



ATTACHMENTS

Ordinary Council Meeting

Thursday, 28 August 2025

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DEVELOPMENT APPLICATION

Proposed Dwelling

Lot 1665 (No.292) Folewood Road, Toodyay

1.0 Development Overview

Introduction

This report has been prepared by Redibuilt Homes on behalf of the landowners of Lot 1665 (No.292) Folewood Road, Toodyay for a proposed ancillary dwelling. The development application has been reviewed and assessed against the applicable planning framework. This report provides full details of the proposed development, the development site, the development application performance against the planning framework which demonstrates the development application is suitable for approval.

Proposed Development

The development application proposes an ancillary dwelling that is compliant with all other aspects of the Residential Design Codes ensuring it will not unreasonably impact on any neighbour's amenity.

2.0 Planning Assessment

LOCAL PLANNING POLICY

POLICY NO:	LPP.2
POLICY SUBJECT:	Ancillary Accommodation
ADOPTION DATE:	18 September 2008
LAST REVIEW:	13 May 2010

Policy Statement

As per Clause 1.0 c) of the Policy Statement in the above LPP the Shire requires all ancillary dwellings to be located within 20 metres of the main house.

We respectfully request a variation to the local planning policy and put forward that the proposed location of the ancillary dwelling...

- Provides some privacy between the two dwellings, and
- Eliminates the need to remove any trees between the two dwellings which appear to be in short supply in this location, and
- Has no adverse impact on any neighbours

3.0 Conclusion

The development application for **Lot 1665 (No.292) Folewood Road, Toodyay** proposes a single ancillary dwelling, we believe, consistent with the objectives and standards of the statutory planning framework that applies to the subject site. Regarding this, the following is noted:

- The proposal complies with all other relevant R-Code provisions.
- The proposed dwelling will be supplemented by an alfresco area and generous landscaping.
- The proposed dwelling will exhibit earthy and heritage type materials.

Considering the above, it is evident that this proposal does not impact on the rural and historic nature of Toodyay, nor any of the neighbours. We therefore respectfully request that the Shire of Toodyay supports and approves the development application.

If you have any queries or require further clarification or justification regarding the above matters, please contact the Applicant.

Thank you for your time.



-- Map Viewer Plus --



Author:

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Administrative Boundary



Local Government

Roads

Other Roads



Proposed Roads

Laneway, Tracks



Laneway



Laneway Unsealed



Other



Tracks

Minor Roads



Minor



Minor Unsealed

Freeways, Highways & Main Roads (L)



Freeway Underground



Freeway On Off Ramp



Freeway



National/State Highway



Main and National/State Highway On Off Ramp



State Highway Unsealed



Main



Main Unsealed

Bridges / Tunnels (Line)



Bridge



Tunnel

Bridge / Tunnel (Point)



Bridge



Footbridge

General Transport (Point)



TrafficLight



TrafficControlDevice, LevelCrossing

Cadastre



Lot on Plan - Boundaries

Landgate WA Now Mosaic

WA Now Imagery



Red: Band_1



Green: Band_2



Blue: Band_3

Item 10.1.1 - Attachment 3

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SHIRE OF TOODYAY
MONTHLY FINANCIAL REPORT
(Containing the required statement of financial activity and statement of financial position)
For the period ended 31 July 2025
LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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SHIRE OF TOODYAY
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2025

	Adopted Budget Estimates	YTD Budget Estimates	YTD Actual	Variance* \$	Variance* %	Var.
Note	(a) \$	(b) \$	(c) \$	(c) - (b) \$	((c) - (b))/(b) %	
OPERATING ACTIVITIES						
Revenue from operating activities						
General rates	8,484,161	707,013	598	(706,415)	(99.92%)	▼
Grants, subsidies and contributions	1,908,635	159,053	213,231	54,178	34.06%	▲
Fees and charges	2,180,588	181,716	70,073	(111,643)	(61.44%)	▲
Interest revenue	235,310	19,609	9,153	(10,456)	(53.32%)	▼
Other revenue	360,608	30,051	57,117	27,066	90.07%	▲
	13,169,302	1,097,442	350,172	(747,270)	(68.09%)	
Expenditure from operating activities						
Employee costs	(5,183,623)	(431,969)	(382,208)	49,761	11.52%	▲
Materials and contracts	(5,343,457)	(445,288)	(512,978)	(67,690)	(15.20%)	▼
Utility charges	(517,358)	(43,113)	(25,656)	17,457	40.49%	▲
Depreciation	(4,075,772)	(339,648)	0	339,648	100.00%	▲
Finance costs	(209,339)	(17,445)	0	17,445	100.00%	▲
Insurance	(432,981)	(36,082)	(54,178)	(18,096)	(50.15%)	▼
Other expenditure	(385,424)	(32,119)	(42,621)	(10,502)	(32.70%)	▼
	(16,147,954)	(1,345,664)	(1,017,641)	328,023	24.38%	
Non cash amounts excluded from operating activities	4,075,772	0	(26,424)	(26,424)	0.00%	
Amount attributable to operating activities	1,097,120	(248,222)	(693,893)	(445,671)	(179.55%)	
INVESTING ACTIVITIES						
Inflows from investing activities						
Proceeds from capital grants, subsidies and contributions	5,795,527	482,961	0	(482,961)	(100.00%)	▼
Proceeds from disposal of assets	2,925,000	708,000	130,000	(578,000)	(81.64%)	▼
	8,720,527	1,190,961	130,000	(1,060,961)	(89.08%)	
Outflows from investing activities						
Right of use assets recognised	(186,264)	0	0	0	0.00%	
Acquisition of property, plant and equipment	(5,995,736)	(499,645)	(304,364)	195,281	39.08%	▲
Acquisition of infrastructure	(5,738,598)	(478,217)	(164,867)	313,350	65.52%	▲
	(11,920,598)	(977,861)	(469,231)	508,630	52.01%	
Non-cash amounts excluded from investing activities	186,264	0	0	0	0.00%	
Amount attributable to investing activities	(3,013,807)	213,100	(339,231)	(552,331)	(259.19%)	
FINANCING ACTIVITIES						
Inflows from financing activities						
Proceeds from new borrowings	659,382	0	0	0	0.00%	
Transfer from reserves	2,582,864	0	73,307	73,307	0.00%	
	3,242,246	0	73,307	73,307	0.00%	
Outflows from financing activities						
Payments for principal portion of lease liabilities	(133,422)	0	0	0	0.00%	
Repayment of borrowings	(347,909)	0	0	0	0.00%	
Transfer to reserves	(3,104,000)	0	0	0	0.00%	
	(3,585,331)	0	0	0	0.00%	
Amount attributable to financing activities	(343,085)	0	73,307	73,307	0.00%	
MOVEMENT IN SURPLUS OR DEFICIT						
Surplus or deficit at the start of the financial year	2,259,772	2,259,772	3,006,679	746,907	33.05%	▲
Amount attributable to operating activities	1,097,120	(248,222)	(693,893)	(445,671)	(179.55%)	▼
Amount attributable to investing activities	(3,013,807)	213,100	(339,231)	(552,331)	(259.19%)	▼
Amount attributable to financing activities	(343,085)	0	73,307	73,307	0.00%	
Surplus or deficit after imposition of general rates	0	2,224,650	2,046,862	(177,788)	(7.99%)	

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data outside the adopted materiality threshold.

▲ Indicates a variance with a positive impact on the financial position.

▼ Indicates a variance with a negative impact on the financial position.

Refer to Note 3 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF TOODYAY
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 31 JULY 2025**

	Actual 30 June 2025	Actual as at 31 July 2025
	\$	\$
CURRENT ASSETS		
Cash and cash equivalents	5,716,796	3,966,975
Trade and other receivables	2,160,474	2,388,643
Inventories	117,342	137,478
Other assets	15,216	15,216
TOTAL CURRENT ASSETS	8,009,828	6,508,312
NON-CURRENT ASSETS		
Trade and other receivables	325,630	322,991
Other financial assets	62,378	62,378
Property, plant and equipment	41,018,748	41,323,112
Infrastructure	154,246,257	154,411,124
Right-of-use assets	435,322	435,322
TOTAL NON-CURRENT ASSETS	196,088,335	196,554,927
TOTAL ASSETS	204,098,163	203,063,239
CURRENT LIABILITIES		
Trade and other payables	1,932,070	1,492,741
Capital grant/contributions liabilities	123,970	123,970
Lease liabilities	152,727	152,727
Borrowings	287,014	287,014
Employee related provisions	555,910	526,847
TOTAL CURRENT LIABILITIES	3,051,691	2,583,299
NON-CURRENT LIABILITIES		
Lease liabilities	286,945	286,945
Borrowings	4,656,918	4,656,918
Employee related provisions	51,442	51,442
TOTAL NON-CURRENT LIABILITIES	4,995,305	4,995,305
TOTAL LIABILITIES	8,046,996	7,578,604
NET ASSETS	196,051,167	195,484,635
EQUITY		
Retained surplus	74,382,710	73,889,485
Reserve accounts	2,657,241	2,583,934
Revaluation surplus	119,011,216	119,011,216
TOTAL EQUITY	196,051,167	195,484,635

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF TOODYAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2025

1 BASIS OF PREPARATION AND MATERIAL ACCOUNTING POLICIES

BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

Local Government Act 1995 requirements

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Local Government (Financial Management) Regulations 1996, regulation 34 prescribes contents of the financial report. Supplementary information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 04 August 2025

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements.

MATERIAL ACCOUNTING POLICIES

Material accounting policies utilised in the preparation of these statements are as described within the 2024-25 Annual Budget. Please refer to the adopted budget document for details of these policies.

Critical accounting estimates and judgements

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

As with all estimates, the use of different assumptions could lead to material changes in the amounts reported in the financial report.

The following are estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year and further information on their nature and impact can be found in the relevant note:

- Fair value measurement of assets carried at reportable value including:
 - Property, plant and equipment
 - Infrastructure
- Impairment losses of non-financial assets
- Expected credit losses on financial assets
- Assets held for sale
- Investment property
- Estimated useful life of intangible assets
- Measurement of employee benefits
- Measurement of provisions
- Estimation uncertainties and judgements made in relation to lease accounting

2 NET CURRENT ASSETS INFORMATION

Note	Adopted Budget Opening 1 July 2025	Actual as at 30 June 2025	Actual as at 31 July 2025
	\$	\$	\$
	5,449,027	5,716,796	3,966,975
	2,378,247	2,160,474	2,388,643
	89,362	117,342	137,478
	0	15,216	15,216
	7,916,636	8,009,828	6,508,312
	(2,850,000)	(1,932,070)	(1,492,741)
	0	(123,970)	(123,970)
	(133,422)	(152,727)	(152,727)
	(347,909)	(287,014)	(287,014)
	(90,792)	(555,910)	(526,847)
	(3,422,123)	(3,051,691)	(2,583,299)
	4,494,513	4,958,137	3,925,013
2(b)	(2,234,741)	(1,951,458)	(1,878,151)
	2,259,772	3,006,679	2,046,862

	(2,872,852)	(2,657,241)	(2,583,934)
	(140,650)	0	0
	133,422	152,727	152,727
	347,909	287,014	287,014
	297,430	266,042	266,042
2(a)	<u>(2,234,741)</u>	<u>(1,951,458)</u>	<u>(1,878,151)</u>

Adopted Budget Estimates 30 June 2026	YTD Budget Estimates 31 July 2025	YTD Actual 31 July 2025
\$	\$	\$
0	0	(29,063)
4,075,772	0	0
0	0	2,639
4,075,772	0	(26,424)

186,264	0	0
186,264	0	0

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the local governments' operational cycle.

SHIRE OF TOODYAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2025

3 EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.

The material variance adopted by Council for the 2025-26 year is \$10,000 and 10.00% whichever is the greater.

Description	Var. \$	Var. %	
	\$	%	
Revenue from operating activities			
General rates	(706,415)	(99.92%)	▼
Rates have not been run by the end of July.			
Estimated budget is 1/12th of total until budget has been uploaded.			
Grants, subsidies and contributions	54,178	34.06%	▲
Estimated budget is 1/12th of total until budget has been uploaded.			
Fees and charges	(111,643)	(61.44%)	▼
Estimated budget is 1/12th of total until budget has been uploaded.			
Interest revenue	(10,456)	(53.32%)	▼
Estimated budget is 1/12th of total until budget has been uploaded.			
Other revenue	27,066	90.07%	▲
Estimated budget is 1/12th of total until budget has been uploaded.			
Expenditure from operating activities			
Employee costs	49,761	11.52%	▲
Estimated budget is 1/12th of total until budget has been uploaded.			
Materials and contracts	(67,690)	(15.20%)	▼
Estimated budget is 1/12th of total until budget has been uploaded.			
Utility charges	17,457	40.49%	▲
Estimated budget is 1/12th of total until budget has been uploaded.			
Depreciation	339,648	100.00%	▲
Estimated budget is 1/12th of total until budget has been uploaded.			
Finance costs	17,445	100.00%	▲
Estimated budget is 1/12th of total until budget has been uploaded.			
Insurance	(18,096)	(50.15%)	▼
Estimated budget is 1/12th of total until budget has been uploaded.			
Other expenditure	(10,502)	(32.70%)	▼
Estimated budget is 1/12th of total until budget has been uploaded.			
Inflows from investing activities			
Proceeds from capital grants, subsidies and contributions	(482,961)	(100.00%)	▼
Estimated budget is 1/12th of total until budget has been uploaded.			
Surplus or deficit at the start of the financial year	746,907	33.05%	▲
Generally expenditure is not commenced until the annual budget is adopted.			

SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION

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BASIS OF PREPARATION - SUPPLEMENTARY INFORMATION

Supplementary information is presented for information purposes. The information does not comply with the disclosure requirements of the Australian Accounting Standards.

SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

1 KEY INFORMATION

Funding Surplus or Deficit Components

Funding surplus / (deficit)				
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$2.26 M	\$2.26 M	\$3.01 M	\$0.75 M
Closing	\$0.00 M	\$2.22 M	\$2.05 M	(\$0.18 M)

Refer to Statement of Financial Activity

Cash and cash equivalents			Payables			Receivables		
	\$3.97 M	% of total		\$1.49 M	% Outstanding		\$1.40 M	% Collected
Unrestricted Cash	\$1.38 M	34.9%	Trade Payables	\$0.19 M		Rates Receivable	\$0.99 M	6.8%
Restricted Cash	\$2.58 M	65.1%	0 to 30 Days		100.0%	Trade Receivable	\$1.40 M	% Outstanding
			Over 30 Days		0.0%	Over 30 Days		68.8%
			Over 90 Days		0.0%	Over 90 Days		68.8%

Refer to 3 - Cash and Financial Assets

Refer to 9 - Payables

Refer to 7 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
\$1.10 M	(\$0.25 M)	(\$0.69 M)	(\$0.45 M)

Refer to Statement of Financial Activity

Rates Revenue			Grants and Contributions			Fees and Charges		
YTD Actual	\$0.00 M	% Variance	YTD Actual	\$0.21 M	% Variance	YTD Actual	\$0.07 M	% Variance
YTD Budget	\$0.71 M	(99.9%)	YTD Budget	\$0.16 M	34.1%	YTD Budget	\$0.18 M	(61.4%)

Refer to 13 - Grants and Contributions

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$3.01 M)	\$0.21 M	(\$0.34 M)	(\$0.55 M)

Refer to Statement of Financial Activity

Proceeds on sale			Asset Acquisition			Capital Grants		
YTD Actual	\$0.13 M	%	YTD Actual	\$0.16 M	% Spent	YTD Actual	\$0.00 M	% Received
Adopted Budget	\$2.93 M	(95.6%)	Adopted Budget	\$5.74 M	(97.1%)	Adopted Budget	\$5.80 M	(100.0%)

Refer to 6 - Disposal of Assets

Refer to 5 - Capital Acquisitions

Refer to 5 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities			
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.34 M)	\$0.00 M	\$0.07 M	\$0.07 M

Refer to Statement of Financial Activity

Borrowings			Reserves			Lease Liability		
Principal repayments	\$0.00 M		Reserves balance	\$2.58 M		Principal repayments	\$0.00 M	
Interest expense	\$0.00 M		Net Movement	(\$0.07 M)		Interest expense	\$0.00 M	
Principal due	\$4.66 M					Principal due	\$0.44 M	

Refer to 10 - Borrowings

Refer to 4 - Cash Reserves

Refer to Note 11 - Lease Liabilities

This information is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

2 KEY INFORMATION - GRAPHICAL



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

3 CASH AND FINANCIAL ASSETS AT AMORTISED COST

Description	Classification	Unrestricted	Reserve Accounts	Total	Trust
		\$	\$	\$	\$
Cash on hand					
Bank Account - Toodyay Shire Council - 110482809	Cash and cash equivalents	(555,877)		(555,877)	
Terminal Control	Cash and cash equivalents	32,398		32,398	
Cash on hand	Cash and cash equivalents	3,150		3,150	
EFTPOS Clearing	Cash and cash equivalents	93,757		93,757	
BPay Receipts	Cash and cash equivalents	94,996		94,996	
BPOINT Receipts	Cash and cash equivalents	83,708		83,708	
Terminal Control Visitor Centre	Cash and cash equivalents	4,485		4,485	
EFTPOS Clearing Visitor Centre	Cash and cash equivalents	8,755		8,755	
Bank Account - Toodyay Shire Council - At Call Accou	Cash and cash equivalents	534,170		534,170	
EFTPOS Clearing Planning & Develop Dept	Cash and cash equivalents	36,099		36,099	
Terminal Control Planning & Develop	Cash and cash equivalents	62		62	
Bank Account - Reserve Restricted Account	Cash and cash equivalents	(0)	2,583,934	2,583,934	
Bank Account Trust Fund	Cash and cash equivalents	335,902		335,902	
Bank Account - Municipal Term Deposits	Cash and cash equivalents	(17,057)		(17,057)	
MUNICIPAL Savings Account	Cash and cash equivalents	(534,170)		(534,170)	
Term Deposit Account - T100 BGC	Cash and cash equivalents	151,827		151,827	
Term Deposit Account - T214 Toodyay Stone	Cash and cash equivalents	53,043		53,043	
Term Deposit Account - T4 Opal Vale - Sam Mangion	Cash and cash equivalents	134,113		134,113	
Term Deposit Account - T114 Vernice P/L	Cash and cash equivalents	223,419		223,419	
Term Deposit Account - T458 Boral Resources	Cash and cash equivalents	484,378		484,378	
Term Deposit Account - T797 Ironbridge Property	Cash and cash equivalents	35,258		35,258	
Term Deposit Account - T805 Vernice Pty Ltd	Cash and cash equivalents	26,336		26,336	
Term Deposit Account - T809 Opal Vale Landfill Bond	Cash and cash equivalents	133,413		133,413	
Term Deposit Account - T811 TAQWA Holdings-Land	Cash and cash equivalents	10,118		10,118	
Term Deposit Account - T820 Avon Earthworks	Cash and cash equivalents	10,760		10,760	
Total		1,383,041	2,583,934	3,966,975	0
Comprising					
Cash and cash equivalents		1,383,041	2,583,934	3,966,975	0
		1,383,041	2,583,934	3,966,975	0

KEY INFORMATION

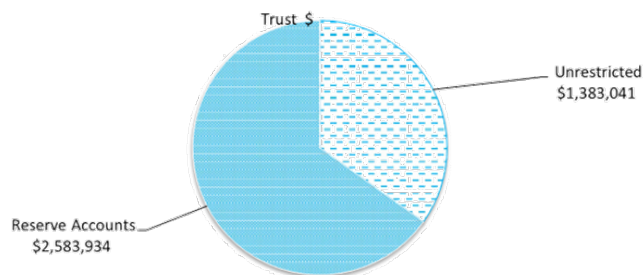
Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid inv with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant ri changes in value.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are pr in Note 8 - Other assets.



SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

4 RESERVE ACCOUNTS

Reserve account name	Budget				Actual			
	Opening Balance	Transfers In (+)	Transfers Out (-)	Closing Balance	Opening Balance	Transfers In (+)	Transfers Out (-)	Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$
Reserve accounts restricted by Council								
Employee Entitlement Reserve	275,425	8,628		284,053	266,042			266,042
Asset Development Reserve	457,373	14,329		471,702	634,983			634,983
CCTV Reserve	29,820	934	(30,754)	0	28,804			28,804
Emergency Management Reserve	82,862	2,596		85,458	80,040			80,040
Newcastle Footbridge & Pedestrian Overpass R	47,695	1,494		49,189	46,070			46,070
Heritage Reserve	12,278	385		12,663	11,860			11,860
Information technology reserve	23,486	736	(24,250)	(28)	22,686			22,686
Plant Reserve	407,159	799,755	(1,066,200)	140,714	151,465			151,465
Recreation Development Reserve	300,605	9,417		310,022	281,047			281,047
Refuse Reserve	126,882	3,975		130,857	122,560			122,560
Road Contribution Reserve	469,788	14,717		484,505	395,830			395,830
Strategic Access & Egress Reserve	369,780	21,584	(129,387)	261,977	401,766			401,766
Drainage and Sewerage Reserve	162,175	5,081		167,256	157,332			157,332
Biosecurity Reserve	6,073	190	(6,263)	0	6,036			6,036
Roads Reserve	96,451	3,022		99,473	45,720			45,720
Buildings Reserve	5,000	2,217,157	(1,326,010)	896,147	5,000			5,000
Unallocated interest	0			0	0		(73,307)	(73,307)
	2,872,852	3,104,000	(2,582,864)	3,393,988	2,657,241	0	(73,307)	2,583,934

SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

INVESTING ACTIVITIES

5 CAPITAL ACQUISITIONS

Capital acquisitions	Adopted		YTD Actual	YTD Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Land	2,186,944	182,245	0	(182,245)
Buildings	1,985,392	165,449	0	(165,449)
Furniture and equipment	160,000	13,333	0	(13,333)
Plant and equipment	1,663,400	138,617	304,364	165,747
Acquisition of property, plant and equipment	5,995,736	499,645	304,364	(195,281)
Infrastructure - roads	4,162,093	346,841	81,718	(265,123)
Infrastructure - drainage	30,000	2,500	0	(2,500)
Infrastructure - bridges	340,000	28,333	0	(28,333)
Infrastructure - other	1,206,505	100,542	83,149	(17,393)
Acquisition of infrastructure	5,738,598	478,217	164,867	(313,350)
Total of PPE and Infrastructure	11,734,334	977,861	469,231	(508,630)
Total capital acquisitions	11,734,334	977,861	469,231	(508,630)
Capital Acquisitions Funded By:				
Capital grants and contributions	5,795,527	482,961	0	(482,961)
Borrowings	659,382	0	0	0
Other (disposals & C/Fwd)	2,925,000	708,000	130,000	(578,000)
Reserve accounts				
CCTV Reserve	30,754	2,563	0	(2,563)
Information technology reserve	24,250	2,021	0	(2,021)
Plant Reserve	1,066,200	88,850	0	(88,850)
Strategic Access & Egress Reserve	129,387	10,782	0	(10,782)
Biosecurity Reserve	6,263	522	0	(522)
Buildings Reserve	1,326,010	110,501	0	(110,501)
Contribution - operations	(228,439)	(428,339)	265,924	694,263
Capital funding total	11,734,334	977,861	469,231	(508,630)

KEY INFORMATION

Initial recognition

An item of property, plant and equipment or infrastructure that qualifies for recognition as an asset is measured at its cost.

Upon initial recognition, cost is determined as the amount paid (or other consideration given) to acquire the assets, plus costs incidental to the acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Local Government (Financial Management) Regulation 17A(5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

Individual assets that are land, buildings and infrastructure acquired between scheduled revaluation dates of the asset class in accordance with the Shire's revaluation policy, are recognised at cost and disclosed as being at reportable value.

Measurement after recognition

Plant and equipment including furniture and equipment and right-of-use assets (other than vested improvements) are measured using the cost model as required under *Local Government (Financial Management) Regulation 17A(2)*. Assets held under the cost model are carried at cost less accumulated depreciation and any impairment losses being their reportable value.

Reportable Value

In accordance with *Local Government (Financial Management) Regulation 17A(2)*, the carrying amount of non-financial assets that are land and buildings classified as property, plant and equipment, investment properties, infrastructure or vested improvements that the local government controls.

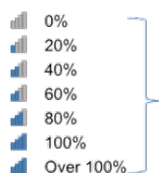
Reportable value is for the purpose of *Local Government (Financial Management) Regulation 17A(4)* is the fair value of the asset at its last valuation date minus (to the extent applicable) the accumulated depreciation and any accumulated impairment losses in respect of the non-financial asset subsequent to its last valuation date.

SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

INVESTING ACTIVITIES

5 CAPITAL ACQUISITIONS (CONTINUED) - DETAILED

Capital expenditure total
Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

Work Order	Work Order Description	Adopted		YTD Actual	Variance (Under)/Over
		Budget	YTD Budget		
		\$	\$	\$	\$
Land					0
WO.3041	Batty Pass Land Development	2,186,944	182,245		182,245
	Is this land held for resale development?				0
Buildings					0
	Key worker accommodation	600,000	50,000		50,000
WO.3250 ??	Beejording fire station replacement	885,392	73,783		73,783
	Buildings refurbishment - TBA	500,000	41,667		41,667
Furniture & Fittings					0
	Recording equipment - Chambers	50,000	4,167		4,167
	Replace main server - Admin	30,000	2,500		2,500
	Replace server - Doctors surgery	30,000	2,500		2,500
	Library fittings	50,000	4,167		4,167
Plant & Equipment					0
	Community amenities events trailer	20,000	1,667		1,667
	DFR - Emergency VBM trailers	58,400	27,091	27,091	0
	Hino FS2844 - Water tank truck	150,000	12,500		12,500
	Front end loader	400,000	33,333	277,273	(243,940)
	Zero turn mower (Trade in John Deere)	35,000	2,917		2,917
	Isuzu D-Max Extra Cab (T0024)	50,000	4,167		4,167
	Isuzu D-Max Extra Cab (1HPT112) - Reserves officer	50,000	4,167		4,167
	Isuzu D-Max Extra Cab (T0020) - Coordinator Assets & Infra	50,000	4,167		4,167
	Isuzu D-Max Extra Cab (T0022)	50,000	4,167		4,167
	Isuzu MU-X (TO)- CEO (2 changeovers)	110,000	9,167		9,167
	Isuzu MU-X (TO)- EMFCS (2 changeovers)	110,000	9,167		9,167
	Isuzu MU-X (TO)- EMCS (2 changeovers)	165,000	13,750		13,750
	Isuzu MU-X (TO)- EMPR (2 changeovers)	110,000	9,167		9,167
	Isuzu MU-X (TO)- EMAIS (2 changeovers)	110,000	9,167		9,167
	Minor Plant Purchases for Works	15,000	1,250		1,250
	Skidsteer - Positrak	180,000	15,000		15,000
Roads					0
	Regional Road Group - Bejoording Road	1,872,190	81,718	81,718	0
	Black Spot - State Funded - Toodyay Bindi Bindi (CFWD)	700,000	58,333		58,333
	Commodity Freight - Bejoording Road	484,903	40,409		40,409
	Western Secondary Freight N/Work - Bindoon Dewares Pool Rd	149,000	12,417		12,417
	Roads to Recovery - various projects (Gravel resheet)	956,000	79,667		79,667
Drainage					0
WO.3245	Toodyay street drainage	30,000	2,500		2,500
Bridges					0
	Urgent bridge repairs - various	250,000	20,833		20,833
	Slaughterhouse Bridge MRWA Design Bridge No - 4085	90,000	7,500		7,500
Other Infrastructure					0
WO.3250	CCTV improvements	150,000	12,500		12,500
WO.949	Emergency water facilities	251,607	4,093	83,149	(79,056)
	Cemetery - replace niche wall	30,000	2,500		2,500
	Newcastle Park - Accessible public toilet	210,000	17,500		17,500
	Dog exercise area - fencing	15,000	1,250		1,250
	Swimming pool - shade structures	15,000	1,250		1,250
WO.3245 ??	Access/Egress Projects - road upgrades various (CFWD)	281,058	23,422		23,422
	Bejoording BFB - Community Water Supply - Fire Tanks	158,840	13,237		13,237
	Standpipes upgrades/refurbishments	90,000	7,500		7,500
WO.3041	Visitors Centre - Security/duress alarm	5,000	417		417
		11,734,334	908,913	469,231	439,682

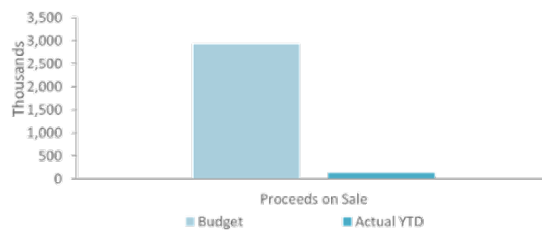
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SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

OPERATING ACTIVITIES

6 DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Buildings								
	Various	2,217,000	2,217,000	0	0	0	0	0	0
	Plant and equipment								
	Various	708,000	708,000	0	0	130,000	130,000	0	0
		2,925,000	2,925,000	0	0	130,000	130,000	0	0

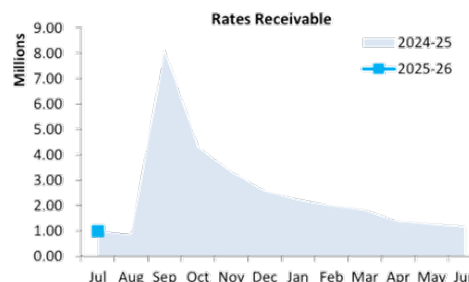


SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

OPERATING ACTIVITIES

7 RECEIVABLES

Rates receivable	30 Jun 2025	31 Jul 2025
	\$	\$
Opening arrears previous year	1,200,508	1,058,686
Levied this year	8,047,483	598
Less - collections to date	(8,189,305)	(71,881)
Gross rates collectable	1,058,686	987,403
Allowance for impairment of rates receivable	0	0
Net rates collectable	1,058,686	987,403
% Collected	88.6%	6.8%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	0	189,285	0	0	417,349	606,634
Percentage	0.0%	31.2%	0.0%	0.0%	68.8%	
Balance per trial balance						
Trade receivables						606,634
GST receivable						727,084
Rates rebates receivable						67,522
Total receivables general outstanding						1,401,240

Amounts shown above include GST (where applicable)

KEY INFORMATION

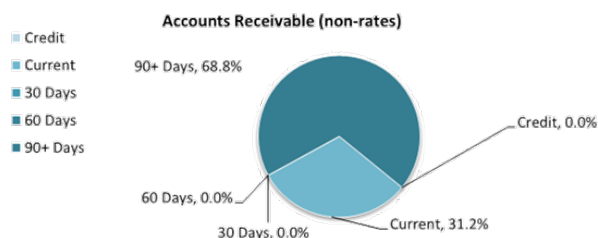
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

OPERATING ACTIVITIES

8 OTHER CURRENT ASSETS

	Opening Balance 1 July 2025	Asset Increase	Asset Reduction	Closing Balance 31 July 2025
	\$	\$	\$	\$
Other current assets				
Inventory				
Stores and materials	83,535	20,136		103,671
Visitor centre	33,807			33,807
Other assets				
Accrued income	15,216			15,216
Total other current assets	132,558	20,136	0	152,694

Amounts shown above include GST (where applicable)

KEY INFORMATION

Other financial assets at amortised cost

The Shire classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Inventory

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land held for resale

Land held for development and resale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development.

Borrowing costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed onto the buyer at this point.

Land held for resale is classified as current except where it is held as non-current based on the Council's intentions to release for sale.

Contract assets

A contract asset is the right to consideration in exchange for goods or services the entity has transferred to a customer when that right is conditioned on something other than the passage of time.

SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

OPERATING ACTIVITIES

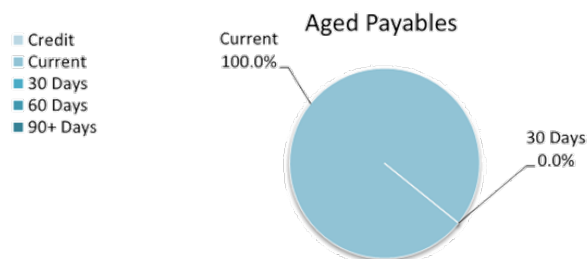
9 PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	190,082	0	0	0	190,082
Percentage	0.0%	100.0%	0.0%	0.0%	0.0%	
Balance per trial balance						
Sundry creditors						190,082
Accrued salaries and wages						124,718
ATO liabilities						124,621
Other payables						530,352
Accrued Expenses						153,946
Other payables						369,022
Total payables general outstanding						1,492,741

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

FINANCING ACTIVITIES

10 BORROWINGS

Repayments - borrowings

Information on borrowings Particulars	Loan No.	1 July 2025	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Depot stage 2	71	392,805				(45,085)	392,805	347,720		(17,251)
Land - Rec precinct	72	507,054				(54,058)	507,054	452,996		(21,969)
Bejoording fire station	73	0		659,382		(52,140)	0	607,242		(31,785)
Recreation precinct	75B	3,757,059				(196,626)	3,757,059	3,560,433		(85,492)
		4,656,918	0	659,382	0	(347,909)	4,656,918	4,968,391	0	(156,497)
Total		4,656,918	0	659,382	0	(347,909)	4,656,918	4,968,391	0	(156,497)
Current borrowings		287,014					287,014			
Non-current borrowings		4,369,904					4,369,904			
		4,656,918					4,656,918			

All debenture repayments were financed by general purpose revenue.
Self supporting loans are financed by repayments from third parties.

New borrowings 2025-26

Particulars	Amount Borrowed	Amount Borrowed	Institution	Loan Type	Term Years	Total Interest & Charges	Interest Rate	Amount (Used)		Balance
	Actual	Budget						Actual	Budget	Unspent
	\$	\$				\$	%	\$	\$	\$
Bejoording fire station		659,382	WATC	Fixed	10	179,870	5.00		(659,382)	0
	0	659,382				179,870		0	(659,382)	0

KEY INFORMATION

The Shire has elected to recognise borrowing costs as an expense when incurred regardless of how the borrowings are applied.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature.

SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

FINANCING ACTIVITIES

11 LEASE LIABILITIES

Movement in carrying amounts

Information on leases		New Leases			Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	Leasor	1 July 2025	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Komatsu WA320-6 FE Loader Gear Select		49,198					49,198	49,198		(11,264)
Drum roller		22,798					22,798	22,798		
Solar library		1,699					1,699	1,699		
Hino truck		187,885					187,885	187,885		
Hino Prime mover	SG Fleet	178,092				(133,422)	178,092	44,670		(41,578)
Total		439,672	0	0	0	(133,422)	439,672	306,250	0	(52,842)
Current lease liabilities		152,727					152,727			
Non-current lease liabilities		286,945					286,945			
		439,672					439,672			

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is or contains a lease, if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. At the commencement date, a right of use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

All contracts classified as short-term leases (i.e. a lease with a remaining term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease.

SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

OPERATING ACTIVITIES

12 OTHER CURRENT LIABILITIES

	Note	Opening Balance 1 July 2025 \$	Liability transferred from/(to) non current \$	Liability Increase \$	Liability Reduction \$	Closing Balance 31 July 2025 \$
Other current liabilities						
Other liabilities						
Capital grant/contributions liabilities		123,970	0	0	0	123,970
Total other liabilities		123,970	0	0	0	123,970
Employee Related Provisions						
Provision for annual leave		87,490	0	0	(23,422)	64,068
Provision for long service leave		468,420	0	0	(5,641)	462,779
Total Provisions		555,910	0	0	(29,063)	526,847
Total other current liabilities		679,880	0	0	(29,063)	650,817

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 14

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee Related Provisions

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

OPERATING ACTIVITIES

13 GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent grant, subsidies and contributions liability					Grants, subsidies and contributions revenue					YTD Revenue Actual
	Liability 1 July 2025	Increase in Liability	Decrease in Liability (As revenue)	Liability 31 Jul 2025	Current Liability 31 Jul 2025	Adopted Budget Revenue	YTD Budget	Annual Budget	Budget Variations	Expected	
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Grants and subsidies											
Various (budget not uploaded)	0	0	0	0	0	1,908,635	159,053	1,908,635	0	1,908,635	0
	0	0	0	0	0	1,908,635	159,053	1,908,635	0	1,908,635	0
Contributions											
Emergency services	0	0	0	0	0					0	(7,400)
Other Welfare - Other grants	0	0	0	0	0					0	7,727
Transport - other grants	0	0	0	0	0					0	206,748
Transport - streets	0	0	0	0	0					0	6,156
	0	0	0	0	0	0	0	0	0	0	213,231
TOTALS	0	0	0	0	0	1,908,635	159,053	1,908,635	0	1,908,635	213,231

SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

INVESTING ACTIVITIES

14 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities					Capital grants, subsidies and contributions revenue					
	Liability 1 July 2025	Increase in Liability	Decrease in Liability (As revenue)	Liability 31 Jul 2025	Current Liability 31 Jul 2025	Adopted Budget Revenue	YTD Budget	Annual Budget	Budget Variations	Expected	YTD Revenue Actual
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Capital grants and subsidies											
Various (budget to be loaded)	123,970	0	0	123,970	0	5,795,527	482,961	5,795,527		5,795,527	
	123,970	0	0	123,970	0	5,795,527	482,961	5,795,527	0	5,795,527	0
TOTALS	123,970	0	0	123,970	0	5,795,527	482,961	5,795,527	0	5,795,527	0

SHIRE OF TOODYAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

14 BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
			\$	\$	\$	\$
Budget adoption to actual surplus b/fwd				0	0	746,907
						746,907



Creditor Payment Report - Warrant Listing

01 July 2025 to 31 July 2025

Cheque Payments					
Payment Number	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
CP.321	25-07-2025	13101	OLD GAOL MUSEUM	Gaol Honorariums - August 2025	500.00
CP.321	25-07-2025	13102	WATER CORPORATION	Water Account 9023377637 Community Standpipe Stirling Tce - 16 Apr 2025 - 19 Jun	4,302.85
CP.321	25-07-2025	13102	WATER CORPORATION	Water account 9013566063 Anzac Ave road verge - 22 Apr 2025 - 23 Jun 2025	2.94
Cheque Total					4,805.79

Electronic Funds Transfer Payments					
Payment Number	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
CP.321	25-07-2025	EFT	Alex Tadeusz PAUL	Withdrawal of application and due to high amount we are refunding Alex 80% of the	2,388.00
CP.321	25-07-2025	EFT	AUSTRALIA POST	Postage - June 2025	368.91
CP.321	25-07-2025	EFT	AVON WASTE - STONDON PTY LTD	Fortnightly Service from 16/06/25 - 27/06/25	18,582.35
CP.321	25-07-2025	EFT	AVON WASTE - STONDON PTY LTD	Fortnightly Service from 30/06/25 - 11/07/25	18,335.16
CP.321	25-07-2025	EFT	Barry KEENS HAC	Consignment - May - June 2025	17.08
CP.321	25-07-2025	EFT	BRIGHTMARK GROUP PTY LTD	Deep clean Radio room at the Community Depot - One of 13/06/2025	1,980.00

Electronic Funds Transfer Payments					
Payment Number	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
CP.321	25-07-2025	EFT	BRODERICK WASTE SOLUTIONS	Cartage of waste from Toodyay Transfer Station to Northam for the month of June	6,279.24
CP.321	25-07-2025	EFT	BRODERICK WASTE SOLUTIONS	Management of Waste Transfer Station fortnight ended 8 July 2025	6,050.00
CP.321	25-07-2025	EFT	BUNNINGS - MIDLAND	Supply 1 only Gerni Corded pressure cleaner. 0235514 GPW-3300	142.00
CP.321	25-07-2025	EFT	C & F BUILDING APPROVALS	Issue of Building Permit on pre Certified Application	2,970.00
CP.321	25-07-2025	EFT	C & F BUILDING APPROVALS	Issue of Building Permit on pre Certified Application Lot 10 Deepdale Rd, West	770.00
CP.321	25-07-2025	EFT	C & F BUILDING APPROVALS	Issue of Building Permit on pre Certified Application 74 Nottingham Rd, Toodyay	1,210.00
CP.321	25-07-2025	EFT	CEDAR HOMES	Refund - Building Application - Verge Bond refund	2,072.00
CP.321	25-07-2025	EFT	Cindy May HARDERS	Consignment - June 2025	50.02
CP.321	25-07-2025	EFT	CORSIGN (WA) PTY LTD	Supply Street blade including post, caps, nuts, bolts, clamps -COONDLE WEST ROAD	477.62
CP.321	25-07-2025	EFT	EAG ELECTRICAL AIR-CONDITIONING &	Contractors - Replace Solar Inverter at Shire Depot - like for like.	9,032.76
CP.321	25-07-2025	EFT	EAG ELECTRICAL AIR-CONDITIONING &	Supply and install new Air Conditioner at Toodyay Library Quote # SH104-25608	4,369.75
CP.321	25-07-2025	EFT	EASTERN HILLS CHAINSAWS & MOWERS	Supply 1 HLA Battery Hedge Trimmer STH4859 011 2930 Quote # 3710#4	704.65
CP.321	25-07-2025	EFT	GLENORAN LEATHER	Consignment - June 2025	38.50
CP.321	25-07-2025	EFT	HEARTLANDS VET HOSPITAL	4 x Dog Euthanasia - 07/07/2025	928.48
CP.321	25-07-2025	EFT	HERSEY SAFETY PTY LTD	Safety Supplies for Depot Workshop QU-49499	1,496.55
CP.321	25-07-2025	EFT	HERSEY SAFETY PTY LTD	PPE - Masks and Filters for Depot staff Quote # QU-1041	257.40
CP.321	25-07-2025	EFT	JACOBUS CORNELIS NIEUWOUDT	11/07/2025 – 21/07/2025 – Assess development applications against the local and	3,150.00
CP.321	25-07-2025	EFT	Joanne CROWE	Consignment - June 2025	24.00
CP.321	25-07-2025	EFT	JTAGZ PTY LTD	2028 (3yr) Dog & Cat tags & Dog Lifetime tags	572.28

Electronic Funds Transfer Payments					
Payment Number	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
CP.321	25-07-2025	EFT	LANDGATE	All Valuations and Land search for 2024/2025 - Schedule no: G2025/06 & G2025/07	501.82
CP.321	25-07-2025	EFT	LANDGATE	All Valuations and Land search for 2024/2025 - Schedule No: R2025/01	471.80
CP.321	25-07-2025	EFT	LEYLAND ENGINEERING SERVICES	Isuzu DMax - T0002 - Service - QU-0030 - 48,613km	586.00
CP.321	25-07-2025	EFT	LEYLAND ENGINEERING SERVICES	Maintenance - Service for Vehicle T00 - QU-0031	447.50
CP.321	25-07-2025	EFT	LG PROFESSIONALS AUSTRALIA WA	2025 - 2026 Silver Local Government Subscription	2,640.00
CP.321	25-07-2025	EFT	Margaret BRADFORD SEELEY	Consignment - May - June 2025	66.78
CP.321	25-07-2025	EFT	MARKET CREATIONS	CouncilConnect Subscription FY25/26	17,479.00
CP.321	25-07-2025	EFT	MJB INDUSTRIES PTY LTD	Supply and delivery of concrete products for Toodyay Bindi Bindi Rd for Blackspot	29,419.80
CP.321	25-07-2025	EFT	MOORE AUSTRALIA	EOFY25 Template For Annual Report	1,760.00
CP.321	25-07-2025	EFT	NATURAL AREA CONSULTING	Chitty RD - CPS 9813-2 Mitigation Planting	1,320.00
CP.321	25-07-2025	EFT	NATURAL AREA CONSULTING	Chitty Rd - CPS 9813-2 Mitigation Planting	460.85
CP.321	25-07-2025	EFT	NATURAL AREA CONSULTING	Chitty Rd - CPS 9812-1 Mitigation Planting	438.90
CP.321	25-07-2025	EFT	NATURAL INTENTIONS BEAUTY RANGE	Consignment - June 2025	11.30
CP.321	25-07-2025	EFT	OFFICE OF AUDITOR GENERAL	FY24 Audit Fees (\$47,850 inc GST) & FY24 Additional Audit Fees (\$25,982 inc GST)	47,850.00
CP.321	25-07-2025	EFT	OZTROLOGY PTY LTD	Consignment - June 2025	27.50
CP.321	25-07-2025	EFT	Patricia ROSE	Consignment - May - June 2025	10.00
CP.321	25-07-2025	EFT	PROFESSIONAL PC SUPPORT PTY LTD	Managed Phone Agreement the cost changes with adjustments made through the	1,298.73
CP.321	25-07-2025	EFT	PROFESSIONAL PC SUPPORT PTY LTD	Agreement Billable Time: Managed ICT Support Agreement	2,226.40
CP.321	25-07-2025	EFT	PUBLIC TRANSPORT AUTHORITY OF WA	TransWA ticket sales for June 2025	191.70
CP.321	25-07-2025	EFT	QUILTS BY ROBYN	Consignment - June 2025	256.00

Electronic Funds Transfer Payments					
Payment Number	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
CP.321	25-07-2025	EFT	Ralph Lionel WALKER	Hours Toodyay Showgrounds Pavillion	1,250.00
CP.321	25-07-2025	EFT	REDFISH TECHNOLOGIES PTY LTD	Pearl Maintenance	1,973.40
CP.321	25-07-2025	EFT	RELIABLE ASSET MAINTENANCE	Test for Asbestos at Showgrounds Pavilion	649.66
CP.321	25-07-2025	EFT	RELIABLE ASSET MAINTENANCE	Maintenance Attendance for 02/07 & 09/07	2,623.50
CP.321	25-07-2025	EFT	RELIABLE ASSET MAINTENANCE	Repair Administration Door. Repair the paving outside the Football pavilion.	929.50
CP.321	25-07-2025	EFT	RELIABLE ASSET MAINTENANCE	Kitchen bench unstuck and lock investigation for security Toodyay Recreation Centre	594.00
CP.321	25-07-2025	EFT	ROAD RAIL & MINE PRODUCTS PTY LTD	Toodyay Bindi Bindi SLK 5600 to 5750 - Supply and delivery of barriers to Shire Depo	25,685.00
CP.321	25-07-2025	EFT	ROAD RAIL & MINE PRODUCTS PTY LTD	Toodyay Bindi Bindi SLK 7500-7900 - Supply and delivery of barriers to Shire Depot	61,985.00
CP.321	25-07-2025	EFT	Sara Louise WHINCUP	Consignment - June 2025	20.00
CP.321	25-07-2025	EFT	SHIRE OF YORK	AVON VALLEY ALLIANCE WEBSITE LAUNCH 05/06/2025	307.69
CP.321	25-07-2025	EFT	SHRED-X PTY LTD	CRC - Shred X Paper shredding for 24/25 FY	206.87
CP.321	25-07-2025	EFT	SHRED-X PTY LTD	Shred X Paper shredding for 24/25 FY	413.84
CP.321	25-07-2025	EFT	SNAP - WEST PERTH, THE TRUSTEE FOR	A4 Tax Receipt/Invoice paper, blank & 6000 window face & 3000 plain face envelopes	2,370.60
CP.321	25-07-2025	EFT	SONIC HEALTHPLUS PTY LTD	JIGME NGEDUPPO - Medical	264.00
CP.321	25-07-2025	EFT	SONIC HEALTHPLUS PTY LTD	Cameron MacKenzie (Assistant Town Planner)	264.00
CP.321	25-07-2025	EFT	SOUTHERN SHARPENING SERVICES	Consignment - June 2025	38.50
CP.321	25-07-2025	EFT	TALIS CONSULTANTS	Building Condition recording	99,297.00
CP.321	25-07-2025	EFT	TEAM GLOBAL EXPRESS PTY LTD	Works & Services	105.79
CP.321	25-07-2025	EFT	THE TOODYAY HISTORICAL SOCIETY INC	Consignment - May - June 2025	70.00
CP.321	25-07-2025	EFT	THINK PROJECT AUST PTY LTD (RAMM	Annual License and support ThinkProject 1 july 2025 to 30 june 2026	11,212.74

Electronic Funds Transfer Payments					
Payment Number	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
CP.321	25-07-2025	EFT	TOODYAY AGRICULTURAL SOCIETY INC	Toodyay Ag Show 11 October 2025 Sponsorship towards Exhibit Prizes	500.00
CP.321	25-07-2025	EFT	TOODYAY BOWLING CLUB	Reimbursement of funds towards urgent repairs of fence - Toodyay Bowling Club	3,000.00
CP.321	25-07-2025	EFT	TOODYAY HARDWARE & FARM	STAPLES GAL 20 X 2.8MM	5.75
CP.321	25-07-2025	EFT	TOODYAY HARDWARE & FARM	EXTERIOR LOW SHEEN VIVID WHITE DULUX WEATHERSHIELD 10L	234.45
CP.321	25-07-2025	EFT	TOODYAY HARDWARE & FARM	PATIO ANGLE BRACKET 35 X 52 X 75MM	10.50
CP.321	25-07-2025	EFT	TOODYAY HARDWARE & FARM	PINE H3 90 X 45 P/M	71.70
CP.321	25-07-2025	EFT	TOODYAY HERALD	Shire pages Toodyay Herald 2024/2025	783.28
CP.321	25-07-2025	EFT	TOODYAY TRADERS	Trailer Adaptor	26.50
CP.321	25-07-2025	EFT	TOTAL GREEN RECYCLING	E-Waste Recycling	1,205.14
CP.321	25-07-2025	EFT	UNIFORMS @ WORK	Uniforms for Fleur Mayhew	260.35
CP.321	25-07-2025	EFT	VAPOUR PLUMBING AND GAS	Unblock drains at the Visitor Centre QU-0246	495.00
CP.321	25-07-2025	EFT	VAPOUR PLUMBING AND GAS	Repair the HWS at the Medical Centre - Replace thermostat QU-0242	521.40
CP.321	25-07-2025	EFT	VAPOUR PLUMBING AND GAS	Unblock and pump out toilets at Duidgee Park. Quote # QU-0243	165.00
CP.321	25-07-2025	EFT	VAPOUR PLUMBING AND GAS	Visitor Centre replace pipes damaged drains	990.00
CP.321	25-07-2025	EFT	VAPOUR PLUMBING AND GAS	Unblock drains and inspect pipes with camera at Pelham Reserve toilet block QU-	385.00
CP.321	25-07-2025	EFT	VAPOUR PLUMBING AND GAS	Unblock 2 male Toilets at Duidgee Park	110.00

Electronic Funds Transfer Payments					
Payment Number	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
CP.321	25-07-2025	EFT	VISION INVESTMENTS PTY LTD	Week Three Maintenance Grading 12/05	25,630.00
CP.321	25-07-2025	EFT	WALGA	Michelle Dival - CEO Performance Review (18 July 2025)	682.00
CP.321	25-07-2025	EFT	WINC AUSTRALIA P/L	stationary	926.98
CP.321	25-07-2025	EFT	WINC AUSTRALIA P/L	Stationary	926.69
CP.321	25-07-2025	EFT	WOODLANDS DISTRIBUTORS &	Supply 1 Galvanised Dog bag dispenser - Heritage Green. Including freight. Quote #	218.90
CP.321	25-07-2025	EFT	WREN OIL	Contractor - Waste Disposal - Transfer Station 2025	429.00
CP.321	25-07-2025	EFT	WREN OIL	OIL WASTE DISPOSAL - ADMIN & COMPLIANCE FEES	121.00
EFT Total					437,690.56
Payroll					
Payment Number	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
PPE 3/7/25	3/07/2025		Payroll	Payroll PPE 3/7/25	109,878.00
PPE 3/7/25	3/07/2025		SuperChoice	Payroll PPE 3/7/25	20,250.00
PPE 3/7/25	3/07/2025		Payroll	Payroll PPE 3/7/25	6,110.00
PPE 17/7/25	17/07/2025		Payroll	Payroll PPE 17/7/25	103,742.00
PPE 17/7/25	17/07/2025		SuperChoice	Payroll PPE 17/7/25	19,813.00
PPE 31/7/25	31/07/2025		Payroll	Payroll PPE 31/7/25	105,236.00
PPE 31/7/25	31/07/2025		SuperChoice	Payroll PPE 31/7/25	20,250.00
Payroll Total					385,279.00

Direct Debits					
Payment Number	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
	1/07/2025		Bendigo Bank	Bank Fees	314.16
	1/07/2025		HP Financial Services	Photocopier Lease Fees	1,116.84
	1/07/2025		Toodyay Traders	Hardware Purchases	1,895.61
	1/07/2025		Synergy	Electricity Charges and Usage- Shire Depot, Railway Road	715.76
	1/07/2025		Bendigo Bank	Bank Fees	4.07
	1/07/2025		Bendigo Bank	Bank Fees	-
	1/07/2025		Bendigo Bank	Bank Fees	15.00
	1/07/2025		Bendigo Bank	Bank Fees	15.00
	1/07/2025		Bendigo Bank	Bank Fees	10.00
	1/07/2025		Bendigo Bank	Bank Fees	-
	2/07/2025		Bendigo Bank	Bank Fees	7.48
	2/07/2025		Synergy	Electricity Charges and Usage- Coondle Fire Station	528.31
	3/07/2025		Bendigo Bank	Bank Fees	4.62
	3/07/2025		CBA	Bank Fees	116.87
	3/07/2025		CBA	Bank Fees	75.26
	3/07/2025		CBA	Bank Fees	54.50
	3/07/2025		CBA	Bank Fees	520.81
	3/07/2025		CBA	Bank Fees	86.97
	9/07/2025		Water Corporaton	Water Charges and Usage -Community Centre and Medical Ctr	174.46
	9/07/2025		Water Corporaton	Water Charges and Usage -Parkers Cottage	132.85
	10/07/2025		Synergy	Electricity Charges and Usage-Toodyay Recreation Centre Precinct	4,637.45
	11/07/2025		Water Corporaton	Water Charges and Usage -Community Centre and Medical Ctr	2,186.08
	11/07/2025		Water Corporaton	Water Charges and Usage -Duke Street Toilets	1,828.06
	11/07/2025		Water Corporaton	Water Charges and Usage -Memorial Hall	1,320.16
	11/07/2025		Water Corporaton	Water Charges and Usage -19B Clinton Street	578.64
	11/07/2025		Water Corporaton	Water Charges and Usage -Railway Station Lawns	542.65
	11/07/2025		Water Corporaton	Water Charges and Usage -Newcastle Park	471.10
	11/07/2025		Water Corporaton	Water Charges and Usage -Connors Mill and Visitor Centre	470.56
	11/07/2025		Water Corporaton	Water Charges and Usage -Bendigo Bank (To be Reimbursed)	416.41
	11/07/2025		Water Corporaton	Water Charges and Usage -Vet (To be Reimbursed)	376.87
	11/07/2025		Water Corporaton	Water Charges and Usage -Connors Cottage	277.45
	11/07/2025		Water Corporaton	Water Charges and Usage -19A Clinton Street	247.01
	11/07/2025		Water Corporaton	Water Charges and Usage -Toodyay Library	180.17
	14/07/2025		Bendigo Bank	Bank Fees	0.22
	14/07/2025		Water Corporaton	Water Charges and Usage -Showgrounds, Pavillion and Hockey Oval	1,128.91
	14/07/2025		Water Corporaton	Water Charges and Usage -Toodyay Cemetry	333.22
	14/07/2025		Water Corporaton	Water Charges and Usage -Waste Transfer Station	138.13
	15/07/2025		Bendigo Bank	Bank Fees	32.79
	15/07/2025		Water Corporaton	Water Charges and Usage -Duidgee Park and Toilets	10,713.13
	15/07/2025		Water Corporaton	Water Charges and Usage -Anzac Memorial and Playground	459.13

Direct Debits					
Payment Number	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
	15/07/2025		Water Corporaton	Water Charges and Usage -Administration Building	214.17
	15/07/2025		Water Corporaton	Water Charges and Usage -Depot, Railway Road	199.06
	15/07/2025		Water Corporaton	Water Charges and Usage -Administration Grounds Lot 50	55.84
	16/07/2025		Bendigo Bank	Bank Fees	6.27
	16/07/2025		Water Corporaton	Water Charges and Usage -Old Gaol	572.69
	16/07/2025		Water Corporaton	Water Charges and Usage -Police Stables	152.83
	16/07/2025		Water Corporaton	Water Charges and Usage -Pelham Reserve Toilets	47.02
	17/07/2025		Synergy	Electricity Charges and Usage- Collective Account	12,636.65
	18/07/2025		Gear Select	Lease-Drum Roller (To be Refunded)	2,296.91
	21/07/2025		Bendigo Bank	Bank Fees	0.88
	22/07/2025		Bendigo Bank	Bank Fees	4.40
	22/07/2025		Synergy	NNNco Security Cameras	192.89
	23/07/2025		Paymate	DIRECT DEBIT PAYMATE 0426904510 20325480403SF	82.50
	23/07/2025		Water Corporaton	Water Charges and Usage -Northam Toodyay Road Standpipe	85,268.18
	23/07/2025		WA Treasury Corporation	Loan Guarantee Payment 2025-26 Year	16,687.96
	23/07/2025		Bendigo Bank	Bank Fees	3.52
	24/07/2025		Komatsu Finance	Lease-Grader	4,560.98
	24/07/2025		Synergy	Streetlighting Charges-May to June 2025	4,811.87
	25/07/2025		Bendigo Bank	Bank Fees	7.37
	28/07/2025		QPC Group	Photocopier Maintenance July 2025	1,175.99
	30/07/2025		Bendigo Bank	Bank Fees	6.27
	30/07/2025		Synergy	Electricity Charges and Usage- Depot Yard, Railway Road	828.45
Direct Debits Total					161,939.41

Credit Card Payments					
Payment Number	Date	Cheque Number	Creditor Name	Invoice Description	Inclusive Amount
			Credit Card-EMCS		
	1/07/2025		Sandra Watson	Kmart -Materials for CRC Activities	67.00
	4/07/2025			Canva-Software Subscption	266.00
	4/07/2025			Big W-Materials for CRC Activities	68.00
	8/07/2025			JSM Group-Materials for CRC Activities	220.00
	9/07/2025			Coles-Materials for CRC Activites	19.20
	10/07/2025			Morrina.Com-Materials for Community Activities	389.55
	10/07/2025			Vevor.com.au-Materials for Community Activities	206.99
	11/07/2025			Aldi-Catering for Community Events	117.20
	17/07/2025			Bottlemart-Visitor Centre Function Catering	63.99
	18/07/2025			Coles-Materials for CRC Activites	65.00
	18/07/2025			Coles-Materials for CRC Activites	66.85
	19/07/2025			IGA-Catering for Community Events	29.94

Credit Card Payments				
Payment Number	Date	Cheque Number	Creditor Name	Inclusive Amount
	24/07/2025			16.00
	26/07/2025			60.69
	30/07/2025			4.00
			Credit Card-EMIAS	
	17/07/2025		Vanessa Crispe	30.00
	25/07/2025			279.20
	30/07/2025			4.00
			Credit Card-CEO Aaron Bowman	
	5/07/2025			457.75
	11/07/2025			83.00
	30/07/2025			4.00
	14/07/2025		Credit Card-EMFCS Alan Hart	31.90
	15/07/2025			139.00
	24/07/2025			208.06
	30/07/2025			4.00
	31/07/2025			236.00
			Credit Card-EMPRS	
	7/07/2025		Paul Nuttall	65.16
	29/07/2025			4.00
	16/07/2025		Credit Card-CESM Rob Koch	113.29
	29/07/2025			4.00
Credit Card Payments Total				3,157.77
Grand Total				988,066.74

Chief Executive Officer
Shire of Toodyay
cc: Shire President and Councillors
Via email: records@toodyay.wa.gov.au

Date: 31/07/2025

Application for Use of Vacant Shed at Shire Depot – Arts Toodyay Inc.

Dear Chief Executive Officer, Shire President and Councillors,

Following our meeting with the CEO, Aaron Bowman on 30 July 2025, Arts Toodyay Inc. would like to formally express our interest in accessing the vacant shed at the Shire Depot for the storage of community arts equipment and materials.

As a growing volunteer-run organisation, Arts Toodyay is expanding its delivery of exhibitions, workshops, and community events. Through grant funding and in-kind support, we've built up a small but essential collection of equipment including exhibition panels, signage, children's art activity materials, tables, and marquees. Currently, these assets are dispersed across multiple private sheds, shire facilities and homes, which is proving unsustainable and limits our ability to deliver events efficiently.

Access to a secure, centralised Shire-managed storage facility would significantly improve our operational capacity, particularly in the lead-up to the inaugural Avon Arts Trail in 2026 and our ongoing program of free or low-cost activities for the Toodyay community. We are very open to a shared-use arrangement and happy to meet any reasonable costs, access or maintenance conditions.

We understand the importance of keeping Elected Members informed and engaged in community partnerships such as this, and we warmly welcome the opportunity to brief interested Councillors on our current work and how this request aligns with Shire priorities, particularly around inclusive volunteering, community activation, and regional cultural development.

We thank the Shire for its continued support and look forward to your advice on next steps in progressing this request.

Warm regards,

Chelle Ellery
Secretary, Arts Toodyay Inc.
secretary.arts.j2@gmail.com



LOCAL GOVERNMENT ACT 1995

BUSH FIRES ACT 1954

Shire of Toodyay

Bush Fire Brigades Local Law 2025



Gazette Date:, page

LOCAL GOVERNMENT ACT 1995
 BUSH FIRES ACT 1954
 Shire of Toodyay.
 Bush Fire Brigades Local Law 2025

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LOCAL GOVERNMENT ACT 1995
BUSH FIRES ACT 1954
Shire of Toodyay.
Bush Fire Brigades Local Law 2025

Declaration

Under the powers conferred by the *Local Government Act 1995* and the *Bush Fires Act 1954* and under all other powers enabling it, the Council of the Shire of Toodyay resolved on _____ to make the following local law.

Part 1 - Preliminary

1.1 Citation and Application

This local law may be cited as the *Shire of Toodyay Bush Fire Brigades Local Law 2025* and applies throughout the district.

It is made in accordance with Subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* and Section 62 of Part V of the *Bush Fires Act 1954*.

1.2 Commencement

This local law commences 14 days after it is published in the *Government Gazette*.

1.3 Repeal Provisions

This local law repeals the:

- (i) By-laws of the Toodyay Road Board relating to the establishment, maintenance and equipment of Bush Fire Brigades for the Road District of Toodyay as published in the *Government Gazette* on 6 December 1946 (page 1499); and
- (ii) By-laws of the Toodyay Shire Council relating to the establishment, maintenance and equipment of Bush Fire Brigades for the Shire or any part of the Shire of Toodyay as published in the *Government Gazette* on 15 July 1970 (page 2101).

1.4 Interpretation

- (1) In this local law, unless the context otherwise requires –

Act means the *Bush Fires Act 1954*;

Brigade area means the area described in clause 2.2(1)(b);

Bush Fire Advisory Committee means the Shire of Toodyay Bush Fire Advisory Committee as formed under section 67 of the Act;

Bush Fire Brigade or **Brigade** means a bush fire brigade established by the Local Government under clause 2.1 and registered in a register kept pursuant to section 41 of the Act;

Bush Fire Control Officer means a bush fire control officer appointed by the Local Government under clause 5.1(1);

Bush Fire Brigade Member or **Brigade Member**, in relation to a Brigade, means a fire fighting member, associate member or a cadet member of a bush fire brigade;

Bush Fire Brigade Officer or **Brigade Officer** in relation to a Brigade, means a person holding a position referred to in clause 2.2 (1)(c) or clause 2.2(5), whether or not he or she was appointed by the Local Government or elected at an annual general meeting of a bush fire brigade or otherwise appointed to the position;

Bush Fire Operating Procedures means the Bush Fire Operating Procedures adopted by the Local Government as amended from time to time;

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Chief Bush Fire Control Officer means the Chief Bush Fire Control Officer appointed by the Local Government;

Chief Executive Officer means the Chief Executive Officer of the Local Government;

Department means the Department of Fire and Emergency Services of Western Australia;

Deputy Chief Bush Fire Control Officer means the Deputy Chief Bush Fire Control Officer appointed by the Local Government;

district means the district of the Local Government;

Local Government means the Shire of Toodyay;

Normal brigade activities as defined in section 35A of the Act; and

Regulations means regulations made under the Act.

(2) In this local law, unless the context otherwise requires, a reference to –

- (a) a Captain;
- (b) a First Lieutenant;
- (c) a Second Lieutenant;
- (d) any additional Lieutenant;

means a person holding that position in a Bush Fire Brigade.

Part 2 - Bush Fire Brigades

2.1 Existing Bush Fire Brigades and Establishment of Bush Fire Brigades

- (1) A bush fire brigade established by the Local Government prior to the day on which this local law comes into operation –
 - (a) is to be taken to be a bush fire brigade established under and in accordance with this local law; and
 - (b) the provisions of this local law apply to the bush fire brigade.
- (2) The Local Government may establish a bush fire brigade for the purpose of carrying out normal brigade activities.
- (3) A bush fire brigade is established on the date of the Local Government's decision under clause 2.1(2).

2.2 Name and Officers of Bush Fire Brigades

- (1) On establishing a Bush Fire Brigade under clause 2.1(1), the Local Government is to –
 - (a) give a name to the Bush Fire Brigade;
 - (b) specify the brigade area in which the Bush Fire Brigade is primarily responsible for carrying out the normal brigade activities; and
 - (c) appoint, in relation to the Bush Fire Brigade –

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- (i) a Captain;
 - (ii) a First Lieutenant;
 - (iii) a Second Lieutenant;
 - (iv) a Secretary; and
 - (v) a Treasurer.
- (2) A person appointed to a position under clause 2.2(1)(c), is taken to be a Brigade Member.
- (3) The term of office of a person appointed to a position under clause 2.2(1)(c) ends –
 - (a) at the completion of the first Annual General Meeting of the Bush Fire Brigade;
 - (b) when the person resigns from that position; or
 - (c) when the appointment, or the person's Bush Fire Brigade membership, is terminated under this local law;
 whichever occurs first.
- (4) At the first and each subsequent Annual General Meeting of a Brigade, the Brigade Members are to elect, from among the Brigade Members, persons to fill each of the positions of the Brigade as per clause 2.2(1)(c).
- (5) At the first and each subsequent Annual General Meeting of a Brigade, the Brigade Members may elect, from among the Brigade Members, persons to additional brigade officer positions including:
 - (i) additional Lieutenants if the membership considers it necessary;
 - (ii) an Equipment Officer;
 - (iii) a Training Officer; and
 - (iv) additional Officers if the membership considers it necessary.
- (6) If the position of a Brigade Officer of a Bush Fire Brigade becomes vacant at any time other than at the completion of an Annual General Meeting of the Brigade, then a Special Meeting of the Brigade may be held at which the Brigade Members may vote for a replacement Brigade Member to fill the position until the next Annual General Meeting of the Bush Fire Brigade.

Part 3 - Dissolution of Bush Fire Brigades

3.1 Cancellation of Registration

- (1) In accordance with section 41(3) of the Act, the Local Government may cancel the registration of a Bush Fire Brigade if it is of the opinion that the Bush Fire Brigade is not complying with the Act or this local law; or is not achieving the objectives for which it was established.
- (2) Upon a Bush Fire Brigade's dissolution, the equipment, assets and funds of the Brigade must be placed under the control of the Local Government and dealt with in accordance with the *Local Government Act 1995*.

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3.2 New Arrangement After Dissolution

If the Local Government cancels the registration of a Bush Fire Brigade, the Local Government is to make alternative arrangements in respect of the Brigade Area.

Part 4 - Organisation and Maintenance of Bush Fire Brigades

4.1 Local Government Responsible for Structure

The Local Government is to ensure that there is an appropriate structure through which the organisation of Bush Fire Brigades is maintained.

4.2 Managerial Role of the Local Government

- (1) Subject to any direction by the Chief Executive Officer, the Local Government has primary managerial responsibility for the organisation and maintenance of Bush Fire Brigades.
- (2) Considering recommendations from the Bush Fire Advisory Committee, the Chief Executive Officer will appoint suitably qualified persons as Bush Fire Control Officers.
- (3) The Local Government will report to the Chief Executive Officer not later than 30 April each year for the consideration and appropriate provision being made in the next Local Government budget, the status of a Bush Fire Brigade's –
 - (i) training and readiness;
 - (ii) protective clothing;
 - (iii) equipment; and
 - (iv) vehicles and appliances.
- (4) The Local Government is to monitor Bush Fire Brigades' resourcing, equipment (including protective clothing) and training levels and report thereon with recommendations at least once a year or as directed by the Chief Executive Officer to the Chief Executive Office.
- (5) The Local Government is to ensure that Bush Fire Brigades are registered, that the list of Brigade Members is maintained, and the Department informed of relevant changes as per the Act.

4.3 Functions of Chief Bush Fire Control Officer

- (1) The functions of the Chief Bush Fire Control Officer are –
 - (a) to provide leadership to Bush Fire Brigades;
 - (b) to liaise with the Local Government concerning fire prevention / suppression matters generally and directions to be issued by the Local Government to Bush Fire Control Officers; and
 - (c) responsibilities and powers as conferred in the *Bush Fires Act 1954* and *Bush Fire Regulations 1954*.
- (2) The Chief Bush Fire Control Officer or the Deputy Chief Bush Fire Control Officer may attend as a non-voting representative of the Local Government at any meeting of a Bush Fire Brigade.

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4.4 Equipment and Maintenance of Bush Fire Brigades

- (1) A Bush Fire Brigade is to report to the Local Government the quantity and quality of all appliances, apparatus and equipment of the Bush Fire Brigade when directed to do so.
- (2) The maintenance, replacement and upkeep of all Bush Fire Brigade protective clothing, equipment and appliances is to be the responsibility of Local Government.

4.5 Functions of Captain and Other Brigade Officers

- (1) The functions of the Captain of a Bush Fire Brigade are to –
 - (a) provide leadership to the Bush Fire Brigade;
 - (b) monitor the Bush Fire Brigade's resourcing, equipment and training levels;
 - (c) liaise with the Local Government concerning –
 - (i) fire prevention or fire suppression matters generally; and
 - (ii) the Brigade's Officers;
 - (d) ensure that a list of the Bush Fire Brigade's Members is maintained;
 - (e) report annually to the Local Government the office bearers of the Bush Fire Brigade in accordance with the Regulations; and
 - (f) arrange for normal brigade activities as authorised by the Act or by the Local Government.
- (2) The functions of other Brigade Officers of a Brigade are to support the Captain of the Brigade in their role.

Part 5 - Administration of Bush Fire Brigades

5.1 Local Government Appointments

- (1) The Local Government may appoint, and may suspend or terminate the appointment of, persons to the positions of the Chief Bush Fire Control Officer, the Deputy Chief Bush Fire Control Officer and Bush Fire Control Officers.
- (2) A decision to suspend or terminate a person's appointment to a position under clause 5.1(1) must be made in accordance with the principles of procedural fairness.
- (3) A person's appointment to a position under clause 5.1(1) ends –
 - (a) if the appointment is for a fixed term (on the expiry of that term);
 - (b) if the person dies (on the date of their death);
 - (c) if a person gives written notice of resignation (on the date, as specified in the written notice, that the resignation is to take effect or, if no date is specified, on the date that the written notice is given to the Chief Executive Officer); or
 - (d) if the appointment is terminated by the Local Government (on the date that written notice of the termination is given to the person),whichever occurs first.

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5.2 Membership of a Bush Fire Brigade

- (1) The type of membership of a Bush Fire Brigade consists of the following –
 - (a) Fire Fighter – being those persons being at least 16 years of age who undertake all normal Bush Fire Brigade activities; and
 - (b) Auxiliary – being those persons being at least 16 years of age who are prepared to render other assistance required by the Bush Fire Brigade.
- (2) A person wishing to be a Bush Fire Brigade Member may make an application for membership to the Captain of the Bush Fire Brigade.
- (3) An application for membership of a Bush Fire Brigade –
 - (a) is to be assessed by the Captain of the Bush Fire Brigade who is to make a recommendation to the Local Government; and
 - (b) is to be determined by the Local Government who is to accept or reject the application.
- (4) A person whose membership application is accepted is to be appointed as a Brigade Member of a Bush Fire Brigade.
- (5) A person's membership of a Bush Fire Brigade under this clause 5.2 ends –
 - (a) if the person dies (on the date of their death);
 - (b) if a person gives the Captain of the Bush Fire Brigade written notice of resignation (on the date, as specified in the written notice, that the resignation is to take effect or, if no date is specified, on the date that the written notice is given to the Captain); or
 - (c) if the appointment is terminated by the Chief Executive Officer (on the date that the written notice of the termination is given to the person);whichever occurs first.
- (6) Subject to clause 5.2(8), the Chief Executive Officer may suspend or terminate the membership of a Brigade Member appointed under clause 5.2(4) if, in the opinion of the Chief Executive Officer, the Brigade Member is unfit to serve as a member of the Bush Fire Brigade.
- (7) A decision to suspend or terminate a person's membership of a Bush Fire Brigade under clause 5.2(5) must be made in accordance with the principles of procedural fairness.
- (8) If the Chief Executive Officer has a conflict of interest in considering and determining whether a person's membership should be suspended or terminated –
 - (a) the Chief Executive Officer must refer the matter to the Chief Bush Fire Control Officer; and
 - (b) the Chief Bush Fire Control Officer is to consider and determine the matter.
- (9) At the end of the period of suspension imposed under clause 5.2(6) or 5.2(8), the Chief Executive Officer (or if clause 5.2(8) applies, the Chief Bush Fire Control Officer) must –
 - (a) extend the period of suspension;
 - (b) terminate the membership; or
 - (c) confirm the continuation of the membership.

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5.3 Meetings of Bush Fire Brigades

- (1) A Brigade may hold Ordinary Meetings on such days and at such times and places, as the Brigade considers appropriate.
- (2) A Brigade should hold at least two Ordinary Meetings each year.
- (3) A Brigade must hold an Annual General Meeting each year by the month of June.
- (4) At the Annual General Meeting, the Brigade is to –
 - (a) elect Bush Fire Brigade Officers;
 - (b) receive the Captain's annual report;
 - (c) receive the Brigade Officers' annual report; and
 - (d) adopt the annual financial statements of the Brigade.
- (5) Notice of the Annual General Meeting and any ordinary meeting must be given to all Brigade Members at least fourteen days before the commencement of the meeting.
- (6) A Brigade may hold a Special Meeting to allow the membership to deal with a specific motion or business.
- (7) A notice of a Special Meeting must be given at least 72 hours before the commencement of the meeting.
- (8) The purpose of the Special Meeting must be included in the notice of meeting.
- (9) Meetings are to be conducted in accordance with the requirements of the Bush Fire Operating Procedures.

Part 6 - General

6.1 Consideration in the Local Government Budget

In addition to funding made available through emergency services grants, the Local Government may provide further funding depending on the assessment of budget priorities for the year in question in accordance with Part 6 of the *Local Government Act 1995*.

AUTHORISATION

The Common Seal of the)
Shire of Toodyay was)
affixed by authority of a)
resolution of the Council)
in the presence of)

Date



**Hon Hannah Beazley MLA
Minister for Local Government; Disability Services;
Volunteering; Youth; Gascoyne**

Our ref: 84-05096

Mr Aaron Bowman
Chief Executive Officer
Shire of Toodyay

Email: records@toodyay.wa.gov.au

Dear Mr Bowman

PROPOSED BUSH FIRE BRIGADE LOCAL LAW

Thank you for your correspondence dated 5 May 2025 regarding the Shire's proposed bushfire brigade local law.

I have referred a copy of the local law to the Department of Local Government, Sport and Cultural Industries (DLGSC) and directed them to scrutinise the draft local law for any drafting or legal issues.

If DLGSC has any concerns or feedback, they will provide them to the Shire prior to the end of the local law's public submission period so it can be taken into consideration by the Shire's Council.

In the meantime, if you have any queries or concerns, please contact DLGSC's local law team on 6552 1530 or by email at legislation@dlgsc.wa.gov.au

Yours sincerely

A handwritten signature in blue ink, appearing to be 'H. Beazley'.

**Hon Hannah Beazley MLA
MINISTER FOR LOCAL GOVERNMENT; DISABILITY SERVICES;
VOLUNTEERING; YOUTH; GASCOYNE**

18 JUN 2025

Level 7, Dumas House, 2 Havelock Street WEST PERTH WA 6005
Telephone: +61 8 6552 6700 Email: Minister.Beazley@dpc.wa.gov.au



Government of Western Australia
Department of Fire & Emergency Services



Our Ref. D27965; 25/111967

Mr Aaron Bowman
Chief Executive Officer
Shire of Toodyay
15 Fiennes Street
TOODYAY WA 6566

[Via email: records@toodyay.wa.gov.au](mailto:records@toodyay.wa.gov.au)

Dear Mr Bowman

SHIRE OF TOODYAY BUSH FIRE BRIGADES LOCAL LAW 2025

I refer to your correspondence dated 5 May 2025 regarding the Shire's proposed *Shire of Toodyay Bush Fire Brigades Local Law 2025 (Proposed Local Law)*.

I acknowledge the FES Commissioner's previous recommendations from 2 January 2025, regarding the Shire's Bush Fire Brigades Local Law 2024, as well as the Shire's ordinary council minutes from the meeting held on 24 April 2025, and the amendments made to the Proposed Local Law.

The Proposed Local Law reflects consideration of the Western Australian Local Government Association's "model" local law and the FES Commissioner's recommendations. Therefore, I have no further feedback.

Yours sincerely

MELISSA PEXTON
ACTING COMMISSIONER

21 May 2025

Emergency Services Complex | 20 Stockton Bend Cockburn Central WA 6164 | PO Box P1174 Perth WA 6844
Tel (08) 9395 9300 | Fax (08) 9395 9384 | dfes@dfes.wa.gov.au | www.dfes.wa.gov.au
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Under the powers conferred by the Dog Act 1976 and under all other powers enabling it, the Council of the Shire of Toodyay resolved on October 28, 1999 to make the following local law.

PART 1 -PRELIMINARY

Citation

- 1.1 This local law may be cited as the Shire of Toodyay Dogs Local Law.

Repeal

The By Laws relating to Dogs published in the Government Gazette on December 13, 1929.

The By Laws relating to Dogs published in the Government Gazette on October 22, 1937.

The Draft Model By Law No.7 relating to Obstructing Animals and Vehicles published in the Government Gazette on February 20, 1966.

The By Laws relating to Control of Dogs published in the Government Gazette on October 12, 1979.

The By Laws relating to Dogs published in the Government Gazette on January 17, 1986.

The By Laws relating to Dogs published in the government Gazette on December 5, 1986.

The By Laws relating to the Control of Dogs published in the Government Gazette on December 8, 1989.

The By Laws relating to Dog Exercise Areas published in the Government Gazette on April 7, 1989.

The By-laws Relating to the Control of Dog published in the Government Gazette on 23 December, 1994, are repealed.

Definitions

- 1.3 In this local law unless the context otherwise requires –

"Act" means the Dog Act 1976;

"authorized person" means a person authorized by the local government to perform all or any of the functions conferred on an authorized person under this local law;

"CEO" means the Chief Executive Officer of the local government;

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"district" has the meaning given to it in section 3 of the Act;
"local government" means the Shire of Toodyay;
"owner" has the meaning given to it in section 3 of the Act;
"person liable for the control of the dog" has the meaning given to it in section 3 of the Act;
"pound keeper" means a person authorized by the local government to perform all or any of the functions conferred on a "pound keeper" under this local law;
"premises" has the meaning given to it in section 3 of the Act;
"Regulations" means the Dog Regulations 1976;
"thoroughfare" has the meaning given to it in section 1.4 of the Local Government Act 1995; and
"townsite" has the meaning given to it in section 3 of the Act.

Application

1.4 This local law applies throughout the district.

PART 2 -IMPOUNDING OF DOGS

Charges and costs

2.1 The following are to be imposed and determined by the local government under sections 6.16 -6.19 of the Local Government Act 1995 –

- (a) the charges to be levied under section 29(4) of the Act relating to the seizure and impounding of a dog;
- (b) the additional fee payable under section 29(4) of the Act where a dog is released at a time or on a day other than those determined under clause 2.2; and
- (c) the costs of the destruction and the disposal of a dog referred to in section 29(15) of the Act.

Attendance of pound keeper at pound

2.2 The pound keeper is to be in attendance at the pound for the release of dogs at the times and on the days of the week as are determined by the CEO.

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Release of impounded dog

- 2.3 (1) A claim for the release of a dog seized and impounded is to be made to the pound keeper or in the absence of the pound keeper, to the CEO.
- (2) The pound keeper is not to release a dog seized and impounded to any person unless that person has produced, to the satisfaction of the pound keeper, satisfactory evidence of her or his ownership of the dog or of her or his authority to take delivery of it.

No breaking into or destruction of pound

- 2.4 A person who –
- (a) unless he or she is the pound keeper or a person authorized to do so, releases or attempts to release a dog from a pound; or
 - (b) destroys, breaks into, damages or in any way interferes with or renders not dog-proof-
 - (i) any pound; or
 - (ii) any vehicle or container used for the purpose of catching, holding or conveying a seized dog, commits an offence.

Penalty: \$2,000.

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PART 3 -REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS

Dogs to be confined

3.1 (1) An occupier of premises on which a dog is kept must –

- (a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;
- (b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;
- (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises and is fitted with a proper latch or other means of fastening it;
- (d) maintain the fence and all gates and doors in the fence in good order and condition; and
- (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.

(2) Where an occupier fails to comply with subclause (1), he or she commits an offence.

Penalty: Where the dog kept is a dangerous dog, \$2,000; otherwise \$1,000.

Limitation on the number of dogs

3.2 (1) This clause does not apply to premises which have been –

- (a) licensed under Part 4 as an approved kennel establishment; or
- (b) granted an exemption under section 26(3) of the Act.

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- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act-

2 dogs over the age of 3 months and the young of those dogs under that age

- (3) In accordance with Section 76(4) of the Act Council may approve a greater number of dogs than that prescribed in Item 3.2(2) of the Local Law.

PART 4 -APPROVED KENNEL ESTABLISHMENTS

Interpretation

- 4.1 In this Part and in Schedule 2 –

"licence" means a licence to keep an approved kennel establishment on premises;

"licensee" means the holder of a licence; and

"premises", in addition to the meaning given to it in clause 1.3, means the premises described in the application for a licence.

Application for licence for approved kennel establishment

- 4.2 An application for a licence must be made in the form of that in Schedule 1, and must be lodged with the local government together with –

- (a) plans and specifications of the kennel establishment, including a site plan;
- (b) copies of the notices to be given under clause 4.3;
- (c) the fee for the application for a licence referred to in clause 4.8(1).

Notice of proposed use

- 4.3 (1) An applicant for a licence must give notice of the proposed use of the premises as an approved kennel establishment after the application for a licence has been lodged –

- (a) once in a newspaper circulating in the district; and

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- (b) to the owners and occupiers of all premises adjoining the premises by registered mail or other proof of notification as deemed appropriate by the Chief Executive Officer.
- (2) The notices in subclause (1) must specify that –
 - (a) any written submissions as to the proposed use are to be lodged with the CEO within 14 days of the date the notice is given; and
 - (b) the application and plans and specifications may be inspected at the offices of the local government.

When application can be determined

- 4.4 An application for a licence is not to be determined by the local government until –
- (a) the applicant submits proof that the notices referred to in clause 4.3(1) have been given;
 - (b) the applicant has complied with clause 4.2; and
 - (c) the local government has considered any written submissions received within the time specified in clause 4.3(2)(a) on the proposed use of the premises.

Where application cannot be approved

- 4.5 The local government cannot approve an application for a licence where –
- (a) a kennel establishment is not permitted on the premises under a town planning scheme; or
 - (b) in the opinion of the local government, the kennel establishment would adversely affect the environment or amenity of the neighbourhood or be a nuisance to adjoining owners and occupiers.

Conditions of approval

- 4.6 (1) The local government may approve an application for a licence subject to the conditions contained in Schedule 2 and to such other conditions as the local government considers appropriate.

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- (2) In respect of a particular application for a licence, the local government may vary any of the conditions contained in Schedule 2.

Compliance with conditions of approval

- 4.7 A licensee who does not comply with the conditions of a licence commits an offence.

Penalty: \$1,000 and a daily penalty of \$100.

Fees

- 4.8 (1) On lodging an application for a licence, the applicant is to pay a fee to the local government.
- (2) On the issue or renewal of a licence, the licensee is to pay a fee to the local government.
- (3) The fees referred to in subclauses (1) and (2) are to be imposed and determined by the local government under sections 6.16 -6.19 of the Local Government Act 1995.

Form of licence

- 4.9 The licence is to be in the form determined by the local government and is to be issued to the licensee.

Period of licence

- 4.10 The period of effect of a licence is set out in section 27(5) of the Act.

Variation or cancellation of licence

- 4.11 (1) The local government may vary the conditions of a licence.
- (2) The local government may cancel a licence –
- (a) on the request of the licensee;
 - (b) following a breach of the Act, the Regulations or this local law; or
 - (c) if the licensee is not a fit and proper person.

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(3) The date a licence is cancelled is to be, in the case of –

- (a) paragraph (a) of subclause (2), the date requested by the licensee; or
- (b) paragraphs (b) and (c) of subclause (2), the date determined under section 27(6) of the Act.

(4) If a licence is cancelled the fee paid for that licence is not refundable for the term of the licence that has not yet expired.

Notification

4.12 The local government is to give written notice to –

- (a) application; an applicant for a licence of the local government's decision on her or his application
- (b) a licensee of any variation made under clause 4.11 (1);
- (c) a licensee when her or his licence is due for renewal and the manner in which it may be renewed;
- (d) a licensee of the cancellation of a licence under clause 4.11(2)(a); and
- (e) a licensee of the cancellation of a licence under paragraphs (b) or (c) of clause 4.11 (2), which notice is to be given in accordance with section 27(6) of the Act.

Inspection of kennel

4.13 With the consent of the occupier, an authorized person may inspect an approved kennel establishment at any time.

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PART 5 -DOGS IN PUBLIC PLACES

Places where dogs are prohibited absolutely

5.1 (1) Dogs are prohibited absolutely from entering or being in any of the following places

- (a) where so indicated by a sign or a public building;
- (b) a theatre or picture gardens;
- (d) all premises or vehicles classified as food premises or food vehicles under the Health (Food Hygiene) Regulations 1993;
- (e) a public swimming pool; and
- (f) the following beaches, reserves and freehold land -Reserve 27015, Toodyay Street(Toodyay Showgrounds)

(2) If a dog enters or is in a place specified in subclause (1), every person liable for the control of the dog at that time commits an offence.

Penalty: Where the dog is a dangerous dog, \$2,000; otherwise \$1,000.

Places which are dog exercise areas

5.2 (1) Subject to clause 5.1 and subclause (2) of this clause, for the purposes of sections 31 and 32 of the Act, the following are dog exercise areas

Reserve Number 27015, Toodyay Street, Toodyay

5.2 (2) Subclause (1) does not apply to –

- (a) land which has been set apart as a children's playground;
- (b) an area being used for sporting or other activities, as permitted by the local government, during the times of such use; or
- (c) a car park.

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PART 6 – MISCELLANEOUS

Offence to excrete

6.1 (1) A dog must not excrete on –

- (a) any thoroughfare or other public place; or
- (b) any land which is not a public place without the consent of the occupier.

(2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.

Penalty: \$200.

(3) The person liable for the control of the dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person.

PART 7 – ENFORCEMENT

Interpretation

7.1 In this Part-

"infringement notice" means the notice referred to in clause 7.3;
and

"notice of withdrawal" means the notice referred to in clause 7.6(1).

Modified penalties

7.2 (1) The offences contained in Schedule 3 are offences in relation to which a modified penalty may be imposed.

(2) The amount appearing in the third column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if –

- (a) the dog is not a dangerous dog; or
- (b) the dog is a dangerous dog, but an amount does not appear in the fourth column directly opposite that offence.

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- (3) The amount appearing in the fourth column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if the dog is a dangerous dog.

Issue of infringement notice

- 7.3 Where an authorized person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form of Form 7 of the First Schedule of the Regulations.

Failure to pay modified penalty

- 7.4 Where a person who has received an infringement notice fails to pay the modified penalty within the time specified in the notice, or within such further time as may in any particular case be allowed by the CEO, he or she is deemed to have declined to have the offence dealt with by way of a modified penalty.

Payment of modified penalty

- 7.5 A person who has received an infringement notice may, within the time specified in that notice or within such further time as may in any particular case be allowed by the CEO, send or deliver to the local government the amount of the penalty, with or without a reply as to the circumstances giving rise to the offence, and the local government may appropriate that amount in satisfaction of the penalty and issue an acknowledgment.

Withdrawal of infringement notice

- 7.6 (1) Whether or not the modified penalty has been paid, an authorized person may withdraw an infringement notice by sending a notice in the form of Form 8 of the First Schedule of the Regulations.
- (2) A person authorized to issue an infringement notice under clause 7.3 cannot sign or send a notice of withdrawal.

Service

- 7.7 An infringement notice or a notice of withdrawal may be served on a person personally, or by leaving it at or posting it to her or his address as ascertained from her or him, or as recorded by the local government under the Act, or as ascertained from inquiries made by the local government.

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Schedule 1
 (clause 4.2)
 Local laws relating to dogs

Application for a licence for an approved kennel establishment

I/We (full name) of
 (postal address)
 (telephone number)
 (facsimile number)
 (E-mail address)

Apply for a licence for an approved kennel establishment at (address of premises)

For (number and breed of dogs)

* (insert name of person) will be residing at the
 premises on and from (insert date)

* (insert name of person) will be residing in reasonably close
 proximity to the premises at (insert
 address of residence) on and from (insert date).

Attached are –

- (a) a site plan of the premises showing the location of the kennels and yards and all other buildings and structures and fences;
- (b) plans and specifications of the kennel establishment;
- (c) copy of notice of proposed use to appear in newspaper;
- (d) copy of notice of proposed use to be given to adjoining premises;
- (e) written evidence that a person will reside –
 - (i) at the premises; or
 - (ii) within reasonably close proximity to the premises; and
- (f) if the person in item (e) is not the applicant, written evidence that the person is a person in charge of the dogs.

Signature of applicant

Date

* delete where inapplicable.

OFFICE USE ONLY

Application fee paid on [insert date].....

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Schedule 2
(clause 4.5(1))

Conditions of a licence for an approved kennel establishment

An application for a licence for an approved kennel establishment may be approved subject to the following conditions –

- (a) each kennel must have a yard attached to it;
- (b) each kennel and each yard must be at a distance of not less than –
 - (i) 25m from any thoroughfare or other boundary of the premises;
 - (ii) 10m from any dwelling; and
 - (iii) 25m from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption;
- (c) each yard must be securely fenced, and must be kept securely fenced, with a fence –
 - (i) where there is one breed of dog, of a height not less than 4 times the average height of the breed of dog (when it is fully grown) to which the fence is applicable; or
 - (ii) where there is more than one breed of dog, of a height not less than 4 times the average height of the larger breed of a dog (when it is fully grown), but where the average height exceeds 500mm the minimum height shall be 2m; and
 - (iii) with a top of at least a 135° inward angle not less than 300mm in length,and the height of a dog is to be determined by measuring from the floor to the uppermost tip of its shoulder while in a stationary upright position;
- (d) each yard for a kennel must be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by the local government;
- (e) external gates and doors for each yard or kennel must be fitted with efficient self-closing and latching mechanisms;

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- (f) the minimum floor area for each kennel must be calculated at 2.5 times the length of the breed of dog (when it is fully grown), squared, times the number of dogs to be housed in the kennel and the length of the dog is to be determined by measuring from the base of the tail to the front of its shoulder;
- (g) the floor area of the yard attached to any kennel or group of kennels must be at least twice the floor area of the kennel or group of kennels to which it is attached;
- (h) the upper surface of the kennel floor must be at least 100mm above the surface of the surrounding ground and must be constructed of granolithic cement finished to a smooth impervious surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a 100mm diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of the local government.
- (i) all kennel floor washings must pass through the drain in item (h) and must be piped to approved apparatus for the bacteriolytic treatment of sewage in accordance with the health requirements of the local government;
- (j) the kennel floor must have a concrete upstand rising 75mm above the floor level from the junction of the floor and external and internal walls, or internal walls must be so constructed as to have a minimum clearance of 50mm from the underside of the bottom plate to the floor;
- (k) The floor of any yard must be constructed in the same manner as the floor of any kennel;
- (l) the lowest internal height of any kennel must be 2m from the floor;
- (m) the walls of each kennel must be constructed of concrete, brick, stone or framing sheathed internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting or other material approved by the local government;
- (n) all external surfaces of each kennel must be kept in good condition and if directed by an authorized person, are to be painted or re-painted with good quality paint;

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- (o) the roof of each kennel must be constructed of impervious material;
- (p) all kennels and yards and drinking vessels must be maintained in a clean condition and must be cleaned and disinfected when so ordered by an authorized person;
- (q) all refuse, faeces and food waste must be disposed of daily into the approved apparatus for the bacteriolytic treatment of sewage;
- (r) noise, odours, fleas, flies and vermin must be effectively controlled;
- (s) water must be available at the kennel via a properly supported standpipe and tap; and
- (t) the licensee or the person nominated in the application for a licence, must, in accordance with the application for the licence, continue to reside –
 - (i) at the premises; or
 - (ii) in reasonably close proximity to the premises,so as to keep the dogs under effective control.

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Schedule 3
 (clause 7.2)

Offences in respect of which modified penalty applies

Offence	Nature of Offence	Modified Penalty \$	Modified Penalty \$
2.3(a)	Attempting to or causing the unauthorized release of a dog from a pound.	200	
2.4(b)&(c)	Interfering with any pound or vehicle used for the purpose of catching, holding or conveying dogs.	200	
3.1	Failing to provide means for effectively confining a dog.	50	200
4.7	Failing to comply with the conditions of a licence.	100	
5.1(2)	Dog in place from which prohibited absolutely	200	400
6.1(2)	Dog excreting in prohibited place	40	

Dated this day of 199

The Common Seal of the)
 Shire of Toodyay was)
 affixed in the presence of:)

 A.J.W. Bolton, President

 A Smith, Chief Executive Officer



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Gazette Date:

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Under the powers conferred by the Local Government Act 1995 and the Dog Act 1976 and under all other powers enabling it, the Council of the Shire of Toodyay resolved on October 28, 1999 to make the following local law.

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PART 1. PRELIMINARY

1.1. Citation~~nn~~

1.1.1. ~~1.1~~ This local law may be cited as the *Shire of Toodyay Dogs Local Law 2025*.

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1.2. Repeal

1.1.2. ~~The By Laws relating to dogs published in the Government Gazette Date on 05/05/2000, page 2135-2136.~~

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~~The By Laws relating to Dogs published in the Government Gazette on December 13, 1929.~~

~~The By Laws relating to Dogs published in the Government Gazette on October 22, 1937.~~

~~The Draft Model By Law No.7 relating to Obstructing Animals and Vehicles published in the Government Gazette on February 20, 1966.~~

~~The By Laws relating to Control of Dogs published in the Government Gazette on October 12, 1979.~~

~~The By Laws relating to Dogs published in the Government Gazette on January 17, 1986.~~

~~The By Laws relating to Dogs published in the government Gazette on December 5, 1986.~~

~~The By Laws relating to the Control of Dogs published in the Government Gazette on December 8, 1989.~~

~~The By Laws relating to Dog Exercise Areas published in the Government Gazette on April 7, 1989.~~

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~~The By-laws Relating to the Control of Dog published in the Government Gazette on 23 December, 1994, are repealed.~~

1.3. Definitions

~~1.1.3. 1.3~~ In this local law unless the context otherwise requires –

Term	Meaning
Act	means the Dog Act 1976;
<i>adjoining</i>	includes land or premises which have a portion of a common boundary with a lot or is separated from that lot by a public reserve, road, right-of-way, pedestrian access way, access leg of a battle-axe lot or the equivalent not more than 6 metres in width;
authorised person	means a person authorised by the local government to perform all or any of the functions conferred on an authorized person under this local law;
CEO	means the Chief Executive Officer of the local government;
<i>dangerous dog</i>	means a dog which is the subject of a declaration under section 33E of the Act declaring it to be a dangerous dog
district	has the meaning given to it in section 3 of the Act;
<i>dog management Facility</i>	has the meaning given to it in section 3(1) of the Act
infringement notice	means the notice referred to in clause 8.4;
<i>kennel establishment</i>	means any premises where more than the number of dogs under clause 4.3 over the age of three months are kept, boarded, trained or bred temporarily, usually for profit and where the occupier of the premises is not the ordinary keeper of the dogs;
<i>licence</i>	means a licence to keep an approved kennel establishment on premises granted under clause 5.7;

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Term	Meaning
<u>licensee</u>	means the holder of a licence granted under clause 5.7;
<u>local government</u>	means the Shire of Toodyay;
<u>local planning scheme</u>	means a planning scheme of the local government made under the <i>Planning and Development Act 2005</i> ;
<u>notice of withdrawal</u>	means the notice referred to in clause 8.7;
<u>Owner</u>	in relation to a dog, has the same meaning as in section 3(1) and (2) of the Act;
<u>person liable for the control of the dog</u>	has the same meaning as in section 3(1) of the Act;
pound keeper	means a person authorized by the local government to perform all or any of the functions conferred on a "pound keeper" under this local law;
<u>Premises</u>	in addition to the meaning given to it in section 3 of the Act, means the premises described in the application for a licence made under clause 5.1;
<u>public place</u>	has the meaning given to it by section 3(1) of the Act;
<u>Regulations</u>	means the <i>Dog Regulations 2013</i> ;
<u>Schedule</u>	means a schedule to this local law;
<u>set fee</u>	means a fee or charge made by the local government in accordance with clause 3.1 or clause 5.8;
<u>Thoroughfare</u>	has the meaning given to it in section 1.4 of the <i>Local Government Act 1995</i> ;
<u>Townsite</u>	means land constituted, defined, or reserved as the site of a town or village under the <i>Land Administration Act 1997</i> ; and
<u>Transferee</u>	means a person who applies for the transfer of a licence to her or him under clause

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- ~~"Act" means the Dog Act 1976;~~
- ~~"authorized person" means a person authorized by the local government to perform all or any of the functions conferred on an authorized person under this local law;~~
- ~~"CEO" means the Chief Executive Officer of the local government;~~
- ~~"district" has the meaning given to it in section 3 of the Act;~~
- ~~"local government" means the Shire of Toodyay;~~
- ~~"owner" has the meaning given to it in section 3 of the Act;~~
- ~~"person liable for the control of the dog" has the meaning given to it in section 3 of the Act;~~
- ~~"pound keeper" means a person authorized by the local government to perform all or any of the functions conferred on a "pound keeper" under this local law;~~
- ~~"premises" has the meaning given to it in section 3 of the Act;~~
- ~~"Regulations" means the Dog Regulations 1976;~~
- ~~"thoroughfare" has the meaning given to it in section 1.4 of the Local Government Act 1995; and~~
- ~~"townsite" has the meaning given to it in section 3 of the Act;~~

1.4. Application

~~1.1.1.~~

~~1.1.4.~~ ~~1.4~~ This local law applies throughout the district.

~~PART 2.~~

~~PART 2. Adoption of Surrendered Dogs~~

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2.1. Surrender of dogs

2.1.1 Dogs that are surrendered to the Shire of Toodyay for whatever reason:

(a) may be available for adoption by suitable and responsible owners:

(i) In certain circumstances only urban settings, rather than rural settings at the discretion of the Authorised Officer; or

(ii) Within the Shire of Toodyay or neighbouring districts, including urban areas, at the discretion of the Authorised Officer.

2.1.2 Costs involved for surrendered dogs

(a) The cost of adopting a surrendered dog is in the Shire of Toodyay Schedule of Fees and Charges.

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PART 3. IMPOUNDING OF DOGS

3.1. Charges and costs

3.1.1 ~~2.1~~ The following are to be imposed and determined by the local government under sections 6.16 - 6.19 of the *Local Government Act 1995* –

- (a) the charges to be levied under section 29(4) of the Act relating to the seizure and impounding of a dog;
- (b) the additional fee payable under section 29(4) of the Act where a dog is released at a time or on a day other than those determined under clause 3.1; and
- (c) the costs of the destruction and the disposal of a dog referred to in section 29(15) of the Act.

3.2. Attendance of pound keeper at pound

3.2.1 ~~2.2~~ The ~~pound keeper~~ authorised person is to be in attendance at the pound for the release of dogs at the times and on the days of the week as are determined by the CEO.

3.3. Release of impounded dog

3.1.1 A claim for the release of a dog seized and impounded is to be made to the pound keeper or in the absence of the pound keeper, to the CEO ~~pound keeper~~.

3.1.2 ~~2.3(2)~~ The ~~authorised person~~ pound keeper is not to release a dog seized and impounded to any person unless that person has produced, to the satisfaction of the pound keeper, satisfactory evidence ~~of her or his ownership of the dog or of her or his authority to take delivery of it.~~

- (a) ~~of her or his ownership of the dog or of her or his authority to take delivery of it; or~~
- (b) ~~that he or she is the person identified as the owner on a microchip purchased for implanting into the dog from a licensed veterinarian establishment.~~

3.4. No breaking into or destruction of pound

3.4.1

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~~2.4~~ A person who –

- (a) unless he or she is the pound keeper or a person authorized to do so, releases or attempts to release a dog from a pound; or
- (b) destroys, breaks into, damages or in any way interferes with or renders not dog-proof-

~~(i)~~ ~~(i)~~ any pound; or

~~(ii)~~ ~~(ii)~~ any vehicle or container used for the purpose of catching, holding or conveying a seized dog, commits an offence.

Penalty: \$2,000.

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PART 4. REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS

4.1. Dogs to be confined

4.1.1 An occupier of premises on which a dog is kept must –

- (a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;
- (b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;
- (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises and is fitted with a proper latch or other means of fastening it;
- (d) maintain the fence and all gates and doors in the fence in good order and condition; and
- (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.

4.1.2 Where an occupier fails to comply with subclause (4.1.1), he or she commits an offence.

Penalty: Where the dog kept is a dangerous dog, \$2,000; otherwise \$1,000.

4.2. Dangerous Dogs – requirements to keep

4.2.1 When a dog has been declared dangerous there is a requirement for the owner of that dog is to:

- (a) Purchase a GPS collar at their own costs;
- (b) ensure that their dog(s) have a GPS collar on at all times; and

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(c) provide the GPS data to the Shire of Toodyay when requested to do so by the Pound keeper, Ranger or the local government.

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4.3. Limitation on the number of dogs

4.3.1 This clause does not apply to premises which have been –

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(a) licensed under Part 4 as an approved kennel establishment; or

(b) granted an exemption under section 26(3) of the Act.

4.3.14.3.2 The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act is 2 dogs over the age of 3 months and the young of those dogs under that age

4.3.24.3.3 In accordance with Section 76(4) of the Act Council may approve a greater number of dogs than that prescribed in Item 4.3.2 of the Local Law.

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PART 5. 4-APPROVED KENNEL ESTABLISHMENTS

5.1. Application for licence for approved kennel establishment

5.1.1 An application for a licence must be made in the form of that in Schedule 1, and must be lodged with the local government together with –

- (a) plans and specifications of the kennel establishment, including a site plan;
- (b) copies of the notices to be given under clause 5.2.2;
- (c) ~~(e) written evidence that either the applicant or another person who will have the charge of the dogs, will reside on the premises or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare;~~
- (d) ~~a written acknowledgement that the applicant has read and agrees to comply with any code of practice relating to the keeping of dogs nominated by the local government; and~~
- (e)(e) the fee for the application for a licence referred to in clause 5.8.

5.2. Notice of proposed use

5.2.1 ~~Upon receipt of an application for a licence under clause 4.1, the local government is to give notice of the proposed use of the premises as an approved kennel establishment. An applicant for a licence must give notice of the proposed use of the premises as an approved kennel establishment after the application for a licence has been lodged –~~

- (a) once in a newspaper circulating in the district; and
- (b) to the owners and occupiers of all premises adjoining the premises by registered mail or other proof of notification as deemed appropriate by the Chief Executive Officer.

5.2.2 The notices in subclause (1) must specify that –

- (a) any written submissions as to the proposed use are to be lodged with the CEO within 14 days of the date the notice is given; and
- (b) the application and plans and specifications may be inspected at the offices of the local government.

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5.3. When application can be determined

~~5.3.1~~ An application for a licence is not to be determined by the local government until (a) ~~the applicant submits proof that the notices referred to in clause 4.3(1) have been given;~~

~~5.3.2~~

~~5.3.3~~ (b) ~~the applicant has complied with clause 4.2; and~~

~~5.3.4~~

~~5.3.5~~ 5.3.1 the local government has considered any written submissions received within the time specified in clause 5.2 on the proposed use of the premises.

5.4. ~~6~~Determination of application:

~~5.4.1~~ In determining an application for a licence, the local government is to have regard to –

(a) ~~the matters referred to in clause 5.6;~~

(b) ~~any written submissions received within the time specified in clause 5.2.2 on the proposed use of the premises;~~

(c) ~~any economic or social benefits which may be derived by any person in the district if the application for a licence is approved;~~

(d) ~~the effect which the kennel establishment may have on the environment or amenity of the neighbourhood;~~

(e) ~~whether the approved kennel establishment will create a nuisance for the owners and occupiers of adjoining premises; and~~

(f) ~~whether or not the imposition of and compliance with appropriate conditions of a licence will mitigate any adverse effects of the approved kennel establishment identified in the preceding paragraphs.~~

5.5. Where application cannot be approved

~~5.5.1~~ The local government cannot approve an application for a licence where –

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- (a) a kennel establishment is not permitted on the premises under a ~~town-local~~ planning scheme; or
- (b) in the opinion of the local government, the kennel establishment would adversely affect the environment or amenity of the neighbourhood or be a nuisance to adjoining owners and occupiers.

5.6. Conditions of approval

5.6.1 The local government may approve an application for a licence subject to the conditions contained in Schedule 2 and to such other conditions as the local government considers appropriate.

5.6.2 In respect of a particular application for a licence, the local government may vary any of the conditions contained in Schedule 2.

5.6.3 ~~A person who fails to comply with a condition imposed under subclause 5.6.1 commits an offence.~~

5.7. Compliance with conditions of approval

5.7.1 A licensee who does not comply with the conditions of a licence commits an offence.

Penalty: \$1,000 and a daily penalty of \$100.

5.8. Fees

5.8.1 On lodging an application for a licence, the applicant is to pay a fee to the local government.

5.8.2 On the issue or renewal of a licence, the licensee is to pay a fee to the local government.

5.8.3 ~~On lodging an application for the transfer of a valid licence, the transferee is to pay a fee to the local government.~~

5.8.4 The fees referred to in subclauses (1) and (2) are to be imposed and determined by the local government under sections 6.16 - 6.19 of the *Local Government Act 1995*.

5.9. Form of licence

5.9.1 The licence is to be in the form determined by the local government and is to be issued to the licensee.

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5.10. Period of licence

~~5.10.1~~

~~5.10.1~~ ~~4.10~~ —The period of effect of a licence is set out in section 27(5) of the Act.

~~5.10.2~~ ~~A licence is to be renewed if the fee referred to in clause 5.8 is paid to the local government prior to the expiry of the licence.~~

~~5.10.2~~ ~~5.10.3~~ ~~On the renewal of a licence the conditions of the licence at the time of its renewal continue to have effect.~~

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5.11. Variation or cancellation of licence

~~5.11.1~~ ~~4.11 (1)~~ —The local government may vary the conditions of a licence.

~~5.11.2~~ ~~4.11 (2)~~ —The local government may cancel a licence –

- (a) on the request of the licensee;
- (b) following a breach of the Act, the Regulations or this local law; or
- (c) if the licensee is not a fit and proper person.

~~5.11.3~~ ~~4.11 (3)~~ —The date a licence is cancelled is to be, in the case of –

- (a) 5.11.2(a) the date requested by the licensee; or
- (b) paragraphs (b) and (c) of subclause 5.11.2, the date determined under section 27(6) of the Act.

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~~5.11.4 4.11(4)~~ If a licence is cancelled the fee paid for that licence is not refundable for the term of the licence that has not yet expired.

5.12. 4Transfer

5.12.1 An application for the transfer of a valid licence from the licensee to another person must be –

- (a) made in the form determined by the local government;
- (b) made by the transferee;
- (c) made with the written consent of the licensee; and
- (d) lodged with the local government together with –
 - (i) written evidence that a person will reside at or within reasonably close proximity to the premises the subject of the licence; and
 - (ii) the fee for the application for the transfer of a licence referred to in clause 5.8.3.

5.12.2 The local government is not to determine an application for the transfer of a valid licence until the transferee has complied with subclause 5.12.1.

5.12.3 The local government may approve, whether or not subject to such conditions as it considers appropriate, or refuse to approve an application for the transfer of a valid licence.

5.12.4 Where the local government approves an application for the transfer of a valid licence, then on the date of approval, unless otherwise specified in the notice issued under clause 5.13 the transferee becomes the licensee of the licence for the purposes of this local law.

5.13. Notification

~~5.13.1~~

~~5.13.1 4.12~~ The local government is to give written notice to –

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5.14.15.14.2 Under these provisions, an affected person may have the right to object to, or to appeal against, a decision of the local government.

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5.15. Inspection of kennel

5.15.1 With the consent of the occupier, an authorised person may inspect an approved kennel establishment at any time.

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PART 6. PART ~~5-6~~-DOGS IN PUBLIC PLACES

6.1. Places where dogs are prohibited absolutely

~~6.1.1~~ ~~5.1 (1)~~ Dogs are prohibited absolutely from entering or being in any of the following places

- (a) where so indicated by a sign or a public building;
- (b) a theatre or picture gardens;
- (d) all premises or vehicles classified as food premises or food vehicles under the *Food Act 2008* ~~Health (Food Hygiene) Regulations 1993~~;
- (e) a public swimming pool; ~~and~~
- (f) ~~the following~~ beaches, reserves and freehold land; ~~and~~
- ~~(g)~~ Reserve 27015, Toodyay Street(Toodyay Showgrounds).

~~6.1.2~~ ~~5.1 (2)~~ If a dog enters or is in a place specified in subclause (~~29.14~~), every person liable for the control of the dog at that time commits an offence.

Penalty: Where the dog is a dangerous dog, \$2,000; otherwise \$1,000.

6.2. Places which are dog exercise areas

~~6.2.2~~ ~~5.2 (1)~~ Subject to clause 5.1 and subclause (2) of this clause, for the purposes of sections 31 and 32 of the Act, the following are dog exercise areas

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- (a) ~~Reserve Number 27015, Toodyay Street, Toodyay~~
~~Lot R48170 Drummond Street, Toodyay~~
- 6.2.3 ~~5.2 (2)~~ Subclause (1) does not apply to –
- (a) ~~(a)~~ land which has been set apart as a children's playground;
- (b) ~~(b)~~ an area being used for sporting or other activities, as permitted by the local government, during the times of such use; or
- (c) ~~(c)~~ a car park.

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7.1. Fees and charges

7.2. Offence to excrete

(a) ~~(a)~~ any thoroughfare or other public place; or

~~7.2.2~~ ~~6.1(2)~~ Subject to subclause 7.2.3 if a dog excretes contrary to subclause 7.2.1 every person liable for the ~~care~~ and control of the dog at that time commits an offence.

Penalty: \$200.

7.2.3 6.1 (3)—The person liable for the **care and control** of the dog does not commit an offence against subclause 7.2.1 if any excreta is removed immediately by that person.

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~~PART 7.~~PART 8. ~~7~~ ENFORCEMENT

8.1. Interpretation

8.2. Offences

8.2.1 ~~A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.~~

~~7.1 In this Part-~~

~~"infringement notice" means the notice referred to in clause 7.3; and~~

~~"notice of withdrawal" means the notice referred to in clause 7.6(1);~~

8.3. Modified penalties

8.3.1 ~~7.2(1)~~ The offences contained in Schedule 3 are offences in relation to which a modified penalty may be imposed.

8.3.2 ~~7.2(2)~~ The amount appearing in the third column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if –

~~(a)~~ ~~(a)~~ the dog is not a dangerous dog; or

~~(b)~~ ~~(b)~~ the dog is a dangerous dog, but an amount does not appear in the fourth column directly opposite that offence.

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~~8.3.3~~ ~~7.2 (3)~~ The amount appearing in the fourth column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence if the dog is a dangerous dog.

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8.4. Issue of infringement notice

~~8.4.1~~ ~~7.3~~ Where an authorized person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form of Form 2 of Schedule 1 of the Local Government (Functions and General) Regulations 1996 ~~Form 7 of the First Schedule of the Regulations.~~

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8.5. Failure to pay modified penalty

~~7.4.0~~

~~8.5.1~~ ~~7.4~~ Where a person who has received an infringement notice fails to pay the modified penalty within the time specified in the notice, or within such further time as may in any particular case be allowed by the CEO, he or she is deemed to have declined to have the offence dealt with by way of a modified penalty.

8.6. Payment of modified penalty

~~7.5.0~~

~~8.6.1~~ ~~7.5~~ A person who has received an infringement notice may, within the time specified in that notice or within such further time as may in any particular case be allowed by the CEO, send or deliver to the local government the amount of the penalty, with or without a reply as to the circumstances giving rise to the offence, and the local government may appropriate that amount in satisfaction of the penalty and issue an acknowledgment.

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8.7. Withdrawal of infringement notice

~~8.7.1~~

~~8.7.1~~ ~~7.6 (1)~~ Whether or not the modified penalty has been paid, an authorized person may withdraw an infringement notice by sending a notice in the form of Form ~~38 of Schedule 1 of the Local Government (Functions and General) Regulations 1996, 8 of the First Schedule of the Regulations.~~

~~8.7.2~~

~~7.6 (2)~~ A person authorised to issue an infringement notice under clause 8.4 cannot sign or send a notice of withdrawal.

8.8. Service of notices

~~8.8.1~~

~~8.8.1~~ ~~7.7~~ An infringement notice or a notice of withdrawal may be served on a person personally, or by leaving it at or posting it to her or his address as ascertained from her or him, or as recorded by the local government under the Act, or as ascertained from inquiries made by the local government.

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 Shire of Toodyay.
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SCHEDULE 1 – Application for a Licence for an approved Kennel establishment.



Application for a Licence for an approved kennel establishment
 Part 5 of the Dog Local Law 2025

APPLICANT DETAILS

Full Name: _____ Assessment No.: _____

Main Address: _____
(Residential / Premises Address including Suburb and Postcode)

Postal Address: _____
(if different from above)

Phone (H): _____ (M): _____ (W): _____

Email: _____

May the Shire use the above email address for correspondence purposes?: ☐ Yes ☐ No

KENNEL ESTABLISHMENT DETAILS

Address: _____
(Residential / Premises Address including Suburb and Postcode)

For Number of DOGS located at premises: _____

Person will reside (tick appropriate box): _____ **evidence to be provided*

☐ At the premises ☐ sufficiently close to the premises so as to control the DOGS and so as to ensure their health and welfare

Name of Person (if not the applicant(s)): _____

Address (if not residing at premises): _____


Is the custodian a member of a prescribed exempt organisation? If yes, provide the name of the organisation below: ☐ Yes ☐ No

Organisation Name: _____ ABN: _____

Further Details of the prescribed exempt organisation: _____

Are you already an approved breeder? ☐ Yes ☐ No

If not, complete the application for an approved breeder available separately on the Shire's website.

 **Administration Centre**
 15 Finnies Street (PO Box 99)
 TOODYAY WA 6566

T: (08) 9574 9300
E: records@toodyay.wa.gov.au
W: www.toodyay.wa.gov.au

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Prior to approval the following must be attached

- (a) A site plan of the premises showing the location of the kennels and yards and all other building and structures and fences;
- (b) Plans and specifications of the kennel establishment;
- (c) Copy of the notice of proposed use to appear in the newspaper;
- (d) Copy of the notice of proposed use to be given to adjoining premises;
- (e) Written evidence that a person will reside—
 - (i) at the premises; or
 - (ii) sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare; and
 - (iii) if the person in item (d) is not the applicant, evidence that the person is a person in charge of the dogs.

APPLICANT DECLARATION

I declare that the information provided in this form is true and correct.

Signature: _____ Date: _____

A signature is not required to effect the form when the form is lodged through the local government internet site

Note: A licence, if issued, will have effect for a period of 12 months, effective from the date of issue unless and until it is revoked or it is determined by the local government non-compliance with the conditions of the Shire of Toodyay Dog Local Law 2025 justifies this.

OFFICE USE ONLY

Application No: _____ Date: _____

Fees payable: _____ ☐ Registration approved

Conditions of approval: _____

Receipt No: _____ Assigned Registration No: _____

Date received: _____ Signature of Registration Officer: _____

03/04/2025

Application for a Licence for a kennel establishment

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SCHEDULE 2 - Conditions of a licence for an approved kennel establishment
(clause 4.5(1))

An application for a licence for an approved kennel establishment may be approved subject to the following conditions –

- (a) ~~(a)~~ each kennel ~~unless it is fully enclosed~~ must have a yard attached to it;
- ~~(b)~~ ~~(b)~~ each kennel and each yard must be at a distance of not less than –
 - (i) 25m from ~~the front boundary of the premises and 5m from any any thoroughfare or~~ other boundary of the premises;
 - (ii) 10m from any dwelling; and
 - (iii) 25m from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption;
- ~~(b)(c)~~ each yard ~~for a kennel~~ must be securely fenced ~~with a fence constructed of link mesh or netting or other materials approved by the local government~~, and must be kept securely fenced, with a fence –
 - (i) where there is one breed of dog, of a height not less than 4 times the average height of the breed of dog (when it is fully grown) to which the fence is applicable; or
 - (ii) where there is more than one breed of dog, of a height not less than 4 times the average height of the larger breed of a dog (when it is fully grown), but where the average height exceeds 500mm the minimum height shall be 2m; and
 - (iii) with a top of at least a 135° inward angle not less than 300mm in length,
 and the height of a dog is to be determined by measuring from the floor to the uppermost tip of its shoulder while in a stationary upright position;
- ~~(e)(d)~~ each yard for a kennel must be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by the local government;
- ~~(d)(e)~~ external gates and doors for each yard or kennel must be fitted with efficient self-closing and latching mechanisms;
- ~~(e)(f)~~ the minimum floor area for each kennel must be calculated at 2.5 times the length of the breed of dog (when it is fully grown), squared,

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times the number of dogs to be housed in the kennel and the length of the dog is to be determined by measuring from the base of the tail to the front of its shoulder;

~~(f)(g)~~ the floor area of the yard attached to any kennel or group of kennels must be at least twice the floor area of the kennel or group of kennels to which it is attached;

~~(g)(h)~~ the upper surface of the kennel floor must be ~~at least 100mm above the surface of the surrounding ground and must be constructed of granolithic cement finished to a smooth impervious surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a 100mm diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of the local government.~~

~~(-)~~

~~(i) at least 100 millimetres above the surface of the surrounding ground;~~

~~(ii) smooth so as to facilitate cleaning;~~

~~(iii) rigid;~~

~~(iv) durable;~~

~~(v) slip resistant;~~

~~(vi) resistant to corrosion;~~

~~(vii) non-toxic;~~

~~(viii) impervious;~~

~~(ix) free from cracks, crevices and other defects; and~~

~~(x) finished to a surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a suitably sized diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of the local government;~~

~~the upper surface of the kennel floor must be at least 100mm above the surface of the surrounding ground and must be constructed of granolithic cement finished to a smooth impervious surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a 100mm diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of the local government.~~

~~(h)(i)~~ all kennel floor washings must pass through the drain in item (h) and must be piped to approved apparatus for the ~~baeteriolytic~~

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Commented [MR2]: Consider rewording this completely to read: the upper surface of the kennel floor must be -

(i) at least 100mm above the surface of the surrounding ground;
(ii) smooth so as to facilitate cleaning;
(iii) rigid;
(iv) durable;
(v) slip resistant;
(vi) resistant to corrosion;
(vii) non-toxic;
(viii) impervious;
(ix) free from cracks, crevices and must be constructed of granolithic cement other defects; and
(x) finished to a smooth impervious surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a 100mm suitably sized diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of the local government;
(note this is the same as the WALGA Model)

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treatment of sewage in accordance with the health requirements of the local government;

(j) the kennel floor must have a ~~concrete~~ durable upstand rising 75mm above the floor level from the junction of the floor and external and internal walls, or internal walls must be so constructed as to have a minimum clearance of 50mm from the underside of the bottom plate to the floor;

(k) ~~where a yard is to be floored,~~ The floor of any yard must be constructed in the same manner as the floor of any kennel;

(l) ~~from the floor,~~ the lowest internal height of any kennel must be ~~whichever is the lesser of:~~

(i) ~~2m from the floor; or~~

(ii) ~~4 times the height of the breed of dog in the kennel, when it is fully grown, measured from the floor to the uppermost tip of its shoulders while in a stationary upright position;~~

(k) ~~2m from the floor;~~

(l) ~~_____~~

(m) the walls of each kennel must be constructed of concrete, brick, stone or framing sheeted internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting or other ~~durable~~ material approved by the local government;

(n) ~~all external surfaces of each kennel must be kept in good condition and if directed by an authorized person, are to be painted or re-painted with good quality paint;~~

(o)(n) ~~_____~~

(p)(o) the roof of each kennel must be constructed of impervious material;

(q)(p) all kennels and yards and drinking vessels must be maintained in a clean condition and must be cleaned and disinfected when so ordered by an authorized person;

(r)(q) all refuse, faeces and food waste must be disposed of daily into the approved apparatus for the ~~bacteriolytic~~ treatment of sewage;

(s)(r) noise, odours, fleas, flies and vermin ~~or other vectors of disease~~ must be effectively controlled;

(t)(s) water must be available at the kennel via a properly supported standpipe and tap; and

(u)(t) the licensee or the person nominated in the application for a licence, must, in accordance with the application for the licence, continue to reside –

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- (i) at the premises; or
 - (ii) in the opinion of the local government reasonably close proximity to the premises,
- so as to keep the dogs under effective control and to ensure their health and welfare.

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SCHEDULE 3 - Offences in respect of which modified penalty applies

Offence	Nature of Offence	Modified Penalty \$	Dangerous Dog Penalty \$
4.1	Dogs to be confined	\$1000	\$2,000
3.4.1(b)	Breaking into or destruction of pound	\$1,000 and a daily penalty of \$100.	
5.7	Compliance with conditions of approval	\$1,000 and a daily penalty of \$100	
6.1	Places where dogs are prohibited absolutely	\$1000	\$2,000
3.4.1(a)	Attempting to or causing the unauthorized release of a dog from a pound.	200	As per regulations
3.4.1(a)&(b)	Interfering with any pound or vehicle used for the purpose of catching, holding or conveying dogs.	200	As per regulations
4.1	Failing to provide means for effectively confining a dog.	50200	200As per regulations
4.3	Failure to comply with conditions of approval to keep additional dog or dogs	200	500
5.7	Failing to comply with the conditions of a licence.	100200	200
6.1	Dog in place from which prohibited absolutely	200	400
7.2	Dog excreting in prohibited place	40100	100

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Dated thisday of2025

The Common Seal of the)
Shire of Toodyay was)
affixed in the presence of:)

Cr M McKeown, Shire President

Mr A Bowman JP, Chief
Executive Officer

**LOCAL GOVERNMENT ACT 1995****DOG ACT 1976****Dog Local Law 2025**

The Shire of Toodyay proposes to make a local law relating to Dogs.

- (a) The **purpose** of which is to regulate the keeping, control and management of dogs within the district to ensure public safety, amenity and responsible pet ownership.
- (b) The **effect** of which will repeal the previous local law, and provide clear legal requirements for dog owners, including provisions for dog confinement, kennel licensing, dangerous dog management and designated exercise and prohibited areas.
- (c) The **justification** for the local law lies in its alignment with updated legislative standards, community expectations, and the need to address emerging issues such as GPS tracking for dangerous dogs and the structured adoption of surrendered animals, thereby enhancing the Shire's capacity to manage dogs effectively and humanely.

A copy of the proposed Local Law may be inspected at or obtained from the Shire's Administration Centre at 15 Fiennes Street, Toodyay between 8.30 am and 4.00 pm Monday to Friday or at the Toodyay Public Library during normal opening hours.

The Shire invites submissions by **4.00pm on Monday 13 October 2025**.

Please address your submissions to the Chief Executive Officer:

Via Email: at records@toodyay.wa.gov.au

Via Post: at Shire of Toodyay, PO Box 96, Toodyay WA 6566

In Person: At Shire Office, 15 Fiennes Street, Toodyay WA 6566

If you have any queries regarding the above please contact the Shire's Governance Coordinator on (08) 9574 9305.

Aaron Bowman
Chief Executive Officer