Clifford St. No. 34		7811	3
Dwelling	Dinsdale St. No.3		11930	3
Dwelling "Sunny Hill"	Dinsdale St. No. 16		60315	3
Dwelling	Ford St. No. 2			3
Dwelling	Ford St. No. 44		8141	3
Dwelling "The Mount"	Fraser St. No. 29			3
Dwelling "Lavender Cottage"	Georgiana St. No. 6			3
Dwelling	Glebe St. No. 1		11800	3
Recreation	Glebe St. No. 8		31280	3
Dwelling "Avonlea"	George St. No. 13		60086	3
Farmhouse "Woodlands"	Goldfields Rd. (east of Marwick Rd.			3
St Ronan's Well Reserve	Great Southern Hwy. Approx 15kms towards Perth			3
Dwelling	Grey St. No. 17			3
Dwelling	Grey St. No. 35		6503	3
Dwelling	Grey St. No. 55		60047	3
Dwelling	Harriott St. No. 37		4500	3
Kingdom Hall – Jehovah's Witnesses	Knight St. No. 9			3

Dwelling – “Chinaman’s Cottage”	Lee Cres.			3
Dwelling	Lincoln St. No. 11		5520	3
Pioneer Memorial Lodge	Macartney St.	5982		3
Dwelling	Macartney St. No. 26		13120	3
Dwelling	Macartney St. No. 28		6521	3
Dwelling	Macartney St. No. 30		6520	3
Dwelling	Macartney St. No. 35		5180	3
Dwelling	Macartney St. No. 45		6870	3
Dwelling	Macartney St. No. 54		13960	3
Dwelling	Macartney St..No. 66		13670	3
Dwelling	Macartney St. No. 68		7270	3
Dwelling	Macartney St. No. 74		12830	3
Dwelling “Glenidel”	Maud St. No. 20		12350	3
Dwelling	Meares St. No. 3		12440	3
Dwelling “Cottage Garden”	Meares St. No. 14		7960	3
Dwelling	Meares St. No. 19		4770	3
York Cemetery	Mount Street	2885	30750	3
Dwelling	Newcastle St. No. 1		10550	3
Dwelling	Newcastle St. No. 15		9870	3
Dwelling – Kairey Cottage	Newcastle St. No. 16			3
Dwelling	Newcastle St. No. 22		9731	3
Dwelling	Newcastle St. No. 24		9730	3
Dwelling	Newcastle St. No. 25		4540	3
Dwelling	Newcastle St. No. 28		11520	3
Dwelling “Stone Grange”	Newcastle St. No. 29		12920	3
Dwelling	Newcastle St. No. 37		4640	3
Dwelling	Newcastle St. No. 42		5710	3
Dwelling	Newcastle St. No. 49		12650	3
Dwelling	Newcastle St. No. 53		8530	3
Dwelling	Newcastle St. No. 58		9091	3
Dwelling	Newcastle St. No.71		6530	3
Dwelling Mt Bakewell homestead	North Rd. (opposite racecourse)	5986	55	3
Dwelling “Lott’s Cottage”	Northam Rd. No. 10			3
Prunster Cottage and Barne’s Cottage	Northam Rd. No. 57			3
Dwelling	Osnaburg Rd. 2			3
Dwelling	Panmure Rd. No. 12		7400	3
Dwelling	Panmure Rd. No. 24		8340	3
Dwelling ‘Four Winds’	Panmure Rd. No. 38	5993	6400	3
Dwelling	Panmure Rd. No. 67		10950	3
Dwelling	Panmure Rd. No. 93		11601	3
Dwellings - group of railway - workers cottages	Pelham St. Nos. 15,17,19 & 21	5994	12875/12876/6310/12877	3
Suspension Bridge	Pool St.	2889		3
Dwelling – “Job Bailey’s Cottage”	Pool St. No. 2			3

Dwelling	Pool St. No. 4	5996	7720	3
Dwelling	Pool St. No. 7	5997	5070	3
Dwelling	Pool St. No. 15		7650	3
Dwelling	Pool St. No. 17		9820	3
Dwelling	Pool St. No. 19		7700	3
Dwelling	Pool St. No. 21		14130	3
Dwelling "Layla's Cottage"	Pool St. No. 23		7980	3
Dwelling	Pool St. No. 71		7340	3
Dwelling	Suburban Rd. No. 36		9030	3
Dwelling 'The Roundhouse'	Spencer Brook Rd. No. 38	5998	6010	3
Dwelling	Suburban Rd. No. 40		9520	3
Dwelling	Suburban Rd. No. 42		6210	3
Dwelling	Suburban Rd. No. 50		8660	3
Dwelling	Suburban Rd. No. 56		8310	3
Dwelling	Suburban Rd. No. 58		9900	3
Dwelling	Tenth Rd. No. 9		14090	3
Dwelling	Tenth Rd. No. 11		14120	3
Dwelling	Tenth Rd. No. 17		10100	3
Dwelling	Tenth Rd. No. 24		6578	3
Dwelling	View St. No. 7		8420	3
Dwelling "Simmonswood Cottage"	View St. No. 13		60042	3
Dwelling 'Mile Pool' homestead (ruin)	Cowan Rd.	5963		4
Farmhouse	Doodenanning Rd. Greenhills	5964		4
Pony Club	Ford St., Dinsdale St. and Ulster Roads	5966		4
Site of the Gilgerring hamlet	Great Southern Highway	5970		4
Dwelling 'Look Out'	Great Southern H'way / Beverley	5971		4
View - 'Top Of The World Hill'	Great Southern Hwy 7kms west of Avon Tce.	5972		4
Ruin -convict station 'Southoban' farm	Great Southern Highway	5973	1560	4
Site/Carob & Peppercorn trees	Ulster Rd. No. 122. cnr. Carter Rd.	6900	12230	4
Site / (with almond tree close to fence)	Water St. cnr. Spencer Rd.	6901	7540	4
Tipperary School	York Shire			4
Grigson's Well	York Shire			4
Burges Siding	York Shire			4

YORK MUNICIPAL INVENTORY LIST OF HERITAGE PLACES AND AREAS

BLANDSTOWN HERITAGE PRECINCT – CAT 1B

KEY

To Locate a property refer to street name alphabetically and then house number.

NOTE: LEVEL OF CONTRIBUTION TO PRECINCT YET TO BE DETERMINED.

DESCRIPTION	ADDRESS	HCWA No.	ASSESS No.
House	Avon Tce. No. 7	2824	6740
House	Avon Tce. No. 13	2825	9380
Fmr Albion Hotel & Grounds	Avon Tce. No. 19	2826/2828	5480
Langford House	Avon Tce. No. 18	2827	10830
Brook Cottage	Avon Tce. No. 21	2829	7330
Wansbrough House & Grounds	Avon Tce. No. 22	2830	11640
House and Outbuildings (fmr. Bakery and Residence)	Avon Tce. No. 29	2831	9250
House	Avon Tce. No. 31	2832	13430
House	Avon Tce. No. 49	2833	10590
House	Avon Tce. No. 51	2834	5560
Dwelling Eliza's Cottage	Bland St. No. 9	2868	14150
Blands Brook & bridge	Blandstown	2865	
Old Hospital	Brook St.	3019	50037
Residency Museum	Brook St.	2870	
'Bygraves' House (fmr. Shop)	Great Southern Highway	2875	
Balladong farm group Balladong Farm Granary & Stables Shearing Shed	Parker St. cnr. Avon St.	2867	Done
Bridge House & Grounds	Redmile Rd. No. 1	2893	11350
Redmile House & Grounds	Redmile Rd. No. 2	2892	5980
House – Clementine	Redmile Rd. No.13	6905	9180
House	Redmile Rd. No.22	2894	5740
House	Wheeler St. No. 2	2901	13310
House	Wheeler St. No. 4		12390
House	Wheeler St. No. 10		7510
House	Wheeler St. No. 12	2902	5550
House	Wheeler St. No. 14	2903	10610
Dwelling 'Crossing Cottage'	William St. Nos. 13/15	6902	5261

Levels of contribution/Significance of Heritage Places to be completed in conjunction with the Council's Heritage Advisor

YORK MUNICIPAL INVENTORY LIST OF HERITAGE PLACES AND AREAS

CENTRAL YORK HERITAGE PRECINCT – CAT 1B

KEY

To Locate a property refer to street name alphabetically and then house number.

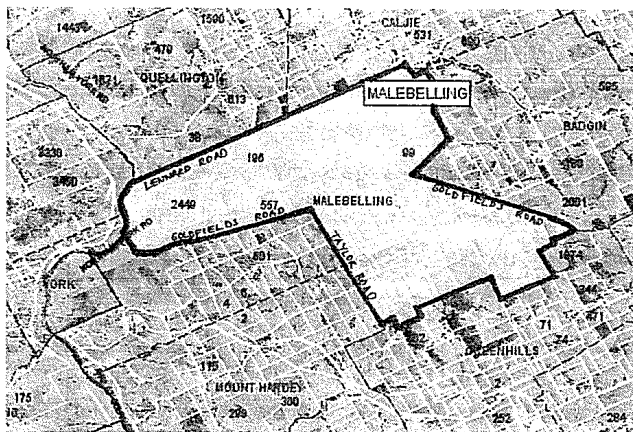
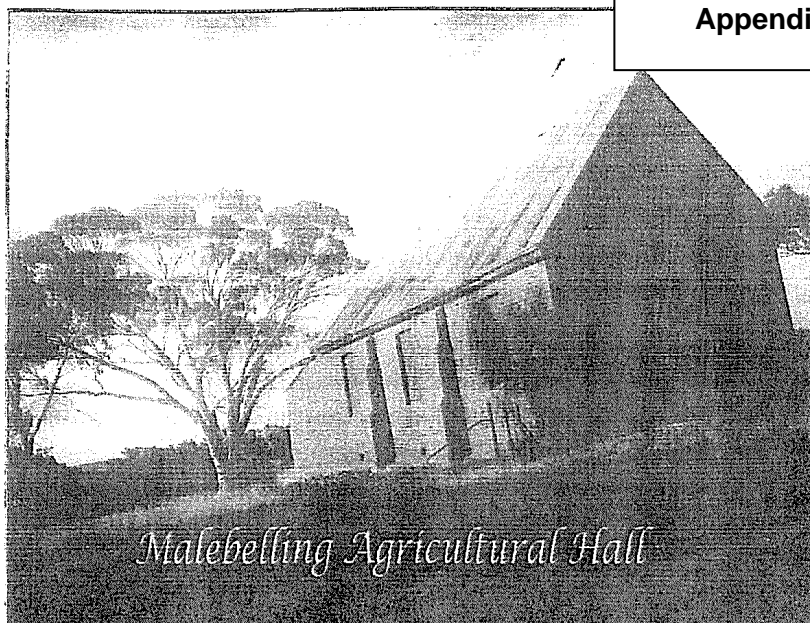
NOTE: LEVEL OF CONTRIBUTION TO PRECINCT YET TO BE DETERMINED.

DESCRIPTION	ADDRESS	HCWA No.	ASSESS No.
Spencer's Bakery	Avon Tce. No. 53	2835	11500
York Town Hall	Avon Tce. No. 79-81	2880	31319/31320
Imperial Hotel & Outbuildings	Avon Tce. No. 83	10725	12790
Castle Hotel & Outbuildings	Avon Tce. No. 95	2863	5860
Shop - Galileo	Avon Tce. No. 91-93	10708	4690
Davies Buildings Eastern Districts Building Co. & Building Premises	Avon Tce. No. 96-102	2854	6160
Collins Buildings	Avon Tce. No. 104-106	2809	11620/4560
Central Buildings	Avon Tce. No. 105,107,111-113	2838	11170/11821
Shops	Avon Tce. No. 108,110-112	2837	8440
Bendigo Bank	Avon Tce. No. 114	2839	50017
Shops	Avon Tce. No.115	2840	11990
Shops	Avon Tce. No. 117-119	2840	13270/13271
York Motor Museum	Avon Tce. No. 116-120	10519	6673/6672
Four Shops	Avon Tce. No. 125-135		6662/6663/ 6664
Settlers House incl. courtyard & grounds	Avon Tce. No. 125-135 (rear)	10518	6660
Post Office	Avon Tce. No. 134	2855	50028
Shops and former garage	Avon Tce. No. 137 - 141		6659
York Co-op Building incl. Quarters behind	Avon Tce. No. 138-140	11551	14240
York Hotel (fmr. Palace Hotel)	Avon Tce. No. 145	2861	6040
Westpac Bank (fmr. Bank of NSW & Quarters)	Avon Tce. No. 147	2849	13800
ANZ Bank & Quarters	Avon Tce. No. 148	2841	4420
Fire Station	Avon Tce. No. 151	2860	14300
Kookaburra's Backpackers	Avon Tce. No. 152	2842	4950
Commercial Building Motor Museum & Workshop	Avon Tce. No. 153	2843	6671
C.W.A. House	Avon Tce. No. 154	2844	5845
Commercial Building (fmr. Bank)	Avon Tce. No. 155	2845	7570
House & Outbuildings	Avon Tce. No. 156-158	2846	8512
Police Stn., Court House and Gaol	Avon Tce. Lot 22997	2852	50096
Police Stn. cottages	rear Avon Tce. Lot 22997	2882	50021/50022

former Monger's Store	Avon Tce. cnr. Pool Street Lot 2	3980	4270
Site of original cemetery	Balladong St. cnr. Avon Sts.	2866	31290
Flour Mill	Broome St. No. 7-13	2872	10462
Sandalwood yards	Ford St. cnr. Avon Sts.		13090
Dwelling	Ford St. No. 2	5965	9410
York Primary School (fmr. York Junior High School)	Howick St.	2877	50031
Masonic Hall	Joaquina St.	2881	14280
Monument and Park	Railway St.	2891	
York Railway station Incl. Platforms & Quarters, Landscape and settings	Railway St.	2899	50030
St. Patrick's Catholic Church Presbytery St. Patrick's Church Hall	South St. South St. South St. cnr. Grey St.	2878	50082
House	South St. No. 9	2896	6390
House	South St. No. 11	2897	10450
Ragged Robin Robin (frm. York Library and St Patrick's Convent)	South St. No. 25	2898	Done
fmr. Convent of Mercy	South St. No. 29	2879	50038
House	South St. No. 46	4200	11080

Levels of contribution/Significance of Heritage Places to be completed in conjunction with the Council's Heritage Advisor

**Item 9.1.1
Appendix B**



Sunday, April 5th, 2009

"Malebelling Hall" is a building that once stood alive and well, filled with the ideas and energies of the men and women who helped make our district such an important part of the development of the agricultural industry of Western Australia - politically, commercially, and socially.

It is my desire that the day will come when "Malebelling Hall" will once again be opened for the same purposes in which it was originally built.

Yes, society is very different today compared to 100 years ago; but perhaps those aspects of that society that brought them together then, can once again emerge to provide a strong and healthy community foundation. Modern technology and communications seem to have built obstructions to our ability and opportunity to enjoy and gain satisfaction from more simple pastimes.

Maybe we can restore the balance by providing a pivotal centre that supports and encourages a diverse range of activities that appeal to all ages. This cannot be achieved by myself or one person alone. A successful outcome will be determined by the support and efforts from many.

Rather than lose or forget the wonderful richness of history that is made up with the sweat, tears and laughter of the pioneers of our district, we still have an opportunity to preserve some of that heritage. Through research and anecdotal contributions, I am sure that a worthy compendium could be compiled. A priceless gift for those to follow.

Malebelling is now my home, and my respect and admiration for what was, is I am sure, shared by us all.

Jan M. Grant

N O T I C E.

Malebelling Agricultural Hall

Opening Celebrations.

**THURSDAY, FEBRUARY 11.
LUNCHEON AT 1 P.M.**

Opening Ceremony performed by the
Member for the District (Mr F. C.
Monger, M.L.A.), at 2 p.m.

**BAZAAR! BAZAAR!
IN THE AFTERNOON.**

**GRAND BALL
IN THE EVENING.**

Gents, 2s; Ladies, 1s.

Moonlight! Come one, come all!

**J. A. SEAMAN,
Secretary M.A.H.C**

Extract from "The Eastern District Chronicle"

Kindly provided by: York Local History Centre & Archives

*** FESTIVITIES AT MALEBELLING *
OPENING OF THE AGRICULTURAL HALL**

".....the conditions were most favourable for the holding of the celebrations organized by a strong and energetic committee of ladies and gentlemen in connection with the official opening of the local

Agricultural Hall by the member for the district (Mr F.C. Monger, M.L.A.)."

".....the road in fact for some considerable distance on either side was lined with horses and vehicles....."

".....Visitors were agreeably surprised at the great development that had taken place of late years on the holdings en route, while for miles in the distance the forests had been denuded of their heavy growth of timber, and transformed into extensive areas of fallowed land and stubble fields....."

".....At one o'clock a luncheon was held in the hall....."

(message from the Hon. The Premier) ".....I trust the function will be a success, and that the erection of the hall will be of the greatest value to the residents of the district whose work in opening up and developing our great agricultural industry is specially recognized by myself and colleagues. - N.J. MOORE, Premier....."

".....He (the speaker - Mr. Monger) was always a strong advocate for erecting these meeting-places in agricultural districts, where the farmers could meet in social intercourse, exchange ideas, and freely discuss matters of public interest ... and bring before the notice of their parliamentary representatives and the Government their ideas and opinions on matters affecting the welfare of the district and State generally ... He was grateful ... for the invitation ... to attend so important an event in the district's history, and he trusted that the younger members of the community would follow in the footsteps of their fathers and continue to manifest a deep concern in the country's future. He had great pleasure in declaring the hall open for all public purposes"

".....(Mr. Warren Marwick, Esq., J.P.) The purpose for which these halls were built was a good one, and he trusted that the Malebelling folk would avail themselves of the accommodation provided to the fullest extent in disseminating knowledge and information of a useful character, the promotion of a healthy social intercourse, and a free discussion of all matters affecting their welfare....."

".....A bazaar was held in the hall throughout the afternoon and evening a number of the usual side-shows were organized the ball at night was crowded....."

SNIPPETS

The foundation stone for Malebelling Agricultural Hall was laid by Mr Warren Marwick, on 19th, November, 1908. Sadly the foundation stone has since been removed.

Originally, the ladies of Malebelling were going to purchase an organ, instead, a piano was put in place. Drums were included at a later date to provide music for the dances.

Dances were extremely popular events, and were held alternatively at the different halls within the York District. It is known that dances were still being held at Malebelling during the 2nd World War years. ".....there were seats all around. The girls would be inside and a lot of the lads would be outside with a bottle. The hall was lit with shellite lamps that were secured on a rope. These would be let down to light the mantles, then raised again. Lit up the hall. The boys were always clean. Much better than the way the young ones present themselves today. The girls were much more clad in those days....." Sports such as football and cricket matches were held. (P. Humphrey)

The hall was also used as a voting place for the East Province of the York Division, a meeting place for the Volunteer Fire Brigade, and church services were attended by both the Anglican and Methodist congregations. Rev. Dunn, of the Anglican ministry, named Malebelling Hall the "Mission of the Holy Redeemer" in 1910. It could possibly be said

that "redemption" may take many years to take effect! A "Christmas Tree" for the children was a popular event, and was known to be held as late as 1958.

There are many facts and stories to be discovered relating to Malebelling. Any contribution would be greatly appreciated and respected. If you feel that you could assist, please contact:

Ian Crawford: Malebelling Farm - 9641 7037

P.O. Box 489, Malebelling, York, W.A. 6302

Sue Wynn-Taylor: 96412 783 - suewynntaylor@bigpond.com

811 Goldfields Road, Malebelling, York, W.A. 6302

***Many thanks go to all that have given their assistance to celebrate the Centenary Luncheon of Malebelling Hall. Special thanks to Ngarie Humphrey for her photography.*

9. OFFICER'S REPORTS
9.1 DEVELOPMENT REPORTS
9.1.2 Off Road Motorcycle Tracks

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:	Various
COUNCIL DATE:	21 September 2009
REPORT DATE:	16 September 2009
LOCATION/ADDRESS:	Various
APPLICANT:	N/A
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Patrick Ruettjes, Shire Planner
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	SAT Decision [2005] WASAT 276 Extract from February 2009 Council Minutes
DOCUMENTS TABLED:	Site inspection photos, correspondence

Summary:

Council is asked to consider legal action against landowners and/or operators of unapproved off road vehicle and motorcycle tracks on private property within the Shire following a spate of complaints about those activities recently.

Background:

Following considerations about an unapproved motorcycle track at Lot 47 (1238) Quellington Road, Caljie, and the report that was presented to the February 2009 Council Meeting (see attached), a number of other properties have emerged where off road motorcycles and vehicles have been in use and complaints have been received.

The property at Lot 47 (1238) Quellington Road, Caljie, is currently subject to an application for planning consent for a private off road motorcycle track. Referrals have been made to various state government departments and agencies and the neighbours have been consulted as well. The application is currently undergoing noise assessment by the Department of Environment and Conservation.

Over the last months, numerous complaints have been received by neighbouring landowners relating to a variety of properties. The complaints are mainly due to noise and dust emission. One particular property is Lot 100 Quairading Road, Kauring, where an unapproved motorcycle track is currently in operation and has attracted a number of recent complaints. The landowner has been contacted several times but has not addressed the issues satisfactorily.

Complaints have also been received relating to properties located in Helena Road, Bland Road and another property in Quellington Road. There has not been recent activity with regard to vehicle or motorcycle riding on these properties.

An issue with an unapproved rally track in Leeming Road has been resolved.

The number of enquiries about buying rural or rural residential property in the Shire of York with the intention to establish motorcycle tracks has increased over the past months. It is estimated that some 55,000 trail bike riders are registered in WA and the number of unregistered riders is estimated at some 100,000 riders fuelling the demand.

In 2005, the State Administrative Tribunal ('SAT') has dismissed the appeal of a landowner who had an application for a motorcycle track on his rural residential property in the Shire of Donnybrook-Balingup refused by the local government. The decision is attached to this report.

The SAT case highlights the potential land use conflict between the desire of landowners for quiet rural amenity versus the interest of landowners to engage in types of recreation that involves the emission of noise and dust and other potential impacts on amenity, neighbours and the environment.

Consultation:

The application for planning consent at Lot 47 (1238) Quellington Road, Caljie, has been advertised for comment to neighbouring landowners and referral agencies and numerous submissions have been received. These will be presented when the application has been finally assessed by the various referral agencies.

Numerous complaints have been received pertaining to Lot 100 Quairading Road, Kauring. No application or relevant correspondence has been received from the landowner.

Statutory Environment:

Shire of York Town Planning Scheme No. 2;

Planning and Development Act 2005.

State Administrative Tribunal – Decisions Database (see attachment),
[http://decisions.justice.wa.gov.au/SAT/SATdcsn.nsf/PDFJudgments-WebVw/2005WASAT0276/\\$FILE/2005WASAT0276.pdf](http://decisions.justice.wa.gov.au/SAT/SATdcsn.nsf/PDFJudgments-WebVw/2005WASAT0276/$FILE/2005WASAT0276.pdf); accessed 16/09/2009.

Policy Implications:

Nil

Financial Implications:

Enforcement action is anticipated and will require additional expenses. These expenses should be able to be recovered following legal proceedings.

Strategic Implications:

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

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

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

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

Key Result Area 1 – Objective 1:

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

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: YES, several

Triple bottom Line Assessment:

Economic Implications:

Additional recreation facilities for public or private use may be beneficial in some cases, but any proposal has to be compatible to the surrounding land use and the potential for land use conflict and associated costs have to be taken into consideration.

Social Implications:

As mentioned above and as discussed in detail in the attached SAT case, the potential for land use conflict between 'noisy sports and recreation' and 'quiet rural amenity' is very prevalent in many areas of WA, including the rural areas of the Shire of York. While landowners have to accept some level of noise from various sources, there are boundaries as to what is acceptable and what is not.

Environmental Implications:

Motorcycle tracks have to be established in a very sensitive way. Noise, dust, fire risk, erosion and pollution have to be addressed responsibly and are likely to rule out most proposals because of non-compliance with these issues.

Comment:

The issues pertaining to the riding of motorcycles and other vehicles in rural and rural residential areas on private properties and the land use conflict with neighbours has been discussed in great detail in the attached February 2009 Council Report and the attached SAT case.

The urgency of the matter has significantly increased over the last months and the number of complaints is rising steadily.

While the proposal for a motorcycle track for Lot 47 (1238) Quellington Road, Caljie, is currently being assessed and is at least being considered formally, there have been complaints about motorcycles being ridden at inappropriate hours (e.g. during the night and for long hours consecutively) during the current assessment. As mentioned, this application will be presented with all details to Council once the referral agencies have completed their assessments and the applicant has addressed all issues arising from the assessment process.

The landowner(s) of Lot 100 Quairading Road, Kauring, have not reacted to correspondence from the Shire and have chosen to ignore the Shire's directions. The track has been in operation for quite some time, but use has peaked in the past 3 months with the consequent complaints being received.

The attached SAT case clearly states that a motorcycle track containing jumps and involving the riding of motorcycles over prolonged hours clearly constitutes development under the Planning and Development Act 2005 and failure to comply with the legislation may attract penalties up to \$50,000. This applies to all private or 'hobby' tracks and, of course, especially to commercial tracks.

The Shire of York acknowledges the high demand for motorcycle riding as a recreation and is working with neighbouring local governments to tackle the issue proactively.

The Shire has to ensure that land use conflict is minimised and in order to achieve this and address unapproved use of land for off road vehicles and motorcycles, it is proposed to authorise the Chief Executive Officer to commence legal action against any landowner and/or operator who fails to comply with the relevant legislation, most notably the Planning and Development Act 2005.

OFFICER RECOMMENDATION

RESOLUTION

040909

Moved: Cr Lawrance

Seconded: Cr Boyle

“That Council;

- 1. Authorise the Chief Executive Officer to engage any means necessary, including legal action against any landowner(s) and/or operator(s) of unapproved motorcycle tracks and/or similar uses, to address the unauthorised land use of off road motorcycle or vehicle riding on private property in the Shire of York provided that any offenders are served with at least one written warning prior to any legal action; and***
- 2. Authorise the Chief Executive Officer to commence legal action against the owner(s) of Lot 100 Quairading Road, Kauring, pertaining to the operation of an unapproved off road motorcycle track at that lot.”***

CARRIED (6/0)

JURISDICTION : STATE ADMINISTRATIVE TRIBUNAL

STREAM : DEVELOPMENT & RESOURCES

ACT : TOWN PLANNING AND DEVELOPMENT ACT
1928 (WA)

CITATION : TOWNSEND & ANOR and SHIRE OF
DONNYBROOK/BALINGUP [2005] WASAT 276

MEMBER : MR P McNAB (MEMBER)

HEARD : 25 MAY 2005

DELIVERED : 12 OCTOBER 2005

FILE NO/S : DR 307 of 2005

BETWEEN : SHANE TOWNSEND
ALANA SHAW
Applicant

AND

SHIRE OF DONNYBROOK/BALINGUP
Respondent

Catchwords:

Town planning – Rural-residential zoning – Freestyle motocross motorcycle jumping facility – Discretionary approval – Noise and visual aspects under scrutiny – Characterisation of activity – Whether incidental – "Usual" noise in rural areas – Whether noise of the facility usual – Motocross activity pursued largely as a career – Application dismissed – Words and phrases "freestyle motocross"

Legislation:

Control of Vehicles (Off-road Areas) Regulations 1979 (WA)
Environmental Protection (Noise) Regulations 1997 (WA)
Road Traffic (Vehicles Standards) Rules 2002 (WA)
Shire of Donnybrook – Balingup Town Planning Scheme No 4
Town Planning and Development Act 1928 (WA)
Transport Operations (Road Use Management – Vehicle Registration) Regulation 1999 (Qld)

Result:

1. Application for review dismissed
2. The decision under review is affirmed

Category: B

Representation:

Counsel:

Applicant : Mr S Bain
Respondent : Mr R Quinn

Solicitors:

Applicant : N/A
Respondent : N/A

Case(s) referred to in decision(s):

AAT Case 6793 (1991) 22 ATR 3073
Australian Racing Drivers Club Ltd v Baulkham Hills Shire Council (1981) 2
APA 127
Kaard and City of Nedlands [2005] WASAT 2
Krasenstein and Western Australian Planning Commission [2005] WASAT 201
Makro Warehouse Pty Ltd and City of Mandurah [2005] WASAT 7
Marley-Duncan v Corporation of the Town of Gawler [2003] SAERDC 28
Mason v The Nominal Defendant (Queensland) [1987] 2 Qd R 190
McBain v Reyne (1997) 27 MVR 163

Nankiville v Shire of McIvor (1985) 19 APA 156
Saunders and City of Nedlands [2005] WASAT 190
Scott v Numurkah Corporation (1954) 91 CLR 300
Self and Shire of Serpentine-Jarrahdale [2005] WASAT 140
Shepherd and Anor v Shire of Murray [2004] WATPAT 71
Stuart J Castle Pty Ltd v Shire of Cardinia [2004] VCAT 2158
Wright v Shire of Chittering (2003) 33 SR (WA) 182

Case(s) also cited:

Nil

REASONS FOR DECISION OF THE TRIBUNAL:

Summary of the Tribunal's decision

- 1 Shane Townsend applied to the Tribunal for a review of the Shire's decision not to permit him to operate a motorcycle jump facility.
- 2 Essentially, the Tribunal found that Mr Townsend's motorcycle activity went beyond that of a hobby, and produced noise from a specialised facility that went beyond that reasonably contemplated by the planning framework for this rural-residential area.
- 3 His application for review was therefore dismissed.

Introduction

- 4 Shane Townsend (the applicant) is the owner and operator of a Honda motocross-type motorcycle. He is the co-owner with his partner, Ms Shaw, of land at Lot 138 Howlett Ramble, Donnybrook. The land comprises some 2 hectares. The land is surrounded by approximately 50 rural residential lots. It is a few minutes drive from the heart of Donnybrook.
- 5 Mr Townsend had sought approval from the respondent Shire of Donnybrook-Balingup (the Shire) for the construction of a "motor cycle ramp to be erected on the [subject land]", characterised also as a "motor cycle practice facility" or "motorcycle jump facility", consisting of two fixed earth mounds (that is, landing ramps) and a moveable run-up steel ramp. The mounds are proposed to be approximately 5 metres wide and 3.5 metres high. They would run roughly west to east replacing some "old" jumps running north to south (as shown on Mr Townsend's sketch plan submitted to the Shire).
- 6 Mr Townsend's is an enthusiastic jump rider, a proponent of what is sometimes known as "freestyle" riding. This activity appears to consist mainly of riding a motocross motorcycle at substantial speed over either man-made or natural gaps. Cf the definition for this activity that appears in G Martin and G Mullins, *Motor Vehicle Law (Qld)* at [14255] reproduced from the *Transport Operations (Road Use Management – Vehicle Registration) Regulation 1999* (Qld), (emphasis added):

" '[F]reestyle motocross' means a competition to compare competitors' skills, or an event to demonstrate a rider's skills, in performing motorbike acrobatics on a motorbike that has been ridden off a ramp."

7 See also, *AAT Case 6793* (1991) 22 ATR 3073 at [14]–[19] where
the Commonwealth Administrative Appeals Tribunal discusses in detail
"the principal branches" of the "sport" of competitive motorcycling.

8 The motorcycle practice Mr Townsend engages in produces noise in
the form of his motorcycle doing the jump circuit and, in particular, in
relation to the run-ups on that circuit. He first used this circuit for about
10 months until October 2004, but has not ridden there since then.

9 The noise produced by his training has upset one close neighbour
and as result of this and for related reasons, just before Christmas in 2004,
the Shire refused planning consent on the basis that "[t]he proposed
development was inconsistent with their [town planning scheme]", to
which further reference will be made below.

10 Mr Townsend sought a review of this decision in this Tribunal in
January 2005.

The planning framework

11 Mr Bain, for the applicant, first argued as follows (emphasis added):

"The activity of riding a motor cycle is considered to be a
normal activity associated with a rural or rural-residential
property. The use is *incidental to the predominant use* of [a]
'Dwelling House' or 'Single House' [in *The Shire of*
Donnybrook-Balingup Town Planning Scheme No 4 (TPS 4)].
The use would be similar to riding a push bike [*sic*] on a
residential property. Such an activity would not be determined
to be a separate use class."

12 The argument was developed or extended to suggest that the riding
of motorcycles included jumping involving such bikes. Mr Bain
submitted:

"One of the issues raised during the Hearing concerning the
riding of motorcycles was whether the activity of 'jumping' falls
under the broad definition of 'riding'. It is important to consider
this in the context that the bike involved is an off-road bike.
The bike is specifically designed for riding and jumping. The
bike has tyres and suspension to cater for such activities. The
motorcycle ridden by Mr Townsend is a Honda CR250 and is
standard from the factory ... The [user] Guide [for the bike]
shows that jumping/landing is a standard feature of the

motorcycle. ... [E]xtracts from the brochure for an off road motorcycle, [show this] as a feature of the bike."

13 Thus, the argument went that it was not necessary to obtain planning consent.

14 With respect to Mr Bain, the Tribunal does not agree with this argument. TPS 4 defines "development" to mean "the use or development of any land and includes the erection, construction, alteration or carrying out, as the case may be of any building, excavation, filling or other works on any land": see the definition in Schedule No 1. Clause 6.1.1 requires "planning consent" where a person commences or carries out development or commences or changes the use of any land.

15 In *Stuart J Castle Pty Ltd v Shire of Cardinia* [2004] VCAT 2158 planning approval was required for "an outdoor recreation facility specifically a motorcycle training track" where "the intent was to provide for a training facility for the son of the owner of the land who [was] pursuing a professional career in motor-cross riding". Unlike the case here (see below), the land there "was contained within the Rural Zone" and the need for approval for the facility was specifically dealt with in the Victorian planning instrument. Nevertheless, that case indicates that such use will be far from incidental.

16 It is clear that planning consent is required for the applicant's motor cycle jump facility as it a relevant "use or development" of the land regulated by TPS 4.

17 Mr Bain's first argument having not succeeded, it then became common ground that the applicant's proposal required the respondent's discretionary planning consent under the local planning instrument (that is, TPS 4): see both cl 6.7.2(c) ("... or for such other use as the Council may approve pursuant to this Scheme") and cl 6.1.1, referred to above.

18 The subject land is zoned rural residential and thus, according to cl 3.4.1(a) of TPS 4, has been selected for closer subdivision "to provide for such uses as hobby farms, horse breeding, rural-residential retreats and also to make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such areas". Further, development is controlled by the Shire in accordance with the following "major objective": "[T]o ensure ... that the landscape is retained as much as possible in its natural form, or improved ... " (cl 6.7.1.). Land use will not be permitted for a purpose that would "detract from the

rural/residential amenity of adjoining lots", or that would "detract from the rural character of the area generally" (cl 6.7.2).

The assessment of the proposal by the respondent

19 The December 2004 proposal was assessed – and found wanting – by the respondent as follows.

20 First, the physical structure was described as two earth mounds (that is, motorcycle ramps) and moveable steel ramps (for access to the mounds). The mounds were described "as 3.4 metres high and covered in clay to prevent dust". The "facility" was "for a single rider only and [was] to be used by the proponent and not for public use". The proposed use was to be limited to 2.5 hours per day between 10 am and 2 pm, Monday to Saturday and 1 hour between 10 am to 2 pm on Sundays.

21 Secondly, the respondent's officers contended that the development proposal most closely resembled the town planning use concept recognised by the planning category or label "recreation – private".

22 Such a use is not expressly contemplated in or regulated by TPS 4. As has been mentioned, it is common ground that planning approval for such an activity or use (however categorised) is discretionary, and is to be assessed in light of the objectives and purposes of the particular zone (ie, rural residential): see cl 3.2.5 of TPS 4, and see above.

23 Thirdly, the proposal was specifically judged by reference to two main criteria: its visual and noise impact on amenity. (By reason of the findings of the Tribunal set out below, it will be only necessary to focus on the possible noise impact of the proposal.)

Conduct of the review

24 The Tribunal travelled to Donnybrook in April and took evidence; visited and inspected (with the parties) the subject land, the objecting neighbour's property, and the surrounding area. A directions hearing was held in late May and the Tribunal received written submissions filed later in Perth, the last submission received in early June.

Visual impact of earth mounds

25 At this point it is convenient to mention that the earth mounds are, in the Tribunal's view, not inconsistent in character with the general landscape in the immediate vicinity of the subject land. The respondent's position was that the "[e]xisting earth mounds in the area are generally

incidental to residential development therefore *[sic]* not consistent with the surrounding landscape in the area". They were also "not consistent with existing topography".

26 With respect, the Tribunal does not agree with this assessment. The Tribunal is satisfied from the photographs supplied and the inspection carried out that there are a number of natural and man-made mounds and retaining structures, earthworks, and similar types of structures, which make the mounds generally not out of place in the subject locality.

27 The visual impact of the steel ramps, on the other hand, is tied up with the central question of the characterisation of the development or use of the land and, if it arises, the discretionary aspects, including the imposition of conditions, which follow from such characterisation.

Conditions

28 The respondent's view on the conditions that ought to be imposed, if the applicant were otherwise successful, was as follows (so far as is material):

- "4. Prior to the use [of] lot 138 Howlett Ramble Donnybrook as a 'Motor Cycle Jump Facility' the proponent submit a noise management plan compiled by a suitably qualified acoustic engineer to the Shire of Donnybrook/Balingup for approval by the Chief Executive Officer demonstrating that the Motor Cycle Jump Facility at lot 138 Howlett Ramble Donnybrook meets [the standards in the] Environmental Protection (Noise) Regulations 1997. No use as a 'Motor Cycle Jump Facility' shall occur until the submitted noise management plan has been approved by the Chief Executive Officer.
5. Prior to the use [of] lot 138 Howlett Ramble Donnybrook as a 'Motor Cycle Jump Facility' the proponent submit a landscaping plan compiled by a suitably *[sic]* professional for approval of the Chief Executive Officer demonstrating the 'Motor Cycle Jump Facility' will not visually impact upon the surrounding area. Landscaping areas shall be established prior to the use of the site to the satisfaction of the Chief Executive Officer.

6. The Motor Cycle Jump Facility at lot 138 Howlett Ramble Donnybrook shall only be used between the hours of 10 am and Noon, Mondays to Fridays with no use whatsoever on Saturdays and Sundays.
7. The Motor Cycle Jump Facility at lot 138 Howlett Ramble Donnybrook shall only be used by the applicant and no other use of the facility by other persons whatsoever is permitted."

29 The applicant's view is that these conditions are "open ended, non-specific and onerous". In the alternative, the applicant proposes conditions dealing with noise compliance by reference to the *Environmental Protection (Noise) Regulations 1997* (WA); use to be restricted to a maximum of three hours a day (only on weekdays) between 10 am to 5 pm; certain vegetation cover; clay cover of the ramps; and a restriction to personal use by the applicant.

30 The question of the conditions to be imposed, if any, (and if the issue is reached) will be returned to below.

The applicant's evidence

31 The applicant told the Tribunal that he had ridden motorcycles since a very early age. He was now a proficient rider who had both received awards, and exhibited and travelled overseas in connection therewith, once apparently for some months. He claimed that, although he had sponsors, he did not receive any actual income – in a direct commercial sense – from riding. Sponsorship provided him with travel in return for promoting, say, a brand of specialised clothing (a clothing brand "Anything Evil" was specifically mentioned).

32 He said: "The use of the jumps at my property is purely for my own recreation." He described it as "a hobby".

33 The hours that he had initially requested approval for (that is, 2.5 hours Monday to Saturday, and one hour on Sundays) were, in effect, somewhat notional because of considerations such as the weather, the physical strain of continuous riding, his absences at riding events, and his absences due to his ordinary part-time or casual ("occasional") work as a boilermaker.

34 Mr Townsend was asked whether there was any practicable alternative site for his practice. He replied that there was not.

35 Mr Townsend told of his planting of "over 400 native fast growing trees and shrubs" on his property. The two mounds of dirt on his property were clay capped to prevent dust.

36 He pointed to the strong community support that he had received in a petition, and the many letters from his neighbours (which the Tribunal received into evidence), many of whom resided on Howlett Ramble. (The Tribunal notes that, taking such material at its face value, and notwithstanding the *pro forma* nature of much of the material, it nevertheless indicates some degree of local support for the applicant. The respondent says that "[t]wo other neighbours have made written complaints regarding the proposal", but no evidence was received or led from these possible witnesses.)

37 Mr Townsend said that only 14 metres (that is, on the run up to the ramp) of a 130 metre circular course would require substantial "revving [up]" of his motorcycle.

38 He had tried to negotiate with his neighbour, Dr Blake, but this had been unsuccessful.

Ms Shaw's evidence

39 Ms Shaw supported Mr Townsend's evidence, saying that she heard "other motorbikes in the area at all sorts of hours". She added that "[t]here are tractors and farm machinery that make more noise than any motorbike ...".

The neighbour's evidence

40 The Tribunal declined to permit a neighbour, Dr Kevin Blake, to make submissions on the review under s62 of the *Town Planning and Development Act 1928* (WA). Cf the differing approaches of the Tribunal to this question in *Makro Warehouse Pty Ltd and City of Mandurah* [2005] WASAT 7 at [35]; *Kaard and City of Nedlands* [2005] WASAT 2 at [50]; *Krasenstein and Western Australian Planning Commission* [2005] WASAT 201 at [31]. The application was opposed by Mr Bain.

41 The Tribunal reached its decision principally on the basis that Dr Blake could be called by the respondent at the hearing (and the Tribunal subsequently gave leave for that course, over the objection of Mr Bain), as his proposed evidence was both material and well-known to the parties already. (Dr Blake made his application at the hearing in person, but his attendance at the hearing had been foreshadowed to the parties.)

42 His evidence was as follows.

43 Dr Blake's home directly overlooks the subject land (on a slight rise, looking down from the north), and is approximately 200 metres from the motorcycle circuit. He purchased his house two years ago. Dr Blake first became concerned when the present circuit was built in October 2004. He was concerned about the visual impact, the noise, the dust emanating from the circuit and the possibility that the area's amenity would be eroded by spectators attending the subject land. He viewed the activities of the applicant as more akin to stunt riding and beyond the scale of mere personal use. He said that if he (that is, Dr Blake) "stands at [his] kitchen window" he can see "two large mounds and ramps". Because of the topography of the land, and with the subject land overlooked by Dr Blake's land, it was a situation akin to being "in a valley or amphitheatre".

44 Dr Blake said that he was not on the property all of the time but when he had a night shift – he worked in a hospital – and had to sleep during the day, his "bedroom [was only] 250 yards from [the] site".

45 Dr Blake was asked how he would describe the noise. He said that it was a "constant drone" not necessarily excessively loud, but a constant "round and round" sound "typically [lasting a] couple of hours". On one afternoon it had lasted "five [to] six hours".

46 As has been indicated above, the major issue before the Tribunal is noise, and the Tribunal will focus on Dr Blake's, and other evidence in that regard.

47 Finally, it should be mentioned that there were some differences between the applicant and Dr Blake in relation to what Dr Blake had observed on the subject property. However, it is unnecessary to resolve such differences given the substantial common ground between the parties as to Mr Townsend's relevant activities on the subject land.

The applicant's expert opinion evidence

48 Mr Bain's expert opinion (and subsequent central argument on behalf of his client) was that the rural nature of the subject land and the activities that would ordinarily be carried on, on such land (for example; hobby farms, horse breeding and rural-residential retreats), were not inconsistent with motorcycle use, which use "would be a reasonable expectation within this Zone" as motorcycles "are commonly used in rural areas".

49 Mr Bain drew attention to the *Environmental Protection (Noise) Regulations 1997* (WA) which prescribe general limits during certain hours for "[n]oise sensitive premises at locations within 15 metres of [certain buildings]". See reg 8 ("Assigned levels").

50 He submitted that there was no evidence to suggest that these limits had been breached. As has been already referred to, Mr Bain's client was prepared to accept a condition limiting noise levels to these specific levels.

Submissions

51 Mr Quinn, for the respondent, argued that the application was for a particular land use that was not expressly dealt with by TPS 4 or, for that matter, in any comparable town planning scheme in WA.

52 In his view, any discretion to be exercised to approve the use ought to focus on the residential aspect of the zoning. He said that "evolving work commitments" would lead to a reasonable expectation that residents would not face "noise pollution" during daylight hours emanating from a "motor cycle jump facility". Other noise from devices such as chainsaws and the like was transient and short term, a form of existing "background noise" which residents "[had] become accustomed to".

53 As appears above, Mr Bain's central argument was to focus on the ambient noise levels already pertaining to rural and rural-residential areas and the existing permissibility of motorcycle riding in rural areas.

Relevant principles

54 The following useful general discussion and observations about the regulation of noise appears in *Local Government Planning and Environment NSW*, Volume C, at [552,315] - [552,320] (emphasis added):

"What constitutes noise pollution is difficult to ascertain and it is an immense problem which confronts our society. *It is impossible to ban all noise, as the activities of society would cease to function.* ... Noise pollution means the emission of offensive noise [under NSW law]. Offensive noise means noise that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances, is harmful to or likely to be harmful to, or interferes unreasonably or is likely to interfere unreasonably, with the comfort or repose of someone outside the premises from which it is emitted. ... The definition of offensive noise is of particular importance in the

control of neighbourhood noise. For noise to be offensive it must be unreasonable or unwanted; it is not sufficient that it merely be audible. The offensiveness of the noise should be gauged by reference to the particular context and area in which it is audible. One element to be considered is the zoning of the land, although, as Cripps J warned in *Dunstan v State Pollution Control Commission* (LEC [NSW], Cripps J, No 40056/83, 17 July 1985, unreported) this factor is not conclusive (at 12):

'In my opinion, and with the greatest of respect to others who do not share it, an "offensive noise" does not become inoffensive because it is emitted from industrial land ... that circumstance [the zoning of the land] cannot deem an "offensive noise" to be an inoffensive noise.'

Offensive noise is not capable of quantification and will depend on the facts of each case. In *Scott v Numurkah Corporation* (1954) 91 CLR 300 at 316–317, Fullagar J adverted to the subjective quantification of noise, when addressing the possible consequences which noise from a variety of bands could have on the patrons of a cinema, in the following terms:

'The strains of a lilting waltz may make no impression on the hero or villain of a raucous and boisterous drama, whereas the pathos of a heroine with a voice like Cordelia's may be murdered by an unholy conspiracy of saxophone and drum. And between these extremes lies a great variety of possibilities.'

Accordingly, it has been aptly said that '*one man's noise is another man's pleasure*': Gifford, 1980, p 408."

55 Similar concepts of noise pollution and unreasonable noise are dealt with in Western Australia under the *Environmental Protection (Noise) Regulations 1997* (WA).

56 The following observation from the Environment Resources and Development Court of South Australia is a useful reminder and a reference point for general discussion about rural amenity and noise (emphasis added):

"The list of developments [the relevant planning instrument there under consideration] has designated as complying confirms ... that the amenity to be expected in the zone might

not be free of nuisance of one form or another. Rural areas generate a variety of 'externalities' – mainly noise and dust emissions. *One cannot expect to reside in such a zone and necessarily expect a quiet and serene rural environment.* However, [counsel] quite rightly said that *the circumstances of the zone should be taken into account when considering the amenity that might be reasonably expected.*" **Marley-Duncan v Corporation of the Town of Gawler** [2003] SAERDC 28 at [21] cited by this Tribunal in **Self and Shire of Serpentine-Jarrahdale** [2005] WASAT 140 at [62].

57 See also to similar effect, **Australian Racing Drivers Club Ltd v Baulkham Hills Shire Council** (1981) 2 APA 127 at 130: "People ... who choose to live beyond the urban fringe should do so in the knowledge that they may have to live within a less pleasant environment than they may have originally expected."

58 On the other hand, there are the views of the former Tribunal in WA when it considered the impact of noise associated with certain mechanical operations (not involving motorcycles) in rural areas in **Wright v Shire of Chittering** (2003) 33 SR (WA) 182 and **Shepherd and Anor v Shire of Murray** [2004] WATPAT 71. In the latter case, the Tribunal noted, at [10], that "[t]here was no expert evidence called to establish the level of noise". In the former case the Tribunal said, at 186 (emphasis added):

"The [subject land] is part of an area set aside in the Scheme (Sch 5) for uses that are 'rural-residential' in nature, or compatible with those uses. The Scheme aims to ensure that no development detracts from the existing rural character and amenity of the area. Notwithstanding the appellant's willingness to plant further trees to screen the development, the use has the potential to be viewed from some parts of the estate. [The proposal for the parking of heavy vehicles and machines] *has the potential to add significantly to the level of noise that would normally be expected in a quiet rural-residential environment*, and would add unnecessary heavy vehicle movement. By its very nature the use is incompatible with the intent of the scheme for this area, *and would act to the detriment of owners who have bought into the area with the expectation that the area will develop according to the provisions of the scheme.*"

59 So too, where the former Victorian appeals Board in *Nankiville v Shire of McIvor* (1985) 19 APA 156 denied planning permission for a motor racing track, saying (at 161):

"The nature of rural-residential uses is such that people seek to settle in areas where such a use is carried on so that they may enjoy relatively quiet and peaceful surroundings. The question then is, is the use intended to be made of the appeal site compatible with such uses? The answer in our view must be no."

60 The Tribunal turns to the current situation in Victoria.

61 According to *Planning and Environment Victoria*, LexisNexis Online, at [32,145], under Victorian law, "new off road racing motor cycle[s] designed or constructed solely for use in one of the categories described in the table below must not emit noise exceeding the noise level applying to that category [according to certain standards of measurement]" (emphasis added):

"Category of Use	Noise Level	[dB(A)]
<i>Motocross</i>	102	
Speedway (All Track Racing)	102 [corrected]	
Trial	94	
Any Other Competition Event	96"	

62 For the WA equivalent (but without specific mention of motocross bikes), see the *Road Traffic (Vehicle Standards) Rules 2002* (WA), r 144 also the *Control of Vehicles (Off-road Areas) Regulations 1979* (WA), reg 25). All of these standards generally permit greater sound levels in respect of motorcycles, in comparison to other motor vehicles.

63 In the Victorian case already referred to (*Stuart J Castle Pty Ltd v Shire of Cardinia* (*supra*)), the Tribunal allowed the appeal and permitted motorcycle racing applying the following reasoning (emphasis added):

"Amenity Issues

33 Local residents had a number of amenity concerns specifically related to noise but also with dust and traffic. The applicant intends to suppress dust on site by use of

water sprays. The Tribunal considers that to be a reasonable means of control which should be included in the conditions on any permit that might issue. The Tribunal notes in this regard that the roads adjoining the subject site are dirt roads and that farmers are often involved in agricultural activities which result in the raising of dust. The Tribunal however finds it appropriate that measures be in place to ensure no dust nuisance arises from the use of the track.

- 34 The issue with respect to noise needs to be put into the context of the operation of the site on weekdays for three hours at a time with riding only occurring for around half of those hours.
- 35 The applicant called [expert] evidence from Mr Goddard of Watson Moss Growcott with respect to the noise impact of the proposal. Mr Goddard carried out a number of investigations into noise from four stroke bikes of the type intended to be used here. *It was his contention that the four stroke bikes produced a less harsh noise than two stroke motorcycles used for racing in the past. Further the bikes will be fitted with practice mufflers at all times.*
- 36 Mr Goddard carried out two sets of measurements, the first measurements were made at another location when four bikes were operating. The results showed a noise range [that] would translate to a dB(A) level of 44 to 49 at 750 to 800 m. This is the noise level that is exceeded for 10% of the time for four bikes operating together. The measurements therefore represent the expected maximum noise impact at the nearest dwelling to the north of the subject land. The second set of measurements were taken on the site with a single four stroke vehicle operating. *This vehicle was fitted with a training muffler*, wind direction at that time was to the south. Mr Goddard detected no audible noise at the potentially most affected dwelling to the north, however there was measurable noise at a similar distance to the south of 42 to 44 dB(A) ... The [maximum value] translates to 50 dB(A) with four motorcycles operating and would be indicative of the noise level to be heard at

the dwelling to the north under unfavourable climatic conditions.

- 37 The above noise levels lie within the [Victorian] EPA's discussion paper recommendations for motorbike noise of less than 50 dB(A) being within the acceptable range. [But of the prescribed limits for Victoria referred to above.]
- 38 *It was pointed out by Mr Goddard that the noise of the motorcycles is similar to the noise from a farm bike and of the same order as tractor noise making it unlikely that there will be any impact on cattle as a consequence. It was his evidence that the level of noise associated with the aircraft facility which is uncontrolled would travel much further and be much more penetrating than the noise from the bikes and that cattle in the area obviously combated this.*
- 39 The [local government] in their draft conditions suggested that a 2 m high bund to the north of the motorcycle track should be required. The Tribunal is of the view that the this [*sic*] bund would have a significant additional attenuating impact on the noise receipt at the dwelling to the north. There will be little impact by way of noise to the east given the levee bank located on the opposite side of Wenn Road. *The Tribunal finds that the audibility of the activity on site at the most proximate dwelling will be occasional and within reasonable bounds.*
- 40 In conclusion the Tribunal accepts that the proposed use *does not advance the policy in the Rural Zone* however in the Tribunal's view it does not conflict with it. In the Tribunal's view there are special circumstances relating to this case in that: *the permit can be made personal to the operator of the motor cycle track, the level and frequency of use is relatively low, the noise impacts are of an order and quality that are similar to agricultural noise and the land can and will be restored to agricultural use in the future.* It is the Tribunal's view in these circumstances that a permit should be granted."

64 Surprisingly, neither party referred to this case or, for that matter, produced any evidence concerning matters such as the actual measurable noise impact, the likely wind direction or the availability of "training mufflers". It should be noted, however, that the area of the subject land in that Victorian case (21 hectares), and the surrounding rural circumstances (basically non-residential, mainly grazing properties) means that the factual basis of that decision is quite distinguishable from the present case. But for these matters, it seems that the Tribunal there might well have disallowed the appeal.

65 Finally, in the context of a civil claim and the evidence led in the case regarding a motorcycle's noise, Debelle J usefully observed:

"Actual experience of the noise made by the particular cycle in question is more helpful than an assessment based on one's general experience of other cycles. The noise will depend on how the motor cycle is tuned, the condition of the muffler and exhaust system, and other factors. Loudness of noise is admittedly a subjective issue. But a guide is the distance from which the noise can be heard." *McBain v Reyne* (1997) 27 MVR 163 at 170.

66 As has been mentioned, no such evidence was led by any party.

Findings and discussion of the case

67 Crucial to the resolution of this review, is the proper characterisation of the applicant's activities on the land on the evidence available to the Tribunal. In the Tribunal's view, the applicant is engaged in much more than a hobby. There can be no real doubt that his freestyle motocross activities are a significant, if not a central, part of his life. In fact, they more closely resemble a career, one that is effectively subsidised to some degree by commercial sponsorship, sponsorship that has been generous enough to have taken the applicant overseas for some period of time. He only appears to work part-time or casually; it may be reasonably inferred that such working arrangements are consistent with the pursuit of his freestyle motocross activities. He need not be considered as carrying on a business in order for this characterisation of use to be made.

68 The skill and dedication needed to excel in this sport – which Mr Townsend clearly has – requires regular, substantial and specific training expressed in the use of a special jump facility. That training creates, in turn, a "specialised" noise, and the motorcycle involved is likely to produce significant, although not necessarily offensive or

unreasonable noise. However, significant noise can still affect amenity without it being relevantly offensive. It may be inferred here that the use of a training muffler is not a viable option, possibly because it would impair performance and endanger the rider's life. Thus, there is no practical way to ameliorate that noise; none at any rate has been suggested by the applicant.

69 The Tribunal generally accepts the material evidence of Mr Townsend's neighbour Dr Blake. In particular, Dr Blake was careful to complain about the type and quantity of noise he was exposed to; not its loudness *per se*. Even allowing for his circumstances (such as the location of his property and his shift-work) and his possible subjective sensitivity, and even if he is in the minority as far as his neighbours are concerned, he is entitled to generally expect, like any other owner or resident, to be exposed to no more than the "usual" noise associated with rural-residential living. That is, in the Tribunal's view, the underlying premise of TPS 4: cf *Wright v Shire of Chittering* (*supra*) to the same effect.

70 Reflecting the activity that produced it, the noise involved here is not, in the Tribunal's view, comparable to the "usual" but largely transient and intermittent sounds that one might be exposed to in a rural residential area. These would include the noise emanating from "that modern scourge of tranquillity the child trailbike rider" (*Mason v The Nominal Defendant (Queensland)* [1987] 2 Qd R 190 at 198 per McPherson J (FC)) and items such as lawn mowers, ride-on mowers, edge-cutters, string-trimmers, brush cutters, "crow guns", chainsaws (and other items of light farm machinery – eg, pumps – and associated vehicles), to name but a few.

71 The applicant bears in effect what this Tribunal has called, in a not unrelated context, the "practical burden of persuading the regulatory authority" (including, on review, this Tribunal) that reasonable expectations as to noise will be or have been protected: cf *Saunders and City of Nedlands* [2005] WASAT 190 at [38]. Unfortunately for the applicant, that burden has not been discharged here. The question of conditions need not be addressed.

72 For these reasons, the application for review must be dismissed and the decision under review affirmed.

Orders

1. The application for review is dismissed.

2. The decision under review is affirmed.

I certify that this and the preceding [72] paragraphs comprise the reasons for decision of the State Administrative Tribunal.

MR P McNAB, MEMBER

**Item 9.1.2
Appendix B**

9. OFFICER'S REPORTS
9.1 DEVELOPMENT REPORTS
9.1.6 Lot 47 (1238) Quellington 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:	Qu 3.2704
COUNCIL DATE:	16 February 2009
REPORT DATE:	9 February 2009
LOCATION/ADDRESS:	Lot 47 (1238) Quellington Road, Caljie
APPLICANT:	N/A
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Patrick Ruettjes, Shire Planner
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Previous Correspondence

Summary:

This report is intended to inform Council about the progress dealing with planning compliance issues at Lot 47 (1238) Quellington Road, Caljie, where complaints about an illegal off road motorcycle track have been followed up. It also discusses issues with non-rural uses in areas zoned 'General Agriculture' and planning compliance issues in general.

Background:

The subject site is located at Lot 47 (1238) Quellington Road, Caljie, and is zoned 'General Agriculture' under the *Shire of York Town Planning Scheme No. 2 (the 'Scheme')* comprising an area of 67.4 ha. The land is owned by Preplea Pty Ltd which is represented by Graham Markham, who owns and operates Xtreme Motorbikes in Forrestfield.

On the 21st August 2008, Mr Markham notified the Shire of his intention to establish an off road motorcycle complex at the above property which he was in the process of purchasing. His correspondence includes a business plan designed to cater for up to 250 visitors. On the 2nd September 2008, Council advised Mr Markham that he had to apply for planning consent before commencement of any development. Council wrote:

"Thank you for your correspondence received on the 22nd August 2008 regarding the above and providing the Four Year Plan for the Off-Road Riding Complex.

Please note prior to Council assessing such a development a planning application is required and a form is attached for your convenience. Please note that if a use is not listed on the zoning table, Council can consider the proposal if it follows the objectives of the General Agriculture zone.

Enclosed for your consideration are extracts from the Shire of York Town Planning Scheme No. 2, which include the objectives of the General Agriculture zone.

I suggest that you provide as much detail as possible and address issues such as noise, dust suppression, traffic, fire, sanitary facilities, food preparation areas, compliance with the Caravan and Camping Act, waste disposal, fuel storage on site. This may not be a comprehensive list, as other issues may arise during the planning and environmental assessment.

The application will require advertising and it is anticipated that landowners within a five kilometre radius will be notified."

The property settled on 4th September 2008. A number of written concerns have been received from neighbours at the time the property changed hands in 2008 outlining possible noise, traffic, dust and fire issues.

In January 2009, neighbouring landowners advised the Shire that earthworks have been undertaken and motorcycles were being ridden on the property. Following these complaints site inspections have been undertaken by the Shire Planner, Patrick Ruettjes, and the Shire's Environmental Health Officer, Peter Stevens, on the 23rd January 2009 and 2nd February 2009. Council wrote to Mr Markham:

"It has come to the attention of Council that development on the above lot has commenced. The nature of the development is the construction of an off road motorcycle track located next to the dwelling on the above property. In a letter dated 2nd September 2008, you were advised to lodge an application for planning consent in order to commence development in accordance with the proposal outlined in your letter dated 21st August 2008. Any development on a lot zoned 'General Agriculture', such as your proposal, requires planning consent in accordance with the Shire of York Town Planning Scheme No. 2 (clauses 4.1 and 4.2) and the Planning and Development Act 2005 (section 162). As outlined in the Shire's previous correspondence, building and health approvals may also be required.

To date, no further information or correspondence has been received from you or your company and therefore no approval from the Shire of York has been issued. Following written and telephone complaints about activity on the property in question, a site inspection has been undertaken by the Shire Planner, Mr Patrick Ruettjes, and the Shire's Environmental Health Officer, Mr Peter Stevens on 23rd January 2009. The site inspection revealed that earthworks have been undertaken and off road motorcycles have been ridden within the area affected by the earthworks. Fuel storage drums and earthwork equipment were also present on the property. Photos of the site were taken during the inspection and the Shire has also received aerial photographs of the earthworks.

You are advised that while it is possible to grant planning consent after the commencement of development in accordance with section 164 of the Planning and Development Act 2005, you must immediately cease the current illegal development and apply for planning consent or to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the Shire of York by 9 March 2009. Any continuation of the development must not occur without the necessary Shire approvals.

Please note that while this is not a formal notice issued in accordance with section 214 (3) of the Planning and Development Act 2005, a formal notice may be given if the land is not restored to the condition before commencement of the development or an application for planning consent is not received by 9 March 2009. Extracts from the Planning and Development Act 2005 and the Shire of York Town Planning Scheme No. 2 have been enclosed for your convenience.

The penalty for an offence under the Planning and Development Act 2005 is \$50,000 and in the case of a continuing offence, a further fine of \$5,000 for each day during which the offence continues, is applicable."

Mr Markham phoned the Shire upon receipt of the letter stating that he was not pursuing his original intention of a commercial off road motorcycle complex. He was advised that the establishment of a private off road motorcycle complex was still development. He was advised to cease the development and apply for planning consent.

On the 9th February 2009, another written complaint has been received, reporting extensive earthworks over the weekend being undertaken on the subject property.

Consultation:

As no application for planning consent has been received, no formal community consultation has been undertaken. The Shire has been communicating with adjoining landowners and the owner of the subject site over a period of several months now.

Statutory Environment:

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

The Town Planning Scheme states:

"4.15 General Agriculture Zone

4.15.1 Objectives:

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

4.15.2 Development:

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

4.15.3 Site Requirements:

The following minimum building setbacks shall apply:

Front	:	15.0m
Rear	:	15.0m
Side	:	15.0m

4.15.4 Retention of Vegetation:

Except for:

- (a) establishment of a firebreak required to comply with a regulation or local law, or*
- (b) provision of access to a building site, or*
- (c) the area of building, or*
- (d) cash crops;*

not more than 2000m² on any lot shall be cleared of indigenous trees or substantial vegetation. If the local government is satisfied upon receipt of a submission the clearing of an area greater than 2000m² will not adversely affect the amenity, character and landscape qualities of the locality it may approve such land to be cleared subject to conditions as may be required by the local government.

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

(a) determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted; or

(b) determine that the use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of clause 7.3 in considering an application for planning consent; or

(c) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted."

Policy Implications:

Nil

Financial Implications:

Cost for site inspections and generating correspondence. Possible enforcement action might require additional expenses.

Strategic Implications:

Give direction for the management of land use conflicts and planning compliance issues for future cases.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: YES, several

Triple bottom Line Assessment:

Economic Implications:

The establishment of facilities for tourists and visitors or recreation in general may lead to an increase of activity for local businesses. Additional costs might be the required upgrade of roads or other facilities.

Social Implications:

Additional recreation facilities might enhance the range of recreation available for locals and tourists. However, potential land use conflicts have to be addressed at application stage to avoid detrimental effects on adjoining landowners.

Environmental Implications:

Motorcycle tracks have to be established in a very sensitive way. Noise, dust, fire risk, erosion and pollution have to be addressed responsibly. Further details are discussed in the comment section of this report.

Comment:

The example of the unauthorized development at Lot 47 (1238) Quellington Road, Caljie, highlights the issues that the Shire faces with regard to the transformation of agricultural areas, 'recreation' uses without approval and planning compliance in general. These aspects will be discussed under appropriate subheadings.

Off Road Motorcycle Complexes/Motocross and similar uses

Motorcycle or Motocross tracks are not defined in the *Shire of York Town Planning Scheme No. 2* per se. An application for planning consent would likely be assessed against the provisions of clause 3.4 of the Scheme ('Uses not listed', see above in the statutory environment section).

In the notes derived from a legal forum McLeods Barristers and Solicitors provided information on planning approval (=planning consent) for a motorcycle track, it reads:

"If the local government gives planning approval for a motor cycle track, provided that the application is supported by appropriate expert evidence confirming the appropriateness of the design and the safety of the track, then the local government should not face any liability."

Because of environmental, liability, safety and amenity issues an application for planning consent for such a development has to be indeed accompanied by a range of expert documentation, such as track safety studies, noise attenuation management plans, dust oppression management plans and fire management and evacuation plans, just to name some issues.

If it is intended to operate a larger commercial motorcycle track, access, parking, vehicle movement, waste and wastewater disposal and even more elaborate fire and emergency procedures have to be established and demonstrated to warrant a conditional planning consent. It is understood that obtaining such expert advice and documentation may require significant expenses, but these issues have to be addressed well before the commencement of any proposed development and are in the strong interest of the community.

What happens in the case when a motorcycle or quad bike catches fire and starts a larger bushfire? What happens if there is a collision of riders, can the local ambulances cope with such an accident when there might also be an accident on the highway at the same time? Is the community prepared to bear potential costs for the recreation purposes of a few people?

The affect on adjoining properties is another important aspect that has to be considered with an application for planning consent for a motorcycle track. Noise and dust can be transported over a significant distance and affect numerous adjoining landowners. Strict noise and dust management plans have to be in effect, likely limiting the area of the track or the hours of operation. Certain weather patterns may also stop the operation of the track, i.e. extreme temperatures, wind directions and speeds.

Applicants should be reminded that neighbouring agricultural properties enjoy a substantial protection under clause 4.15 of the Scheme as they represent the intended principal land use of agriculture. A motorcycle track is a type of development that is likely to cause land use conflict with adjoining landowners as it is the case with the subject land.

The subject property itself has to be analysed as well for its suitability for the proposed change in the land use. How productive is the land actually, is it in the community interest to change it to an unproductive land use? Can the land environmentally cope with the proposed land use? What effect is likely to anticipate with regard to erosion, salinity and retention of natural vegetation? The Mortlock River flows through the subject property and feeds into the Avon River in Northam. The Department of Water considers the Mortlock River being a significant drinking water source in the Swan-Avon Catchment, so what happens if an oil spill from a motorcycle accident or a leaking oil drum is polluting the river?

All these aspects have to be addressed to make an informed decision on an application for planning for a use not listed – off road motorcycle complex and impose the correct conditions on any planning consent.

The owner of the subject property has clearly stated in the telephone conversation with the Shire Planner that he had given up on the proposal of a commercial motorcycle complex when he was advised of these requirements. While it might be possible to develop a motorcycle track on the property, the above issues have to be addressed adequately and are likely to require further expenses.

Officers consider that the unauthorised earthworks to form motorcycle tracks on the subject property constitute development in accordance with clause 4 (1) of the *Planning and Development Act 2005*, which states:

- "Development means the development or use of any land, including —*
- (a) any demolition, erection, construction, alteration of or addition to any building or structure on the land;*
 - (b) the carrying out on the land of any excavation or other works; [...]"*

It was disputed that the earthworks undertaken on the property by the owner fall under this definition of development. While this report does not provide any legal advice on this matter, it should be noted that excavation and fill over 0.5m above natural ground level requires planning consent in residential areas in accordance with clause 6.6.1 of the *Residential Design Codes of Western Australia ('R-Codes')*.

The next steps in resolving the matter of the unauthorised motorcycle track at Lot 47 (1238) are outlined under 'Planning compliance issues' in this comment section.

Non-rural uses – implications of clause 4.15 of the Shire of York Town Planning Scheme No. 2

The *Shire of York Town Planning Scheme No. 2* specifically states that non-rural uses can be considered in areas zoned 'General Agriculture' if they are not detrimental to the natural resources and the environment and if they are of benefit to the district. It also allows for facilities for tourists and travellers, and for recreation uses. It has to be emphasized though that the focus is – as a matter of course – on broad-hectare agriculture as the principal land use. The clause also states important environmental and amenity factors in relation to agricultural and non-agricultural land uses, such as the retention of natural vegetation, views and possible detrimental effects on the amenity and rural character.

Non-rural and recreation uses of almost any scale require the planning consent of the local government. Assessing an application for planning consent in the 'General Agriculture' zone requires a strong focus on environmental and natural resource management issues that have to

be addressed, which has been discussed in detail with regard to the subject site earlier in this comment section.

Applicants for non-rural/recreational uses in the 'General Agriculture' zone are advised to prepare sufficient expert advice with their application. Conditions relating to noise and dust management, fire and emergency procedures, protection of natural vegetation and watercourses, access, parking and vehicle movement issues are likely to be imposed on any planning consent of such a nature.

Planning compliance issues

This report and especially the correspondence sent to the owner of the Quellington Road property outlines the Shire's approach to planning compliance issues.

When a complaint is received in writing and it has been identified by being a matter affecting town planning legislation, a site inspection is undertaken and a file note written, including photographs of the site in question. A letter is sent to the landowner(s) whose land is subject to the complaint outlining the relevant legislation and possible penalties. The *Planning and Development Act 2005* specifically provides for the option to legalise development that has been commenced illegally if adequate procedures are followed (section 164). A timeline of 30 days is given to rectify the issue, i.e. apply for planning consent or restore the land as nearly as practicable to its condition immediately before the development started. The landowner has to immediately cease the development in question. Communication with the landowner(s) and the complainant(s) is sought to discuss issues. Hopefully, the outstanding planning compliance issue(s) can be resolved at this early stage.

If this approach does not lead to a solution, the next step is the issue of a formal notice in accordance with section 214 (3) of the *Planning and Development Act 2005*. This notice gives the landowner(s) a formal timeframe of 60 days to address the outstanding planning compliance issues. Again, endeavours are being made to resolve the issues before the prosecution stage.

If no attempt has been made by the landowner(s) to address the issues appropriately, formal legal prosecution is the next likely step to follow. Legal advice will need to be sought and presented to Council. Any legal action has to be approved by a Council resolution. Officers are prepared to give evidence or expert advice in court, if required.

All landowners are reminded again that the maximum penalty for an offence under the *Planning and Development Act 2005* is \$50,000 and in the case of a continuing offence, a further fine of \$5,000 for each day during which the offence continues, is applicable.

Conclusion

Applicants for a planning consent are reminded to provide the necessary information for any application and are made aware of planning conditions likely to be imposed on the approval. Officers are prepared to provide planning advice before the formal lodgement of applications and advise applicants on the possible requirements for expert documentation for the planning application, such as noise management plans or transport impact assessments.

The above outlined planning compliance approach is considered to be appropriate and fair against the landowner(s) and complainant(s). It gives landowners ample time to either lodge an application for planning consent or retract the development. Complainants are urged to be aware of the timeframe and that it is almost impossible to rectify planning compliance matters in a very short timeframe. While it is understood that an ongoing nuisance may be of great concern to the complainant(s), both sides need to be considered by the local planning authority (the local government) when assessing planning compliance issues.

It is the intention to apply this approach to all planning related compliance matters. This will ensure a transparent procedure as both landowners and complainants will be aware of the

procedures and timeframes. It is therefore recommended that Council receive the information and support the above procedure with regard to planning compliance matters.

OFFICER RECOMMENDATION

**RESOLUTION
070209**

MOVED: CR Lawrance SECONDED: CR Randell

"That Council:

1. receive the information relating to planning compliance issues for an unauthorised motorcycle track (use not listed) at Lot 47 (1238) Quellington Road, Caljie, and support the approach regarding planning application and compliance issues in general; and

2. approve legal action for a prosecution of the landowner for development without planning consents being in place."

CARRIED (6/0)

9. OFFICER'S REPORTS

9.1 DEVELOPMENT REPORTS

9.1.3 York Sports Centre Building and Recreation 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:	CCP.7
COUNCIL DATE:	21 September 2009
REPORT DATE:	16 September 2009
LOCATION/ADDRESS:	Lot 292 South Street, York
APPLICANT:	Shire of York
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Patrick Ruettjes, Shire Planner
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Location, site, floor and elevation plans
DOCUMENTS TABLED:	Larger scale printouts of plans

Summary:

Council is asked to grant planning consent for the proposed York Sports Centre Building and Forrest Oval Recreation Precinct redevelopment at Lot 292 South Street, York.

Background:

The redevelopment of Forrest Oval and the recreation precinct in South Street has been in the focus of the public for a number of years now. With the receipt of a grant from the Department of Sport and Recreation for the realignment of the oval, the proposed redevelopment has advanced significantly over the last months. The project will be implemented over several stages and represent a significant investment into providing high standard sporting and recreation facilities to the community.

A tender has been issued in June 2009 for architectural services for a new sports building west of the redeveloped Forrest Oval as part of the redevelopment of the precinct. The successful tenderers were chosen by a panel in July 2009 and Hodge Collard Architects appointed in late July.

Hodge Collard Architects plans of a multi-purpose sports building comprise sports change rooms, a gymnasium, function area and kitchen facilities, committee room and offices, parents' room and other facilities. The building is orientated north-south and surrounded by covered walkways and verandahs. The proposed building covers an internal building area of 1,027 m². Detailed plans are attached.

The precinct in question covers a total area of 11.9 hectares on 26 lots and is zoned 'Recreation and Open Space' under the Shire of York Town Planning Scheme No. 2 (the 'Scheme'). The largest lot is Lot 292 with a total area of 6.2 hectares and the proposed York Sports Centre Building is entirely comprised within Lot 292.

The proposal has been assessed in accordance with clause 3.2.4 of the Scheme (see Statutory Environment).

Consultation:

The proposal has been subject to extensive community consultation. Sporting clubs and a variety of other stakeholders have been consulted in several meetings over the last months.

Statutory Environment:

Shire of York Town Planning Scheme No. 2

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

(a) determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted; or

(b) determine that the use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of clause 7.3 in considering an application for planning consent; or

(c) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted."

Policy Implications:

Nil

Financial Implications:

The redevelopment of the Forrest Oval Recreation Precinct is one of the most significant investments of the Shire in the near future to offer high standard sports and recreation facilities for the growing number of residents and visitors of York and the surrounding areas. The project will be co-funded by a Department of Sport and Recreation grant.

Strategic Implications:

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

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

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

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

Key Result Area 1 – Objective 1:

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

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Yes.

Triple bottom Line Assessment:

Economic Implications:

The proposal constitutes a significant development investment in the Shire of York by the community for the community. The Shire has been successful in securing grant money from the Department of Sport and Recreation and applied for further funding for future stages from various programs.

Social Implications:

The provision of high standard sports and recreation infrastructure to residents and visitors alike will increase the attractiveness of York. The proposal caters for an anticipated growth of the population. It enhances the centrally located area and complements the town centre.

Environmental Implications:

The proposed redevelopment of the sports and recreation precinct will take place on the existing site and will make better use of the site and the facilities. The oval will continue to be irrigated by recycled waste water, as it is already the case currently.

Comment:

The proposed redevelopment of the Forrest Oval Recreation Precinct and the proposed York Sports Centre Building will provide high standard sport and recreation facilities for the future to cater for the needs of an ever growing population.

It constitutes a significant public investment in the Shire and will contribute to the attractiveness of York.

From the planning point of view, the proposal constitutes a permitted use in accordance with clause 3.2.4 (a) of the Scheme as it redevelops the existing sport and recreation facilities at Forrest Oval.

The current stages focus on the realignment of the existing oval and the construction of the new York Sports Centre Building. Future stages will include realigned and new playing fields, additional car parking and other facilities and therefore complement the precinct. Any land tenure issues will be addressed when these future stages have advanced further.

It is therefore recommended to grant planning consent for the proposed York Sports Centre Building and the Forrest Oval Recreation Precinct subject to conditions.

OFFICER RECOMMENDATION

RESOLUTION

050909

Moved: Cr Randell

Seconded: Cr Fisher

“That Council advise that it grants planning consent for the York Sports Centre Building and Forrest Oval Recreation Precinct at Lot 292 South Street, York, subject to the following conditions:

- 1. Development must substantially commence within two years from the date of this decision;***
- 2. Development taking place in accordance with the approved plans;***
- 3. Prior to commencement of the development, satisfactory arrangement being made for the development of car parking;***

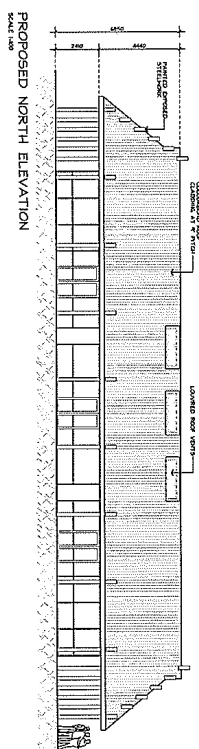
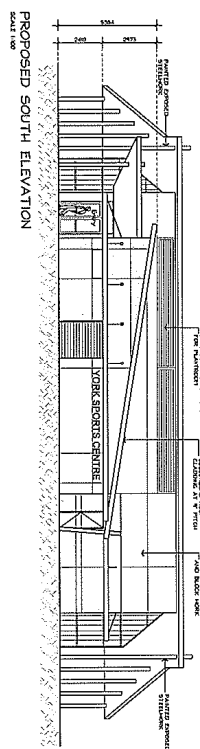
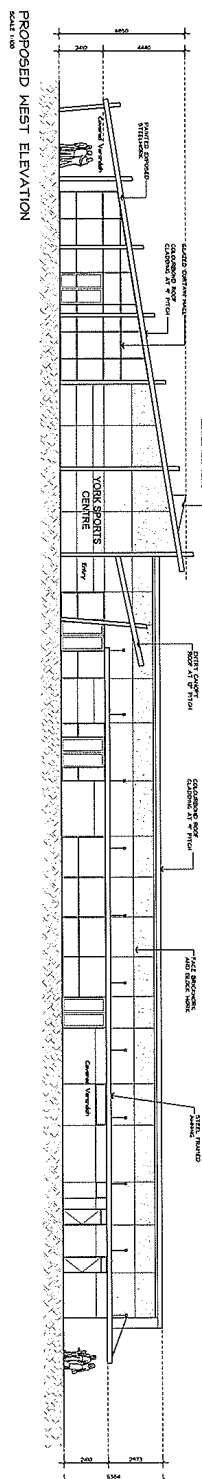
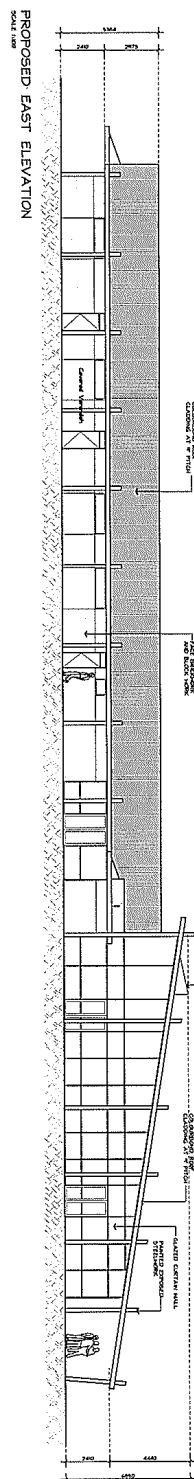
4. ***Prior to commencement of the development, a detailed landscaping plan is to be submitted to the satisfaction of the local government;***
5. ***Prior to commencement of the development, detailed drainage plans shall be submitted to the satisfaction of the local government. Stormwater generally being disposed of within the confines of the property or alternatively arrangements being made with the local government;***
6. ***Prior to occupation of the development, vehicle crossover(s) shall be constructed to the satisfaction of the local government;***
7. ***Prior to occupation of the development, the car parking, pedestrian access, vehicle access, turning and circulation areas shown on the approved site plan, including the provision of disabled car parking, are to be constructed, sealed, drained, and line marked to the satisfaction of the local government;***
8. ***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;***
9. ***Prior to occupation of the development, landscaping is to be completed in accordance with the approved plans or any approved modifications thereto to the satisfaction of the local government;***
10. ***All car parking, pedestrian access, vehicle access and circulation areas are to be maintained and available for car parking, pedestrian access, vehicle access and circulation on an ongoing basis to the satisfaction of the local government;***
11. ***The on-site drainage system shall be maintained on an ongoing basis to the satisfaction of the local government; and***
12. ***All landscaped areas are to be maintained on an ongoing basis to the satisfaction of the local government.***

Advice Notes:

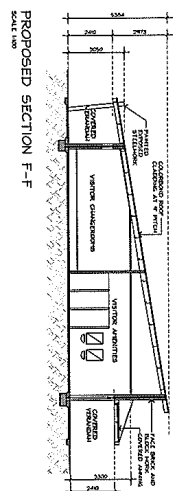
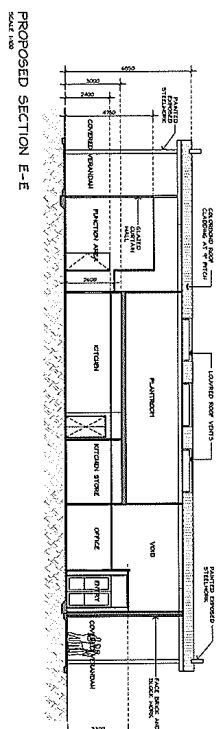
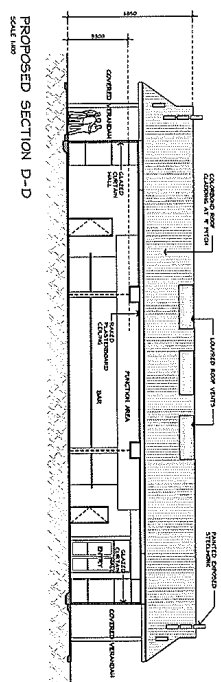
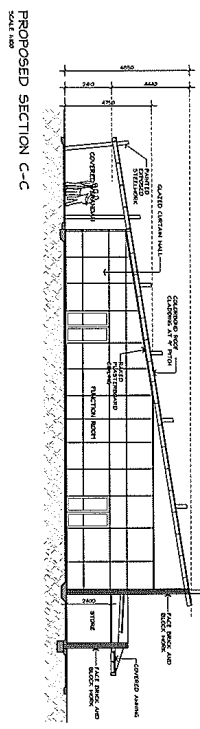
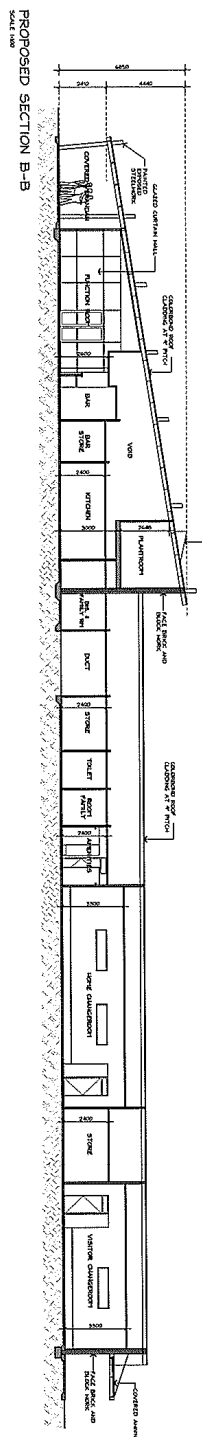
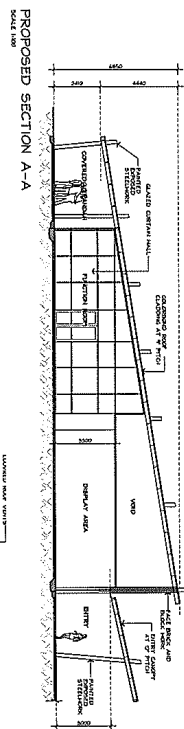
- a) ***With regard to condition 1, due to the staged nature of the proposed development and its scale, this planning consent may be extended pending details of future stages and timeframes.***
- b) ***Land tenure of the lots currently comprising the Forrest Oval Recreation Precinct will be addressed in more detail once the future stages of playing fields and additional facilities are addressed. This may involve the amalgamation and subdivision of lots in the precinct."***

CARRIED (6/0)





HODGE+COLLARD		DESIGN FOR EXHIBITION, JERSEY	
YORK SPORTS BUILDING		PROPOSED ELEVATIONS	
FORREST OVAL, YORK		11/09	
82.09		SK17	

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9.2 Administration Reports

9. OFFICER'S REPORTS
9.2 ADMINISTRATION REPORTS
9.2.1 Delegations

FILE NO:	OR.CMA.1
COUNCIL DATE:	21 September 2009
REPORT DATE:	25 August 2009
LOCATION/ADDRESS:	N/A
APPLICANT:	Shire of York
SENIOR OFFICER:	R Hooper, CEO
REPORTING OFFICER:	T Cochrane, MATS
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Appendix A – Delegations Manual
DOCUMENTS TABLED:	Nil

Summary:

Following a review of Council's existing Delegation Manual it is proposed that the current Manual be updated as per Appendix A.

Background:

The existing delegation manual was reviewed in accordance with the Local Government Act and some minor alterations have been undertaken.

Consultation:

Staff.

Statutory Environment:

Clause 5.42 & 5.43 of the Local Government Act 1995:

"5.42. Delegation of Some Powers and Duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.**

** Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.**

5.43. Limits on Delegations to CEO's

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) appointing an auditor;*
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) any of the local government's powers under section 5.98, 5.99 or 5.100;*
- (f) borrowing money on behalf of the local government;*
- (g) hearing or determining an objection of a kind referred to in section 9.5;*
- (h) any power or duty that requires the approval of the Minister or the Governor; or*
- (i) such other powers or duties as may be prescribed."*

The Delegation Manual also refers to the following clauses:

“5.41. Functions of CEO

The CEO’s functions are to —

- (a) advise the Council in relation to the functions of a local government under this Act and other written laws;*
- (b) ensure that advice and information is available to the Council so that informed decisions can be made;*
- (c) cause Council decisions to be implemented;*
- (d) manage the day to day operations of the local government;*
- (e) liaise with the Mayor or President on the local government’s affairs and the performance of the local government’s functions;*
- (f) speak on behalf of the local government if the Mayor or President agrees;*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees);*
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.*

5.46. Register of, and records relevant to, delegations to CEO’s and employees

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

9.5. Objection may be lodged

- (1) An affected person may object to a decision if the person has not lodged an appeal against the decision.*
- (2) The objection is made by preparing it in the prescribed form and lodging it with the local government in the prescribed manner within 28 days after the right of objection arose [i.e. within 28 days after the decision], or within such further time as the local government may allow.”*

The Shire of York Town Planning Scheme Clause 8.2 states as follows:

“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:

No policy implications arise from this report.

Financial Implications:

No financial implications arise from this report.

Strategic Implications:

No strategic implications arise from this report.

Voting Requirements:

Absolute Majority Required: Yes

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Delegation of components of planning process to the Chief Executive Officer can assist in streamlining the assessment of development applications and results in a speedier approvals process.

Social Implications:

These types of delegations will expedite the planning and other administrative processes, as there will be no need to refer operational decisions to Council. Delegations provide a higher level of customer service.

Environmental Implications:

Nil.

Comment:

The annual review of delegations is a requirement under Part 5 Division 4 of the Local Government Act. After consultation with staff some minor alterations were made to the Delegations Manual.

OFFICER RECOMMENDATION

RESOLUTION

060909

Moved Cr Fisher Seconded: Cr Boyle

***“That Council pursuant to Section 5.4 of the Local Government Act 1995 approve the updated Delegation Manual, as per Appendix A.
Subject to all delegations incorporating the relevant rights of appeal available under local laws or other legislation and DE11 having a monetary value of \$250 imposed under the delegation.”***

Advice Note:

An Absolute Majority is required.

CARRIED (6/0)



SHIRE OF YORK

DELEGATION MANUAL

Updated 2009

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DE1 Authority to Make Payments

Pursuant to the provisions of the Local Government Act 1995 Section 5.42;

Legislation

5.42. Delegation of Some Powers and Duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on Delegations to CEO's

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.99 or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

That the following delegations be approved:

TO: Chief Executive Officer

DELEGATIONS: To make payments on behalf of the Shire of York from the municipal fund and trust fund accounts.

GUIDELINES OR CONDITIONS:

1. All authorities for payment are to be countersigned by the Chief Executive Officer or the following authorised officers:
- Deputy Chief Executive Officer
 - Manager – Administration and Technical Services

- Environmental Health Officer
- Town Planner
- Shire President
- Deputy Shire President

2. The full meeting of the Council will be presented with the list of EFT payments made during the previous month, which are to be recorded in the minutes of the meeting at which it is presented, and is to include:

Payee's name
 Amount of payment
 Date of the payment
 Sufficient information to identify the transaction

3. Access to the electronic funds transfer software passwords and encryption information is restricted to the following council officers:

- Chief Executive Officer
- Deputy Chief Executive Officer
- Administration Officer – Rates
- Administration Officer – Payroll
- Manager – Administration and Technical Services
- Finance Officer

History:

Approved 18 October 1999
 Endorsed 18 June 2001
 Endorsed 22 April 2003
 Reviewed May 2004
 Endorsed 19 July 2004
 Reviewed January 2005
 Endorsed 10 January 2005
 Reviewed & Amended July 2005
 Endorsed 18 July 2005
 Endorsed 23 January 2006
 Endorsed 18 June 2007
 Reviewed & Amended 22 September 2008

DE2 Power to Speak on Behalf of Local Government

Pursuant to the provisions of the Local Government Act 1995 S.5.41 (f) Functions of the Chief Executive Officer, the Shire Commissioner has agreed that the Chief Executive Officer may speak on behalf of the local government.

Legislation

5.41. Functions of CEO

The CEO's functions are to —

- (f) speak on behalf of the local government if the Mayor or President agrees;

TO: Chief Executive Officer

DELEGATIONS: The power to speak on behalf of the local government.

GUIDELINES OR CONDITIONS:

Nil.

History:

Date of meeting 31 May 1999
Endorsed 18 June 2001
Endorsed 22 April 2003
Reviewed May 2004
Endorsed 19 July 2004
Reviewed & Amended July 2005
Endorsed 18 July 2005
Endorsed 23 January 2006
Endorsed 18 June 2007
Reviewed & Amended 22 September 2008

DE3 Approval and Refusal of Building Licences

Pursuant to the provisions of the the Local Government (Miscellaneous Provisions) Act 1960 Section 374(1b);

<u>Legislation</u>	
374(1b)	<u>Miscellaneous Provisions Act 1960</u>
(1b)	The authority to approve or refuse to approve plans and specifications submitted under this section may be delegated by a local government to a person appointed to the office of building surveyor, but where a plan and specifications so submitted conform to —
(a)	all local laws in force in the relevant district or part of a district in respect of building matters, and the local government's pre-determined policy in respect of building matters; and
(b)	all local laws and schemes in force in the relevant district or part of a district in respect of town and regional planning matters, and the local government's pre-determined policy in respect of town and regional planning matters, the building surveyor shall not refuse to approve that plan or those specifications without first obtaining the consent of the local government.
(1ba)	The local government may vary or revoke a delegation made under subsection (1b).
(1c)	A delegation under subsection (1b) does not prevent the exercise of a power or the performance of a function by the local government.
(1d)	A power or function delegated by the local government and exercised or performed by the delegate shall be taken to have been exercised by the local government.

The Council resolved that the following delegations be approved:

TO: The person(s) appointed to the office of Building Surveyor or as previously approved by Council resolution as Building Surveyors.

DELEGATIONS: Approval or refusal of building licences issued pursuant to the Local Government (Miscellaneous Provisions) Act 1995.

GUIDELINES OR CONDITIONS:

These approvals are limited to those applications in conformity or contravention with the Building Code of Australia, the Building Regulations, Town Planning Scheme No.2, and related Council procedures and guidelines where applicable.

History:

Date of Meeting 19 July 1999

Endorsed 18 June 2001
Endorsed 22 April 2003
Reviewed May 2004
Endorsed 19 July 2004
Reviewed & Amended July 2005
Endorsed 18 July 2005
Endorsed 23 January 2006
Reviewed & Amended 18 June 2007
Reviewed & Amended 22 September 2008

DE4 Appointment of Authorised Officers

**Pursuant to the provisions of the Local Government Act 1995 Section 5.42
delegation of some powers and functions to the Chief Executive Officer;**

Legislation

5.42. Delegation of Some Powers and Duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

The Council resolved that the following delegations be approved:

TO: Chief Executive Officer

DELEGATIONS: The power to appoint authorised officers to carry out the statutory duties of the local government.

GUIDELINES OR CONDITIONS:

The appointment of officers shall be limited to those carrying out the local government duties in respect to the following statutory provisions:

- Local Government Act 1995
- Local Government (Miscellaneous Provisions Act) 1995
- Litter Act

History:

Date of meeting 19 July 1999
Endorsed 18 June 2001
Endorsed 22 April 2003
Reviewed May 2004
Endorsed 19 July 2004
Reviewed & Amended July 2005
Endorsed 18 July 2005
Endorsed 23 January 2006
Reviewed & Amended 18 June 2007
Reviewed & Amended 22 September 2008

DE5 Approval of Statutory Planning

**Pursuant to the provisions of the Local Government Act 1995 Section 5.42
Delegation of some powers and functions to the Chief Executive Officer
and the Shire of York Town Planning Scheme No. 2 Clause 8.2;**

Legislation

5.42. Delegation of Some Powers and Duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

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.

The Council resolved that the following delegations be approved:

TO: Chief Executive Officer

That pursuant to the provisions of section 8.2 of the Shire of York Town Planning Scheme No. 2 the Council delegates to the Chief Executive Officer by an absolute majority the following powers.

The Chief Executive Officer may sub delegate this approval to the appropriate officer eg: Planning Officer.

Delegation of Authority - Statutory Planning

1.0 Purpose

To specify delegation of authority to the Chief Executive Officer in accordance with the Shire of York Town Planning Scheme No. 2 in respect of the Town Planning functions of the Council.

2.0 Policy

2.1 Delegated Powers

The Chief Executive Officer is delegated authority to perform the functions of Council in respect of the following matters:

- (a) Determination of applications for development approval, including applications involving:
 - (i) The variation of Scheme provisions, Planning Policy or provisions of the Residential Design Codes; or
 - (ii) The exercise of discretion under the Scheme, Planning Policy or the Residential Design Codes;
- (b) Refusal of all development applications where the proposed use is not permitted by the Scheme or where the development does not comply with the non-discretionary provisions of the Residential Design Codes or any mandatory statutory requirement or adopted Council policy;
- (c) Grant an extension of development approval for up to two (2) years;
- (d) Granting variations to relevant Planning Policies and provisions of the Residential Design Codes on Building License applications in accordance with the provisions of Clause 4.6 of the Town Planning Scheme No.2;
- (e) Deletion or modification of conditions of approval, whether imposed under delegated authority or not subject to compliance of Councils Planning objectives;
- (f) Making recommendations to the WA Planning Commission on:
 - applications for subdivision or amalgamation of land;
 - minor variations to approved subdivisions;
 - clearance of conditions of subdivision approval;
- (g) Determination of Applications for the relocation of Building Envelopes except where there is more than one (1) objection from an adjoining owner;
- (h) Adoption of Outline Development Plans and amendments to Outline Development Plans for the purposes of advertising;
- (i) Final adoption of amendments to Outline Development Plans provided that the modification is:

- (i) of a minor nature;
 - (ii) consistent with the intent of the zone and the Scheme; and
 - (iii) unlikely to have a detrimental effect on the amenity of the locality or any owner or occupier of land in the locality;
- (j) Provision of written and verbal responses to planning appeals, mediated settlements resulting from appeals and WA Planning Commission requests for reconsideration;
- (k) Taking all necessary action against owners or occupiers of properties to cease illegal uses or comply with conditions of Development Approval, including pursuing prosecution through Council's Solicitors; and
- (l) Formation of any opinion and consideration of any matter in the exercise of these delegated powers that would be required of Council under the Scheme, including, but not limited to, sufficient information required for the processing of applications, referral and advertising of applications, and interpretation of Scheme provisions, relevant Planning Policies and provisions of the Residential Design Codes.
- (m) Delegations to include:
 - (i) Bed & Breakfast Facilities
 - (ii) Farmstays
 - (iii) Small outbuildings in a Heritage Area eg: Patios, Carports, Fences, Swimming Pools and Signs etc.
 - (iv) Ancillary Tourist Use
 - (v) Short term accommodation

2.2 Limits to Delegated Powers

With the exception of delegated power 2.1(b) above, all applications will be submitted to a meeting of Council for determination in the following circumstances:

- (a) Where the delegated decision would be contrary to the intent of a previous decision made at a Council meeting, or any law or regulation;
- (b) Where written objection is received to the proposal from any statutory agency;
- (c) Where the proposal is inconsistent with the intent of the Town Planning Scheme, relevant Policies, Residential Design Codes, or any Outline Development Plan adopted by Council;
- (d) Where notification has been given to adjoining and nearby owners or the general public for comment in accordance with the Town Planning Scheme or any Policy and written objections have been received within the time specified, unless in the opinion of the Chief Executive Officer:

- (i) the proposal is for exercise of discretion under the R-Codes and is consistent with the intent of the Town Planning Scheme, Residential Design Codes and any relevant Policy; and
 - (ii) the objections can be overcome by imposing a condition(s) on the development approval, or modifying the design of the development; or
 - (iii) the objection does not relate to valid planning and development issues associated with the proposal.
- (e) Where, in the opinion of the Chief Executive Officer:
- (i) Any of the requirements of this policy are not satisfied; or
 - (ii) There is insufficient certainty as to whether the application complies with the intent of the Scheme, Residential Design Codes or any relevant Council Policy; or
 - (iii) It would be in the public interest or consistent with the principles of administrative accountability for Council to determine the application; or
 - (iv) The decision involves a matter of principle which, in the opinion of the Chief Executive Officer, should be made by the Council; or
 - (v) A condition recommended by a statutory agency is unnecessary or impractical, or unreasonable to be enforced by the Shire of York.

History:

Date of Meeting 22 April 2003
 Endorsed
 Reviewed May 2004
 Endorsed 19 July 2004
 Reviewed & Amended July 2005
 Endorsed 18 July 2005
 Amended & Endorsed 23 January 2006
 Reviewed & Amended 18 June 2007
 Reviewed & Amended 22 September 2008

DE6 Determination of Applications for Installation of Effluent Disposal Systems

Pursuant to the provisions of the Health Act 1911 Section 26;

Legislation

26. Powers of Local Government

Every local government is hereby authorized and directed to carry out within its district the provisions of this Act and the regulations, local laws, and orders made thereunder:

Provided that a local government may appoint and authorise any person to be its deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe, but so that such appointment shall not affect the exercise or discharge by the local government itself of any power or function.

The Council resolved that the following delegations be approved:

TO: Environmental Health Officer

DELEGATIONS: The approval of effluent disposal systems pursuant to the provisions of Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974

GUIDELINES OR CONDITIONS:

These approvals are limited to those applications in conformity with the requirements of the regulations and related council procedures and guidelines.

Effluent Disposal systems may only be approved by a local government if they are intended for use by a single dwelling or any other building that produces not more than 250 litres of sewage per day. All other applications are to be made to the Executive Director of Public Health.

History:

Date of Meeting 19 July 1999
Endorsed 18 June 2001
Endorsed 22 April 2003
Reviewed May 2004
Endorsed 19 July 2004
Reviewed & Amended July 2005
Endorsed 18 July 2005
Endorsed 23 January 2006
Reviewed & Amended 18 June 2007
Reviewed & Amended 22 September 2008

DE7 Approval / Refusal of Applications for Advertisements

**Pursuant to the provisions of the Local Government Act 1995 Section 5.42
Delegation of some powers and functions to the Chief Executive Officer
and the Shire of York Town Planning Scheme No. 2 Clause 8.2;**

Legislation

5.42. Delegation of Some Powers and Duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

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.

The Council resolved that the following delegations be approved:

TO: Chief Executive Officer

That pursuant to the provisions of section 8.2 of the Shire of York Town Planning Scheme No. 2 the Council delegates to the Chief Executive Officer by an absolute majority the following powers.

The Chief Executive Officer may sub delegate this approval to the appropriate officer eg: Planning Officer.

DELEGATIONS: Authority to approve/refuse applications for advertisements.

GUIDELINES OR CONDITIONS:

Subject to this delegations being only for exempt signs, as defined under the Shire of York Town Planning Scheme No.2

History:

Date of Meeting 22 April 2003
Reviewed May 2004
Endorsed 19 July 2004
Reviewed & Amended July 2005
Endorsed 18 July 2005
Endorsed 23 January 2006
Reviewed & Amended 18 June 2007
Reviewed & Amended 22 September 2008

DE8 Approval of Strata Applications

**Pursuant to the provisions of the Local Government Act 1995 Section 5.42
Delegation of some powers and functions to the Chief Executive Officer
and the Strata Titles Act 1985 Section 23.4;**

Legislation

5.42. Delegation of Some Powers and Duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

23.4 Strata Titles Act

- (4) A local government may, either generally or as otherwise provided by the instrument of delegation, by writing under the seal of the local government, delegate to an employee of the local government any of the functions conferred on local governments under this Act, other than the functions so conferred by subsection (3) and section 24.

The Council resolved that the following delegations be approved:

TO: Chief Executive Officer

DELEGATIONS: Approve strata title applications subject to the building/s being in compliance with all relevant building and planning controls.

GUIDELINES OR CONDITIONS: Nil.

History:

Date of meeting 22 April 2003

Endorsed

Reviewed May 2004

Endorsed 19 July 2004

Reviewed & Amended July 2005

Endorsed 18 July 2005

Endorsed 23 January 2006

Reviewed & Amended 18 June 2007

Reviewed & Amended 22 September 2008

DE9 Approval of Free Hire – Council Facilities

**Pursuant to the provisions of the Local Government Act 1995 Section 5.42
Delegation of some powers and functions to the Chief Executive Officer:**

Legislation

5.42. Delegation of Some Powers and Duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on Delegations to CEO's

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.99 or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

The Council resolved that the following delegations be approved:

TO: The Chief Executive Officer

DELEGATION: The authority to provide Council owned facilities free of charge to community groups who fulfill the following conditions:

GUIDELINES OR CONDITIONS:

1. Membership

York based organisations;

2. Income

Any income derived from the activity should be directed to a charitable cause or to the ongoing support of the organisation. It is the Council's intention, in providing this discount, that it shall assist a "not for profit" group.

3. Benefit to the community

A benefit to the community shall be deemed to exist where the performance or display shall provide a cultural opportunity to residents of the district, which is not normally satisfied by the existing activities in the town.

4. Cleaning

Community groups shall be responsible for the cleaning of the Town Hall both prior to and after the function to the satisfaction of the Council.

Should the cleaning not meet the Council's satisfaction, then the work will be completed by the Council's contractor and deducted from the bond paid by the community group.

5. Recognition of Sponsorship

The community group granted free access to a Council owned facility should recognise the Council's sponsorship.

6. Bond

The current level of bond, including liquor licence and keys, will apply to all approvals.

History:

Date of Meeting 20 December 1999
Endorsed 18 June 2001
Endorsed 22 April 2003
Reviewed May 2004
Endorsed 19 July 2004
Reviewed & Amended July 2005
Endorsed 18 July 2005
Endorsed 23 January 2006
Reviewed & Amended 18 June 2007
Reviewed & Amended 22 September 2008

DE10 Write off of Debts

**Pursuant to the provisions of the Local Government Act 1995 Section 5.42
Delegation of some powers and functions to the Chief Executive Officer;**

Legislation

5.42. Delegation of Some Powers and Duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on Delegations to CEO's

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.99 or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

The Council resolved that the following delegations be approved:

TO: The Chief Executive Officer

DELEGATIONS: Authority to write off money (not including rates) that is owed to the Council up to the value of \$250.00 per amount owing.

GUIDELINES OR CONDITIONS: Nil.

History:

Date of Meeting 20 March 2000
Endorsed 18 June 2001
Endorsed 22 April 2003
Reviewed May 2004

Endorsed 19 July 2004
Reviewed & Amended July 2005
Endorsed 18 July 2005
Endorsed 23 January 2006
Reviewed & Amended 18 June 2007
Reviewed & Amended 22 September 2008

DE11 Write off of Interest and Penalty Payments

**Pursuant to the provisions of the Local Government Act 1995 Section 5.42
Delegation of some powers and functions to the Chief Executive Officer;**

Legislation

5.42. Delegation of Some Powers and Duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on Delegations to CEO's

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.99 or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

The Council resolved that the following delegations be approved:

TO: The Chief Executive Officer

DELEGATIONS: To write off interest and penalty payments applied to properties, including those relating to deceased estates that accrue during the period prior to probate.

GUIDELINES OR CONDITIONS: Nil.

History:

Date of meeting 20 March 2000
Endorsed 22 April 2003
Reviewed May 2004

Endorsed 19 July 2004
Reviewed & Amended July 2005
Endorsed 18 July 2005
Endorsed 23 January 2006
Reviewed & Amended 18 June 2007
Reviewed & Amended 22 September 2008

DE12 Issue of Notices

**Pursuant to the provisions of the Local Government Act 1995 Section 5.42
Delegation of some powers and functions to the Chief Executive Officer;**

Legislation

5.42. Delegation of Some Powers and Duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

The Council resolved that the following delegations be approved:

TO: The Chief Executive Officer

DELEGATIONS: To issue notice under the following sections of the Local Government (Miscellaneous Provisions) Act.

Division 9	Notice Of Required Alteration
Division 9a	Unlawful Works
Division 11	Dangerous Buildings

The Chief Executive Officer may sub delegate this approval to the appropriate officer eg: Building Officer.

GUIDELINES OR CONDITIONS: Nil

History:

Date of Meeting 21 February 2000
Endorsed 18 June 2001
Endorsed 22 April 2003
Reviewed May 2004
Endorsed 19 July 2004
Reviewed & Amended July 2005
Endorsed 18 July 2005
Endorsed 23 January 2006
Reviewed & Amended 18 June 2007
Reviewed & Amended 22 September 2008

DE13 Use of Materials – Planning Policy – Restriction on Building Materials

**Pursuant to the provisions of the Local Government Act 1995 Section 5.42
Delegation of some powers and functions to the Chief Executive Officer;**

Legislation

5.42. Delegation of Some Powers and Duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

The Council resolved that the following delegations be approved:

TO: The Chief Executive Officer

DELEGATIONS: Delegated authority be given to the Chief Executive Officer for products that are listed below and exempt persons from the planning policy relating to a restriction on building materials.

GUIDELINES OR CONDITIONS:

Subject to the following conditions:

The dwelling is to be finished externally with a high profile textured coating, such as Dulux Acratex and Solvatex Coarse or an equally approved product that provides the same outward appearance and texture of face or rendered brick work. The finish must be applied prior to occupancy.

The Chief Executive Officer may sub delegate this approval to the appropriate officer e.g. Town Planner, Manager of Administration and Technical Services or Building Officer.

History:

Date of Meeting 23 January 2006
Endorsed 23 January 2006
Reviewed & Amended 18 June 2007
Reviewed & Amended 22 September 2008

DE14 Health Local Law – Keeping Of Animals

**Pursuant to the provisions of the Local Government Act 1995 Section 5.42
Delegation of some powers and functions to the Chief Executive Officer;**

Legislation

5.42. Delegation of Some Powers and Duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

The Council resolved that the following delegations be approved:

TO: The Chief Executive Officer

DELEGATIONS: Delegated authority be given to the Chief Executive Officer to approve or refuse applications to keep certain animals within the Townsite of York made in accordance with Division 2 and 3 of the Shire of York Health Local Laws.

History:

Resolved at October 2006 Council meeting

Reviewed & Amended 18 June 2007

Reviewed & Amended 22 September 2008

9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.2 Office Closure – Christmas Period

FILE NO:	OR.CMA
COUNCIL DATE:	21 September 2009
REPORT DATE:	25 August 2009
LOCATION/ADDRESS:	N/A
APPLICANT:	Shire of York
SENIOR OFFICER:	R Hooper, CEO
REPORTING OFFICER:	T Cochrane, MATS
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Nil

Summary:

Staff request Council's consideration for the closure of the office and library from noon on Thursday 24th December 2009 to Saturday 2nd January 2010 inclusive, which are in addition to the public holidays.

Office Closure

Thursday noon 24th December 2009 (Office and Library)

Christmas Period

Friday 25th & Saturday 26th December 2009 (Public Holidays)

Monday 28th December 2009 (Public Holiday)

Office Closure

Tuesday 29th December 2009 (Office and Library)

Wednesday 30th December 2009 (Office and Library)

Thursday 31st December 2009 (Office and Library)

New Year Period

Friday 1st January 2010 (Public Holiday)

Office Closure

Saturday 2nd January 2010 (Library)

Office Re-Open

Monday 4th January 2010

By taking this stance, the Council can inform the community well in advance of the office closure and allow ratepayers to make arrangements to meet their commitments.

Background:

For the past four years the Administration Office and Library were closed over this period and there is no record of this action causing any concern. Prior to this the Administration Office and Library have remained open to the public between the Christmas and New Year period and have been operated with only a skeleton staff.

Consultation:

Council Staff & CEO.

Statutory Environment:

Consideration for any planning items requiring attention within specific time frames will need to be considered, however as there is no January Meeting items would be deferred to February meeting in ordinary circumstances unless a Special Council meeting is warranted.

Policy Implications:

Nil.

Financial Implications:

Reduction in accrued annual leave entitlements/rostered days off/time in lieu at no additional costs to Council.

Strategic Implications:

Nil.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

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

Standard Transport licence renewals can be conducted over the Internet and also via B-Pay.

Social Implications:

Some potential for loss of service to the community through the library, with plenty of time to advertise Council's intent this is not seen as causing a problem.

Environmental Implications:

Not applicable.

Comment:

The closure of the office and library will allow staff to have an extended period of leave in addition to the public holidays.

Closing the office at noon on Thursday should provide sufficient time for those travelling or getting ready for the Christmas festivities.

Traditionally the number of inquiries and transactions taken in this period has been low. The Works Crew work on a skeleton staff through this period.

OFFICER RECOMMENDATION

RESOLUTION

070909

Moved: Cr Randell

Seconded: Cr Boyle

“That Council:

- 1. *Endorse the closure of the Administration Offices over the Christmas/New Year Period, as follows:***

From noon on Thursday 24th December 2009 and recommence operations on Monday 4th January 2010; and

- 2. *Advertise the closure in the local paper, on Council’s website and notice boards in the months leading up to Christmas.”***

CARRIED (6/0)

9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.3 Change of Road Name – River Street to Doncon Street

FILE NO:	PS.NAM.2/CS.INF.3/Ri 2
COUNCIL DATE:	21 September 2009
REPORT DATE:	25 August 2009
LOCATION/ADDRESS:	River Street
SENIOR OFFICER:	R Hooper, CEO
REPORTING OFFICER:	T Cochrane, MATS
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Appendix A - Map
DOCUMENTS TABLED:	Nil

Summary:

It is considered appropriate to change a section of River Street due to the railway line that divides the Street into two. This will allow for emergency services and the like to promptly arrive at a request. The portion of road to be changed is shown on Appendix A.

Background:

The following correspondence was sent out to residents located on River Street on the 24 July 2009:

"The Council is currently in the process of changing names within the townsite that have been duplicated or are separated by natural and manmade features eg. railway line, river etc this is to assist with emergency services, customer service, postal service etc.

It is a requirement under the Geographic Names Committee that landowners on River Street are consulted regarding the proposed changes. It is uncertain at this time which portion of River Street will be renamed however the following information is provided in support of the change to Doncon Street:

"Robert & Sophia Doncon arrived in WA with their son Edward in the 1840's. Robert became publican of 'Half Way House' on York Road. By 1849 he was in York and owned 'Kings Head Hotel', shoemaker in 1868, land proprietor 1876. He held extensive pastoral leases from 1853 onwards. Edward Doncon married Sarah Knott of 'Arnold Park' and after his marriage took over the lease of the farm. In 1874 the farm passed over to his son Edwin and Edward took on the lease of Henry de Burgh's property 'Boyadine', a farm west of Beverley; he bought the property a few years later. Another son Robert took over that property in the 1890's and Edward retired to York. Sophia is buried in the old St John's Cemetery along with Edward and Sarah's son, William Edward, their gravestone can still be seen today. An impressive monument marks the graves of Edward and Sarah who are buried with their daughter, Amy Valsie, in the old section of the cemetery on Herbert Street."

If you have any comments or wish to put forward any other suggestions please submit prior to the 6th August 2009. If no comments are received by this date Council will consider the name change on its merits at the Ordinary Council meeting to be held on the 21st September 2009."

Consultation:

York Society Inc. were consulted in relation to appropriate names for the York District; and Geographic Names Committee.

Consultation was undertaken with Landgate – Geographic Names Committee to see if there was any possible way that Council may be able to use the words east, west, central etc. The use of these terms is not supported.

Due to time constraints the following information was provided in relation to the use of Doncon Street:

"Firstly the principle of renaming disjointed (separated) roads is most definitely supported by Geographic Names and the Shire is to be congratulated for endeavouring to rectify these matters.

As discussed I have made a quick and basic assessment of the proposed names. I hope the following comments will be of assistance: -

River to Doncon – the name is deemed suitable."

All landowners located on River Street or in the vicinity of River Street were notified.

One response was received back and this information is provided below:

"In response to the suggestion of renaming portion of River Street to "Doncon Street" I am not in favour. If it were decided to change name of the eastern side of River Street (the side nearest the river) I would suggest these alternatives in order of preference:

- Bobtail Road – these reptiles have been here for thousands of years and are still abundant in the area.*
- Robert's Road – after all the great Roberts.*
- Wattle Street – the local wattle trees used by the people of York for its many uses.*
- Karda Road – (karda means lizard in Noongar) lizards are also abundant in the area.*

If not any of the above please consider any Indigenous words the local flora and fauna or wildlife as a street name."

A request to the York Society has been made in relation to using indigenous names for future use.

Due to community angst over other road name changes advice was requested from the St John Ambulance, State Emergency Services and the York Police, at the time of writing the report only one submission was received from the York Police and this is detailed below:

"I am writing in response to your letter dated 4 August 2009 titled "Proposal to Change Road Names within York".

Thank you for raising this issue. I anticipate this will not be an easy process with residents from some affected people, along with some people who will resist just for the sake of it.

I have personally been frustrated by this issue on numerous occasions. Recently both York Police and York St Johns Ambulance were called in the early morning to a Pool Street address. Due to safety concerns the Ambulance was waiting for Police to attend with them, However Police were waiting on one side of the river and the Ambulance was on the other. Valuable time was lost sorting out what should have been a simple matter of where to attend.

I consider this a necessary change and fully support this Shire initiative."

Statutory Environment:

Land Administration Act.

The Geographic Names Committee – WA (Landgate) provides the following information:

“Procedure for Naming and Renaming Roads

New Roads - Survey documents require approved road names before the survey can be approved. The developer or their agent should be prompt in lodging a concept plan and a proposal for road names conforming to the above guidelines with the relevant local government. It may also be helpful to supply a copy to the Secretary, Geographic Names Committee. Local governments then propose the names to LANDGATE for approval. Following agreement between the Department and the local government, the names will be approved and all interested parties advised.

The selection of names is at local government discretion, and many local governments maintain lists of preferred names. There must be sound justification to propose alternative names, but some local governments allow developers discretion, particularly with larger developments. Short names are encouraged for short roads.

Existing Roads — Unnamed roads should be treated in a like manner to new roads. Proposals for renaming roads should follow the above guideline and be submitted through local government. Proposals should be accompanied by a map showing the extent of the name and full details on the name, including the reason for the selection.”

Policy Implications:

Nil.

Financial Implications:

Administration costs associated with staff time.

Strategic Implications:

Nil.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken:

An inspection of the road revealed that there were three letterboxes with two letterboxes having numbering in good order.

Triple bottom Line Assessment:

Economic Implications:

There will be costs associated with the changing of addresses and legal documents etc, however it is deemed that the benefit of a quick service especially in times of near death experiences prevails over the financial impediment.

Social Implications:

The naming of roads should have a tangible connection to the community.

Environmental Implications:

Nil.

Comment:

The portion of River Street chosen to be renamed is that section from the railway line going in a westerly direction. A check of the Synergy Database shows that there is only one owner that uses River Street, as part of their address and that the other residents either have Perth addresses, or face Pelham or Grey Streets.

It would be logical to keep River Street on the portion that commences from the Avon River.

Council endeavours to make the change as trouble-free as possible and it will liaise with the individuals to ensure that service agencies eg. Water Corporation, Australia Post etc are notified of any changes.

It should be noted that no change is required to be made to the titles, as the addressing component is automatically updated and amended in an electronic form by Landgate once approvals are issued. Titles rely on Deposited Plan, Folio and Volume numbers. No re-issue of titles will be provided. Legal documents eg. Wills normally do not change, as these should refer to Title details.

Landowners will be responsible to notify the Taxation Office, Medicare, Banks, Department for Planning and Infrastructure etc, anything dealing with personal details can not be completed by the Shire of York due to privacy issues.

The whole purpose of this exercise is to ensure if people need Police assistance or the Ambulance etc it makes sure that they get there as speedily as possible as it can be critical in a life saving service.

Once Council endorses the name then the matter will be referred to the Geographic Names Committee for final approval.

The change will only become effective once the sign is erected and all processes carried out.

OFFICER RECOMMENDATION

RESOLUTION

080909

Moved: Cr Boyle Seconded: Cr Randell

“That Council:

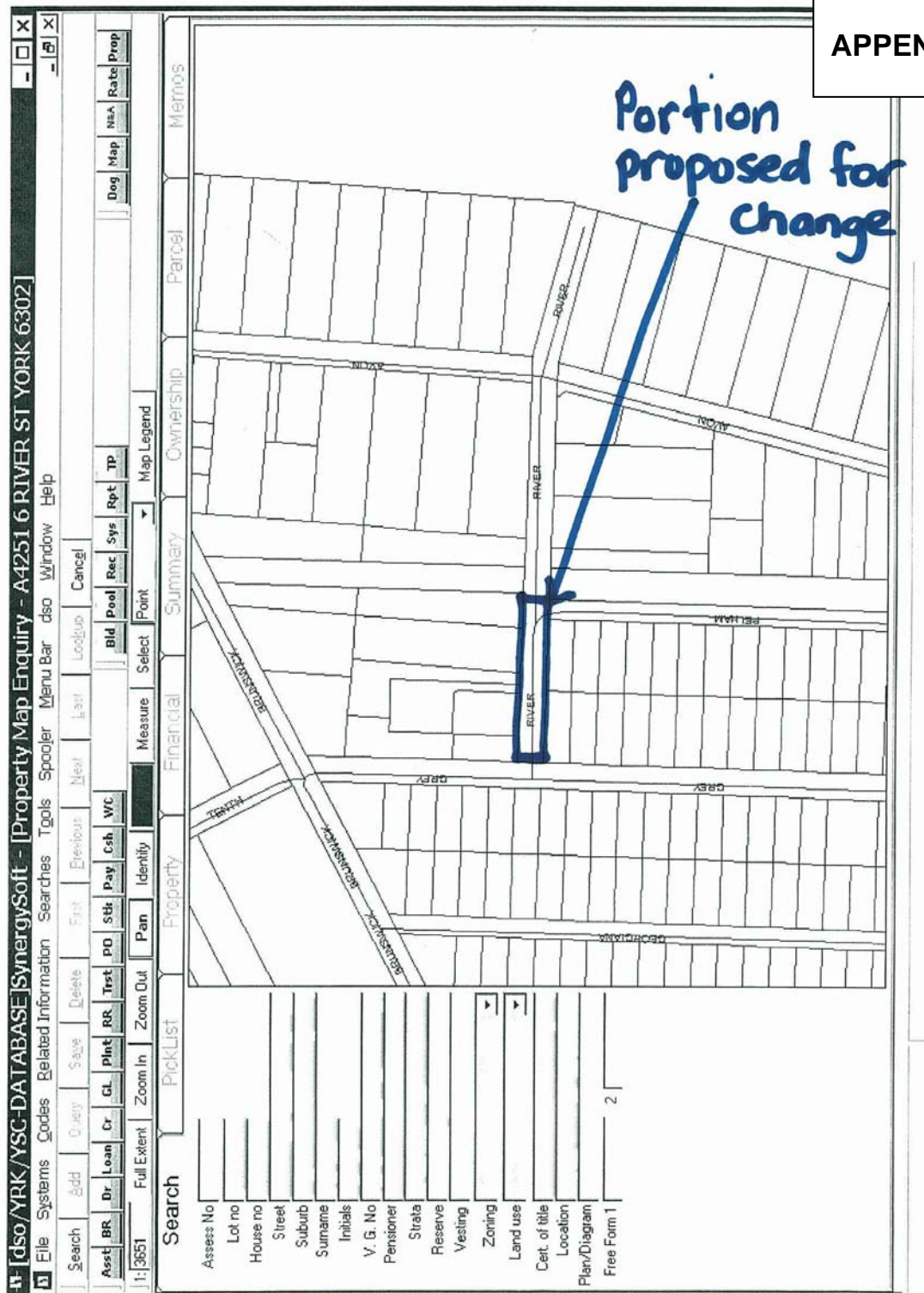
- 1. advise the Geographic Names Committee that it approves the use of the name Doncon Street to be used on a portion of River Street, as per Appendix A;***
- 2. notify landowners in the vicinity of the proposed change and street numbering; and***
- 3. thank those that put in submissions, the Geographic Names Committee – Jan Lonsdale for the assistance provided and the York Society Inc for assisting with the research of the proposed road names.***

Advice Note:

The following details were provided by the York Society Inc.:

“Robert & Sophia Doncon arrived in WA with their son Edward in the 1840’s. Robert became publican of ‘Half Way House’ on York Road. By 1849 he was in York and owned ‘Kings Head Hotel’, shoemaker in 1868, land proprietor 1876. He held extensive pastoral leases from 1853 onwards. Edward Doncon married Sarah Knott of ‘Arnold Park’ and after his marriage took over the lease of the farm. In 1874 the farm passed over to his son Edwin and Edward took on the lease of Henry de Burgh’s property ‘Boyadine’, a farm west of Beverley; he bought the property a few years later. Another son Robert took over that property in the 1890’s and Edward retired to York. Sophia is buried in the old St John’s Cemetery along with Edward and Sarah’s son, William Edward, their gravestone can still be seen today. An impressive monument marks the graves of Edward and Sarah who are buried with their daughter, Amy Valsie, in the old section of the cemetery on Herbert Street.”

CARRIED (6/0)



ITEM 9.2.3
APPENDIX A

9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.4 Change of Road Name – Elizabeth Street

FILE NO:	PS.NAM.2/CS.INF.3/EI 2
COUNCIL DATE:	21 September 2009
REPORT DATE:	26 August 2009
LOCATION/ADDRESS:	Elizabeth Street
SENIOR OFFICER:	R Hooper, CEO
REPORTING OFFICER:	T Cochrane, MATS
DISCLOSURE OF INTEREST:	Cr Fisher - Proximity
APPENDICES:	Appendix A - Map
DOCUMENTS TABLED:	Nil

Summary:

It is considered appropriate to change a section of Elizabeth Street due to the railway line dividing the Street into two. This will allow for emergency services and the like to promptly arrive at a request. The portion of road to be changed is shown on Appendix A.

Background:

The following correspondence was sent out to residents located on Elizabeth Street on the 24 July 2009:

"The Council is currently in the process of changing names within the townsite that have been duplicated or are separated by natural and manmade features eg. railway line, river etc this is to assist with emergency services, customer service, postal service etc.

It is a requirement under the Geographic Names Committee that residents or landowners on Elizabeth Street are consulted regarding the proposed changes. It is uncertain at this time which portion of Elizabeth Street will be renamed however the following information is provided in support of the change to Wyborn Street:

"Stephen Parker and his wife Susannah Wyborn arrived in WA in 1830 with their children. In 1844, their second son Stephen Stanley Parker married Elizabeth Sewell and bought Bland's land. Eldest son John Wyborn Parker married Elizabeth Dodds and was prominent in civic affairs. He became Secretary of the York Agricultural Society from 1861-1876 and served on the York Roads Board from 1873-1894. He was one of a number of Anglicans responsible for building, St John's, the first church in York now moved alongside Holy Trinity Church and used as a church hall. John Wyborn and Elizabeth's daughter Mary, born in 1853, married David Forrest, brother of Alexander and John."

If you have any comments or wish to put forward any other suggestions please submit prior to the 6th August 2009. If no comments are received by this date Council will consider the name change on its merits at the Ordinary Council meeting to be held on the 21st September 2009."

Consultation:

York Society Inc. were consulted in relation to appropriate names for the York District; and Geographic Names Committee.

Consultation was undertaken with Landgate – Geographic Names Committee to see if there was any possible way that Council may be able to use the words east, west, central etc. The use of these terms is not supported.

Due to time constraints the following information was provided in relation to the use of Wyborn Street:

“Firstly the principle of renaming disjointed (separated) roads is most definitely supported by Geographic Names and the Shire is to be congratulated for endeavouring to rectify these matters.

As discussed I have made a quick and basic assessment of the proposed names. I hope the following comments will be of assistance: -

Elizabeth to WYBORN - the name is deemed suitable.”

All landowners located on Elizabeth Street were notified.

One telephone enquiry was received in relation to title details and two responses were received back and this information is provided below:

Submission 1:

“I am the only resident that lives on Elizabeth Street in the industrial area.

I do not wish for my street name of Elizabeth Street to be changed as changing the name will bring unnecessary costs to me and my business and cause me lost of business income in which I would need to be compensated if name was changed.”

Submission 2:

*“We the undersigned own properties and land in the eastern section of Elizabeth Street and constitute the majority of those living in the whole of Elizabeth Street. We **DO NOT** want the proposed name change to be applied to the eastern section of the street.*

From a practical point of view we will all need to inform a large number of people, from friends to businesses with whom we deal, of this change. Many legal documents will also need to be changed to reflect the name change, mortgage documents, title deeds etc. This is an unnecessary waste of time that none of us want.

*Historically the name **Elizabeth** is as relevant as **Wyborn** to the development of the Blandstown area of York. I refer to the information presented in your letter of the 27th July. Stephen Parker married **Elizabeth** Sewell and bought Bland’s land. Further their eldest son, John Parker, married **Elizabeth** Dodds and was prominent in civic affairs.*

If the Shire does, in fact, change the name of the eastern section of Elizabeth to Wyborn, we will expect the Shire to pick up any expenses that result from the name change.”

Statutory Environment:

Land Administration Act. The Geographic Names Committee – WA (Landgate) provides the following information:

“Procedure for Naming and Renaming Roads

New Roads - Survey documents require approved road names before the survey can be approved. The developer or their agent should be prompt in lodging a concept plan and a proposal for road names conforming to the above guidelines with the relevant local government. It may also be helpful to supply a copy to the Secretary, Geographic Names Committee. Local governments then propose the names to LANDGATE for approval. Following agreement between the Department and the local government, the names will be approved and all interested parties advised.

The selection of names is at local government discretion, and many local governments maintain lists of preferred names. There must be sound justification to propose

alternative names, but some local governments allow developers discretion, particularly with larger developments. Short names are encouraged for short roads.

Existing Roads — *Unnamed roads should be treated in a like manner to new roads. Proposals for renaming roads should follow the above guideline and be submitted through local government. Proposals should be accompanied by a map showing the extent of the name and full details on the name, including the reason for the selection.”*

Policy Implications:

Nil.

Financial Implications:

Administration costs associated with staff time.

Strategic Implications:

Nil.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken:

An inspection of the road revealed that there were two letterboxes, only one having a number identifying the property, which was for sale.

Triple bottom Line Assessment:

Economic Implications:

There will be costs associated with the changing of addresses etc, however it is deemed that the benefit of a quick service especially in times of near death experiences prevails over the financial impediment.

Social Implications:

The naming of roads should have a tangible connection to the community.

Environmental Implications:

Nil.

Comment:

The portion of Elizabeth Street chosen to be renamed is the western portion between Maxwell Street and Forrest Street being within the Light Industrial Precinct.

In this section proposed to be changed one written complaint, one telephone enquiry in regards to titles details being changed and one face to face advising that no concern with the changes.

Council endeavours to make the change as trouble-free as possible and it will liaise with the individuals to ensure that service agencies eg. Water Corporation, Australia Post etc are notified of any changes.

It should be noted that no change is required to be made to the titles, as the addressing component is automatically updated and amended in an electronic form by Landgate once approvals are issued. Titles rely on Deposited Plan, Folio and Volume numbers. No re-issue of titles will be provided. Legal documents eg. Wills normally do not change, as these should refer to Title details.

Landowners will be responsible to notify the Taxation Office, Medicare, Banks, Department for Planning and Infrastructure etc, anything dealing with personal details can not be completed by the Shire of York due to privacy issues.

The section from the railway line to Maxwell Street is freehold land owned by the State of Western Australia and it will not be part of the naming process.

The whole purpose of this exercise is to ensure if people need Police assistance or the Ambulance etc it makes sure that they get there as speedily as possible as it can be critical in a life saving service.

Once Council endorses the name then the matter will be referred to the Geographic Names Committee for final approval.

The change will only become effective once the sign is erected and all processes carried out.

Cr Fisher declared a Proximity Interest in this item and left the meeting at 4.13pm.

OFFICER RECOMMENDATION

RESOLUTION 090909

Moved: Cr Lawrance Seconded: Cr Boyle

“That Council:

- 1. advise the Geographic Names Committee that it approves the use of the name Wyborn Street to be used on a portion of Elizabeth Street, as per Appendix A;***
- 2. notify landowners in the vicinity of the proposed change to the road name and street numbering; and***
- 4. thank those that put in submissions, the Geographic Names Committee – Jan Lonsdale for the assistance provided and the York Society Inc for assisting with the research of the proposed road names.***

Advice Note:

The following details were provided by the York Society Inc.:

“Stephen Parker and his wife Susannah Wyborn arrived in WA in 1830 with their children. In 1844, their second son Stephen Stanley Parker married Elizabeth Sewell and bought Bland’s land. Eldest son John Wyborn Parker married Elizabeth Dodds and was prominent in civic affairs. He became Secretary of the York Agricultural Society from 1861-1876 and served on the York Roads Board from 1873-1894. He was one of a number of Anglicans responsible for building, St John’s, the first church in York now moved alongside Holy Trinity Church and used as a church hall. John Wyborn and Elizabeth’s daughter Mary, born in 1853, married David Forrest, brother of Alexander and John.”

CARRIED (5/0)

Cr Fisher returned to the meeting at 4.14pm

9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.5 Change of Road Name – Pool Street (Western)

FILE NO:	PS.NAM.2/CS.INF.3/Po 1
COUNCIL DATE:	21 September 2009
REPORT DATE:	26 August 2009
LOCATION/ADDRESS:	Pool Street (western portion)
SENIOR OFFICER:	R Hooper, CEO
REPORTING OFFICER:	T Cochrane, MATS
DISCLOSURE OF INTEREST:	Cr Randell - Proximity
APPENDICES:	Appendix A - Map
DOCUMENTS TABLED:	Nil

Summary:

It is considered appropriate to change a section of Pool Street due to the railway line dividing the Street into two. This will allow for emergency services and the like to promptly arrive at a request. The portion of road to be changed is shown on Appendix A.

Background:

The following correspondence was sent out to residents located on Pool Street (western portion) on the 24 July 2009:

"The Council is currently in the process of changing names within the townsite that have been duplicated or are separated by natural and manmade features eg. railway line, river etc this is to assist with emergency services, customer service, postal service etc.

It is a requirement under the Geographic Names Committee that residents on Pool Street are consulted regarding the proposed changes. The proposed change is for the western portion of Pool Street. The following information is provided in support of the change to Centennial Drive:

"Centennial Park is located along the western portion of the present Pool Street and as the park is easily accessible from the town centre then this could be incorporated in any future walk or drive trails. A clear link would be established to Pioneer Drive which could also be incorporated into any future walk or drive trails. A special Memorial Trail could be created around the town."

If you have any comments or wish to put forward any other suggestions please submit prior to the 6th August 2009. If no comments are received by this date Council will consider the name change on its merits at the Ordinary Council meeting to be held on the 21st September 2009.

Please note that the suggestions may or may not be accepted by the Geographic Names Committee upon request of final approval."

Consultation:

York Society Inc. were consulted in relation to appropriate names for the York District; and Geographic Names Committee.

Consultation was undertaken with Landgate – Geographic Names Committee to see if there was any possible way that Council may be able to use the words east, west, central etc. The use of these terms is not supported.

Due to time constraints the following information was provided in relation to the use of Centennial Drive:

"Firstly the principle of renaming disjointed (separated) roads is most definitely supported by Geographic Names and the Shire is to be congratulated for endeavouring to rectify these matters.

As discussed I have made a quick and basic assessment of the proposed names. I hope the following comments will be of assistance: -

Pool to Centennial – the name is deemed suitable."

All landowners located on Pool Street (western side) were notified.

One response was received back and this information is provided below:

Submission 1:

*"We write in response to the above proposal and **request that the name change does not take place.***

We have moved many times in through work commitments and we have found that ensuring businesses, our legal documents, our friends and relatives know our current address is one of the most challenging parts of moving house. This is very time consuming, expensive and difficult to include everyone you know.

Our main concern is the need to for the Shire to change the name Pool Street for a variety of reasons that you list in your letter.

- **Emergency Services:** *The errors made by people calling emergency services to report critical incidents in their homes is generally a result of their poor provision of information rather than the inability of the emergency services to find the address. At stressful times people will continue to give inaccurate information, even if the name is changed.*
- **Customer Services:** *I am not sure how the street name change will assist customer service. If it relates to us as customers, your letter reached us without any problems. Businesses that we call to visit our house are given clear directions*
- **Postal service:** *The postal service is required to deliver the mail to the correct address regardless of the street name.*

In the current technologically rich world in which we live, I would like to suggest the following to the Shire Council for consideration in preference to changing the name of Pool Street:

1. *Provide a **detailed York town map** that shows the range of house numbers on the sections of Pool Street and include this map in the local telephone directory. Issue a copy with rates notices to all residents and businesses in York.*
2. *Provide a **copy of this map to the emergency services groups** in York.*
3. *Provide a **billboard type display** near the town centre to show the new detailed town map and include all of the services provided, this will help visitors and tourists.*
4. *Provide **inexpensive GPS equipment** for the Emergency Services vehicles, such as Tom Tom devices. These are extremely accurate. Some of the services already use this technology and if the message from the caller is given accurately there aren't any problems.*
5. *Provide **street corner signs** that show the range of house numbers in the relevant sections of the street, similar to many suburbs in the Metropolitan area. (eg Pool Street 80 to 112 etc).*

If the name change proceeds as planned:

We request that the Shire of York provides support for the residents of Pool Street as many of the Pool Street residents are elderly and have lived in the street for many years. Some have told me they have no idea where or how to start changing their address.

If the name change goes ahead we request the Shire assist the residents in Pool Street with:

- 1. Redirection of mail costs for at least 12 months*
- 2. Change of address support:*
 - I. Provide a kit,*
 - II. Standard letters,*
 - III. Envelopes,*
 - IV. Lists of who they will need to notify etc*
- 3. Provide financial support for legal documents to be changed, such as Wills, Trust Fund Executors etc.*

We have no concern about what the proposed new name will be as we are confident that the Shire Councillors will select a name that reflects the York culture and heritage."

Due to community angst over other road name changes advice was requested from the St John Ambulance, State Emergency Services and the York Police, at the time of writing the report only one submission was received from the York Police and this is detailed below:

"I am writing in response to your letter dated 4 August 2009 titled "Proposal to Change Road Names within York".

Thank you for raising this issue. I anticipate this will not be an easy process with residents from some affected people, along with some people who will resist just for the sake of it.

I have personally been frustrated by this issue on numerous occasions. Recently both York Police and York St Johns Ambulance were called in the early morning to a Pool Street address. Due to safety concerns the Ambulance was waiting for Police to attend with them, However Police were waiting on one side of the river and the Ambulance was on the other. Valuable time was lost sorting out what should have been a simple matter of where to attend.

I consider this a necessary change and fully support this Shire initiative."

Statutory Environment:

Land Administration Act.

The Geographic Names Committee – WA (Landgate) provides the following information:

"Procedure for Naming and Renaming Roads

New Roads - Survey documents require approved road names before the survey can be approved. The developer or their agent should be prompt in lodging a concept plan and a proposal for road names conforming to the above guidelines with the relevant local government. It may also be helpful to supply a copy to the Secretary, Geographic Names Committee. Local governments then propose the names to LANDGATE for approval. Following agreement between the Department and the local government, the names will be approved and all interested parties advised.

The selection of names is at local government discretion, and many local governments maintain lists of preferred names. There must be sound justification to propose alternative names, but some local governments allow developers discretion, particularly with larger developments. Short names are encouraged for short roads.

Existing Roads — *Unnamed roads should be treated in a like manner to new roads. Proposals for renaming roads should follow the above guideline and be submitted through local government. Proposals should be accompanied by a map showing the extent of the name and full details on the name, including the reason for the selection.”*

Policy Implications:

Nil.

Financial Implications:

Administration costs associated with staff time.

Strategic Implications:

Nil.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken:

An inspection of the road revealed that there were eight numbered letterboxes and one street numbering system.

Triple bottom Line Assessment:

Economic Implications:

There will be costs associated with the changing of addresses and legal documents etc, however it is deemed that the benefit of a quick service especially in times of near death experiences prevails over the financial impediment.

Social Implications:

The naming of roads should have a tangible connection to the community.

Environmental Implications:

Nil.

Comment:

The portion of Pool Street chosen to be renamed at this time is that section from the railway line going in a westerly direction.

One written complaint was received, which is detailed under Consultation.

Council endeavours to make the change as trouble-free as possible and it will liaise with the individuals to ensure that service agencies eg. Water Corporation, Australia Post etc are notified of any changes.

It should be noted that no change is required to be made to the titles, as the addressing component is automatically updated and amended in an electronic form by Landgate once approvals are issued. Titles rely on Deposited Plan, Folio and Volume numbers. No re-issue of titles will be provided. Legal documents eg. Wills normally do not change, as these should refer to Title details.

Landowners will be responsible to notify the Taxation Office, Medicare, Banks, Department for Planning and Infrastructure etc, anything dealing with personal details can not be completed by the Shire of York due to privacy issues.

The renaming of the other sections of Pool Street are still to be determined.

The whole purpose of this exercise is to ensure if people need Police assistance or the Ambulance etc it makes sure that they get there as speedily as possible as it can be critical in a life saving service.

Once Council endorses the name then the matter will be referred to the Geographic Names Committee for final approval.

The change will only become effective once the sign is erected and all processes carried out.

Cr Randell declared a Proximity Interest in this item and left the meeting at 4.14pm.

OFFICER RECOMMENDATION

RESOLUTION 100909

Moved: Cr Fisher

Seconded: Cr Lawrance

“That Council:

- 1. advise the Geographic Names Committee that it approves the use of the name Centennial Drive to be used on a portion of Pool Street, as per Appendix A;***
- 3. notify landowners in the vicinity of the proposed change; and***
- 5. thank those that put in submissions, the Geographic Names Committee – Jan Lonsdale for the assistance provided and the York Society Inc for assisting with the research of the proposed road names.***

Advice Note:

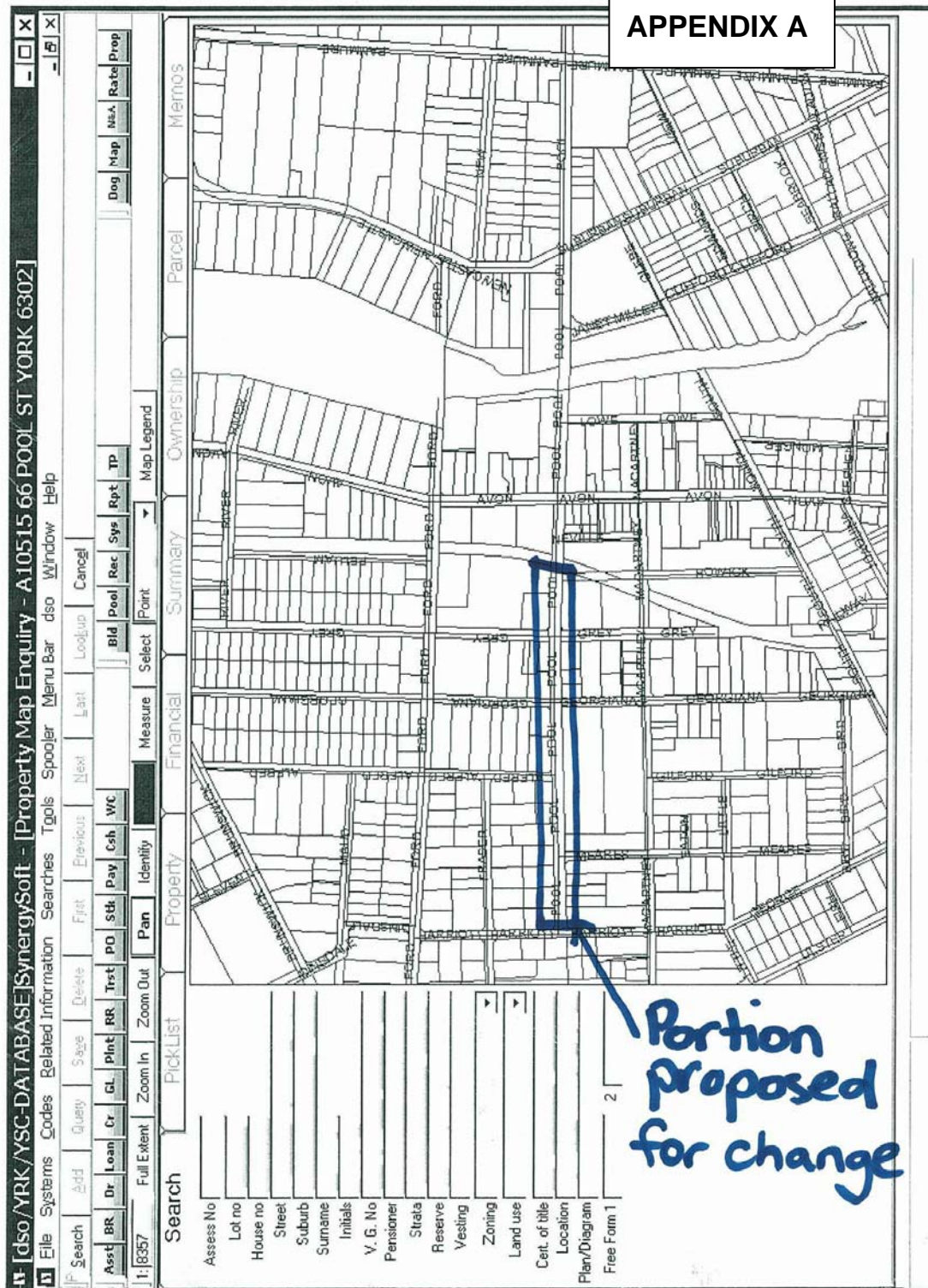
The following details were provided by the York Society Inc.:

“Centennial Park is located along the western portion of the present Pool Street and as the park is easily accessible from the town centre then this could be incorporated in any future walk or drive trails. A clear link would be established to Pioneer Drive which could also be incorporated into any future walk or drive trails. A special Memorial Trail could be created around the town.”

CARRIED (5/0)

Cr Randell returned to the meeting at 4.15pm.

ITEM 9.2.5
APPENDIX A



9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.6 Change of Road Name – Brunswick Road (East)

FILE NO:	PS.NAM.2/CS.INF.3/Br 4
COUNCIL DATE:	21 September 2009
REPORT DATE:	26 August 2009
LOCATION/ADDRESS:	Brunswick Road (east portion)
SENIOR OFFICER:	R Hooper, CEO
REPORTING OFFICER:	T Cochrane, MATS
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Appendix A - Map
DOCUMENTS TABLED:	Nil

Summary:

It is considered appropriate to change a section of Brunswick Road due to the railway line dividing the Street into two. This will allow for emergency services and the like to promptly arrive at a request. The portion of road to be changed is shown on Appendix A.

Background:

The following correspondence was sent out to residents located on the east portion of Brunswick Street on the 24 July 2009:

"The Council is currently in the process of changing names within the townsite that have been duplicated or are separated by natural and manmade features eg. railway line, river etc this is to assist with emergency services, customer service, postal service etc.

It is a requirement under the Geographic Names Committee that residents on Brunswick Street are consulted regarding the proposed changes. The proposed change is for the eastern portion of Brunswick Road. The following information is provided in support of the change to Ayoub Street:

"The Ayoub family have been a part of the history of York since the mid-1930's. David Ayoub is a very familiar figure around the town and has given his time to a considerable number of charitable projects. It would be fitting to recognise these contributions to the community; particularly in the area where he lives."

If you have any comments or wish to put forward any other suggestions please submit prior to the 6th August 2009. If no comments are received by this date Council will consider the name change on its merits at the Ordinary Council meeting to be held on the 21st September 2009.

Please note that the suggestions may or may not be accepted by the Geographic Names Committee upon request of final approval."

Consultation:

York Society Inc. were consulted in relation to appropriate names for the York District; and Geographic Names Committee.

Consultation was undertaken with Landgate – Geographic Names Committee to see if there was any possible way that Council may be able to use the words east, west, central etc. The use of these terms is not supported.

Due to time constraints the following information was provided in relation to the use of Ayoub Street:

“Firstly the principle of renaming disjointed (separated) roads is most definitely supported by Geographic Names and the Shire is to be congratulated for endeavouring to rectify these matters.

As discussed I have made a quick and basic assessment of the proposed names. I hope the following comments will be of assistance: -

Brunswick to Ayoub – the name is deemed suitable.”

All landowners located on the east portion of Brunswick Road were notified.

One response was received back and this information is provided below:

Submission 1:

“We refer to your letter, dated 27 July 09, referencing the Proposal to Change Road Name – Portion of Brunswick Road, and would like to sincerely thank you and the Council for your letter and the proposal to change a portion of Brunswick Road to Ayoub Street.

We are both flattered and humbled by your proposal and would be very proud should the proposal be accepted by the Geographic Names Committee. ”

Statutory Environment:

Land Administration Act.

The Geographic Names Committee – WA (Landgate) provides the following information:

“Procedure for Naming and Renaming Roads

New Roads - Survey documents require approved road names before the survey can be approved. The developer or their agent should be prompt in lodging a concept plan and a proposal for road names conforming to the above guidelines with the relevant local government. It may also be helpful to supply a copy to the Secretary, Geographic Names Committee. Local governments then propose the names to LANDGATE for approval. Following agreement between the Department and the local government, the names will be approved and all interested parties advised.

The selection of names is at local government discretion, and many local governments maintain lists of preferred names. There must be sound justification to propose alternative names, but some local governments allow developers discretion, particularly with larger developments. Short names are encouraged for short roads.

Existing Roads — Unnamed roads should be treated in a like manner to new roads. Proposals for renaming roads should follow the above guideline and be submitted through local government. Proposals should be accompanied by a map showing the extent of the name and full details on the name, including the reason for the selection.”

Policy Implications:

Nil.

Financial Implications:

Administration costs associated with staff time.

Strategic Implications:

Nil.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:**Site Inspection Undertaken:**

An inspection of the road revealed that there is only one house currently using Brunswick Road and the rest is vacant land.

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

There will be costs associated with the changing of addresses and legal documents etc, however it is deemed that the benefit of a quick service especially in times of near death experiences prevails over the financial impediment.

Social Implications:

The naming of roads should have a tangible connection to the community.

Environmental Implications:

Nil.

Comment:

The portion of Brunswick Road chosen to be renamed is that section from Avon Terrace to the railway line, as it is the shortest section and is less likely to create disruption.

Council endeavours to make the change as trouble-free as possible and it will liaise with the individuals to ensure that service agencies eg. Water Corporation, Australia Post etc are notified of any changes.

It should be noted that no change is required to be made to the titles, as the addressing component is automatically updated and amended in an electronic form by Landgate once approvals are issued. Titles rely on Deposited Plan, Folio and Volume numbers. No re-issue of titles will be provided. Legal documents eg. Wills normally do not change, as these should refer to Title details.

Landowners will be responsible to notify the Taxation Office, Medicare, Banks, Department for Planning and Infrastructure etc, anything dealing with personal details can not be completed by the Shire of York due to privacy issues.

The numbering on the western portion will not be changed at this time, as there is subdivision potential of the lots.

The whole purpose of this exercise is to ensure if people need Police assistance or the Ambulance etc it makes sure that they get there as speedily as possible as it can be critical in a life saving service.

Once Council endorses the name then the matter will be referred to the Geographic Names Committee for final approval.

The change will only become effective once the sign is erected and all processes carried out.

OFFICER RECOMMENDATION

RESOLUTION

110909

Moved: Cr Lawrance

Seconded: Cr Fisher

“That Council:

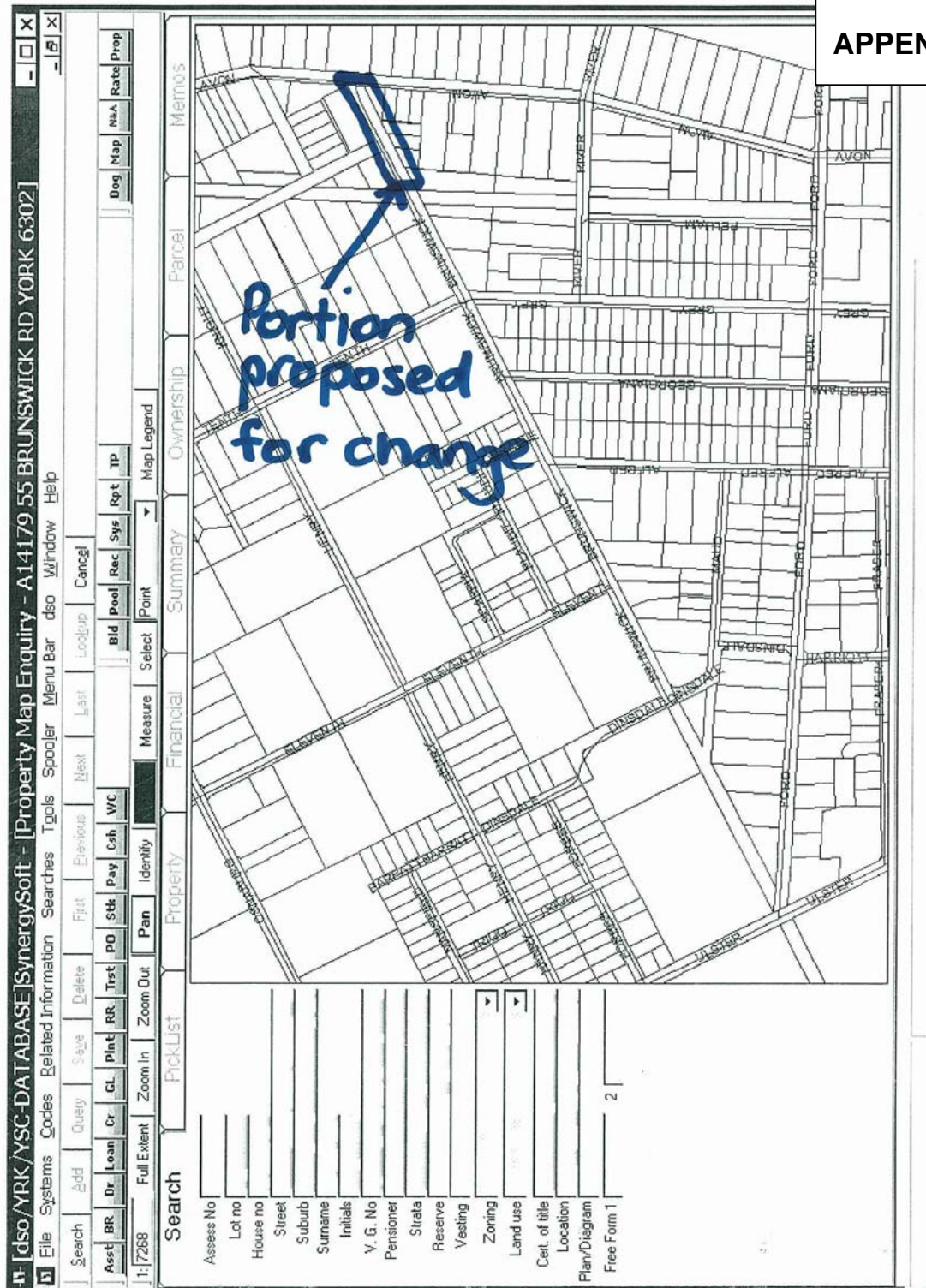
- 1. advise the Geographic Names Committee that it approves the use of the name Ayoub Street to be used on a portion of Brunswick Road, as per Appendix A;***
- 2. notify landowners in the vicinity of the proposed change; and***
- 6. thank those that put in submissions, the Geographic Names Committee – Jan Lonsdale for the assistance provided and the York Society Inc for assisting with the research of the proposed road names.***

Advice Note:

The following details were provided by the York Society Inc.:

“The Ayoub family have been a part of the history of York since the mid-1930’s. David Ayoub is a very familiar figure around the town and has given his time to a considerable number of charitable projects. It would be fitting to recognise these contributions to the community; particularly in the area where he lives.”

CARRIED (6/0)



ITEM 9.2.6
APPENDIX A

9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.7 WALGA Report on Road Assets and Expenditure 07/08

FILE NO:

COUNCIL DATE: 21 September 2009

REPORT DATE: 27 August 2009

LOCATION/ADDRESS: Shire of York

APPLICANT: WALGA

SENIOR OFFICER: Ray Hooper, CEO

REPORTING OFFICER: Ray Hooper, CEO

DISCLOSURE OF INTEREST: Nil

APPENDICES: Excerpts from the 2007/08 report

DOCUMENTS TABLED: 2007/08 Road Assets Report

Summary:

The WA Local Government Association undertakes an annual analysis of local government road assets and expenditure and the report tabled relates to the 2007/08 financial year.

The Shire of York is in the top 5 Shires for asset preservation for 07/08.

Background:

Across local government the shortfall between expenditure and asset preservation needs has increased from \$83.6 million in 03/04 to \$142.7 million in 07/08.

From 03/04 to 07/08 total road expenditure increased by 34.4%, federal road grants increased by 23%, state road grants increased by 37.3%, local government funds increased by 37.9% while road costs increased by 27.1%.

Consultation:

WA Local Government Association.

Statutory Environment:

Nil. Not a statutory requirement to participate in the assessment.

Policy Implications:

Nil

Financial Implications:

Staff costs in providing road expenditure and revenue details for assessment.

Strategic Implications:

Nil

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

An acceptable standard transport network is required for local, regional and state economic benefit.

Social Implications:

A safe and efficient road and street system is a primary requirement for rural residents and visitors.

Environmental Implications:

Nil associated with this report.

Comment:

While it is pleasing to note that York is in the top 5 Shires for asset preservation in 2007/08 it will become more difficult to retain this rating into the future due to competing demands for other community services from a restricted financial resource base over the period 1998/99 to 2007/08 the Shire of York has performed at acceptable levels except for 2001/02 and 2003/04 and these 2 low expenditure years necessitate a high level of catch-up expenditure and this need has not been met to date.

OFFICER RECOMMENDATION**RESOLUTION****120909****Moved: Cr Boyle****Seconded: Cr Walters*****“That Council:******Note the Shire of York performance levels for Road Asset Preservation and Expenditure for 2007/08.”******CARRIED (6/0)***

Table 19 [continued]
LOCAL GOVERNMENT ROAD EXPENDITURE EFFORT
FROM OWN RESOURCES

Local Governments with the highest and lowest road expenditure effort
in each group

Regional Road Group		Local Government	% of Revenue Capacity
Mid West	Highest	Chapman Valley	52
		Mingenew	38
		Geraldton Greenough	36
		Northampton	35
		Irwin	31
	Average		25
	Lowest	Mullewa	9
		Sandstone	4
		Coorow	0
		Cue	0
		Mount Magnet	0
Pilbara	Highest	Port Hedland	23
		East Pilbara	21
	Average		13
	Lowest	Roebourne	5
		Ashburton	3
South West	Highest	Harvey	38
		Capel	37
		Manjimup	37
		Nannup	33
		Collie	24
	Average		24
	Lowest	Boddington	20
		Waroona	19
		Bunbury	18
		Boyup Brook	17
		Augusta Margaret River	14
Wheatbelt North	Highest	Goomalling	63
		Wongan Ballidu	44
		York	40
		Chittering	39
		Victoria Plains	39
	Average		22
	Lowest	Mukinbudin	5
		Wyalkatchem	3
		Merredin	3
		Trayning	2
		Dowerin	1
Wheatbelt South	Highest	Beverley	47
		Narrogin (S)	45
		West Arthur	42
		Brookton	40
		Cuballing	35
	Average		21
	Lowest	Wickepin	9
		Wagin	7
		Bruce Rock	5
		Narembeen	5
		Corrigin	0

Wheatbelt North Road Group

Table A - Road Assets & Expenditure Indicators 2007-08

COUNCIL	Indicators					Road Expenditure				
	State of the Road Asset	Road Asset Consumption	Sealed Road Sustainability		Preservation Performance	Sealed Roads \$ per lane km	Sealed Roads \$ per lane km	Gravel Roads \$ per km	Formed Roads \$ per km	
			[4]	[3]						
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]		
CHITTERING CUNDERDIN DALWALLINU DANDARAGAN DOWERIN GINGIN GOOMALLING KELLERBERRIN KOORDA MERREDIN MOORA MOUNT MARSHALL MUKINBUDIN NORTHAM (S) NUNGARIN TAMMIN TODDYAY TRAYNING VICTORIA PLAINS WESTONIA WONGAN BALLIDU WYALKATCHAM YILGARN YORK	51%	3.6%	25%	60%	44,158	835	2,131	1,732		
	54%	4.2%	34%	47%	2,709	870	1,041	688		
	57%	4.5%	40%	68%	3,552	1,215	1,053	1,711		
	54%	3.8%	36%	55%	8,280	744	1,071	528		
	58%	4.8%	62%	52%	5,566	1,954	292	680		
	51%	3.7%	54%	72%	3,491	1,872	1,631	0		
	60%	3.9%	42%	57%	7,747	1,198	1,239	0		
	55%	4.4%	59%	53%	4,050	1,851	808	165		
	58%	4.5%	54%	55%	2,899	1,662	927	0		
	58%	4.1%	11%	15%	2,105	188	209	161		
	56%	3.9%	28%	43%	6,861	699	830	339		
	59%	5.0%	57%	47%	8,929	1,458	273	602		
	58%	4.6%	50%	35%	3,571	1,342	431	1,102		
	46%	5.6%	94%	38%	12,515	972	3,090	553		
	57%	4.5%	8%	23%	8,397	0	514	0		
	57%	4.5%	0%	58%	0	0	2,356	0		
	52%	3.4%	62%	78%	10,023	1,850	2,844	0		
	60%	4.6%	75%	45%	4,835	1,987	495	0		
	53%	4.4%	58%	71%	2,411	1,887	976	0		
	59%	5.1%	24%	42%	1,453	691	1,027	48		
55%	4.6%	40%	49%	7,467	1,027	984	0			
56%	4.5%	13%	41%	599	420	1,052	661			
58%	6.3%	50%	76%	629	1,790	2,494	123			
50%	3.7%	42%	51%	5,986	954	1,566	548			
Region	55%	4.2%	41%	52%	4,457	1,186	978	345		
State	61%	3.1%	53%	70%	6,503	1,322	1,195	440		

Wheatbelt North Road Group

Table B - Expenditure Statistics 2007-08

COUNCIL	Expenditure on Roads - \$000s				% Road Expenditure Spent on				
	Maintenance	Renewal	Capital Upgrade	Capital Expansion	Total	Maintenance	Renewal	Capital Upgrade	Capital Expansion
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]	[10]
CHITTERING	804	302	546	0	1,652	48.7%	18.3%	33.1%	0.0%
CUNDERDIN	517	435	175	0	1,127	45.9%	38.6%	15.5%	0.0%
DALWALLINU	796	2,020	26	56	2,898	27.5%	69.7%	0.9%	1.9%
DANDARAGAN	813	1,465	429	1,343	4,050	20.1%	36.2%	10.6%	33.2%
DOWERIN	317	608	59	8	992	32.0%	61.3%	5.9%	0.8%
GINGIN	1,134	1,495	221	49	2,899	39.1%	51.6%	7.6%	1.7%
GOOMALLING	555	231	985	0	1,771	31.3%	13.0%	55.6%	0.0%
KELLERBERRIN	458	662	0	0	1,120	40.9%	59.1%	0.0%	0.0%
KOORDA	338	1,046	96	45	1,525	22.2%	68.6%	6.3%	3.0%
MERREDIN	393	170	859	0	1,422	27.6%	12.0%	60.4%	0.0%
MOORA	774	363	1,579	0	2,716	28.5%	13.4%	58.1%	0.0%
MOUNT MARSHALL	784	765	493	0	2,042	38.4%	37.5%	24.1%	0.0%
MUKINBUDIN	286	592	156	0	1,034	27.7%	57.3%	15.1%	0.0%
NORTHAM (S)	1,179	164	925	0	2,268	52.0%	7.2%	40.8%	0.0%
NUNGARIN	228	0	354	0	582	39.2%	0.0%	60.8%	0.0%
TAMMIN	215	395	173	0	783	27.5%	50.4%	22.1%	0.0%
TOODYAY	777	1,265	994	7	3,043	25.5%	41.6%	32.7%	0.2%
TRAYNING	211	548	40	0	799	26.4%	68.6%	5.0%	0.0%
VICTORIA PLAINS	612	802	370	0	1,784	34.3%	45.0%	20.7%	0.0%
WESTONIA	135	594	245	0	974	13.9%	61.0%	25.2%	0.0%
WONGAN BALLIDU	916	444	884	282	2,526	36.3%	17.6%	35.0%	11.2%
WYALKATCHAM	415	262	174	0	851	48.8%	30.8%	20.4%	0.0%
YILGARN	1,171	1,159	982	0	3,312	35.4%	35.0%	29.6%	0.0%
YORK	847	460	650	299	2,256	37.5%	20.4%	28.8%	13.3%
Region	14,675	16,247	11,415	2,089	44,426	33.0%	36.6%	25.7%	4.7%
State	184,410	150,184	129,622	34,283	498,499	37.0%	30.1%	26.0%	6.9%

Wheatbelt North Road Group

Table C - Expenditure from Councils' Own Resources and Required Expenditure on Preservation

COUNCIL	Total Council Expenditure \$000s	Expenditure from Council's Own Resources \$000s	% of Total Road Expenditure	% Revenue Capacity needed to meet net road preservation needs	% of Revenue Capacity spent on roads	Expenditure \$ per person	Preservation	
							Required Expenditure \$000s	Actual Expenditure \$000s
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]
CHITTERING	1,652	964	58%	57%	39%	237	1,853	1,106
CUNDERDIN	1,127	284	25%	79%	17%	219	2,042	952
DALWALLINU	2,898	996	34%	104%	38%	726	4,154	2,816
DANDARAGAN	4,050	999	25%	75%	26%	318	4,143	2,278
DOWERIN	992	10	1%	80%	1%	13	1,771	925
GINGIN	2,899	1,430	49%	59%	32%	296	3,656	2,629
GOOMALLING	1,771	810	46%	71%	63%	800	1,371	786
KELLERBERRIN	1,120	174	16%	81%	10%	136	2,099	1,120
KOORDA	1,525	381	25%	102%	24%	809	2,497	1,384
MERRIDIN	1,422	84	6%	86%	3%	25	3,649	563
MOORA	2,716	403	15%	73%	16%	160	2,638	1,137
MOUNT MARSHALL	2,042	221	11%	96%	10%	329	3,324	1,549
MUKINBUDIN	1,034	72	7%	98%	5%	125	2,019	701
NORTHAM (S)	2,268	884	39%	42%	15%	83	3,493	1,343
NUNGARIN	582	91	16%	71%	10%	354	1,004	228
TAMMIN	783	143	18%	75%	15%	339	1,057	610
TOODYAY	3,043	682	22%	62%	23%	150	2,625	2,042
TRAYNING	799	21	3%	83%	2%	52	1,684	759
VICTORIA PLAINS	1,784	597	33%	83%	39%	636	1,979	1,414
WESTONIA	974	94	10%	102%	9%	443	1,747	729
WONGAN BALLIDU	2,526	970	38%	77%	45%	674	2,767	1,360
WYALKATCHEM	851	40	5%	84%	3%	72	1,639	677
YILGARN	3,312	781	24%	56%	25%	505	3,086	2,330
YORK	2,256	1,023	45%	65%	41%	297	2,582	1,307
Region	44,426	12,154	27%	73%	23%	244	58,858	30,745
State	498,499	259,838	52%	30%	23%	120	473,667	331,088

Wheatbelt North Road Group

Table D - Road and Bridge Data

COUNCIL	Road Data [km]			Bridge Data [square metres]				
	Sealed Roads	Paved Roads	Formed Roads	Unformed Roads	Total Road Length	Concrete Bridges	Timber Bridges	Foot Bridges
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]
CHITTERING	229	160	2	5	398	177	1,026	0
CUNDERDIN	240	383	132	26	781	177	436	0
DALWALLINU	481	1,041	361	27	1,910	0	0	0
DANDARAGAN	421	787	13	10	1,231	354	481	0
DOWERIN	170	493	210	66	939	69	0	0
GINGIN	450	339	24	19	832	33	1,084	0
GOOMALLING	102	399	82	5	587	613	779	0
KELLERBERRIN	229	406	297	7	939	381	320	0
KOORDA	253	743	93	0	1,088	0	0	0
MERREDIN	414	577	268	23	1,282	550	0	0
MOORA	306	490	121	19	937	1,329	501	0
MOUNT MARSHALL	296	970	440	12	1,719	0	0	0
MUKINBUDIN	187	579	126	13	905	0	0	0
NORTHAM (S)	424	274	18	5	721	2,942	2,680	0
NUNGARIN	106	360	23	17	506	0	0	0
TAMMIN	132	260	102	10	504	0	0	0
TOODYAY	284	288	35	28	635	1,740	3,702	0
TRAYNING	139	597	23	6	764	0	0	0
VICTORIA PLAINS	220	418	123	42	804	0	747	0
WESTONIA	131	517	209	25	882	0	0	0
WONGAN BALLIDU	342	464	497	19	1,321	0	185	0
WYALKATCHEM	144	494	61	23	721	0	0	0
YILGARN	225	481	1,608	368	2,713	0	0	0
YORK	272	253	146	3	674	250	3,442	0
Region	6,197	11,771	5,014	810	23,793	8,616	15,383	0
State	35,622	53,557	25,546	12,324	127,049	57,290	104,806	5,602

Wheatbelt North

Agricultural Shires without Large Towns
Table E - Road Asset and Expenditure Indicators

COUNCIL	State of the Road Asset	Road Asset Consumption	Sealed Road Sustainability	Preservation Performance	% Road Expenditure Spent on				Capital Expansion [New Roads]
					Maintenance [Existing Roads]	Renewal [Existing Roads]	Capital Upgrade [Existing Roads]		
	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]	
GREENBUSHE	[1] BEVERLEY	51%	3.4%	49%	57%	59%	23%	18%	0%
	BODDINGTON	52%	3.8%	39%	50%	34%	28%	38%	0%
	BOYUP BROOK	48%	4.3%	48%	61%	37%	60%	3%	0%
	BRIDGETOWN	55%	3.6%	44%	53%	20%	16%	62%	2%
	BROOKTON	51%	3.6%	44%	37%	48%	12%	40%	0%
	BROOMEHILL	55%	4.1%	20%	40%	46%	11%	43%	0%
	BRUCE ROCK	61%	3.3%	22%	27%	38%	22%	39%	0%
	CAPEL	53%	3.0%	58%	159%	24%	76%	0%	0%
	CARNAMAH	56%	4.0%	28%	49%	40%	29%	30%	0%
	CHAPMAN VALLEY	61%	4.6%	3%	80%	25%	22%	54%	0%
DUMBLEYUNG	CHITTERING	51%	3.6%	25%	60%	49%	18%	33%	0%
	COOROW	58%	4.2%	72%	79%	32%	56%	12%	0%
	CORRIGIN	54%	4.2%	4%	16%	41%	0%	59%	0%
	CRANBROOK	53%	3.9%	2%	16%	29%	0%	68%	3%
	CUBALLING	52%	3.7%	72%	85%	38%	62%	0%	0%
	CUNDERDIN	54%	4.2%	34%	47%	46%	39%	16%	0%
	DALWALLINU	57%	4.5%	40%	68%	27%	70%	1%	2%
	DANDARAGAN	54%	3.8%	36%	55%	20%	36%	11%	33%
	DARDANUP	53%	2.9%	73%	91%	34%	45%	17%	4%
	DENMARK	54%	3.7%	72%	94%	47%	31%	7%	15%
GINGIN	DONNYBROOK-BALINGUP	49%	3.3%	33%	37%	36%	19%	3%	41%
	DOWERIN	58%	4.8%	62%	52%	32%	61%	6%	1%
	DUMBLEYUNG	57%	4.5%	14%	23%	28%	9%	63%	0%
		51%	3.7%	54%	72%	39%	52%	8%	2%

Agricultural Shires without Large Towns [continued]
Table E - Road Asset and Expenditure Indicators

COUNCIL	State of the Road Asset	Road Asset Consumption	Sealed Road Sustainability	Preservation Performance	% Road Expenditure Spent on			
					Maintenance [Existing Roads]	Renewal [Existing Roads]	Capital Upgrade [Existing Roads]	Capital Expansion [New Roads]
	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]
GNOWANGERUP	58%	4.7%	14%	39%	44%	6%	50%	0%
GOOMALLING	60%	3.9%	42%	57%	31%	13%	56%	0%
IRWIN	55%	3.8%	35%	59%	39%	21%	37%	3%
CAPEL	53%	3.0%	58%	159%	24%	76%	0%	0%
JERRAMUNGUP	63%	4.8%	23%	83%	40%	48%	12%	0%
KELLERBERRIN	55%	4.4%	59%	53%	41%	59%	0%	0%
KENT	63%	5.2%	42%	44%	40%	8%	52%	0%
KOJONUP	55%	4.1%	21%	40%	49%	17%	34%	0%
KONDININ	61%	4.9%	8%	15%	18%	21%	29%	0%
KOORDA	58%	4.5%	54%	55%	22%	69%	6%	3%
KULIN	62%	4.9%	48%	58%	58%	27%	15%	0%
LAKE GRACE	62%	4.9%	73%	54%	48%	40%	12%	0%
MERREDIN	58%	4.1%	11%	15%	28%	12%	60%	0%
MINGENEW	60%	3.5%	55%	62%	30%	37%	33%	0%
MOORA	56%	3.9%	28%	43%	28%	13%	58%	0%
MORAWA	59%	5.0%	4%	61%	63%	27%	10%	0%
MOUNT MARSHALL	59%	5.0%	57%	47%	38%	37%	24%	0%
MUKINBUDIN	58%	4.6%	50%	35%	28%	57%	15%	0%
MULLEWA	58%	4.7%	33%	48%	36%	64%	0%	0%
NANNUP	53%	3.4%	0%	23%	27%	0%	73%	0%
NAREMBEEN	59%	4.7%	7%	25%	35%	14%	51%	0%
NARROGIN (S)	55%	4.8%	45%	62%	39%	18%	44%	0%
NORTHAMPTON	56%	4.0%	55%	87%	63%	23%	14%	0%
NUNGARIN	57%	4.5%	8%	23%	39%	0%	61%	0%
PERENJORI	61%	5.2%	38%	40%	42%	28%	30%	0%

Agricultural Shires without Large Towns [continued]
Table E - Road Asset and Expenditure Indicators

COUNCIL	State of the Road Asset	Road Asset Consumption	Sealed Road Sustainability	Preservation Performance	% Road Expenditure Spent on			
					Maintenance [Existing Roads]	Renewal [Existing Roads]	Capital Upgrade [Existing Roads]	Capital Expansion [New Roads]
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]
PINGELLY	51%	3.9%	16%	31%	36%	12%	52%	0%
PLANTAGENET	52%	4.4%	78%	94%	25%	42%	19%	14%
QUAIRADING	55%	4.0%	77%	60%	36%	64%	0%	0%
RAVENSTHORPE	61%	4.7%	39%	26%	53%	0%	47%	0%
TAMBELLUP	57%	4.2%	7%	53%	32%	33%	22%	12%
TAMMIN	57%	4.5%	0%	58%	27%	50%	22%	0%
THREE SPRINGS	59%	4.4%	28%	38%	24%	35%	36%	5%
TOODYAY	52%	3.4%	62%	78%	26%	42%	33%	0%
TRAYNING	60%	4.6%	75%	45%	26%	69%	5%	0%
VICTORIA PLAINS	53%	4.4%	58%	71%	34%	45%	21%	0%
WAGIN	56%	3.8%	18%	38%	38%	41%	21%	0%
WANDERING	51%	3.5%	7%	29%	48%	1%	32%	19%
WAROONA	52%	3.4%	47%	105%	18%	71%	11%	0%
WEST ARTHUR	53%	3.9%	28%	41%	58%	19%	23%	0%
WESTONIA	59%	5.1%	24%	42%	14%	61%	25%	0%
WICKEPIN	56%	4.8%	46%	55%	37%	62%	0%	1%
WILLIAMS	55%	4.0%	11%	37%	59%	3%	38%	0%
WONGAN BALLIDU	55%	4.6%	40%	49%	36%	18%	35%	11%
WOODANILLING	58%	4.5%	67%	63%	42%	58%	0%	0%
WYALKATCHEM	56%	4.5%	13%	41%	49%	31%	20%	0%
WYLGARN	58%	6.3%	50%	76%	35%	35%	30%	0%
YORK	50%	3.7%	42%	51%	38%	20%	29%	13%
Region Average	55%	4.1%	39.8%	53%	36%	33%	27%	4%
State Average	61%	3.1%	52.7%	70%	37%	30%	26%	7%

Agricultural Shires without Large Towns
Table F - Expenditure from Councils' Own Resources and Road Expenditure Statistics

COUNCIL	Councils' Own Resources				Expenditure on Existing Roads - \$'000s			
	% of Revenue Capacity required to achieve net road preservation needs	% of Revenue Capacity spent on roads	% of Total Road Expenditure	Expenditure \$ per person	Built up Areas	Outside Built up Areas	Sealed Roads \$ per km	Formed Roads \$ per km
	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]
BEVERLEY	110%	47%	47%	518	9,305	592	2,124	0
BODDINGTON	48%	20%	37%	177	3,242	1,213	1,165	0
BOYUP BROOK	87%	17%	20%	205	2,648	1,804	1,986	227
BRIDGETOWN GREENBUSHE	57%	22%	18%	152	14,180	610	419	3,472
BROOKTON	102%	40%	44%	500	12,866	522	704	1,572
BROOMEHILL	101%	36%	36%	636	2,371	663	975	437
BRUCE ROCK	99%	5%	8%	98	3,538	562	479	331
CAPEL	35%	37%	50%	164	8,761	1,282	2,895	781
CARNAMAH	71%	26%	32%	450	3,488	866	1,305	0
CHAPMAN VALLEY	45%	52%	33%	765	0	114	2,729	0
CHITTERING	57%	39%	58%	237	44,158	835	2,131	1,732
COOROW	72%	0%	0%	0	5,275	2,378	1,215	0
CORRIGIN	95%	-6%	-12%	-98	1,974	81	484	0
CRANBROOK	123%	14%	15%	213	135	54	579	676
CUBALLING	117%	35%	27%	482	39,716	2,121	1,254	589
CUNDERDIN	79%	17%	25%	219	2,709	870	1,041	688
DALWALLINU	104%	38%	34%	726	3,552	1,215	1,053	1,711
DANDARAGAN	73%	26%	25%	318	8,280	744	1,071	528
DARDANUP	32%	22%	43%	82	4,829	3,414	1,814	175
DENMARK	41%	33%	50%	220	11,926	1,725	1,598	213
DONNYBROOK-BALINGUP	78%	20%	30%	125	9,475	964	645	0
DOWERIN	80%	1%	1%	13	5,566	1,954	292	680
DUMBLEYUNG	95%	24%	27%	552	1,733	404	511	217
GINGIN	59%	32%	49%	296	3,491	1,872	1,631	0

Agricultural Shires without Large Towns [continued]
Table F - Expenditure from Councils' Own Resources and Road Expenditure Statistics

COUNCIL	Council's Own Resources				Expenditure on Existing Roads - \$000's			
	% of Revenue Capacity required to achieve net road preservation needs	% of Revenue Capacity spent on roads	% of Total Road Expenditure	Expenditure \$ per person	Built up Areas Sealed Roads \$ per lane km	Outside Built up Areas Sealed Roads \$ per lane km	Gravel Roads \$ per km	Formed Roads \$ per km
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
GNOWANGERUP	68%	12%	15%	180	2,519	322	1,111	0
GOOMALLING	71%	63%	46%	800	7,747	1,198	1,239	0
IRWIN	47%	31%	51%	199	5,592	541	1,326	0
CAPEL	35%	37%	50%	164	8,761	1,282	2,895	781
JERRAMUNGUP	61%	50%	55%	864	6,230	396	1,690	373
KELLERBERRIN	81%	10%	16%	136	4,050	1,851	808	165
KENT	71%	36%	34%	1032	15,265	1,037	485	624
KOJONUP	100%	19%	23%	188	3,618	666	506	361
KONDININ	80%	15%	18%	299	1,408	285	512	348
KOORDA	102%	24%	25%	809	2,899	1,662	927	0
KULIN	91%	24%	21%	533	8,113	1,629	1,171	0
LAKE GRAC E	86%	24%	29%	523	6,190	2,735	595	342
MERRIDIN	86%	3%	6%	25	2,105	188	209	161
MINGENEW	74%	38%	35%	827	6,319	1,478	1,078	1,039
MOORA	73%	16%	15%	160	6,861	699	830	339
MORAWA	64%	15%	20%	258	3,807	24	1,653	162
MOUNT MARSHALL	96%	10%	11%	329	8,929	1,458	273	602
MUKINBUDIN	98%	5%	7%	125	3,571	1,342	431	1,102
MULLEWA	82%	9%	15%	191	722	1,047	923	503
NANNUP	100%	33%	27%	379	0	0	1,661	0
NAREMBEEN	85%	5%	7%	111	1,175	220	583	0
NARROGIN (S)	69%	45%	36%	121	948	1,618	838	822
NORTHAMPTON	54%	35%	43%	344	8,984	1,793	2,160	0
NUNGARIN	71%	10%	16%	354	8,397	0	514	0
PERENJORI	90%	21%	26%	705	3,989	1,243	607	116

**Agricultural Shires without Large Towns [continued]
Table F - Expenditure from Councils' Own Resources and Road Expenditure Statistics**

COUNCIL	Councils' Own Resources				Expenditure on Existing Roads - \$000s				
	% of Revenue Capacity required to achieve net road preservation needs	% of Revenue Capacity spent on roads	% of Total Road Expenditure	Expenditure \$ per person	Built up Areas		Outside Built up Areas		
					Sealed Roads \$ per lane km	Sealed Roads \$ per lane km	Gravel Roads \$ per km	Formed Roads \$ per km	
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]	[9]	
PINGELLY	104%	19%	22%	206	3,504	229	1,761	122	
PLANTAGENET	67%	60%	44%	431	7,048	3,000	1,362	28	
QUAIRADING	99%	31%	37%	456	9,762	2,230	558	557	
RAVENSTHORPE	68%	13%	17%	128	10,031	1,541	180	931	
TAMBELLUP	81%	33%	35%	508	1,843	134	1,021	322	
TAMMIN	75%	15%	18%	339	0	0	2,356	0	
THREE SPRINGS	85%	21%	25%	379	13,998	240	749	187	
TOODYAY	62%	23%	22%	150	10,023	1,850	2,844	0	
TRAYNING	93%	2%	3%	52	4,835	1,987	495	0	
VICTORIA PLAINS	83%	39%	33%	636	2,411	1,887	976	0	
WAGIN	74%	7%	14%	72	721	639	626	0	
WANDERING	136%	25%	23%	452	1,878	197	1,496	830	
WAROONA	51%	19%	23%	125	16,279	2,021	598	0	
WEST ARTHUR	130%	42%	48%	712	4,221	1,051	1,066	430	
WESTONIA	102%	9%	10%	443	1,453	691	1,027	48	
WICKEPIN	71%	9%	13%	167	4,757	1,026	1,279	67	
WILLIAMS	88%	23%	33%	287	2,070	398	1,270	0	
WONGAN BALLIDU	77%	45%	38%	674	7,467	1,027	984	0	
WOODANILLING	90%	14%	17%	286	6,756	2,254	825	537	
WYALKATCHEM	84%	3%	5%	72	599	420	1,052	661	
YILGARN	56%	25%	24%	505	629	1,790	2,494	123	
YORK	69%	41%	45%	297	5,986	954	1,566	548	
Region Average	74%	24%	29%	241	5,505	1,153	969	318	
State Average	30%	23%	52%	120	6,503	1,322	1,195	440	

Sources of Road Funds - 1998-99 to 2007-08

Year	Federal		State		Private		Own Resources		Total
	\$000s	%	\$000s	%	\$000s	%	\$000s	%	\$000s
Wheatbelt North Region [continued]									
Wyalkatchem									
1998-99	259	52.1%	192	38.6%	0	0.0%	46	9.3%	497
1999-00	261	50.0%	192	36.8%	0	0.0%	69	13.2%	522
2000-01	365	57.3%	143	22.4%	0	0.0%	129	20.3%	637
2001-02	476	77.3%	140	22.7%	0	0.0%	0	0.0%	616
2002-03	451	71.1%	183	28.9%	0	0.0%	0	0.0%	634
2003-04	492	64.3%	273	35.7%	0	0.0%	0	0.0%	765
2004-05	467	69.0%	210	31.0%	0	0.0%	0	0.0%	677
2005-06	538	71.3%	178	23.6%	0	0.0%	39	5.2%	755
2006-07	549	66.9%	232	28.3%	0	0.0%	40	4.9%	821
2007-08	536	63.0%	275	32.3%	0	0.0%	40	4.7%	851
Yilgarn									
1998-99	711	44.7%	646	40.6%	0	0.0%	233	14.7%	1,590
1999-00	679	36.9%	953	51.8%	0	0.0%	209	11.4%	1,841
2000-01	967	39.3%	1,400	56.8%	0	0.0%	96	3.9%	2,463
2001-02	1,159	43.5%	1,281	48.0%	61	2.3%	165	6.2%	2,666
2002-03	1,124	45.7%	1,226	49.8%	27	1.1%	85	3.5%	2,462
2003-04	1,340	42.7%	1,455	46.4%	45	1.4%	299	9.5%	3,139
2004-05	1,295	47.3%	976	35.7%	19	0.7%	445	16.3%	2,735
2005-06	1,352	54.3%	625	25.1%	32	1.3%	482	19.3%	2,491
2006-07	1,377	53.2%	579	22.4%	11	0.4%	621	24.0%	2,588
2007-08	1,609	48.6%	682	20.6%	240	7.2%	781	23.6%	3,312
York									
1998-99	618	49.0%	206	16.3%	0	0.0%	436	34.6%	1,260
1999-00	445	40.8%	281	25.8%	0	0.0%	365	33.5%	1,091
2000-01	428	41.7%	316	30.8%	3	0.3%	280	27.3%	1,027
2001-02	704	47.4%	642	43.2%	0	0.0%	139	9.4%	1,485
2002-03	673	49.5%	362	26.6%	18	1.3%	307	22.6%	1,360
2003-04	787	63.7%	379	30.7%	6	0.5%	64	5.2%	1,236
2004-05	661	47.6%	176	12.7%	0	0.0%	553	39.8%	1,390
2005-06	866	31.9%	900	33.1%	0	0.0%	951	35.0%	2,717
2006-07	748	39.9%	252	13.4%	107	5.7%	770	41.0%	1,877
2007-08	745	33.0%	488	21.6%	0	0.0%	1,023	45.3%	2,256

CONCLUSIONS 2007-08 REPORT

1. Local Government is responsible for 127,049 kilometres of local roads of which 28% are sealed. The local roads make up 72% of the WA road network. Local Government roads have a replacement value of \$17.72 billion as at 30 June 2008.
2. The local road network includes 167,698 square metres of bridges: 104,806 square metres of these bridges are timber. Of the \$17.72 billion replacement value of Local Government roads, \$1.03 billion is comprised of bridges.
3. The written down value of the road network is \$10.79 billion. The National Local Roads Data System uses the percentage of written down value over current replacement value as an indicator of the state of the road network. It is 61% for WA compared to the national average of 64%. The comparable percentage for State highways and main roads in WA is 64%.
4. Road asset consumption, a National Performance Measure, is the rate at which road assets are being consumed. It expresses asset consumption as a percentage of current replacement cost. WA's road asset consumption is 3.1% - slightly worse than the national average of 2.7%.
5. The estimated cost of maintaining WA's road network at its current condition in 2007-08 was \$473.7 million. Local Governments spent only \$331.1 million, a shortfall of \$142.6 million.
6. In the last five years the shortfall has increased from \$83.6 million in 2003-04 to \$142.6 million in 2007-08.
7. A contributing factor to the increase in the shortfall is that the cost of maintaining the road network is increasing at a faster rate than road funding.
8. State wide, Local Government provided 52.1% of its total road expenditure from its own resources, equivalent to 23% of its revenue capacity.
9. The sustainability of sealed roads is a National Performance Measure. It is a measure of the level of current maintenance and renewal expenditure expressed as a percentage of the life cycle cost. WA's performance is 52.7% similar to the national average of 53.5%.
10. Roads in the Metropolitan region are in better condition than roads elsewhere. The reason for this is that Metropolitan Councils have a much greater revenue capacity to satisfy their road needs from their own resources than other Councils. For example:
 - Councils in the Metropolitan Region have to spend only 20% of their revenue capacity to make up the difference between their road preservation needs and the road grants they receive for preservation.
 - Councils in Wheatbelt South would have to spend 90% while Councils in Wheatbelt North would have to spend 73% of their entire revenue capacity on road preservation to make up the difference between their road preservation needs and the road grants they receive for preservation.
11. Expenditure on upgrading and expansion of the existing road network [\$163.9 million in 2007-08] has increased 37.4% since 2003-04, while expenditure on preservation [\$334.6 million] has increased by 33.0% over the five years between 2003-04 and 2007-08.

Important statistics are presented graphically in the following pages.

9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.8 100th Anniversary – Town Hall -Working Party

FILE NO:	CCP.1
COUNCIL DATE:	21 September 2009
REPORT DATE:	3 September 2009
LOCATION/ADDRESS:	Shire of York
APPLICANT:	Not Applicable
SENIOR OFFICER:	Ray Hooper
REPORTING OFFICER:	Tyhscha Cochrane
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Nil

Summary:

The town of York will celebrate the 100th anniversary of its iconic town hall in 2011. There has been significant interest in holding an opening for this prestigious building.

To ensure that such events are organised in a coordinated and effective manner, it is proposed that Council form a working party of relevant stakeholders to oversee the planning and coordination of the 100th anniversary celebrations of the Town Hall.

Background:

As this is a Council owned building it would be required to form a working party, comprised of representatives from invited community groups, to assume this role of assisting with an organised event.

At a Forward Planning meeting of Councillors and Staff it was agreed that a working party should be comprised of one representative from the following organisations:

- York Shire Council;
- Councillor;
- York Society Inc;
- WASO;
- Kris Bizzaca;
- Heritage Council of WA;
- Ratepayers Association;
- Friends of Blandstown; and
- National Trust.

A maximum of eight people on the Working Party will ensure that the meeting has a wide variety of knowledge and expertise.

Consultation:

Several discussions have been held with Councillors and individuals in regards to having a celebration of the Town Hall's 100th year.

All of these meetings have resulted in general agreement that a working party is required.

Statutory Environment:

Local Government Act 1995, (As Amended)

Policy Implications:

Nil

Financial Implications:

The event is not to occur until 2011 and therefore Council will not incur any significant financial expenditure for this year, however, it is anticipated that the cost of upgrading the hall and hosting various events to appropriately mark this occasion will give rise to expenditure implications for the Council.

It is envisaged that Council will aim to obtain grants through the process.

Strategic Implications:

The 100th Anniversary celebrations is in keeping with this strategic direction to promote the York Shire as a “festival” town and will enhance York’s reputation as a venue for the staging of such events etc in the future.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

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

The 100th Anniversary will provide significant economic benefit to local businesses and the district in general, as a result of the large number of visitors that are expected to visit York.

Social Implications:

The purpose of celebrating the 100th year of the Town Hall may foster and promote civic pride in York.

Environmental Implications:

The built heritage environment shall be acknowledged. The Town Hall is listed on the State Register of the Heritage Council of WA.

Comment:

As above.

OFFICER RECOMMENDATION

RESOLUTION

130909

Moved: Cr Boyle

Seconded: Cr Randell

“That Council:

- 1. *Form a 100th Anniversary Working Party comprised of a representative from the following:***

***York Shire Council;
Councillor;
York Society Inc;
WASO;
Kris Bizzaca;
Heritage Council of WA;
Ratepayers Association;
Friends of Blandstown; and
National Trust.***

- 2. *Organise an appropriate official opening for the 100th celebrations.***

CARRIED (5/1)

9. OFFICER'S REPORTS
9.2 ADMINISTRATION REPORTS
9.2.9 Medical Service Support

FILE NO:	HO3.50031
COUNCIL DATE:	21 September 2009
REPORT DATE:	11 September 2009
LOCATION/ADDRESS:	Shire of York
APPLICANT:	Gemini Medical Services
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Ray Hooper, CEO
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Funding Agreement

Summary:

Gemini Medical Services requests Council support for the attraction and retention of a further two (2) doctors for York.

The support required is for the provision of a further vehicle and the upgrading of an existing doctors residence suitable for a family.

Background:

The current agreement to support medical services in York by the provision of two (2) residences and two (2) vehicles was entered into on the 21/3/05 and this agreement expires on the 30/6/11.

Consultation:

Gemini Medical Services
York Medical Centre

Statutory Environment:

Civil contract through a legal agreement.

Policy Implications:

Nil

Financial Implications:

The cost of providing a further vehicle is estimated at \$6,000 per annum. Renovations to and upgrading of a current residence is estimated at \$25,000.

Strategic Implications:

Key Result Area 7: Community Services

- 1. To meet community needs in terms of physical infrastructure and overall community services.*
- 2. To provide and maintain high quality services and infrastructure in an efficient and cost effective way.*
- 3. To ensure a safe community environment.*

Voting Requirements:

Absolute Majority Required: **Yes**

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Additional doctors at the York Medical Centre will increase the viability of the practice and assist local businesses by making York a place of choice to live.

Social Implications:

The community will benefit from more doctors in town to meet the health needs of York.

Environmental Implications:

Nil for this application.

Comment:

Financial figures provided by Gemini Medical Services indicate that Council support is needed to ensure practice viability and to provide greater medical service choice for York and adjoining areas.

It is of concern that local government is required to part fund medical services in rural areas as this should be a role of federal and state governments or be based on viable private practice.

The renovations/ repairs/ upgrading of the current residence will be a budget variation or there may be an opportunity to have this funded from the regional or local component of the Country Local Government Fund under the Royalties for Regions.

It is considered that any agreement entered into should initially be to the expiry date of the current agreement and that all arrangements be re-negotiated at this time.

OFFICER RECOMMENDATION

RESOLUTION

140909

Moved: Cr Lawrance

Seconded: Cr Boyle

“That Council:

- 1. Approve a variation to the existing funding agreement between Gemini Medical Services to allow for the provision of an additional vehicle through a monthly cash contribution of up to \$500 being equal to the existing contribution for a doctor’s vehicle.***
- 2. That the funding agreement variation in Item 1 apply for the period to 30th June, 2011.***
- 3. An application be made through the relevant component of the Country Local Government Fund for the cost of housing repairs/ renovations.***
- 4. Approve a budget variation to bring into effect Items 1, 2 and 3.***

Advice Note:

The payment of the additional funding for a third vehicle will only come into effect when the new doctor relocates to York to commence duties.

CARRIED (6/0)

9. OFFICER'S REPORTS

9.2 ADMINISTRATION REPORTS

9.2.10 Youth Development Officer's Report

FILE NO:	CS.LCS.6
COUNCIL DATE:	21 September 2009
REPORT DATE:	15 September 2009
LOCATION/ADDRESS:	Not Applicable
APPLICANT:	Not Applicable
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Kim Crawford, YDO
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Nil

Summary:

Following a staff review, the Youth Development Officer is required to give a monthly report of progress, projects and events that young people in York are initiating and participating in.

Background:

The YDO (Youth Development Officer) has completed the following:

The YDO held one full YAC meeting and two fund raising sub-committee meetings.

The YDO has transported young people and assisted at two Northam PCYC youth dances.

The YDO transported young people and assisted the YDO of Beverley in a Friday activity night.

The YDO assisted with York District School Sports Carnival.

The YDO is helping to plan and organise at the Recreation Centres for the Shires of Northam and York in their joint participation in The Commonwealth Banks Midnight Basketball Program. Each Recreation Centre would hold the competition on rotating basis for 8 weeks

The Midnight Basketball is a diversionary programme designed to positively influence youth by getting them into a basketball stadium on Saturday nights when they are most at risk of harm, including self-harm, or anti-social behaviour and when other community services are not available.

The first Midnight Basketball program was launched in Redfern Sydney in 2006. Midnight Basketball is open to youth aged 12 to 18 years.

Midnight Basketball Communities run the tournament twice each year for 8 weeks per tournament. It runs on Saturday nights between 7.30pm and Midnight.

Tournament nights include:

The Tournament Manager briefs all volunteers and youth workers, professional referees, security, police, bus drivers, and many more – typically around 15 volunteers per night. Many of these volunteers will not have previously engaged with the youth participants so brings great opportunities to both parties.

In order to stay focussed and energetic for the night ahead, players arrive at 7:30pm and are fed a nutritious meal, with lots of messages about nutrition and the benefits of sitting down to dinner together with team mates, team managers and other community volunteers.

In keeping with our motto “No Workshop, No Jump Shot”, players must attend the workshop in order to participate in the basketball competition. Building on essential life skills, the compulsory life-skills workshops deal with real and relevant issues and can include:

- Nutrition & Health
- Substance, Emotional and Physical Abuse including Self-Harm Impulse and Anger Control
- Conflict Resolution and Communication Skills
- Decision Making and Problem Solving Skills
- Self Esteem and Confidence Building
- Making Positive Choices
- Personal and Community Engagement Skills
- Cultural Development and Awareness
- Financial Literacy
- Job Readiness

With the workshop complete - the basketball competition begins with players participating in at least three matches of basketball per night. Basketball is a crucial element to the success of the program due to its unique qualities as a team sport. It provides an opportunity to build leadership skills encourages teamwork and improves fitness and focus.

Finally, at the end of the night, a bus takes the players safely home to their front door, happy and exhausted.

A small grant to cover some of the expense of running the program is available to successful applicants.

The following is a proposed budget for the program.

Participant/Entrance fees	\$120.00	Administration and Staffing costs	\$840.00
Midnight Basketball Program Grant	\$500.00	Bus Hire	\$208.00
		Hall Hire	\$181.80
TOTAL	\$ 620.00	TOTAL	\$1229.80

The Youth Leadership Camp program planning is progressing nicely. The YDO has included an outline of camp activities for comment

Updated (& suggested) Camp Program

Day 1 – Tuesday 6 th October		
11am	Arrive & Lunch	
12.30pm	Goal Setting	Michelle & Jodie
1.30pm	Amazing Race (includes afternoon tea break) Employment & Study themed challenge activities	Michelle & Jodie
4.30pm	Break	
5pm	Surprise Iron Chef (45 min)/ Break	Michelle & WYLD team member Linda Roser
7pm	Dinner	
8pm	Speed Networking & Motivational Speaker	Jodie & Ray Pedretti
9.30pm	Milo & chat	
10.30pm	Lights out	
Day 2 – Wednesday 7 th October		
7.30am	Breakfast	
9am	Brainstorming 2010 projects	Michelle & Jodie
10am	Morning Tea	
10.30am	Communication Skills Workshop	Facilitator (Jodie organise)
12pm	Lunch	
1pm	Leadership Challenge (Leadership & team skills)	Kim
3pm	Afternoon tea	
3.30pm	Set-up Halloween Event	Youth Coordinators
5.30pm	Get ready	
7pm	Dinner	All
8.30pm	Social dance	
10.30pm	Finish	
Day 3 – Thursday 8 th October		
8.30am	Breakfast	
9.30am	What if you were lost in the bush? - Survival Skills	Kim
10.45am	Morning Tea	
11.15.am	Playback Theatre – What is an Effective Leader	Jodie
12.30pm	Lunch	
1.30pm	Goal – setting, reflection & de-brief	Michelle & Jodie
3pm	Closure	

Original draft camp program (as per grant application)

Day 1 – Tuesday 6 th October		
11am	Arrive & Lunch	
12.30pm	Goal Setting	
1.30pm	Amazing Race (includes afternoon tea break)	Leader roles & team work
4.30pm	Break	
5pm	Surprise Iron Chef (45 min)/ Break	Leader roles & team work
7pm	Dinner	
8pm	Team Quiz activity	Team work
9.30pm	Milo & chat	
10.30pm	Lights out	
Day 2 – Wednesday 7 th October		
7.30am	Breakfast	
9am	Concurrent workshops Session 1 Brainstorming, Communication Skills, Employment	3 x Group sessions

10.30am	Morning Tea	
11am	Concurrent workshops Session 2 Brainstorming, Communication Skills, Study	3 x Group sessions
12.30pm	Lunch	
1.30pm	Concurrent workshops Session 3 Preparing a Project Plan, Employment, Study	3 x Group sessions
3pm	Afternoon tea	
3.30pm	Set-up Halloween Event	Youth Coordinators
5.30pm	Get ready	
7pm	Networking activity, Motivational Speaker & Dinner	All
8.30pm	Social dance	
10.30pm	Finish	
Day 3 – Thursday 8 th October		
8.30am	Breakfast	
9.30am	Survival Skills	Leader roles & team work
10.45am	Morning Tea	
11.15.am	Playback Theatre – What is an effective Leader	All
12.30pm	Lunch	
1.30pm	Goal – setting, reflection & de-brief	All
3pm	Closure	

Target Audience & Location

The WYLD camp will be made available young people (aged 12 to 25 years). The original concept for a Youth Leadership Camp had hoped to offer two places to identified youth leaders from each of the 43 Wheatbelt Shires. This had to be scaled back due to issues with managing such a large group, finding an appropriate venue to cater for this number and cost. The camp aims to host places for up to 40 young people (and minimum of five – max 8 support people including WACC staff). WYLD members will have first option with additional places made available to identified Wheatbelt Youth leaders through a nomination process.

Wicked Wednesday Excursion Program

The YDO has started a Wicked Wednesday activities program. We had our first excursion on September 26th and 18 young people attended. The program will run the third Wednesday (early school closer) of the month except during school holidays. The program is an attempt to give the young people of York an opportunity to get out of York and attend a fun activity such as movies, plays, museums, and sporting events. The Council contribution is calculated at \$1920.00 and this is not included in the 09/10 budget. The cost is only for the hire of the bus. Young people who do participate will pay their own costs. The YDO will adjust his work schedule to accommodate the program.

The YDO is finishing the final costing for the Youth Centre project.

Consultation:

YAC, Local Youth, Wheatbelt ACC, Northam PCYC, Northam Recreation Centre

Bus Hire (6 events at 200 kml per trip x	
\$1.30 per kml)	
TOTAL	\$1920.00

Statutory Environment:

NA

Policy Implications:

Nil

Financial Implications:

Activities and initiatives are funded in the budget or through grants and user pays contributions.

Strategic Implications:

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

Triple bottom Line Assessment:

Economic Implications:

Nil at this stage.

Social Implications:

A strong focus will support community cohesion and interaction through the recognition and valuing of this section of the community.

Environmental Implications:

NA

Comment:

OFFICER RECOMMENDATION

RESOLUTION

150909

Moved: Cr Randell

Seconded: Cr Boyle

“That Council:

- 1. Fund the Wicked Wednesday Program to a maximum cost of \$1920.00 from the Youth Services budget allocation.***
- 2. Supplement the Commonwealth Banks funding of the Midnight Basketball Program to a maximum of \$600 from the Youth Services budget allocation.***
- 3. Note the activities and initiatives of the Youth Development Officer and the Youth Advisory Committee.”***

CARRIED (6/0)

9.3 Finance Reports

9. OFFICER'S REPORTS

9.3 FINANCE REPORTS

9.3.1 Monthly Financial Reports - August 2009

FILE NO:	FI.FRP
COUNCIL DATE:	21st September 2009
REPORT DATE:	16th September 2009
LOCATION/ADDRESS:	Not Applicable
APPLICANT:	Not Applicable
SENIOR OFFICER:	Graham Stanley, Deputy CEO
REPORTING OFFICER:	Colin Whisson, Administration Officer
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Yes – Appendix A as detailed in Summary
DOCUMENTS TABLED:	Nil

Summary:

The Financial Report for the period ending 31 August 2009 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 & Fuel Card Summary

Consultation:

Nil.

Statutory Environment:

Local Government Act 1995 (As Amended).

Local Government (Financial Management) Regulations 1996 (As Amended).

Policy Implications:

Nil.

Financial Implications:

The following information provides balances for key financial areas for the Shire of York's financial position as at 31 August 2009;

Sundry Creditors as per General Ledger	\$	59,387.42
Sundry Debtors as per General Ledger	\$	366,516.63
Unpaid rates and services current year (paid in advance inc. ESL)	\$	3,519,498.29
Unpaid rates and services previous years (inc. ESL)	\$	267,371.29

Strategic Implications: Nil

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

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

A zero balance or surplus end of year financial position will increase community confidence and cohesion and provide an opportunity for improved community benefits in future years.

Social Implications:

Not applicable.

Environmental Implications:

Not applicable.

Comment:

At the time of submitting the report for agenda the financial statements had not been finalized. These reports will be included and circulated prior to council meeting.

OFFICER RECOMMENDATION**RESOLUTION**

160909

Moved: Cr Lawrance

Seconded: Cr Fisher

“That Council:

Receive the Monthly Financial Reports for July and August 2009 and ratify payments drawn from the Municipal and Trust accounts for the period ending 31 August 2009:

	<u>VOUCHER</u>	<u>AMOUNT</u>
<u>MUNICIPAL FUND</u>		
Cheque Payments	28357-28427	\$ 1,017,334.42
Electronic Funds Payments	5886-5980	\$ 218,165.65
Direct Debits Payroll		\$ 112,941.72
Bank Fees		\$ 471.79
Corporate Cards		\$ 6,512.68
Photocopier Lease		\$ 0.00
Shell Cards		\$ 7.50
TOTAL		\$ 1,355,433.76
<u>TRUST FUND</u>		
Cheque Payments	3620-3621	\$ 7,250.00
Direct Debits Licensing		\$ 124,119.50
TOTAL		\$ 131,369.50
TOTAL DISBURSEMENTS		\$ 1,486,803.26

CARRIED (6/0)

Note to this item

The Chief Executive Officer has delegated authority under Delegation DE1 (Council Meeting 22 September 2008) to make payments from the Municipal and Trust accounts.

**Item 9.3.1
Appendix A**

BANK RECONCILIATION				
AUGUST 2009				
		MUNICIPAL	TRUST	RESERVE
OPENING BALANCE PER SYNERGY		1,368,853.65	504,505.96	2,813,794.36
Receipts as per daily cash book		190,909.22	130,503.47	
Reserve - Muni Transfer		900,000.00		
Muni - Reserve Transfer (via cheque to Westpac Bank)				900,000.00
Reserve Interest 119521748 - July				0.44
Reserve Interest 119521748 - August				13.77
TOTAL RECEIPTS		1,090,909.22	130,503.47	900,014.21
Cancelled Cheques	28355-28356	0.00		
Payment as per schedule cheques	28357-28427	(1,017,334.42)		
EFT Direct payments	5886-5980	(218,165.65)		
Payment as per schedule chqs - Trust	3620-3621		(7,250.00)	
Direct Debit Licensing			(124,119.50)	
Direct Debit Payroll		(112,941.72)		
Bank fees BendigoTrust		(78.10)		
Bank fees Bendigo Muni		(114.34)		
Bank fees Bendigo Reserve				(1.60)
Business Cards Bank Fees		(8.00)		
Dishonour Cheque Fee		(10.00)		
Eftpos Bank Fee Trust		(149.72)		
Eftpos Bank Fee Muni		(111.63)		
TOTAL BANK FEES	(471.79)			
Business Card Bendigo - CEO		(621.54)		
Business Card Bendigo - DCEO		(127.39)		
PAYMENTS IN ADVANCE - Previous month				
PAYMENTS IN ADVANCE - Current month	(5,763.75)			
NET PAYMENTS IN ADVANCE	(5,763.75)			
TOTAL BUSINESS CARDS Direct Debits AUGUST	(6,512.68)			
Lease photocopier		0.00		
Shell Card		(7.50)		
Muni - Reserve Transfer				
Reserve - Muni Transfer				(900,000.00)
Rounding		(0.33)		
TOTAL EXPENDITURE		(1,349,670.34)	(131,369.50)	(900,001.60)
CLOSING BALANCE - CALCULATED		1,110,092.53	503,639.93	2,813,806.97
CLOSING BALANCE - SYNERGY		1,110,092.53	503,639.93	2,813,806.97
DIFFERENCE		-	-	-

BALANCES AS PER BANK STATEMENTS				
BENDIGO MUNICIPAL 118630623		1,004,439.63		
BENDIGO MUNICIPAL AT-CALL ACCT 61158		540,000.00		
BENDIGO MUNICIPAL NCD 121617 DUE 29/9/09		500,000.00		
BENDIGO TRUST 13074174			308,967.65	
BENDIGO TRUST NCD 127380 Open space			127,184.76	
BENDIGO TRUST NCD 127373 Defects liability			71,719.23	
BENDIGO RESERVE 119521748				111,067.10
BENDIGO RESERVE AT-CALL ACCT				900,000.00
BENDIGO RESERVE NCD DUE 29/9/09				571,739.87
BENDIGO RESERVE NCD DUE 17/11/09				331,000.00
WESTPAC RESERVE 14-4040				0.00
WESTPAC RESERVE NCD 14-4120 26/11/2009				300,000.00
WESTPAC RESERVE NCD 14-4139 26/12/2009				300,000.00
WESTPAC RESERVE NCD 14-4147 24/02/2010				300,000.00
TOTAL PER BANK STATEMENTS		2,044,439.63	507,871.64	2,813,806.97
RECONCILING ITEMS				
Plus Outstanding Deposits		40,584.76	4,625.99	
Less June credit - receipted September		(1,500.00)		
Less Outstanding cheques (includes \$900,000 cheque Reserve NCDs)		(933,654.52)	(2,050.00)	
Less Outstanding Licence Debits			(7,317.70)	
Less August credits - receipted September		(12,768.23)		
Less Unidentified Direct Credit - Nov 07		(346.83)		
Less O/bank - unidentified money order 27/11/08		(250.00)		
Plus Dishonoured Cheque		1,400.00	500.00	
Less returned EFT payment 23/7/09		(55.00)		
Less Outstanding EFT payments		(33,506.92)		
Underbank 27/2/08			10.00	
Overbank 4/9/09		(14.00)		
Plus payments in advance to Business Cards		5,763.75		
Adjustments		(0.11)		
TOTAL CLOSING BALANCE - CALCULATED		1,110,092.53	503,639.93	2,813,806.97
- PER SYNERGY		1,110,092.53	503,639.93	2,813,806.97
DIFFERENCE		-	-	-

Date: 09/09/2009
Time: 11:06:10AM

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

USER:Annette Hunt
PAGE:2

Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
		BRIAN GORDON JOHNS		
INV REFUN:		REFUND RURAL STREET ADDRESS NUMBER - NOT REQUIRE	55.00	
		ADRIAN BERNARD LISTER		
28375		REFUND RURAL STREET ADDRESS NUMBER - NOT REQUIRE		55.00
INV REFUN:			55.00	
		BARRINGTON JOHN BOUCHER		
28376		REFUND RURAL STREET ADDRESS NUMBER - NOT REQUIRE		55.00
INV REFUN:			55.00	
		EDWARD KEITH ANDREWS		
28377		REFUND RURAL STREET ADDRESS NUMBER - NOT REQUIRE		55.00
INV REFUN:			55.00	
		AUSTRALIAN SERVICES UNION		
28378		UNION FEES		179.00
INV DEDUC			179.00	
		SHIRE OF BROOKTON		
28379		COMMUNITY REC OFFICER RECOUP - JUL-NOV 08		3,021.83
INV 1517			3,021.83	
		LANDGATE		
28380		RURAL UV INTERIM VALUATIONS SHARED		287.71
INV 214019		TITLE SEARCH - LOT 62 BOGLING RD	35.00	
INV 5290932		TITLE SEARCH FEES - YORK CARAVAN PARK	17.50	
INV 244110-		MINING TENEMENT SCHEDULE M2009/5	31.50	
INV 243985-		GRV INTERIM VALUATIONS/ COUNTRY SHARED & FESA	70.99	
INV 244189-		RURAL UV INTERIM VALUATIONS SHARED	132.72	
		TELSTRA		
28381		MOBILE PHONES 11/7-10/8/09		373.10
INV BP0271-		INTERNET ACCESS 26/6-25/7/09 - CEO	59.95	
INV 3334864		MOBILE PHONES 11/7-10/8/09	313.15	
		SHIRE OF YORK		
28382		TRANSFER YAC FUNDRAISING PROFIT 08/09 TO TRUST		769.28
INV 1861		COMMUNITY BUS HIRE - COMPANION TIME 19/5/09	27.50	
INV 1858		COMMUNITY BUS HIRE - COMPANION TIME 16/6/09	40.00	
INV 1705		FIRE STATION LEASE 08/09 - YORK TOY LIBRARY	275.00	
INV YAC		TRANSFER YAC FUNDRAISING PROFIT 08/09 TO TRUST	426.78	
		HERITAGE COUNCIL OF WESTERN AUSTRALIA		
28383		HERITAGE ADVISORY SERVICE 09/10		9,625.00
INV 1183			9,625.00	
		WA LOCAL GOVT SUPER PLAN PTY LTD, (ACN 0		
28384		SUPERANNUATION CONTRIBUTIONS		10,574.62
INV SUPER			6,943.10	
INV DEDUC			415.88	
INV DEDUC			663.50	
INV DEDUC			477.50	
INV DEDUC			48.84	
INV DEDUC			119.37	
INV DEDUC			29.84	
INV DEDUC			256.78	
INV DEDUC			88.62	
INV DEDUC			36.85	
INV DEDUC			147.42	
INV DEDUC			121.14	
INV DEDUC			884.45	
INV SUPER			341.33	
		WORLD VISION		
28385		RAG BAGS X 4		40.00
INV 77			40.00	
		DEPARTMENT OF PLANNING		

Date: 09/09/2009
Time: 11:06:10AM

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

USER:Annette Hunt
PAGE:3

Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
DEPARTMENT OF PLANNING				
28386		MAPS TPS 2 AMENDMENT 43		104.50
INV 118763			104.50	
SYNERGY				
28387		ELECTRICITY 26/5-27/7/09 - ADMIN/ T/HALL/ TOURIST BUREAU		11,664.80
INV 9539156		ELECTRICITY 26/5-27/7/09 - REC CENTRE/ BOWLING CLUB	2,035.60	
INV 3140037		ELECTRICITY 2/6-1/8/09 - CEMETERY	17.60	
INV 5732035		ELECTRICITY 2/6-1/8/09 - RES MUS	548.00	
INV 4301537		ELECTRICITY 2/6-1/8/09 - OLD CEMETERY	17.60	
INV 3699816		ELECTRICITY 29/5-31/7/09 - CANDICE BATEMAN PARK	23.60	
INV 5842381		ELECTRICITY 29/5-31/7/09 - AVON PARK RETIC PUMP	24.90	
INV 5225153		ELECTRICITY 29/5-31/7/09 - AVON PARK	167.65	
INV 4686635		ELECTRICITY 29/5-31/7/09 - SECURITY LIGHTING	18.40	
INV 6402330		ELECTRICITY 26/5-27/7/09 - RAILWAY MEMORIAL	18.00	
INV 4675683		ELECTRICITY 24/6-25/7/09 - STREET LIGHTING	3,110.35	
INV 7492374		ELECTRICITY 5/5-3/7/09 - MT BAKEWELL REPEATER STN	24.05	
INV 5129015		ELECTRICITY 26/5-27/7/09 - FORREST OVAL BORE PUMP	18.00	
INV 5183365		ELECTRICITY 26/5-27/7/09 - ADMIN/ T/HALL/ TOURIST BUREAU	5,067.85	
INV 2837726		ELECTRICITY 26/5-27/7/09 - CRICKET CLUB ROOMS	58.30	
INV 2543224		ELECTRICITY 26/5-27/7/09 - DEPOT	321.35	
INV 1023938		ELECTRICITY 26/5-27/7/09 - FORREST OVAL	105.85	
INV 9815007		ELECTRICITY 26/5-27/7/09 - CENT UNITS	87.70	
WESTSCHEME SUPERANNUATION				
28388		SUPERANNUATION CONTRIBUTIONS		152.87
INV SUPER			152.87	
AMP CORPORATE SUPERANNUATION				
28389		SUPERANNUATION CONTRIBUTIONS		122.27
INV SUPER			122.27	
PRIME SUPER				
28390		SUPERANNUATION CONTRIBUTIONS		139.43
INV SUPER			139.43	
YORK SHIRE COUNCIL (payroll only)				
28391		PAYROLL DEDUCTIONS		1,070.00
INV DEDUC			470.00	
INV DEDUC			600.00	
CENTRELINK				
28392		PAYROLL DEDUCTIONS		100.00
INV DEDUC			100.00	
AMP FLEXIBLE LIFETIME SUPERANNUATION				
28393		Superannuation contributions		81.09
INV SUPER			81.09	
ROSEMONDE LOVELL P D'ARCY-EVANS				
28394		CROSSOVER REBATE - LOT 55 (4) BLAND RD - D'ARCY-EVAN		517.00
INV CROSSC			517.00	
SUNCORP WEALTHSMART BUSINESS SUPER				
28395		Superannuation contributions		153.80
INV SUPER			153.80	
DEPARTMENT OF COMMERCE				
28396		OCCUPATIONAL SAFETY & HEALTH DVD - NEW STARTERS I		26.00
INV 403522			26.00	
GREGORY THOMAS JONES				
28397		REIMBURSE ADVERTISING CHARGES - 79 GEORGIANA ST		165.00
INV REFUND			165.00	
AUSTRALIAN SERVICES UNION				
28398		UNION FEES		179.00
INV DEDUC			179.00	

Date: 09/09/2009
Time: 11:06:10AM

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

USER:Annette Hunt
PAGE:4

Cheque/EFT No	Date	Name Invoice Description	INV Amount	Amount
		LOCAL HEALTH AUTHORITIES ANALYTICAL COMM		
28399		ANALYTICAL SERVICES 09/10		621.23
INV MA0911			621.23	
		TELSTRA		
28400		TELEPHONE 28/7-28/8/09 - RES MUS		44.34
INV 9436723			44.34	
		WATER CORPORATION OF WA		
28401		WATER RATE 09/10 - T/HALL/ ADMIN		5,469.70
INV 9007881		WATER RATE 09/10 - RADIO STATION 26 BARKER ST	210.05	
INV 9007890		WATER RATES 09/10 - 17 FORBES ST	200.40	
INV 9007946		WATER RATES 09/10 - SPRINGBETT AIRFIELD	200.40	
INV 9007890		WATER RATES 09/10 - LINCOLN ST STANDPIPE	200.40	
INV 9007946		WATER RATES 09/10 - HAMERSLEY RD STANDPIPE	200.40	
INV 9007946		WATER RATES 09/10 - GWAMBYGINE STANDPIPE	200.40	
INV 9007946		WATER RATES 09/10 - RAILWAY RD STANDPIPE	200.40	
INV 9007967		WATER RATES 09/10 - DOVEY CT STANDPIPE	200.40	
INV 9007951		WATER RATES 09/10 - MANNAVALE RD STANDPIPE	200.40	
INV 9016178		WATER RATES 09/10 - 51 ROE ST	200.40	
INV 9016178		WATER RATES 09/10 - 75 OSNABURG RD	200.40	
INV 9007880		WATER RATES 09/10 - REDMILE RD STANDPIPE	200.40	
INV 9007876		WATER RATES 09/10 - AVON PARK	544.20	
INV 9007881		WATER RATE 09/10 - T/HALL/ ADMIN	1,492.60	
INV 9007881		WATER RATES 09/10 - TELECENTRE - 5 JOAQUINA ST	170.20	
INV 9007882		WATER RATES 09/10 - SPORTS GROUNDS - FORREST OVAL	200.40	
INV 9007884		WATER RATES 09/10 - 38 FRASER ST	200.40	
INV 9007884		WATER RATES 029/10 - 24 FORD ST	202.45	
INV 9007885		WATER RATES 09/10 - TOWN HALL	245.00	
		SHIRE OF YORK		
28402		CONFERENCE EXPENSES CEO - LOCAL GOVT WEEK 4-9/8/09		300.00
INV CONF			300.00	
		WA LOCAL GOVT SUPER PLAN PTY LTD, (ACN 0		
28403		SUPERANNUATION CONTRIBUTIONS		10,198.78
INV SUPER			6,916.02	
INV DEDUC			884.45	
INV DEDUC			408.05	
INV DEDUC			663.50	
INV DEDUC			477.50	
INV DEDUC			48.84	
INV DEDUC			119.37	
INV DEDUC			29.84	
INV DEDUC			257.18	
INV DEDUC			88.62	
INV DEDUC			36.85	
INV DEDUC			147.42	
INV DEDUC			121.14	
		SHIRE OF YORK		
28404		RESERVE FUNDS TRANSFER TO WESTPAC INVESTMENT		900,000.00
INV RESER			900,000.00	
		SYNERGY		
28405		ELECTRICITY 27/5-28/7/09 - SWIMMING POOL		627.45
INV 0762568		ELECTRICITY 27/5-28/7/09 - FIRE STN COMMUNITY CENTRE	245.90	
INV 1087613		ELECTRICITY 27/5-28/7/09 - SWIMMING POOL	357.90	
INV 6969990		ELECTRICITY 27/5-27/7/09 - PEACE PARK	23.65	
		PERTS PANTRY		
28406		CHUTNEY/ JAM/ DIPPING OIL		55.00
INV 74			55.00	
		WESTSCHEME SUPERANNUATION		

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28407		WESTSCHEME SUPERANNUATION		
INV SUPER		SUPERANNUATION CONTRIBUTIONS	152.87	152.87
28408		AMP CORPORATE SUPERANNUATION		
INV SUPER		SUPERANNUATION CONTRIBUTIONS	122.27	122.27
28409		PRIME SUPER		
INV SUPER		SUPERANNUATION CONTRIBUTIONS	139.43	139.43
28410		YORK SHIRE COUNCIL (payroll only)		
INV DEDUC		PAYROLL DEDUCTIONS	395.00	995.00
INV DEDUC			600.00	
28411		STATE LIBRARY OF WESTERN AUSTRALIA		
INV 59351		BETTER BEGINNINGS GIFT BOOKS	159.50	159.50
28412		CENTRELINK		
INV DEDUC		PAYROLL DEDUCTIONS	100.00	100.00
28413		ROBERT & MARTINE PARKER		
INV REFUN		CROSSOVER REBATE - 23 CARDWELL RD	750.00	750.00
28414		AMP FLEXIBLE LIFETIME SUPERANNUATION		
INV SUPER		Superannuation contributions	78.71	78.71
28415		SUNCORP WEALTHSMART BUSINESS SUPER		
INV SUPER		Superannuation contributions	184.56	184.56
28416		CHRIS ANTILL - PLANNING & URBAN DESIGN		
INV 230709		CONSULTANT AVON TCE DESIGN GUIDELINES BROCHURE - PROGRESS PA	4,400.00	4,400.00
28417		NATASHA MAWER		
INV REFUN		REIMBURSE SIGNAGE APPLICATION FEES - 147 AVON TCE	24.00	24.00
28418		WALLIS GROUP PTY LTD		
INV REFUN		REIMBURSE SEPTIC APPLICATION FEES - 56 GLASS CT	104.00	104.00
28419		AUSTRALIAN SERVICES UNION		
INV DEDUC		UNION FEES	179.00	179.00
28420		LANDGATE		
INV 244803-		CONSOLIDATED MINING TENEMENT ROLL	64.60	82.60
INV 218460-		TITLE SEARCH - 987 GOLDFIELDS RD	18.00	
28421		NATIONAL TRUST OF AUSTRALIA (WA)		
INV REIMB		REIMBURSE PLANNING/ BUILDING FEES - 5-7 LOWE ST	182.00	182.00
28422		TELSTRA		
INV 9434282		TELEPHONES 24/7-24/8/09	1,257.04	1,582.88
INV 4062574		MOBILE PHONE 11/8-10/9/09 - WORKS	12.20	
INV 3334864		MOBILE PHONES 11/8-10/9/09	313.64	
28423		WATER CORPORATION OF WA		
		WATER USAGE 24/4-20/8/09 - PEACE PARK		6,503.05

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WATER CORPORATION OF WA				
INV 9007876		WATER USAGE 24/4-20/8/09 - WAR MEMORIAL	268.15	
INV 9007875		WATER USAGE 23/4-20/8/09 - RESIDENCY MUSEUM	86.55	
INV 9007880		WATER USAGE 24/4-20/8/09 - REDMILE RD STANDPIPE	102.50	
INV 9007881		WATER USAGE 24/4-20/8/09 - ADMIN/ T/HALL	370.15	
INV 9007882		WATER USAGE 24/4-20/8/09 - SHOW GROUNDS	147.65	
INV 9007882		WATER USAGE 24/4-20/8/09 - SPORTS GROUND	74.70	
INV 9007890		WATER USAGE 24/4-20/8/09 - PEACE PARK	1,711.10	
INV 9007876		WATER USAGE 28/4-21/8/09 - AVON PARK	567.05	
INV 9007882		WATER USAGE 28/4-21/8/09 - SWIMMING POOL	5.10	
INV 9007885		WATER USAGE 28/4-21/8/09 - COMMUNITY CENTRE	29.00	
INV 9007890		WATER USAGE 28/4-21/8/09 - CENT UNITS	247.75	
INV 9007882		WATER USAGE 24/4-20/8/09 - FORREST OVAL CEMENT TANK	1,556.15	
INV 9007880		WATER USAGE 24/4-20/8/09 - DEPOT	1,055.55	
INV 9007890		WATER USAGE 23/4-19/8/09 - LINCOLN ST STANDPIPE	118.75	
INV 9007875		WATER USAGE 23/4-19/8/09 - CEMETERY	162.90	
THE YORK SOCIETY (INC)				
28424		BALLADONG BOOKLETS X 5/ YORK DIARIES X 5/ CEMETER		130.00
INV 174518			130.00	
AUSTRALIA DAY COUNCIL OF WESTERN AUSTRALIA				
28425		BRONZE MEMBERSHIP 09/10 RENEWAL		200.00
INV 1587			200.00	
WA LOCAL GOVT SUPER PLAN PTY LTD, (ACN 0				
28426		SUPERANNUATION CONTRIBUTIONS		11,572.35
INV SUPER			8,079.13	
INV DEDUC			1,059.84	
INV DEDUC			431.53	
INV DEDUC			663.50	
INV DEDUC			477.50	
INV DEDUC			48.84	
INV DEDUC			119.37	
INV DEDUC			29.84	
INV DEDUC			257.18	
INV DEDUC			88.62	
INV DEDUC			36.85	
INV DEDUC			147.42	
INV DEDUC			132.73	
LINDY DEWAR				
28427		REIMBURSE EXP - LIBRARY TRAINING 17-20/8/09 - L DEWAR		525.33
INV REIMBI			525.33	

REPORT TOTALS

Bank Code	Bank Name	TOTAL
1	MUNICIPAL FUND BANK	1,017,334.42
TOTAL		1,017,334.42

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		MELANIE LOUISE VAN DE POL		
EFT5886		REIMBURSE WASHING MACHINE REPAIRS - T/ HALL MOPS		88.00
INV REIMB1			88.00	
		DUSTRY PTY LTD		
EFT5887		BACKHOE HIRE - GRAVE DIGGING		880.00
INV 567			880.00	
		CORPORATE EXPRESS		
EFT5888		STATIONERY ITEMS		1,655.49
INV WK1317			742.25	
INV WK1317		TONER CARTRIDGES	286.00	
INV EW1104		PENS	20.00	
INV WK1319		STATIONERY/ TONER CARTRIDGES	607.24	
		YORK NEWSAGENCY		
EFT5889		PAPERS/ STATIONERY - JULY 09		74.20
INV 3341			74.20	
		GEMINI MEDICAL SERVICES PL		
EFT5890		PAYMENT IN LEIU OF DOCTOR'S VEHICLE -		497.60
INV S05119			497.60	
		DAVID LAWN		
EFT5891		RENT - ARCHIVES FACILITIES 25/6-25/9/09		4,332.00
INV RENT A		RENT - ARCHIVES FACILITIES 25/5-25/6/09	1,083.00	
INV RENT A		RENT - ARCHIVES FACILITIES 25/6-25/9/09	3,249.00	
		4 FARMERS		
EFT5892		CHLORSULFURON/ GLYPHOSATE/ TRICLOPYR - WEED SPRA		4,109.60
INV 84589			3,977.60	
INV 84583		CHLORSULFURON WEED SPRAY	132.00	
		MACRI PARTNERS		
EFT5893		AUDIT YEAR END 30/6/09		3,300.00
INV 22663			3,300.00	
		M & R MACHINING		
EFT5894		MESH ENCLOSURE - HOT WATER SYSTEM - REC CENTRE		1,663.20
INV 764			1,091.20	
INV 756		TOWBAR REPAIRS - Y641 /MOWER BLADE RAPAIRS - Y1328	572.00	
		ALLROUND CONCRETE		
EFT5895		SUPPLY & LAY CONCRETE - MEDICAL CENTRE CARPARK		5,929.00
INV 1148			5,929.00	
		SHIRE OF DOWERIN		
EFT5896		AROC TOILET HIRE 18-19/7/09 & 26/7/09		600.00
INV 12561			600.00	
		SPECIALISED TREE SERVICE		
EFT5897		STREET TREE PRUNING		3,245.00
INV 6			3,245.00	
		HENDERSON, PJ & KD		
EFT5898		REPAIR ELECTRIC HOT WATER UNIT - REC CENTRE		1,263.02
INV 2463			1,263.02	
		LOCAL GOVERNMENT MANAGERS AUSTRALIA		
EFT5899		LGMA MEMBERSHIP SUBSCRIPTION 09/10 - CEO		368.00
INV 14276			368.00	
		CARDNO (WA) PTY LTD		
EFT5900		ROMAN DATA CAPTURE & ASSET VALUATION		3,454.78
INV IAM900			3,454.78	
		YORK GENERAL CONTRACTING		
EFT5901		BOBCAT HIRE - CLEAR CULVERTS		5,659.50
INV 300609			5,659.50	

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Cheque/EFT No	Date	Name Invoice Description	INV Amount	Amount
EFT5902		KIMBERLY KLARK CRAWFORD		
INV REIMB1		REIMBURSE DIESEL PURCHASE - COMMUNITY BUS 7/7/09	50.00	50.00
EFT5903		HORIZON SURVEYS PTY LTD		
INV 1027-09		CONTURE & FEATURE SURVEY - DURABLE ST	1,650.00	1,650.00
EFT5904		ING CORPORATE SUPER		
INV SUPER		Superannuation contributions	169.70	169.70
EFT5905		AVON COMMUNITY DEVELOPMENT FOUNDATION		
INV SUBSCI		ANNUAL SUBSCRIPTION 09/10	550.00	550.00
EFT5906		COURIER AUSTRALIA		
INV TRANS1		FREIGHT	90.82	104.48
INV TRANS1			6.83	
INV TRANS1			6.83	
EFT5907		MCLEODS BARRISTERS AND SOLICITORS		
INV 46348		LEGAL FEES & ADVICE - SIGN REMOVAL 87 AVON TCE	883.30	883.30
EFT5908		KEITH WILLIAM MOORFIELD		
INV 2572		SERVICE VIBRATING ROLLER/ MULTI TYRED ROLLER	690.25	690.25
EFT5909		RAECO		
INV 318076		BOOKCOVER MATERIAL - LIBRARY	304.83	304.83
EFT5910		AVON VALLEY TYRE SERVICE		
INV 2883		SUPPLY & FIT TYRES/ WINDSCREEN REPAIR - Y345	60.00	2,590.00
INV 2884		PUNCTURE REPAIR - Y4118	2,530.00	
EFT5911		YORK VISITORS CENTRE		
INV 3543		MEMBERSHIP - RES MUSEUM 09/10	50.00	50.00
EFT5912		STEWART & HEATON CLOTHING CO PTY LTD		
INV SIN-179		BUSHFIRE PROTECTIVE CLOTHING X 3	385.44	385.44
EFT5913		FUEL DISTRIBUTORS		
INV 95878		DISTILLATE X 5000 LTRS	5,954.00	5,954.00
EFT5914		LO GO APPOINTMENTS		
INV 405073		TEMP EMPLOYMENT FINANCE OFFICER - C WHISSON	1,650.00	4,994.00
INV 405037		TEMP EMPLOYMENT FINANCE OFFICER - C WHISSON 12-18/7/	1,650.00	
INV 405113		TEMP EMPLOYMENT FINANCE OFFICER - C WHISSON 5-11/7/	1,694.00	
EFT5915		COOL CLEAR WATER BEVERAGES LTD		
INV 85672		WATER FILTRATION UNIT JULY 09	66.00	132.00
INV 89536		WATER FILTRATION UNIT AUGUST 09	66.00	
EFT5916		CORPORATE EXPRESS		
INV WKI320		TONER CARTRIDGE	115.50	115.50
EFT5917		YORK BUILDING SUPPLIES		
INV 017410		PINE LOG - AVON PARK	123.43	327.16
INV 017414		ROOFING SCREWS - DEPOT	41.58	
INV 017544		FAST SET CONCRETE - QUAIRADING RD	44.22	

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YORK BUILDING SUPPLIES				
INV 017677		FAST SET CONCRETE - MT HARDY RD	14.74	
INV 017094		SPRAY PAINT - AVON TCE	21.45	
INV 017184		WIRE BRUSH - AVON PARK	9.90	
INV 017186		NUT/ BOLT/ PADLOCK - MT BROWN	12.88	
INV 017217		FAST SET CONCRETE - BLAND ST	14.74	
INV 017244		FAST SET CONCRETE - SPENCERS BROOK RD	44.22	
ROSS FEAKES				
EFT5918		REPAIRS - MEETING ROOM FRIDGE		88.00
INV 33			88.00	
AVON PAPER SHRED				
EFT5919		CONFIDENTIAL SHREDDING - EXPIRED ARCHIVE DOCUMEN		103.40
INV 4078			103.40	
SHIRE OF NORTHAM				
EFT5920		TIPPING FEES JULY 09		11,051.15
INV 2942		TIPPING FEES JUNE 09	5,065.15	
INV 3045		TIPPING FEES JULY 09	5,986.00	
MOTORCHARGE LTD				
EFT5921		GULL CARD		659.53
INV 310709			659.53	
ALLROUND CONCRETE				
EFT5922		SUPPLY & LAY CONCRETE - DAVIES COURT CROSSOVER		2,112.00
INV 1152			2,112.00	
YORK GLAZING SERVICE				
EFT5923		REGLAZE WINDOW - REC CENTRE		220.00
INV X603			220.00	
SPECTRUM DISTRIBUTORS (ORICA AUSTRALIA PTY LTD)				
EFT5924		CHLORINE SERVICE FEE - SWIMMING POOL/ FORREST OVAL		194.37
INV 4416928			194.37	
WESTNET PTY LTD				
EFT5925		INTERNET DOMAIN FEES 1/9/09-1/9/10 - ADMIN		70.50
INV 1370583			60.50	
INV 1370858		EMAIL ANTISPAM 1/9-1/12/09 - SWIMMING POOL	10.00	
YORK & DISTRICTS COMMUNITY MATTERS				
EFT5926		ADVERTISING		746.90
INV 1993			746.90	
LOCAL GOVERNMENT MANAGERS AUSTRALIA				
EFT5927		LGMA MEMBERSHIP SUBSCRIPTION 09/10 - DCEO		390.00
INV 14423			390.00	
WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION				
EFT5928		WALGA - MEMBER SUBSCRIPTIONS 09/10		20,626.19
INV I268177		ADVERT - WEST AUST 10/6/09 - SPORTS CENTRE BUILDING	939.69	
INV I268240		LINKING COUNCILS - MEMBER SUBSCRIPTION 09/10	6,292.00	
INV I268271		LOCAL LAWS - MEMBER SUBSCRIPTION 09/10	499.40	
INV I268282		WORKPLACE SOLUTIONS - MEMBER SUBSCRIPTION 09/10	2,631.00	
INV I268219		TAX SERVICES - MEMBER SUBSCRIPTION 09/10	1,089.00	
INV I268208		WALGA - MEMBER SUBSCRIPTIONS 09/10	7,173.10	
INV I268252		WALGA PROCUREMENT - MEMBER SUBSCRIPTIONS 09/10	1,650.00	
INV I268314		REGISTRATION - LOCAL GOVT WEEK MODULE - CR WALTEI	352.00	
FUJI XEROX AUSTRALIA PTY LTD				
EFT5929		STAPLE CARTRIDGE SUPPLY		370.13
INV IBN163			370.13	
YORK GENERAL CONTRACTING				
EFT5930		BOBCAT HIRE - PRIVATE WORKS - NORTHAM/ QUAIRADING		3,849.12

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		YORK GENERAL CONTRACTING		
INV 050809		BOBCAT HIRE - PRIVATE WORKS - NORTHAM/ QUAIRADING	3,849.12	
		ING CORPORATE SUPER		
EFT5931		Superannuation contributions		169.70
INV SUPER			169.70	
		UNITED EQUIPMENT		
EFT5932		CHERRY PICKER HIRE - JUNE 09		3,144.06
INV 63A-003			3,144.06	
		YARNELL PTY LTD		
EFT5933		SUPPLY BALLAST - 150 TONNE - DOWNER EDI WORKS		3,630.00
INV 2841			3,630.00	
		DAYS OF CHANGE		
EFT5934		SPONSORSHIP - DAYS OF CHANGE PROGRAM		1,500.00
INV 1			1,500.00	
		AUSTRALIA POST		
EFT5935		POSTAGE/ PAPER - JULY 09		631.77
INV 618964-			631.77	
		EASTERN HILLS SAWS AND MOWERS		
EFT5936		BAR CUTTER LUBE/ FILE/ FELLING WEDGE - MINOR PLANT		217.80
INV 20582#5			217.80	
		JR & A HERSEY		
EFT5937		GUIDE POSTS/ REFLECTIVE DELINEATOR/ PROTECTIVE CLC		4,211.35
INV K2644			4,211.35	
		KLEENHEAT GAS		
EFT5938		BULK GAS X 28 LTRS - GWAMBYGINE PARK		29.38
INV 3797913			29.38	
		PEERLESS JAL PTY LTD		
EFT5939		GEMINI FLOOR POLISH/ DISINFECTANT		721.82
INV SI11345		AUTO SCRUBBER PAD/ FLOOR STRIPPER	138.52	
INV SI11373		GEMINI FLOOR POLISH/ DISINFECTANT	583.30	
		ROUS, ERIC DAVID		
EFT5940		SUPPLY & INSTALL HOT WATER SYSTEM - REC CENTRE		751.30
INV 5327			751.30	
		PLANNING INSTITUTE AUSTRALIA WA DIV		
EFT5941		REGISTRATION STATE PLANNING CONFERENCE - PLANNER		350.00
INV 2606			350.00	
		AVON WASTE		
EFT5942		RECYCLING SERVICES		35,436.20
INV 4616		RUBBISH COLLECTION	6,151.04	
INV 4617		RECYCLING SERVICES	2,771.84	
INV 4677		RUBBISH COLLECTION	5,836.04	
INV 4678		RECYCLING SERVICES	11,941.78	
INV 4688		RUBBISH COLLECTION	5,968.04	
INV 4689		RECYCLING SERVICES	2,767.46	
		MAL AUTOMOTIVES		
EFT5943		VEHICLE SERVICE - Y211 - 25,000KM DR CAR		191.50
INV 9040			191.50	
		IT VISION		
EFT5944		SYNERGYSOFT ANNUAL LICENCES 09/10		25,817.00
INV 18081			25,520.00	
INV 18184		RATES MODELLING WEBINAR - 3/7/09 - DCEO/ RATES OFFICI	297.00	
		AVON EXPRESS		
EFT5945		FREIGHT		198.00
INV 01553			198.00	
		RURAL PRESS REGIONAL MEDIA (WA) PTY LTD		

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EFT5946 INV 3500001		RURAL PRESS REGIONAL MEDIA (WA) PTY LTD ADVERTISING - JULY 09	960.96	960.96
EFT5947 INV 1648		MORRIS PEST & WEED CONTROL BEE HIVE REMOVAL - HOCKEY CLUB	235.40	235.40
EFT5948 INV 60		WESTERN AUSTRALIAN TREASURY CORPORATION Loan No. 60 Interest payment - LOAN 60 WATER BUCKINGHAM (6,470.15	6,470.15
EFT5949 INV SINV84		INSTANT WINDSCREENS REPLACE WINDSCREEN - SUBARU FORRESTER - Y211	295.00	295.00
EFT5950 INV 0040515 INV 405193		LO GO APPOINTMENTS TEMP EMPLOYMENT FINANCE OFFICER - C WHISSON 26/7-1/ TEMP EMPLOYMENT FINANCE OFFICER - C WHISSON 2-8/8/0	1,760.00 1,386.00	3,146.00
EFT5951 INV 102273 INV 105239		CELLARBRATIONS DUKE OF YORK REFRESHMENTS	384.91 109.97	494.88
EFT5952 INV 570		DUSTRY PTY LTD BACKHOE HIRE - GRAVE DIGGING	1,320.00	1,320.00
EFT5953 INV 1249		LOCAL GOVERNMENT SUPERVISORS ASSOC. REGISTRATION - WORKS & PARKS CONFERENCE 09 - M BUR	698.00	698.00
EFT5954 INV 66222		CANNON HYGIENE SANITARY UNIT - ADDITIONAL SERVICE 09/10 - HOWICK ST	386.09	386.09
EFT5955 INV S06327		GEMINI MEDICAL SERVICES PL PAYMENT IN LEIU OF DOCTOR'S VEHICLE -	497.60	497.60
EFT5956 INV 70		L J'S CAFE REFRESHMENTS - COUNCIL BRIEFING 17/8/09	129.80	129.80
EFT5957 INV 0034		ROSS FEAKES REPAIR WALDORF OVEN - PML	712.80	712.80
EFT5958 INV 00352		JOHNS LOCAL CLEANING SERVICE CLEANING - RES MUSEUM - JULY 09	125.00	125.00
EFT5959 INV 772		M & R MACHINING REPAIR TAILGATE - WOODCHIPPER Y15206	198.00	198.00
EFT5960 INV 0907-12 INV 0907-10 INV 001312 INV 000152		YORK IT & COMMUNICATION REPAIRS - DVD BURNER - RES MUS REPAIRS - FAX MACHINE - RES MUS REPAIRS - DVD BURNER - RES MUS DVD DISC - RES MUS FAX FILM - RES MUS	55.00 55.00 14.95 52.95	177.90
EFT5961 INV I268339 INV I268339		WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION REGISTRATION - LOCAL GOVT CONVENTION - PRESIDENT/C REGISTRATION - LOCAL GOVT CONVENTION - CR RANDELL	2,812.00 2,808.00	7,974.40

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**SHIRE OF YORK
MUNICIPAL EFT PAYMENTS
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Cheque/EFT No	Date	Name Invoice Description	INV Amount	Amount
		WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION		
INV 1268339		REGISTRATION - LOCAL GOVT CONVENTION - CR BOYLE	1,448.00	
INV 1268232		ROMAN MEMBER SUBSCRIPTION 09/10	906.40	
		AUSTRALIAN SWEEPER COMPANY		
EFT5962		REPLACEMENT BRUSH - STREET SWEEPER		798.56
INV 48323			798.56	
		T-QUIP		
EFT5963		MOWER BLADES/ BOLTS		253.45
INV 19191#5			253.45	
		WESTERLEY PROPERTY MANAGEMENT		
EFT5964		ACCOMMODATION WASTE CONFERENCE 09 - P STEVENS 16-		330.00
INV 4578			330.00	
		PATRICK RUETTJES		
EFT5965		REIMBURSEMENT - REMOVAL FEES/ PIA SEMINAR 3-11/8/09		1,390.70
INV REIMB1			1,390.70	
		TASMAN CIVIL		
EFT5966		GRADER/ ROLLER HIRE		11,607.75
INV 487			11,607.75	
		ING CORPORATE SUPER		
EFT5967		Superannuation contributions		169.70
INV SUPER			169.70	
		HEARTLANDS VET HOPITAL		
EFT5968		DESTRUCTION OF DOG		90.00
INV 27373			90.00	
		PRESERVATION FOUNDATION		
EFT5969		CONSERVATION - JOHN FORREST ARCHIVAL DOCUMENT 20		852.00
INV PF-01-01			852.00	
		COURIER AUSTRALIA		
EFT5970		FREIGHT		100.17
INV TRANS1			57.39	
INV TRANS1			42.78	
		CJD EQUIPMENT PTY LTD		
EFT5971		COOLANT LEVEL SENDER - Y130		25.04
INV 0157815			25.04	
		EDITH COWAN UNIVERSITY		
EFT5972		MUSEUM WORKSHOP STUDIES 12/8/09 - C LITTLEFAIR		180.00
INV 100108C			180.00	
		HOME HARDWARE		
EFT5973		PADLOCK/ BROOM/ PAINTBRUSH - HOWICK ST TOILETS		750.33
INV 369113		SPRAYPAINT/ SEALANT - HOWICK ST TOILETS	31.96	
INV 369247		PADLOCK/ BROOM/ PAINTBRUSH - HOWICK ST TOILETS	183.15	
INV 369403		DRILL BIT/ GRAFFITI REMOVER - REC CENTRE	26.63	
INV 369976		NUT/ BOLT - REC CENTRE	5.76	
INV 370045		SCREWS - REC CENTRE	20.25	
INV 370121		DRILL BIT/ DOWEL - ADMIN	19.57	
INV 370460		PAINT - PAVILION	32.50	
INV 370565		PAINT EDGER/ OIL/ CRC - PAVILION	27.05	
INV 370835		PAINT - HOWICK ST TOILETS	43.26	
INV 371003		GRAFFITI REMOVER/ SPRAYPAINT - HOWICK ST TOILETS	24.78	
INV 367341		GAS REFILL - HOWICK ST TOILETS	4.36	
INV 371183		SCREW/ NUT - DEPOT	40.51	
INV 371186		WASHER/ SCREWDRIVER - 38 FRASER ST	12.65	
INV 371560		ACCOUNT REPRINT FEE	1.48	
INV 368280		NYLON CORD - WASTE PONDS	2.09	
INV 368380		WASHER - AVON PARK TOILETS	4.91	
INV 368452		DRILL BIT/ KEY CUTTING - REC CENTRE	12.83	

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MUNICIPAL EFT PAYMENTS
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Cheque /EFT No	Date	Name Invoice Description	INV Amount	Amount
HOME HARDWARE				
INV 368484		SILICONE/ KEY CUTTING - REC CENTRE	15.51	
INV 368943		BUCKET/ PAINT BRUSH - HOWICK ST TOILETS	21.65	
INV 368947		ACETONE - AVON PARK TOILETS/ HOWICK ST TOILETS	30.60	
INV 368965		GLOBE - AVON PARK TOILETS	25.00	
INV 367458		BELT/ TAPE/ SANDING DISC - ADMIN	32.53	
INV 367585		RUBBISH BIN X 2	43.50	
INV 368136		LIGHT GLOBE - DEPOT	15.00	
INV 369337		GAS REFILL - STREET SWEEPER	72.80	
YORK IGA				
EFT5974		MILK/ COFFEE/ TEA - RES MUS		17.29
INV 01/6436			17.29	
BOC GASES				
EFT5975		OXYGEN/ ACETYLENE X 2 CYLINDERS		482.96
INV 6289685			482.96	
MAL AUTOMOTIVES				
EFT5976		VEHICLE SERVICE - 14000KM - 0Y		357.70
INV 9059		VEHICLE INSPECTION - PUMP TRAILER - Y2111	154.70	
INV 9065		VEHICLE SERVICE - 14000KM - 0Y	203.00	
YORK RURAL TRADING				
EFT5977		SOIL WETTER/ WEED SPRAY - MT BROWN		942.80
INV 100148C		SAFETY JACKET - PROTECTIVE CLOTHING - DEPOT	56.95	
INV 1001491		SOIL WETTER/ WEED SPRAY - MT BROWN	310.20	
INV 1001495		WEED SPRAY - MT BROWN	132.00	
INV 1001518		DOG BED - POUND	77.70	
INV 1001527		UNIFORM - M VAN DE POL	80.85	
INV 1001545			44.95	
INV 1001631		KNAPSACK	240.15	
LO GO APPOINTMENTS				
EFT5978		TEMP EMPLOYMENT FINANCE OFFICER - C WHISSON 9-15/8/		1,782.00
INV 405235			1,782.00	
HOME HARDWARE				
EFT5979		BUILDING MAINTENANCE - RES MUS		49.44
INV 310709			49.44	
YORK IGA				
EFT5980		PEPSI/ COKE/ LIFT		612.56
INV 03/2327		MILK/ BISCUITS - DEPOT	12.03	
INV 01/0217		MILK/ BISCUITS	27.93	
INV 01/0624		CLEANING PRODUCTS	49.21	
INV 02/9587		FACIAL TISSUES	12.30	
INV 01/1116		MILK	4.68	
INV 02/1062			8.61	
INV 01/2658		TEA/ PANADOL	6.93	
INV 03/8317		MILK/ BISCUITS	14.89	
INV 02/2481		BISCUITS	8.72	
INV 02/4036		MILK	4.58	
INV 03/9602		EUCALYPTUS OIL	18.96	
INV 02/3791		COFFEE/ CARO	60.71	
INV 02/4140		MILK/ BISCUITS	19.89	
INV 03/0196		SUGAR/ BISCUITS	17.92	
INV 01/5302		MILK	2.99	
INV 02/5670		MILK/ SUGAR/ TEA	22.29	
INV 01/7839		COFFEE/ BREAD/ ONION/ PLATES - DEPOT BBQ 7/7/09	25.54	
INV 02/9597		MILK/ BISCUITS	16.20	
INV 310709		ACCOUNT REPRINT FEE	4.68	
INV 04/0798		PEPSI/ COKE/ LIFT	114.93	
INV 03/3766		MILK/ BISCUITS	19.33	
INV 04/1347		MILK - DEPOT	4.58	

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**SHIRE OF YORK
MUNICIPAL EFT PAYMENTS
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Cheque/EFT No	Date	Name Invoice Description	INV Amount	Amount
YORK IGA				
INV 03/4580		MILK/ SUGAR/ BISCUITS	14.83	
INV 03/4599		HARPIC TOILET CLEANER	12.80	
INV 02/8331		MILK/ BISCUITS	14.88	
INV 03/6103		FRUIT - SEAVROC MTG 14/7/09	10.37	
INV 01/6119		COFFEE/ PAPER TOWEL/ PLATES/ BISCUITS - RES MUS	30.78	
INV 02/3665		MILK - RES MUS	3.24	
INV 02/9595		MILK/ BISCUITS	18.48	
INV 01/1278		BATTERY - RES MUS	29.28	

REPORT TOTALS

Bank Code	Bank Name	TOTAL
1	MUNICIPAL FUND BANK	218,165.65
TOTAL		218,165.65

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SHIRE OF YORK
TRUST CHEQUE PAYMENTS
AUGUST 2009

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Cheque/EFT No	Date	Name Invoice Description	INV Amount	Amount
		RONALD WILLIAM STARK		
3620		CROSSOVER REBATE - 23 COWAN RD YORK ESTATES		1,250.00
INV T78			1,250.00	
		ANDREW KEITH SAVAGE		
3621		REMAINDER REFUND - RESITED HOUSE BOND - 2001293 - RE		6,000.00
INV T7			3,000.00	
INV T7		REMAINDER REFUND - RESITED HOUSE BOND - 2001322 - RE	3,000.00	

REPORT TOTALS

Bank Code	Bank Name	TOTAL
2	TRUST FUND BANK	7,250.00
TOTAL		7,250.00

TOTAL RESERVES	
31-Aug-09	
Reserve Name	Current Balance
4. Plant Reserve	343,417.50
6. Staff Leave Reserve	112,069.87
7. Town Planning Reserve	11,870.20
8. Recreation Complex Reserve	320,412.24
9. Avon River Maintenance Reserve	19,401.36
14. Industrial Land Reserve	88,764.78
15. Refuse Site Development Reserve	188,346.75
22. Centennial Gardens Reserve	105,827.89
23. Public Open Space Cont Reserve	301.40
24. Community Bus Reserve	36,650.14
25. Pioneer Memorial Lodge Reserve	129,464.60
26. Residency Museum Reserve	19,135.59
27. Carparking Reserve	56,671.29
30. Building Reserve	57,852.10
35. Disaster Reserve	22,961.73
37. Archives Reserve	21,246.29
38. Water Supply Reserve	6,778.29
40. Tied Grant Funds Reserve	765,174.11
42. Main Street (Town Precinct) Update Reserve	113,053.80
43. Strategic Planning Reserve	18,653.06
44. Cemetery Reserve	26,009.03
45. York Town Hall Reserve	39,021.89
46. RSL Memorial Reserve	18,942.22
47. Greenhills Townsite Development Reserve	20,867.30
48. Youth Capital Works	22,209.29
49. Roads	57,387.67
50. Land & Infrastructure	191,316.58
TOTAL RESERVE FUNDS	2,813,806.97
Funded by	
Bendigo Reserve 119521748	111,067.10
Bendigo At Call	900,000.00
Bendigo NCD	571,739.87
Bendigo NCD	331,000.00
Westpac NCD	300,000.00
Westpac NCD	300,000.00
Westpac NCD	300,000.00
Total Cash Funding	2,813,806.97
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 AUGUST 2009	
7 August 2009	\$ 2,770.65
13 August 2009	\$ 51,004.21
27 August 2009	\$ 59,166.86
PAYROLL TOTALS	\$ 112,941.72
LESS PAYMENTS BY CHEQUE	\$ -
TOTAL PAYROLL DIRECT DEBITS AS PER BANK REC	\$ 112,941.72

STATEMENT OF CREDIT CARD PAYMENTS FOR THE MONTH ENDING AUGUST 2009		
REFRESHMENTS	\$	341.20
TRAINING & CONFERENCES	\$	93.00
SEAVROC		
FUEL	\$	294.73
HOUSING MAINTENANCE		
OTHER	\$	20.00
TOTAL PURCHASES	\$	748.93
PAYMENTS TO C/C IN ADVANCE	\$	5,763.75
LESS PREVIOUSLY PAID IN ADVANCE	\$	-
TOTAL PAYMENTS TO C/C AS PER BANK REC	\$	6,512.68

STATEMENT OF SHELL CARD PURCHASES FOR THE MONTH ENDING AUGUST 2009		
0 Y - CEO	\$	-
Y 00 - DCEO	\$	-
Y 000 - EHO	\$	-
CARD FEES	\$	7.50
TOTAL PURCHASES	\$	7.50
TOTAL PAYMENTS TO SHELL AS PER BANK REC	\$	7.50

**STATEMENT OF CREDIT CARD PAYMENTS
FOR THE MONTH ENDING AUGUST 2009**

CARD 1

DATE	AMOUNT		DESCRIPTION
1/07/2009	93.00	WESTRALIA AIRPORTS, REDCLIFFE	PARKING
7/07/2009	76.67	BP BALLAJURA 6330, BALLAJURA	FUEL
11/07/2009	37.00	Cafe Bugatti, YORK	REFRESHMENTS
16/07/2009	133.50	JANETTE CALLAGHAN, YORK	REFRESHMENTS
19/07/2009	68.30	LORT HEIGHTS NOMINEE, YORK	REFRESHMENTS
23/07/2009	79.45	BP THE LAKES 1903, THE LAKES	FUEL
29/07/2009	78.22	CALTEX STAR MART, MALAGA	FUEL
30/07/2009	55.40	CAFE DUMAS, WEST PERTH	REFRESHMENTS
TOTAL CARD 1	621.54		

CARD 2

DATE	AMOUNT		DESCRIPTION
4/07/2009	20.00	ALLPHONES, BELMONT	MOBILE PHONE CHARGER
11/07/2009	60.39	GULL YORK, YORK	FUEL
24/07/2009	47.00	JANETTE CALLAGHAN, YORK	REFRESHMENTS
TOTAL CARD 2	127.39		

TOTAL CREDIT CARDS 748.93

9. OFFICER'S REPORTS

9.3 FINANCE REPORTS

9.3.2 2009 Community Children's Christmas Party

FILE NO:	FI.DON
COUNCIL DATE:	21st September 2009
REPORT DATE:	16th September 2009
LOCATION/ADDRESS:	Not Applicable
APPLICANT:	Not Applicable
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Graham Stanley, Deputy CEO
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Nil

Summary:

This report seeks Council approval to redirect funds previously allocated to the York Chamber of Commerce through the Community Sponsorships process to an approved coordinating group overseen by the Shire for the conducting of the Community Christmas Party.

Background:

The 2009/10 Budget contains an allocation of \$2,500 within account number 132150 for a contribution to the York Chamber of Commerce to conduct the annual Community Children's Christmas Party in Peace Park. This year the Christmas Party will be run by a group of volunteers coordinated by Bernie Chitty on behalf of the Shire and Chamber of Commerce. This report seeks Council approval to use those funds for the conducting of the Community Christmas Party instead of paying the funds through the Chamber of Commerce.

Consultation:

Bernie Chitty – Children's Christmas Party Coordinator
Phil Fury – Scout Master – York Scouts (assisting with the event)
Pat Hooper – Shire President
York Chamber of Commerce

Statutory Environment:

Local Government Act 1995 and Local Government (Financial Management Regulations) 1996.

Policy Implications:

Nil

Financial Implications:

Funds already budget for.

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 smooth running of this annual event provides a boost to community spirit and much enjoyment to many York residents especially the children.

Environmental Implications:

Additional waste receptacles will be provided for the event.

Comment:

The 2009 York Community Children's Christmas Party will effectively be run on behalf of the Shire of York and Chamber of Commerce by a group of willing volunteers coordinated by the same person who has been coordinating the event for a number of years. It therefore makes sense to direct the funds allocated in the budget for the purpose of conducting the Christmas party to the group of volunteers with the Shire overseeing that all funds are accounted for properly.

OFFICER RECOMMENDATION**RESOLUTION****170909****Moved: Cr Fisher****Seconded: Cr Boyle*****"That Council:***

Agrees to redirect funds previously allocated to the York Chamber of Commerce through the Community Sponsorships process to an approved coordinating group overseen by the Shire, to conduct the 2009 York Community Children's Christmas Party in Peace Park and that the Shire obtains appropriate volunteer insurance coverage for all volunteers involved with the staging of the event."

CARRIED (6/0)

9.4 Confidential Reports

9.5 Late Reports

9. OFFICER'S REPORTS

9.5 LATE REPORTS

9.5.1 Local Government Structural Reform

FILE NO:	OR.IGR.8
COUNCIL DATE:	21 SEPTEMBER 2009
REPORT DATE:	21 SEPTEMBER 2009
LOCATION/ADDRESS:	N/A
APPLICANT:	N/A
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Ray Hooper, CEO
DISCLOSURE OF INTEREST:	Nil
APPENDICES:	Nil
DOCUMENTS TABLED:	Structural Reform Submission

Summary:

The Structural Reform processes and accelerating with Midwest and Great Southern groupings of local governments instigating Council led action for multiple amalgamations and it is considered appropriate at this stage for interested local governments in this region to initiate direct action for a regional level amalgamation.

Background:

The September 2009 SEAVROC meeting agreed to progress the subsidiary model of governance in South Australia as a priority action and if this was not supported at the state government level to move to the amalgamation phase of all or part of the SEAVROC grouping and including the Shire of Tammin.

The Shire of Brookton has resolved not to be part of any SEAVROC amalgamation and in the event of mergers being required it's preferred partners are the Shires of Pingelly and Wandering.

Based on the 2009/10 Grants Commission figures the individual Shire populations are:

York	3449
Cunderdin	1298
Beverley	1708
Quairading	1134
Tammin	<u>422</u>
	<u>8011</u>

Note: The Brookton population is 1028.

The SEAVROC members excluding Brookton have acknowledged that amalgamations are required under the structural reform processes and the debate has centred more on whether a full or part mergers are the best means eg York & Beverley combining, Cunderdin, Quairading and Tammin combining.

It is acknowledged by all that these two potential new local governments would need to amalgamate in the future in the interests of sustainability.

York and Cunderdin have agreed that the maturity of the majority of the SEAVROC members and regional co-operation to date indicates that a full scale amalgamation is feasible and workable with beneficial outcomes for the respective communities.

At the Council meeting held on the 17th August, 2009 Council authorised the submission and addendum on Structural Reform to be forwarded to the Minister for assessment and included a

request for a fully funded study of a SEAVROC area amalgamation and advised that the Shire of York supported a full amalgamation.

Consultation:

SEAVROC Members

WALGA

Submission to Minister Local Government

Statutory Environment:

Schedule 2.1 — Provisions about creating, changing the boundaries of, and abolishing districts

[Section 2.1(2)]

1. Terms used in this Schedule

In this Schedule, unless the contrary intention appears —

affected electors, in relation to a proposal, means —

- (a) electors whose eligibility as electors comes from residence, or ownership or occupation of property, in the area directly affected by the proposal; or
- (b) where an area of the State is not within or is not declared to be a district, people who could be electors if it were because of residence, or ownership or occupation of property, in the area directly affected by the proposal;

affected local government means a local government directly affected by a proposal;

notice means notice given or published in such manner as the Advisory Board considers appropriate in the circumstances;

proposal means a proposal made under clause 2 that an order be made as to any or all of the matters referred to in section 2.1.

2. Making a proposal

(1) A proposal may be made to the Advisory Board by —

- (a) the Minister;
- (b) an affected local government;
- (c) 2 or more affected local governments, jointly; or
- (d) affected electors who —
 - (i) are at least 250 in number; or
 - (ii) are at least 10% of the total number of affected electors.

(2) A proposal is to —

- (a) set out clearly the nature of the proposal, the reasons for making the proposal and the effects of the proposal on local governments;
- (b) be accompanied by a plan illustrating any proposed changes to the boundaries of a district; and
- (c) comply with any regulations about proposals.

[Clause 2 amended by No. 49 of 2004 s. 67(2).]

3. Dealing with proposals

(1) The Advisory Board is to consider any proposal.

(2) The Advisory Board may, in a written report to the Minister, recommend* that the Minister reject a proposal if, in the Board's opinion —

- (a) the proposal is substantially similar in effect to a proposal on which the Board has made a recommendation to the Minister within the period of 2 years immediately before the proposal is made;
- (aa) where the proposal was made by affected electors under clause 2(1)(d), that the majority of those electors no longer support the proposal; or
- (b) the proposal is frivolous or otherwise not in the interests of good government.

** Absolute majority required.*

- (3) If, in the Advisory Board's opinion, the proposal is —

- (a) one of a minor nature; and
- (b) not one about which public submissions need be invited,

the Board may, in a written report to the Minister, recommend* that the Minister reject the proposal or that an order be made in accordance with the proposal.

** Absolute majority required.*

- (4) Unless it makes a recommendation under subclause (2) or (3), the Advisory Board is to formally inquire into the proposal.

[Clause 3 amended by No. 64 of 1998 s. 52(2); No. 49 of 2004 s. 67(3).]

4. Notice of inquiry

- (1) Where a formal inquiry is required the Advisory Board is to give —

- (a) notice to affected local governments, affected electors and the other electors of districts directly affected by the proposal; and
- (b) a report to the Minister.

- (2) The notice and report under subclause (1) are to —

- (a) advise that there will be a formal inquiry into the proposal;
- (b) set out details of the inquiry and its proposed scope; and
- (c) advise that submissions may be made to the Board not later than 6 weeks after the date the notice is first given about —
 - (i) the proposal; or
 - (ii) the scope of the inquiry.

- (3) If, after considering submissions made under subclause (2)(c), the Advisory Board decides* that the scope of the formal inquiry is to be significantly different from that set out in the notice and report under subclause (1), it is to give —

- (a) another notice to affected local governments, affected electors and the other electors of districts directly affected by the proposal; and
- (b) another report to the Minister.

- (4) The notice and report under subclause (3) are to —

- (a) set out the revised scope of the inquiry; and
- (b) advise that further submissions about the proposal, or submissions about matters relevant to the revised scope of the inquiry, may be made to the Board within the time set out in the notice.

** Absolute majority required.*

5. Conduct of inquiry

- (1) A formal inquiry is to be carried out, and any hearing for the purposes of the inquiry is to be conducted, in a way that makes it as easy as possible for interested parties to participate fully.

- (2) In carrying out a formal inquiry the Advisory Board is to consider submissions made to it under clause 4(2)(c) and (4)(b) and have regard, where applicable, to —
- (a) community of interests;
 - (b) physical and topographic features;
 - (c) demographic trends;
 - (d) economic factors;
 - (e) the history of the area;
 - (f) transport and communication;
 - (g) matters affecting the viability of local governments; and
 - (h) the effective delivery of local government services,

but this does not limit the matters that it may take into consideration.

6. Recommendation by Advisory Board

- (1) After formally inquiring into a proposal, the Advisory Board, in a written report to the Minister, is to recommend* —
- (a) that the Minister reject the proposal;
 - (b) that an order be made in accordance with the proposal; or
 - (c) if it thinks fit after complying with subclause (2), the making of some other order that may be made under section 2.1.

** Absolute majority required.*

- (2) The Advisory Board is not to recommend to the Minister the making of an order that is significantly different from the proposal into which it formally inquired unless the Board has —
- (a) given* notice to affected local governments, affected electors and the other electors of districts directly affected by the recommendation of its intention to do so;
 - (b) afforded adequate opportunity for submissions to be made about the intended order; and
 - (c) considered any submissions made.

** Absolute majority required.*

7. Minister may require a poll of electors

In order to assist in deciding whether or not to accept a recommendation of the Advisory Board made under clause 6, the Minister may require that the Board's recommendation be put to a poll of the electors of districts directly affected by the recommendation.

8. Electors may demand a poll on a recommended amalgamation

- (1) Where the Advisory Board recommends to the Minister the making of an order to abolish 2 or more districts (*the districts*) and amalgamate them into one or more districts, the Board is to give notice to affected local governments, affected electors and the other electors of districts directly affected by the recommendation about the recommendation.
- (2) The notice to affected electors has to notify them of their right to request a poll about the recommendation under subclause (3).
- (3) If, within one month after the notice is given, the Minister receives a request made in accordance with regulations and signed by at least 250, or at least 10%, of the electors of one of the districts asking for the recommendation to be put to a poll of electors of that district, the Minister is to require that the Board's recommendation be put to a poll accordingly.

- (4) This clause does not limit the Minister's power under clause 7 to require a recommendation to be put to a poll in any case.

[Clause 8 amended by No. 64 of 1998 s. 52(3).]

9. Procedure for holding poll

- (1) Where, under clause 7 or 8, the Minister requires that a recommendation be put to a poll —
- (a) the Advisory Board is to —
 - (i) determine the question or questions to be answered by electors; and
 - (ii) prepare a summary of the case for each way of answering the question or questions;
 - and
 - (b) any local government directed by the Minister to do so is to —
 - (i) in accordance with directions by the Minister, make the summary available to the electors before the poll is conducted; and
 - (ii) subject to subclause (2), declare* the Electoral Commissioner, or a person approved by the Electoral Commissioner, to be responsible for the conduct of the poll under Part 4, and return the results to the Minister.

** Absolute majority required.*

- (2) Before making a declaration under subclause (1)(b)(ii), the local government is to obtain the written agreement of the Electoral Commissioner.

[Clause 9 amended by No. 49 of 2004 s. 67(4) and (5).]

10. Minister may accept or reject recommendation

- (1) Subject to subclause (2), the Minister may accept or reject a recommendation of the Advisory Board made under clause 3 or 6.
- (2) If at a poll held as required by clause 8 —
- (a) at least 50% of the electors of one of the districts vote; and
 - (b) of those electors of that district who vote, a majority vote against the recommendation,
- the Minister is to reject the recommendation.
- (3) If the recommendation is that an order be made and it is accepted, the Minister can make an appropriate recommendation to the Governor under section 2.1.

10A. Recommendations regarding names, wards and representation

- (1) The Advisory Board may —
- (a) when it makes its recommendations under clause 3 or 6; or
 - (b) after the Minister has accepted its recommendations under clause 10,
- in a written report to the Minister, recommend the making of an order to do any of the things referred to in section 2.2(1), 2.3(1) or (2) or 2.18(1) or (3) that the Board considers appropriate.
- (2) In making its recommendations under subclause (1) the Advisory Board —
- (a) may consult with the public and interested parties to such extent as it considers appropriate; and
 - (b) is to take into account the matters referred to in clause 8(c) to (g) of Schedule 2.2 so far as they are applicable.

[Clause 10A inserted by No. 64 of 1998 s. 52(4).]

Policy Implications:
Nil at this stage

Financial Implications:

It is unclear what financial and other resources the state government has committed and allocated to the structural reform process however it is considered that local governments agreeing to merge early in the process will have most, if not all, costs met by the government.

Strategic Implications:

Key Result Area 1 – Strategic Planning

Objectives:

- 1. To develop a framework to facilitate planning and decision-making in order to identify and meet community needs, develop opportunities and implement change.*
- 2. To provide leadership for the long term benefit of the York community, and to develop leadership in the community.*
- 3. To achieve community involvement and partnership in achieving the vision for the Shire.*
- 4. To achieve effective two-way communication between council and community.*
- 5. To pursue involvement in regional cooperation with other local authorities.*

Voting Requirements:

Absolute Majority Required: Yes

Site Inspection:

Site Inspection Undertaken: Not applicable

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

There is an opportunity for significant economic benefits through increased purchasing power which may support local and regional businesses.

Social Implications:

Any amalgamation will impact on the social fabric of the effected communities and high levels of identity protection need to be incorporated along with appropriate representation levels, local autonomy, communication and accountability.

Politically there will be a stronger voice for rural residents through a combined population base rather than single identities.

Environmental Implications:

Higher levels of environmental management and control will be achieved through a larger local government rather than separate entities.

Comment:

SEAVROC has been an industry leader in the regional collaboration and structural reform arena to date but it is now being overtaken by other groupings looking to partner with the state government in the reform processes.

The federal government through its Community Infrastructure grants has imposed a minimum population threshold of 5000 residents with all local governments below this size only receiving the minimum grant.

The last three years of the regional component of the Royalties for Regions Local Government grants are heavily weighted to regional groupings with reducing funding to individual shires.

It is considered imperative that local governments working for a sustainable future are in the first tranche of amalgamations and are part of the in-depth studies to be undertaken to support or refine proposed mergers.

Ann immediate application to the minister for Local Government and the Local Government Advisory Board for a formal inquiry into the amalgamation of the Shires of York, Beverley, Cunderdin, Quairading and Tammin with the appropriate boundary adjustments with other

adjoining governments is very likely to be supported and funded. This may assist government as the studies to be undertaken could be tied to the work being done for other groupings resulting in cost savings for all.

The Shire of York presented its structural reform submission prior to the original ministerial deadline of the 31st August, 2009 despite a one month extension being granted.

Under the current format for the assessment of structural reform submissions there may not be specific direction from the Minister before March 2010 and this timeframe may be detrimental to the outcomes the combined Councils could achieve by acting immediately.

OFFICER RECOMMENDATION

RESOLUTION

180909

Moved: Cr Hooper Seconded: Cr Walters

“That Council:

In conjunction with the Shires of Cunderdin Beverley, Quairading and Tammin submit a proposal to the Local Government Advisory Board for the amalgamation of these local governments in accordance with the provisions of Schedule 2.1 Section 2 © of the Local Government Act 1995 subject to:

The nominated local governments co-operating to prepare the proposal in accordance with Schedule 2.1 Section 2.3.”

CARRIED (6/0)

9. OFFICER'S REPORTS

9.5 LATE REPORTS

9.5.2 South East Avon Voluntary Regional Organisation of Councils (SEAVROC)

FILE NO:	OR.RDT.4
COUNCIL DATE:	September 21, 2009
REPORT DATE:	September 14, 2009
LOCATION/ADDRESS:	N/A
APPLICANT:	N/A
SENIOR OFFICER:	Ray Hooper, CEO
REPORTING OFFICER:	Julianne Treloar, Executive Support Officer
DISCLOSURE OF INTEREST:	CEO Ray Hooper – Financial
APPENDICES:	SEAVROC Minutes September 2009
DOCUMENTS TABLED:	NIL

Summary:

The South East Avon Voluntary Regional Organisation of Councils (SEAVROC) has been formed by the Shires of Beverley, Brookton, Cunderdin, Quairading and York with a "Vision" to develop an alliance that responds proactively to the changing environment while retaining our individual identities.

The actions of SEAVROC are complimentary to the recommendations of the Sustainability Report to provide options for collaborative effort.

Background:

SEAVROC held its first meeting on the 25th July 2005.

A Memorandum of Understanding was signed on the 22nd June 2007 in the presence of the Minister for Local Government the Hon Ljiljana Ravlich and the Strategic Plan was signed on the 1st August 2007.

SEAVROC's Mission Statement is:

- To achieve recognition of the South East Avon as a viable, political, social and economic region;
- To enhance service delivery and infrastructure for our collective and individual communities; and
- To achieve a sustainable, cost effective model for the sharing of resources.

Consultation:

The Shires of Beverley, Brookton, Cunderdin, Quairading and York.
Department of Local Government and Regional Development.
Western Australian Local Government Association

Statutory Environment:

Not applicable as SEAVROC is a voluntary organisation at present.

Policy Implications:

Not applicable.

Financial Implications:

Nil

Strategic Implications:

KRA 7 – Community Services – Objectives 1, 2 and 3 states:

- (1) To meet community needs in terms of physical infrastructure and overall community services.
- (2) To provide and maintain high quality services and infrastructure in an efficient and cost effective way.
- (3) To ensure a safe community environment.

Voting Requirements:

Absolute Majority Required: No

Site Inspection:

Site Inspection Undertaken: Not applicable

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

The intent of SEAVROC is to reduce costs to individual member Shires through collaborative purchasing and resource sharing.

Social Implications:

Since the inception of SEAVROC in July 2005 there has been a genuine commitment to shared activities for mutual benefit.

Collaboration has already occurred in areas of plant hire, tenders, staff exchanges and reciprocal works, however there is extensive scope in this area for greater co-operation.

Environmental Implications:

Not applicable.

Comment:

SEAVROC has been recognized as a pro-active regional grouping at the state and federal levels and this is reflected in the level of grant funding received to date and assistance from the Minister for Local Government.

These minutes are provided in the agenda so that they can be received by the Council and also be made available to the public.

CEO Ray Hooper declared an interest in this item and left the meeting at 4.37pm.

OFFICER RECOMMENDATION**RESOLUTION**

190909

Moved: Cr Fisher Seconded: Cr Boyle

“That Council:

- 1. Receive the minutes of the September 2009 SEAVROC Executive Committee meeting.***
- 2. Endorse the resolutions of the SEAVROC Executive Committee.***

CARRIED (6/0)

CEO Ray Hooper returned to the meeting at 4.38pm.

SEAVROC

(SOUTH EAST AVON VOLUNTARY REGIONAL ORGANISATION OF COUNCILS)

MINUTES OF EXECUTIVE COMMITTEE MEETING

RECREATION PAVILION - SHIRE OF YORK
THURSDAY, 10 SEPTEMBER 2009 AT 9:40 AM

The Chairman advised Members that this Meeting of the Executive Committee was particularly important given the current Local Government Structural Reform process, and the need to progress SEAVROC's core business, with these matters to be discussed at the end of the Meeting. Mr T Brown and Ms J Burges were then welcomed to the Meeting, along with Delegates, representatives and guests in attendance.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

1.1 Opening

The Chairman welcomed Mr J Wibberley, assisting Mr D Carbone during the Meeting.

1.2 Announcement of Visitors

The Executive Officer advised that invitations had been extended to the following:

- Ms Caroline Tuthill - Senior Project Officer - Department of Local Government and Regional Development;
- Mr Tony Brown - Executive Manager - Governance and Strategy - Western Australian Local Government Association; and
- Ms Joanne Burges - Regional Cooperation Manager - Western Australian Local Government Association.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

2.1 Present

Shire of Beverley	- Cr J Alexander	- President (North Ward)
Shire of Beverley	- Cr D Ridgway	- Deputy President (South Ward)
Shire of Beverley	- Mr K Byers	- Chief Executive Officer

Shire of Brookton	- Cr B Coote	- President (Central Ward)
Shire of Brookton	- Cr T Lange	- Central Ward
Shire of Brookton	- Mr S Gocian	- Deputy Chief Executive Officer
Shire of Cunderdin	- Cr G Cooper	- President (District Ward) SEAVROC Chairman
Shire of Cunderdin	- Cr R Carter	- District Ward
Shire of Cunderdin	- Mr G Tuffin	- Chief Executive Officer
Shire of Quairading	- Cr D Richards	- President (District Ward)
Shire of Quairading	- Mr G Fardon	- Chief Executive Officer
Shire of York	- Cr P Hooper	- President
Shire of York	- Mr R Hooper	- Chief Executive Officer
Western Australian Local Government Association (WALGA)	- Mr T Brown	- Executive Manager Governance and Strategy
Western Australian Local Government Association (WALGA)	- Ms J Burges	- Regional Cooperation Manager
Dominic Carbone and Associates (DCA)	- Mr D Carbone	- Executive Officer
Dominic Carbone and Associates (DCA)	- Mr J Wibberley	- Assisting Mr D Carbone

2.2 Apologies

Shire of Brookton	- Cr K Wilkinson	- Deputy President (East Ward)
Department of Local Government and Regional Development	- Ms C Tuthill	- Senior Project Officer

2.3 Leave of Absence

Nil.

3. DEPUTATIONS/PRESENTATIONS

3.1 Deputations

Nil.

3.2 Presentations

Nil.

4. CONFIRMATION OF MINUTES

Executive Committee Meeting of SEAVROC held on Thursday, 2 July 2009.

MOVED Cr J Alexander, Seconded Mr R Hooper, that the Minutes of the SEAVROC Executive Committee Meeting, held on Thursday, 2 July 2009, be received.

CARRIED UNANIMOUSLY

5. ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSION

Mr T Brown provided Delegates with an update on the status of Structural Reform throughout the State, commenting on the following:

- Following attendance at the Local Government Convention held in August 2009, attendees had returned to their communities with a different outlook.
- Prior to the August Convention, amalgamations were anticipated to reduce the number of local governments in Western Australia by 15, however today's conservative thoughts were a reduction of 40, not including proposals relating to Katanning, Albany and Merredin.
- Some merger considerations are inclusive of Councils not keen on the prospect, however these are expected to progress.
- Amalgamation proposals include:
 - Geraldton/Greenough, Chapman Valley and Mullewa - in discussion.
 - Carnamah, Coorow and Irwin - in discussion.
 - Mingenew, Three Springs, Morawa and Perenjori - moving towards merger.

- Chittering and Gin Gin - in discussion.
- Narrogin Area: Merger of Narrogin Town, Narrogin Shire, Cuballing and Wickepin put forward, with Wickepin community divided. Community meeting came down to one vote, leaving decision with Council as to how to proceed. Narrogin also put forward an option of merging eight local governments on the understanding that they were pursuing the merger of the four mentioned initially.

Cr J Alexander sought clarification on the suggested eight local governments, with Mr T Brown advising Narrogin Town, Narrogin Shire, Cuballing, Pingelly, Wagin, Wandering, West Arthur, Wickepin and Williams, reiterating that the merger of Narrogin Town, Narrogin Shire, Cuballing and Wickepin were the first option.

Ms J Burges provided comment that merger of the four local governments was suggested by 2011, with the remainder to merger at a later time; however this was a changing scenario.

Mr T Brown then continued, commenting on the following:

- Further merger considerations included:
 - Koorda, Wyalkatchem and Dowerin - in discussion. Dowerin joined following Local Government Convention.
 - Westonia and Yilgarn - both Councils have resolved to merge, however with concerns on size of the new local government, and proposals from the Merredin area.
 - Cranbrook, Kojonup, Plantagenet, Broomehill and Tambellup - in discussion. Kojonup community recently rejected the proposal.
 - Dumbleyung, Kent and Lake Grace - All stating no wish to amalgamate, with second option to merge.
 - Bunbury Area: Bunbury's desire to form the Greater Bunbury Council, taking in Capel, Collie, Dardanup and Harvey. These Councils have resisted by resolving to stay independent, and all have populations of approximately 12,000, which would create difficulties for this proposal.
 - Warren/Blackwood Area: Community feel of not wishing to amalgamate with Manjimup. Push for Blackwood Valley Council taking in Boyup Brook, Bridgetown, Greenbushes and Nannup, with the inclusion of Balingup from Donnybrook. Balingup community are strongly for this proposal.

Mr G Fardon sought clarification on the Blackwood Valley proposal and the affected local governments.

Mr T Brown advised that his comments were a rough overview, and that community meetings were still being held. Further, that whilst in Pingelly last evening, a community meeting was attended by 100 people, who indicated their preference for a merger of Boddington, Brookton, Pingelly and Wandering, taking into account the mining industry in Boddington. This followed a number of proposals put forward, including Brookton, Wandering, Pingelly and Beverley.

Although not present at this Meeting, Mr T Brown advised that Tammin's community had resolved to support Tammin Council, who was leaning towards engaging in talks with Cunderdin and Quairading.

Mr R Hooper then provided comment on discussions held with various Councillors throughout the State, including Wickiepin, Cranbrook, Victoria Plains and Moora, advising that many were placing expectations on the subsidiary legislation and the Eastern States visit by the Hon Max Trenorden. Further, that at a Mukinbudin meeting, Minister Grylls had commented on the Nationals having control of 6 of the 55 votes in relation to Structural Reform. Mr Hooper commented further on local governments such as Mt Marshall and Denmark being excluded from discussions.

Mr T Brown suggested that the subsidiary legislation will be approved, however there being a clear indication that amalgamation was also required.

Following a question by Cr B Coote, Mr T Brown advised that the subsidiary legislation was still required as it provided an improved mechanism for the promotion of regional groups, with Ms J Burges concurring. Mr R Hooper provided examples of metropolitan local governments assisting regional areas, and suggested that the subsidiary legislation would ease this process and replace the current need for letters of agreement between multiple parties.

The Chairman then summarised his thoughts and discussions on the subject, commenting on:

- Ministerial and Departmental decisions would be advised either by the Christmas period, or early 2010.
- Unacceptable that some local governments are excluded from discussions.
- Different needs for the metropolitan area, as opposed to the wheatbelt and northern region.
- The extent of reform to occur and timeframe for completion.
- The case for utilising the Queensland model for remote locations, taking into account such factors as pastoral leases and mining, small towns with lots of road maintenance, and how amalgamation will enhance these existing operations.

- Sandstone and Murchison were utilising the Queensland model in their submission.
- Wheatbelt being a major target of reform, and there being a case for uniting the 44 affected local governments as a powerful lobby group.
- The need for Ministerial and Departmental outcomes to determine progress from this point.
- Lobbying to the Nationals and having reached agreement that the subsidiary model is the preferred option.
- Affects of the reform on funding, including minimum funding, Royalties for Regions, State and Federal.

Following a question by Cr J Alexander, the Chairman advised that the Hon Max Trenorden, Member for the Agricultural Region; the Hon Nigel Hallett MLC; Mr Bruce Wittber - BHW Consulting Director; and Ms Helen Westcott, had travelled to South Australia and Queensland to study collaborative models of regional governance.

Cr P Hooper advised that a contact was currently in Wattle Grange speaking with people on the street and would provide a report on his return. The Chairman advised that Mr Wittber and Ms Westcott would be attending the Great Eastern Zone meeting on 24 September 2009, and would no doubt provide feedback at that time.

Mr R Hooper advised that the Shire of Victoria Plains understood that four Wongan Hills representatives were in South Australia visiting various groups, and taking the opportunity to look at the LGS computer modelling.

Following Mr R Hooper seeking clarification on the Local Government Advisory Committee's role in the reform process, as opposed to requirements of the Local Government Act, Mr T Brown clarified that reform submissions would be forwarded to the Reform Steering Committee in the first instance, recommendations then made to the Minister for Local Government, who will in turn make recommendations to the Advisory Board. The process of formalising those proposals would then follow.

Mr R Hooper provided further comment, suggesting that a press release detailing this process was required. The Chairman advised that Mr T Brown and the Executive Officer would take the suggestion on board.

General discussion followed with comment by Cr P Hooper, the Chairman, Mr T Brown, Mr R Hooper and Ms J Burges, detailing:

- The Shires of Perenjori and Morawa resolving to merge, with this matter going straight to the Minister and Advisory Board.
- Two further examples being detailed in recent press - one being noted, the other going straight to the Advisory Board to eliminate red tape, and that this had been detailed in the Minutes of that authority.

6. REPORTS OF THE EXECUTIVE OFFICER

SE-048-09	STATUS REPORT – OUTSTANDING BUSINESS FROM EXECUTIVE COMMITTEE MEETINGS (File: serpt048-09)
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The Executive Officer provided comment in relation to this item of business, detailing the following:

1. Information Technology and Asset Management

Discussions had been held with the Chief Executive Officer of LGS Systems Inc, with an agreement in principle on SEAVROC obtaining the rights to market LGS in Western Australia, pricing, costs and associated benefits. Correspondence had been forwarded by the Executive Officer in this regard on Wednesday, 9 September 2009, with a further report to the Executive Committee anticipated at the next Meeting.

The Chairman reiterated that this matter would be presented to the Executive Committee again at the next Meeting, and in light of Mr R Hooper's comments, action was required as soon as possible.

Following a query by Mr R Hooper, Mr G Tuffin advised that the Development Commission funding had not been received to date.

Mr R Hooper then sought clarification that the current offer was for SEAVROC Member Local Governments to secure Western Australian sales rights and the system being Windows compliant for a capital contribution of \$30,000, with the Chairman advising that the Development Commission funding would cover this initial cost.

The Executive Officer then confirmed that SEAVROC Member Local Governments would be able to purchase and implement the system at a cost of \$34,000 with unlimited licences. SEAVROC would receive \$4,000 for each such sale, with Member Local Governments having a period of two years to make payment. Should Member Local Governments wish to implement the system currently operating at Cunderdin, they would incur annual maintenance costs only, no capital expense.

The Chairman reiterated that a decision was not required at this Meeting, with Cr T Lange seeking advice on the preparation of selection criteria.

The Executive Officer advised that in accordance with Section 3.59 of the Local Government Act, such a business transaction would require the preparation of a Business Plan, as it was intended to make a profit, and that this was detailed in Report SE-048-09.

Mr R Hooper raised concerns in relation to York budgeting \$20,000 to buy equity in the project over and above the initial capital contribution of \$30,000, suggesting an alternative approach to LGS, with the Chairman suggesting that such matters would be investigated by the Executive Officer and reported to the Executive Committee.

General discussion followed, with comment by the Executive Officer, Mr R Hooper, Mr G Tuffin, Cr B Coote, Cr D Ridgway and Mr G Fardon, detailing the following:

- Seeking general agreement between the parties, and report to Executive Committee.
- LGS have set aside funds to ensure windows based version is available in March 2010.
- Suggestion of 20% commission on capital costs, and 15% on annual licence fees.
- Functionality of software confirmed and in operation at Cunderdin.
- Implementation of software by choice of each Member Local Government.
- Demonstration of system by Cunderdin staff.
- Those Member Local Governments participating in project will retain the rights to agreement despite any amalgamation process, SEAVROC being the conduit to the process.
- Room for Executive Officer to negotiate various options.
- Decision for Member Local Governments will be as a business transaction only in the first instance. They may if they wish, then choose to purchase and implement the system.
- Annual maintenance fee based on number of rate notices/assessments.

2. Local Government Feasibility Study - Regional Collaborative Models

- Meeting held with the Legislative Reform Working Group, with representation from each Member Local Government.

The Chairman provided comment in relation to the above meeting, the Committee Structure, Government agenda, and country representation, with additional comment by Cr B Coote and Cr P Hooper.

Mr G Tuffin advised that the matter had been included on the Group's Agenda for Monday, 14 September 2009, with distribution of Mr N Douglas' report to attendees.

Cr P Hooper provided comment in relation his representation on the Corporate and Strategic Planning Committee, stating that most participants had a strong understanding of country matters, as opposed to the Committee that Mr G Tuffin was representative on.

3. SLUM Local Planning Policy - Tree Crops

- Confirmation that all Member Local Governments had adopted the Policy.

4. Strategic Waste Manage Plan - SEAVROC Member Local Governments

- Advice received that the Minister has approved the Plan, and that York will progress the implementation of E-Waste.

Following Mr R Hooper seeking feedback from Member Local Governments in relation to various matters such as sea container location, commonality of dates and advertising, the Chairman advised that this would be followed up by Chief Executive Officers with the information finalised for York by the first week of October.

5. Business Plan - Resource Sharing for Planning, Building and Health Services

- The Executive Officer advised that time had not permitted the advance of this matter in recent weeks however this would be progressed accordingly.

6. Country Local Government Fund - Regional Groups

- Draft Implementation Plan developed, and following receipt of relevant information, the Draft will be finalised with Chief Executive Officers' agreement prior to presentation to SEAVROC for approval.

7. Request for Membership of SEAVROC - Shire of Tammin

- Motion by Mr R Hooper at the Executive Committee Meeting of 2 July 2009, that Tammin be approached to align with SEAVROC in relation to Royalties for Regions Funding, with Tammin querying inclusion in decision making process if it does not have voting rights.

Mr R Hooper provided comment in relation to Tammin's preference of SEAVROC, yet being formally aligned with the Wheatbelt East Regional Organisation of Councils (WEROC).

The Executive Officer advised that no formal response had been provided to Tammin at this point, however having no voting rights did not permit the Shire to be aligned with SEAVROC.

Following Cr D Richard's request, the Chairman advised that this matter would be further discussed under General Business.

8. Local Law Review

- This matter has been initiated with Mr D Long, with the Executive Officer to determine progress within the coming week.

It was then:

MOVED Cr P Hooper, Seconded Mr R Hooper , that the recommendation set out below, be adopted:

That Report SE-048-09 – Status Report – Outstanding Business from Executive Committee Meetings, be received.

CARRIED UNANIMOUSLY

With the agreement of Delegates, the Chairman advised that Report SE-049-09 would be considered prior to dealing with Report SE-053-09.

SE-049-09	STRUCTURAL REFORM SUBMISSION - SOUTH EAST AVON VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (SEAVROC) REGION (File: serpt0049-09)
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**#SE-049-09
RECOMMEND:**

(Recommendation intentionally left blank. To be provided by Executive Committee.)

SE-050-09	PRESS RELEASE - LOCAL GOVERNMENT SYSTEMS SOFTWARE (File: serpt0050-09)
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Following comment and suggestion by the Chairman, Delegates agreed that this matter be held over to the next Executive Committee Meeting.

SE-051-09 FINANCIAL STATEMENTS FOR THE PERIOD 1 JULY 2008 TO 30 JUNE 2009
(File: serpt0051-09)

The Executive Officer drew attention to revised Financial Statements, placed on Delegates desks prior to the Meeting.

Following the Chairman's query, the Executive Officer advised that the Financial Statements demonstrated that expenditure was less than anticipated, and that the Feasibility Study, jointly funded by the Department for Local Government, SEAVROC and WALGA, had now been finalised.

Mr R Hooper advised that dependent on this Meeting's outcomes, as the first year concludes on Wednesday, 16 September 2009, invoices will be forwarded at the end of September or beginning of October.

Following Cr B Coote's query, Mr R Hooper advised that funds were held in a Shire of York cash backed Reserve Fund, and that the Executive Officer will advise Delegates accordingly of interest, if any, in relation to this account.

It was then:

MOVED Mr R Hooper, Seconded Mr K Byers, that the recommendation set out below, be adopted:

That the following Statements of Receipts and Payments for the period 1 July 2008 to 30 June 2009, be received for:

- ***Connecting Local Governments and Structural Reform Implementation Grant.***
- ***Local Government Feasibility Study – Regional Collaborative Models.***

CARRIED UNANIMOUSLY

**SE-052-09 PROVISION OF SERVICES FOR MANAGEMENT AND ADMINISTRATION OF THE
SOUTH EAST AVON VOLUNTARY REGIONAL ORGANISATION OF COUNCILS
(SEAVROC)**
(File: serpt0052-09)

The Executive Officer advised that hours charged to SEAVROC fell short of that allocated to June 2009, with the Chairman calling for Report SE-052-09 to be adopted by Delegates.

It was then:

MOVED Mr G Tuffin , Seconded Cr D Richards , that the recommendation set out below, be adopted:

Report SE-052-09 - Provision of Services for Management and Administration of the South East Avon Voluntary Regional Organisation of Councils, be received.

CARRIED UNANIMOUSLY

With the agreement of Delegates the Meeting stood adjourned at 10:40am, and reconvened with the same attendees present at 10:50am.

Delegates had agreed that Report SE-049-09 would be deferred until prior to consideration of Report SE-053-09.

SE-049-09	STRUCTURAL REFORM SUBMISSION - SOUTH EAST AVON VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (SEAVROC) REGION (File: serpt0049-09)
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The Chairman drew attention to this item of business, deferred from earlier in the Meeting, advising that Delegates were requested to advise their Council's preferred position in relation to structural reform, and the group's position on the Executive Officer's draft submission and its progress.

Delegates were then invited to comment.

York Cr P Hooper advised that York's submission was with the Minister, and that this document suggested a merger with Quairading, Beverley and Cunderdin, with an opening for Tammin, and the exclusion of Brookton, given their stance on the subject. York Council had voted 6/0 on this outcome.

Following a query by Mr K Byers, Cr P Hooper advised that Brookton had made it clear they did not wish to amalgamate with York, and further, that York were not opposed to the inclusion of Tammin in the amalgamation, or as Members of SEAVROC.

Cr B Coote then queried timing, with Cr P Hooper advising that York Council were happy to progress as soon as possible.

Beverley Cr J Alexander provided comment in relation to the community's strong endorsement of Council's motion, namely:

"The Shire of Beverley request the Minister for Local Government to grant permission for SEAVROC Member Local Governments to remain as individual Shires, but operate cooperatively under amended legislation to form a regional subsidiary for a period of four years, from the date that the SEAVROC Charter is signed by the Minister, at which time, the SEAVROC Shires form one amalgamated local government."

Cr J Alexander then provided comment on the options detailed within the Executive Officer's Draft Submission, and the strong desire that each Member Local Government remain as an individual ward.

Quairading Cr D Richards provided comment on a community survey undertaken which detailed various options, advising that the outcome of this differed from the public meeting held. The public meeting however did result in a two part motion, with Council adopting this with the addition of a part 3 and 4, namely:

- "1. That Council continue to pursue a regional subsidiary model based on the SEAVROC region as a service delivery model with the existing Members of the SEAVROC Council.
2. Council to actively lobby the inclusion of the regional subsidiary model in the Local Government Act of Western Australia.
3. If the amalgamation is mandatory and not negotiable, Council supports in principle SEAVROC Member Councils amalgamating, subject to the existing Quairading Shire district being a distinct ward.
4. Council Members be reduced from 9 to 7 for the October 2011 elections, and Council determine that SEAVROC is the most appropriate regional grouping of local governments."

General discussion followed with comment by Mr G Fardon, Cr J Alexander and Cr P Hooper.

Brookton Cr B Coote provided comment in relation to a community meeting held with 90 people in attendance, along with an electronic survey detailing two options.

Comment was provided in relation to discussions held with Pingelly and Wandering, Beverley's decision not to participate in this regard, and concerns with size of the proposed merger.

Brookton advised that it wished to remain a Member of SEAVROC as its regional grouping, and that should the suggested merger take place, still saw an important role for Brookton in the SEAVROC subsidiary model.

Concerns were raised of differing submissions with options not necessarily palatable to all parties, yet which may be taken up by the Minister and Department, and the perceived ease of amalgamating existing SEAVROC Member Local Governments.

Following a query by Mr R Hooper, Cr B Coote advised that the inclusion of Boddington in the proposed amalgamation was raised at Brookton's public meeting.

Cunderdin The Chairman provided comment that Cunderdin's position was similar to York, with agreement to progress as required. Public meetings had been held, with attendance varying, and Cunderdin taking a proactive role in promoting the amalgamation through SEAVROC with those Members in agreement. Discussion has also been held with Quairading and Tammin.

Cunderdin Council believes amalgamation is inevitable, and it is therefore better to progress the existing grouping, permitting the retention of some control and input.

A business plan was required to investigate the wishes of the group, with the realisation that the requirements and principles would remain the same for alternative groupings.

Cunderdin Council also strongly supported the ward structure which retained local identity, and thus provides the best legacy and outcome for each Member Local Government community.

Cr R Carter provided comment on Cunderdin Council's position, and following Mr T Brown's query, the Chairman confirmed that Cunderdin were happy for the inclusion of Tammin.

York Cr P Hooper then provided further comment on York's ward preference, detailing four wards made up of Quairading, Cunderdin, York and Beverley, with the assumption that Tammin would be amalgamated with Cunderdin, or possibly Kellerberrin dependant on the Minister's decision.

Cunderdin Mr G Tuffin advised that his Draft Submission would be circulated in the coming week, with Council to give consideration on Thursday, 17 September 2009. Comment was then provided on figures with the inclusion of Tammin, variations this provided and anticipated affect on numbers into the future.

General discussion followed with comment by Cr P Hooper, Cr B Coote and Cr J Alexander, centring on:

- Two to four year settling period;
- Elected member numbers and ability to represent their communities;
- Acceptance of Ministerial or Departmental directions by the large metropolitan Councils;
- The Minister's acceptance of disproportional representation, and for what period; and
- Current anomalies in representation and affect on voting

The Chairman provided comment on the South Australian structure, while Mr K Byers drew attention to current ward boundaries being subject to change.

Following a query by Cr D Richards, the Chairman advised that the Meckering and Cunderdin meetings were not held concurrently; the Meckering meeting was held to allow their involvement in the Budget process, and following the holding of the Electors Meeting, Cunderdin's Annual Budget had now been adopted.

Comment by Cr J Alexander followed, with Mr R Hooper querying the SEAVROC Membership fee structure should various proposed amalgamations take place, stating that the Executive Officer's contract concluded on 15 September 2010, with details required for York's budgetary process. Further, that Corrigin had advised of their possible merger with Bruce Rock and their interest in becoming a SEAVROC member, then reiterating requirements under the Act to review ward boundaries.

The Chairman then drew attention to what was required from the group at this Meeting, namely a decision on whether SEAVROC puts forward a submission, and if so, what changes if any were required to the Draft Submission, and secondly, how do the group then wish to proceed.

Cr D Richards raised Brookton's stance on amalgamation, yet wishing to remain a member of SEAVROC, and how this changing membership would be handled.

The Chairman again reiterated what was required from the group at this Meeting, primarily that the group needed to decide if SEAVROC should make a submission, or whether Member Local Governments be left to make their own individual submission. Further comment was then provided on various scenarios, with the suggestion that such matters would need to be dealt with at another time when more information was to hand.

Cr B Coote then provided comment in relation to Brookton's preferred option that the SEAVROC submission not be put forward, with Member Local Governments attaching the Draft Submission prepared by the Executive Officer to their individual submission should they wish. Further, that should proposed mergers take place, this would bring added strength to the SEAVROC group.

Cr P Hooper then sought clarification on the status of SEAVROC and its membership should such amalgamations take place. Lengthy discussion followed in relation to Cr P Hooper's comments, with the group concluding that in accordance with the Act, there was the ability to form a subsidiary of one council or a regional group, therefore a subsidiary would work no matter the formation of the group, however that following amalgamations, the structure of SEAVROC would require review and analysis of funding and other issues.

The Chairman again drew Delegates' attention to the requirements of this Meeting.

Mr R Hooper then requested that Delegates review points from page 37 of the Draft Submission and nominate those that they were in agreement with.

Following general discussion, Delegates agreed to Part 22 (a) - Regional Subsidiary (South Australia), as detailed in pages 34 and 35 of the Draft Submission, however were not agreeable to Part 22 (b) - Amalgamations for Form Three (3) Local Governments within the SEAVROC Region, as shown on page 35.

Lengthy discussion followed, detailing the following:

- Part 22 (c) of the Draft Submission becoming Part 22 (b); with the suggestion of four wards should Brookton choose not to be included.
- The removal of Tammin from the equation at this point in time.
- Clarification that this matter had been brought to this Meeting with the agreement of Delegates.
- Current and projected population figures, and the affect of such figures on the structural reform.
- Elected Member representation - current and proposed.
- The need to recognise possible growth partners.

The Chairman again brought Delegates' attention to the need for a resolution in relation to this matter, advising that issues and concerns raised would be the subject of the required business plan for the transition to amalgamation in the future.

The Chairman sought a motion from the floor, or if Delegates were content to continue with Cr P Hooper's suggestion in relation to the deletion of Part 22 (b), and Part 22 (c) then becoming Part 22 (b).

Mr R Hooper suggested that given SEAVROC held a membership of five local governments; that the new Part (b) should refer to five wards rather than four.

Following comment by the Chairman, Cr D Richards, Cr P Hooper, Cr D Ridgway and Cr B Coote, it was:

MOVED Cr B Coote, Seconded Cr P Hooper, that SEAVROC do not put in a submission, and if Member Councils want to put it as an add on to their own submission, then they are able to do so.

Comment by Cr P Hooper followed, with Mr T Brown clarifying that should SEAVROC seek funding, the Department will require the SEAVROC Submission to be attached to any funding application for its Member Local Governments.

The Executive Officer advised that what Delegates decide with this item of business, would determine the outcome of Report SE-053-09 - Local Governance Reform Funding Assistance Form.

Mr G Tuffin advised that Cunderdin's draft recommendation was for the local governments of Beverley, Cunderdin, Quairading and York to form a single new local government, on the basis that the option would address the reduction in elected members in line with Ministerial requirements, and the creation of four wards would also accommodate issues such as one person one vote, ratios, and retention of local identity.

The Chairman sought direction from Delegates, with Cr D Richards advising that he would speak against the motion, commenting on the four years work leading to this point and the need to continue on a united front. Cr J Alexander concurred with Cr D Richards' comments.

Mr G Tuffin suggested that if SEAVROC put forward a submission, then recommendations contained within that document needed to reflect the views of the Member Local Governments, and that this document should be attached to individual submissions.

Cr P Hooper provided comment in relation to Part 22 (a), and the new Part 22 (b), being in line with Quairading, Cunderdin, Beverley and York agreeing to amalgamation; York and Cunderdin with an expedited amalgamation, as opposed to Beverley's preference for a slower format.

Mr R Hooper provided comment on support received for subsidiary legislation providing there is serious structural reform at the end of the process, then suggested that Part 22 (a) and the new Part 22 (b) be referred to Member Councils for endorsement or otherwise, with outcomes to be provided to the Executive Officer prior to the end of September.

Foreshadowed Motion

Mr R Hooper then foreshadowed that the matter be referred to each Member Local Government for endorsement, amendment, or comment.

Following the Chairman's query, Cr B Coote advised that he was happy with the foreshadowed motion, with the Chairman seeking consent to withdraw the motion currently on the floor.

Discussion followed, with input by Cr B Coote, Mr R Hooper, the Chairman and Executive Officer. Cr B Coote, with the consent of the Seconder, then formally withdrew his motion.

It was then:

MOVED Mr R Hooper, Seconded Cr P Hooper, that SEAVROC submit this report to the Member Councils for endorsement as to content, with each individual Council having the right to adjust, comment, or amend.

Comment by Cr T Lange and the Executive Officer followed, centering on the content of the Draft Submission, the direction that report takes, and its use by Member Local Governments.

Mr T Brown then confirmed that the SEAVROC Draft Submission was being submitted to each Member Local Government.

Comment by Mr G Fardon, Mr T Brown and the Executive Officer followed, with Mr R Hooper clarifying that the "Members Comment Page" at the end of the Draft permitted Member Local Governments to detail their agreement, dissent or other comments.

The Chairman then put the motion.

CARRIED UNANIMOUSLY

Mr R Hooper drew Delegates' attention to page 37 of the Draft Submission, in particular Item 23 - Recommendations, requesting that each item be reviewed by Delegates, with feedback provided to the Executive Officer accordingly.

Discussion followed, with Delegates suggesting the following:

- Removal of references to Tammin.
- Five wards rather than four, with the preference to mentioning the concept rather than actual numbers.
- Removal of the last sentence.
- Amendment to percentages.

The Chairman then suggested that Delegates provide appropriate details to the Executive Officer in the next two days, with comment by Cr P Hooper, the Executive Officer and Cr J Alexander.

The Chairman then requested that Delegates give consideration to seeking the Executive Officer prepare a business plan for the transition to amalgamation in the future, including an analysis of the issues and concerns raised by the Group at this Meeting.

Cr P Hooper provided comment on the crucial need to progress the Business Plan in order that the Group is prepared for eventualities, it was then:

MOVED Cr P Hooper, Seconded Cr D Richards, that the Executive Officer be requested to prepare a Business Plan for the transition to amalgamation in the future of SEAVROC Member Local Governments.

Following a query by Cr B Coote in relation to those Councils wishing to move expediently to amalgamation commencing on 1 January 2010, the Chairman advised that it was too early to draw such conclusions, and that the Business Plan was required to analyse concerns and issues of Member Local Governments in the first instance.

Mr G Tuffin raised concerns on responding to the Minister, with the Chairman suggesting that wording could be along the lines that “look to amalgamate within SEAVROC, under a ward structure”.

Following a question by Mr K Byers and response by Cr B Coote, the Chairman then put the motion.

CARRIED UNANIMOUSLY

General discussion followed, with Member Local Governments agreeing to their respective Shire being detailed in respective submissions as having consented to the process, as per Ministerial requirements in relation to the current structural reform.

SE-053-09	LOCAL GOVERNANCE REFORM FUNDING ASSISTANCE FORM (File: serpt0053-09)
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The Executive Officer provided comment in relation to the preparation of this item of business, and following Cr P Hooper's query, confirmed the ability to apply for such funding on behalf of SEAVROC following each Member Local Governments authorisation (signature).

The Chairman provided comment, with Mr T Brown suggesting that Brookton participate in the funding application, with expenditure being up to each individual Member Local Government.

It was then:

MOVED Cr P Hooper, Seconded Cr D Richards, that the recommendation set out below, be adopted:

- (a) That an application for Local Governance Reform Funding Assistance, be lodged on behalf of the SEAVROC Member Local Governments.***
- (b) Subject to (a) above, the Shire of Quairading be appointed to coordinate and report on funding expenditure and acquittal.***

Lengthy discussion followed, with Mr R Hooper suggesting alternative and possibly higher funding sources in order that a more in depth analysis and report may be undertaken. Delegates agreed that the Group would make application for funding the subject of this Report, and that the Executive Officer would take on board to investigate other sources of funding as suggested by Mr R Hooper.

Ms J Burges provided comment in relation to the Executive Officer's Draft Submission setting the standard and being valued in the vicinity of \$50,000 in comparison to other submissions submitted.

General discussion followed, with the Chairman then putting the motion.

CARRIED UNANIMOUSLY

7. DELEGATES MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

8. NEW BUSINESS OF AN URGENT NATURE

Nil.

With the agreement of Delegates, the meeting stood adjourned at 12:10pm, and reconvened at 12:35 with the same attendees present.

General Business

Mr R Hooper

1. E-Waste

Mr R Hooper advised that York required assistance in relation to E-Waste, requesting that on receipt of documentation detailing launch dates, format, etc, that Chief Executive Officers take the appropriate action. Further, that the five sea containers had been painted and are ready for delivery, with advice of pick up locations to be advised accordingly.

The Chairman requested that Chief Executive Officers follow up on this matter.

2. Waste Management Plan Funding

Waste Management Plan Funding has been approved by The Department of Environment and Conservation, with input required in relation to the seven proposed projects.

Following discussion, the Chairman requested that this matter be listed for discussion at the next Chief Executive Officer's Meeting.

3. National Local Roads and Transport Congress

Documentation was forwarded to Chief Executive Officers in relation to this matter, with Brookton advising that they considered it to be a matter for individual Member Local Governments. York however felt that the matter should be approached from a regional perspective. ALGA had requested attendance to the National Local Roads and Transport Congress to be held in Mackay, Queensland, between 8 and 10 November 2009.

Discussion followed, centring on elections, regional perspective, funding a representative's attendance at the cost of approximately \$500 per Member Local Government, with Delegates agreeing to send a staff member.

It was then:

MOVED Cr P Hooper, Seconded Cr J Alexander, Mr R Hooper represent SEAVROC at the National Local Roads and Transport Congress, to be held in Mackay, Queensland, between 8 and 10 November 2009.

CARRIED UNANIMOUSLY

4. SEAVROC Direction

Mr R Hooper suggested that the Executive Officer needs certainty as to the direction of SEAVROC, commenting on various matters, and requirements of the Executive Officer's role.

Following comment by Mr R Hooper, the Executive Officer, Mr G Fardon, Mr G Tuffin, the Chairman suggested that Mr R Hooper put the concerns raised to the Chief Executive Officer's Meeting, with a report and recommendation to the next Executive Committee Meeting for consideration.

Mr D Richards

1. Cr D Richards commented on the forthcoming local government elections, and possible personnel changes to Member Councils and SEAVROC itself, suggesting that it be formalised that there be no requirement that only a President may fulfil the role of Chairperson.

Further, Cr D Richards extended his compliments to the Chairman on his passion, knowledge and efforts, seeking that he continue as Chairperson following the elections, despite stepping down as President of Cunderdin Shire.

The Chairman thanked Cr D Richards for his kind words, advising that there was no requirement at this point that the role be fulfilled by a President, and further, that the matter would be the subject of Delegates' voting on the day (first meeting following local government elections in October 2009).

General discussion followed on the SEAVROC structure, Charter and MOU requirements in relation to the role.

Mr G Fardon

1. Local Road Mapping - CBH

Mr G Fardon extended thanks to Chief Executive Officers and Councillors for their input in relation to this matter, detailing that the exercise was to develop the preferred SEAVROC area map for planned local controlled roads for concessional loading scheme mass limit use for the 2009/2010 harvest, and CBH surge strategy required for shipping.

Further comment was provided in relation to direct routes to the nearest main road rather than cross country, with Cunderdin and Quairading not supportive of concessional loads utilising the Cunderdin Road, albeit that this is the most direct route to standard gauge.

Mr G Fardon provided additional comment in relation to various locations such as Mawson, Greenhills, Beverley, Kokeby and Dale, with no feedback received to date from CBH or Ms M Mackenzie.

Documentation will be forwarded to Chief Executive Officers for their perusal prior to submission. Further, that additional work was required on the "spaghetti" map, with assistance being sought from John Rossiter.

Following Cr T Lange's suggestion, Mr G Fardon took on board to offer the proposal that trucks with full concessional loading be required to have a GPS on board, thus providing tracking opportunities. Comment was then provided in relation to the legalities of this.

Cr J Alexander

1. Cr J Alexander advised that a meeting would be held with CBH, with issues to be discussed including:

- Mawson to Dale being the shortest route from Quairading to Kwinana.
- Storage of GM Canola in Kokeby from various districts being transported via the Dale Road.

Mr G Fardon advised that currently Mawson and Dale Roads were not being considered for concessional loading, so the requirement was to utilise main roads for this transport.

Cr P Hooper

1. Cr P Hooper advised that he wished to move a motion that SEAVROC prepare a press release as a result of today's meeting, detailing that four Shires have agreed to go down the path of amalgamation, thus providing information to the relevant communities.

Mr G Fardon suggested that this be deferred until the conclusion of, or beyond the deadline of submissions, as the matter was yet to be considered by respective Councils.

Cr J Alexander then requested that such a press release detail that some Councils sought a delayed amalgamation.

The Chairman urged caution in the wording of the release, suggesting that the Executive Officer prepare a press release to be perused by respective Member Local Governments, and to be actioned as requested by Cr J Alexander.

Mr R Hooper advised that a request had been received from the Hills Gazette to interview the Chairman this afternoon for an overview of today's Meeting.

Following a query from Cr T Lange, Cr J Alexander suggested that Beverley's request for delayed amalgamation was for political, financial, and ease of transition reasons, with additional comment by the Chairman.

It was then:

MOVED Cr P Hooper, Seconded Cr D Richards, that a press release be prepared in relation to amalgamation, with distribution to follow finalisation of all Structural Reform Submissions, and be subject to Member Local Governments confirmation and vetting of the wording.

Discussion followed, with the Chairman advising that the subject press release was SEAVROC based, individually Member Local Governments may act independently.

The Chairman then put the motion.

CARRIED UNANIMOUSLY

Ms J Burges

1. Country Local Government Fund

Delegates were advised that due to varying interpretations of the Country Local Government Fund, WALGA had arranged a meeting of Executive Officers for Ms R Reynolds to present information on this Fund. This meeting was scheduled for 21 September 2009, and there was hope that the guidelines may be closer to release by this date.

2. WALGA Hot Line Service

WALGA in collaboration with LGIS have launched a 24 hour, 7 day per week, 1300 hot line for support across the sector, inclusive of elected members and officers, with funding currently provided for six months. This was implemented in Queensland and proved successful. Information would be distributed to local governments this week.

Mr R Hooper

1. Road Clearing Legislation

Mr R Hooper advised that Ms M Mackenzie had scheduled two meetings in relation to this matter, however both were cancelled for different reasons. Should Member Local Governments have concerns in relation to clearing, Black Spot funding, etc, feedback should be provided to the Minister who is supported of the subject.

2. Asset Management

Delegates attention was drawn to Asset Management and the requirement to resurrect this matter as soon as possible.

Chairman

1. The Chairman drew attention to common operating platforms and Asset Management, advising that although the Business Plan on Structural Reform will take considerable time, these matters were important for the group irrespective of the current structural reform process, and that this should be a priority, with examples provided of Cunderdin's rating system and Beverley's upgraded financial process.

Following a query by Cr B Coote, the Executive Officer advised that the Business Plan for the Transition to Amalgamation in the Future, would include such matters as staff retention, entitlements, etc, and that this was mentioned in part (c) of the recommendation provided.

General discussion followed with input by the Chairman, Executive Officer, Mr RHooper, Cr B Coote and Cr P Hooper.

Following Cr D Richard's query, the Chairman advised that today's Meeting had determined that the submission deal with the five Member Local Governments only at this stage without the inclusion of other parties.

Discussion followed with input by Cr B Coote, Cr P Hooper and the Chairman.

8.2 Executive Officer

Nil.

9. CLOSURE OF MEETING

The Chairman took the opportunity of thanking Delegates for their input in and efforts in what has been a challenging process.

There being no further business, the Chairman then declared the Meeting closed at 1:00pm.

STRUCTURAL REFORM

SUBMISSION

SEAVROC REGION



South East Avon Voluntary Regional Organisation of Councils
Representing the Shires of Beverley, Brookton, Cunderdin, Quairading and York

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1. INTRODUCTION

In February 2009, the Minister for Local Government announced his wide ranging Local Government Reform Strategies. As part of this, he has encouraged each local government within Western Australia to embrace the opportunity for voluntary amalgamations to achieve much needed structural reform in this State. As part of this initiative, the Minister is also advocating each council to have an elected member group of between six and nine.

There has been widespread recognition for many years that our existing local government structure, with 139 local governments, some of which have less than 200 electors, is not sustainable. The need for reform is highlighted in the 2006 Western Australian Local Government Advisory Board report into Local Government Structural Reform. The 2008 Western Australian Local Government Association (WALGA) Sustainability Report also states that business as usual is not an option.

The desired outcome of structural reform is a strong sustainable local government. There are a range of benefits that will be achieved through the reform process:

- Increased capacity for local government to better plan, manage and deliver services to their communities, with a focus on social, environmental and economic sustainability;
- Increased capacity for local government to have adequate financial and asset management plans in place;
- Enhanced efficiency in the processing of planning, building and other licence applications made by business and the community;
- Greater ability to attract and retain staff, including the provision of further career development opportunities;
- Greater competition for positions on council, and in conjunction with other reforms, potential for enhanced governance capacity; and
- Larger local governments with greater capacity to partner with State and Federal Government, and the private sector, to further improve services to communities.

It is expected that while undertaking the process of exploring options for amalgamation, local governments will also identify appropriate regional groupings within which to work collaboratively to deliver community benefits on a regional basis.

The Minister requests that by 30 September 2009, each of the 139 local governments in Western Australia will have made an informed decision on voluntary amalgamation, their preferred regional groupings, and the number of elected members required within a range of six to nine.

2. PROCESS

Stage 1 - Agreement on Need for Reform and Partners

- Local Government Reform Checklist.
- Local Government Reform Exploration.
- Predetermined Conditions.

Stage 2 - Initial Preparatory Work for Reform Submission

- Details of Reform Submission.
- Consultation Principles.

Stage 3 - Preparation of Reform Submission

- The Reform Submission - Amalgamations.
- The Reform Submission - Representation.
- The Reform Submission - Regional Grouping.
- The Reform Submission - Transition Timeline.

Stage 4 - Council Endorsement

- Council Resolution to Proceed.

Stage 5 - Reform Submission to the Minister for Local Government

The timeframe for the abovementioned process to be undertaken is between March and September 2009.

Each local government has provided a Local Government Reform Checklist. The Department of Local Government and Regional Development has analysed the information provided in the Checklist, and provided feedback to each local government in June 2009 as to the Checklist assessment outcomes.

A summary of the checklist assessment outcomes for SEAVROC Member Local Governments been compiled together with responses, refer Attachment 1

The purpose of this report is to provide the Minister with a Reform Submission, taking into account the following:

- Submission be framed around the Local Government Advisory Board requirements as per schedule 2.1 of the Local Government Act.

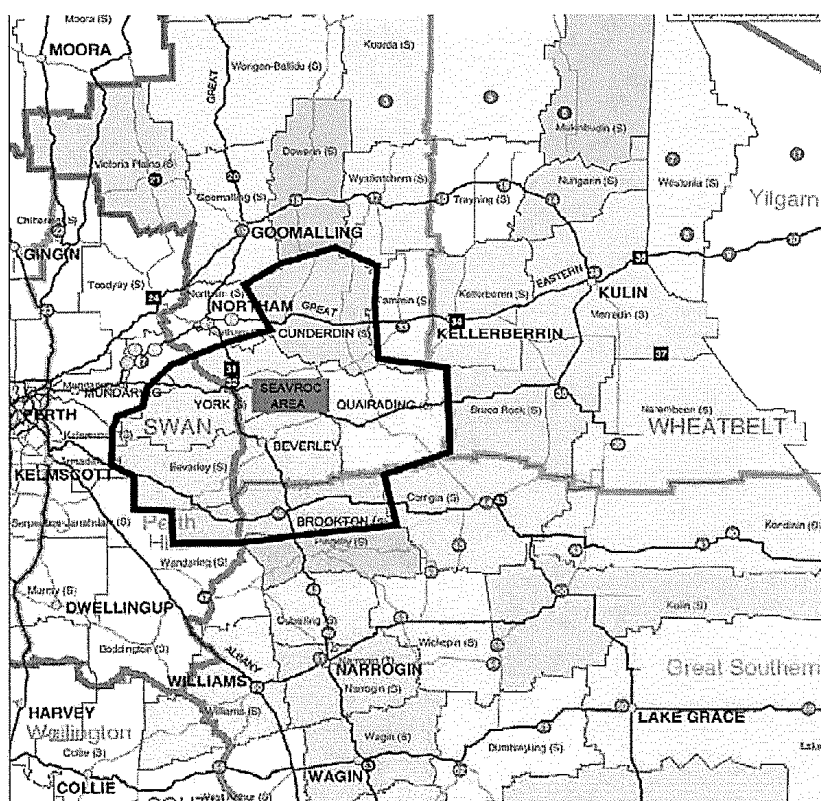
- The Boards' criteria for amalgamation being:
 1. Community of interest;
 2. Local Government viability;
 3. Effective delivery of Local Government services;
 4. Financial assessment;
 5. Economic factors;
 6. Demographic trends;
 7. Transport and communication;
 8. History of the area; and
 9. Physical and topographic features;

as a minimum, with particular emphasis to be placed on items 1 to 4.
- Representation, preferred number of elected members of between six and nine.
- Regional grouping.
- Transition timeline.
- Council resolution to proceed.

3. STUDY AREA - REGIONAL BACKGROUND

The South East Avon Voluntary Regional Organisation of Councils, known as "SEAVROC", a region along the Avon River valley about 100kms east and north of Perth in Western Australia, was established in July 2005. The South East Avon Voluntary Regional Organisation of Councils (SEAVROC) comprises of the Shires of Beverley, Brookton, Cunderdin, Quairading, and York, and is an important element of the wheatbelt region of Western Australia.

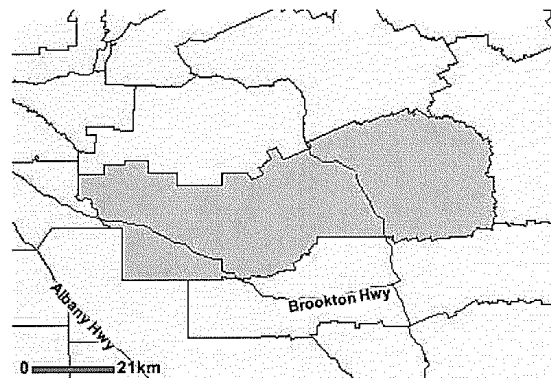
Together, the five Shires cover an area of 9,818m², are responsible for a total road length of 3,920kms, have a population of 8,682, a rate revenue of \$7.73 million, total revenue of \$24.3 million, and 137 Equivalent Full Time (EFT) employees.



4. SEAVROC MEMBER LOCAL GOVERNMENTS - PROFILES

Beverley

The township of Beverley is located on the Great Southern Highway, 130km southeast of Perth, on the banks of the Avon River. The Shire of Beverley covers 2,310km² of the central wheatbelt, with a predominant industry of broad acre agriculture, particularly livestock and cropping. Other supporting industries, such as farm suppliers, steel fabricators, financial services, and general retail, are found in the main town of Beverley.



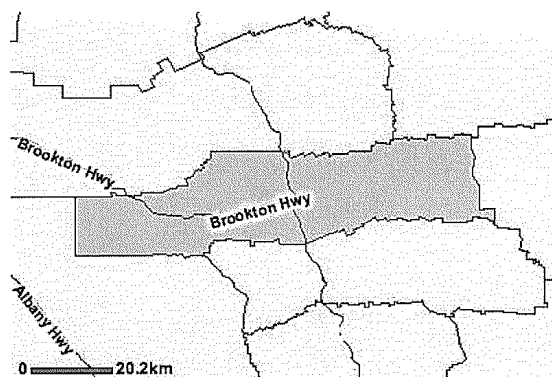
The 2006 Census provides the following statistics in relation to the Local Government area of Beverley:

- People: 1,562, of which 51.9% were males, and 48.1% females.
- Age: 18.4% were children aged 0-14 years, 39% were 55 years and over, with the median age being 49 years.
- Nationality: 89.2% of persons were Australian citizens, 15.1% were born overseas.
- Marital Status: 58.6% were married, 20.8% never married, 14.1% separated/divorced, and 6.8% widowed.
- Labour Force: 652 people, of these 62.7% were employed fulltime, 25% were employed part time.
- Occupation: 40.9% were managers, 11.9% labourers, 10.8% technicians and trade workers, 9.8% professionals, and 8.3% machinery operators and drivers.
- Industry Employment: 36.4% sheep, beef cattle and grain farming, 5.1% school education, 3.6% local government administration, 3.4% residential care services, and 2.9% support services.

Brookton

Brookton is located 138km south east of Perth on the Great Southern Highway. The area was settled by John Seabrook in 1846, and in 1906 the Brookton Road Board was formed.

Brookton is a key agricultural centre for a rich mixed farming district. It contains a district high school, banking and shopping facilities, hotel, motel and caravan park accommodation, Council Offices and a Telecentre.



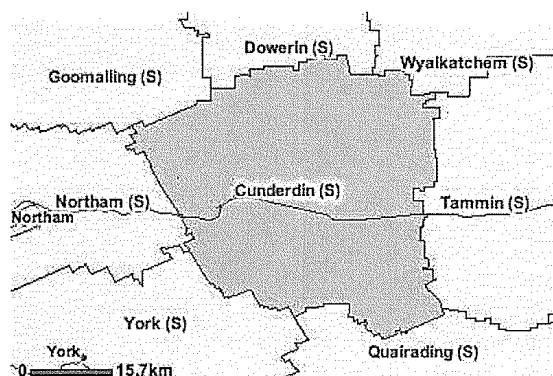
The 2006 census provides the following statistics in relation to the local government area of Brookton:

- People: 978, of which 48.8% were males, and 51.2% females.
- Age: 22.4% were children between 0-14 years, and 38.5% were aged 55 years and over. The median age of persons was 42 years.
- Nationality: 91% of persons were Australian Citizens, 9.5% were born overseas.
- Marital Status: 58.1% of persons were married, 22.8% never married, 9.7% separated/divorced, and 9.6% widowed.
- Labour Force: 480 people, of these 60.4% were employed full time, 28.1% part time.
- Occupation: 39.7% were managers, 13% labourers, 11.5% trade workers, 8.9% community and personnel service workers, and 7.2% clerical and administrative.
- Industry Employment: 39.5% sheep, beef cattle and grain farming, 5.9% school education, 5.4% local government, 3.3% support services.

Cunderdin

Located as the No 3 Pumping Station on the Golden Pipeline Heritage Trail, Cunderdin is 156km east of Perth, or a two hour drive from Perth on the Great Eastern Highway, between Meckering and Tammin.

Land was set aside for a townsite in 1904, and gazetted in 1906. Cunderdin is the Aboriginal name of a nearby hill, first recorded by the explorer C C Hunt in 1864. The meaning of the name is not known, but one source states "Cunder" is derived from "Quenda", meaning "place of the bandicoot", and another source gives it as meaning "big turkey".



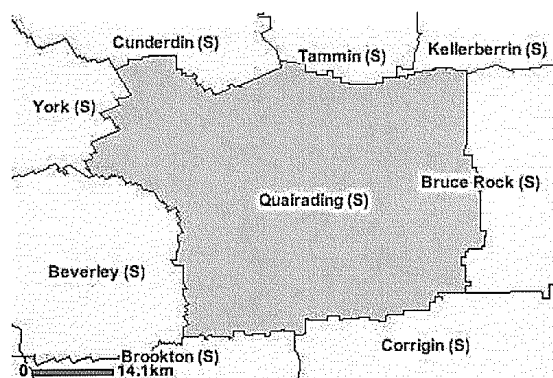
The 2006 Census provides the following statistics in relation to the Local Government Area of Cunderdin:

- People: 1,250, of which 53.9% were males and 46.1% were females.
- Age: 20.6% were children 0-14 years, 27.5% were persons aged 55 years and over. The median age was 39 years.
- Nationality: 90.3% of persons were Australian citizens, 10.2% were born overseas.
- Marital Status: 58.1% were married, 26.8% never married, 8.9% separated/divorced, 5.6% widowed.
- Labour Force: 621 people, of these 64.9% were employed full time, 25.9% part time.
- Occupation: 33.2% managers, 14.2% labourers, 13.6% technicians and trade workers, 11.6% clerical and administrative, and 8% professionals.
- Industry Employment: 28.3% sheep, beef cattle and grain farming, 9.7% school education, 3.7% furniture manufacturing, 3.2% supermarket and grocery stores, and 3.2% hospitals.

Quairading

Quairading is located about 170kms east of Perth, and 249m above sea level. It is situated 69km from York, on the road between York and Bruce Rock. Quairading derives its name from the nearby Quairading Spring, an Aboriginal name first recorded by surveyor Alexander Forrest in 1872. The meaning of this name may be related to "Quairit", an Aboriginal word for the eldest girl of a family, although another source gives it as "home of the bush kangaroo" – "Quara".

Quairading is a farming community, producing cereal and grain crops, wool, sheep, cattle, and rural service industries.



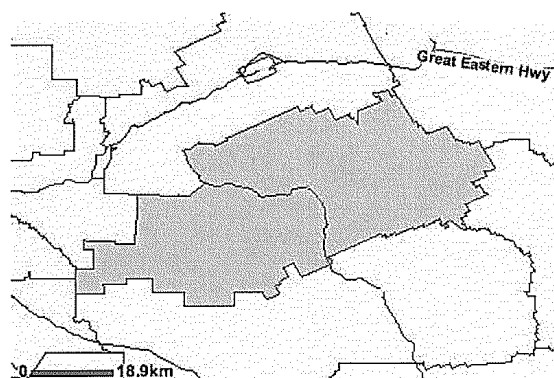
The 2006 Census provides the following statistics in relation to the Local Government area of Quairading:

- People: 1,022, of which 50.8% were males, and 49.2% were females.
- Age: 22.4% were children aged 0-14 years, and 30% were persons aged 55 years and over. The median age was 37 years.
- Nationality: 89.2% of persons were Australian citizens, and 9.1% were born overseas.
- Marital Status: 61.7% were married, 21.8% never married, 9.7% separated or divorced, and 6.8% widowed.
- Labour Force: 479, of which 55.1% were full time, and 32.4% part time.
- Occupation: 39.5% managers, 12.9% labourers, 10.5% technicians and trade workers, 8.9% professionals, and 6.9% clerical and administrative workers.
- Industry Employment: 36.6% sheep, beef cattle and grain farming, 7.6% school education, 5.6% local government administrative, 3.8% hospitals, and 3.6% support services.

York

York is the oldest inland town in Western Australia, being situated approximately 97kms east of Perth by road in the Avon Valley, and covering 2,010km². Nestled on the banks of the Avon River, the town has maintained a vibrant spirit among its many Victorian and Federation buildings. York is renowned for its preservation of heritage buildings and sites, providing charm and character to the town. An abundance of local activities and facilities make it an attractive destination.

York offers a scenic, rural lifestyle, and a family orientated community. It is close enough to Perth for easy access, and only 45 minutes to Midland.



The 2006 Census provides the following statistics in relation to the Local Government area of York:

- People: 3,116, of which 50.9% were males, and 49.1% were females.
- Age: 19.4% were children aged 0-14 years, 34.5% were persons 55 years and over, median age of persons was 45 years.
- Nationality: 90.5% were Australian citizens, 17.4% were born overseas.
- Marital Status: 58.3% were married, 22.1% never married 14.3% separated/divorced and 5.4% widowed.
- Labour Force: 1,436, of which 56.4% were employed full time, and 31.7% part time.
- Occupation: 23.9% were managers, 15.9% technicians and trade workers, 13.0% professionals, 11.6% labourers, and 11.3% clerical and administrative workers.
- Industry Employment: 15.2% sheep, beef cattle and grain farming, 6% school education, 4.1% cafes, restaurants and takeaway food services, 4.1% supermarket and grocery stores, and 2.7% support services.

5. SEAVROC MEMBER LOCAL GOVERNMENTS

Statistical Snapshot 2007/2008

	Beverley	Brookton	Cunderdin	Quairading	York	Total
Area km ²	2,310	1,626	1,872	2,000	2,010	9,818
Length of Sealed Roads (km)	241	203	376	288	255	1,363
Length of Unsealed Roads (km)	516	440	466	654	480	2,556
Population	1,625	1,061	1,490	1,022	3,484	8,682
Number of Electors	1,785	701	895	750	2,544	6,675
Number of Dwellings	740	489	575	500	1,341	3,645
Total Rates Levied	1,804,583	944,424	1,323,963	1,130,000	2,527,396	7,730,366
Total Revenue	4,104,756	6,210,971	4,634,241	3,132,000	5,760,050	24,313,244
Number of Employees	27	27	22	26	35	137

Statistics taken from the 2008 Western Australian Local Government Directory.

6. RURAL STRUCTURAL REFORM IN WESTERN AUSTRALIA

Structural reform can take many forms, including resource sharing, establishing regional councils, and amalgamations. Structural reform in WA gained momentum with a study in 1996, undertaken by the then Local Government Structural Reform Advisory Committee. The report resulting from this Study was titled "Advancing Local Government in Western Australia". That report indicated 70% of respondent local governments stated there was potential for increased cooperative arrangements and resource sharing within local government. The Committee agreed with that view, recommending such arrangements be formalised through written agreements between participating local governments.

In 2005, the Western Australian Local Government Association (WALGA) conducted a structural reform forum which resulted in the formation of the Systemic Sustainability Panel to research and investigate the sustainability of local government in Western Australia. A final report titled "The Journey, Sustainability into the Future" was completed in September 2008.

The SSS Report states:

"Focusing Local Government reform around regional processes and platforms is significantly different to imposed structural reform initiatives. It is not driven by a reduction in the number of local governments for the sake of simple cost savings, nor does it suggest there is a 'one size that fits all' solution. The objective is to improve the ability for local governments to meet expectations of the communities, at both local and regional levels, through retention of existing representation arrangements supported by enhanced capability for improved service delivery".

Over the last three years, SEAVROC has investigated a number of regional collaborative models that would allow its Member Local Governments to establish a legal entity to perform the day to day administrative functions, deliver services on behalf of its Member Local Governments, and take advantage of economies of scale.

SEAVROC Member Local Governments, under current legislation, can out source the undertaking of all of their day to day administrative functions and service delivery by contracting out to the public and private sector, and still retain their decision making powers, enforcement and compliance provisions, as required by the Local Government Act 1995 and other relevant legislation.

Section 3.60 of the Local Government Act 1995 prohibits the establishment of a body corporate, unless it is permitted to do so by Regulations.

Section 3.60 states:

"3.60 No capacity to form or acquire control of body corporate.

A local government cannot form or take part in forming, or acquire an interest giving it the control of, an incorporated company or any other body corporate except a regional local government unless it is permitted to do so by regulations."

The South Australian and Northern Territory Local Government Acts allow local governments to form subsidiaries to carry out the functions related to local government on behalf of the constituent Councils. Each must have a constitution or charter, and be approved by the relevant Minister. The South Australian Act specifies by schedule those things that must be included in the constitution or charter, whereas the Northern Territory Act merely provides for the approval of the Minister.

Mr Neil Douglas, in his study titled "Feasibility Study of Regional Collaborative Models for SEAVROC Local Governments", when analysing the different corporate models in Item 5 states:

"There are three particularly attractive features of the regional subsidiary model. The first is that the regulatory and compliance burdens imposed by the Act itself are light – at least when compared with the regulatory burdens imposed on local governments and regional local governments in WA."

The second attraction of the regional subsidiary model is that much of the regulation of a regional subsidiary is left to each individual charter. There are two advantages with this. One is that neither the original charter, nor any amendments, require legislative intervention. The second is that it ensures that, where appropriate, flexible arrangements can apply to different regional subsidiaries to accommodate the inevitable differences that would arise between, for example, a regional subsidiary that is responsible for the operation of a large commercial enterprise, compared with a regional subsidiary that is responsible for a broad range of service delivery functions on behalf of a number of rural local governments.

The third attraction of the regional subsidiary model is that, in several respects, the details of the regulatory framework that apply to it appear to be particularly suited to the type of regional body proposed by SEAVROC Members. These aspects include:

- (a) The focus on reporting and accountability by the regional subsidiary to its constituent councils, rather than to the Department, the Minister, or an external body;
- (b) That a regional subsidiary is subject to the joint direction and control of its constituent members; and
- (c) Provisions that enable a charter to deal with the proceedings of a board of management, and override the 'default' general provisions of the Act that apply to proceedings of a council.

While opinions may differ as to whether the subsidiary model would require legislative intervention to enable a similar model to be established and operate in Western Australia, or it can be achieved by amendments to the Local Government (Functions and General) Regulations, the regional subsidiary model has attractive features that cannot be ignored, such as flexibility, the use of individual charters as the primary regulatory source, and relatively light compliance and regulatory burdens that apply to it, whilst Western Australian regional local governments have an unduly high level of compliance and regulatory burdens, thus requiring significant resources to ensure their obligations are met. It's difficult to imagine that a lesser body has similar compliance and regulatory burdens imposed on local governments, the same bodies that create the regional local government. If local government in Western Australia is not to be impeded, then this operational model needs to be incorporated in the Local Government Act 1995 and/or its Regulations.

All five SEAVROC Member Local Governments have been working together to form an alternative structure of regional local government which protects local autonomy and identity through structural reform, while improving service delivery through the implementation of resource sharing.

7. ECONOMIC ANALYSIS

Beverley

The Shire includes the localities of Beverley, Kokeby, Mawson, West Dale, Bally Bally, Dale, East Beverley, Flint, Morbining, Mount Kokeby and Talbot West.

The estimated resident population in 1998 was 1,552, and increased to 1,708 in 2008, an increase of 9% over the period. Population projections, as per the publication 'Western Australia Tomorrow for Local Government Areas for the Years 2004-2021', reveals a decline to approximately 1,500 residents over the long term. The age group of 0-14 years are in decline, with an increase in the population for 65+ years.

The major industry is sheep, beef cattle and grain farming, employing 223 people, or 36.4% of the workforce, with managers, labourers and trade workers being the major occupations representing 63% of the workforce.

The median weekly individual income was \$341, and household income was \$639, compared to \$466 and \$1,027 Australia wide, and \$500 and \$1,066 for Western Australia respectively.

The number of businesses in Beverley in 2006 were 250, a decline of 50 businesses between 2003 to 2006.

Agricultural Statistics for Beverley are as follows:

Total Area		Beverley
Area of Holding	Ha	151,268.7
Cereals for Grain	Ha	39,024.5
Vegetables for Human Consumption	Ha	4.8
Orchard Trees (Including Nuts)	Ha	14.9
All Fruit (Excluding Grapes)	Ha	14.9
Non Cereal Broadacre Crops	Ha	7,337
Sheep and Lambs	No	363,858
Milk Cattle (Excluding House Cows)	No	5
Meat Cattle	No	5,742
Pigs	No	1,812
Total Gross Agricultural Value	\$ Million	41.9

Brookton

The Shire includes the localities of Aldersyde, Brookton, Jelcobine, Kweda, Kulyaling and Nalya.

The estimated resident population in 1998 was 973, and increased to 1,028 in 2008, an increase of 5.6% over the period. Population projections, as per the publication 'Western Australia Tomorrow for Local Government Areas for the Years 2004-2021', reveals a decline to approximately 1,000 residents over the long term. The age group of 0-14 years are in decline, with a projected increase in the population for the age group 15-29 years.

The major industry is sheep, beef cattle and grain farming, employing 182 people, or 39.5% of the workforce, with managers, labourers and trade workers being the major occupations representing 64% of the workforce.

The median weekly individual income was \$440, and household income was \$749, compared to \$466 and \$1,027 Australia wide, and \$500 and \$1,066 for Western Australia respectively.

The number of businesses in Brookton in 2006 were 150, and have remained constant over the period 2003-2006.

Agricultural Statistics for Brookton are as follows:

Total Area		Brookton
Area of Holding	Ha	128,313.1
Cereals for Grain	Ha	37,262.6
Vegetables for Human Consumption	Ha	10.5
Orchard Trees (Including Nuts)	Ha	0
All Fruit (Excluding Grapes)	Ha	0
Non Cereal Broadacre Crops	Ha	6,476.4
Sheep and Lambs	No	329,484
Milk Cattle (Excluding House Cows)	No	0
Meat Cattle	No	2,068
Pigs	No	41
Total Gross Agricultural Value	\$ Million	33.5

Cunderdin

The Shire includes the localities of Cunderdin, Meckering, Greenwoods Valley, Quelagetting, Waeel, Warding East, Watercarrin, Wyala West and Younegin.

The estimated resident population in 1998 was 1,491, and decreased to 1,298 in 2008, a decrease of 13% over the period. Population projections, as per the publication 'Western Australia Tomorrow for Local Government Areas for the Years 2004-2021', reveals an increase to approximately 1,600 residents over the long term. The age group 0-19 years are in decline, with a projected increase in the population for the age group 20-39 years.

The major industry is sheep, beef cattle and grain farming, employing 169 people or 28.0% of the workforce, with managers, labourers and trade workers being the major occupations, representing 61% of the workforce.

The median weekly individual income was \$411, and household income was \$765, compared to \$466 and \$1,027 Australia wide, and \$500 and \$1,066 for Western Australia respectively.

The number of businesses in Cunderdin in 2006 were 170, a decline of 20 businesses between 2003-2006.

Agricultural Statistics for Cunderdin are as follows:

Total Area		Cunderdin
Area of Holding	Ha	141,033.7
Cereals for Grain	Ha	38,720.9
Vegetables for Human Consumption	Ha	0
Orchard Trees (Including Nuts)	Ha	0
All Fruit (Excluding Grapes)	Ha	0
Non Cereal Broadacre Crops	Ha	5,048.7
Sheep and Lambs	No	396,254
Milk Cattle (Excluding House Cows)	No	132
Meat Cattle	No	8,874
Pigs	No	5,001
Total Gross Agricultural Value	\$ Million	49.5

Quairading

The Shire includes the localities of Badjaling, Balkuling, Dangin, Pantapin, Quairading, Yoting and Doodenanning.

The estimated resident population in 1998 was 1,215, and decreased to 1,134 in 2008, a decrease of 3.4% over the period. Population projections as per the publication 'Western Australia Tomorrow for Local Government Areas for the Years 2004-2021', reveals the population remaining constant over the long term at 1,100 residents. The age group 10-24 years are in decline, along with the age group 40-49 years, with a projected increase in the population of the age group 50-64 years.

The major industry is sheep, beef cattle and grain farming, employing 164 people, or 36.6% of the workforce, with managers, labourers and trade workers being the major occupations representing 63% of the workforce.

The median weekly individual income was \$412, and household income was \$733, compared to \$466 and \$1,027 Australia wide, and \$500 and \$1,066 for Western Australia respectively.

The number of businesses in Quairading in 2006 were 160, and have reduced marginally between 2003-2006.

Agricultural Statistics for Quairading are as follows:

Total Area		Quairading
Area of Holding	Ha	189,393.5
Cereals for Grain	Ha	75,452.9
Vegetables for Human Consumption	Ha	0
Orchard Trees (Including Nuts)	Ha	4.2
All Fruit (Excluding Grapes)	Ha	4.2
Non Cereal Broadacre Crops	Ha	12,566.9
Sheep and Lambs	No	238,473
Milk Cattle (Excluding House Cows)	No	0
Meat Cattle	No	1,103
Pigs	No	2,019
Total Gross Agricultural Value	\$ Million	47.1

York

The Shire includes the localities of Burges Siding, Greenhills, Kauring, Talbot Book, York, Badgin, Balladong, Caljie, Cold Harbour, Daliak, Flynn, Gilgering, Wilberforce, St Ronans, Gwambygine, Inkpen, Malebelling, Mount Hardey, Mount Observation, Narraloggan.

The estimated resident population in 1998 was 3,033, and increased to 3,449 in 2008, an increase of 13.7% over the period. Population projection, as per the publication 'Western Australia Tomorrow for Local Government Areas for the Years 2004-2021', reveals an increase to approximately 4,400 residents over the long term. All age groups 0-85 plus are projected to increase over the long term.

The major industries are sheep, beef cattle and grain farming, school education and cafes, restaurants and take away foods, employing 345 people, or 25.3% of the workforce, with managers trade workers and professionals being the major occupations representing 52.8% of the workforce.

The median weekly individual income was \$398, and household income was \$776, compared to \$466 and \$1,027 respectively Australia wide, and \$500 and \$1,066 for Western Australia.

The number of businesses in York in 2006 was 460, and have reduced marginally between 2003-2006.

Agricultural Statistics for York are as follows:

Total Area		York
Area of Holding	Ha	136,134.6
Cereals for Grain	Ha	36,878.6
Vegetables for Human Consumption	Ha	0
Orchard Trees (Including Nuts)	Ha	35.3
All Fruit (Excluding Grapes)	Ha	35.3
Non Cereal Broadacre Crops	Ha	6,480.7
Sheep and Lambs	No	301,204
Milk Cattle (Excluding House Cows)	No	97
Meat Cattle	No	3,717
Pigs	No	2,038
Total Gross Agricultural Value	\$ Million	46.2

8. FINANCIAL ANALYSIS

The financial analysis was undertaken in order to determine the current financial position and the future impact of the SEAVROC Member Local Governments operating as a regional grouping for the delivery of works and services, or potential amalgamation, in total, or by a number of Member Councils.

The financial analysis examines the current financial viability of each Member Local Government, and identifies potential advantages to be gained through resource sharing and service delivery via a common platform or amalgamation.

Reliance was placed on the financial reports of each Member Local Government in order to compile the following information.

2007-2008 Financial Statements

OPERATING STATEMENT	BEVERLEY	BROOKTON	CUNDERDIN	QUAIRADING	YORK	TOTAL
	\$	\$	\$	\$	\$	\$
Revenue						
General Purpose						
- Rates	1,749,432	1,026,136	1,165,747	1,145,691	2,683,574	7,770,580
- Grants	945,951	612,392	933,477	1,086,097	1,064,171	4,642,088
- Other	168,375	247,534	205,133	185,377	256,055	1,062,474
Law Order Public Safety	74,655	50,893	80,678	44,359	345,205	595,790
Health	47,773	238,020	9,134	370,827	19,121	684,875
Education and Welfare	-	2,687,323	1,500	65,142	20,048	2,774,013
Housing	47,332	37,869	14,211	52,200	-	151,612
Community Amenities	125,628	369,748	121,816	125,654	611,835	1,354,681
Recreation and Culture	81,274	805,772	82,633	37,086	127,714	1,134,479
Transport	510,665	380,820	538,861	500,964	813,094	2,744,404
Economic Service	80,367	57,403	25,622	40,600	113,920	317,912
Other Property/Services	121,706	88,523	190,503	165,558	507,310	1,073,600
TOTAL REVENUE	3,953,158	6,602,433	3,369,315	3,819,555	6,562,047	24,306,508

Expenditure						
- Governance	(275,240)	(418,538)	(492,614)	(416,130)	(351,189)	(1,953,711)
- General Purpose	(71,120)	(131,256)	(22,432)	(36,255)	(180,635)	(441,698)
- Law Order Public Safety	(73,455)	(161,011)	(117,635)	(63,281)	(328,508)	(734,890)
- Health	(126,945)	(327,815)	(62,931)	(546,543)	161,662	(1,225,896)
- Education and Welfare	(17,359)	(2,678,537)	(3,058)	(60,874)	(70,639)	(2,830,467)
- Housing	(131,437)	(99,096)	(21,683)	(94,367)	-	(346,583)
- Community Amenities	(248,420)	(275,653)	(231,506)	(290,080)	(824,574)	(1,870,233)
- Recreation and Culture	(477,913)	(561,500)	(541,250)	(359,889)	(949,565)	2,890,117
- Transport	(1,544,228)	(873,106)	(1,806,074)	(1,685,735)	(4,153,452)	(10,062,595)
- Economic Services	(202,874)	(186,947)	(29,125)	(180,003)	(345,631)	(944,580)
- Other Property/Services	(78,547)	(42,155)	(137,806)	(92,422)	(468,385)	(819,315)
TOTAL EXPENDITURE	(3,247,538)	(5,755,614)	(3,466,114)	(3,825,579)	(7,834,240)	(24,129,085)
Change in Net Assets (Resulting from Operations Surplus/ Deficit)	705,620	846,819	(96,799)	(6,024)	(1,272,193)	177,423
Plus Non Cash Items						
- Book Value Assets Sold Written back	168,993	229,261	59,210	367,003	168,536	993,003
- Depreciation Written Back	1,030,865	894,312	1,316,510	1,399,146	4,028,946	8,669,779
- Other	(72,518)	(36,067)	254,392	63,659	0	209,466
Net Transfer (To) from Reserves	(228,298)	(1,385,717)	(76,295)	(11,630)	(142,661)	(1,844,601)
New Loan Borrowings	0	1,000,000	0	0	0	1,000,000
Net Principle Loan Repayments	(51,279)	(54,155)	(499,175)	(81,497)	(36,533)	(7,226,639)
Total Funds Available for Asset Renewal/Replacement and development of new assets	1,553,383	1,494,453	957,843	1,730,657	2,746,095	8,482,431

The above analysis does not take into account the following net opening and closing funds zero values for the purpose of determining funds available for the Renewals, Replacement and development of new assets.

	BEVERLEY	BROOKTON	CUNDERDIN	QUAIRADING	YORK	TOTAL
Net Surplus	463,581	334,949	406,442	187,574	(544,065)	848,481

	BEVERLEY	BROOKTON	CUNDERDIN	QUAIRADING	YORK	TOTAL
Value of Assets (Property, Plant, Equipment Infrastructure)	34,266,956	15,337,176	40,271,834	30,964,430	21,322,683	142,163,079
% of Funds Available for Assets Renewal/ Replacement/ New to Value of Assets	4.5%	10.0%	2.4%	5.6%	12.87%	6%

	BEVERLEY	BROOKTON	CUNDERDIN	QUAIRADING	YORK	TOTAL
Existing Debt Levels	393,924	2,441,982	1,404,840	106,041	74,229	4,421,016

	BEVERLEY	BROOKTON	CUNDERDIN	QUAIRADING	YORK	TOTAL
Cash Backed Reserves	1,648,020	2,683,347	1,130,744	1,218,788	2,034,539	8,715,438

Financial Position	BEVERLEY	BROOKTON	CUNDERDIN	QUAIRADING	YORK	TOTAL
- Equity	36,037,535	16,523,625	40,448,698	32,518,077	23,791,345	149,319,280
- Current Assets	2,508,502	4,403,526	1,627,109	1,644,239	3,313,428	13,496,804
- Current Liabilities	579,985	1,436,309	337,293	510,552	840,461	3,704,600
Net Current Asset/Liabilities	1,928,517	2,967,217	1,289,816	1,133,687	2,472,967	9,792,204
- Non Current Assets	34,466,644	15,980,646	40,456,461	31,429,874	21,415,177	143,748,802
- Non Current Liabilities	357,626	2,424,239	1,297,579	45,484	96,799	4,221,727

Governance Cost Councillors						
- Attendance Fees Councillors.	23,042	8,040	11,060	24,620	32,326	99,088
- Allowance President/Deputy President	4,140	758	934	0	9,875	15,707
- Travelling Allowance	1,339	2,344	669	0	0	4,352
- Telecommunication IT Allow	0	930	0	0	12,323	13,253
- Conference Expenses	4,878	6,529	6,577	3,231	10,500	31,715
- Refreshments & Entertainment	11,788	14,959	9,363	12,781	23,333	72,224
- Insurance	4,744	3,093	4,008	7,700	1,325	20,870
- Other	8,192	6,914	2,431	6,467	7,700	31,704
- Administration Allocation	N/A	N/A	N/A	N/A	N/A	N/A
Total Cost	58,123	43,567	35,042	54,799	97,382	288,913
Number of Councillors	9	9	8	9	6	

Employee Costs	1,172,737	1,386,856	867,414	1,331,208	1,747,936	6,506,151
Number of Employees	25	21	20	23	32	125

9. FINANCIAL RATIOS

There are a series of key financial ratios prescribed by legislation included in the audited financial statements used to measure the liquidity, debt, coverage, effectiveness and financial position of all local governments. These indicators provide a short term measure of a local government's performance and trends over a number of reporting periods.

The prescribed financial ratios are:

- **Current Ratio**

This ratio focuses on the liquidity position and represents:

$$\frac{\text{Current Assets} - \text{Restricted Current Assets} - \text{Self Supporting Loans}}{\text{Current Liabilities} - \text{Current Liabilities Associated with Restricted Current Assets}}$$

- **Debt Ratio**

This ratio is a measure of total liabilities to total assets or alternatively the number of times the total liabilities are covered by the total assets and represents:

$$\frac{\text{Total Liabilities}}{\text{Total Assets}}$$

- **Debt Service Ratio**

This ratio measures the ability to service debt out of available operating revenue and represents:

$$\frac{\text{Debt Service Cost (principle \& interest on loans)}}{\text{Available Operating Revenue}}$$

- **Rate Coverage Ratio**

This ratio measures the dependency on rates to fund operations and represents:

$$\frac{\text{Net Rate Revenue}}{\text{Operating Revenue}}$$

- **Outstanding Rates**

This ratio measures the effectiveness with the collection of rates and represents:

$$\frac{\text{Total Rates Outstanding}}{\text{Total Rates Collectible}}$$

- **Gross Debt to Revenue Ratio**

This ratio is a measure of a local government's ability to service debt in any given year out of its total revenue and represents:

$$\frac{\text{Total Borrowings + Utilised Overdraft}}{\text{Total Revenue}}$$

- **Untied Cash to Trade Creditors Ratio**

This ratio provides an indication of whether a local government has sufficient unrestricted cash to pay its trade creditors in accordance with normal trading terms and represents:

$$\frac{\text{Untied Cash (Uncommitted Cash)}}{\text{Unpaid Trade Creditors}}$$

- **Gross Debt to Economically Realisable Assets Ratio**

This ratio provides a measure as to whether a local government has sufficient realisable assets to cover its total borrowings and represents:

$$\frac{\text{Total Borrowings + Utilised Overdraft}}{\text{Total Assets – Infrastructure Assets}}$$

These ratios reported in the annual financial statements have been summarised to provide an indication of the short to medium term financial health of each Member Local Government for 2006, 2007 and 2008.

The reported ratios for the SEAVROC Member Local Governments are as follows:

RATIOS	BENCH MARK	BEVERLEY			BROOKTON			CUNDERDIN			QUAIRADING			YORK			CONSOLIDATED
		06	07	08	06	07	08	06	07	08	06	07	08	06	07	08	
Current	1.0>	1.34	1.92	1.14	1.22	2.22	1.04	0.88	2.34	1.80	2.33	1.74	0.93	1.19	1.50	1.74	1.56
Debt	<1.0	0.02	0.03	0.03	0.12	0.13	0.19	0.05	0.05	0.04	0.02	0.02	0.02	0.03	0.03	0.04	0.05
Debt Service	<0.10	0.02	0.02	0.03	0.01	0.02	0.03	0.07	0.08	0.02	0.04	0.04	0.03	0.03	0.03	0.01	0.04
Rate Coverage	0.27>	0.58	0.48	0.45	0.16	0.13	0.18	0.29	0.35	0.35	0.25	0.27	0.28	0.41	0.44	0.42	0.34
Outstanding Rates	<0.05	0.07	0.06	0.09	0.03	0.01	0.01	0.02	0.09	0.06	0.02	0.02	0.01	0.10	0.05	0.07	0.05
Gross Debt to Revenue	<0.60	0.09	0.10	0.11	0.23	0.10	0.42	0.46	0.59	0.47	0.09	0.09	0.03	0.05	0.02	0.01	0.19
Untied Cash to Trade Creditors	1.0>	2.36	4.52	1.82	-1.16	2.67	0.36	0.02	2.64	4.95	3.30	3.74	1.89	5.14	1.32	1.29	2.32
Gross Debt to Economically Realisable Assets	<0.30	0.01	0.06	0.05	0.10	0.09	0.17	0.46	0.35	0.28	0.04	0.03	0.02	0.03	0.01	0.01	0.11

Source: 2007/2008 Annual Reports and benchmarks detailed in the Local Government Advisory Board for the Proposal to Amalgamate the Shires of Tambellup and Broomehill.

10. COMMUNITY OF INTERESTS

Factors considered include shared interests, shared community facilities creating a focus for the community, use of shopping facilities, schools and hospitals, direction that people travel to access services and facilities, and sense of community and belonging.

The establishment of SEAVROC has in recent years increased the level of collaboration and cooperation between the Member Local Governments. The desire to establish a regional group to bring about greater collaboration, resources sharing and service delivery for mutual benefit to its Member Councils, while each Member retained their individual identity and equal voting rights, has drawn the Local Governments together and is supported by the local communities.

SEAVROC supports structural reform of regional local governments, but in a way which protects local autonomy and identity.

The five major towns provide recreational, educational and health facilities for their local communities. The area has great potential for tourism, with York being only 97kms from Perth, making it a point of destination for tourists.

Northam, York and Narrogin are recognised as regional centres within the wheatbelt, and there are community connections for the SEAVROC Member Local Governments for employment, health, education, commerce in rural equipment sales, and sporting activities.

All five Member Local Governments are stakeholders in the Avon Catchment Council, the principal natural resources management body in the Avon River basin, which provides leadership and direction for sustainable natural resource management within the basin. Community of Interest is enhanced when local governments are strategically grouped, however in many other regional organisations (refer page 35); the five local governments are aligned to different groupings, adversely impacting on the commonality of interest.

11. PHYSICAL AND TOPOGRAPHIC FEATURES

Factors considered are features and firm identifiable boundaries.

While the submission does not address these factors, as it assumes that the external boundaries of each Member Local Government, and of SEAVROC, will not be amended. There is general agreement between the five Member Local Governments that external and internal boundaries should be reviewed in detail as part of the Structural Review process.

The designated State and National Forests provide a natural buffer between the local governments located in the 'Avon Arc', and Perth Outer Metropolitan Local Governments.

12. DEMOGRAPHIC TRENDS

The factors considered are population, gender and occupation.

These factors have already been analysed for each individual Local Government, and are now combined for the region, as per the data contained in the 2006 Census.

- People: 7,928, of which 51.1% were males and 48.9% were females.
- Age: 20.6% were children aged 0-14 years, 33.9% were 55 years and over. The median age was 42 years.
- Nationality: 90.0% of persons were Australian citizens, 12.3% were born overseas.
- Marital Status: 59.0% were married, 22.9% never married, 11.3% separated/divorced and 6.8% widowed.
- Labour Force: 3,668, people of these 59.9% were employed full time, 28.6% were employed part time.
- Occupation: 35.4% were managers, 12.7% labourers, 11.6% technicians and trade workers, 9.9% professionals, and 8.1% clerical and administrative.
- Industry Employment: 31.2% sheep, beef cattle and grain farming, 6.9% school education, 4.9% local government administration, and 3.7% support services.

13. ECONOMIC FACTORS

The factors considered are industries, distribution of community assets infrastructure.

An economic analysis was undertaken for each SEAVROC Member Local Government, and is detailed on pages 13-17 of this Submission.

There is unlikely to be any significant increases and decreases in economic activity in the region, as the area is well established and the land use is unlikely to change in the short term. In the medium to long term, the western portion of the SEAVROC region will expand as a result of increased demand for residential and industrial land to meet the needs of metropolitan Perth. The population of York is estimated to increase to approximately 4,400 from 3,449 in 2008, with projected increases in all age groups. SEAVROC is being assessed under the Agribusiness Precinct System, promoted by the Department of Agriculture and Food WA, and preferred locations should be identified and designated in early 2010.

The 'Avon Arc Sub Regional Strategy' provides a regional framework for long term land use within the Avon Arc. The Member Local Governments of Beverley, Brookton and York, form part of the sub region, which lies in the western portion of the wheatbelt region.

Due to its physical proximity to Perth, the Avon Arc is the gateway to the Perth region. The region will see a strong growth in rural lifestyle subdivisions, and changes to traditional agriculture farming practices will lead to pressure for changes in land uses within the sub-region.

14. HISTORY OF THE AREA

Factors considered are strong historical identity and historical links between communities.

Beverley

Located 33km south east of York in the Avon valley, land at Beverley was set aside for a townsite in 1830. The town is believed to be named after a town in Yorkshire, as some of the earliest explorers of the Avon valley area were from Yorkshire.

Brookton

A farming town in the Great Southern region, between Beverley and Pingelly, Brookton was one of the original stations on the Great Southern Railway which opened in June 1889. When the government gazetted a townsite here in 1895, it was named "Seabrook", but local acceptance of the station name resulted in the townsite being changed to Brookton in 1899. The town is named after "Brookton House", the property name of John Seabrook (1818-1891), who moved to this district soon after marrying in 1846. He was the first settler and founder of what is now known as the Brookton district.

Cunderdin

Cunderdin is a central wheatbelt town on the Great Eastern Highway between Meckering and Tammin, 156km east of Perth. Land was set aside for a townsite here in 1904, and the townsite was gazetted in 1906. Cunderdin is the Aboriginal name of a nearby hill, first recorded by the explorer C C Hunt in 1864. The meaning of the name is not known, but one source states "Cunder" is derived from "Quenda", meaning "place of the bandicoot", and another source gives it as meaning "big turkey".

Quairading

Quairading is a townsite in the central agricultural area, 166km east of Perth. It is situated 69km from York, on the road between York and Bruce Rock. Quairading derives its name from the nearby Quairading Spring, an Aboriginal name first recorded by surveyor Alexander Forrest in 1872. The meaning of this name may be related to "Quairit", an Aboriginal word for the eldest girl of a family, although another source gives it as "home of the bush kangaroo" – "quara".

In 1907, the government decided to build a railway from Greenhills (near York) to Quairading, and also decided to declare a townsite at the terminus. As the Quairading Spring was nearby, this was selected as the name, but the district surveyor thought it should be spelt "Kwerading", a more correct spelling pronounced "kwera ding". Local usage of 'Q' spelling ensured the adoption of this name, and Quairading was gazetted a townsite in late 1907.

York

Located 97km east of Perth, York is the oldest inland town in Western Australia. Land was set aside for a townsite at York in 1830, soon after the discovery of the district by Robert Dale. The townsite was not gazetted, but its boundaries were adopted by the Executive Council and signed by the Governor on 19 April 1836. It is named after York in England, the naming having been suggested by two Yorkshire members of Robert Dale's exploration party of October 1830. The Aboriginal name of the area is Balladong.

15. TRANSPORTATION AND COMMUNICATION

Factors considered transport links like major roads, railways and neighbouring towns.

Neighbouring Towns - Beverley, Brookton, Cunderdin, Quairading and York.

Roads

The region has a comprehensive network of roads that link the region to Perth, the north and south of the State, Kalgoorlie and the Eastern States. These links include the Great Southern Highway, Brookton Highway and the Great Eastern Highway. Other major roads are the Chidlow-York Road, West Dale Road, Northam-Cranbrook Road, York-Merredin Road, Greenhills South Road, York-Williams Road, and the Quairading-Corrigin Road.

Rail

Most areas of the region are serviced by rail. Cooperative Bulk Handling (CBH) has built rail heads and off line receival points throughout the region to facilitate the storage and transfer of grains to its markets. The York-Quairading line is under threat of closure. Narrow gauge lines require upgrading and maintenance to position them as the preferred transportation option over road for grain.

Ports

The region has no port facilities.

Air Services

No commercial air transport services the region, but aeroplane landing areas are available in most major towns for privately owned or chartered aircraft. Upgrade to the Cunderdin Airport has been funded under the Regional Airports Development Scheme, upgrades include sealing and resurfacing.

Telecommunications

With many small and medium size communities in the region, the communications infrastructure include the expected number of post offices and agencies, and a telephone system of varying levels of sophistication. Radio and television services, in some form are available throughout the region. Four of the Member Local Governments have the optical fibre ADSL mobile telephone system, however it is in need of upgrading. The mobile telephone coverage extends over approximately 70% of the region however blackspots and poor service areas are of concern.

16. MATTERS AFFECTING THE VIABILITY OF LOCAL GOVERNMENTS

Factors considered are economic reform and recruitment of professional expertise and skills.

The Member Local Governments of SEAVROC have been promoting structural reform through shared services, and have investigated a number of regional collaborative models that would allow its Member Councils to establish a legal entity to perform the day to day administrative functions, deliver services on behalf of its Member Local Governments, and take advantage of economies of scale. The Member Local Governments will still retain their decision making powers, enforcement and compliance provisions, as required pursuant to the Local Government Act 1995.

The proposal to amalgamate, either in total or in part, should not have a negative impact on the new shire(s) capacities to meet the future needs of their communities.

However, any amalgamation proposal(s) could be impacted by the potential reduction of the general purpose grants after five years. The reduction in grant levels needs to be taken into account in any long term financial planning.

Potential amalgamation will bring about changes to the organisational structure, which could include a Managing Executive, consisting of a Chief Executive Officer and three/four Directors, and provide for traditional specialist statutory positions and additional senior management positions that reflect the SEAVROC region in total, or in part, and its challenges.

The aims of a regional body or amalgamations would be to recruit and retain the services of professional and technical staff to ensure the delivery of services

17. EFFECTIVE DELIVERY OF SERVICES

Factors considered are geographical spread of the population appropriate infrastructure and equipment.

Operational Workforce

The operational workforce employed by each shire is summarised as follows:

DESCRIPTION	BEVERLEY	BROOKTON	CUNDERDIN	QUAIRADING	YORK	TOTAL
Engineer	0	0	0	0	1	1
Technical Officer	0	0	0	0	1	1
Works Manager	1	1	1	1	1	5
Depot Admin Assistant	0	1	0	0	0	1
Leading Hand	1	1	1	1	0	4
Plant Operators/Labourers	6	5	8	8	4	31
Labourers	2	0	1	0	4	7
Mechanic	1	0	1	0	0	2
Waste Coordinator	1	0	0	0	0	1
Building Maintenance	1	0	0	0	3	4
Waste Management	0	0	0	0	0	0
Parks and Gardens	4	4	3	2	1	14
Total	17	12	15	12	15	59

Major Plant

The regional plant and fleet assets, as at January 2008, are as follows:

ITEM	BEVERLEY	BROOKTON	CUNDERDIN	QUAIRADING	YORK	TOTAL
Light vehicles	3	4	3	3	5	18
Utilities	6	3	8	9	5	31
Light/Medium Trucks	4	6	3	4	4	21
Heavy Trucks	4	3	3	3	3	16
Trailers	2	2	5	4	1	14
Fire Trucks	2	4	2	5	3	16
Buses	1	1	1	1	1	5
Air Compressors	1	0	0	0	0	1
Large Mowers	1	3	0	0	0	4
Travel Towers	1	1	0	1	1	4
Back Hoes	1	1	1	1	0	4
Self-propelled Rollers	2	1	1	3	3	10
Towed rollers	0	3	0	1	0	4
Loaders	2	1	2	2	1	9
Skid-steer Loaders	1	0	0	0	0	1
Road Sweepers	0	0	0	1	0	1
Graders	3	2	2	2	2	11
Tractors	2	1	2	3	1	9
TOTAL	36	37	33	43	30	179

Source: SEAVROC Transport Infrastructure Study Plan Asset Management
May 2008.

Any benefits to be obtained from the operational workforce and plant of the Member Local Governments would equally apply to amalgamation proposals or through the SEAVROC model of resource sharing.

The above tables combined, illustrate that the resources of the five Shires are substantial. The total estimated annual expenditure on roadworks, road maintenance and plant operating costs by the five Shires is currently in the order of \$4.60 Million, \$2.2 Million, and \$1.75 Million respectively.

An amalgamation or resource sharing of the abovementioned resources will need to address the following issues.

- (i) A relatively large number of the workforce will continue to be committed to remaining in each of the towns within the five Shires in order to adequately service each townsite.
- (ii) Each Shire will have a similar annual schedule for undertaking construction and maintenance works.
- (iii) The five Shires encompass an area of 9,818km², and this combined area is not suitable for a single operational base for routine maintenance and townsite requirements. Travelling time may reduce efficiency.
- (iv) Small, cohesive work teams are often more cost effective in undertaking the works than larger teams, subject to scale of projects.
- (v) Fleet management for purchasing, monitoring, maximising work hours, arranging servicing and repairs.

The potential benefits of combining the operational activities of the Shires are:

- (i) Better fleet management.
- (ii) Reduction of overall fleet size.
- (iii) Better utilisation of plant.
- (iv) Establishment of specialised crews.
- (v) Engaging a more qualified technical workforce.
- (vi) Improved skill and training.

18. REPRESENTATION

When determining the preferred number of elected Members of between six (6) and nine (9), the following principles need to be considered:

- Ratio of Councillors to electors;
- Demographic trends;
- Consistency with representation between wards; and
- Community of interest.

It is expected that each Local Government will have a similar ratio of electors to Councillors across the Wards of the district.

Currently, the five member local governments of SEAVROC have the following elected representatives:

SHIRE	WARDS	NUMBER OF ELECTORS	NUMBER OF COUNCILLORS	COUNCILLOR/ ELECTOR RATIO	QUOTIENT	ROUNDING	% DEVIATION
Beverley	North Ward	416	3	1:139	2.99	3	0%
	South Ward	395	3	1:132	2.84	3	5.3%
	West Ward	443	3	1:147	3.19	3	-6.3%
	Total	1,254	9	1:139		9	
Brookton	No Wards	877	7	1:125	7	7	0%
Cunderdin	No Wards	860	8	1:107	8	8	0%
Quairading	No Wards	750	9	1:83	9	9	0%
York	No Wards	2,642	6	1:440	6	6	0%
Total		6,383	39	1:163		39	

Note: Shire of Brookton has reduced its Member Representation from 9 to 7, effective from the October 2009 Election.

Projected Quotients for the five Shires based on projected population and a reduction of number of elected members to six in all Shires:

YEAR 2006							
	WARD	POPULATION	NO OF ELECTORS	ELECTOR / CR RATIO	NO OF MEMBERS		% DEVIATION
					QUOT	MEMBERS	
Beverley	North		416	1:139	2.99	3	0%
	South		395	1:132	2.84	3	5.3%
	West		443	1:147	3.19	3	-6.3%
	Total	1,562	1,254	1:139	9	9	
Brookton	N/A	978	877	1:125	7	7	0%
Cunderdin	N/A	1,250	860	1:107	8	8	0%
Quairading	N/A	1,022	750	1:83	9	9	0%
York	N/A	3,116	2,642	1:440	6	8	0%
TOTAL		7,928	6,383	1:163	39	39	

YEAR 2011							
	WARD	POPULATION	NO OF ELECTORS	ELECTOR / CR RATIO	NO OF MEMBERS		% DEVIATION
					QUOT	MEMBERS	
Beverley			399	1:198	1.98	2	1%
			379	1:189	1.88	2	6%
			426	1:213	2.12	2	-6%
	Total	1,500	1,204	1:201		6	0%
Brookton		1,000	896	1:159	6	6	0%
Cunderdin		1,500	1,032	1:172	6	6	0%
Quairading		1,100	807	1:134	6	6	0%
York		3,800	3,225	1:537	6	6	0%
TOTAL		8,900	7,164	1:239	30	30	

YEAR 2016							
	WARD	POPULATION	NO OF ELECTORS	ELECTOR / CR RATIO	NO OF MEMBERS		% DEVIATION
					QUOT	MEMBERS	
Beverley	North		399	1:199	1.98	2	1%
	South		379	1:198	1.88	2	6%
	West		426	1:213	2.12	2	-6%
	Total	1,500	1,204	1:201		6	
Brookton	N/A	1,000	896	1:159	6	6	0%
Cunderdin	N/A	1,600	1,100	1:183	6	6	0%
Quairading	N/A	1,100	807	1:134	6	6	0%
York	N/A	4,100	3,476	1:579	6	6	0%
TOTAL		9,300	7,483	1:249	30	30	

YEAR 2021							
	WARD	POPULATION	NO OF ELECTORS	ELECTOR / CR RATIO	NO OF MEMBERS		% DEVIATION
					QUOT	MEMBERS	
Beverley			399	1:199	1.98	2	1%
			379	1:198	1.88	2	6%
			426	1:213	2.12	2	-6%
	Total	1,500	1,204	1:201		6	
Brookton		1,000	896	1:159	6	6	0%
Cunderdin		1,600	1,100	1:183	6	6	0%
Quairading		1,100	807	1:134	6	6	0%
York		4,400	3,730	1:622	6	6	0%
TOTAL		9,600	7,737	1:260	30	30	

Notes:

1. Shire of Brookton has reduced its Member representation from 9 to 7, effective from the October 2009 Election.
2. Population projections based on the Western Australian Planning Commission Population Report 6 - Western Australia Tomorrow.

19. REGIONAL GROUPINGS

The existing regional groupings of the five (5) Member Local Governments are summarised as follows:

REGIONAL GROUPING	SHIRES				
	BEVERLEY	BROOKTON	CUNDERDIN	QUAIRADING	YORK
WALGA Zone	Central Country	Central Country	Great Eastern	Central Country	Avon Midland
Regional Road Groups	Wheatbelt South	Wheatbelt South	Wheatbelt North Kellerberrin Sub Group	Wheatbelt South	Wheatbelt North Avon Sub Group
Regional Development Commissions	Wheatbelt Development Commission	Wheatbelt Development Commission	Wheatbelt Development Commission	Wheatbelt Development Commission	Wheatbelt Development Commission
Regional Local Government	SEAVROC	SEAVROC	SEAVROC	SEAVROC	SEAVROC
Regional Development Australia	Wheatbelt	Wheatbelt	Wheatbelt	Wheatbelt	Wheatbelt

The amalgamation of local governments may lead to improvement to the membership of regional groups.

20. TRANSITIONAL TIMELINE

One of the aims of the SEAVROC member local governments over the next twelve months was to investigate and implement a common operations platform in relation to information technology, local laws, financial and accounting systems, and administrative processes. SEAVROC's goals over the next twelve months are to:

Member Local Governments are of the view that SEAVROC, as a legal entity based on the South Australian "Regional Subsidiary Model", provides the best option for the group of Councils to facilitate structural reform, and to manage and facilitate regional projects. Amalgamation of Councils into possibly one or three local governments will be facilitated through this process, as it will provide the time required to investigate options for community representation and maintaining local identity as well as implement the above.

To assist in the Structural Reform Process, the Minister for Local Government and the Department for Local Government should initiate amendments to the Local Government Act 1995 and the relevant Regulations to allow Local Governments to establish a Regional Subsidiary by July 2010. SEAVROC believes establishing local government partnerships will create comparative advantages for participating local governments. Existing collaborative efforts have already demonstrated a number of benefits. SEAVROC, by providing networking and encouraging local government leaders to share and build on ideas has helped to remove the parochial mentality as well as improve service delivery within the region.

21. FINDINGS

- (a) All five Member Local Governments have a predominant industry base of broadacre agriculture, particularly livestock and cropping, generating a gross agricultural value of \$218.2 Million.
- (b) York is recognised as a regional centre within the wheatbelt region, and provides a community connection for the SEAVROC Member Local Governments. The area has great potential for tourism, with York being only 97km from Perth making it a point of destination for tourists. The region is serviced by State and Federal road networks in addition to the local road system, and it is increasingly a day tripper destination.
- (c) The designated State and National Forests provide a natural buffer (boundary) between local governments located in the Avon Arc to the Perth metropolitan area.
- (d) The western portion of the SEAVROC region will see a strong growth in rural lifestyle subdivisions and changes to traditional agriculture farming practices will lead to pressure for changes in uses within the region.
- (e) The region has a population of 7,928 people, and a workforce of 3,668, of which approximately 60% are employed full time and 29% part time.
- (f) The region has a comprehensive network of roads that link the region to Perth; these include the Great Southern Highway, Brookton Highway and the Great Eastern Highway. A rail network facilitates the storage and transfer of grains to market.
- (g) The five Shires encompass an area of 9,818km², and this combined area is not suitable for a single operation base. Travel time would reduce efficiency. A relatively large number of the workforce will continue to be committed to remaining in each of the towns in order to adequately service each townsite.
- (h) The financial analysis of the five Member Local Governments reveals:
 - (i) The potential growth in the western portion of the SEAVROC region will bring financial benefits to the Member Local Governments by way of an increase in the rate base resulting from population growth and land development/subdivision. The question that cannot be answered at this time is when the anticipated population growth will bring about self sustainability of the region.
 - (ii) Potential amalgamations will bring about the following size of local governments:

	3 LOCAL GOVERNMENTS	1 LOCAL GOVERNMENT
Total Rates Levied	2.3M to 2.8M	7.8M
Total Revenue	6.6M to 10.5M	24.3M
Total Funds Available for Asset Renewal, Replacement and New	2.7M to 3.0M	8.5M
Non Current Assets	56M	144M
Net Current Assets/Liabilities	2.4M to 4.9M	9.8M
Cash Backed Reserves	1.9M to 2.3M	8.7M
Debt Levels	0.7M to 2.8M	4.4M

- (iii) The financial ratios indicate that all five Member Local Governments meet the benchmarks, and consolidation through amalgamation would strengthen the overall position.
- (iv) Governance expenditure ranges from \$35,000 to \$97,000 per annum for each Member Local Government, or a total of \$289,000 per annum. Amalgamation would see a reduction in expenditure of approximately \$100,000 per annum.
- (v) Consideration to be given to quarantining debt and cash backed reserves to the respective Local Government prior to any amalgamation(s), and a differential and specified area rate to apply should there be a shortfall.
- (vi) Potential savings resulting from employee costs as a result of amalgamations were not identified at this time, as the operational structures need to be determined first.
- (i) The valuation of, and depreciation rates, of non current assets will need to be reassessed as the methods of valuation, in particular to road infrastructure, and the depreciation rates presently used by each Member Local Government for each class of non current asset, varies. These valuation methods and depreciation rates will need to be brought into line to reflect the depletion of assets over their useful life.
- (j) Proposed changes to the operational workforce to be subject to further investigation.
- (k) Items of major plant required and better utilisation of the plant to be subject to further investigation.
- (l) Specialisation of work teams may need to occur, depending on the size of the amalgamated local government(s).
- (m) Reduction in elected member representation is dependent on the level of amalgamation. The Submission has considered the following:
 - (i) No amalgamations, but each Member Local Government reducing its representation to six (6) members. A reduction of nine members will occur. The councillor to elector ratio will increase from an average 1:163 to 1:239, and 1:260 projected to 2021.
 - (ii) An amalgamation of SEAVROC Member Local Governments into three (3) local governments, will impact on elected member representation as follows:

Amalgamated Local Governments	Population	No of Electors	Elector / Cr Ratio	No of Members
Qualradrig and Cunderdin	2,272	1,610	1:268	6
Beverley and Brookton	2,540	2,131	1:355	6
York	3,116	2,642	1:330	8
Total	7,928	6,383	1:319	20

The above proposal would reduce the number of elected member representations from 39 to 20, and nearly double the elector/councillor ratio from an average of 1:163 to 1:319. The deviation ranges from 11% under representation to 16% over representation.

- (iii) An amalgamation of SEAVROC Member Local Governments into one local government, with each existing Member Local Government being a Ward in the proposed constituted local government.

Amalgamated Governments	Local	Population	No of Electors	Elector / Cr Ratio	No of Members
Beverley Ward		1,562	1,254	1:627	2
Brookton Ward		978	877	1:877	1
Cunderdin Ward		1,250	860	1:860	1
Quairading Ward		1,022	750	1:750	1
York Ward		3,116	2,642	1:660	4
Total		7,928	6,383	1:709	9

The above proposal will amalgamate five local governments into one, creating five wards, with an average elector to councillor ratio of 1:709, the deviation ranges from 11.5% over representation to 24% under representation.

- (iv) An amalgamation of SEAVROC Member Local Governments into one local government with three wards being created, and with an equal number of members in each ward.

Amalgamated Governments	Local	Population	No of Electors	Elector / Cr Ratio	No of Members
Quairading/ Cunderdin Ward		2,272	1,610	1:537	3
Beverley/Brookton Ward		2,540	2,131	1:710	3
York Ward		3,116	2,642	1:880	3
Total		7,928	6,383	1:709	9

The above proposal will see five local governments amalgamated to form one new single local government and create three wards, each with three representatives with an average elector to councillor ratio of 1:709. The deviation ranges from 24% under representation to 24% over representation. The number of elected members would be reduced from 39 to 9.

22. STRUCTURAL REFORM OPTIONS

(a) Regional Subsidiary (South Australian)

SEAVROC Member Local Governments have investigated a number of collaborative models, and are of the view that the Regional Subsidiary Model provided in the South Australian Local Government Act be incorporated in the Western Australian Legislation. The South Australian Act allows local governments to form subsidiaries to carry out the functions related to local governments on behalf of the constituent councils. The Charter (Constitution) to establish a regional subsidiary must be approved by the relevant Minister. The South Australian Act specifies by schedule, those things that must be included in the Charter.

The Regional Subsidiary Model has attractive features such as flexibility, the use of individual Charters as a primary regulatory source, and relatively light compliance and regulatory burdens that apply to it, when comparing it to the Regional Local Governments that can be established pursuant to the Local Government Act 1995.

If local governments are not to be impeded then this operational model needs to be incorporated in the Local Government Act 1995 and/or its Regulations.

(b) Amalgamations to Form Three (3) Local Governments within the SEAVROC Region

The proposal is for the following local governments to amalgamate and form three new single local governments, namely:

- Quairading/Cunderdin Shire.
- Beverley/Brookton Shire.
- Shire of York.

This option, detailed on page 33, will reduce the number of elected members from 39 to 20, and equalise the elector to councillor ratio with least deviation. The consolidation will allow for more sustainable local governments, with minimal impact on maintaining local identity. The proposed three local governments could still continue to operate at a regional level through SEAVROC.

(c) Amalgamation to Form One (1) Local Government with Five (5) Wards within the SEAVROC Region

The proposal is for the five local governments to become individual wards within the new single local government. The five wards to be namely:

- Beverley Ward.
- Brookton Ward.
- Cunderdin Ward.
- Quairading Ward.
- York Ward.

The option detailed on page 34 will reduce the number of elected members from 39 to 9, with an average elector/elected member ratio of 1:709, and a deviation of 11.5% over representation to 24% under representation. The consolidation will ensure a sustainable local government exceeding the financial benchmarks with a lesser impact on maintaining local identity, as each existing local government would become a ward in the new single local government.

Options for maintaining community representation and local identity as detailed in (d) below to also apply.

(d) Amalgamation to Form One (1) Local Government with Three (3) Wards within the SEAVROC Region

The proposal is for the Shires of Brookton, Beverley, Cunderdin, Quairading and York to amalgamate. The new single local government have three (3) wards, namely:

- Quairading/Cunderdin Ward.
- Beverley/Brookton Ward.
- York Ward.

This option detailed on page 34, will reduce the number of elected members from 39 to 9. Each ward to have three elected members with an average elector/elected member ratio of 1:709, with a deviation of 24% under representation to 24% over representation. The consolidation will ensure a sustainable local government exceeding the financial benchmarks. Maintaining local identity may prove more difficult and the following guarantees are sought, such as those detailed in "Options for Community Representation and Maintaining Local Identity", prepared by the Local Government Reform Committee, which reads in part:

"3.4 Revised Community Advisory Committees

A proposal for a revised system of community advisory committees has been put forward for consideration in the Local Government Reform Strategy. The general structure of the Committee would be as follows:

- Maintain the former local government areas as wards and create a committee for each ward.
- Committee to be chaired by the councillor for that ward.
- Members of the community would be appointed to the committee.

There are a range of options that local governments can choose from in relation to this basic structure.

- Method and qualifications for appointment of committee members:
 - Members could be invited from the whole community and appointment based on selection criteria.
 - Alternatively, members could be from existing groups already established in the community, such as sporting, resident, business, youth, senior, agricultural, environmental groups. A benefit of this approach is that members would be exposed to a range of different perspectives and would assist with making bridges across various sections of the community.
 - A mixture of the above.
- Role of Committees:
 - Advisory role only and a conduit between the community and council.
 - Decision making power, ie expenditure of small amount of funds for community events/functions.
 - Formal consultation role in development of strategic plans, town planning schemes, local laws, policies, annual budget.
 - Chairing of the committee could be by the elected member from the ward or another member of the committee.

- Determination of whether Section 5.9(2) of the Local Government Act 1995 is utilised and the extent, if any, of delegated decision making power.
- Meetings of committees:
 - A useful way in which to build relationships between communities across the local government and to allow for the sharing of information is to ensure that all committees communicate with each other on a regular basis. This can be achieved through electronic means, or face to face meetings.

Telecentres, now rebadged as community resource centres, could play an important role as a hub for connecting activities and communities.
- Place Management:
 - Place management is the process of making places better. This is practiced through programs to improve a location or to maintain an already attained standard of operation. While there are a wide variety of place management initiatives, the underlying common factor is usually a desire to maximise the effectiveness of a location for its users, whether they are residents, tourists, or business owners.

By implementing a form of place management, there is added emphasis on the 'local' in local government for a larger local government. This can include planning and consultation in the form of 'Place Planning'; and service delivery in the form of 'Place Management'. It can shift the focus from outputs of a function to that of outcomes in the place.

23. RECOMMENDATIONS

The findings detailed on pages 32-34, together with the one person one vote principle, have been taken into account in relation to the recommendations detailed below.

- (a) The amalgamation of the five member local governments to form a single local government, with each existing local government becoming a ward, is recommended on the basis that the option will achieve the following:
 - (i) The reduction of elected members from 39 to 9 is in line with the Minister for Local Government's requirements that the number of elected members be reduced within the required range of six to nine.

- (ii) The creation of the five wards in the proposed new single local government addresses the one person one vote principle, with an average elector to elected member ratio being 1:709, and the deviation ranges from 11.5% over representation to 24% under representation; the best outcome without amending ward boundaries.
- (iii) Subject to (ii) above, local identity is maintained and can be further addressed, as detailed in report titled "Options for Community Representation and Maintaining Local Identity", through the establishment of community advisory committees and the appointment of a Place Manager in each of the wards to maintain and improve the standard of operations in each of the localities. Maintaining a 'shop front' at each of the major towns will assist in maintaining local identity.
- (iv) The Financial Analysis will combine the operations and assets of the local governments amounting to many millions of dollars. The financial ratios indicate that the new single local government will perform within the required benchmarks.
- (v) The expected growth in the western portion of the new single local government will bring financial benefits by way of an increase in the rate base. Rural lifestyle subdivisions and changes to traditional agriculture farming practices will lead to pressure for changes in land uses within the local government.
- (b) Promoting legislative change to allow for the establishment of a 'Regional Subsidiary' as a legal entity will provide the regional local governments with the ability to enter into cooperative arrangements and resource sharing to meet their communities expectations, both at local and regional levels.
- (c) An amalgamation committee be established, with one representative from each Member Local Government, to further investigate and report on the following:
 - (i) Organisational structure of the proposed new single local government.
 - (ii) Common platform issues, ie information technology, financial reporting, local laws, administrative processes, etc.
 - (iii) Conserving local identity through the establishment of a community advisory committee, place management, and the establishment of a 'shop front' at each of the major towns.
 - (iv) Timeline for the establishment of the new local government.
 - (v) Identify the additional cost in the establishment of the new local government.
 - (vi) Election timetable.
 - (vii) Appointment of Commissioners.
 - (viii) The role of SEAVROC in the amalgamation process.
 - (ix) Consolidating Town Planning Schemes.

- (x) Consolidating Local Laws, Policies, Procedures and Delegations.
- (xi) Assessment of major items of plant - internal and external.
- (xii) Boundary reviews in relation to SEAVROC Member Local Governments.

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10. NEXT MEETING

RESOLUTION
200909

Moved: Cr Boyle Seconded: Cr Walters

“That Council:

hold the next Ordinary Meeting of the Council on October 19, 2009, commencing at 3.00pm in the Shire Pavilion, York.”

CARRIED (6/0)

**RESOLUTION
210909**

Moved: Cr Randell Seconded: Cr Fisher

“That Council:

Hold a Special Council meeting on Monday 19th October, 2009 in the Shire Pavilion, York commencing at 2.00pm for the purpose of swearing in of Councillors and the election of Shire President and Deputy Shire President.”

CARRIED (6/0)

11. CLOSURE

Cr Hooper thanked everyone for their attendance and declared the meeting closed at 4.37pm.