



Ordinary Meeting of Council

Minutes

16 April 2013

**(ADJOURNED 17 APRIL 2013 AND
RESUMED ON 18 APRIL 2013)**

MINUTES OF ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS ON 16 APRIL 2013
(ADJOURNED ON 17 APRIL 2013 AND RESUMED ON 18 APRIL 2013)

Preface

When the Chief Executive Officer approves these Minutes for distribution they are in essence "Unconfirmed" until the following Ordinary Meeting of Council, where the Minutes will be confirmed subject to any amendments made by the Council.

The "Confirmed" Minutes are then signed off by the Presiding Person.

Attachments that formed part of the Agenda, in addition to those tabled at the Council Meeting are put together as an addendum to these Minutes with the exception of Confidential Items.

Confidential Items or attachments that are confidential are compiled as separate Confidential Minuted Agenda Items.

Unconfirmed Minutes

These minutes were approved for distribution on 26 April 2013.



Stan Scott
CHIEF EXECUTIVE OFFICER

26 April 2013.

Confirmed Minutes

These minutes were confirmed at a meeting held on 21 May 2013.

Signed: 

Presiding person at the meeting at which the minutes were confirmed.

21 May 2013.



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Shire of Toodyay

ORDINARY MEETING – 16 APRIL 2013

MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Deputy Shire President declared the meeting open at 7.10 pm.

2. RECORDS OF ATTENDANCE

Members

Cr J Prater	Deputy Shire President
Cr P Greenway	
Cr A McCann	
Cr D Dow	
Cr B Lloyd	
Cr C Firms	
Cr S Craddock	
Cr R Madacsi	

Staff

Mr S Scott	Chief Executive Officer
Mr G Bissett	Manager Planning & Development
Mr L Vidovich	Manager Works and Services
Mrs M Rebane	Executive Assistant

Visitors

S Syred	P Syred	V Simpson
L Dawson	S Davies	M Kays
J Hansen	A Allen	C Syred
P Pearce	P Robinson	K Robinson

2.1 APOLOGIES

Cr K Hogg Shire President (*arrived at 10.35 pm*).

2.2 APPROVED LEAVE OF ABSENCE

Nil.

2.3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

3. DISCLOSURE OF INTERESTS

The Chief Executive Officer advised that Councillor Dow had submitted two disclosures of interest in the form of a written notice prior to the commencement of the meeting.

Cr Dow declared a proximity interest in relation to Agenda Item 9.2.2 Toodyay Town Bike Plan 2013 due to the fact that one of the areas being identified for a new pathway is in front of his property. Given the number of properties identified this is an interest in common.

Cr Dow declared an impartiality interest in relation to Agenda Item 9.5.5 Proposed Scheme Amendment No.6 to Shire of Toodyay Local Planning Scheme No.4 as he was friends with the owners of Lot 50 Duke Street. As a consequence there may be a perception that my impartiality on this matter may be affected. However Cr Dow intends to consider the application on its merits.

4. PUBLIC QUESTIONS

4.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Ordinary Meeting of Council held on 19 March 2013, there were no questions taken on notice.

4.2 PUBLIC QUESTION TIME

Nil.

5. CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council held on 19 March 2013

COUNCIL RESOLUTION NO 90/04/13

MOVED Cr Lloyd

That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 19 March 2013 be confirmed.

MOTION CARRIED 8/0

5.2 Special Meeting of Council held on 26 March 2013

The Chairperson ruled that Agenda Item 5.2 be deferred until later in the meeting.

Refer to resolution on page 85.

5.3 Special Meeting of Council held on 27 March 2013

The Chairperson ruled that Agenda Item 5.3 be deferred until later in the meeting.

Refer to resolution on page 85.

5.4 Ordinary Meeting of Council held on 19 February 2013

COUNCIL RESOLUTION NO 91/04/13

MOVED Cr Lloyd

That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 19 February 2013 be reconfirmed, subject to a further amendment being made to the document as follows:

At Agenda Item 9.4.2 Change of Method of Valuing Land – Toodyay Townsite located on page 259 of the minutes proper:

The voting requirements be changed from “Absolute Majority” to “Simple Majority.”

MOTION CARRIED 8/0

6. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

6.1 PETITIONS

Nil.

6.2 DEPUTATIONS

Nil.

6.3 PRESENTATIONS

Nil.

6.4 SUBMISSIONS

Luke Dawson and Samantha Davies addressed Council regarding Agenda Item 9.5.2 Lot 105 Campbell Chase, Dumbarton (Glencoe Estate) – Proposed Dwelling.

Phillip Syred and his wife Serena Syred addressed Council regarding the proposed demolition of Lot 8 Bindi Bindi Toodyay Road that will be introduced by Councillors Madacsi, Dow and Greenway as new business of an urgent nature to be introduced by decision of meeting.

7. BUSINESS FROM PREVIOUS MEETING (IF ADJOURNED)

Nil.

8. ANNOUNCEMENTS BY THE PRESIDING MEMBER

8.1 PRESIDENT'S REPORT

The Shire President was absent for the first part of the meeting to attend the WA Heritage Awards.

The Chief Executive Officer, with the Presiding Member's permission, read the following announcement:

As Council will be aware, there was recently a significant death in the community.

Dr Richard Walkey passed away this week. He had made a significant contribution to the community for many years.

Dr Walkey took up the General Medical Practice in Toodyay on Australia Day 1991 and continued to perform that role for 20 years. He displayed the kind of dedication and care that is legendary amongst country GP's, and is now extremely rare. He worked six (6) days a week including that rare commodity of home visits. He also visited his patients in Northam Hospital, aged care facilities in Northam Residency and Belhaven, and Butterly Cottages retirement units in Toodyay.

Dr Walkey was the on-course doctor for the Annual Toodyay Picnic Races, and he attended most community events including the agricultural show and the Moondyne Festival and of course Australia Day.

Stories of the individual care and attention provided by Dr Walkey are too numerous to list and he had become something of a legend in Toodyay. In recent times he briefly ran a medical practice in Wongan Hills, but had to retire from practice due to ill health.

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The job of a Country GP is an extraordinarily difficult role, and most new GP's are found wanting because they are compared to stalwarts like Dr Walkey.

Council will be making its condolences known through a notice in the newspaper. It seemed appropriate for Council to acknowledge his passing.

9. REPORTS OF COMMITTEES AND EMPLOYEE REPORTS

9.1 COMMITTEE REPORTS

9.1.1 Local Emergency Management Committee Recommendations

Cr Lloyd moved a motion as follows:

That the following Local Emergency Management Committee (LEMC) recommendations

- 1. Review of Contacts Directory;**
- 2. Community Centred Emergency Risk Management Project;**
- 3. Access to Boral Quarries, Morangup Road, Morangup;**
- 4. Notification and Evacuation of Vulnerable Persons during Emergencies;**
- 5. Avon Valley Bush Fire Response Plan; and**
- 6. Defence of Fire Sheds;**

be resolved by Council en bloc.

COUNCIL RESOLUTION NO 92/04/13

MOVED Cr Firms

That Agenda Item 9.1.1 Local Emergency Management Committee Recommendations be deferred to Confidential Business.

MOTION CARRIED 8/0

Refer to page 106 for the full report.

9.2 COMMUNITY DEVELOPMENT

9.2.1 Toodyay Community Depot – Concept Plan

Date of Report:	9 April 2013
Proponent:	Shire of Toodyay
File Ref:	GRT21/NAM2398
Author:	Kim Angus – Community Development Officer
Responsible Officer:	Audrey Bell – Manager Community Development
Officer's Disclosure of Interest:	Nil
Attachments:	<ol style="list-style-type: none">1. Schedule of Submissions including copies of each submission;2. Schedule of Works Costings; and3. Community Depot Concept Plan.
Voting Requirements:	Simple majority

INTRODUCTION

The purpose of this report is to provide Council with the results of the Public Consultation regarding the Toodyay Community Depot Concept Plan.

BACKGROUND

At an Ordinary Meeting of Council held on 19 February 2013 Council resolved (Council Resolution 22/02/13) as follows:

That Council:

1. Consult with currently identified prospective tenants including but not limited to the Toodyay Theatre Group; the Toodyay Seed Orchard; the Toodyay Community Bus Committee; the Toodyay Friends of the River and Toodyay Community Radio;
2. Invite public comment on the Community Depot Concept Plan according to the timeline and process outlined on page four of this agenda item;
3. Neighbouring property owners adjacent to the site and along railway road be given written notification of the proposal; and
4. The responses to be collated addressed and presented to Council at the April Council Meeting.

This consultation has now taken place.

Regional Development Australia Funding was not achieved. Wheatbelt NRM funding of \$10,181 for the installation of an 110,000 litre rainwater tank and connection to the Seed Orchard Group's greenhouses has been promised.

CONSULTATION

Liaison with the Toodyay Community Bus Committee, Toodyay Theatre Group, Toodyay Seed Orchard and Toodyay Community Radio to determine their requirements and ability to contribute to the proposed development has been ongoing.

Other groups were approached to gauge their interest in taking up tenancy at the site. The Toodyay Men's' Shed has indicated that they think the site is too far from town for their purposes. The Toodyay Friends of the River, Toodyay Naturalists' Club and the Toodyay Garden Club have all expressed some interest, with the Toodyay Friends of the River having put a proposal to Council.

Council provided input to the Concept Plan by way of two Council Forum Meetings.

The Concept Plan went out for Public Comment with the submission period closing on Friday 29 March 2013. Fifteen (15) responses were received during the Public Comment period (refer to **Attachment 1**).

STATUTORY ENVIRONMENT

There are no notable statutory environment implications.

POLICY IMPLICATIONS

A Level F consultation as required by the Shire of Toodyay Members Policy M.2 Public Consultation – Formal Matters has been undertaken, with all submissions having been received. These results are now being presented to Council. Submitters have been informed where possible that the matter is being addressed at this Council meeting.

The outcomes Council's deliberation on the submissions will be relayed to the community through the Toodyay Herald.

FINANCIAL IMPLICATIONS

There may be financial implications in respect to site works (Refer to **Attachment 2 - Schedule of Works Costings**).

Grants are available through Lottery West funding. A funding application can be made once the Concept Plan is adopted by Council.

STRATEGIC IMPLICATIONS

This project enacts the Shire of Toodyay's Plan for the Future Objective 3.1 Initiative 3.1.2 "Facilitate the Engagement of Volunteers in the Community". Seeking Lotterywest funding towards the project is in line with Objective 1.2 Initiative 1.2.1 of the same policy document.

We have incorporated this project into our draft Community Strategic Plan.

ENVIRONMENTAL IMPLICATIONS

This proposal has no significant environmental implications.

SOCIAL IMPLICATIONS

This project offers considerable social benefit through its support of the various community groups. Their co-location encourages social interaction while the site management structures being entertained promote community direct action and belief in self-efficacy.

Toodyay Community Radio has the potential to be an important communication tool for the local community, providing positive social and economic outcomes. Its operation is currently hampered by their lack of appropriate premises from which to operate. This proposal addresses this limitation on the stations operation.

OFFICER'S COMMENT

Some neighbours were disappointed with the level of consultation and the outcome of that consultation for the new works depot. That concern is now reflected in their concerns in relation to the new community depot. Of particular concern is the chance the site may be untidy or unattractive and we need to ensure that it does not become an eyesore. These concerns would be manageable.

Some good neighbour issues related to the works depot (particularly drainage) need to be addressed.

Toodyay Community Radio holds a lease for part of the railway building. They have had a lease in excess of one year. Connection of Services is required before they can tenant the site. The site is degraded. Any development would be an improvement.

While the Toodyay Community Bus Committee prefers to remain where it is, there appears to be sufficient support from other keystone tenants to make the project viable. It is likely that other groups will take advantage of the site, particularly for storage of seasonal, occasional or events paraphernalia.

OFFICER'S RECOMMENDATION

It is recommended that Council:

1. Authorise the Chief Executive Officer to proceed with the project; and
2. Form a Steering Committee including representatives of the three (3) remaining keystone tenants.

Cr Lloyd moved the Officer's Recommendation.

Cr Dow objected to the motion.

Clarification was sought.

Cr Craddock moved an amendment to the motion as follows:

That the words "adopt the Concept Plan and" be inserted at Point 1 before the words "Authorise the Chief Executive Officer."

Cr Lloyd accepted the amendment.

Cr Dow objected to the motion.

Cr Firms seconded the motion.

Discussion ensued.

Cr Dow foreshadowed an alternative motion that Council would authorise the Chief Executive Officer not to proceed with the project.

Cr Madacsi moved an amendment to the motion as follows:

That at Point 2:

The words "Steering committee" be replaced with the words "Community Depot Management Advisory Committee".

Cr Lloyd accepted the amendment to the motion.

Cr Firms accepted the amendment to the motion.

The motion was put.

Signed: 
Cr K Hogg - Shire President
Date: 24.5.13

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 93/04/13

MOVED Cr Lloyd

SECONDED Cr Firms

That Council:

1. adopt the Concept Plan and Authorise the Chief Executive Officer to proceed with the project; and
2. Form a Community Depot Management Advisory Committee including representatives of the three (3) remaining keystone tenants.

MOTION CARRIED 7/1

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Cr Dow declared a proximity interest in relation to Agenda Item 9.2.2 Toodyay Town Bike Plan 2013 as he is the joint owner of two (2) properties in Hamersley Street, Toodyay. Hamersley Street is listed in the plan as a No. 1 priority for the construction of a dual use path. The value of his properties could potentially increase in value by up to \$6,000 per property as the result of a new path. Cr Dow wished to participate in the debate on this issue under s.5.68 of the Local Government Act, as the plan effects the whole of the town site.

Cr Lloyd moved a motion as follows:

That Council allow Cr Dow to take part in the debate and vote.

The Chairperson adjourned the meeting at 8.05 pm.

Cr Dow departed Council Chambers at 8.05 pm.

The Chairperson resumed the meeting at 8.10 pm.

The Chairperson asked whether there were any objections to the motion tabled.

Cr Firms objected to the motion tabled.

Cr McCann seconded the motion.


Discussion ensued.

The motion was put.

MOTION	
MOVED Cr Lloyd	SECONDED Cr McCann
That Council allow Cr Dow to take part in the debate and vote.	
MOTION LOST 3/4	

The Manager Planning and Development departed Council Chambers at 8.15 pm to advise Cr Dow of the result of the vote for the motion.

The Manager Planning and Development returned to Council Chambers at 8.16 pm.

Signed: 
Cr K Hogg - Shire President
Date: 24.5.13

9.2.2 Toodyay Town Bike Plan 2013

Date of Report:	26 March 2013
Proponent:	Shire of Toodyay
File Ref:	MAN2, REC2/NAM2394
Author:	Joanna Buegge – Be-Active Coordinator
Responsible Officer:	Audrey Bell – Manager Community Development
Officer's Disclosure of Interest:	Nil
Attachments:	1. 2013 Toodyay Town Bike Plan, including financial break down (separate attachment).
Voting Requirements:	Simple Majority

INTRODUCTION

The following is a report on the Shire of Toodyay Town Bike Plan including priority projects and costing for Council's consideration.

BACKGROUND

The Shire of Toodyay's previous Town Bike Plan was completed and adopted by Council in 2004. The Department of Transport ideally prefers plans to be updated every five (5) years. In 2012 the Shire was successful in obtaining a grant for \$20,000 to renew the plan.

Mike Maher from Transplan completed the 2004 plan and through the advertising process, was again contracted to complete the 2013 plan. In 2012 Mike Maher visited Toodyay to review and record the foot-path network, note any missing links and recommend any future works.

Since the 2004 plan, several priorities were completed including the Stirling Terrace upgrade.

CONSULTATION

Transplan held a community meeting to discuss the findings of the Bike Plan and give the community the opportunity to propose any missed links, spot improvements or propose future paths.

The draft report was open for public comment for twenty-eight (28) working days to which no feedback was received.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

Implementing the Toodyay Town Bike Plan 2013 into the Community Strategic Plan.

FINANCIAL IMPLICATIONS

The Toodyay Town Bike Plan incorporates a five (5) year timeline to bring the Toodyay Town Site in line with the proposed works.

*The following table is a summary of the likely costs involved in the implementation of the projects recommended in this Bike Plan:

Costs Per Project (not including GST)	
New Paths	\$ 844,850
Bike lanes	\$ 16,700
Kerb Ramp Improvements	\$ 6,400
Path Repairs and other Spot Improvements	\$ 56,450
Bike Parking	\$ 12,500
Total	\$936,900

Kerb repairs and spot improvements to fill gaps, and make other repairs total around \$63,000. This includes \$30,000 to install a fence between the footpath and carriageway on Newcastle Bridge. The plan also includes \$120,000 for a riverside trail which is likely to be the subject of separate funding, including an engineering investigation in 2013/2014.

*The following table sets out a suggested budgeting program, assuming a 5-year program, for the projects recommended in this Bike Plan:

Priority 1 Projects (i.e. Year 1)	\$164,850
Priority 2 Projects (i.e. Year 2)	\$164,650
Priority 3 Projects (i.e. Year 3)	\$158,750
Priority 4 Projects (i.e. Year 4)	\$161,650
Priority 5 Projects (i.e. Year 5)	\$287,000
Total	\$936,900

*Refer to page 44 of the Transplan Local Bike Plan – Section 10.0 Cost Estimates – Proposed New Facilities and Improvements.

The ability to move forward with individual projects will be dependent upon budget constraints.

STRATEGIC IMPLICATIONS

Under Outcome 3: “Community”, of the Shire of Toodyay's Plan for the Future 2007-08 to 2017-18, Objective 3.1 states to “Promote community wellbeing through education, arts, culture, leisure and recreation”. Initiative 3.2.2 is to develop Leisure and Recreation Facilities.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

This proposal does not contain any notable social implications.

OFFICER'S COMMENT

This Bike Plan has been prepared with the overall aim of making cycling (and walking) safer and more convenient within the town-site of Toodyay. It identifies hazards, barriers and obstacles to cycling, and proposes the means by which these can be eliminated. It is anticipated that, when implemented, the upgraded cycling network will result in an increase in the number of local trips by bicycle.

It is also expected that 'new' cyclists will be attracted to the use of a bicycle for short trips within Toodyay, to such places as the local shops and recreation destinations.

This Bike Plan encompasses a number of ways for improving the local bicycle network to make Toodyay a safer and more convenient place to ride a bicycle.

It is not a footpath plan, nor is it a trails plan. It does not set out a comprehensive footpath development program for every street in the town, as that is not the purpose of this plan. Instead, it proposes a carefully selected program of improvements that will do the most for upgrading the cycling network, and therefore the level of cycling, over a five-year schedule.

Toodyay already has an excellent path network, with numerous in-situ concrete paths and asphalt paths throughout the town. These paths vary in width, most being 2.0 – 2.1m wide. Extensive areas of wide brick paving (in the order of 3.0m wide) are common throughout the commercial centre.

The most notable deficiency in the cycling network of Toodyay is the lack of continuity of the path network. There are several small 'missing links' and several major missing segments of path. Consequently, this Bike Plan has focussed on eliminating the missing links in the path network.

In summary, the main projects recommended in this Bike Plan are:

1. The development of several new shared paths throughout Toodyay, including the replacement of the old bitumen path along Hamersley St with a new path.
2. The detailed design and construction of the proposed foreshore path, between Newcastle Bridge and Newcastle Park.

3. Improvements to the existing path network, primarily through the installation of kerb ramps, by the installation of numerous short pieces of paths (“missing links”), and by some general maintenance issues.
4. Provision of bike parking rails at numerous destinations within the town encouraging more people to use a bicycle for local trips (instead of a car).
5. Installation of bike lanes and/or edge lines on the major roads through Toodyay.
6. Encouragement, education and enforcement strategies – to complement the ever-increasing cycling network.

The estimated cost of the bicycle network improvements is \$936,900

It is anticipated that the funds for implementation of these projects will come from several sources including Council revenue, grants, Main Roads WA and private developers.

The projects highlighted in this Bike Plan have been prioritised, costed and the recommended works will need to be spread over a (minimum) five (5) year timeframe (depending on the capacity of the Council to dedicate funds to the works program).

While the plan identifies a five (5) year funding program this is very dependent on external funding. Council funding of \$50,000 per annum has been flagged in the Strategic Community Plan.

OFFICER’S RECOMMENDATION

It is recommended that: Council:

1. Adopt the Toodyay Town Bike Plan as presented; and
2. Include the adopted plan as an informing strategy to the Strategic Community Plan.

Cr Lloyd moved the Officer’s Recommendation.

Cr Craddock moved an amendment to the motion as follows:

That a Point 3 be added to read as follows:

- 3. That Council consider the inclusion of \$50,000 for P1 (Priority One) projects in the 13/14 budget.**

Cr Lloyd objected to the amendment.

Cr Madacsi seconded the amendment.

Discussion ensued.

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The amendment to the motion was put.

AMENDMENT TO THE MOTION

MOVED Cr Craddock

SECONDED Cr Madacsi

That a Point 3 be added to read as follows:

3. That Council consider the inclusion of \$50,000 for P1 (Priority One) projects in the 13/14 budget.

MOTION LOST 1/6

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 94/04/13

MOVED Cr Lloyd

That: Council:

1. Adopt the Toodyay Town Bike Plan as presented; and
2. Include the adopted plan as an informing strategy to the Strategic Community Plan.

MOTION CARRIED 7/0

Cr Dow returned to Council Chambers at 8.30 pm.

The Chairperson read aloud Resolution No 94/04/13 for the benefit of Cr Dow.

Signed: 
Cr K Hogg - Shire President
Date: 24.5.13

9.3 CORPORATE SERVICES

9.3.1 List of Payments – March 2013

Date of Report:	5 April 2013
Proponent:	Shire of Toodyay
File Ref:	FIN6
Author:	Author of Report
Responsible Officer:	Cherie Delmage – Manager Corporate Services
Officer's Disclosure of Interest:	Nil
Attachments:	1. List of Payments – March 2013.
Voting Requirements:	Simple majority

INTRODUCTION

The cheques and electronic payments that have been raised during the month of March 2013 are produced in list form for Council's consideration.

BACKGROUND

Creditor invoices are processed as they are received and on the 15th and final day of every month, cheques and electronic fund transfers are raised for payments.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Section 5.42 of the *Local Government Act 1995* allows the Local Government to delegate its powers to the Chief Executive Officer.

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* states that where the Chief Executive Officer has delegated authority to make payments from the municipal and trust accounts, a list of such payments is to be presented to Council at the next meeting.

POLICY IMPLICATIONS

Council has delegated authority to the Chief Executive Officer to make payments from the municipal and trust accounts.

FINANCIAL IMPLICATIONS

This proposal does not contain any notable financial implications.

STRATEGIC IMPLICATIONS

This proposal does not contain any notable strategic implications.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

This proposal does not contain any notable social implications.

OFFICER'S COMMENT

Electronic Funds Transfers (EFT) are for payments transferred directly to creditor bank accounts.

Bank Payment Vouchers (BPV) are for direct debits against the bank account such as bank fees and charges etc.

Internal Payment Vouchers (IPV) are vouchers raised internally for payroll related expenditures which are paid through Council's on-line (internet) banking system.

Trust Payment Vouchers (TPV) are vouchers raised internally for direct debits against the trust bank account such as bank fees and charges etc.

The balance of creditors after the final cheque run for the month of March 2013 was \$(489.20).

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 95/04/13

MOVED Cr Lloyd

That the following payments listed and presented for the month of February 2013:

- a) Trust fund payments numbered 1236 to 1241 amounting to \$2,756.32
- b) Electronic Fund Transfers (EFT) payments numbered EFT13507 To EFT13673 and Municipal fund cheques numbered 11630 to 11655 amounting to \$667,688.42; and
- c) Direct Debits numbered IPV456 to IPV457 and BPV1125 to BPV1138 Amounting to \$390,977.05.

be noted as being paid.

MOTION CARRIED 8/0

9.3.2 Financial Statements – February 2013

Date of Report:	12 March 2013
Proponent:	Shire of Toodyay
File Ref:	FIN3
Author:	Cherie Delmage - Manager Corporate Services
Responsible Officer:	Cherie Delmage - Manager Corporate Services
Officer's Disclosure of Interest:	Nil
Attachments:	<ol style="list-style-type: none">1. Monthly Financial Statements including Outstanding Rates Debtors and Outstanding Sundry Debtors for the month ending 28 February 2013; and2. Bank Reconciliations for the months ending 31 January 2013 & 28 February 2013.
Voting Requirements:	Simple Majority

INTRODUCTION

Local Governments must prepare monthly financial statements and the attached bank reconciliations and reports are for Council's consideration.

BACKGROUND

Regulation 34(4) of the *Local Government (Financial Management) Regulations 1996* states:

A statement of financial activity and the accompanying documents referred to in sub regulation (2) is to be –

- a) Presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
- b) Recorded in the minutes of the meeting at which it is presented.

These reports are prepared after all the end of month payments and receipts have been processed.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* require a statement of Financial Activity to be prepared each month which is to contain the following details:

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- a) Annual budget estimates
- b) Budget estimates to the end of the month;
- c) Actual amount of expenditure and revenue;
- d) Material variances between comparable amounts in b) and c) and above;
and
- e) The net current assets at the end of the month to which the statements
relates i.e.: surplus/deficit position.

The Statement is to be accompanied by:

- a) Explanation of the composition of net current assets, less committed
assets and restricted assets;
- b) Explanation of the material variances; and
- c) Such other information considered relevant by the local government.

Section 6.4 of the *Local Government Act 1995* requires a local government to
prepare financial reports.

Regulation 34 and 35 of the *Local Government (Financial Management)
Regulations 1996* sets out the form and content of the financial reports.

POLICY IMPLICATIONS

This proposal does not contain any notable policy implications.

FINANCIAL IMPLICATIONS

This proposal does not contain any notable financial implications.

STRATEGIC IMPLICATIONS

This proposal does not contain any notable strategic implications.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

This proposal does not contain any notable social implications.

OFFICER'S COMMENT

Attached are the Monthly Financial Statements, Outstanding Rates and
Outstanding Sundry Debtors reports for the period ending 28 February 2013
and the Bank Reconciliations for the periods ending 31 January 2013 and
28 February 2013.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 96/04/13

MOVED Cr Dow

That Council accepts the following reports:

- 1) Monthly Financial Statements, Outstanding Rates and Outstanding Sundry Debtors information for the period ending 28 February 2013; and
- 2) Bank Reconciliations for the periods ending 31 January 2013 and 28 February 2013.

MOTION CARRIED 8/0

9.3.3 Write off Rates – Lot 3 Toodyay Street, Toodyay. Reserve 27015

Date of Report:	9 April 2013
Proponent:	Shire of Toodyay
File Ref:	RAT6, RV.27015, A2147/NAM2402
Author:	Narelle Rodger – Rates/Finance Officer
Responsible Officer:	Cherie Delmage – Manager Corporate Services
Officer's Disclosure of Interest:	Nil
Attachments:	1. Management Order.
Voting Requirements:	Absolute majority

INTRODUCTION

Council is requested to write off the outstanding rates on Lot 3 Toodyay Street, Toodyay. The property has been vested to the Crown and is now Reserve number 27015 for the purpose of Recreation, Caravan Park and Camping under the management order of the Shire of Toodyay.

BACKGROUND

The property located at Lot 3 Toodyay Street has been rated since the 1995/1996 financial year. Property rates have continued to accrue however they remain unpaid. All attempts to locate the owners have been unsuccessful and investigation has ascertained that they are deceased.

At the Ordinary Meeting of Council held on the 11 October 2011, Council resolved (Council Resolution No 245/10/11 the following:

That:

1. *Council request the Minister for Local Government to revest Lot 3 Toodyay Street, Toodyay to the Crown, under section 6.74 of the Local Government Act 1995 due to the non-payment of rates and as the site is identified by the Shire for the expansion of recreation facilities.*
2. *Council, in the event the Minister of Local Government refuses the request to have the land revested to the Crown under section 6.74 of the Local Government Act 1995, request State Land Services to compulsory acquire the land under the provisions of the Land Administration Act 1997, for the following reasons:*
 - a) *The Shire of Toodyay has explored the option of securing ownership of the site under section 6.64 of the Local Government Act 1995, however, considering that the land is*

required as grounds for recreation it is not in the strategic interest of the Shire to make the land available for public sale.

- b) The Shire of Toodyay has explored the option of requesting the Minister of Local Government to revest the land under section 6.74 of the Local Government Act 1995, however this request was refused; and*
- c) Lot 3 Toodyay Street has been identified as a site for expansion of recreation grounds.*

CONSULTATION

Consultation was conducted with McLeod's Barristers and Solicitors, Department of Local Government and the Department of Regional Development and Lands.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.12, grants Council the power to waive or write off debts.

POLICY IMPLICATIONS

All action taken to recover the outstanding debts has been in accordance with Councils Debt Collection Policy.

FINANCIAL IMPLICATIONS

This report has financial implications for Council as an unbudgeted amount of \$26,089.94 would be required to be written off.

STRATEGIC IMPLICATIONS

This proposal does not contain any strategic implications.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any environmental implications.

SOCIAL IMPLICATIONS

This proposal does not contain any social implications.

OFFICER'S COMMENT

As the owners of the property are deceased and the property is now a reserve, it is requested that Council write off \$26,089.94 of outstanding rates for Lot 3 Toodyay Street, Toodyay.

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OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 97/04/13

MOVED Cr Firms

That Council write off \$26,089.94 in outstanding rates for Lot 3 Toodyay Street, Toodyay.

MOTION CARRIED 8/0

9.4 EXECUTIVE SERVICES

The Chairperson moved that 9.4 Executive Services be postponed until after 9.5 Planning and Development. Refer to page 86.

9.5 PLANNING AND DEVELOPMENT

9.5.1 Lot 10 Herbert Street, Toodyay - Proposed Two Grouped Dwellings

Date of Report:	5 April 2013
Applicant:	RedInk Homes
File Ref:	10HER/A408
Author:	Daniel Hills – Planning Officer
Responsible Officer:	Graeme Bissett - Manager Planning & Development
Officer's Disclosure of Interest:	Nil
Attachments:	<ol style="list-style-type: none"> 1. Site Plan; 2. Floor Plans; 3. Elevation Plans; 4. Landscape Plan; 5. Specifications; and 6. Justification for variation to the garage requirements for Unit 1.
Voting Requirements:	Simple Majority

INTRODUCTION

Council is requested to consider a planning application for two grouped dwellings at Lot 10 Herbert Street, Toodyay. The application has been submitted by RedInk Homes on behalf of the owners of the land, P & L Ralph and N Hasson.

The application is referred to Council for consideration as the development proposes variation to the Local Planning Policy No 20 – Central Toodyay Heritage Area

BACKGROUND

Lot 10 Herbert Street is a 1000m² property and is located within the Central Toodyay Heritage Area. The property is rectangular in shape, vacant and cleared.

A well which is flush with the ground level, known as 'Leeders Well' is presently positioned on the property. The applicants have requested that the well be covered in order to provide a useable site for the property and to allow easier access for earthmoving vehicles in the construction of the house.

A previous application for four grouped dwellings was approved on 2 February 2010. One of the conditions of approval was that:

10. *Prior to the commencement of site works Leeders Well must be filled and the ground level raised so that any heritage material in the feature can be retained, this is to be monitored by a person or person's approved by the Heritage Council of WA.*
11. *An appropriate plaque is placed close by to note the site.*

This was in line with an even earlier application for grouped dwellings on the property, which was considered by Council at the March 2009 Ordinary Council Meeting and was since modified. On 2 February 2012 the planning approval lapsed. An application has since been received from RedInk Homes to erect two grouped dwellings on the subject site. The front dwelling has an area of 427m² while the rear dwelling which is accessed by a battleaxe driveway has a lot area of 458.82m².

The application for the development of two grouped dwellings on the subject site is presented to Council as it proposes variations to the LPP.20 – Central Toodyay Heritage Area.

Local Planning Scheme No 4

The subject site is zoned 'Town Centre' under the provisions of Local Planning Scheme No 4. Under the provisions of Local Planning Scheme No 4 'Grouped Dwelling' is listed as a 'D' use, which means that the use is not permitted unless the local government has exercised its discretion in issuing planning approval.

Clause 5.8 of Local Planning Scheme No 4 outlines the provisions for development within the Town Centre zone. Clause 5.8.3 of the Local Planning Scheme No 4 outlines that the density of residential development in the Town Centre zone shall be R10/R50 and that Council will only permit development to occur at the R50 density coding if the land can be connected to reticulated sewer services. As the land can be connected to reticulated sewer, the residential density of this site is R50.

Clause 5.2.2 of Local Planning Scheme No 4 outlines that the development of land for any of the residential purposes dealt with by the Residential Design Codes is to conform with the provisions of the Codes. An assessment of the application in accordance with the provisions of the Residential Design Codes has been undertaken and details have been included within the Policy Implications section of this report.

It is considered that the application complies with the requirements of Local Planning Scheme No 4.

CONSULTATION

The application for the outbuilding was referred to all neighbouring properties. No objections have been received.

As the proposal is located in the Central Toodyay Heritage Area, the proposal was also referred to the Regional Heritage Advisor, where the following comments were received:

With reference to Policies outlined in LPP 20: Central Toodyay Heritage Area 3.0 Residential Development, I make the following comments:

- Generally the proposal is compliant.
- Policy 3.4.13 The actual residential frontage is not an 'obvious feature' due to its basic articulation, and the garage dominance.
- Policy 3.4.14 requires that garages and carports have minimal visual impact. It is noted the garage protrudes from the front and is 7.0 metres in length to allow for 'store'. The setback on that side is 1.65 metres. Perhaps the store could be incorporated in an extension of the width and minimization of the depth to allow for less front protrusion and greater visibility of the residential front.
- Policy 3.4.15 Further requires garages not in front of the building line, and not greater than 30% of the frontage. The proposed garage is in front of the building line and the 5.5 metre width is greater than 30% of the overall 13.190 metre frontage.

In my opinion, the proposal is mostly compliant and is conditionally supported. Conditions being:

- Reconsider the frontage: garage is too dominant and the residential front should be more defined.
- In line with the recommendations of the Heritage Impact Statement: the well should be retained, conserved and be revealed as part of the fabric of the site.

STATUTORY ENVIRONMENT

The *Planning and Development Act 2005* and its Regulations provides for the creation of a Local Planning Scheme.

The Shire of Toodyay Local Planning Scheme No 4 (the Scheme) provides the mechanism for protecting and enhancing the environment of the district and its historical associations, controlling land and building development, setting aside land for future use as reserves and other matters authorised by the *Planning and Development Act 2005*.

POLICY IMPLICATIONS

State Planning Policy No 3.1 - Residential Design Codes

The Residential Design Codes (R Codes) are a State Planning Policy adopted by the Western Australian Planning Commission under the provisions of the Planning and Development Act 2005, to control residential development and subdivision across the state. The R Codes contain a number of Acceptable Development and Performance Criteria which development in the state is required to comply with.

An assessment of the application has been undertaken in accordance with the ten elements of the Residential Design Codes. Unit 1 complies with the acceptable development criteria except for the following:

- 6.3.1 - the non-habitable section of the dwelling is setback 1.85m in lieu of the required 3.1m.
- 6.3.3 - the retaining walls are proposed to be located at the boundaries of the property rather than setback the required 1.0m.
- 6.6.1 - the earth fill is proposed at a height of 0.75m in the front setback area and at 1.2m at the northern boundary, when earth fill in these areas should not exceed 0.5m.

Unit 2 complies with the acceptable development criteria except for the following clauses:

- 6.3.1 - the non-habitable section of the dwelling is setback 1.25m in lieu of the required 1.5m.
- 6.3.3 - the retaining walls are proposed to be located at the boundaries of the property rather than setback the required 1.0m.
- 6.6.1 - the earth fill is proposed at a height of 1m to the rear of the dwelling and at 1.2m at the northern boundary, when earth fill in these areas should not exceed 0.5m.

Local Planning Policy No 20 - Central Toodyay Heritage Area

As the proposal is located in the Central Toodyay Heritage Area, LPP.20 applies to the application. Unit 1 complies with all requirements except for the following clauses:

- 3.4.4 - Earth fill and retaining walls up to 1.2m are proposed for the property;
- 3.4.8 - A bedroom window is not long and narrow; and
- 3.4.16 - The garage is located in front of the existing building line. The garage also takes up 38% of the street front for Unit 1.

Regarding the variation to clause 3.4.16, the applicant has provided the following comments which can be viewed in Attachment 4. Summarised, the points are as follows:

- Considered to not have an adverse effect of the impact of building bulk on the street;
- Herbert Street is not a main thoroughfare;
- To make effective use of the space available in the property via room configuration;
- Enhancing the privacy to the adjoining and subject properties;
- The metal roof, face brick front elevation with rendered windows sills is considered to be the main focus of the front façade which minimises the dominance of the garage;
- The building is stepped (i.e. garage in front, rest of the dwelling further back), which is considered to enhance the appeal of the building; and
- The garage is already compliant with Residential Design Code requirements.

Unit 2 complies with all requirements except for the following clauses:

- 3.4.4 - Earth fill and retaining walls up to 1.2m are proposed for the property;
- 3.4.7 - Eave overhang is not proposed for the eastern garage wall;
- 3.4.13 - Front entry to the side of the dwelling;
- 3.4.16 - The garage is located 1.6m in front of the existing building line; and
- 3.4.21 - Eave overhang is not proposed for the eastern garage wall.

Local Planning Policy No 21 - Landscaping Plans

Council's LPP.21 - Landscaping Plans applies to this application, because the application is for two dwellings. The application complies with all policy requirements, except for the following clause:

- 4.3 - Medium shrub is proposed near the crossover of Unit 1, which is required to be ground cover under the policy.

FINANCIAL IMPLICATIONS

This proposal does not contain any notable financial implications.

STRATEGIC IMPLICATIONS

This proposal does not contain any notable strategic implications.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

This proposal does not contain any notable social implications.

OFFICER'S COMMENT

It is considered that Council can approve the application, provided that each point below is considered. Some of these points recommend changes to the existing plans.

Unit 1 and 2 - Landscaping Plan

A landscaping plan has been provided as part of the application, which is in line with LPP21 - Landscaping Plans. It is recommended that the medium shrubs in the eastern corner of the property be reduced to ground cover, in order to ensure visibility for cars, as per the policy. It is also recommended that a condition to not allow plants which are known to be poisonous and/or an irritant to humans be placed, in line with clause 4.5 of the policy.

Unit 1 and 2 - Window frame requirements

LPP.20 - Central Toodyay Heritage Area requires that all windows are to be framed in commercial quality, box powder-coated aluminium in a white birch colour. The applicant has stated that they will do this in a white colour but this has not been specified in any of the plans attached. It is recommended that this be placed as a condition of approval.

Unit 1 and 2 - Setback of both dwellings to the northern neighbour

It is considered that the performance criteria for the setback variations for both units 1 and 2 are met, because the neighbouring property is a battleaxe leg for a driveway only. This means that the visual amenity of the immediate northern neighbour will not be affected. The setback variations are also required for the dwellings to fit adequately into the lot.

Unit 1 and 2 - Retaining wall and earth fill height and setback to neighbouring properties

The applicant is proposing a retaining wall for earth fill up to 1.2m above natural ground level and with a nil setback to the northern and western boundary, in order to provide a level area for the site and to maximise the useable area. It is considered that this will not have a significant impact on the amenity of the neighbouring property to the north, because this is a battleaxe leg for a driveway only. It is considered that there will not be a significant impact of the retaining wall and earth fill height on the rear western property, because the retaining wall height is proposed to be above 0.5m for a relatively small section of the common boundary.

Unit 1 - Retaining wall and earth fill height in the front setback area

The applicant is proposing to have a retaining wall and earth fill up to 0.75m in the front setback area, in order to provide a level area for the site and to maximise the useable area. It is considered that this variation will not have a major impact on the streetscape because the variation is for a relatively small section of the front area only.

Unit 1 - Window appearance for Master Suite

The applicant is proposing to use a window that is not long and narrow in appearance for the Master Suite for Unit 1. It is considered that this variation is acceptable because the bedroom does not face the streetscape, so there will be no impact on the streetscape regarding non-compliance with the policy. The larger window will also have the benefit of allowing more natural sunlight to come into the room.

Unit 1 - Leeder's Well

Currently Leeder's Well is a flat area flush with the existing ground level. In the March 2009 Ordinary Council Meeting, Council resolved that Leeder's Well be filled and the ground level raised, as a dwelling was proposed on top of the site. This was in line with the recommendation of the Heritage Impact Statement and the Geotechnical Investigation Report, which was required as a part of the well assessment. In order for the applicant to have a more useable backyard and to assist in site works for the property, it is recommended that the conditions for Leeder's Well from the 2 February 2010 approval be retained.

Unit 1 - Garage located in front of the building line

It is considered that the policy requirement for the garage to be located in line with or behind the building line should be upheld in this instance because the garage is considered to have a significant impact on the visual amenity of the streetscape. This is because of its prominence in front of the dwelling and due to its proximity to the street. It is considered that adjustments can be made to the application to ensure compliance with the policy, by either requiring a redesign for Unit 1 or for a verandah to be placed in front of the dwelling so that it is in line with the eaves of the garage. It should be noted that if a verandah is provided in this location, the front setback requirements for the dwelling are still met, as front setback requirements for dwellings is 4.0m for the R50 density coding.

Unit 1 - Garage width of more than 30% for the individual lot

It is considered that the variation is acceptable. This is because of the narrow nature of the lot, which does not allow a standard garage (e.g. 6m wide) without a variation occurring. If the entire lot width is considered (not just for Unit 1), then the garage width complies with the policy.

Unit 2 - Front entry to the side of the dwelling and garage in front of the building line

Unit 2 is orientated towards its driveway, which is to the south west side of the lot. This has resulted in the dwelling being orientated to the side and the garage being located in front of the building line of Unit 2. It is considered that this variation is acceptable because the proposed arrangement is the most practical solution for the site and because the dwelling will not be visible from the streetscape, nor will it be easily visible from the neighbouring dwellings.

Unit 2 - Store room and garage with no eaves

It is considered that the store room and the garage not having eaves is acceptable because these sections of the dwelling will not be visible from either the streetscape or the neighbouring properties.

Conclusion

No objections have been received from the neighbouring properties. Given the above considerations, it is considered that Council should delegate to the CEO the authority to approve the application provided that a verandah with a minimum roof pitch of 15 degrees is provided.

OFFICER'S RECOMMENDATION

It is recommended that

1. Council advise the applicant planning approval is not granted for the grouped dwelling at Lot 10 Herbert Street, Toodyay until amended site plans and elevation plans are received showing that Unit 1 has a verandah with a minimum roof pitch of 15 degrees up to the eaves line of the garage.
2. Upon the Shire's receipt of the amended site plans and elevation plans showing that Unit 1 has a verandah with a minimum roof pitch is of 15 degrees up to the eaves line of the garage, Council delegate authority to the Chief Executive Officer to issue Planning Approval for the proposed grouped dwelling at Lot 10 Herbert Street, Toodyay, subject to the following conditions:
 - (a) Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan.
 - (b) Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
 - (c) A building permit being obtained prior to commencement of any building works.

- (d) All windows are to be framed in commercial quality, box powder-coated aluminium in a white birch colour.
- (e) The development is to be connected to the reticulated water system.
- (f) The development is to be connected to the reticulated sewer system.
- (g) Prior to the issue of a building permit, detailed engineering drawings are to be provided outlining how stormwater from all roofed and paved areas is to be collected and discharged to the satisfaction of the Shire of Toodyay.
- (h) Prior to the occupation of the buildings, landscaping in accordance with the approved landscaping plan must be installed and maintained.
- (i) The developer shall not use plants which are known to be poisonous and/or an irritant to humans.
- (j) The proposed medium shrub at the eastern corner of the lot is to be changed to ground cover.
- (k) Prior to the occupation of the dwellings, all car parking bays, accessways and driveway are to be sealed, line marked and drained in accordance with the relevant Australian Standards.
- (l) Prior to the commencement of site works Leeders Well must be filled and the ground level raised so that any heritage material in the future can be retained, this is to be monitored by a person or person's approved by the Heritage Council of WA.
- (m) An appropriate plaque to the satisfaction of the Manager Planning and Development is placed close by to note the site to denote the former site of Leeder's Well and its significance to the area.

Cr Dow moved a motion as follows:

That Council:

- 1. advise the applicant planning approval is granted for the grouped dwelling at Lot 10 Herbert Street, Toodyay.**
- 2. authorise the Chief Executive Officer to issue Planning Approval for the proposed grouped dwelling at Lot 10 Herbert Street, Toodyay, subject to the following conditions:**

- (a) Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan.
- (b) Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
- (c) A building permit being obtained prior to commencement of any building works.
- (d) All windows are to be framed in commercial quality, box powder-coated aluminium.
- (e) The development is to be connected to the reticulated water system.
- (f) The development is to be connected to the reticulated sewer system.
- (g) Prior to the issue of a building permit, detailed engineering drawings are to be provided outlining how stormwater from all roofed and paved areas is to be collected and discharged to the satisfaction of the Shire of Toodyay.
- (h) Prior to the occupation of the buildings, landscaping in accordance with the approved landscaping plan must be installed and maintained.
- (i) The developer shall not use plants which are known to be poisonous and/or an irritant to humans.
- (j) The proposed medium shrub at the eastern corner of the lot is to be changed to ground cover.
- (k) Prior to the occupation of the dwellings, all car parking bays, accessways and driveway are to be sealed, line marked and drained in accordance with the relevant Australian Standards.
- (l) Prior to the commencement of site works Leeders Well must be filled to ground level and then raised above ground level upon completion of the buildings so that any heritage material in the feature can be retained. This is to be monitored by a person or person's approved by the Heritage Council of WA.
- (m) An appropriate plaque to the satisfaction of the Manager Planning and Development is placed close by to note the site to denote the former site of Leeder's Well and its significance to the area.

Clarification was sought.

Cr Firms moved an amendment to the motion as follows:

That Point (l) be amended to read what the original Officer's Recommendation stated as follows:

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- (l) Prior to the commencement of site works Leeders Well must be filled and the ground level raised so that any heritage material in the feature can be retained, this is to be monitored by a person or person's approved by the Heritage Council of WA; and

That a new Point (m) be included to read as follows:

- (m) The applicant be advised that a section 70A notice would be required to be placed on the title in regard to the location and conditions for preservation of the archaeology Leeder's Well.

Cr Dow objected to the amendments.

Cr Firms withdrew his amendments to the motion and moved an amendment to the motion as follows:"

~~Cr Firms moved an amendment to the motion as follows:~~

That a new Point (m) be included (with the remaining points to be renumbered) to read as follows:

- (m) The applicant be advised that a section 70A notice would be required to be placed on the title in regard to the location and conditions for preservation of the archaeology of Leeder's Well.

Cr Dow accepted the amendment to the motion.

Further clarification was sought.

Cr Firms moved an amendment to the motion as follows:

That Point (l) be amended to read what the original Officer's Recommendation stated as follows:

- (l) Prior to the commencement of site works Leeders Well must be filled and the ground level raised so that any heritage material in the feature can be retained, this is to be monitored by a person or person's approved by the Heritage Council of WA; and

Cr Dow objected to the motion.

Cr Craddock seconded the motion.

Discussion ensued.

The amendment to the motion was put.

Signed: 
Cr K Hogg - Shire President
Date: 2+5.17

AMENDMENT TO THE MOTION/COUNCIL RESOLUTION NO 98/04/13

MOVED Cr Firms

SECONDED Cr Craddock

That Point (l) be amended to read what the original Officer's Recommendation stated as follows:

- (l) Prior to the commencement of site works Leeders Well must be filled and the ground level raised so that any heritage material in the feature can be retained, this is to be monitored by a person or person's approved by the Heritage Council of WA.

MOTION CARRIED 6/2

Cr Craddock objected to the substantive motion.

Cr Greenway seconded the substantive motion.

Discussion ensued.

Cr Madacsi foreshadowed an alternative motion if the motion tabled is not carried.

The substantive motion was put.

COUNCIL RESOLUTION NO 99/04/13

MOVED Cr Dow

SECONDED Cr Greenway

That Council:

1. advise the applicant planning approval is granted for the grouped dwelling at Lot 10 Herbert Street, Toodyay.
2. authorise the Chief Executive Officer to issue Planning Approval for the proposed grouped dwelling at Lot 10 Herbert Street, Toodyay, subject to the following conditions:
 - (a) Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan;
 - (b) Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development;
 - (c) A building permit being obtained prior to commencement of any building works;
 - (d) All windows are to be framed in commercial quality, box powder-coated aluminium;
 - (e) The development is to be connected to the reticulated water system;
 - (f) The development is to be connected to the reticulated sewer system;

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- (g) Prior to the issue of a building permit, detailed engineering drawings are to be provided outlining how stormwater from all roofed and paved areas is to be collected and discharged to the satisfaction of the Shire of Toodyay;
- (h) Prior to the occupation of the buildings, landscaping in accordance with the approved landscaping plan must be installed and maintained;
- (i) The developer shall not use plants which are known to be poisonous and/or an irritant to humans;
- (j) The proposed medium shrub at the eastern corner of the lot is to be changed to ground cover;
- (k) Prior to the occupation of the dwellings, all car parking bays, accessways and driveway are to be sealed, line marked and drained in accordance with the relevant Australian Standards;
- (l) Prior to the commencement of site works Leeder's Well must be filled and the ground level raised so that any heritage material in the feature can be retained, this is to be monitored by a person or person's approved by the Heritage Council of WA;
- (m) The applicant be advised that a section 70A notice would be required to be placed on the title in regard to the location and conditions for preservation of the archaeology of Leeder's Well; and
- (n) An appropriate plaque to the satisfaction of the Manager Planning and Development is placed close by to note the site to denote the former site of Leeder's Well and its significance to the area.

MOTION CARRIED 6/2

The Chairperson adjourned the meeting at 9.37 pm.

The Chairperson resumed the meeting at 9.49 pm.

9.5.2 Lot 105 Campbell Chase, Dumbarton - Proposed Dwelling

Date of Report:	8 April 2013
Applicant:	S Davies and L Dawson
File Ref:	105CAM/A4139
Author:	Daniel Hills – Planning Officer
Responsible Officer:	Graeme Bissett - Manager Planning & Development
Officer's Disclosure of Interest:	Nil
Attachments:	1. Site Plan; 2. Floor Plans; and 3. Elevation Plan.
Voting Requirements:	Simple Majority

INTRODUCTION

Council is requested to consider an application for planning approval for a new dwelling on Lot 105 Campbell Chase, Dumbarton, submitted by Cedar Homes on behalf of S Davies and L Dawson.

The application is referred to Council as the proposed dwelling design is a variation to Local Planning Policy No 18 - Glencoe Estate Design Guidelines and therefore requires the approval of Council.

BACKGROUND

Lot 105 Campbell Chase is a 1.05ha property located in the Glencoe Estate subdivision. The property is bordered by Campbell Chase both the north and the east and the Avon River is also located to the north. The property is cleared of the majority of vegetation. The property is located in the 1 in 100 year flood plain area, though the building envelope for the site is located outside of this area.

The owners of the property are proposing to build a dwelling on the property, which has weatherboard heritage clad external walls and a zincalume roof. The dwelling is built on top of a concrete slab which is on a sand pad with a maximum height of 1.0m above natural ground level. No carport or garage is proposed for the dwelling.

Local Planning Scheme No 4

The subject site is zoned 'Special Residential' under the provisions of Local Planning Scheme No 4.

The objectives of the Special Residential zone are:

- (i) *to protect the character of the Avon River environs by maintaining larger lot sizes adjacent to the Avon River;*
- (ii) *to provide for the choice of larger lots in proximity to the Town Centre zone;*
- (iii) *to ensure the provision of community services and facilities in the vicinity of Special Residential zone;*
- (iv) *to encourage innovative housing designs that complements the natural and cultural landscape of the Toodyay locality.*

It is considered the application is consistent with most of the above objectives. However point (iv) may be interpreted as being compromised due to non-compliance with several aspects of the Local Planning Policy.

The application is for a dwelling, which is a permitted use in this zone, however as the property is located in the Avon Valley Special Control Area (AVSACA) planning approval is required to be issued. A relevant consideration of the AVSCA is stated at clause 6.2.3.1 as follows:

To preserve and enhance the status of this area as a major scenic and recreation resource the local government will exercise controls over the subdivision and development of land so that the siting and design of buildings or works will enhance the visual character of the area.

Delegated Authority exists for Shire Officers to approve the application if the above is met. It is considered that the AVSCA provisions are met.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

The *Planning and Development Act 2005* and its Regulations provides for the creation of a Local Planning Scheme.

The Shire of Toodyay Local Planning Scheme No 4 (the Scheme) provides the mechanism for protecting and enhancing the environment of the district and its historical associations, controlling land and building development, setting aside land for future use as reserves and other matters authorised by the *Planning and Development Act 2005*.

POLICY IMPLICATIONS

Local Planning Policy No 18 - Glencoe Estate Design Guidelines applies to this application. The policy has the following objectives:

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HELD IN COUNCIL CHAMBERS ON 16 APRIL 2013
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- *To ensure that development within the Glencoe Estate occurs in a manner that complements the semi-rural character of the area.*
- *To ensure that development and land use within the Glencoe Estate appropriately considers the surrounding environment, including the Avon River and the nearby industrial estate.*
- *To facilitate quality development within the Shire of Toodyay.*

Local Planning Policy No 18 - Glencoe Estate Design Guidelines also specifies development requirements. The application complies with all requirements except regarding the following:

1. *All development within the policy area shall comply with the provisions of the Shire of Toodyay Local Planning Scheme No 4 and the requirements of this policy. Nothing in this policy shall exempt compliance with any Regulation, Local Law, Local Planning Scheme or other Council policy.*

Local Planning Policy No 11 - Car Parking requires in clause 3.3 that "All single houses and grouped dwellings shall be provided at least one covered car bay." No car bays are proposed.

- 6.a) *All external wall materials shall be primarily of stone, face brick, painted or coloured cement render. Framed houses, in a Federation Queenslander style, may be considered if the land constraints do not allow for concrete footings.*

Weatherboard cladding is proposed.

- 6.a) *All dwellings should be designed such that they have a strong verandah element (a verandah on a minimum of three sides of the dwelling with a minimum width of 2.4m), particularly as viewed from the primary street.*

Three verandahs are provided, however they are only 1.5m wide (eastern and western ends) and 1.65m wide (northern end) respectively. It should be noted that an alfresco area 8.2m long by 2.7m wide is provided to the south and an extended verandah area is provided to the north that is 7.7m long by 3.2m wide.

- 6.b) *Roofing materials of all dwellings shall be clay, slate or concrete tiles or colorbond sheeting. Roofing materials should be non-reflective and the colours should complement the other materials used on the site and the surrounding environment.*

Zincalume roof sheeting is proposed.

- 6.b) *All rooves shall have a minimum pitch of 25⁰, with shallower pitches permitted for elements such as verandahs, awnings and canopies, but not less than 10⁰ at any point.*

The verandah has a roof pitch of 8.5 degrees.

FINANCIAL IMPLICATIONS

This proposal does not contain any notable financial implications.

STRATEGIC IMPLICATIONS

This proposal does not contain any notable strategic implications.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

This proposal does not contain any notable social implications.

OFFICER'S COMMENT

Even though the proposal is close to the river, the dwelling is located outside of the 1 in 100 Average Recurrence Interval flood area, so the application complies with the necessary flood requirements. The applicant is proposing five variations to LPP.18 - Glencoe Estate Design Guidelines. These will now each be discussed in turn.

No car parking on site

The applicant has provided the following justification for not providing a carport or garage in the application at the present time:

- No carport or garage is integrated into the dwelling because the house design chosen did not include it;
- Integrating a carport or garage into the dwelling was considered to result in the requirement for three verandahs not being met;
- Considered that having a carport or garage attached to the dwelling would compromise the aesthetics of the dwelling;
- A double carport and garage is planned to be built detached from the dwelling in the future when funds are available

It is considered that given the larger site area, not having a covered car bay on the site will not have a significant impact on the amenity of the property. However, it is considered that it is possible for the applicant to have at least one covered car bay on site and it is considered that Council's policy should be applied consistently across residential properties. This can be achieved by requiring that at least one covered car bay is provided for the site that is in accordance with LPP.18 - Glencoe Estate Design Guidelines.

Weatherboard cladding with no stilts

Under LPP.18 – Glencoe Estate Design Guidelines, weatherboard houses are permitted if they are on stilts, because this matches the Federation Queenslander style that is permitted under the policy. However, in order to meet energy efficiency requirements, the applicant is proposing that a pad be used for the dwelling instead, so that the 6 star energy rating requirements can be met (because heat is not as easily transferred through a concrete slab). The applicant has stated that the verandah and alfresco decking will give the appearance of the dwelling being on stumps.

It is considered that this variation is acceptable. This could be one aspect of the policy which could be reviewed as part of the policy review.

Verandah with widths of less than 2.2m

The applicant has stated that they wish to have verandahs with a smaller width than that specified under the policy, because it provides them with the financial resources to have a 7.29m x 3m covered alfresco area at the rear of the dwelling and to extend part of the front verandah from 2.4m x 7.28m to 3.5m x 7.28m, which are larger and more useful alfresco areas. The applicant considers that the variation should be approved because it matches the other two houses in the estate. While these houses were approved before the verandah width provisions to three sides of the dwelling were introduced at the August 2009 meeting, it is considered that the proposed dwelling still has a strong verandah element. It should be noted that in the December 2012 meeting Council approved an application which did not have the prescribed verandah requirements but was considered to have a strong verandah element. It was detailed by Shire officers at this meeting that it is considered that the current verandah provisions are too prescriptive.

Zincalume roof sheeting

Zincalume roof sheeting is currently not a permitted material for rooves in the Glencoe Estate. The applicants have provided the following justification for zincalume rooves:

- It is in keeping with other rooves and outbuildings in the estate;
- it provides a simple farmhouse look synonymous with the Australian Wheatbelt; and
- it fades to a nice grey colour over time which is a finish that the applicants are after. The applicants consider that colorbond fades over time.

It should be noted that all the dwellings and outbuildings approved in the estate have been for colorbond sheeting and have been built as such. As it is Council's requirement to have clay, slate or concrete tiles or colorbond sheeting, it is recommended that this policy requirement be enforced.

Roof pitch of 8.5 degrees for the verandah in lieu of 10 degrees

The applicant is proposing a roof pitch of 8.5 degrees. The applicant has stated that the design of the house comes with this roof pitch and that due to the low nature of the ceiling, if a 10 degree roof pitch was provided, the verandah would be too low. Further, the applicant has stated that the roof pitch is above the minimum 5 degrees required under the Building Codes of Australia. It is considered this variation is minor and will have little impact on the amenity of the area.

Removal of existing trees

One tree is proposed to be removed. Under LPP.18 - Glencoe Estate Design Guidelines, this will need to be replaced. It is recommended that this be placed as a condition of approval.

OFFICER'S RECOMMENDATION

That:

1. Council advise the applicant planning approval is not granted for the dwelling at Lot 105 Campbell Chase, until amended plans are received the proposed covered car bay and modified roof to the dwelling that are in accordance with LPP.18 - Glencoe Estate Design Guidelines.
2. Upon the Shire's receipt of the amended plans showing the proposed covered car bay and modified roof to the dwelling that are in accordance with LPP.18 - Glencoe Estate Design Guidelines, Council delegate authority to the Chief Executive Officer to issue Planning Approval for the proposed dwelling at Lot 105 Campbell Chase, Dumbarton, subject to the following conditions:
 - (a) Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan.
 - (b) Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
 - (c) A building permit being obtained prior to commencement of any building works.
 - (d) The covered car bay is to be constructed prior to the occupation of the dwelling.
 - (e) Any tree proposed to be removed from the property is to be replaced with another tree of a similar species prior to the actual removal of the tree.

Cr Dow moved a motion as follows:

That:

- 1. Council advise the applicant planning approval will be granted for the dwelling at Lot 105 Campbell Chase, when amended plans are received for the proposed covered car bay that are in accordance with LPP.18 - Glencoe Estate Design Guidelines.**
- 2. Upon the Shire's receipt of the amended plans showing the proposed covered car bay that are in accordance with LPP.18 - Glencoe Estate Design Guidelines, Council delegate authority to the Chief Executive Officer to issue Planning Approval for the proposed dwelling at Lot 105 Campbell Chase, Dumbarton, subject to the following conditions:**
 - (a) Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan.**
 - (b) Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.**
 - (c) A building permit being obtained prior to commencement of any building works.**
 - (d) Construction of the covered car bay is to be substantially commenced prior to the occupation of the dwelling.**
 - (e) Any tree proposed to be removed from the property is to be replaced with another tree of a similar species prior to the actual removal of the tree.**

Clarification was sought.

Cr Firms moved amendments to the motion as follows:

That:

- 1. at Point No 1 the word "are" is replaced with the word "is"; and**
- 2. the words "LPP.18 - Glencoe Estate Design Guidelines" be replaced with the words "LPS 4 – Local Planning Scheme No. 4."**

Cr Dow accepted the amendments to the motion.

Cr Craddock moved an amendment as follows:

The roof is to comply with 6 (b) of LPP.18 - Glencoe Estate Design Guidelines.

Cr Dow objected to the amendment.

The amendment was lost for want of a seconder.

Cr Craddock objected to the substantive motion.

Cr Madacsi seconded the substantive motion.

Discussion ensued.

The substantive motion was put.

COUNCIL RESOLUTION NO 100/04/13

MOVED Cr Dow

SECONDED Cr Madacsi

That:

1. Council advise the applicant planning approval will be granted for the dwelling at Lot 105 Campbell Chase, when amended plans are received for the proposed covered car bay that is in accordance with LPS No. 4.
2. Upon the Shire's receipt of the amended plans showing the proposed covered car bay that are in accordance with LPP.18 - Glencoe Estate Design Guidelines, Council delegate authority to the Chief Executive Officer to issue Planning Approval for the proposed dwelling at Lot 105 Campbell Chase, Dumbarton, subject to the following conditions:
 - (a) Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan;
 - (b) Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development;
 - (c) A building permit being obtained prior to commencement of any building works;
 - (d) Construction of the covered car bay is to be substantially commenced prior to the occupation of the dwelling; and
 - (e) Any tree proposed to be removed from the property is to be replaced with another tree of a similar species prior to the actual removal of the tree.

MOTION CARRIED 8/0

9.5.3 Lot 73 McKnoe Drive - Proposed Dwelling and Temporary Accommodation Application

Date of Report:	8 April 2013
Applicant:	V Simpson
File Ref:	73MCK/A1899
Author:	Daniel Hills – Planning Officer
Responsible Officer:	Graeme Bissett - Manager Planning & Development
Officer's Disclosure of Interest:	Nil
Attachments:	<ol style="list-style-type: none"> 1. Site Plan; 2. Floor Plan of Proposed Dwelling; 3. Elevation Plan of Proposed Dwelling; and 4. Floor Plan of Existing Dwelling.
Voting Requirements:	Simple Majority

INTRODUCTION

Council is requested to consider a Planning Application to construct a house and issue a temporary accommodation approval at Lot 73 McKnoe Drive.

The application is referred to Council as it proposes variations to the Shire of Toodyay's Policy LPP.10 - Temporary Accommodation During the Construction of a Dwelling and because there is an existing cottage on the property which is presently being used as a dwelling.

BACKGROUND

Lot 73 McKnoe Drive is a 10ha property on a mostly cleared property. The property has an existing dwelling which is 90.44m², approved in September 1985. An outbuilding also exists on the property (114m²) approved May 1984. The property is zoned 'Rural Residential' under the provisions of Local Planning Scheme No 4.

The Shire of Toodyay has received an application for planning approval for a five bedroom, two bathroom, dwelling to be positioned to the south east of the existing dwelling. The applicant has also submitted an application for temporary accommodation for use of the existing cottage on the property whilst the dwelling is being constructed. The applicant has detailed that following construction of the new home, the kitchen and habitable features would be removed from the cottage and it would be used as an outbuilding for farm storage with one room retained for an arts studio. The applicant has requested that the toilet facility be retained for farm contractors and themselves to use instead of coming into the new home.

The application is being referred to Council as the applicants are proposing a variation to Council's Policy LPP.10 - Temporary Accommodation During the

Construction of a Dwelling. In addition to this, special conditions need to be imposed on the planning approval to ensure compliance with the Scheme.

Local Planning Scheme No 4

The subject site is zoned 'Rural' under the provisions of Local Planning Scheme No 4.

Clause 5.14 of Local Planning Scheme No 4 is applicable to the assessment of this application as it relates to Additional Dwellings. The Scheme states

In all zones, only one dwelling house shall be permitted on each lot or location except in the Rural zone [provided other criteria are met].

As the applicants have indicated that they intend upon using the existing cottage as an outbuilding for the purposes of storage and an art studio once the dwelling is complete, the application would then comply with the provisions of Local Planning Scheme No 4. To ensure that this is the case, conditions of planning approval are recommended and will be discussed further in the Officer's Comments section of the report.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

The *Planning and Development Act 2005* and its regulations provides for the creation of a Local Planning Scheme.

The Shire of Toodyay's Local Planning Scheme No 4 provides the mechanism for protecting and enhancing the environment of the district and its historical associations, controlling land and building development, setting aside land for future use as reserves and other matters authorised by the *Planning and Development Act 2005*.

Subject to the conditions of planning approval being complied with, the application would comply with the provisions of Local Planning Scheme No 4.

POLICY IMPLICATIONS

The Shire of Toodyay's Policy LPP.10 – Temporary Accommodation During the Construction of a Dwelling applies to this application.

The policy also only considers temporary accommodation approval to be granted for a caravan or for Class 10A buildings which have the necessary approvals. The proposed dwelling is a Class 1 building.

The application for temporary accommodation complies in all other respects to the policy. It is therefore considered that a variation to this policy could be entertained.

FINANCIAL IMPLICATIONS

This proposal does not contain any notable financial implications.

STRATEGIC IMPLICATIONS

This proposal does not contain any notable strategic implications.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

This proposal does not contain any notable social implications.

OFFICER'S COMMENT

The application for the dwelling at Lot 73 McKnoe Drive, can comply with the provisions of Local Planning Scheme No 4 as the applicant has indicated that the existing 'cottage' on the property is going to be converted and used as an outbuilding for the purposes of farm storage and an art studio once dwelling construction is completed. This would result in a single dwelling and a new outbuilding being in existence on the property, which is compliant with the provisions of Local Planning Scheme No 4. The new proposed dwelling complies with all requirements under Local Planning Scheme No 4.

While the applicant has indicated that the habitable features of the 'cottage' will be removed at the completion of the new dwelling, it is recommended that as condition of planning approval the applicant is required to enter into a legally binding Deed of Agreement to ensure that this takes place. It is also recommended that as a condition of planning approval, the applicant is required to register a Section 70A notification on the title to ensure that all prospective purchasers are aware that the building cannot be used as a habitable dwelling. The imposition of these two conditions, will ensure that the provisions of Local Planning Scheme No 4 are satisfied.

In relation to the proposed variation to Council's Policy LPP.10 – Temporary Accommodation During the Construction of a Dwelling, this is considered a reasonable variation, because the existing dwelling is an acceptable form of accommodation that can be seen as temporary until the new dwelling is built. It is therefore recommended, that Council vary the provisions of this policy and issue a temporary accommodation permit to reside in the 'cottage' while the new dwelling is being constructed.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 101/04/13

MOVED Cr Lloyd

That:

1. Council grant Planning Approval for the dwelling at Lot 73 McKnoe Drive, Morangup, subject to the following conditions:
 - a) Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan.
 - b) Nothing in the approval of these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
 - c) A building permit being obtained prior to commencement of any building works.
 - d) Prior to the issue of a building permit, the applicant is to enter into a legally binding agreement, prepared by the Shire of Toodyay solicitors, at the applicants cost, confirming that all features that render the 'cottage' habitable are to be removed at the completion of the construction of the new dwelling.
 - e) Prior to the issue of a building permit, a notification in the form of a section 70A notification, pursuant to the *Transfer of Land Act* 1893 (as amended) is to be placed on the Certificate of Title of the lot advising:

"The structures positioned to the north-west of the dwelling are approved for use as outbuildings only and cannot be used for human habitation purposes. Only one dwelling is approved for human habitation purposes".
2. Council grant a temporary accommodation permit to allow the applicants to reside within the existing structure on the property for a maximum period of 12 months or until the new dwelling is complete, whichever is sooner.

MOTION CARRIED 8/0

The Officer's Recommendation was amended to include the words "whichever is sooner" at the end of Point No 2; giving clear indication as to the duration of the permit.

9.5.4 Lot 103 Stirling Terrace, Toodyay - Alfresco Dining renewal

Date of Report:	8 April 2013
Applicant:	Cola Cafe
File Ref:	103STIT/A3551
Author:	Daniel Hills – Planning Officer
Responsible Officer:	Graeme Bissett - Manager Planning & Development
Officer's Disclosure of Interest:	Nil
Attachments	1. Site Plan; and 2. Photo of Furniture.
Voting Requirements:	Simple Majority

INTRODUCTION

Council is requested to consider the renewal of the alfresco dining planning approval and licence at Lot 103 Stirling Terrace Toodyay, also known as the 'Cola Café'. The application has been referred to Council as a complaint has been received regarding the existing alfresco dining arrangements and because the amended proposal is requesting a variation to Local Planning Policy No.12 – Alfresco Dining.

BACKGROUND

Lot 103 Stirling Terrace is a 445m² lot that is zoned "Town Centre" under Local Planning Scheme No 4. The site is a café that has previously had approval for five alfresco dining tables with four chairs each (20 in total). The tables have a diameter of 800mm and the distance from the kerb to the verandah line (where the property starts) is 3300mm. The site received original approval for the alfresco dining from Council in 29 June 2006.

In June 2007, the renewal of the alfresco dining approval was considered by Council as concerns were raised by officers in regards to achieving 2m wide footpath distances (at the time it was not being achieved due to the position of planter boxes) and the use of umbrellas. Council at this meeting resolved to grant conditional approval. Since this time all renewals have been approved under delegated authority.

As a part of the main street upgrade in 2008, parallel parking bays were provided in front of the property, which were close to the existing chairs and tables. In 2011, after a complaint from a member from the community regarding the obstruction of a pedestrian nib at the western end of the alfresco area, the Council resolved to grant planning approval for the alfresco dining application with the removal of the western most table setting from the site. As the applicant was aggrieved by the Shire's previous determination on the renewal of the alfresco dining application, he lodged a review with the Tribunal. A mediation between the Shire, the Cola Cafe owner and the State Administrative Tribunal

took place on site, where it was suggested that an amended table and chair configuration take place in order to allow for pedestrian movement to the pedestrian nib. This was achieved by placing the table setting closer to the planter boxes on the edge of the road and removing one chair, which Council approved at the December 2011 meeting.

Prior to the renewal of the alfresco dining application for 2012, a complaint was received from a member of the community regarding the placement of the tables and chairs. This complaint was concerned with the chairs, tables and plantings being too close to the road and too close to car parking bays, with the complainant stating that they hit a pot plant while parking.

Advice on minimum distances required for street furniture from the kerb was sought from Porter Consulting Engineers, who stated the following regarding distances for street furniture:

Australian Standard 2890.1 requires greater than 300mm to any walls fences, columns etc abutting parking spaces. AS2890.1 also requires allowing 600mm for vehicle overhang when manoeuvring vehicles. Hence 600mm plus 100mm clearance =700mm to any object. This is the minimum clearance requirement from face of kerb to any object.

AS1428.1 recommends a minimum of 1800mm path width for two-way universal access.

It has been suggested by Shire Officers that in order to comply with the distance from kerb face requirements, the table setting should be placed 700mm from the kerb. This would result in the tables leaving a space of 1800mm in the pedestrian thoroughfare. The applicant has also requested to have a table setting of two for the two easternmost tables. The two chairs that would be lost from these tables are proposed to be located with the two middle table settings. As a variation to LPP.12 – Alfresco Dining is proposed, Council is requested to consider the proposal.

CONSULTATION

Nil, however a member of the public has raised an objection to some of the furniture and pot plants being located next to a car bay, stating that they are a potential hazard for people using the car bays.

STATUTORY ENVIRONMENT

The Shire of Toodyay's Thoroughfares and Trading in Thoroughfares and Public Places Local Law, (the Local Law) is the Local Law which controls alfresco dining activities within thoroughfares within the Shire of Toodyay.

A thoroughfare is the gazetted road reserve and includes the carriageway (the paved/made portion of the road for use by vehicles), a footpath (the paved/made portion of the road for use by pedestrians), a kerb (the edge of the

carriageway) and the verge (means the part of the thoroughfare between the carriageway and the land abutting the thoroughfare, excluding a footpath).

Part 6 of the Local Law prescribes what commercial activities can occur in thoroughfares and public places. The Local Law allows for the following type of activities within the thoroughfares:

- Stallholders and Traders;
- Street entertainers; and
- Outdoor eating facilities (alfresco dining).

The Local Law, under clause 6.16, details that a business shall not conduct an outdoor eating facility (alfresco dining) unless that business is a holder of a valid permit. The Local Law outlines the information that must be submitted with an application and the relevant considerations in determining an application for a permit. The relevant considerations include whether the facility:

- operates in conjunction with another food premises operated by the same owner and complies with the *Health Act 1911*;
- will restrict visibility of any sightlines on thoroughfares or public areas;
- impedes the use of the public place for the purpose for which it is designed.

POLICY IMPLICATIONS

Council's Policy LPP.12 – Alfresco Dining applies to this application. The policy provides guidelines for the establishment of alfresco dining activities to ensure that such activities do not adversely affect the enjoyment and convenience of persons, or the character and amenity of the surrounding area and provides additional direction to the land described under the Local Law.

Clause 6.3 of Council's Policy LPP.12 – Alfresco Dining outlines that applications to operate an alfresco dining area must be renewed on a twelve monthly basis.

The application complies with the policy except regarding clause 2.2 and 2.4.

2.2. Alfresco dining areas should not obstruct pedestrian movement. A minimum clear footpath width of 2m should be maintained in all cases. Pedestrians should be able to make normal use of the footpath without being obliged to step into the road at any point, or make other unwarranted detours.

A minimum clear footpath width of 1.8m is proposed for the two easternmost table settings.

2.4 Alfresco dining areas should not be located in such a way that access from the footpath to kerbside parking is obstructed.

Pot plants are proposed within 700mm of the car-bay.

FINANCIAL IMPLICATIONS

The possible reduction in the number of table settings if Council chooses to completely remove the two easternmost table settings can be argued to result in a financial loss for the proprietor of the business, as their maximum customer capacity is reduced.

STRATEGIC IMPLICATIONS

This proposal does not contain any notable strategic implications.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

Footpaths are designed and developed in order to provide access for people, both along the footpath itself and also from parallel car bays where applicable. It is important that in considering an application for activities within footpaths that the main purpose of the footpath, that being to provide pedestrian access, is not compromised by alfresco dining, trading or other activities.

OFFICER'S COMMENT

It is considered that LPP.12 – Alfresco Dining should be varied in this instance in order to allow the two easternmost table settings to be 700mm from the kerb adjacent to the parallel car bay, which would result in a pedestrian clearway of 1800mm. While this does not meet the policy requirement, it still provides an adequate footpath for two way universal access under AS1428.1. It is recommended that the other table settings remain in their current location. In order to ensure that no seats encroach within either the footpath clearway or the parallel car bay clearway, it is recommended that only two seats for each table setting are approved. This arrangement already exists at the site.

The applicant has proposed that the two seats lost from the easternmost tables be moved to the middle tables. It is considered that this alteration to the alfresco dining application is acceptable because the adequate pedestrian clearways are still met. The policy does not place a limit on the number of chairs per table.

In regards to the four easternmost pot plants, these will be required to be removed under AS2890.1 to meet the parallel parking clearances. The new owner has agreed to do this.

OFFICER'S RECOMMENDATION

1. Council grant Planning approval for alfresco dining at Lot 103 Stirling Terrace, Toodyay, subject to the following conditions:

MINUTES OF ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS ON 16 APRIL 2013
(ADJOURNED ON 17 APRIL 2013 AND RESUMED ON 18 APRIL 2013)

- (a) Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan.
- (b) Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
- (c) No more than five (5) tables and nineteen (19) chairs shall be permitted to remain in the thoroughfare at any one time. All tables and chairs and other structures shall conform with what is specified in the application.
- (d) Alfresco dining areas should not obstruct pedestrian movement and a 1800mm minimum clear footpath width as shown in the approved plans is to be maintained at all times.
- (e) All furniture is to maintain a distance of 700mm from the kerb, as indicated on the approved plans.
- (f) The four easternmost pot plantings are to be removed, as per the approved plans.
- (g) No tables, chairs or other structures shall be set up or permitted to remain in the alfresco area while the business is closed.
- (h) The alfresco dining area shall be kept free of litter, refuse, rubbish and other disused material at all times during its conduct.
- (i) The insurance policy is to have a clause to indemnify the Shire of Toodyay against any and all claims for compensation howsoever arising from the conduct of the alfresco area and further agrees to hold not less than ten million dollars (\$10,000,000) public liability insurance at all times for any one claim. A copy of the insurance policy is to be provided to the Shire of Toodyay prior to the commencement of the alfresco dining activities.
- (j) The proprietor of a dining area shall not, without the prior written consent of the Shire of Toodyay, cause or allow the transfer of the licence; the playing of any musical instrument, amplified sound apparatus or electronic apparatus within the dining area or cause or allow the conduct of any other form of trading within the dining area other than that permitted by the licence.
- (k) This Planning Approval is valid for a period of 12 months from the date of approval. Further approval will be required at the completion of this 12 month period.

Cr Dow moved a motion as follows:

That:

- 1. Council grant Planning approval for alfresco dining at Lot 103 Stirling Terrace, Toodyay, subject to the following conditions:**
 - (a) Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan.**
 - (b) Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.**
 - (c) No more than five (5) tables and seventeen (17) chairs shall be permitted to remain in the thoroughfare at any one time. All tables and chairs and other structures shall conform with what is specified in the application.**
 - (d) Alfresco dining areas should not obstruct pedestrian movement and a 1800mm minimum clear footpath width as shown in the approved plans is to be maintained at all times.**
 - (e) All furniture is to maintain a distance of 700mm from the kerb, as indicated on the approved plans. Suitable markings must be placed within the alfresco area to assist with the correct placement of tables. Recolouring of existing pavers in a colour acceptable to the Manager Planning and Development will suffice. The proprietors are to be responsible for the cost of this implementation.**
 - (f) The four easternmost pot plantings are to be removed, as per the approved plans.**
 - (g) No tables, chairs or other structures shall be set up or permitted to remain in the alfresco area while the business is closed.**
 - (h) The alfresco dining area shall be kept free of litter, refuse, rubbish and other disused material at all times during its conduct.**
 - (i) The insurance policy is to have a clause to indemnify the Shire of Toodyay against any and all claims for compensation howsoever arising from the conduct of the alfresco area and further agrees to hold not less than ten million dollars (\$10,000,000) public liability insurance at all times for any one claim. A copy of the insurance policy is to**

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be provided to the Shire of Toodyay prior to the commencement of the alfresco dining activities.

- (j) **The proprietor of a dining area shall not, without the prior written consent of the Shire of Toodyay, cause or allow the transfer of the licence; the playing of any musical instrument, amplified sound apparatus or electronic apparatus within the dining area or cause or allow the conduct of any other form of trading within the dining area other than that permitted by the licence.**
- (k) **This Planning Approval is valid for a period of 12 months from the date of approval. Further approval will be required at the completion of this 12 month period.**

Clarification was sought.

Cr Prater moved an amendment to the motion as follows:

That at new point (l) be added to read as follows:

- (l) **This approval is subject to the Manager Planning and Development confirming the measurements on page 223 of the agenda are correct.**

Cr Dow accepted the amendment.

Cr Firms objected to the motion.

Cr Lloyd seconded the motion.

Discussion ensued.

Cr Firms foreshadowed a motion that this matter is to be deferred pending further consideration and more investigation as to the history of the site and whether this is the correct use of a thoroughfare; and the reasons behind a Council decision being overturned during the SAT process.

Cr Hogg entered Council Chambers at 10.35 pm.

Cr Hogg moved an amendment to the motion as follows:

That at Point (c) the words “as shown on the approved plan” be added following the words “specified in the application.”

Cr Dow accepted the amendment to the motion.

~~Cr Firms sought clarification in relation to the amendment.~~

Cr Lloyd accepted the amendment to the motion.

Signed: 
Cr K Hogg - Shire President
Date: 24.5.13

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Cr Dow moved an amendment to the motion as follows:

That at Point (c):

The words “the application as shown on” be removed.

Cr Lloyd accepted the amendment to the motion.

The motion was put.

Signed: 
Cr K Hogg - Shire President
Date: 24.5.13

COUNCIL RESOLUTION NO 102/04/13

MOVED Cr Dow

SECONDED Cr Lloyd

That:

1. Council grant Planning approval for alfresco dining at Lot 103 Stirling Terrace, Toodyay, subject to the following conditions:
 - (a) Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan.
 - (b) Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
 - (c) No more than five (5) tables and seventeen (17) chairs shall be permitted to remain in the thoroughfare at any one time. All tables and chairs and other structures shall conform with what is specified in the approved plan.
 - (d) Alfresco dining areas should not obstruct pedestrian movement and a 1800mm minimum clear footpath width as shown in the approved plans is to be maintained at all times.
 - (e) All furniture is to maintain a distance of 700mm from the kerb, as indicated on the approved plans. Suitable markings must be placed within the alfresco area to assist with the correct placement of tables. Recolouring of existing pavers in a colour acceptable to the Manager Planning and Development will suffice. The proprietors are to be responsible for the cost of this implementation.
 - (f) The four easternmost pot plantings are to be removed, as per the approved plans.
 - (g) No tables, chairs or other structures shall be set up or permitted to remain in the alfresco area while the business is closed.
 - (h) The alfresco dining area shall be kept free of litter, refuse, rubbish and other disused material at all times during its conduct.

- (i) The insurance policy is to have a clause to indemnify the Shire of Toodyay against any and all claims for compensation howsoever arising from the conduct of the alfresco area and further agrees to hold not less than ten million dollars (\$10,000,000) public liability insurance at all times for any one claim. A copy of the insurance policy is to be provided to the Shire of Toodyay prior to the commencement of the alfresco dining activities.
- (j) The proprietor of a dining area shall not, without the prior written consent of the Shire of Toodyay, cause or allow the transfer of the licence; the playing of any musical instrument, amplified sound apparatus or electronic apparatus within the dining area or cause or allow the conduct of any other form of trading within the dining area other than that permitted by the licence.
- (k) This Planning Approval is valid for a period of 12 months from the date of approval. Further approval will be required at the completion of this 12 month period.
- (l) This approval is subject to the Manager Planning and Development confirming the measurements on page 223 of the agenda are correct.

MOTION CARRIED 7/2

The Deputy Shire President welcomed the Shire President back from the Heritage Awards.

The Shire President resumed the Chair.

The Shire President stated as follows:

"I had the pleasure this evening of attending the State Heritage Office 2013 Heritage Awards.

Jenny Edgecombe of Toodyay was nominated and became a finalist in the category of "Outstanding voluntary contribution to heritage by an individual."

Other finalists in the same category were Professor Geoffrey Bolton Order of Australia for the WA Museum and Mervyn Andre, Esperance Bay Historical Society.

Jenny Edgecombe won. Professor Geoffrey Bolton received a high commendation.

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The Shire of Toodyay was nominated in two other categories:

The first was in Outstanding Heritage Practices by a Local Government.

The Finalists were as follows:

- Town of Claremont
- Shire of Toodyay
- Shire of Murray
- City of Vincent
- Shire of Northam
- City of Cockburn

The Shire of Toodyay was successful. We received a gold coin minted by the Perth mint specifically for the awards (mounted in Jarrah). A certificate was also handed out to commemorate it with a picture of Connor's Mill on the front.

The second nomination for the Shire of Toodyay was in the category of Outstanding Interpretation Project that enhances a place.

The nominees were as follows:

- Vlaming Head Lighthouse Group, Exmouth
- Wadjemup (Rottnest Island)
- Newcastle Gaol, Toodyay
- Wireless Hill Centenary Exhibition, Ardross
- Rottnest Island 'Open House After Dark'

The Shire of Toodyay won in that category also. The State Heritage Office press release tomorrow will say something like "the Shire of Toodyay cleans up in the Heritage Awards."

No other entrant this evening received a win in more than one category and that makes three including the one we received two years ago also in the category of Outstanding heritage practices by Local Government.

The difference this year was that the field was State-wide. We are the smallest Council by far and we managed to win. A great deal of congratulations is due to staff, volunteers and the community who have all worked to make that sort of award possible."

Signed: 
Cr K Hogg - Shire President
Date: 27.5.13

The Shire President ruled that “Agenda Item 13 New Business of an Urgent Nature introduced by decision of the meeting” be discussed next.

13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

The Shire President adjourned the meeting at 11.00 pm.

The Shire President resumed the meeting at 11.18 pm.

The Shire President ruled that Councillors should decide whether to continue the meeting or not in accordance with Standing Order 4.7.

COUNCIL RESOLUTION NO 103/04/13

MOVED Cr Lloyd

That the meeting continue for up to one more hour in accordance with Standing Order 4.7.

MOTION CARRIED 8/0

13.1 MEMBERS

13.1.1 Revocation of Council Resolution 66/03/13

Cr Madacsi moved a motion as follows:

That Council consider as a matter of urgency the revocation of Council resolution 66/03/13.

Cr Prater objected to the motion.

Cr Dow seconded the motion.

Debate commenced.

The Shire President adjourned the meeting at 11.23 pm to permit Cr Madacsi to familiarise herself with Standing Order 4.5(2) New Business of an Urgent Nature.

The Shire President resumed the meeting at 11.31 pm.

Debate continued.

The motion was put.

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MOTION

MOVED Cr Madacsi

That Council consider as a matter of urgency the revocation of Council resolution 66/03/13 as new business of an urgent nature.

MOTION LOST 2/7

Note: This item will be considered at the next Ordinary Meeting of Council under the heading "Motions of which previous notice has been given" in accordance with Standing Orders.

Signed: 
Cr K Hogg - Shire President
Date: 27.5.13

9.6 WORKS AND TECHNICAL SERVICES

9.6.1 Changeover of Councils existing 2005 Nissan UD CW385 Truck

Date of Report:	5 April 2013
Proponent:	Shire of Toodyay
File Ref:	DIS2, ORG2/NAM2401
Author:	Les Vidovich – Manager Works and Services
Responsible Officer:	Les Vidovich – Manager Works and Services
Officer's Disclosure of Interest:	Nil
Attachments:	1. Excerpt from Works Advisory Committee Minutes of 21 March 2013 (<i>confidential cover</i>).
Voting Requirements:	Simple majority

INTRODUCTION

This report was prepared for Council to consider awarding the purchase of a new truck in line with its adopted 2012/2013 annual budget.

BACKGROUND

A report was presented to the Works Advisory Committee at their meeting held on 21 March 2013. At this meeting the Works Advisory Committee made a recommendation as follows:

1. This matter be deferred until the Manager of Works and Services has a chance to investigate queries from the Works Advisory Committee in relation to horsepower, sale of dollies and whether it is feasible to have a quick release body on the prime mover; and
2. Bring the report to the next Ordinary Meeting of Council.

Please refer to Attachment 1.

CONSULTATION

Consultation has occurred with the Senior Management Group and the Works Advisory Committee.

STATUTORY ENVIRONMENT

Local Government (Functions and General Regulations) 1996, 11 2b allows Councils to access WALGA's set of Preferred Suppliers without the need to independently tender.

POLICY IMPLICATIONS

This report complies in accordance with Council's purchasing policy F3, section 1.7.1.

"In the following instances public tenders or quotations procedures are not required (regardless of the value of expenditure):

- An emergency situation as defined by the *Local Government Act 1995*;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements) Department of Treasury and Finance (Permitted Common Use Arrangements) Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11 of the *Local Government (Functions and General) Regulations 1996* that apply.

FINANCIAL IMPLICATIONS

The adopted 2012/2013 budget includes estimates for the capital purchase and an associated estimate for the disposed asset. Council has allocated a provision of \$153,000 (Ex GST) for the changeover of its Nissan UD Truck.

STRATEGIC IMPLICATIONS

This proposal does not contain any notable strategic implications.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

This proposal does not contain any notable social implications.

OFFICER'S COMMENT

It was recommended at the works advisory committee held on the 21st March 2013 that the changeover of Councils existing 2005 Nissan UD Truck be deferred until the Manager of Works and Services investigates: -

- 1) If there is a lower horse powered Hino 700 series model truck
- 2) Whether it is feasible to have a quick release body on the new proposed prime mover
- 3) Intentions of Councils existing dollies

And that these matters are reported back at the next Ordinary Meeting of Council.

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Horse Power – Two additional quotes have now been obtained for the Hino and UD in respect to lower horse power. These machines are identical to their predecessor except the engine has a lower Kilowatt rating. The estimates are provided in the table below:

	WA Hino Sales	Truck Centre WA
New Models	Hino FS 2844 Air	UD GW 26400
Purchase Price	\$173,896	\$187,821
Trade In	\$62,727	\$50,000
Changeover	\$111,169	\$137,821
Horsepower	321 kw (430 Hp) @ 1800 rpm	287 kw (385 Hp) @ 1,800 rpm
Previous Models	Hino FS 2848 Air	UD GW 26470
Purchase Price	\$187,489	\$199,781
Trade In	\$62,727	\$50,000
Changeover	\$124,762	\$149,781
Horsepower	353 kw (473 Hp) @ 1800 rpm	340 kw (456 Hp) @ 1,800 rpm

In assessing all of the quotes that have been supplied, the changeover cost's for the two UD's from Truck Centre WA is still considerably higher than all of those given from Hino. The price difference between the two UD trucks (with a lower horse power) is \$11,960, whereas the Hino is \$13,593 (All prices are Ex GST)

Council's current vehicle which is a 6x4 Tipper has 456 Hp, staff feel that a drop of 26 Hp when changing over to a Hino will be minimal as this will be compensated for by a drop in the volume of material which is going to be carted. Gravel quantities will now be reduced from 34 tonnes with our current configuration to twenty four tonne's with a semi vehicle arrangement. Works and Services staff does not believe this to be of any concern.

Quick Release – Staff are of the view that the added costs associated with the purchase of an additional body (estimated at \$40,000) would exceed the budget allocation for the changeover of this vehicle. In addition, conversion of our existing truck to a semi-trailer only, would ensure that we comply with Main Roads standards and that no heavy haulage permit was required. This recommendation is based on our previous truck configurations (i.e. 6x4 tipper with side tipping trailer) which exceeded both length and weight for our local roads. Works and Services staff views the purchase of a quick release body for this truck as not being warranted on this occasion.

Existing Dollies – As a result of a purchase of a new prime mover, Council will have two surplus dollies at its disposal which will be of no use to staff. It is proposed that expressions of interest be called for in accordance with Council policy F12 (Disposal of Property). The purchase price for a new dolly is in the vicinity of \$25,000.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 104/04/13

MOVED Cr Dow

That Council accept the WALGA preferred supplier quotation submitted from WA Hino for the purchase of a new Hino 700 Series FS 2844 AIR, To trade is Council's existing 2005 Nissan UD at the changeover price of \$111,169 Ex GST.

MOTION CARRIED 9/0

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Cr Dow declared an impartiality interest in relation to Agenda Item 9.5.5 Proposed Scheme Amendment No.6 to Shire of Toodyay Local Planning Scheme No.4 as he is friends with the owners of Lot 50 Duke Street. As a consequence there may be a perception that my impartiality on this matter may be affected. However ~~Cr Dow intends to consider the application on its merits.~~ Cr Dow declared that he would consider the application on its merits and vote accordingly.

Cr Craddock declared an impartiality interest in relation to Agenda Item 9.5.5 Proposed Scheme Amendment No.6 to Shire of Toodyay Local Planning Scheme No. 4 as she is a volunteer with the Butterfly Cottages Association. ~~The Shire President ruled that a declaration of interest would not apply to a volunteer of a not-for-profit organisation.~~ Cr Craddock withdrew her declaration in light of advice provided by the Shire President that as a volunteer in a not-for-profit organisation an exception is provided in s.5.63(1)(g) of the Local Government Act 1995.


9.5.5 Proposed Scheme Amendment No.6 to Shire of Toodyay Local Planning Scheme No.4
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Date of Report:	9 April 2013
Applicant:	Shire of Toodyay
File Ref:	4ANZ/A2141/NAM2403
Author:	Lisa Edwards- Consulting Planner
Responsible Officer:	Graeme Bissett - Manager Planning & Development
Officer's Disclosure of Interest:	Nil
Attachments:	<ol style="list-style-type: none"> 1. Site Plan; 2. Proposed Rezoning; and 3. Current Local Planning Scheme and Local Planning Strategy Maps.
Voting Requirements:	Simple majority

INTRODUCTION

As Council is aware the Shire of Toodyay has received enquiries from Butterfly Cottages in relation to the provision of aged care units at Lot 4 Anzac Avenue, Toodyay. The applicants wish to have a site density above what is currently permitted under the Residential Design Code provisions. In order to facilitate the number of units proposed a Scheme Amendment would be required to increase the Residential density coding. It is suggested in order to provide consistent planning in the locality, Council consider the rezoning of surrounding Lots including:

- 3,2,5,23 & 75 Anzac Terrace,
- 8 Rosedale Street,
- 9,10 & 11 Folewood Road,
- 23,24 & 200 Fiennes Street,
- 2,3,4,5,6 & 23 Clinton Street,
- 50,500 & 501 Duke Street, and;

Signed: <div style="text-align: center;"></div> <div style="text-align: center;">Cr K Hogg - Shire President</div>
Date: <u>24.5.13</u>

- 176 & 177 Hamersley Street.

It is proposed that the Tennis Courts and Anzac War Memorial be retained as a Public Purposes Reserve.

Council is advised that the Staff Recommendation suggests a Residential Density Code of R10/30 as opposed to R10/50 as reflected in Council Resolution No. 328/11/12 and is explained further in this Report.

BACKGROUND

At an Ordinary Meeting of Council held on 20 November 2012, Council considered a proposal to rezone land south of the railway line in the town-site of Toodyay. At this meeting Council resolved (Council Resolution 328/11/12) as follows:

That:

1. *Council delegate authority to the Chief Executive Officer to engage a Planning Consultant for the preparation of Scheme Amendment and Development Plan documentation for the possible rezoning of Lots Pt S2, 3, 4, 5, 13 and 75 Anzac Terrace, Lots Pt2, Pt3, Pt4, Pt5 and Pt6 Clinton Street, Lots PtS20 and 50 Duke Street, Lots 23, 24 and 200 Fiennes Street, Lots 9, 10 and 11 Folewood Road, and Lot 8 Rosedale Street, Toodyay to increase the density to R10/R50.*
2. *Council not delegate authority to the Chief Executive Officer to engage a Planning Consultant for the preparation of Scheme Amendment and Development Plan documentation for the possible rezoning of Lot 3 Folewood Road, Lots 1 and 2 Rosedale Street and Lots 4, 5, 6, 7, 8, 9, 10 and 111 Westview Place, Toodyay to R10 to R50 or to a higher residential density for the following reasons:*
 - *the properties are not identified for future Town Centre zoning in the Local Planning Strategy; and*
 - *the Local Planning Strategy does not support higher density zoning above Toodyay's foothills in order to retain the visual setting of the Toodyay town-site.*

In response to the above Staff proceeded to:

- (a) Give preliminary advice to the landowners and given them the opportunity to comment.
- (b) Considered the requirement for a Development Plan and suggest that, in the absence of any objectives for that plan and given that it is residential renewal and not greenfield development such Plan is not warranted. If Council considers that there are contributions required for community infrastructure it should prepare Developer Contribution Plans for the area prior to considering this rezoning. Council should acknowledge that it can

- apply certain development conditions upon development and or subdivision of the individual lots, and;
- (c) Consider a lower residential density of R30 as more appropriate in the setting than R50.

CONSULTATION

Correspondence has been sent to all landowners of the subject Lots giving them the opportunity to provide Staff with their preliminary views in relation to the matter. The notice provided to the landowners was non-statutory however provided Staff and Council with the following considerations:

1. One letter of support was received for the proposal,
2. One letter of objection was received whereby the landowner did not support the proposal to increase the density and included perceived concerns in relation to loss of views, increased noise and social problems as a result of high density housing, and;
3. One telephone call which questioned the proposal in relation to the scale of development and suggested that the proposal was a revenue raising exercise in respect of increasing property rates.

If Council resolves to initiate a Scheme Amendment over the area, the community and the landowners affected will be notified in accordance with the requirements under the *Town Planning Regulations 1967*.

STATUTORY ENVIRONMENT

Local Planning Scheme No 4

Under the provisions of Local Planning Scheme No 4, the lots except for the tennis courts and Anzac war memorial are zoned Residential.

The objectives of the Residential zone are to:

- (i) *maintain the predominantly single residential character and amenity of established residential areas;*
- (ii) *provide the opportunity for medium/high density dwellings in selected locations to ensure a variety of housing is available in the town;*
- (iii) *allow for closer subdivision in areas where sewer becomes available;*
- (iv) *provide the opportunity for aged persons housing; and*
- (v) *provide for the preservation of the historical character of Toodyay.*

The Residential Design Codes stipulates the characteristics of development under different zonings. The table below provides a comparison between the proposed characteristics of R10 density and a possible R30 or R50 density:

	R10	R30	R50
Minimum site area per dwelling	875m ²	270 m ²	160m ²
Minimum average site area per dwelling	1000m ²	300 m ²	180m ²
Minimum lot area/rear battle-axe	925m ²	420 m ²	400m ²
Minimum open space requirement	60%	45%	45%

(percentage of total site area)			
Minimum setback to the primary street	7.5m	4m	4m
Minimum setback to the rear	6m	Can be as low as 1m	Can be as low as 1m

The *Planning and Development Act 2005* and the Town Planning Regulations 1967 provides for amendments to a Local Planning Scheme.

The Shire of Toodyay Local Planning Scheme No 4 (the Scheme) provides the mechanism for protecting and enhancing the environment of the district and its historical associations, controlling land and building development, setting aside land for future use as reserves and other matters authorised by the *Planning and Development Act 2005*.

POLICY IMPLICATIONS

Local Planning Policy No 9 - Amendments to the Shire's Local Planning Scheme (including rezoning) states that Council can request a Development Plan be prepared prior to consideration of a rezoning proposal. The issues a Development Plan can address include the following;

- integration of proposal with surrounding development, land uses and transport links.
- impact on scenic landscape, conservation and heritage attributes;
- staging and servicing of development including the provision of infrastructure;
- the proposed lot layout and road configuration, having regard to the topography, vegetation and land form of the area;
- fire management strategy;
- potential conflicts with surrounding land uses and buffer/setback requirements;
- environmental considerations including land, water and catchment management;
- land capability assessment;
- clearing requirements and building envelope locations; and/or
- built design guidelines.

Given that this proposal simply creates a higher density in an already "Residential" zone Staff is of the view that a Development Plan is not required. Councils Local Planning Policy – 20 Toodyay Central Heritage Precinct (LPP No.20) will provide the built design guidelines including assessment against the Residential Design Codes. Further, Council has the ability to require detailed planning documents at the time of development and/or subdivision.

FINANCIAL IMPLICATIONS

The proposal will result in an increase in the maximum density allowable for the residential lots and will most likely increase the land value of the site, as there is

greater development potential. Higher land values may also lead to an increase in rates.

STRATEGIC IMPLICATIONS

The Local Planning Strategy identifies much of the site for future rezoning to Town Centre at higher residential densities. The Local Planning Strategy justifies this because it:

- Reinforce the existing town centre by expanding it south of the railway line;
- Provide for higher density development close to public transport and close to existing services in the town centre;
- Provide for a variety of housing types for a variety of demographics close to public transport and close to existing services in the town centre; and
- To minimise the visual impact of development on the landscape setting of Toodyay by restricting development to the lower foothills;

The Local Planning Strategy states the following about the area identified for Town Centre south of the railway line:

“While it is intended that the area south of the rail line will accommodate some commercial uses, certain constraints may be imposed to ensure that this area does not detract from the central business area.

The Local Planning Scheme No 4 does not zone the land south of the rail line as Town Centre and a scheme amendment will be required in order to facilitate its redevelopment. The scheme amendment for this land will include preferred land use, structure planning and possibly design guidelines to ensure that the future use, streetscape design and appearance of buildings reflects the Shire’s aims for the area. The scheme amendment will also consider the appropriateness of the Town Centre’s residential density of R10/R50 south of the rail line. It may be possible that a density of R30 is more appropriate to the land south of the rail line, though this is dependent upon current land tenure, lot layout and lot size. The residential density should be high enough to encourage redevelopment and provide for medium density housing close to the train station, though not so high as to facilitate residential development that may be out of keeping with the village atmosphere of Toodyay.

The strategy identifies that there are currently existing areas surrounding the Town Centre that have a density code of R50, where reticulated water and sewerage are available. The strategy does not preclude the rezoning of urban areas to a higher density (such as R30 or R50), though states that this currently exists in areas which are surrounding the current Town Centre zone. It should be noted however that the Local Planning Strategy currently identifies other areas that if subdivided, would more than cater for an annual population growth of 3%. The Strategy identifies that the most realistic and sustainable population growth for the Shire will be a maximum of 3%.

ENVIRONMENTAL IMPLICATIONS

The proposal has the potential to raise noise assessment criteria in relation to potential noise emanating from the nearby railway land use. Developers may need to demonstrate that development in the vicinity complies with State Planning Policy No.5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning.

SOCIAL IMPLICATIONS

Planning for sustainable development encourages locating higher residential densities near railway stations.

OFFICER'S COMMENT

Officers are of the view that Council should consider this proposal as appropriate development in the subject location as it is strategically located and responds to the Shire's Local Planning Strategy.

Upon review of Council's previous Resolution and having regard for the non-statutory comments received from landowners and the rural ambience of the Toodyay town site, Staff considers a residential density of R10/30 more appropriate. The whole site is approximately 3.7ha and in the event new dwellings were constructed an R50 code would result in 205 dwellings and an R30 code, 123 dwellings. Further, aged persons accommodation are permitted a thirty per cent land ratio bonus hence the R30 code should not jeopardise the required density for aged accommodation or the intent of Butterfly Cottages development.

In this regard, the below recommendation provides for a R10/30 density as opposed to R10/50. In the event that Council would like to maintain its previous position it should simply amend the code in the Recommendation.

OFFICER'S RECOMMENDATION

It is recommended that Council:

1. Under Section 75 of the Planning and Development Act 2005 (as amended) initiate Scheme Amendment No.6 to its Shire of Toodyay Local Planning Scheme No.4 to;
 - (a) rezone lots 3,2,5,23 & 75 Anzac Terrace,8 Rosedale Street, 9,10 & 11 Folewood Road, 23,24 & 200 Fiennes Street, 2,3,4,5,6 & 23 Clinton Street, 50, 500 & 501 Duke Street and 176 & 177 Hamersley Street, and;
 - (b) Amend the Scheme maps accordingly.
2. Authorise the Shire President and Chief Executive Officer to execute the necessary documents.

3. Proceed to Public Notice under the provisions of the Town Planning Regulations 1967 including referral to the Environmental Protection Agency and;
4. Upon the cessation of Public Notice require the proposal to be referred back to Council, together with all Submissions for final consideration.

Cr Lloyd moved the Officer's Recommendation.

Cr Dow moved amendments to the motion as follows:

That:

1. ***at Point 1 (a) the words "Rezoned to R10/30" be inserted at the beginning; and***
2. ***That the typographical errors in relation to lot numbers on Anzac Terrace be amended.***

Cr Lloyd accepted the amendments to the motion.

Clarification was sought.

Cr Dow moved amendments to the motion as follows:

That at Point 1(a) the following Lots be deleted:

- **176 & 177 Hamersley Street; and**
- **Lots 500 & 501 Duke Street.**

Cr Lloyd accepted the amendments to the motion.

The Manager Planning and Development departed Council Chambers at 12.19 am.

At 12.20 am the Shire President provided members with an overview of Standing Order 4.7 Closure – Time limits for Council meetings, and in particular 4.7(c).

COUNCIL RESOLUTION NO 105/04/13

MOVED Cr Dow

That Standing Orders be suspended to finalise this matter.

MOTION CARRIED 9/0

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The Shire President adjourned the meeting at 12.20 am.

Cr McCann departed Council Chambers at 12.20 am.

Cr Greenway departed Council Chambers at 12.23 am.

Cr McCann returned to Council Chambers at 12.29 am.

Cr Greenway returned to Council Chambers at 12.29 am.

The Shire President resumed the meeting at 12.29 am.

Cr Firms moved amendments to the motion as follows:

That at Point 1(a) the following Lots be included:

- **176 & 177 Hamersley Street,**
- **Lots 500 & 501 Duke Street**

Cr Lloyd accepted the amendments to the motion.

The motion was put.

Signed: 
Cr K Hogg - Shire President
Date: 24/5/13

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 106/04/13

MOVED Cr Lloyd

That Council:

1. Under Section 75 of the Planning and Development Act 2005 (as amended) initiate Scheme Amendment No.6 to its Shire of Toodyay Local Planning Scheme No.4 to;
 - (a) Rezoned to R10/30 Lots 3,4,5,13 & 75 Anzac Terrace,8 Rosedale Street, 9,10 & 11 Folewood Road, 23,24 & 200 Fiennes Street, 2,3,4,5,6 & 23 Clinton Street, 50, 500 & 501 Duke Street and 176 & 177 Hamersley Street, and;
 - (b) Amend the Scheme maps accordingly.
2. Authorise the Shire President and Chief Executive Officer to execute the necessary documents.
3. Proceed to Public Notice under the provisions of the Town Planning Regulations 1967 including referral to the Environmental Protection Agency and;
4. Upon the cessation of Public Notice require the proposal to be referred back to Council, together with all Submissions for final consideration.

MOTION CARRIED 9/0

MINUTES OF ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS ON 16 APRIL 2013
(ADJOURNED ON 17 APRIL 2013 AND RESUMED ON 18 APRIL 2013)

COUNCIL RESOLUTION NO 107/04/13

MOVED Cr Hogg

That the meeting be adjourned to 6.00pm on Thursday 18 April 2013.

MOTION CARRIED 9/0

10. ADJOURNMENT OF MEETING

The Shire President declared that the meeting was adjourned at 12.34 am on 17 April 2013 to be resumed at 6.00 pm on Thursday 18 April 2013.

Signed: 
Cr K Hogg - Shire President
Date: 24.5.13

MINUTES OF ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS ON 16 APRIL 2013
(ADJOURNED ON 17 APRIL 2013 AND RESUMED ON 18 APRIL 2013)

11. DECLARATION OF OPENING

The Shire President declared the Ordinary Meeting of Council resumed at 6.08 pm.

12. RECORDS OF ATTENDANCE

Members

Cr K Hogg	Shire President
Cr A McCann	
Cr D Dow	
Cr B Lloyd	
Cr S Craddock	

Staff


Mr S Scott	Chief Executive Officer
Mr D Hills	Planning Officer (<i>departed at 6.20 pm</i>)
Mrs M Rebane	Executive Assistant

Visitors

R Wallace I Wallace

12.1 APOLOGIES

Cr J Prater	Deputy Shire President
Cr R Madacsi	
Cr C Firns	
Cr P Greenway	

Signed: 
Cr K Hogg - Shire President
Date: 24.5.13

13. BUSINESS FROM PREVIOUS MEETING (IF ADJOURNED)

The Shire President ruled that the first item to be discussed is to be Agenda Item 9.5.6 Subdivision Clearance – Lot 3 Drummond Street and Lot 6 Goomalling Toodyay Road – WAPC Ref 144729.

13.1 PLANNING AND DEVELOPMENT (Continued)

13.1.1 9.5.6 Subdivision Clearance – Lot 3 Drummond Street and Lot 6 Goomalling Toodyay Road – WAPC Ref 144729

Date of Report:	9 April 2013
Proponent:	Ironbridge Holdings Pty Ltd
File Ref:	Subdivision Clearance – Lot 3 Drummond Street and Lot 6 Goomalling Toodyay Road – WAPC Ref 144729
Author:	Graeme Bissett - Manager Planning & Development
Responsible Officer:	Graeme Bissett - Manager Planning & Development
Officer's Disclosure of Interest:	Nil
Attachments:	<ol style="list-style-type: none"> 1. Excerpt from the minutes of the 21 February 2012 Ordinary Meeting of Council; 2. Subdivision Plan showing Deposited Plans and Lots to be cleared; and 3. WAPC Approval letter
Voting Requirements:	Simple Majority

INTRODUCTION

Council is requested to consider an application for subdivision clearance from Ironbridge Holdings for the first stage of subdivision of Lot 3 Drummond Street and Lot 6 Goomalling Toodyay Road, Toodyay, Western Australian Planning Commission (WAPC) Ref 144729, (also known as Foggarthorpe Estate).

BACKGROUND

In December 2010, Council resolved to authorise the Chief Executive Officer to issue subdivision clearance for the previous subdivision application WAPC reference 132536. This subdivision application expired and now the site has a new subdivision approval and clearance is required to be sought under this approval and conditions.

The application is referred to Council as there is no delegation of authority to the Chief Executive Officer for the clearance of subdivision conditions where the total number of lots in the subdivision exceeds 20.

The subdivision application for this site (ref 144729) was conditionally approved by the WAPC on the 18 November 2011. The subdivision application is approved for the creation of 357 lots and the applicant is seeking for clearance for 85 lots which will form stage one of this subdivision. The subdivision area is bordered by Drummond Street and the Toodyay District High School to the west, Mount Anderson to the north, the proposed Toodyay Bypass to the east and Goomalling Toodyay Road to the south. The 85 lots that clearance is being sought for is confined to the eastern most section of the site, these lots are shown in Attachment No 1.

There is extensive history on this matter. A copy of Council's last report from the Ordinary Meeting of Council held on 21 February 2012 is attached (refer to **Attachment 1**). As can be seen from this report much of the clearance work required has been done. The only outstanding items to be cleared are listed in the resolution from that meeting.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Part 10 of the *Planning and Development Act 2005* details the provisions in relation to subdivision and development control. Section 146 of the *Planning and Development Act* outlines that the Register of Titles (Landgate) is not to create or register a certificate of title for land the subject of subdivision unless a diagram or plan of survey (Deposited Plan) has been endorsed by the WAPC.

Prior to the WAPC endorsing a Deposited Plan, it requires certification from each clearing authority that the condition/s of subdivision approval has/have been satisfied. Therefore the local government is required to certify that conditions in respect to local government matters have been satisfied prior to the WAPC endorsing the Deposited Plan.

Through issuing clearance of subdivision and endorsing the Deposited Plan the local government and WAPC is certifying that all conditions have been satisfied.

POLICY IMPLICATIONS

Council's Policy E.1 Subdivisional and Development Guidelines applies to the clearance of subdivision conditions. The Subdivisional and Development Guidelines outline Council's requirements for the design and construction of subdivisional roads and drainage works. The Subdivisional and Development Guidelines also outline procedures that need to be satisfied during the civil construction works, including the requirements for control and supervision of construction works, provisions to enable the bonding of outstanding works, certification upon practical completion of works and works required to be satisfied prior to survey release (clearance of subdivision conditions).

Civil works have commenced on site and have progressively been inspected by the Shire of Toodyay in accordance with the Subdivisional Development Guidelines.

Section 1.4 of the Subdivisional Development Guidelines outlines the items required to be satisfied by the developer prior to the clearance of conditions being issued. Section 1.4 states:

1.4 Survey Release

1.4.1 *The Consulting Engineer shall satisfy Council that the Subdivider has complied with all relevant conditions imposed by the Department of Planning and Infrastructure’s Conditions of Approval of Subdivision pertaining to survey release of all or part of the subdivision.*

1.4.2 *The following items refer to the conditions which must be completed by the Subdivider prior to the approval of survey release for the subdivision.*

- (i) *Diagram of survey showing full details of all lots, road reserves, easements (temporary and permanent) and reserves.*
- (ii) *Payment of monies for construction of paths as required by Section 2.4.*
- (iii) *Payment of appropriate supervision fee as required by Clause 1.1.5.*
- (iv) *Receipt of the Consulting Engineer’s Certificate as required by Clause 1.3.1.*
- (v) *Completion of all works associated with the subdivisional construction or the payment of appropriate bond to cover outstanding works as required by Section 1.5.*
- (vi) *Payment of Maintenance Retention Bond as required by Section 1.6.*
- (vii) *Provision of “As Constructed” drawings as required by Section 3.5.5.*

The table below outlines the provisions and the comments in relation to whether the requirements have been satisfied.

Clause 1.4.2	Comment
(i)	The Diagram of Survey (Deposited Plan) has been submitted with the Shire of Toodyay. The Deposited Plan has been checked to ensure compliance with conditions of subdivision approval and the approved subdivision plan. All lots, road reserves, easement and reserves are shown on the Deposited Plan. No

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	further action required.
(ii)	All footpaths required at this stage of subdivision have been completed. A portion of the footpath in front of proposed Lot 321 has been damaged. .This has been rectified prior to clearance being issued.
(iii)	The applicant's consulting engineer has submitted the final details of costs of works undertaken. Based on the contract costs the applicant is required to submit a supervision fee of \$25,015.36. The applicant has already paid to the Shire of Toodyay a supervision fee of \$34,778.80, this was based on the initial works schedule where it was intended to clear 160 lots. The contract costs are less than expected as less length of road and drainage have been installed. Therefore, the additional \$9,763.17 will be deducted from their maintenance bond (when paid). While these fees were paid under the previously approved subdivision application (132536) as no additional supervision works were required the previous fee paid is still applicable. These have been paid.
(iv)	Consulting Engineers certificate of practical completion has been received for works completed to date.
(v)	All works required by the conditions of subdivision approval for this stage have been completed. No further action is required.
(vi)	Details of construction cost have been provided and a maintenance bond of 2.5% will be paid prior to issue of clearance. This has been paid.
(vii)	"As Constructed" drawings have been provided.

FINANCIAL IMPLICATIONS

This matter could potentially have financial implications for the Shire of Toodyay. Ultimately, once clearance is issued and the subdivision maintenance period has been completed, the Shire of Toodyay is responsible for maintenance works within the subdivision. It is therefore important that all works are completed satisfactorily so that the Shire of Toodyay inherits a subdivision with minimal on-going maintenance.

STRATEGIC IMPLICATIONS

The clearance of the conditions of subdivision will result in new titles being created for this area. This will be consistent with the subdivision approval for this site and the Shire's Local Planning Scheme and Local Planning Strategy.

ENVIRONMENTAL IMPLICATIONS

Environmental implications were addressed in the assessment of the engineering drawings for the site and implementation of management plans during construction works.

SOCIAL IMPLICATIONS

This proposal does not contain any notable social implications.

OFFICER'S COMMENT

Since February 2012 when this matter was last considered the proponents have carried out the majority of the work required and believe that all the outstanding issues are either completed or can be satisfied by a bond.

The conditions which still require the clearance of the Shire of Toodyay are listed below. The comments provided outline their status. Reference can be made to the attached subdivision approval letter in relation to conditions cited.

- (a) **That condition 6 is satisfied either through the completion of the intersection upgrade or a bond and bond agreement being received by Main Roads WA for completion of this outstanding work. Written confirmation must also be submitted confirming that Main Roads WA have cleared this condition.**

A letter from Main Roads WA has been submitted confirming this condition has been met has been submitted

- (b) **That a cash contribution of \$17,756.79 must be received and the footpath from the pedestrian bridge to the school crossing must be upgraded and sealed in asphalt to satisfy condition 28.**

This has been received:

- (c) **The required maintenance bond of \$37,902.47 (of which \$28,146.30 remains outstanding) being lodged in cash with the Shire of Toodyay. The maintenance bond is to be lodged for a period of two years and will be utilised by the Shire to complete defects with works undertaken within the subdivision in the event the subdivider does not rectify defects when requested. The two year maintenance period will commence upon issue of clearance of subdivision.**

This has been received:

- (d) **The cracks within the pedestrian footpath along the Avon River foreshore must be crack sealed and repaired to the satisfaction of the Manager of Works Services.**

The Manager of Works Services has indicated he is satisfied this condition has been met.

- (e) **The Boyagerring Brook crossing on the foreshore footpath must be fixed to the satisfaction of the Manager of Works Services.**

The Manager of Works Services has indicated he is satisfied this condition has been met.

- (f) **Signs at either end of the easement leading to the Boyagerring Brook crossing are to be professionally prepared and installed, to the satisfaction of the Chief Executive Officer stating 'Private Property – Access Only in the Event of an Emergency'.**

The Signs have been sourced and will be in place with an additional 2 by the meeting.

- (g) The footpath and crossover in front of proposed Lot 321 is required to be reinstated.**

The Manager of Works Services has indicated he is satisfied this condition has been met.

- (h) The emergency access route is to be reinstated in the approved amended location (being an extension of Gladson Pass and Rayner Loop) and must be accessible to two-wheel drive vehicles at all times and during all weather conditions. The emergency access must be finished the standards contained within the Shire of Toodyay's Fire Access Track Tender Specification. The easement on the Deposited Plan is to be amended to reflect the new alignment.**

This work has not been completed but the applicant has indicated this work will be completed before the meeting but has requested Council consider clearing this condition, if it hasn't on the basis of payment of a Bond amount calculated by the Manager of Works to be \$15 000. This would be forfeited if the work was not completed prior to the titles being released.

- (i) The drainage issues presently being experienced on the future alignment of Drummond Street and the temporary basin must be fixed to the satisfaction of the Manager of Works Services including any damage to the temporary footpath on Drummond Street.**

The Manager of Works and Services has indicated he is satisfied that these issues have been rectified. Since this condition was set another issue has arisen in relation to water off Drummond Street has arisen. Discussions with the affected owner have resulted in an agreement to install an additional side entry street storm water pit. The applicant has given an undertaking to carry this out in the near future but these requirements cannot be used to hold up this clearance.

- (j) The mounds of broken concrete must be removed from the site;**

These have been moved to the rear of the site and are not on the area due for clearance. This requirement is considered cleared.

- (k) The stormwater pits and drainage items presently stored on site are to be stored neatly within the fenced compound.**

This has occurred.

- (l) Any cracks that have appeared on the constructed roads are to be cracked sealed.**

The Manager of Works Services has indicated he is satisfied this condition has been met.

- (m) The unsuccessful plantings undertaken as a part of the Foreshore Management Plan must be replanted and therein maintained.**

A bond of \$5000 has been lodged to satisfy this condition.

Council advise Ironbridge Holdings that the outstanding plantings as a part of the Foreshore Management Plan must be completed prior to clearance being issued for any future stage of the subdivision.

This relates to future clearances so is not applicable in this case.

OFFICER'S RECOMMENDATION

It is recommended that Council authorises the Chief Executive Officer to provide subdivision clearance for the first 85 lots of the subdivision of Lot 3 Drummond St and Lot 6 Goomalling road WAPC Ref S144729 based on the following:

1. Installation of the Fire Egress signs at either end of Boyagerring Brook Crossing Easement being confirmed.
2. If the work required to ensure the 2WD emergency access route has not been completed by the meeting date a bond of \$15 000 be lodged as security against this work being completed. This bond is to be forfeited if this work is not completed prior to lodgement of titles and used to complete this work.

Cr Lloyd moved a motion as follows:

That Council authorises the Chief Executive Officer to provide subdivision clearance for the first 85 lots of the subdivision of Lot 3 Drummond Street and Lot 6 Goomalling Road WAPC Reference S144729 provided that the following has been provided:

1. **Installation of the Fire Egress signs at either end of Boyagerring Brook Crossing Easement being confirmed.**
2. **An emergency access route that is trafficable by two wheel drive vehicles at all times has been completed in the approved amended location, (being an extension of Gadsdon Pass and Rayner Loop) or the lodgement of a \$15 000 bond as security for the works.**

Clarification was sought.

COUNCIL RESOLUTION NO 108/04/13

MOVED Cr Lloyd

That Council authorises the Chief Executive Officer to provide subdivision clearance for the first 85 lots of the subdivision of Lot 3 Drummond Street and Lot 6 Goomalling Road WAPC Reference S144729 provided that the following has been provided:

1. Installation of the Fire Egress signs at either end of Boyagerring Brook Crossing Easement being confirmed.
2. An emergency access route that is trafficable by two wheel drive vehicles at all times has been completed in the approved amended location, (being an extension of Gadsdon Pass and Rayner Loop) or the lodgement of a \$15,000 bond as security for the works.

MOTION CARRIED 5/0

The visitors departed the Council Chambers at 6.20 pm.

The Planning Officer departed Council Chambers at 6.20 pm.

Cr Craddock departed Council Chambers at 6.20 pm.

Cr Craddock returned to Council Chambers at 6.21 pm.

13.2 CONFIRMATION OF MINUTES (Continued)

13.2.1 5.2 Special Meeting of Council held on 26 March 2013

COUNCIL RESOLUTION NO 109/04/13

MOVED Cr Lloyd

That the Unconfirmed Minutes of the Special Meeting of Council held on 26 March 2013 be confirmed.

MOTION CARRIED 5/0

13.2.2 5.3 Special Meeting of Council held on 27 March 2013

COUNCIL RESOLUTION NO 110/04/13

MOVED Cr Lloyd

That the Unconfirmed Minutes of the Special Meeting of Council held on 27 March 2013 be confirmed.

MOTION CARRIED 5/0

13.3 9.4 EXECUTIVE SERVICES

13.3.1 9.4.1 Minutes of Annual General Meeting of Electors held on 21 March 2013

Date of Report:	5 April 2013
Proponent:	Shire of Toodyay
File Ref:	MTG2/NAM2400
Author:	Maria Rebane – Executive Assistant
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	1. Minutes of Annual General Meeting of Electors held on 21 March 2013.
Voting Requirements:	Simple majority

INTRODUCTION

The purpose of this report is to present the minutes of the Annual General Meeting of Electors to Council.

BACKGROUND

The Annual General Meeting of Electors was held on 21 March 2013. At that meeting there were no decisions made aside from confirmation of minutes from the Annual General Meeting of Electors held on 16 January 2012 and receiving the Annual Report.

CONSULTATION

The Chief Executive Officer was consulted prior to the writing of this report.

STATUTORY ENVIRONMENT

In relation to the minutes of the Annual General Meeting of Electors the Chief Executive Officer is to ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered (Reg.5.32 of the *Local Government Act 1995*).

Decisions made at meetings are to be considered at the next Ordinary Meeting of Council or, if that is not practicable —

- (a) at the first ordinary council meeting after that meeting; or
- (b) at a special meeting called for that purpose,

whichever happens first (Reg. 5.33 of the *Local Government Act 1995*).

POLICY IMPLICATIONS

This proposal does not contain any notable policy implications.

FINANCIAL IMPLICATIONS

This proposal does not contain any notable financial implications.

STRATEGIC IMPLICATIONS

This proposal does not contain any notable strategic implications.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

This proposal does not contain any notable social implications.

OFFICER'S COMMENT

The *Local Government Act 1995* specifies the requirements a Local Government must follow in relation to Electors' general meetings.

The minutes, though approved for distribution, are in essence "unconfirmed" until the next Annual General Meeting of Electors where the Minutes will be confirmed subject to any amendments being made at the time.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 111/04/13

MOVED Cr McCann

That Council receive the minutes of the Annual General Meeting of Electors held on 21 March 2013.

MOTION CARRIED 5/0

13.3.2. 9.4.2 Delegation Register - Review

Date of Report:	27 February 2013
Proponent:	Not applicable
File Ref:	MTG5/NAM2251
Author:	Stan Scott – Chief Executive Officer
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer’s Disclosure of Interest:	Nil
Attachments:	<ol style="list-style-type: none"> 1. Current Delegation Register; 2. Revised Delegation Register; and 3. Policy A.16 Freedom of Information.
Voting Requirements:	Absolute majority

INTRODUCTION

The purpose of this report is to provide the revised Delegation Register to Council.

BACKGROUND

The Shire of Toodyay Delegation Register was compared with the City of Rockingham and the Shire of Perenjori. The results were relayed in a Senior Management Group Meeting on 4 February 2013. At this meeting it was decided to add more delegations, revise existing ones and update the Delegation Register.

CONSULTATION

This proposal was discussed with the Senior Management Group.

STATUTORY ENVIRONMENT

It is a requirement that at least once every financial year, the delegation register is to be reviewed by the delegator. This proposal is in accordance with Section 5.46 of the *Local Government Act 1995*.

POLICY IMPLICATIONS

This proposal contains policy implications as follows:

1. The review of D.21 prompted a revision of Policy A.6 Volunteer National Police Check and Working with Children Check – Volunteers. *Please note: This policy is under review at the time of writing this report. It will come to Council at a later date.*

2. The review of D.16 prompted a revision of Policy A.8 Oversize Vehicle Permits. *Please note: This policy is under review at the time of writing this report. It will come to Council at a later date.*
3. The addition of D.32 necessitated the writing of Policy A.16 Freedom of Information, designed to provide guidelines for staff regarding Freedom of Information requests.
4. The addition of D.43 Use of Plant and Equipment necessitated the writing of Policy HR.8 Staff Use of Shire Plant. *Please note: This policy is under review at the time of writing this report. It will come to Council Forum in May.*
5. The addition of D.52 Crossovers will necessitate the writing of a Policy regarding Crossovers. *Please note: at the time of writing this report this policy does not exist. It will come to Council at a later date.*

FINANCIAL IMPLICATIONS

This proposal does not contain any notable financial implications.

STRATEGIC IMPLICATIONS

This proposal does not contain any notable strategic implications.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

This proposal does not contain any notable social implications.

OFFICER'S COMMENT

The original Delegation Register (**Attachment 1**) adopted on 19 June 2012, when compared with two other Local Governments required a review.

The original Delegation Register existed as two separate versions as follows:

1. This version recorded delegations made by Council to the CEO (*Note: This version was called "Councillor copy."*); and
2. This version included the above together with delegations made by the Chief Executive Officer to his employees.

In reviewing the two versions of the Delegation Register it was decided to combine these documents into one. The revised version is **Attachment 2**.

The “**Introduction**” section of the revised version bears no resemblance to the original version. It was re-written to:

1. Include references that did not exist in the original document: and
2. Assist the reader to understand the document and its references.

The revised version contains five sections as follows:

1. Section One: All Delegations
2. Section Two: One-Off Delegations; and
3. Section Three: Revoked Delegations.
4. Section Four: Review Table
5. Section Five Matrix

Section One – Current Delegations

In Section One each delegation was revised as follows:

- i. Delegations made by the Chief Executive Officer were amended across the board in light of staff changes and/or position title amendments;
- ii. The table underneath the heading “Delegation” was:
 - (a) amended to include information from both versions; and
 - (b) It was expanded also to record the following references:
 - The Head of Power
 - Statutory Power of Delegation; and
 - Conditions on Delegation.

Amendments other than those explained above are as follows:

D.1 Infringement Notice Issue

The second paragraph under the heading “delegation” was rewritten because follow up of infringements is handled by the Fines Enforcement Registry on our behalf.

D.2 Investment of Surplus Funds

Reference to Council’s investment policy was included.

D.5 Stallholders Fee Structure

The title of this delegation was amended to read “Stallholders Fees”. This was reworded to make it more positive.

D.7 Issue of Summonses

The Manager Planning and Development, as a member of the Senior Management Group, was included as a delegation by the CEO.

D.8 Withdrawal of Infringement Notices

The addition of legislative references was added as follows:

- The Local Government Act 1995 (s.920 – Withdrawal of Notice); and
- Planning and Development Act 2005 (s.231 – Withdrawal of Infringement Notices).

D.11 Planning Applications involving Setback Variations.

The CEO wished to delegate this responsibility to the Manager of Planning and Development with the condition that the delegation applies only in his absence.

D.13 Cheque Signing

The title of D.13 was changed to “Authorised Signatories.” This is because the title of the policy to which this delegation refers to was amended on 18 September 2012 by a resolution of Council.

D.14 Purchasing

References to Council Policies F.3 Purchasing; and F.10 Natural Disaster Recovery Management Account Expenditure were included.

D.16 Oversize Vehicle Permit

The title of D.16 (originally named Oversize Vehicle Permit) was amended to “Oversize Vehicle Authorisation.” This is because Permits for oversize vehicles are a Main Roads responsibility. Our Local Government is responsible for providing a letter of permission for a person who already has obtained an oversize vehicle permit, to travel on our local roads. *Please refer to the Policy Implications section of this report.*

D.17 Development and Subdivision Applications

The words “with the exception of” replaced the words “except as follows” at Point No 1 in the Delegation Section.

Clause 7 was removed. Clause 7 read as follows: “To prepare a local Planning Policy for the purpose of advertising as required in Clause 2.41 of Local Planning Scheme No. 4.”

The sub-delegation section was minimised to only include the Manager Planning and Development and the Planning Officer.

D.18 Building

The delegation was amended to record the correct legislative Head of Power in regard to building matters which is the Building Act 2011 and the Building Regulations 2012.

In the Delegation paragraph the authority was amended to be given to the Chief Executive Officer. This is in accordance with Clause 96 (3) of the Building Act 2011 whereby the local government may, by instrument in writing, designate a person employed by the local government under the Local Government Act 1995 section 5.36, as an authorised person for the purposes of this Act in relation to buildings and incidental structures located, or proposed to be located, in the district of the local government.

D.19 Health

A condition on sub-delegation was included. The Manager of Planning and Development was added as a delegation from the CEO.

D.20 Applications for Treatment of Sewage and Disposal of Effluent and Liquid Waste

The delegation was amended to delineate the CEO and Authorised Officer responsibilities.

D.21 Police Clearances – Volunteers

The title of D.21 (originally named Police Clearances – Volunteers) was amended to “Record Checking – Volunteers.” This was a suggestion from the Senior Management Group to allow this delegation and the Policy to read more positively so as to not discourage volunteer engagement. *Please refer to the Policy Implications section of this report.*

D.23 Temporary Road Closures

The reference to Section 83 of the Road Traffic Act 1974 was removed as it is specified in Council Policy A.13 Temporary Road Closures. *Section 83 refers to the Minister’s approval with respect to temporary suspension of written law. The Minister required consent of the local government for the district to be provided following a Road Closure request for the purpose of enabling a race meeting or speed test to take place.*

D.25 Dealing with Clearing Matters

The CEO delegated authority to Senior Management Staff to perform the functions in his absence in accordance with the delegation.

D.27 Use of Common Seal

This delegation was amended to include a reference to s.9.49A of the *Local Government Act 1995*.

D.28 Issue of Notice of Breach (Fencing)

This delegation was amended to include a new delegation by the CEO to the Senior Ranger.

D.29 Deed of Covenant for the Payment of a Developer Contribution

The delegation was amended to record the correct legislative Head of Power as the *Planning and Development Act 2005*.

The Manager of Planning and Development is having our Contractual Planner, Lisa Edwards, look at the relevance of this delegation.

Section 72 (preparation and adoption of a scheme) and 73 (contents of a scheme) of the Planning and Development Act 2005 refers to Local Government responsibility.

D.30 Tenders

This delegation was amended to include a new delegation by the CEO to the Senior Managers.

Section One - New Delegations

There were new delegations included in Section One. They are listed (with or without explanation) as follows:

D.31 CCTV

The delegation proposed is in accordance with the adoption of Council Policy O.5 Closed Circuit Television Systems (CCTV) that went to an Ordinary Meeting of Council on 11 December 2012 (adjourned) and 19 December 2012 (resumed) Council.

In "Statement of Intent" Point No. 3 read as follows:

Council hereby delegates authority to the Chief Executive Officer in relation to managing adherence with conditions set out in Council Policy O.5 Closed Circuit Television Systems (CCTV). Any changes or extensions to the policy or system will only take place after consultation with Council. The CEO may authorise "Minor changes" to the system and to this policy, where appropriate.

“Minor changes” means a change that the Chief Executive Officer is satisfied is minor having regard to Council Policy O.5 Closed Circuit Television Systems (CCTV).

As these minutes have been confirmed, approval of the delegation is hereby requested as part of the review of the current Delegation Register.

D.32 Freedom of Information

A policy has been formulated for consideration of Council as part of the review of the Delegation Register. A policy is required so that an FOI Coordinator can be appointed in accordance with the *Freedom of Information Act 1992*. A delegation is required to give effect to the policy. *Please refer to the Policy Implications section of this report.*

D.33 Rate Payments by Agreement

D.34 Approve / Reject Reimbursements

D.35 Caravan Park and Camping Grounds

D.36 Lease of Council Buildings

D.37 Swimming Pool Inspections

D.38 Notices to Owners and Occupiers of Land

D.39 Powers of Entry

D.40 Remove and Impound Goods

D.41 Variation of Requirements before entry into Contract

D.42 Vehicles, use of

D.43 Use of Plant and Equipment

The delegation will not be applicable until the policy is adopted by Council at a future date.

D.44 Hire of Plant

D.45 Regulatory signs, i.e. stop, give-way, speed, etc

D.46 Disposal of Surplus Equipment, materials, tools, etc

D.47 Licence to deposit materials on or excavate adjacent to a street.

D.48 Altering Thoroughfare Alignments

D.49 Maintain Plans – Thoroughfares and Alignments

D.50 Dangerous excavation

D.51 Crossing from Public Thoroughfare to Private land or private thoroughfare.

D.52 Crossovers

The delegation will not be applicable until the policy is adopted by Council at a future date.

D.53 Private Works on, over or under public places

D.54 Donations and Grants

D.55 Extension of Contracts

D.56 Write-off monies owing

D.57 Amend rate record

D.58 Fixed term tenancy agreements

D.59 Release of Cash Bonds

D.60 Emergency Executive Functions

Section Two

In Section Two each delegation was revised as follows:

One-off delegations - Council Resolution No 590/10/09

This delegation is requested to be revoked.

Section Three

The one-off delegation mentioned above in Section Two was inserted into Section Three.

Delegation D.9 Press Releases was re-instated as a delegation to be re-adopted by Council. *Please note: Although this Delegation was moved out of Section Three the Review Dates have been carried across to Section One.*

Section Four

The Review Table existed in the previous Delegation Register. Following the passing of a resolution in relation to the Review of the Delegation Register, the Review Table will be updated.

Section Five

This is a new section that shows the matrix of all delegations (current and those to be adopted). The matrix shows at a glance to who a particular delegation was made to.

OFFICER'S RECOMMENDATION

It is recommended that Council

1. Confirm the current delegations (D.1 to D.30) as reviewed and confirm their continued application;
2. Adopt Delegation D.32 Freedom of Information and Policy A.16 Freedom of Information;
3. Adopt the following delegations:
 - a) D.09 Press Releases
 - b) D.31 CCTV
 - c) D.33 Rate Payments by Agreement
 - d) D.34 Approve / Reject Reimbursements
 - e) D.35 Caravan Park and Camping Grounds
 - f) D.36 Lease of Council Buildings
 - g) D.37 Swimming Pool Inspections
 - h) D.38 Notices to Owners and Occupiers of Land
 - i) D.39 Powers of Entry
 - j) D.40 Remove and Impound Goods
 - k) D.41 Variation of Requirements before entry into Contract
 - l) D.42 Vehicles, use of
 - m) D.43 Use of Plant and Equipment
 - n) D.44 Hire of Plant
 - o) D.45 Regulatory signs, i.e. stop, give-way, speed, etc
 - p) D.46 Disposal of Surplus Equipment, materials, tools, etc
 - q) D.47 Licence to deposit materials on or excavate adjacent to a street.
 - r) D.48 Altering Thoroughfare Alignments
 - s) D.49 Maintain Plans – Thoroughfares and Alignments
 - t) D.50 Dangerous excavation
 - u) D.51 Crossing from Public Thoroughfare to Private land or private thoroughfare.
 - v) D.52 Crossovers
 - w) D.53 Private Works on, over or under public places
 - x) D.54 Donations and Grants

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- y) D.55 Extension of Contracts
- z) D.56 Write-off monies owing
- aa) D.57 Amend rate record
- bb) D.58 Fixed term tenancy agreements
- cc) D.59 Release of Cash Bonds
- dd) D.60 Emergency Executive Functions

COUNCIL RESOLUTION NO 112/04/13

MOVED Cr Craddock

That Standing Orders be suspended.

MOTION CARRIED 5/0

Standing orders were suspended at 6.33 pm to permit free flowing discussion and enable Councillors to stay seated and make amendments as required in relation to the review of the Delegation Register.

Cr Lloyd departed Council Chambers at 7.15 pm.

Cr Lloyd returned to Council Chambers at 7.19pm.

The Shire President called the Member's attention to a lack of quorum should one Member choose to leave the Council Chambers.

The Shire President suspended proceedings of the meeting at 7.19 pm in accordance with Standing Order 3.12(a).

The Shire President resumed proceedings of the meeting at 7.34 pm.


COUNCIL RESOLUTION NO 113/04/13

MOVED Cr Lloyd

That Standing Orders be resumed.

MOTION CARRIED 5/0

Standing Orders were resumed at 9.17 pm.

Signed: 
Cr K Hogg - Shire President
Date: 24.5.13

COUNCIL RESOLUTION NO 114/04/13

MOVED Cr Dow

That Council:

1. Confirm the current delegations as follows:

- a) D.2 Investment of Surplus Funds;
- b) D.3 Legal Representation and Costs Indemnification;
- c) D.4 Liquor Consumption;
- d) D.5 Stallholders Fees;
- e) D.8 Withdrawal of Infringement Notices;
- f) D.11 Planning Applications Involving Setback Variations
- g) D.12 Keeping of 3 – 6 Dogs
- h) D.16 Oversize Vehicle Authorisation
- i) D.18 Building
- j) D.21 Record Checking – Volunteers
- k) D.23 Temporary Road Closures
- l) D.27 Use of Common Seal
- m) D.28 Issue of Notice of Breach (Fencing)
- n) D.29 Deed of Covenant for the Payment of a Development Contribution
- o) D.30 Tenders
- p) D.31 CCTV

as reviewed and confirm their continued application;

2. Adopt the following delegations as amended:

a) D.1 Infringement Notice Issue subject to

That under the section titled “CEO’s Delegation to” the words “Senior Building Surveyor (BS) and BS” be reworded to state “Senior Building Surveyor and Building Surveyor.”

b) D.6 Thoroughfares and Trading in Thoroughfares and Public Places Local Law Permits subject to

That under the section titled “CEO’s Delegation to” the words “Senior Building Surveyor (BS) and BS” be reworded to state “Senior Building Surveyor and Building Surveyor.”

c) D.7 Issue of Summonses subject to

Under the Delegation heading, following the words “requirements of the” the word “Council” being changed to “Shire”; and

Under the “recordkeeping” section the wording to be amended to read “Details to be recorded in the appropriate file and/or register and inclusion in the monthly Council Information Bulletin”

d) D.13 Authorised Signatories subject to

That under the section titled “CEO’s Delegation to” the words “Senior Project Officer” be removed.

e) D.14 Purchasing subject to

That under the section titled “CEO’s Delegation to” the words “Senior Project Officer” be removed.

That under the section titled “CEO’s Delegation to” Works Coordinator to be put onto the next line.

Under the “recordkeeping” section the wording be amended to read “In accordance with Purchasing Policy.”

f) D.15 Sale of Scrap subject to

Under the “recordkeeping” section the wording be removed.

g) D.17 Development and Subdivision Applications subject to

That under the heading “Delegation” (1)(e) the words “less than \$50,000” be amended to read “more than \$50,000”;

Under the Section “Council’s Conditions on Delegation” the section be amended to read: “In accordance with Clause 11.3 of Local Planning Scheme No. 4 and Local Planning Policies.”

h) D.19 Authorisation under Section 26 of the Health subject to

That under the section titled “CEO’s Delegation to” the words “Environmental Health Officer(s)” be reworded to “Environmental Health Officer”;

i) D.20 Applications for Treatment of Sewage and Disposal of Effluent and Liquid Waste subject to

That under the section titled “CEO’s Delegation to” the words “Environmental Health Officer(s)” be reworded to “Environmental Health Officer”;

j) D.25 Dealing with Clearing Matters subject to

That under the "Delegation" section at Point 1(a) the words "dead, dangerous or" be removed.

That under the "Delegation" section at Point 1(a) the words "an immediate threat" be amended to read "a threat"

That under the "Delegation" section at Point 1(e) be deleted.

That the Policy be reviewed at some stage in the future.

k) D.26 Authorised Officer Appointments subject to

That a Point 13 be added to read "CAT Act 2011 and Regulations;"

l) D.27 Use of Common Seal subject to

That under the section titled "CEO's Conditions on delegation" the section be reworded to read "In accordance with the *Local Government Act 1995* and *Shire of Toodyay Standing Order Local Law S.21.*"

m) D.36 Lease of Council Buildings subject to

Under the "Statement of Intent" section and the "Delegation" Section the words "rates and charges" be replaced with the words "fees and charges".

Under the "Statement of Intent" section the words "This delegation is to be read in conjunction with D.58." be inserted as a separate paragraph.

n) D.38 Notices to Owners and Occupiers of Land subject to

That under the section titled "CEO's Delegation to" the plural "(s)" following the word "Finance Officer" be removed.

o) D.39 Powers of Entry subject to

That under the section titled "CEO's Delegation to" the word "Ranger(s)" be moved to the next line.

That under the section titled "CEO's Delegation to" the plural "(s)" following the words "Ranger" and "Building Surveyor" be removed.

p) D.40 Remove and Impound Goods subject to

Under the heading "Delegation" the words "any place" be amended to read "any public place."

q) D.42 Vehicles, use of subject to

Under "Statement of intent" and "Delegation" sections the words "sales Tax, et cetera" be replaced with the words "and other costs".

r) D.43 Use of Plant and Equipment subject to

The title of the delegation be renamed to "Staff Use of Plant and Equipment."

Under the "Delegation" section the word "vehicle" be replaced with the words "Plant and Equipment"

Under the "Statement of Intent" and "Delegation" sections the words "sales Tax, et cetera" be replaced with the words "and other costs".

s) D.46 Disposal of Surplus Equipment, materials, tools, etc subject to

Under the "Delegation" section the words "This delegation applies only to items captured by Council Policy F.12 - Disposal of Property" be included as a separate sentence.

t) D.48 Altering Thoroughfare Alignments subject to

Under the "Statement of Intent" section the words "to be given notice" be replaced with the words "to give notice"

Under the "CEO's Delegation to" section the "Manager Works and Services" be included.

u) D.52 Crossovers subject to

Under the "Statement of Intent" and "Delegation" sections the word "approve" be reworded to "authorised"

v) D.54 Donations and Community Grants subject to

That in the "Statement of Intent" and the "Delegation" sections the words "donations from \$0 up to \$200" be amended to read "donations from \$0 up to \$500";

w) D.55 Extension of Contracts subject to

Under the "Delegation" section the word "the" be included before the word "existing"

x) D.57 Amend rate record subject to

Under the "Delegation" Section the words "will authorise the Chief Executive Officer to amend the rate record" replace the words "provide the Chief Executive Officer with permission to amend a rate record".

y) D.58 Fixed term tenancy agreements subject to

Under the "Statement of Intent" section the words "This delegation is to be read in conjunction with D.36." be inserted as a separate paragraph.

z) D.59 Release of Cash Bonds subject to

Under the "Delegation Section" the words "will authorise the Chief Executive Officer to approve" replace the words "provide the Chief Executive Officer with permission to approve".

3. Adopt the following delegation with a view to reviewing in the future:

a) D.37 Swimming Pool Inspections

4. Confirm the revocation of the following delegation:

a) D.9 Press Releases

5. Adopt Delegation D.32 Freedom of Information and Policy A.16 Freedom of Information subject to the following amendments:

Under Policy Statement the words "records of the Town" are to be amended to read "records of the Shire"

6. Does not adopt the following delegation:

a) D.49 Maintain Plans – Thoroughfares and Alignments;

b) D.60 Emergency Executive Functions

7. Adopt the following delegations:

a) D.33 Rate Payments by Agreement

b) D.34 Approve / Reject Reimbursements

c) D.35 Caravan Park and Camping Grounds

d) D.41 Variation of Requirements before entry into Contract

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- e) D.44 Hire of Plant
 - f) D.45 Regulatory signs, i.e. stop, give-way, speed, etc
 - g) D.47 Licence to deposit materials on or excavate adjacent to a street.
 - h) D.50 Dangerous excavation
 - i) D.51 Crossing from Public Thoroughfare to Private land or private thoroughfare.
 - j) D.53 Private Works on, over or under public places
 - k) D.56 Write-off monies owing
8. Adopt the Delegation Register, as amended, subject to the date of Authorisation being amended to read 18 April 2013.

MOTION CARRIED 5/0

13.3.3 9.4.3 Micro-chipping Cat Awareness Day – 25 May 2013

Date of Report:	9 April 2013
Proponent:	Shire of Toodyay
File Ref:	LEG076
Author:	Rosalyn Edwards – Senior Ranger
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil.
Voting Requirements:	Simple majority

INTRODUCTION

This report is for the purpose of obtaining funding for micro-chipping from Council.

BACKGROUND

Since the implementation of the CAT Act 2011 Local Governments are required to register, identify and sterilise cats in accordance with this Act.

CONSULTATION

Consultation has occurred with Safe Avon Valley as they will be responsible for administration of the microchip program.

STATUTORY ENVIRONMENT

Part 2 Registration, identification and sterilisation of cats, Division 2 micro chipping of the CAT Act 2011 refers to micro chipping legislation.

POLICY IMPLICATIONS

This proposal does not contain any notable policy implications.

FINANCIAL IMPLICATIONS

Funding is available through community sponsorship (i.e. discretionary funding).

STRATEGIC IMPLICATIONS

This proposal does not contain any notable strategic implications.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

This proposal does not contain any notable social implications.

OFFICER'S COMMENT

On 25 May 2013 the Shire of Toodyay will hold a Cat "Chip and Snip" Awareness Day in preparation for the CAT Act 2011 which will be in force in November 2013.

The Shire has been successful for \$5,000 in funding to go towards sterilisation costs and we are requesting \$1,150 to provide 100 microchips to be available to the community at the cost of \$10 per microchip. Normally the expense of this microchip (if done privately through a vet) would be \$80.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 115/04/13

MOVED Cr Lloyd

That Council approve funding of \$1,150 to purchase 100 microchips.

MOTION CARRIED 5/0

13.4 9.1 COMMITTEE REPORTS

13.4.1	9.1.1	Local	Emergency	Management	Committee
Recommendations					

Date of Report:	5 April 2013
Proponent:	Local Emergency Management Committee
File Ref:	LEG009/NAM2397
Author:	Maria Rebane – Executive Assistant
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	1. Minutes of Local Emergency Management Committee Meeting held on 13 March 2013 (<i>confidential cover</i>).
Voting Requirements:	Simple majority

INTRODUCTION

The purpose of this report is to present the Local Emergency Management Committee recommendations to Council.

BACKGROUND

The Local Emergency Management Committee met on 13 March 2013. At that meeting they made several recommendations to Council.

CONSULTATION

Consultation in relation to the recommendations made was with the Members of the Local Emergency Management Committee.

STATUTORY ENVIRONMENT

Section 5.23 of the *Local Government Act 1995* provides that Council meetings will be generally open to the public except in a limited range of specified circumstances.

Committees of Council are required to be generally open to the public if they have been given any delegated authority. None of the Shire's committees have any delegated authority, so there is no requirement for them to be open to the public.

While agendas and minutes are generally available to the public, an exemption is applicable for papers relating to committee meetings in accordance with

Regulation 14(2) and Regulation 29, *Local Government (Administration) Regulations 1996*.

POLICY IMPLICATIONS

Local Emergency Management Committee recommendations may influence Council policy.

FINANCIAL IMPLICATIONS

This proposal does not contain any notable financial implications.

STRATEGIC IMPLICATIONS

This proposal does not contain any notable strategic implications.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

This proposal does not contain any notable social implications.

OFFICER'S COMMENT

The Local Emergency Management Committee made recommendations to Council as follows:

1. Review of Contacts Directory

LEMC RECOMMENDATION

That Council:

1. Approve the review of the current Local Emergency Management Arrangements and Local Recovery Arrangements with a view to removing all contact information; and
2. Approve the use of all contact information removed from the original document be included in a Contacts Directory (i.e. Attachment 2 to the Local Emergency Management Arrangements).

2. Community Centred Emergency Risk Management Project

LEMC RECOMMENDATION

That Council receives the Community Centred Emergency Risk Management Assessment – Live (August 2012).

3. Access to Boral Quarries, Morangup Road, Morangup

LEMC RECOMMENDATION

That Council:

1. Accepts the offer of Boral to use the Boral site at Morangup in emergency situations; and
2. Authorises the Chief Executive Officer to liaise with relevant parties as required for emergency activities and for preventing dangerous activities by trespassers.

4. Notification and Evacuation of Vulnerable Persons during Emergencies

LEMC RECOMMENDATION

That Council:

1. Supports the development of a support system for vulnerable people in an emergency; and
2. Authorises the Chief Executive Officer to work with the Department of Child Protection, Silver Chain and other stakeholders to develop a pilot program.

5. Avon Valley Bush Fire Response Plan

LEMC RECOMMENDATION

That Council accept the Avon Valley Bush Fire Response Plan as an underpinning document to the Local Emergency Management Arrangements.

6. Defence of Fire Sheds

LEMC RECOMMENDATION

That further to Council Resolution 342/12/12 Council will inform the Local Emergency Management Committee (LEMC) of the outcome of the assessment.

COUNCIL RESOLUTION NO 116/04/13

MOVED Cr Dow

That Council move behind closed doors in accordance with Section 5.23 (2) (b) and (e) of the *Local Government Act 1995*.

MOTION CARRIED 5/0

There were no members of the public present. Cr Dow closed the doors at 9.25 pm.

Clarification was sought.

~~*The Shire President ruled at 9.32 pm that Standing Orders could be relaxed due to Council being behind closed doors, to permit frank and free flowing discussion.*~~

The Shire President advised members at 9.32 pm that when Council is behind closed doors members may speak in debate more than once (Standing Orders 5.2(5)).

COUNCIL RESOLUTION NO 117/04/13


MOVED Cr Lloyd

That the following Local Emergency Management Committee (LEMC) recommendations

1. Review of Contacts Directory;
2. Community Centred Emergency Risk Management Project;
3. Access to Boral Quarries, Morangup Road, Morangup;
4. Notification and Evacuation of Vulnerable Persons during Emergencies;
5. Avon Valley Bush Fire Response Plan; and
6. Defence of Fire Sheds;

be resolved by Council en bloc.

MOTION CARRIED 5/0

Signed: 
Cr K Hogg - Shire President
Date: 24.5.13

14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

15. NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING

15.1 Cr Firms – Notice of Motion

Cr Firms gave notice of a motion for consideration at the Ordinary Meeting of Council to be held on 21 May 2013 as follows.

That Council appoint a Committee to advise on the following:

1. Review of Local Laws; and
2. Adoption of new Local Laws.

16. QUESTIONS OF MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

17. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING (continued)

17.1 MEMBERS

Nil.

17.2 EMPLOYEES

The Chief Executive Officer requested for Council to consider Item 17.2.1 D.61 – Delegation to CEO under the *Bush Fires Act 1954* as a matter of urgent business.

COUNCIL RESOLUTION NO 118/04/13

MOVED Cr Hogg

That:

Council consider Item 17.2.1 D.61 – Delegation to CEO under the *Bush Fires Act 1954* as new business of an urgent nature.

MOTION CARRIED 5/0

17.2.1 D.61 - Delegation to CEO under the *Bush Fires Act 1954*

Date of Report:	17 April 2013
Proponent:	Shire of Toodyay
File Ref:	FIR6, MAN6/NAM2438
Author:	Stan Scott – Chief Executive Officer
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	1. Delegation D61 – Performance of Functions under the <i>Bush Fires Act 1954</i> .
Voting Requirements:	Absolute Majority

INTRODUCTION

This report is to request that Council delegate its powers to the Chief Executive Officer in accordance with Section 48 of the *Bush Fires Act 1954*.

BACKGROUND

As Elected Members are aware there have been some governance issues with some brigades that have required direction from Council. With AGM's coming up in the next few days it may be necessary for the CEO to attend meetings and provide direction on the election of leadership positions. The proposed delegation will go a long way towards nipping some issues in the bud and allow the CEO to provide greater support to the CBFCCO.

During the course of addressing issues arising amongst brigades there are some gaps that have been identified. For example, a Local Government is required to keep a Register of Bush Fire Brigades established by it in the form of Form 12. To date, Council has not kept such a register.

Similarly, the *Bush Fires Act 1954* and the *Bush Fires Regulations 1954* give Local Government the power to create a Bush Fire Brigades Local Law and this has not happened in Toodyay. Indeed the absence of a Local Law has given unnecessary credence to some disgruntled individuals and factions.

While the problems that have arisen may be exacerbated by the lack of a Local Law, the existence of a Local law would not have prevented them.

Existing Delegation 26 allows for the Chief Executive Officer to appoint persons employed by Council as a Fire Control Officers. The delegation does not extend to appointing volunteers as Fire Control Officers. The CEO has used this delegation to appoint Corry Munson as a Fire Control Officer while he is acting as Community Emergency Services Manager.

The Memorandum of Understanding between the Fire and Emergency Services Authority and the Shire of Goomalling and the Shire of Toodyay for the employment of a Community Emergency Services Manager states under the heading Management and Administration the following:

“The Shires will provide leadership and support to the development and management of their community emergency risk management arrangements. The Shire(s) will appoint the officer as a Fire Control Officer in accordance with s38 of the Bushfires Act (1954).”

CONSULTATION

Consultation has occurred with the current Chief Bush Fire Control Officer and the Acting CESM about the management and governance of brigades.

STATUTORY ENVIRONMENT

Sections 38 of the *Bush Fires Act 1954* relates to the appointment of Bush Fire Control Officers including Chief Bush Fire Control Officers.

Section 41 of the *Bush Fires Act 1954* relates to the establishment of Brigades for the purpose of carrying out normal brigade activities, in accordance with its local laws made for the purpose, and equip each bush fire brigade so established with appliances, equipment and apparatus.

Section 43 of the *Bush Fires Act 1954* relates to the establishment of a bush fire brigade shall by its local laws and provision for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of the bush fire brigade, and prescribe their respective duties.

Section 48 of the Bush Fires Act 1954 is reproduced below:

48. Delegation by local governments

- (1) *A local government may, in writing, delegate to its chief executive officer the performance of any of its functions under this Act.*
- (2) *Performance by the chief executive officer of a local government of a function delegated under subsection (1) —*
 - (a) *is taken to be in accordance with the terms of a delegation under this section, unless the contrary is shown; and*
 - (b) *is to be treated as performance by the local government.*
- (3) *A delegation under this section does not include the power to subdelegate.*
- (4) *Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.*

POLICY IMPLICATIONS

This proposal does not contain any notable policy implications.

FINANCIAL IMPLICATIONS

This proposal does not contain any notable financial implications.

STRATEGIC IMPLICATIONS

The effective operation of Volunteer Bush Fire Brigades is the Shire's first line of defence against fire, and we have a vested interest in supporting active fire fighters.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

This proposal does not contain any notable social implications.

OFFICER'S COMMENT

Section 48 (4) of the Bush Fires Act 1954 says as follows:

Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.

The Delegation to the CEO is to allow the CEO to deal quickly and effectively with issues with the full authority of Council. It is not proposed that the usual practice of FCO's being appointed each year by Council, on the recommendation of the Bush Fires Advisory Committee would change.

The CEO intends to attend one or more brigade AGMs, including one this coming Saturday. Having this delegation in place prior to the meeting would be very useful for dealing with potential conflict.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 119/04/13

MOVED Cr Hogg

That Council create a new delegation D61 to delegate its powers to the Chief Executive Officer in accordance with Section 48 of the *Bush Fires Act 1954*.

MOTION CARRIED 5/0

17.2.2 Confidential Item – CEO Performance Review

The Chief Executive Officer requested for Council to consider Item 17.2.2 CEO Performance Review as a matter of urgent business.

COUNCIL RESOLUTION NO 120/04/13

MOVED Cr Lloyd

That Council consider Item 17.2.2 CEO Performance Review as new business of an urgent nature.

MOTION CARRIED 5/0

Date of Report:	16 April 2013
Proponent:	Stan Scott – Chief Executive Officer
File Ref:	HR317
Author:	Stan Scott – Chief Executive Officer
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	The matter relates to the CEO's contract
Attachments:	Nil
Voting Requirements:	Simple Majority

INTRODUCTION

Council is required by the Act and the CEO's Employment Contract to review the CEO's performance annually. The anniversary of the CEO's appointment is 23 July 2013.

BACKGROUND

The CEO's contract includes provision for an annual performance review as follows:

5. PERFORMANCE DEVELOPMENT AND REVIEW

5.1 Adherence to Key Result Areas

The Chief Executive Officer agrees with the Local Government that the Chief Executive Officer must, in performing the Chief Executive Officer's obligations under this Contract, use every reasonable endeavour to achieve the agreed Key Result Areas ("KRAs").

5.2 Performance Reviews

5.2.1 The Chief Executive Officer's performance pursuant to this Contract shall be reviewed by the Council annually during the Term and more frequently if the Council or the Chief Executive Officer perceives that there is a need to do so.

5.2.2 The Council shall give the Chief Executive Officer reasonable notice in writing that a performance review is to be conducted to enable the Chief Executive Officer sufficient time to prepare.

5.3 Conduct of Performance Review

5.3.1 Any performance review will be conducted on behalf of the Council by the nominated persons or person to whom the Council delegates that task. The Council shall use an independent party to facilitate the performance review.

5.3.2 The facilitator of the performance review will be required to act in a fair and reasonable manner at all times in the conduct and analysis of the performance review.

5.3.3 In the event that the Chief Executive Officer has not satisfied any or some of the requirements of the Position Description (Requirements) and/or the KRAs, the facilitator and the Chief Executive Officer must establish a plan with a timetable for the Chief Executive Officer to achieve the relevant Requirements and/or KRAs, such plan to include counselling, advice, assistance and additional reviews as are considered necessary by the facilitator to achieve the Requirements and/or KRAs. The Chief Executive Officer agrees to use his best endeavours to achieve the Requirements and/or KRAs in accordance with the plan.

5.4 Procedure

Any performance review conducted shall be broadly based on the following KRAs having regard to the Position Description and the specific KRAs agreed to by the parties at the end of each performance review:

5.4.1 Provide accurate and timely advice to the council;

5.4.2 Work in collaboration with the council;

5.4.3 Provide innovative and visionary leadership;

5.4.4 Establish effective networks;

5.4.5 Maintain a work environment that facilitates the development of people and encourages them to perform at a high level;

5.4.6 Ensure the effective and accountable application of financial and physical resources;

5.4.7 Develop and implements change to management strategies to enhance service delivery;

5.4.8 Initiate the development, implementation and review of council policies and procedures.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 S5.38 – sets out the requirement for an annual performance review.

POLICY IMPLICATIONS

This proposal does not contain any notable policy implications.

FINANCIAL IMPLICATIONS

The performance review will inform the annual remuneration review but has no direct financial implications. The contract requires that Council appoint an independent party to conduct the performance review.

STRATEGIC IMPLICATIONS

This proposal does not contain any notable strategic implications.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

This proposal does not contain any notable social implications.

OFFICER'S COMMENT

Most elected members recently attended a course in Toodyay on CEO Performance Appraisal which may have sparked some ideas on the best approach.

As Council is required to appoint an independent party to conduct the review, one of the options is to appoint WALGA Workplace Solutions. WALGA has provided a verbal quote of \$3,000 to conduct the review.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 121/04/13

MOVED Cr Dow

That Council appoint WALGA Workplace Solutions to conduct the CEO performance appraisal for Council.

That a Special Meeting be convened at the earliest opportunity to allow the consultant to meet with Council and the CEO to agree to the details of the process.

MOTION CARRIED 5/0

18. CONFIDENTIAL BUSINESS

18.1 14.1 Offer to Purchase 16 Toodyay Street

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 122/04/13

MOVED Cr Dow

That:

1. Council authorise the Chief Executive Officer to offer Lot 148, No. 16 Toodyay Street Toodyay for sale by Tender with the following stipulations:
 - a) The process as set out in Sec3.58 of the Local Government Act 1995 be followed;
 - b) A guide price of \$100,000 be set;
 - c) The proponent be informed of the process; and
 - d) This matter be referred back to Council after the close of Tenders for further consideration.

MOTION CARRIED 5/0

18.2 14.2 Purchase of Old Toodyay Post Office Land /Buildings

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 123/04/13

MOVED Cr Lloyd

1. Council authorises the CEO and Manager of Planning and Development to advise the owners lot 30 Stirling terrace that Council wishes to proceed with the purchase of the portion of land identified as required to secure ownership of Federation Square only for the sum of \$105,000.
2. If an Agreement can be reached to purchase the required portion of lot 30 that the Manager of Planning and development take steps to engage a surveyor at Council's cost to subdivide the portion required so a separate title for Federation Square can be obtained and registered with Landgate in the Shire's name.

MOTION CARRIED 5/0

COUNCIL RESOLUTION NO 124/04/13


MOVED Cr Dow

That Council move from behind closed doors.

MOTION CARRIED 5/0

~~There were no members of the public present. The Council Chamber doors were opened at 10.07 pm.~~

The Council Chambers were re-opened at 10.07 pm. No members of the public returned to the Council Chambers and therefore the resolution made behind closed doors was not read aloud.

Signed: 
Cr K Hogg - Shire President
Date: 24.5.13

MINUTES OF ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS ON 16 APRIL 2013
(ADJOURNED ON 17 APRIL 2013 AND RESUMED ON 18 APRIL 2013)

19. NEXT MEETINGS

Community Drop in Session - Strategic Community Plan 20 April 2012
(Venue: Memorial Hall between 9.00 am and 11.00 am).

Local Emergency Management Committee 1 May 2013
Museum Advisory Committee Meeting 16 May 2013
Ordinary Meeting of Council 21 May 2013

Community Information Session 25 May 2013
(Venue: Memorial Hall between 9.00 am and 11.00 am).

20. CLOSURE OF MEETING

The Shire President declared the meeting closed at 10.10 pm.



ADDENDUM

Attachments to Minutes of the

ORDINARY MEETING OF COUNCIL

16 April 2013

**(ADJOURNED ON 17 APRIL 2013
AND RESUMED ON 18 APRIL 2013)**

ADDENDUM
ATTACHMENTS TO MINUTES OF ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS ON 16 APRIL 2013
(ADJOURNED ON 17 APRIL 2013 AND RESUMED ON 18 APRIL 2013)

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ADDENDUM
ATTACHMENTS TO MINUTES OF ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS ON 16 APRIL 2013
(ADJOURNED ON 17 APRIL 2013 AND RESUMED ON 18 APRIL 2013)

NEW BUSINESS OF AN URGENT NATURE

- | | | |
|--------|--|-----|
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Schedule of Submissions

Attachment 1 Community Depot Public Comment

No	Contact	Submission	Comments	Recommendation
1.	Arts Toodyay Inc	<ul style="list-style-type: none"> a) In principal support b) Can see space advantages at depot c) Believe arts activities should be centred in town 	<ul style="list-style-type: none"> a) Noted. b) Noted. c) Noted. 	Submission to be noted.
2.	Diane Hamlyn <i>Member of the public</i>	<ul style="list-style-type: none"> a) In support 	<ul style="list-style-type: none"> a) Noted. 	Submission to be noted.
3.	Toodyay Friends of the River	<ul style="list-style-type: none"> a) In support b) May meet future equipment storage needs c) Suitable location for Seed Orchard Group 	<ul style="list-style-type: none"> a) Noted b) Noted c) EOI received from Seed Orchard Group 	Seed Orchard Group representative joins Community Depot Advisory Committee
4.	Toodyay Naturalists Club	<ul style="list-style-type: none"> a) Prefer to see past Clinton St proposals revisited. b) Concerned about security c) Concerned about graffiti given proximity to railway line. d) Not within walking distance of town e) Feels non-sporting groups have been neglected in favour of sporting groups f) Concerned about noise from passing trains g) Would not like to see dongas or sea containers at the site, unsightly. h) Do not wish to go there. 	<ul style="list-style-type: none"> a) Noted b) Noted c) The site is not currently targeted for graffiti to any unusual extent. d) Noted e) Noted f) Noted g) Was considered as a means of lowering costs and would need suitable external treatment. h) Noted 	Submission to be noted.

Schedule of Submissions

Attachment 1 Community Depot Public Comment

No	Contact	Submission	Comments	Recommendation
5.	Avon Woodturning Group	<ul style="list-style-type: none"> a) Interesting and worthwhile concept b) Constrained by groups' ability to fund their own premises. c) Would consider relocating if unable to "stay & modify" at showground 	<ul style="list-style-type: none"> a) Noted b) Grant funding would be sought to assist groups. c) Should submit EIO for inclusion on the Advisory Committee 	Avon Woodturning Group be invited to put forward representative for Community Depot Advisory Committee
6	Toodyay Community Bus <i>Di Roberts</i> (Secretary)	<ul style="list-style-type: none"> a) Current TCB site has easy access to Visitor Centre. b) Visitors that arrive on the train would have to wait longer for the bus to be picked up from the new site. c) Who would pay to relocate groups? d) The present location of the bus is secure and does not create any negative problems. e) Feels TCB has not been formally consulted. f) A move will negatively affect the viability of the bus. g) A move would negatively affect tourism. h) Do not wish to relocate. 	<ul style="list-style-type: none"> a) Noted b) Unsure of the reason why the bus would not meet the train. c) Grant funding would be sought to assist groups. d) Noted e) Discussions have been held at a less former level. f) Unsure of the reasoning g) Unsure of the reasoning h) Noted 	Submission to be noted.
7.	Jeff Roberts \ <i>Toodyay Community Bus/ Member of the Public.</i>	<ul style="list-style-type: none"> a) Feels TCB has not been formally consulted. b) Concerned re cost of relocation. c) Do not wish to relocate as too far from Visitor's Centre. d) Feel distance to new location would cause reduction in use. e) Would like to see decisions regarding the Old Works Depot first. 	<ul style="list-style-type: none"> a) Discussions have been held at a less former level. b) Grant funding would be sought to assist groups. c) Noted d) The Autumn Club was consulted and did not feel this would be a problem. e) Further delay will disadvantage Toodyay Community Radio 	Submission to be noted.

Schedule of Submissions

Attachment 1 Community Depot Public Comment

No	Contact	Submission	Comments	Recommendation
8	Toodyay Seed Orchard Group <i>Monica Leggett</i>	<p>a) Believes it is a good use of a difficult piece of land.</p> <p>b) Once cleaned up has potential to be pleasant.</p> <p>c) Colocation of different groups helps increase cooperation and cohesion.</p> <p>d) Easy access to individual sheds.</p> <p>e) Adequate parking.</p> <p>f) Toilets, power and water required.</p> <p>g) Lighting for groups who use facilities after dark.</p> <p>h) Good security through technology and oversight by depot and neighbouring properties</p> <p>i) Will communal areas be big enough into the future?</p> <p>j) Needs to be a clear organisational structure.</p>	<p>a) Noted</p> <p>b) Noted</p> <p>c) Noted</p> <p>d) Noted</p> <p>e) Noted</p> <p>f) Planned as part of initial development.</p> <p>g) Planned as part of initial development.</p> <p>h) Noted</p> <p>i) Noted</p> <p>j) Aim of Advisory Committee</p>	Seed Orchard Group representative joins Community Depot Advisory Committee
9	Bridget Leggett <i>Member of the public</i>	<p>a) Great concept</p> <p>b) Main disadvantage is out of town location though I understand the logic.</p> <p>c) Requires adequate lighting, open planning and appropriate fencing to provide sense of security.</p>	<p>a) Noted</p> <p>b) Noted</p> <p>c) Planned as part of initial development.</p>	Submission to be noted.
10	Susan Wilkins <i>Neighbouring property/ Member of the public</i>	<p>a) Objects to the Works Depot</p> <p>b) Believes work to date has adversely effected residents health and property values</p> <p>c) Concerned with flooding problems from Works Depot</p> <p>d) Concerned regarding asbestos on the site</p> <p>e) Concerned with money wasted</p> <p>f) Requests meeting with affected residents re any further development</p>	<p>a) Noted</p> <p>b) Noted</p> <p>c) Noted</p> <p>d) Will be investigated.</p> <p>e) Noted</p> <p>f) Further consultation be undertaken</p>	<p>d) Investigate possible site contamination.</p> <p>f) Meeting be held with affected residents.</p>

Schedule of Submissions

Attachment 1 Community Depot Public Comment

No	Contact	Submission	Comments	Recommendation
11	M & S Jackson Neighbouring property/ <i>Member of the public</i>	<ul style="list-style-type: none"> a) Objected to siting of Works Depot b) Do not want Community Depot at this site c) Concerned re increased traffic d) Would not like to see dongas or sea containers at the site, unsightly. e) Community Centre should be in Town Centre – old Shire Depot. f) Are the old tankers the first tenants 	<ul style="list-style-type: none"> a) Noted b) Noted c) Noted d) Was considered as a means of lowering costs and would need suitable external treatment. e) Noted f) Direction regarding future of tankers to be sought. 	<ul style="list-style-type: none"> Meeting be held with affected Residents. f) Tankers be dealt with.
12	Toodyay Community Singers	<ul style="list-style-type: none"> a) Would like permanent home b) This site does not meet their requirements 	<ul style="list-style-type: none"> a) Noted b) Noted 	Submission to be noted.
13	Toodyay Spinners	<ul style="list-style-type: none"> a) Are happy at Parkers Cottage b) Appreciate the work done at Parkers Cottage c) No interest in the Community Depot site 	<ul style="list-style-type: none"> a) Noted b) Noted c) Noted 	Submission to be noted.
14	Toodyay Festivals Inc.	<ul style="list-style-type: none"> a) In support of the concept b) Would like to utilise the site 	<ul style="list-style-type: none"> a) Noted b) Should submit EIO for inclusion on the Advisory Committee 	Toodyay Festivals Inc. be invited to put forward representative for Community Depot Advisory Committee
15	Bob & Beth Frayne	<ul style="list-style-type: none"> a) In support of concept b) Requires electricity, phone and effluent disposal. c) Not appropriate for groups that meet at night d) Too far from town e) Security concerns for stored material 	<ul style="list-style-type: none"> a) Noted b) Planned as part of initial development. c) Noted d) Noted e) Noted 	Submission to be noted.



PO Box 801
Toodyay, WA, 6566

March 19 2013

Ms Audrey Bell
Manager Community Development
Shire of Toodyay
15 Feinnes Street
Toodyay WA 6566

SHIRE OF TOODYAY
Record Number: ICR 20882
21 MAR 2013
Officer / Dept: MCD
File Number: GRT21

Dear Audrey,

We have received your information package concerning the new Community Depot proposal. Although the time allowed for consideration of the documentation has been short, the members of Arts Toodyay have been actively encouraged to read the documentation and have been canvassed for their responses.

An extraordinary meeting has been held at which Cr Paula Greenway addressed the members at length and answered their questions regarding the project.

The members of Arts Toodyay wish to express their support in principal for this project but we are not in a position to commit to active participation at this time.

We acknowledge that the Community Depot site may offer the advantage of being able to have more extensive workspaces and storage facilities than we have in our current premises. However we feel that it is imperative that we retain a presence within the core of the town for workshops and for exhibitions. We feel strongly that Toodyay benefits greatly from the readily visible presence of arts activities in the centre of town and that it would be a retrograde step to remove such activities to a remote site.

We thank you for the opportunity to comment on this proposal.

Yours sincerely,

Clive Eger
Secretary
Arts Toodyay Inc

Location:
The Old Police Station
Duke St Toodyay WA 6566

Contacts:
Sharon Boxall President
9574 2703
Clive Eger Secretary
0401 966 153

Toodyay Shire
FAX (08) 9574 2158

SHIRE OF TOODYAY
Record Number: ICR 20600
- 5 MAR 2013
Officer / Dept: Exec Sec
File Number: GRT 21 NAM 2238

Refer REF: SS: MR NAM 2238
GRT 21 / OCR 15304

As a Toodyay Ratepayer would like
to make a positive submission,
regarding the Toodyay Community
Depot Concept Planning, Proposal.

Thanking you.
Diane Hamlyn.

From: gregory vaughan warburton [mailto:gregwarburton@westnet.com.au]
Sent: Thursday, 7 March 2013 5:34 AM
To: Records Officer
Subject: ICR20623 - Community Depot Concept Plan

To Whom it May Concern

Thank you for the information and opportunity to comment on the Community Depot Concept Plan. Toodyay Friends of the River (Inc) are supportive of the plan and recognize the need for such a community facility in Toodyay. The group would at this stage have limited use of the proposed facility as meetings and work activities are conducted at river locations. The group however can see a future requirement for equipment storage. Our sub-group, The Seed Orchard Group is desperate for a new and workable location for it's propagation activities and the depot location seems suitable. Thank you once again and TFOR look forward to future progress updates.

Regards, Greg Warburton (Pres TFOR)

"PROGRESSING PROJECTS"

*Toodyay Friends of the River-Toodyay Naturalists' Club - Toodyay Garden Club -
Toodyay Tidy Towns Committee - Avon Valley Environment Society - Wheatbelt
NRM*

Greg Warburton 9574-5445 Mob 0499499119 PO Box 869 Toodyay 6566 WA



TOODYAY NATURALISTS CLUB INC.

Post Office Box 328, Toodyay WA 6566

Email: info@toodyaynats.org.au

19 March 2013

The Chief Executive Officer
Shire of Toodyay
Post Office Box 96
Toodyay WA 6566

SHIRE OF TOODYAY
Record Number: <i>ICR 20996</i>
27 MAR 2013
Officer / Dept: <i>MCD</i>
File Number: <i>GRZ1</i>

Dear Sir,

Proposed 'Community Depot'

The Toodyay Naturalists Club Inc. (TNC) wishes to make the following comments on the proposal to relocate some community groups to the 'Works Depot' site.

Firstly, we would like to highlight the fact that the Toodyay Naturalists' Club (TNC) was formed in 1968, one of the older clubs in Toodyay. It has a proud record of assisting Council over the ensuing years with development of policy, with grant applications, with submissions on various matters of concern to Council, and with management of Shire reserves. This has always been on a voluntary basis.

Various Councils in the past have recognised this valuable support, and have promised assistance to the Club with premises of their own, or which they can share with similar community groups.

The community has gone through the process of joint collocation a number of times in the past. A considerable amount of work was expended in developing concept plans for a facility at the rear of the old stables, opposite the Old Goal. This had wide community support, but was never progressed by Council. Perhaps it is time to revisit this proposal, as it may assist the Shire with visitor numbers at the Old Goal. There would be a far greater chance of attracting visitors to the south side of the railway if this area was used for arts and the environment.

There is a good amount of speculation that the current proposal will be the location that Council intends to offer the TNC. Below are a number of points that we would like Council to consider when assessing the submissions.

1. Security will be a paramount issue at the site. Even if the location is connected to the Shire's CCTV network, once damage is done to our equipment it cannot be replaced or repaired. High fencing would tend to make it like a detention centre.
2. Property will be subject to graffiti if near the railway line; this is evident in Perth with buildings near railway lines.
3. The TNC meets on the third Saturday of each month, usually with a guest speaker. The speakers subjects are designed to teach natural history to both adult and children. We meet early so that youngsters do not have a late night.



TOODYAY NATURALISTS CLUB INC.

Post Office Box 328, Toodyay WA 6566
Email: info@toodyaynats.org.au

Some of our members live in town, and walk to meetings. The proposed Community Depot site will not encourage people from town on foot.

4. For years now Council has been upgrading the sporting facilities in town (and continue to do so – the current pavilion upgrade is a good example), while neglecting the other groups (whose consolidated membership is most likely greater than the consolidated sporting group membership).
5. The noise factor at this site has obviously not been considered. There will not only be trains passing on the main line, but also trains on the Miling line (these trains move more slowly as they either enter or depart from the spur line. They often take a number of minutes to cross Railway Road). As there is no buffer between the railway/s and the proposed Community Depot, and the trains will be at the same level, the noise will be extreme.
6. The plan outlines 'possible future dongas and sea containers'. This type of facility does not lend itself to pride for Community Groups! Also, placing these in view of passing trains will denigrate the pleasant views of Toodyay and its title of 'an historic town and district'. These facilities are obviously going to be used for storage.
7. Although the current document states it 'would require approval of both council and any management committee that may be in place', by making a commitment now, a future council may take it as an indication the Club has committed itself to moving to a new community centre.

Council is progressing this rather hurriedly, without much opportunity for the community to make comment. This is a big step (and possibly big financial outlay) for community groups. The inherent unfairness in splitting the sporting groups and the rest of the community will only serve to widen the gap between Council and these groups. More consideration of this issue is needed before undertaking this step, and possibly dividing the community.

Yours faithfully,

Desraé Clarke
President

AVON WOODTURNING GROUP

Secretary, PO Box 1083, NORTHAM WA 6401

Audrey Bell
Manager Community Development
Shire of Toodyay
PO Box 96
Toodyay WA 6566

19th March 2013

Community Depot Concept Plan

Dear Audrey

The Avon Woodturners Group would like to submit an Expression of Interest for possible relocation to the planned Community Depot on Railway Road.

The Avon Woodturners Group began life as the Toodyay Woodturners in 1996, becoming the Avon Woodturners in 1999 when the group moved to the current premises in the Wool Pavilion at the Toodyay Showgrounds. The group is a regional branch of the Western Australian Woodturners Association Inc. and all group members are members of, and covered by, the state body. The group takes part in a number of local community activities and events such as the Moondyne Festival and the Toodyay Show but also travels to other events at nearby towns to promote woodturning. Our members often provide turned items as trophies or raffle prizes for other community organisations. A recent group effort provided a community care organisation with 27 small bowls filled with lollies and wrapped for Christmas presents for disadvantaged people.

Over the past 12 months, our membership has grown from 9 to 14 with the prospect of another 2 or 3 new members in the near future. For this reason, the Community Depot Concept Plan has raised debate on the possibility of relocating and establishing a purpose-built structure to accommodate our equipment and timber stock as well as our growing numbers. We are aware of the issues surrounding the review of the Toodyay Showgrounds but would be happy to stay in the present location if we had sole use and could modify and upgrade the premises to suit our woodturning activities – something we cannot do under present arrangements with the Toodyay Agricultural Society.

If the “stay and modify” option is not available, the group would require financial assistance through grant funding to be able to build and outfit its own premises at the Community Depot. At the depot, we would require access to toilet facilities as workshop sessions are 3 hours long. The new structure would require power and water connections.

The general opinion within our group is that this is an interesting and worthwhile concept but it could be constrained by the financial requirements of community groups to provide their own premises in order to relocate to the depot.

Yours sincerely

Andrea McCandlish
Secretary



Convenor ph. 0409203962 Secretary ph. 9622 9646



TOODYAY COMMUNITY BUS INC.

*Life is so much fun
when you are on the
Toodyay Community Bus run*

*PO Box 1587, Toodyay, WA 6566
ABN# 85368160511*

*Mrs Audrey Bell
Manager
Community Development
Shire of Toodyay
PO Box 96
TOODYAY WA 6566*

Via email: records@toodyay.wa.gov.au

Dear Audrey

COMMUNITY DEPOT CONCEPT PLAN - RELOCATION OF THE COMMUNITY BUS

At the present time the location of the Community Bus is housed in a Shed in a central part of the Town with access to the Visitors Centre and easily accessed by Drivers of the bus with parking for their vehicles, plus the fact that if visitors arrive in the Town by way of the trains that stop in Toodyay, it is far more easier to walk to the Visitors Centre and wait a couple of minutes for the Bus to be taken from the Shed at the present location. After all, tourism is very much a needed necessity for the survival of our Town.

If the Shed is to be relocated, "who removes the present Shed, i.e. walls, roof, floor etc.?", there has been no clarification on this. Also who builds the new Shed and who pays for the building etc.? Remembering the Community Bus is a voluntary organisation and an asset to the community and the Shire.

Also "is it fair to ask the Drivers who use their own vehicles to go down to the Works Depot, pick up the Bus and bring it to the Visitors Centre and return - who pays for the fuel of the Drivers, considering some of the Drivers are pensioners?"

The average hiring of the Bus is day time and very rarely taken out for the night or overnight, considering the events that the community wish to attend.

The present location of the Bus is secure and does not create any negative problems.

Under the heading of CONSULTATION please note that at no stage has there been any ongoing dialogue regarding the Community Bus and/or requirements in contributing to relocation.

On the Motion carried 8/0, item 1." That Council consult with currently identified prospective tenants including but not limited to the Toodyay Theatre Group, the Toodyay Seed Orchard, the Toodyay Community Bus Committee, the Toodyay Friends of the River and Toodyay Community Radio."

There has not been any consultation of detail from a member of the Council regarding this Motion.

My main concern is our community, the present facilities and working relationship with the Visitors Centre cannot be faulted, and I believe that if the Community Bus is relocated, people will be discouraged in hiring the Bus and the people in our community and tourism will suffer.

Therefore I speak for myself as Secretary of the Toodyay Community Bus Committee, I do not believe that relocation of the Bus is viable, so my answer is keep the Bus where it is and let us get on helping those who need the Bus close at hand.

Yours in kind



Di Roberts
Secretary

18th March 2013

SUBMISSION

TOODYAY COMMUNITY CONCEPT PLANNING.

Manager Community Development
Shire of Toodyay
15 Fiennes Street
Toodyay WA 6566

Via email: records@toodyay.wa.gov.au

Attention Ms Audrey Bell

Dear Audrey

With respect!

I submit, for your evaluation and information, my comments re. The Community Concept Plan 25th February 2013. Particularly that to do with the Toodyay Community Bus.

Firstly, whilst some conversation was held with, the then Deputy Executive Officer Mr. Sam Mastrolembo in April of 2012 regarding the possible relocation of the Community Bus Garage, where upon I requested that the proposition he was suggesting be forwarded to the Toodyay Community Bus Committee of Management for consideration, this has never occurred. This is despite a couple of verbal reminders conveyed through your Officer, Ms Kim Angus (Community Development Officer) and that, Mr Mastrolembo was in a position to do so for several months before he left the employ of the Shire. The Committee of Management have received no formal proposals for the relocation of the Garage to date, let alone the invitation for some conversation as to What?, When?, and How?.

You may be able to glean from what I have written so far that all is not clear and it must be stated that the assertion that there has been ongoing dialogue with the Community Bus is factually incorrect.

Further, in the documentation sent to us so far, there is little detail as to who pays for this proposal other than that stated in "Vision and Rationale". Surely it will not be a reasonable consideration for the Community Bus to afford it from its meagre returns and savings to be shifted away from its present location. Where as it stands at the moment it is located within a short walk from where the keys are received and returned and the essential paperwork is preformed at the Visitors Centre. Anecdotally it is contended from survey of the volunteers/members involved that, very few were in favour of the Concept Plan and that the proposal will disadvantage the "Hirers" and the likely impact will be a reduction in use of the facility.

I must assure you that our Committee and Members were all invited to submit their own positive or negative thoughts to you or Ms Kim Angus about this issue.

The only positive that has been asserted, is that in the event of the relocation of both the Works Depot and the Bus Garage it will have some convenience for refuelling but even then, that only impacts on the Committee Officer who attends that matter.

In summary I am of the opinion that the proposal is not particularly well thought out especially in the light of little or no consideration has yet been given to the future of the Old Works Depot and perhaps this proposal is somewhat premature and that is a subject for yet another conversation at another time.

Kind regards



Jeff Roberts JP
President
Toodyay Community Bus
PO Box 1587
Toodyay WA 6566
Ph # 9574 2498
Email: roberts138@tadaust.org.au

18.03.2013

Toodyay Community Depot – Concept Plan

I congratulate the Shire on this project. It is a good use of a difficult piece of land and supports volunteer community groups at the same time.

As a member of the Seed Orchard Group, I visited the site to see where we will be moving. Currently the site feels definitely unfriendly with a graffitied railway building, chunks of concrete, pieces of metal and abandoned vehicles. On the positive side there are trees which might be able to be incorporated into landscaping and the surrounding countryside provides a peaceful setting. I assume that all the rubbish will be removed and the building cleaned before the start of the project.

The site, once cleaned up, could provide us with just a place to work and store equipment. However it could be much more than this. If it provides a pleasant environment, it will be easier to recruit and keep volunteers. Having a variety of different groups, all using the same site, could facilitate co-operation between groups, and generate community cohesion.

Features that will make the site an easy and pleasant place for tenants will be different for different groups. Some of these are:

- Easy access for members to individual sheds etc;
- Adequate parking;
- Toilet facilities centrally maintained by the Shire (essential not optional);
- Power and water;
- Lighting for groups who use the facilities after dark;
- Security (appropriate technology and good relations with staff at the New Works Depot and residents of Railway Road);
- Some trees to provide shade.

I am pleased to see that space has been allocated to longer term requirements which would facilitate networking between tenants. These are on the plan as “communal facilities” in the main building and “possible future BBQ/outdoor area”. Will these be large enough to cope with an expanded group of tenants?

In addition to the material items above, there needs to be an appropriate organisational structure. This needs to provide tenants with some degree of clarity and certainty. Some of the questions that I have about the way this project will run are:

- Who will have overall responsibility for the site?
- How much freedom will individual groups have?
- Will community groups pay rent? If so what will the rent be? If it is too high, then the project may not get off the ground.
- How will rents be assessed?
- Will electricity and water charges be included in the rent?
- What will happen with insurance?
- Who will have access to the site, ie who will have keys?
- Who will have responsibility for general site maintenance?
- Will there be a rubbish collection?
- How will disputes between tenants be mediated?
- How will events such as the Seed Orchard Annual Plant Sale be accommodated?

Monica Leggett

-----Original Message-----

From: Bridget Leggett [mailto:amberfield@westnet.com.au]
Sent: Wednesday, 20 March 2013 6:38 AM
To: Records Officer
Subject: ICR20865 - Toodyay Community Depot Concept Plan

To whom it may concern

Thank you for the opportunity to comment on the Toodyay Community Depot Concept Plan.

I think that the concept is a great one, and congratulate the Shire on moving in this direction.

The main disadvantage of the current plan is that the site is well out of town. I understand the logic for the choice of location, but it does have implications for the planning and the order of development. I wish to highlight two of these.

1) Security

It will be essential that the depot is physically secure and that it feels secure to those using it. This means adequate lighting, open planning, appropriate fencing. It also means developing a sense of community amongst those using the depot and with the immediate neighbours - particularly the Shire workers and the properties nearby.

2) Toilets

As there are no public toilets within easy walking distance, provision of toilet facilities will need to be a priority.

Yours sincerely

Bridget Leggett

19 March 2013

PO Box 1302
Toodyay 6566

Dear Mr Angus

With regard to the Community Depot, Railway Road, I would like to state categorically that I do not and did not want any Depot in this area at any time, nor did my neighbours. This fact should have been noted three years ago when construction took place. NO prior notice was given to any of the residents that would be affected by the development then.

At the time of the construction, the local residence tried to have a voice, but we were not heard. The outcome is what we see today. I wonder if the recent invitation to have their say and what they say will also fall on deaf ears. I also wonder if the asbestos that was seen by the local residents during and after the so called clean up, will eventually have an affect on the residents and also the community who will visit the site.

The councilors at the time would not take notice of what we had to say then and the outcome was that the area was stated as a disaster, after the work was supposedly finished. I would like to have it noted that the mess that has been left behind has devalued our homes considerably and the depot as such has been an expensive white horse. I would think that more money spent to develop this site even further would be would be more of a waste of money. Perhaps turning it back into its natural state with some additions would be more advantageous.

My neighbor has problems with water flooding his property due to the inappropriate drainage. My property has also been affected in some degree. The stress and health problems from the noise, smoke, dust and worry at the time has left it's mark. Our properties have been devalued considerably from this mess left behind. It seems the Shire and Councillor's are happy to spend more of the ratepayer's dollars to try to compensate for this botch up. I wonder if they would also consider a financial compensation to the residents that have been affected and maybe a class action would finally wake them up!?

It would be interesting to have the undue costs to ratepayers, made public. Although, I doubt , that will ever happen. If this invitation is seen to be a genuine effort to have the local residents and ratepayers have an input. I myself, would appreciate a meeting with the local residents and yourself and prior notice with all information available so there would be time to assess. Also full disclosure to all ratepayers with the intentions for the future of the depot to be made public would be appropriate.

Yours faithfully

Susan Wilkins

Lot 6
Railway Road.
Box 768.

Attention
Kim Angus,

March 19th 2013.

The following is our 2 bobs worth in relation to the establishment of a **Community Depot** at Lot 301, Railway Road.

Firstly, if records exist, at a meeting sometime ago, between President Wroth, Chief Merrick and some concerned residents of Railway Road, it was expressed by these residents that they did not want the new Shire Depot to be located where it is. Why would we now want a community depot included? We are sure that we were not informed of this at that time. Railway Road is apparently to become a freeway {as indicated by the installation of signals on the rail Xing}. We do not want it. We are sure community groups do not want to be at the end of a dead end road, 3.5 km from the town centre. With sea containers, donga's etc it will look like a dogs dinner, without a screen along the railway {are the two old fuel tankers the first tenants?}

Secondly, the existing old shire depot, with existing buildings, water, sewage and power, with input from community groups, could be turned into the best Community Group Centre in Western Australia. This location has huge potential and is in the middle of town.

We are sure a number of the councilors need to get their heads out of the sand and forget this money, history and parking train of thought, and leave it in the sand.

M & S Jackson
Irate ratepayers.



SHIRE OF TOODYAY
Record Number: ICR 20883
21 MAR 2013
Officer / Dept: MCD
File Number: 9RT21

18th March 2013

Mr S Scott
Chief Executive Officer
Shire of Toodyay
15 Fiennes St
TOODYAY WA 6566

Dear Stan

RE: - COMMUNITY DEPOT CONCEPT PLAN

We received your information package regarding the above proposal and thank you for the opportunity to comment.

The TCS Committee has examined and discussed the concept at our recent meeting.

Our club would like the opportunity to have a permanent home and storage facility. However, as a small, not-for-profit club we feel this concept does not meet our requirements, nor are we in a position to actively participate at the moment.

Thank you again for the opportunity to comment on this concept.

Yours in song

Nuala Ennis
Secretary
TOODYAY COMMUNITY SINGERS INC.
P O Box 1022
TOODYAY WA 6566

From: jandasturman@westnet.com.au [mailto:jandasturman@westnet.com.au]
Sent: Sunday, 17 March 2013 9:04 AM
To: Records Officer
Subject: ICR20797 - Attention: Audrey Bell

Re: Toodyay Community Depot Concept Plan.

Dear Ms Bell,

We thank you very much for your kind invitation to be part of the development of the Community Depot.

We have been in Parkers Cottage since early 1970's. We have come to regard this cottage as our home, and have in many ways personalised it over the years, especially in the last 10 years. The members have had the cottage carpeted, and have added curtains and a large number of cupboards.

The Shire has recently helped us by replacing the ceiling and insulation in the major room as well as repainting it. We are also looking forward to having air-conditioning installed, for which we again thank the Shire.

As the cottage is very much our home we are very happy to remain here for the foreseeable future. We therefore respectfully decline your offer.

Yours sincerely,

Ange Sturman

(Secretary Toodyay Spinners)



Toodyay Festivals Inc.
P.O. Box 1387
Toodyay WA 6566
www.moondynefestival.com.au

8th March 2013

Shire of Toodyay
P O Box 96
TOODYAY WA 6566

Attn: Stan Scott
Chief Executive Officer

Re: Community Depot

Toodyay Festivals Inc. would like to show an expression of interest in utilising this facility.

We currently meet at the Toodyay Club and members have various items stored at their homes such as signs, costumes, office paperwork & records. Members at the moment carry these items to meetings. The Committee also have the Gaol and Information booth used on the day stored at the Works and Parks & Gardens Depot. To have Office Space and an area for storage would be very beneficial to our Committee.

We hope you will consider our expression of interest favourably

Thank you.
Yours Sincerely,

Jasmin Devlin
Secretary
Toodyay Festivals Inc.
Email: moondynecommittee@gmail.com
Phone: 9574 4068
Mobile: 0412 710 253

**SUBMISSION
CONCEPT PLAN FOR COMMUNITY DEPOT**

To Stan Scott
Chief Executive Officer
Shire of Toodyay
Fiennes Street
TOODYAY WA 6566

From Elizabeth Frayne
12 Drummond Street (West)
TOODYAY WA 6566

19 March 2013

Dear Mr Scott

Thank you for opportunity to comment on the **Concept Plan for the Community Depot**, Feb. 2013.

We support the Concept Plan for the Community Depot, in terms of it being an appropriate place to house the activities and equipment of some community groups, such as the four keystone tenants listed in the Plan.

The addition of services such as electricity, telephone, and effluent disposal are critical.

Lighting at the site, and along Railway Road, is also critical to make it a safe place at night, and to reduce vandalism.

The location is not appropriate for community groups who meet at night, especially for attendees who wish to walk to the meetings. A town meeting place is more suitable, which could also include storage space for equipment used at those meetings (chairs, screens, display boards). Groups may own unique and expensive materials such as archives and natural history specimens, that should not be stored in such an isolated spot.

Yours sincerely

Beth and Bob Frayne
12 Drummond Street
Toodyay WA 6566
Ph: 9574 5971
Email: toobide4@iinet.net.au

TOODYAY COMMUNITY DEPOT

COSTINGS SCHEDULE

		FUNDING REQUIRED	FUNDS FROM OTHER SOURCES	SHIRE FUNDED	
Avon Valley Glass	Make good glazing with Amplimesh	\$ 8,370.31			
Electritech	3 phase mains and metering	\$ 4,698.00			
	Telstra connection	\$ 1,180.00			
	Reinstate main building	\$ 1,662.00			
	RCD to main building	\$ 598.00			
	Security Light main Building	\$ 190.00			
	Smoke detectors main building	\$ 480.00			
	Exit signs main building	\$ 642.00			
	Power points to storage area	\$ 198.00			
	Connect and fit Bus & Theatre group	\$ 796.00			
	Connect and fit Shade house	\$ 690.00			
	Shire	Earthworks			\$ 3,951.36
Nathans Plumbing and Gas	Connect to Works depot system	\$ 10,000.00			
	Pad for Bus Shed	\$ 4,950.00			
	Pad for seed Orchard Shed	\$ 4,400.00			
	Pad for Theatre Group Shed	\$ 4,440.00			
	Rainwater tank	\$ 7,000.00			
	Pump	\$ 500.00			
	Communal outdoor area	\$ 15,000.00			
	Internal Communal area	\$ 7,500.00			
	Toodyay Seed Orchard	\$ 18,000.00			
	Tood Seed Orchard Grant		\$ 18,000.00		
	Toodyay Theatre Group		\$ 8,000.00		
	Wheatbelt NRM Watertank		\$ 10,000.00		
	Toodyay Radio		\$ 190,000.00		
	TOTAL		\$ 91,294.31	\$ 226,000.00	\$ 3,951.36

Concept Plan
for
**Community
Depot**



February 2013



Introduction

This document seeks to present to the public a concept plan for a proposed Community Depot to be located adjacent to the New Works Depot on Railway Rd Toodyay. Concept means a basic design which may be scaled back, deferred or subject to change as established needs and funding sources become firm.

This site was set aside for “the utilisation of community groups” by Council at the November 2010. It includes a derelict railway building a portion of which has been leased by Toodyay Community Radio. The site currently does not have electricity, telephone or effluent disposal available, so work needs to be undertaken to make the site tenable.

The imminent relocation of the Works and Parks & Gardens Depots means that those groups sharing these facilities will need to relocate in the near future. They have been asked to consider relocating to the Community Depot Site and are agreeable.

As there is considerable flexibility as to what approach might be taken to development of the site public comment is being sought prior to capital works being undertaken. In presenting this plan for public comment we seek to provide adequate detail, both as to the rationale behind the concept plan and the nature of the elements that make up the current plan, to enable the community to make informed comment.

Your comments both positive and negative are welcomed and encouraged.



Vision and Rationale

The Community Depot site at Railroad Rd offers the opportunity to collocate a number of environment, arts and crafts groups at one site that falls outside the Central Toodyay Heritage Precinct and therefore is not subject to the same strictures regarding what may be done on the site as a more central location. The site would feature communal toilets, lunchroom and kitchenette created by reinstatement of these features of the derelict railway building. As funding becomes available an outdoor entertainment area and an accessible access toilet block could be added.

With the exception of Toodyay Community Radio, which holds a lease over a portion of the railway building, groups would supply their own structures to be located within their allocated area. Initial tenants, as listed below, may be provided with assistance in relocating from their current sites from external grant funds. These structures and any future structures would require approval of both council and any management committee that may be in place, however groups are encouraged to come forward with proposals for consideration.

The site is large and the attached plan shows a possible configuration at some fairly early point in time, however the actual layout will evolve in response to the needs and resources of the groups seeking occupancy. It is hoped that in time the site will develop as a vibrant community hub where theatre can work with radio, environmental groups can undertake joint projects and arts and other community projects can find a home.

The site is next to a railway line, partially in a cutting and next door to the new Shire Works Depot. While the neighbours must be considered this site offers an opportunity for a colourful and diverse community driven facility.





Summary of Keystone Tenants Requirements

Toodyay Community Radio

Four rooms in railway building with services connected.

Access to toilets, kitchenette and lunchroom.

Toodyay Community Bus

Site for relocation of bus shed, preferably with direct road access.

Motion sensor lighting for night returns of vehicle.

Toodyay Seed Orchard Group

Site for relocation of shed and shadehouse, preferably with room for expansion. Have offered to undertake landscape planting.

Access to power and water to operate watering systems.

Access to toilets, etc. helpful but not essential.

Toodyay Theatre Group

Site to locate new shed with 24hr access for trucks.

Lighting to assist with unloading at breakdown of show.

Power to allow set and costume maintenance/ creation.

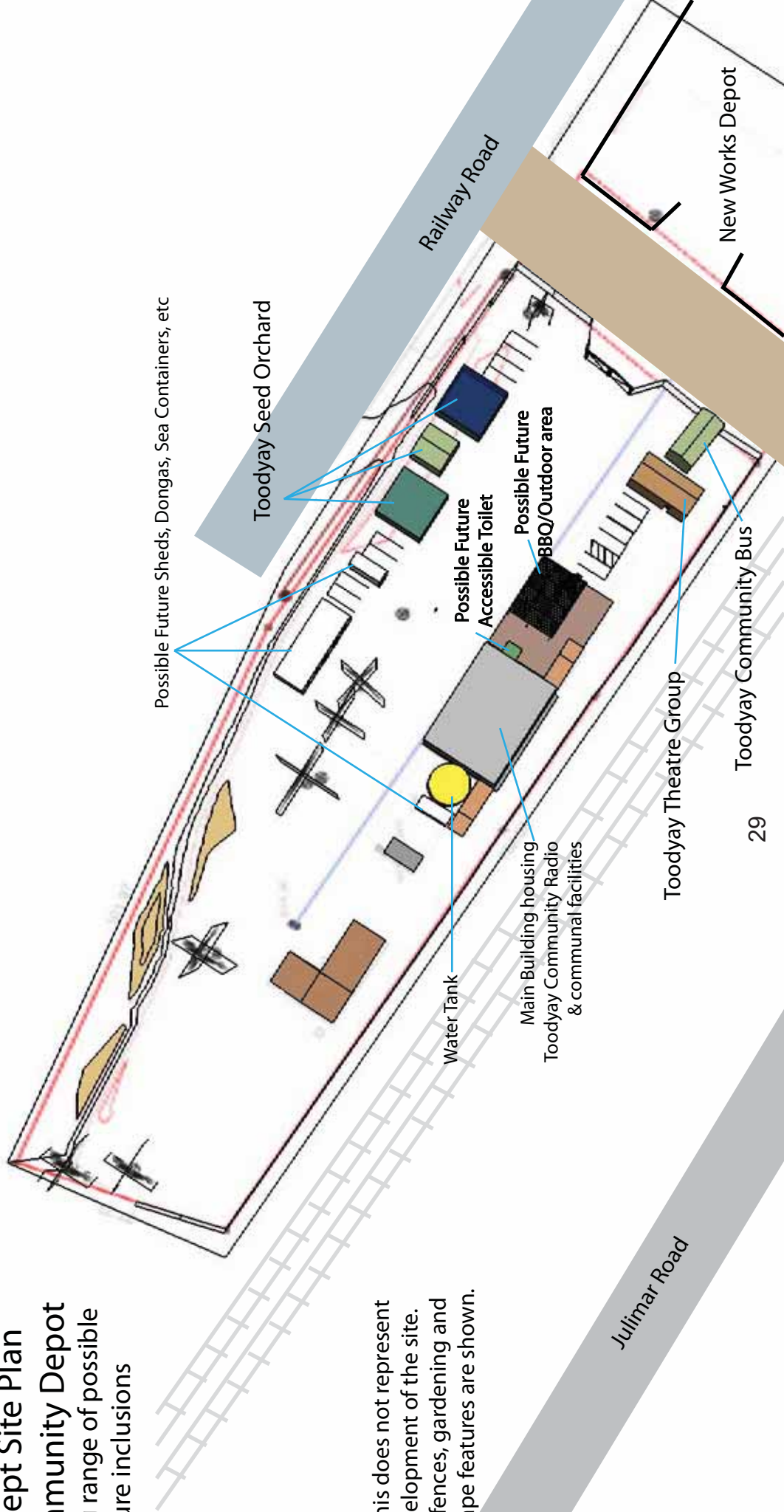
Access to toilets, etc. helpful but not essential.



Concept Site Plan
of Community Depot
showing keystone tenants



Concept Site Plan of Community Depot showing range of possible future inclusions



Note: this does not represent full development of the site. Not all fences, gardening and landscape features are shown.

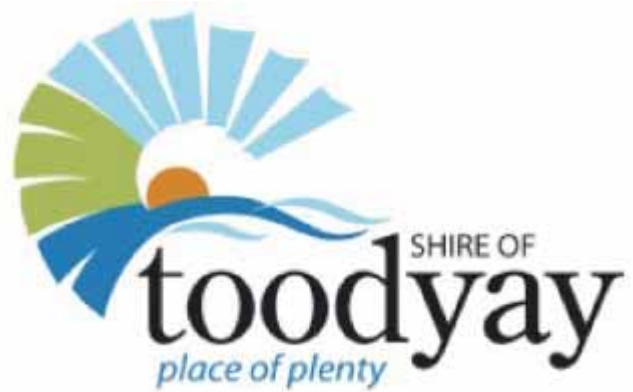
View from easement of Community Depot with range of additional structure





Shire of Toodyay Bike Plan

Prepared for



TRANSPLAN PTY LTD

Planning and Design

January 2013

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SHIRE OF TOODYAY BIKE PLAN

Executive Summary

This Bike Plan has been prepared with the overall aim of making cycling (and walking) safer and more convenient within the townsite of Toodyay. It identifies hazards, barriers and obstacles to cycling, and proposes the means by which these can be eliminated. It is anticipated that, when implemented, the upgraded cycling network will result in an increase in the number of local trips by bicycle.

It is also expected that 'new' cyclists will be attracted to the use of a bicycle for short trips within Toodyay, to such places as the local shops and recreation destinations.

This Bike Plan encompasses a number of ways for improving the local bicycle network to make Toodyay a safer and more convenient place to ride a bicycle. It is not a footpath plan, nor is it a trails plan. It does not set out a comprehensive footpath development program for every street in the town, as that is not the purpose of this plan. Instead, it proposes a carefully selected program of improvements that will do the most for upgrading the cycling network, and therefore the level of cycling, over a five-year schedule.

In a traditional 'bike plan', an examination is made of the 4 "E's" and the ways in which these combine to increase the use of bicycles:

- **E**ngineering – physical improvements to create a safer cycling environment;
- **E**ducation – programs designed to improve the road sense and behaviour of cyclists and to improve motorist behaviour towards cyclists;
- **E**nforcement – programs directed at both cyclists and other road users to create a safer integration of motor vehicles and cyclists; and
- **E**ncouragement – programs to create greater community awareness of cyclists' needs and stimulate greater use of bicycles.



Re-decking the old footbridge over the river and the upgrading of paths either side of the bridge has improved accessibility to the District High School for pedestrians, cyclists and users of other small-wheeled vehicles (such as scooters and skateboards).

This Bike Plan mainly focuses on **E**ngineering (or *infrastructure*) improvements, although it does give consideration to the other E's.

Bicycles are widely recognised as the quickest and most efficient mode of transport over short distances in urban areas and in country towns. Bicycles are widely regarded as one of the solutions to reducing traffic congestion and car parking problems. Cycling also provides health benefits. There is substantial evidence that regular aerobic exercise such as cycling is beneficial to general physical and psychological health. In this age when much media attention is on the sedentary lifestyles many people live, and the growing obesity levels of

our children, cycling to school and other local destinations can help achieve satisfactory amounts of exercise.

The focus then of this Bike Plan is to make cycling safer and more convenient for the residents of Toodyay (enabling cycling to become the preferred choice of travel mode within the town) and for visitors.

There are several underlying objectives taken into account in the preparation of this Bike Plan for Toodyay. It is anticipated that the Bike Plan will:

- Make cycling safer within the townsite (by eliminating hazards, barriers and obstacles);
- Increase the number of cycling trips made by local residents;
- Make cycling more convenient for the residents of Toodyay (enabling cycling to become one of the preferred travel modes within the town);
- Increase public awareness of the needs of cyclists (and therefore a greater empathy for those riding bicycles); and
- Encourage cycling for health, fitness and recreation.



Since the preparation of the 2004 Bicycle Plan several new shared use paths have been constructed, adding significantly to the bicycle and pedestrian network.

As with any urban area or town, the needs of existing and potential cyclists can be accomplished by:

- Enhancing and upgrading, where necessary, the existing bicycle facility network;
- Establishing new paths (and on-road facilities where appropriate);
- Providing links to existing paths;
- Removing barriers, obstacles and deterrents to cycling;
- Providing end-of-trip facilities (ie. bicycle parking rails); and
- Establishing recreational cycling opportunities.



The river foreshore trail / pathway, as recommended in the 2004 Bicycle Plan, remains one of the priority projects in the 2012 Toodyay Bike Plan.

Methodology

In preparing this Bike Plan the following tasks have been undertaken:

1. A review of the previous (2004) Bicycle Plan.
2. An assessment of the extent of implementation of the recommended projects of the 2004 Bicycle Plan.

3. A review of background reports that may influence the future provision of bicycle facilities in Toodyay.
4. Determination of places in Toodyay likely to attract cyclists.
5. A saddle survey of roads and paths in Toodyay, assessing the extent of the existing cycling network (ie. paths and on-road facilities) as well as determining where new paths (and 'spot improvements') are required.
6. Consultation with key stakeholders within the Toodyay community and elsewhere.
7. Examination of crash data (of crashes involving cyclists, pedestrians and small wheeled vehicles in Toodyay) held by Main Roads WA.
8. Mapping of existing facilities and proposed new bicycle facilities.
9. Presentation of findings and recommendations to the Toodyay community at a Community Forum.
10. Preparation of this Bike Plan, which comprises an analysis of existing bicycle (and pedestrian) facilities, recommendations for future facilities and recommendations for other strategies to increase and promote cycling in Toodyay.

The Existing Situation

This Bike Plan has examined the opportunities for increasing cycling within Toodyay by means of a range of improvements.

A major objective of this Bike Plan has been to identify key origins and destinations within the town. Generally, the major *origin* of bicycle trips is the residential suburbs of a town. The usual *destinations* (trip attractors) of any town are educational institutions (primary and high schools), recreation centres and recreation reserves, major public transport termini (eg. train stations), commercial areas (shops) and work places.

The plans associated with this Bike Plan highlight the major bicycle trip attractors (ie. destinations) of Toodyay: yellow shading for schools, institutions and government places; green shading for recreation centres and ovals; and blue shading for commercial centres and shops. The plans identify existing facilities and trip attractors in the town. The recommended new bicycle facilities are designed to provide an enhanced network linking residential areas and these destinations.

As well as the off-road (path) environment, an assessment was made of the potential and need for improving the on-road bicycle network, by the provision of bike lanes where appropriate and sealing of shoulders of major roads.

This 2012 Bike Plan updates the Toodyay Bicycle Plan prepared in 2004. At that time Stirling Terrace was due to be upgraded by means of a streetscape improvement plan. The 2004 Bicycle Plan recommended a series of actions throughout the town,



Making repairs to missing pieces of the existing path network will benefit all path users, not just cyclists. This missing section of path is outside Butterfly House on Stirling Terrace.

including new paths, completion of missing links, various 'spot improvements' and the installation of bicycle parking at a number of destinations.

Given the low traffic volumes on most roads throughout Toodyay, the comparatively wide roads that exist and the current and expected future cycling numbers, it was considered inappropriate to modify roads to install typical on-road cycling facilities such as bike lanes (with the exception of Telegraph Road, Toodyay Road and Stirling Terrace). Most roads are wide, and have low traffic volumes (and therefore exclusive bike lanes would not be warranted).

Enhancing the bicycle network and improving the safety and convenience of cycling involves more than building new facilities. It is often small and inexpensive improvements to existing facilities, and attention to detail, that make a dramatic difference.

Providing quality bicycle parking rails (in appropriate locations), making the crossing of roads easier (by upgrading and/or installing kerb ramps) and making the roads safer are items that make cycling more pleasurable, and provide a better environment for other roadway users.



Improvements and extensions to the existing path network in Toodyay will benefit cyclists, gopher users, pedestrians and parents with prams.

Priorities should focus on facilities that will do the most to encourage cycling and reduce the number and severity of crashes involving cyclists. In other words, bicycle facilities should be built where there is the greatest potential for increasing use and reducing the number of crashes.

In Toodyay the greatest potential for increasing the level of cycling (and walking) appears to be amongst school children and accordingly a major focus of this Bike Plan has been on improving facilities in proximity to the school. In addition, connecting existing residential areas and new residential to all major destinations throughout the town centre has also influenced where new bicycle facilities should be planned.

Consultation with the community has revealed that improving pedestrian and cyclist movement along Hamersley St – the designated heavy haulage route through town – is one of the highest priority projects.

Toodyay already has an excellent path network, with numerous in-situ concrete paths and asphalt paths throughout the town. These paths vary in width, most being 2.0 – 2.1m wide. Extensive areas of wide brick paving (in the order of 3.0m wide) are common throughout the commercial centre.

The most notable deficiency in the cycling network of Toodyay is the lack on continuity of the path network. There are several small 'missing links' and several major missing segments of path. Consequently, this Bike Plan has focussed on eliminating the missing links in the path network.

The existing path network is used for walking, cycling, jogging, pushing prams, people using wheelchairs and gophers and young people on scooters and skate boards. Installing ramps at

those intersections that are not serviced by kerb ramps at all, will provide a much needed improvement to the level of service for many in the community – not just cyclists.

This Bike Plan has mainly focussed on “off-road” (ie. path) improvements and, in particular, on routes where the majority of cycling currently occurs, will occur or where there is the greatest likelihood of cyclists/motorist interaction. The recommended improvements focus on paths and road crossings where the greatest concentration of potential cyclist/motorist interaction will occur which, by definition, will be the busiest roads within Toodyay.

Recommended Projects

In summary, the main projects recommended in this Bike Plan are:

1. The development of a several new shared paths throughout Toodyay, including the replacement of the old bitumen path along Hamersley St with a new path.
2. The detailed design and construction of the proposed foreshore path, between Newcastle Bridge and Newcastle Park.
3. Improvements to the existing path network, primarily through the installation of kerb ramps, by the installation of numerous short pieces of paths (“missing links”), and by some general maintenance issues.
4. Provision of bike parking rails at numerous destinations within the town encouraging more people to use a bicycle for local trips (instead of a car).
5. Installation of bike lanes and/or edge lines on the major roads through Toodyay.
6. Encouragement, education and enforcement strategies – to complement the ever-increasing cycling network.

The estimated cost of the bicycle network improvements is **\$936,900**

It is anticipated that the funds for implementation of these projects will come from several sources including Council revenue, grants, Main Roads WA and private developers.

The projects highlighted in this Bike Plan have been prioritised, costed and the recommended works will need to be spread over a (minimum) 5-year timeframe (depending on the capacity of the Council to dedicate funds to the works program).

1.0 Objectives of the Bike Plan (Scope of Works)

The Shire of Toodyay has commissioned the preparation of this Bike Plan for the Toodyay townsite. The principal aim of this project is to provide strategic direction to improve cycling, and the level of cycling activity, within the townsite. This Bike Plan provides an update to the *Toodyay Bicycle Plan* (prepared in March 2004).

The Consultants Brief issued by the Shire of Toodyay set out the Scope of Works for the Bike Plan. There are six key elements to be considered:

- The local Bicycle Route Network (Route Plan);
- Schedule of works (new priority projects);
- Maintenance schedule (existing networks);
- On-going process to ensure a cycle friendly road network;
- Encouragement of cycling; and
- Existing relevant Shire documents (eg: Forward Capital Works Plan 2010).

The Brief required consideration to be given to:

- Safe Routes to Schools – including “off-road” routes and safe crossing locations;
- Identification of trip attractors such as shops, road house, community centre, schools, parks, recreation facilities, etc;
- Directional signage on preferred on and off road routes;
- Travel demand – consideration of routes that are the most convenient and safest;
- End of Trip facilities (e.g. bicycle parking, showers, lockers).

The Brief required the Bike Plan to examine the following:

- The existing path network;
- Opportunities to improve and extend the path network;
- Opportunities for improving the on-road cycling situation; and the
- Development of a schedule of works.

The Consultant’s Brief specifies the following components of the Bike Plan:

1. Undertake a review of the existing town bike plan and bicycle network to determine where improvement works are necessary, including signage, line marking, grab rails, kerb ramps, etc.
2. Liaise with the Toodyay Shire staff from within Works and Services, Community Development, Planning and Development, and the Toodyay Road Wise Committee to determine initiatives and strategies that are likely to influence the further development of the bicycle network. Take into consideration the location of the school boundaries so that “Safe Routes to School” facilities, such as off-road routes and safe crossing points, are considered.
3. Undertake a saddle survey to identify safe routes and facility gaps.
4. Identify key cycling trip generators.

5. Identify missing links, such as small lengths of shared path / bicycle lanes that would improve access on the existing network.
6. Identify the need for new larger links or routes to be added to existing bicycle networks.
7. Ensure new works integrate with neighbouring Local Government authority bike plans and DPI plans.
8. Consideration to be given to the Shire of Toodyay's Forward Capital Works Plan.
9. Recommend a prioritised future program of works with cost estimates.
10. Map cycling network and facilities.
 - a. Appropriate maps identifying trip attractors in the area.
 - b. Appropriate maps identifying existing infrastructure, including end of trip, on-road and off-road facilities. These maps should be separated if necessary for clarity.
 - c. Appropriate maps with suggested local bicycle route network, identifying end of trip, on-road and off-road facilities. These maps should be separated if necessary for clarity.
11. Consult stakeholders – representatives from planning, works, community development, sport and recreation, as well as consultation with external stakeholders, such as the Department for Planning and Infrastructure, the Bicycle Transport Alliance, Cycling WA, Main Roads Western Australia, schools, local businesses, Toodyay Road Wise Committee and community residents.
12. Consult relevant community groups such as Friends of the River and the Toodyay Historical Society
13. Provide recommendations for increased cycle education, awareness and encouragement.
14. Propose policies that can be undertaken to:
 - Encourage the implementation of end of trip facilities at new developments
 - Ensure appropriate cycling facilities are incorporated into new subdivisions and ensure integration with existing / planned bicycle facilities external to the subdivision

The objective of the plan is to focus attention on issues within the townsite which impact on cyclists, or activities, which could encourage the level of cycling activity.

The intent of this plan is to provide some strategic directions to the Shire of Toodyay to allow it (and other relevant authorities) to provide facilities and conditions, which enhance the cycling (and walking) environment. Implementation of the Bike Plan should result in greater numbers of residents of Toodyay riding (with greater safety) for recreation, fitness, tourism and, importantly, functional tasks such as trips to work, school, or other destinations within the town.

In preparing this Bike Plan, due cognisance was paid to earlier reports that have been prepared for the Shire of Toodyay that have some bearing on the provision of cycling (and walking) facilities within the community. In particular, the earlier (2004) Bicycle Plan and the *Shire of Toodyay Disability Access and Inclusion Plan* were useful as they recognise the need for new paths throughout the town catering for cyclists, pedestrians and especially those with disabilities.

Consultation undertaken in the preparation of this Bike Plan has informed the recommendations contained herein.

2.0 Methodology

In preparing this Bike Plan for the Shire of Toodyay, the following tasks were undertaken as a means of gathering information, evaluating needs and determining priorities:

Task 1 – Review of Background Information – This task included examining relevant reports prepared for or by the Shire of Toodyay and other key stakeholders which might have an influence on the future provision of bicycle facilities in Toodyay.

Task 2 – Prepare Inventory of Existing Facilities – This task included examining the extent of the existing bicycle network, in particular the extent of the existing path network and bicycle parking facilities within Toodyay. A comprehensive assessment of existing facilities was necessary to be able to determine where new bicycle facilities are required. The task also included reviewing progress made in achieving the recommendations made in the 2004 Bicycle Plan.

Task 3 – Prepare Information on Existing Facilities – This task involved collating the information obtained during Tasks 1 and 2 to enable the preparation of plans depicting existing facilities within Toodyay. The plans include shared paths, footpaths, informal bicycle routes and 'on-road' facilities (such as bike lanes and/or sealed shoulders). Depicting the location of all existing facilities on a plan provides a valuable visual representation to be made, a record or snap shot of facilities available at the time.

Task 4 – Determine Location of Major Trip Attractors – This task included a review of places within Toodyay likely to be major trip attractors for cyclists. Locating these attractors ensures the bicycle network adequately provides access to the attractions, as well as the determination of appropriate bicycle parking facilities. Trip attractors include schools, shops, recreation grounds, work places and various community facilities.

The provision of appropriate facilities to and around land uses likely to attract cyclists is one of the surest ways of encouraging a shift in journeys from cars to bicycles. Importantly, it also provides a safer infrastructure for those who already choose to use a bicycle for their trip to school, the shops, workplaces and other destinations.

Each road and every path within Toodyay was cycled in order to ascertain conditions as they impact on cyclists.

Task 5 – Consultation – This task includes consultation with major stakeholders and representatives of groups within the community to gain information on a range of cycling issues, including safety concerns, barriers or obstacles and suggestions for new facilities or improvements.

Comments and suggestions on improving the bicycle network emanating from the community is vital in achieving a network that meets demands, needs and expectations of the community. Facilities need to serve the community, they need to be located where they will be used and where safety and health benefits will accrue because of their construction.

Task 6 – Preparation of Recommendations for New Facilities and Improvements – This task included collating all relevant information to enable the preparation of plans which depict locations where improvements are required, or facilities and links which need to be established (ie. constructed), to ensure the provision of a comprehensive network of bicycle facilities which caters for the range of bicycle users within Toodyay.

The fieldwork undertaken in the preparation of this Bike Plan resulted in a considerable quantity of information needing to be mapped. The preparation of plans enables the various proposals and recommended facilities to be quickly identified.

Task 7 – Preparation of an Engineering Works Schedule – This task included the preparation of a detailed schedule of works for the construction of additional components of the bicycle network and all recommended improvements. The schedule includes details of the works required, with recommended priorities.

Though some preliminary cost estimates are provided, it is expected that the Shire of Toodyay will undertake detailed costings of the works at the time of the planned construction of the facility.

It is important that staff and Council of the Shire of Toodyay be presented with a detailed, itemised schedule of all the improvements and new facilities required, with a clear indication of which of the proposed projects are the most important. This task enables the preparation of a detailed account of all recommended improvements and the level of importance or priority.

Task 8 – Prepare and Submit Draft Bike Plan Report - This task included the preparation of a 'draft' report outlining the recommended improvements to the network, including the Engineering Works Schedule.

The Bike Plan report provides amongst other matters information on the importance of planning and providing for cyclists, a rationale for determining priorities, a detailed account of all recommended improvements, a schedule of engineering works and priorities.

Task 9 – Community Review of Draft Plans – This project included a public review period during which time people from the Toodyay community had the opportunity review the draft Bike Plan report and maps to see the range of bicycle facilities being proposed. Community consultation has also been undertaken with key stakeholders, providing an opportunity for interested members of the community to contribute ideas influencing the development of the bike plan.

Task 10 - Modification and Final Report - This task involves the preparation of this final report incorporating modifications required by the Shire of Toodyay into the report. This final report includes revisions deemed necessary as a result of input received from the community.

3.0 Community Consultation

3.1 Introduction

The need for involving the local community in the bike plan is set out in the Bikewest document titled *Local Government Bicycle Plans – Guidelines for Preparing Bicycle Plans (December 2008)*.

The document states that it is beneficial to involve local cyclists and other stakeholders in the development of the Bike Plan. It advises that this can be achieved through a community consultation process. It also suggests advertising in the local community newspaper as a way of inviting contributions to the development of the Plan. It also suggests that inviting councillors to contribute to and support the development of a Local Bicycle Plan is vital to its success. It will also inform councillors about the needs of their constituents.

In addition to cyclist input in the development of Bike Plans, it is important to seek the input of other users of these facilities: pedestrians, people with a vision impairment or mobility disability, skaters and others who share off road facilities with cyclists.

Rather than preparing a plan that caters exclusively for the existing cycling community, the primary purpose of this plan has been to develop facilities that will help to encourage cycling (to schools, shops and other local destinations). The plan also seeks to encourage other non-motorised modes of transport, by focusing on the development of facilities that will do most to satisfy the needs of all (path) users (eg. gopher and wheelchair users, pedestrians, scooter and skateboard riders).

3.2 Previous Studies

Prior to the preparation of this Local Bike Plan, several relevant studies had been carried out in the Shire of Toodyay, all of which provided useful material for use in this plan. Some of these earlier studies involved consultation with the community and a number of meetings, which produced information used in this Bike Plan.

The studies reviewed were:

- Shire of Toodyay Bicycle Plan (2004)
- Shire of Toodyay – Disability Access and Inclusion Plan 2007 – 2010
- Shire of Toodyay Forward Capital Works Plan (October 2011)
- Local Government Bicycle Plans – Guidelines for Preparing Bicycle Plan (December 2008) Bikewest
- Shared Path Guidelines (Bikewest)
- Signage, Pavement and Linemarking Guidelines (Bikewest)
- Western Australian Bicycle Network Plan (2012)

3.3 The Community

During the course of preparing this Bike Plan several key stakeholders of the Shire of Toodyay community were consulted and their comments have informed the preparation of this plan.

3.3.1 Shire of Toodyay Staff (1)

A Project Inception meeting was held on Friday 20th July 2012 at the Shire offices to discuss the proposed update of the 2004 Bicycle Plan. In attendance were: Mr Sam Mastrolembo (Shire of Toodyay Deputy CEO), Ms Joanne Buegge (Be Active Coordinator) and the consultant (Mike Maher – Transplan Pty Ltd).

The following matters were discussed:

- The priority project for the town is still considered to be the development of the Riverside Trail (as indicated in the 2004 Bike Plan). Council has recently submitted an application for funding to progress the detailed planning for this proposed path/trail.
- A new subdivision has occurred on Drummond St, on the north side of the river (alongside the Toodyay Goomalling Rd). The development includes paths along all major streets, connected to the gravel seal path along Drummond St East towards the District High School (and towards the bridge over the river on the Toodyay Goomalling Rd).
- The footbridge over the river, connecting the town centre with the District High School, has recently been re-decked.
- The existing path connection to the showgrounds/oval is incomplete.
- Council is considering the development of a new recreation complex on Drummond St, to the west of the District High School. Should it eventuate, it will need to be connected to the town centre by a path network.
- Since the preparation of the 2004 Bicycle Plan, the main street of Toodyay has been upgraded with new road surfacing, indented parking, kerb extensions (for assisting pedestrians to cross the road). The new main street design is regarded by some as being inadequate because the pedestrian crossings of the road are not well located - or numerous enough.
- There are quite a few gopher users in Toodyay, who would benefit from additions to the existing path network.
- The Bike Plan should consider improvements to the path system within Duidgee Park – as there is a need to complete the paths to cater for disabled users (and gophers).
- Though the caravan park is some distance out of town (along Railway Rd), it would be beneficial if it could be connected to the town by a path or trail. There is an existing narrow walk trail along the river (through bushland) from the caravan park and it may need to be upgraded. Lane tenure could be an issue.
- Some Councillors and residents have indicated a need for a new path along Hamersley Street to replace the existing, old bitumen path.
- Some thought has been given locally to the need for a path or trail to connect Toodyay with Northam, along the Avon River.
- The Avon River Environmental Society is keen to see the development of a trail on the disused railway between Clackline and Toodyay.
- Council has approved an extension to the caravan park on Racecourse Rd. The overall size of the development may warrant a path connection into the town centre.
- The equity of providing for those who seek a rural-residential lifestyle, and yet seek the benefits of living in a residential environment (such as paths).
- There are few existing (adult) cyclists in Toodyay at present, and this is one of the reasons for the Bike Plan and improvements to the path and trail network.

3.3.2 Shire of Toodyay Staff (2)

A further meeting was held on Wednesday 29th August 2012 at the Shire offices to discuss the proposed Bike Plan. In attendance were: Mr Stan Scott (Shire of Toodyay CEO), Mr Graeme Bissett (Senior Building Surveyor), Mr Lindsay Slater (Works Supervisor), Mr Glen Rodger (Works Coordinator) and the consultant (Mike Maher – Transplan Pty Ltd).

The following matters were discussed:

- The path projects as identified in the Shire of Toodyay's *Forward Capital Works Program* were discussed.
- Priority projects as identified by members of Council were discussed, notably the need for a new shared path along Hamersley St. This road is regarded as potentially hazardous due to it carrying heavy haulage traffic through town.
- Telegraph Rd is to be re-sealed and an opportunity exists for installing an edge line (to create space at edge of road for cyclists).
- The intersection of Drummond Street East and Toodyay Goomalling Road is to be reconfigured. An opportunity exists for the proposed shared path connection between the bridge and Drummond St East to be designed and built as part of the roadworks.
- A path is needed along Jubilee St, as residents in that area often walk into town on the road. A short cut through the cemetery to the path along Telegraph Rd was suggested.
- Tourists staying at the caravan park on Railway Rd often walk or cycle into town along the road. A path along Railway Rd is probably warranted. It would have to change from side to side due to the steep embankments off to the side of the road.
- The preparation and distribution of a Bike Map to all residents and visitors would be a good idea. The Bike Map would show the location of all existing paths, and suggestions for circuits that could be walked or cycled.
- The Visitor Centre and accommodation providers could be encouraged to make rental bikes available for tourists.
- The existing concrete path along Telegraph Rd, north of Newcastle Bridge is to be replaced by a new 2.5m wide shared path.
- Local businesses could be approached and encouraged to support the installation of attractively designed bicycle parking rails.
- Visitors to the town are often asking about places (trails) to go walking. An opportunity exists for existing trails to be upgraded and new trails designed and built. A Trails Master Plan could be prepared to determine location of existing trails and potential new trails.

3.3.3 Rachael Biddulph - Health Promotion Officer - Avon and Central Wheatbelt Primary Health Service

The following comments were submitted during the preparation of this Bike Plan:

- Many residential areas in Toodyay are hilly and have windy roads – consider the steepness and windiness of the roads where foot/cycle paths are planned as if they are not clean they can be dangerous.
- Some residential areas have concrete slabs as paths on one side of the road, but others have no footpaths. Some streets are wide with lighting spread out on one side of the street.

- Pelham Reserve should not be promoted as a walking area due to bush fire damage (it maybe looking nicer now).
- Avon Valley National Park has camping groups with facilities and a walking trail. Could promote what the Avon Valley National Park and Julimar Conversation Park has to offer residents and tourists and link them into the plan.

Key planning principles:

- Develop walking and cycling plan, by mapping out safe routes to local destinations including the additional proposed school location, parks, open spaces, recreation facilities, shopping centres, business and health services.
- Design paths as part of a network with safe road crossings and ensure they are well maintained.
- Cycleways should be well marked and safe for cyclists and pedestrians if a shared facility.
- Walking – footpaths, lighting, seating, water fountains, rubbish bins, signage, dog related infrastructure.
- Cycling – bike paths, bike racks near shops, parks and public places, safe bike parking/lockers at public transport stops and workplaces, bike lockers and way finding signage.

3.3.3 Greg Warburton – Friends of the River

The following comments are relevant to the recommendations contained in this bike plan:

- Working with FESA on development of a trail along the river from town to Extracts Weir.
- Long term plan is to connect Toodyay with Northam with a riverside trail.
- Have recently applied for funds from Lotterywest for trail directional markers, information signage and rest areas for the existing trail. It is intended that most interpretation for the riverside trail will be included in a brochure rather than on trailside signage.
- Sees a big potential for development and promotion of other tracks/trails in the Toodyay region.
- Believes a shire-wide trails master plan is required.

3.4 Community Meeting

A Community Forum was held on Thursday August 30th at 5.30pm in the Toodyay Community Resource Centre to discuss the proposals contained in the draft Bike Plan and to enable the community to provide feedback, suggestions and recommendations on existing and proposed facilities in Toodyay. The Community Forum was widely advertised in the local newspaper, local radio, through various emails and by direct invitations. Approximately 15 members of the Toodyay community attended and comments included:

- The hills of Toodyay, and the lack of paths along some streets, deter some people from cycling to school and into town.
- Hamersley Street is a designated heavy haulage route (and the signposted detour for heavy vehicles passing through town). Bicycle and pedestrians facilities are inadequate along this road and need to be improved. Currently pedestrians, cyclists and gopher users are forced out onto the street because of a lack of paths.

- Construction of a path along Drummond Street West would provide a safer route for school children travelling to school. The construction of a path along Drummond Street West would also complete an around-the-river circuit.
- Progressive development of a pathway/trail along the Avon River, from town towards Extracts Weir and beyond, is regraded as a priority project for the Toodyay community.
- Promotion of circuits in Toodyay would encourage more people to get out and walk and cycle the existing paths. Circuit routes could be colour coded and signposted.
- Mapping of existing (and proposed future paths) should be done and a Bike Map produced and circulated to all residents (and made available to visitors to town).
- Rental bikes should be made available at various places in Toodyay to encourage visitors to cycle around the town. Local people could also make use of the rental bikes.
- Bike parking rails need to be located so that they do not interfere with pedestrian movement.

3.5 Council Briefing

The Consultant made a presentation to the Council of the Shire of Toodyay on Tuesday 2nd October 2012. Several matters were of particular interest to Councillors:

- ownership of the pedestrian/cycle bridge over the railway
- the maximum gradient permissible for shared paths
- location of kerb ramps
- most desirable material for shared paths

3.6 Community Review

The Toodyay Bike Plan was made available for community review for a period of 28 working days in late November and December 2012. No submissions were received.

4.0 Planning for Cyclists

4.1 The Benefits of Cycling

Cycling is a cheap and convenient transport option in an urban area, an activity that provides substantial health benefits. The World Health Organisation advises that regular physical activity:

- reduces the risk of dying prematurely.
- reduces the risk of dying from heart disease or stroke, which are responsible for one-third of all deaths.
- reduces the risk of developing heart disease, colon cancer and type 2 diabetes.
- helps to prevent/reduce hypertension, which affects one-fifth of the world's adult population.
- helps control weight and lower the risk of becoming obese.
- helps to prevent/reduce osteoporosis, reducing the risk of hip fracture in women.
- reduces the risk of developing lower back pain can help in the management of painful conditions, like back pain or knee pain.
- helps build and maintain healthy bones, muscles, and joints and makes people with chronic, disabling conditions improve their stamina.
- promotes psychological well-being, reduces stress, anxiety and depression.
- helps prevent or control risky behaviours, especially among children and young people, like tobacco, alcohol or other substance use, unhealthy diet or violence.

The significant benefits accruing from the activity should not be underestimated. A recent report prepared for the Commonwealth Department of Health and Aged Care and the Australian Sports Commission's 'Active Australia' program has stated that:

- In 1997 44% of all Australian adults were 'insufficiently active'.
- Physical inactivity contributes to the risk of 8,600 deaths p.a. in Australia. Of these deaths, 1531 occur in people under the age of 70 years and contribute to an estimated 77,603 potential years of life lost because of inactivity.
- The annual direct health care cost attributable to physical inactivity is conservatively estimated at around \$377 million, while indirect costs are much higher.

The bicycle is recognised as being one of the most efficient forms of human transport. It is a transport mode that is available to a wide cross-section of the community.

In comparison to motor vehicles, bicycle travel provides substantial savings for all levels of society. Bicycles do not contribute to noise or air pollution and do not draw on fossil fuel reserves that produce greenhouse gases.

Bicycles are probably the quickest and most efficient mode of transport over short distances in urban areas and in country towns. Bicycles are widely regarded as one of the solutions to reducing traffic congestion and car parking problems. Cycling also provides health benefits. There is substantial evidence that regular aerobic exercise such as cycling is beneficial to general physical and psychological health.

Various studies in Australia have demonstrated that the majority of bicycle trips are for transport purposes, with the average length of a bicycle trip being just over 2 kilometres. Considering that in many cities of Australia around 33% of ALL trips are 3 km or less, the potential for increasing the level of bicycle use for these short trips is enormous. In towns the size of Toodyay, it is reasonable to assume that this percentage would be much higher – most residential areas and trip attractors within the townsite are within 3 - 5 km of each other. The transference of many of these short distance (car) trips to a bicycle would have significant benefits to the community in terms of improved health, enhanced social contacts, greater independence and health benefits for children riding to the schools or other destinations.

Planning for cyclists attempts to provide for their safe and convenient movement. It seeks to increase mobility for people without access to a car, and to encourage a transfer of journeys from private cars to bicycles. A major aim of this Local Bike Plan is to increase the level of bicycle use by making all destinations more easily accessible and bicycle travel safer. This can be achieved in a number of ways including the removal of barriers and hazards, the provision of new or improved facilities and by providing suitable end-of-trip facilities such as bicycle parking. Improved safety for cyclists & better connectivity are also important factors.



Providing a new shared path along the north side of Anzac Ave, between the railway station and Harper Rd, will complete a major missing segment of the path network, enabling residents to access the railway station and other major routes of the pathway network within Toodyay.

Surveys undertaken in various local government bike plans (prepared by Transplan Pty Ltd – eg. Melville Bike Plan; Fremantle Bike Plan; Western Suburbs Bike Plan – all in WA) show more people would ride a bicycle if more (and better) facilities were provided, if on-road cycling conditions were improved, if traffic conditions were better, if motor vehicle speeds were reduced, and if 'end-of-trip facilities' (such as bike parking) were commonplace.

4.2 Typical Off-Road Bicycle Facilities

4.2.1 Shared Use Paths

The Bikewest Shared Path Guidelines define a shared path as:

"... a facility that provides access for a variety of users, including people who cycle, pedestrians, people with wheelchairs or gophers and various other forms of recreational transport."

- A shared path (formerly termed dual use path) is an area of pavement open to the public that can be used by people on bicycles and pedestrians.
- A path is only designated as a shared path by means of a sign panel on a pole or symbols stencilled on the pavement (refer to signage section).
- Signage to designate shared path status is mandatory and all new shared paths must be signed for the project application to be valid.

4.2.2 Appropriate Applications for a Shared Path

It may be appropriate to install a shared path where:

- There is sufficient demand from both pedestrians and cyclists, but the frequency of use is not high enough to warrant providing separated facilities.
- The adjacent road conditions are such that it could be hazardous for children and inexperienced cyclists.
- There is not going to be a great risk to pedestrians from fast travelling cyclists. This can be avoided by ensuring the adjacent on-road environment is made as safe as possible by the use of bicycle lanes. Where the potential interaction hazard risk is high, a separated path for cyclists is recommended.

4.2.3 Factors Affecting Shared Path Location

The following factors affect the location of a shared path:

- The need to achieve the best alignment possible, to allow cyclists to travel safely at their chosen speed.
- The need to avoid sharp horizontal curves, particularly at the bottom of steep downward grades.
- The need to achieve adequate sight distance across the inside of curves and over vertical crests.
- The need to achieve adequate clearances between obstacles, including trees, fences, posts and roads.
- The need to ensure the personal security of users is not compromised on paths located in relatively isolated areas.
- The need to accommodate Emergency Service vehicles at path entrances or other strategic points.
- The need to consider landscaping and planting.
- The need to consider property owners abutting the reservation and sight distance from possible front boundary walls.
- The need to obtain possible advantages from incidental lighting from fixed sources or motor vehicles.

4.2.4 Standards Required for Shared Paths

4.2.4.1 Shared Path Width

Austrroads standards list the absolute minimum width of a shared path as 2.0m.

However, path widths may be increased after considering the volume and primary user types. Consider the following recommendations when deciding on a path width:

- 2.0m is an acceptable shared path width where paths experience very low use at all times on all days.
- 2.5m and 3.0m are the minimum width for shared paths having a predominant purpose of transport during peak periods.
- 3.0m is the minimum width for a shared path where high speeds occur (above 30km/h).
- Major recreational shared paths should be 4.0m wide to permit the cyclist groups to overtake pedestrian groups.

4.2.4.2 Shared Path Clearances

- A minimum lateral clearance of 0.5m needs to be provided between the edges of shared path and any obstacle.
- Where extenuating circumstances exist, a lesser clearance of 0.3m may be suitable for obstacles with smooth features (eg - fences).
- Austroads recommends a distance of 1.0m lateral clearances from the edge of road where there is the possibility of cars parking.
- Where there is no car parking expected a 0.5m lateral clearance is recommended (absolute minimum 0.3m).
- The minimum vertical clearance required by cyclists on a shared path is 2.4m above the riding surface.

4.2.4.3 Shared Path Gradient

- The maximum gradient for use on shared paths is 0.03.
- In cases where this cannot be achieved, limit the gradient to a maximum of 0.05 and provide flat sections (landings) at 20m intervals.

4.2.5 Shared Path Signage and Pavement Marking

Australian Standards (AS 1742.9, Manual of uniform traffic control devices, Part 9: Bicycle facilities) require the appropriate signage, pavement and line marking on shared paths for people to legally cycle on them.

All pavement marking should be jade green in colour on concrete surfaces, or white on asphalt surfaces.

Bicycle and pedestrian symbols must be marked on all shared paths at the beginning and end, road crossings and, when uninterrupted, at 200m intervals.

Separation lines are recommended in the following situations:

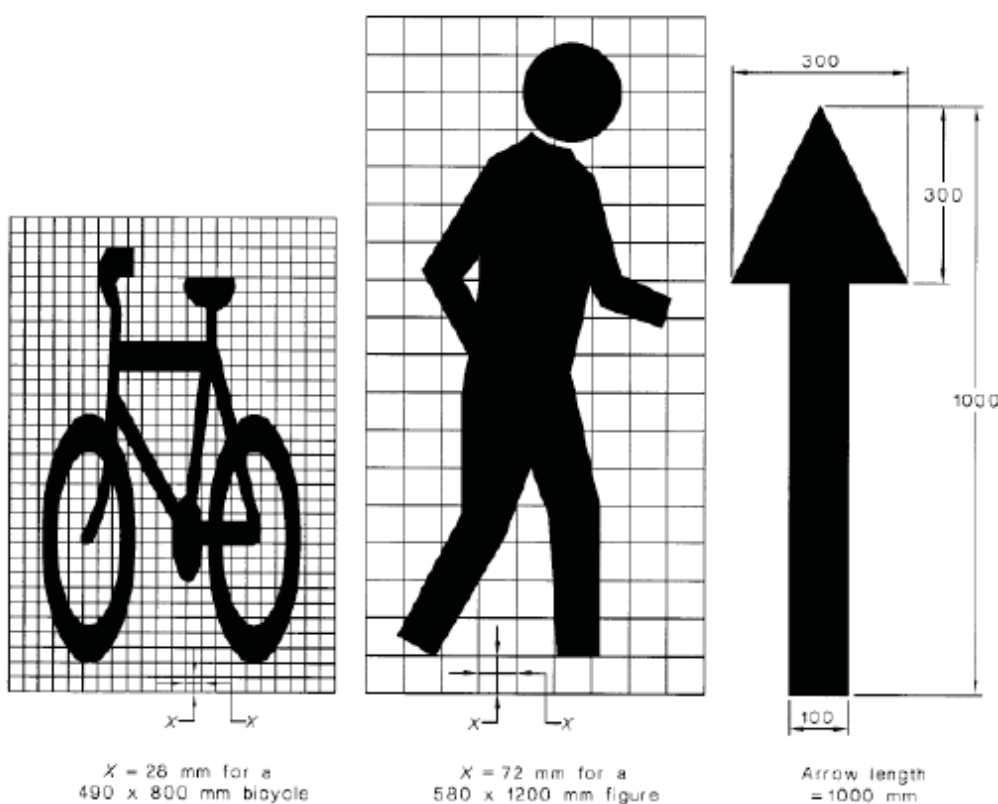
- On curves where sight distance is poor.
- In high volume locations or where there is potential for interaction between users.
- On approaches to intersections.

Pavement arrows are recommended in the following situations:

- Busy sections where there is a need to keep users left.
- Directing cyclists around approaching hazards or obstacles.



A centre line along with pavement symbols advises path users to keep left



NOTE - Recommended logo and size is for use on shared paths, not bicycle lanes or sealed shoulders.

4.2.6 Cycling on Shared Paths

Shared paths provide cyclists and pedestrians with a safe travel environment that reduces the potential for interaction with motor vehicles. They have their own set of rules and code of behaviour

Shared path rules:

- Children under 12 years of age may ride on any footpath unless a "no bicycles" sign has been erected. Riders 12 years of age and over are not permitted to ride on a footpath.

- *Riders must keep left on shared paths and footpaths unless overtaking.*
- *Riders must give way to pedestrians at all times.*
- *At path intersections you must signal your intention to turn, and give way to motor vehicles entering or exiting an intersection road.*
- *Riders must only travel in single file on all paths, though they can travel two abreast on a road.*
- *Animals must not be tied to a moving bike.*
- *A power-assisted bicycle must not use a path when the power assistance is engaged.*

Under the Road Traffic Code, it is an offence to speed. The Code also requires that you do not ride carelessly or recklessly. Cyclists on paths are restricted to the speed limit on adjacent roads.

Observation of the character of Toodyay, the facilities available to residents, the existing street system and the volumes and speeds of traffic indicate that the greatest potential for increasing the level of cycling is by the provision of additional and better shared paths (with some new kerb ramps throughout the town).

Providing improved facilities to and around the school, and encouragement of school children to use these facilities, will have the greatest impact on the amount of cycling undertaken in Toodyay. Providing better facilities (ie. shared paths) in strategic locations will also have the added benefit of improving dramatically the facilities for other non-motorised groups including pedestrians, people in wheelchairs and those using gophers. Parents pushing prams and strollers will also benefit.

The path network improvements suggested in this Bike Plan recommend shared paths be constructed to a minimum width of 2.0 metres. This width complies with the minimum set out in various documents, including Austroads' *Guide to Traffic Management*, Austroads' *Guide to Road Design* and in Bikewest's *Shared Path Guidelines*. 2.0m wide paths should be satisfactory for Toodyay, given the current level of usage and the expected future use (which are not anticipated as being comparable to major city volumes where wider paths would be required).

2.0m wide paths are wide enough to accommodate cyclists passing each other in opposing directions, as well as cyclists passing pedestrians, and wheelchairs (and gophers) passing each other.



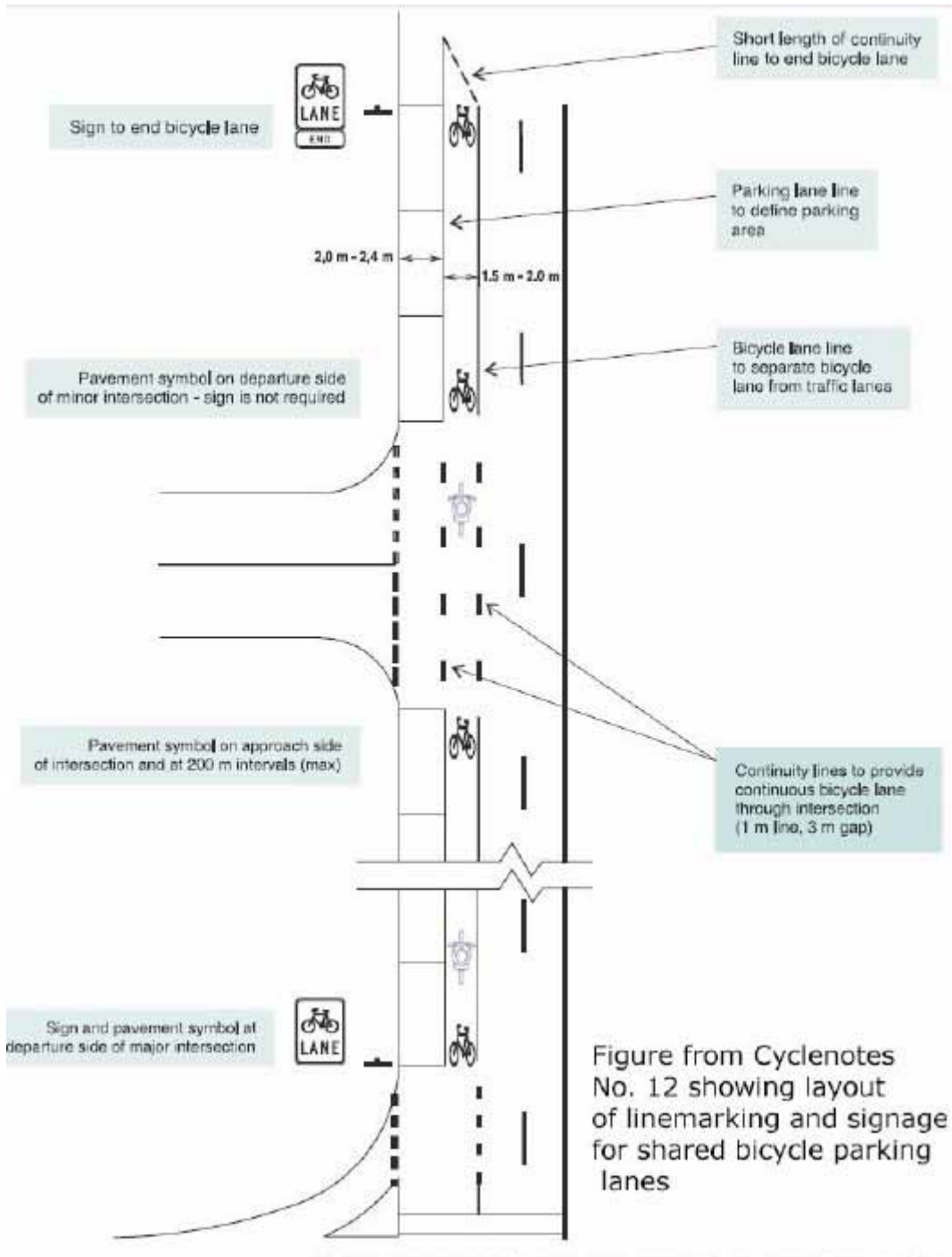
The main street of Donnybrook has been the subject of a streetscape improvement. The design of that street included provision of a 'bike lane' for cyclists as an integral component of the plan. The recent main street improvement in Toodyay did not provide such a facility.

4.3 Typical On-Road Bicycle Facilities

Few cyclists were observed in Toodyay during the periods in which fieldwork was being undertaken for this Bike Plan. This could be for any number of reasons: lack of facilities in the places where the cyclists want to ride, comparative ease of walking to destinations, lack of bike parking facilities at destinations, condition of roads, time of inspection, preference for using scooters and/or skateboards, steepness of roads and paths, etc.

The fieldwork revealed the total absence of any on-road cycling facilities in Toodyay. There are no bike lanes, and the sealed shoulders on major roads were comparatively narrow. Often the sealed shoulder of a road (should it be wide enough) is where cyclists will prefer to ride. Cycle tourists in particular would benefit from widened shoulders. Any road upgrading proposed for main roads in Toodyay should include provision for widened shoulders. Bike lanes should be included in the planned reseal and pavement linemarking for Telegraph Rd.

The following series of diagrams illustrate the approved techniques for providing on-road facilities for cyclists.



Source: VicRoads Cycle Notes No. 12 - Design Standards for Bicycle Facilities, October 2002

Bicycle Facility Widths

Austrroads Guide to Traffic Engineering Practice Part 14, Bicycles, are the agreed national guidelines for designing bicycle facilities. Designers of bicycle facilities should become familiar with these guidelines. The bicycle lane and path widths provided in this edition of *Cycle Notes* are from the guidelines.

Where a new road is being constructed and there is sufficient space within the road reservation, the "desirable" width of bicycle facility outlined in the

tables should be provided. When bicycle facilities are being retrofitted to an existing road, bicycle facilities should be provided if they fall into the "acceptable range".

On-road bicycle lane widths are measured to the face of kerb. Whilst cyclists generally do not ride in the channel, it is usable clearance space which can be included in the bicycle lane width. However, the channel space is only useful if the joint between the asphalt road surface and the concrete channel is as smooth as possible.

Exclusive Bicycle Lanes and Sealed Shoulders ¹			
	Overall Bicycle Facility Width (m)		
Road Speed (km/h)	60	80	100
Desirable Width (on new roads)	1.5	2.0	2.5
Acceptable Range (when retrofitting to roads)	1.2 - 2.5	1.8 - 2.7	2.0 - 3.0



Shared Parking and Bicycle Lanes ¹		
	Overall Bicycle Facility Width (m)	
Road Speed (km/h)	60	80
Desirable Width (on new roads)	4.0	4.5
Acceptable Range (when retrofitting to roads)	3.7 - 4.5	4.0 - 4.7



Wide Kerbside Lanes ¹		
	Overall Bicycle Facility Width (m)	
Road Speed (km/h)	60	80
Desirable Width (on new roads)	4.2	4.5
Acceptable Range (when retrofitting to roads)	3.7 - 4.5	4.3 - 5.0



Source: VicRoads Cycle Notes No. 7 - On-Road Arterial Bicycle Routes, August 2000

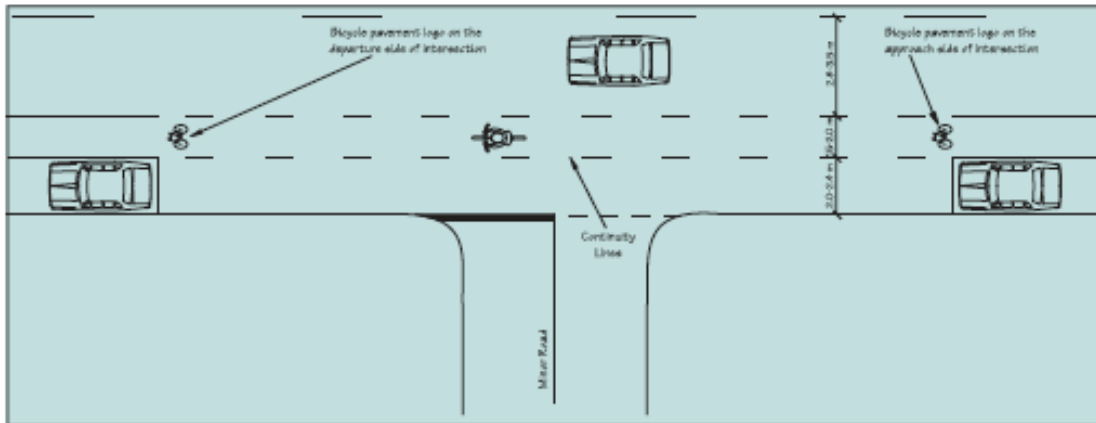


Figure 1: Bicycle lanes should continue through minor intersections

Source: VicRoads Cycle Notes No. 2 - Bicycle Lanes, May 1999

Bicycle Pavement Logos

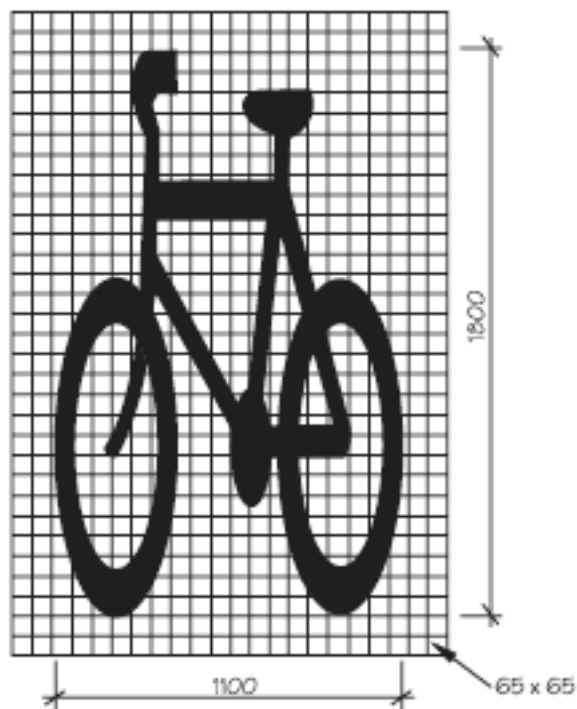


Figure 2: Bicycle Pavement Logo

(Source: AS 1742.9 Manual of Uniform Traffic Control Devices, Part 9, Bicycle Facilities)

Bicycle lane pavement logos should be 1100 mm wide and 1800 mm long. The shape of the logo should comply with Australian Standard AS1742.9 as shown in Figure 2.

Source: VicRoads Cycle Notes No. 2 - Bicycle Lanes, May 1999

5.0 Literature Review and Background Reports

Various background documents were reviewed during the preparation of this Bike Plan. Each was examined to determine relevance to the development of cycling facilities and to gather information that illustrates Council's prevailing attitude and policy towards the provision of paths and other cycling (and walking) facilities. The following paragraphs are extracts from relevant background documents.

5.1 Shire of Toodyay Disability Access and Inclusion Plan 2007 - 2010

In the DAIP, the Shire of Toodyay:

- is committed to ensuring that the community is an accessible and inclusive community for people with disabilities, their families and carers;
- is committed to consulting with people with disabilities, their families and carers and disability organisations to ensure that barriers to access and inclusion are addressed appropriately;
- People with disabilities have the same opportunities as other people to access the buildings and other facilities of the relevant public authority.

The DAIP includes a number of strategies:

- Ensuring all buildings and facilities are physically accessible to people with disabilities, where practicable;
- Ensuring that all new or redevelopment works provide access to people with disabilities, where practicable;
- Ensuring all premises and other infrastructure related to transport facilities are accessible, where practicable;
- Ensuring that parks and reserves are accessible.

It is evident that all recent path and kerb ramps have been designed with people with disabilities in mind.

5.2 Shire of Toodyay Forward Capital Works Program

Section 8.9 (Footpaths Renewal Program) of the Forward Capital Works Program identifies the following priority path projects in the town of Toodyay:

- Hamersley Street (Duke Street – Henry St West)
- Hamersley Street (Henry St West – Goddard St)
- Clinton Street (East Side, Henry St West – Fiennes St).
- Henry Street West (Hamersley St – Duke St)
- Clinton Street (West Side, Henry St West – Fiennes St).
- Henry Street West (Duke St – Clinton St)
- Jubilee Street (Toodyay St – 120m)
- Duke Street (Fiennes St – Henry St West)

Section 8.17 provides a description of the 'foreshore walkway':

A key feature of Toodyay is its picturesque river that winds its way through the town. In developing the town the river is acknowledged as a key feature. Council has identified that a walking path will provide a significant tourist opportunity as well as providing an enhanced recreational facility for the residents and visitors.

It is proposed that a pathway will be constructed out of materials compatible with the local environment and will meander along the banks of the river for approximately 2km.

5.3 Local Government Bicycle Plans – Guidelines for Preparing Bicycle Plan (December 2008) Bikewest

These guidelines provide guidance on matters that should be considered and investigated when preparing a Local Bike Plan:

- What is needed in a Local Bicycle Plan
- Local Bicycle Route Network (Route Plan)
 - Bicycle Network routes
 - Safe Routes to Schools
 - Identification of Trip Attractors
 - Signage
 - Travel Demand
 - Analysis of Crash Statistics
 - End-of-Trip Facilities
- Community Involvement in the Plan
- Design and Standards
- Ensuring an Ongoing Bicycle Friendly Road Network
- Encouragement of Cycling

5.4 Shared Path Guidelines (Bikewest)

These guidelines provide information pertaining to standards for shared paths:

- Introduction
- Description of a Shared Use Path
- Appropriate Applications for a Shared Path
- Factors Affecting Shared Path Location
- Standards Required for Shared Paths
 - Shared Path Width
 - Shared Path Clearances
 - Shared Path Gradient
 - Shared Path Sight Lines
 - Shared Path Signage and Pavement Marking

5.5 Signage, Pavement and Linemarking Guidelines (Bikewest)

These guidelines provide advice on the following matters:

- Exclusive Bicycle Lanes
 - Bicycle Lane Plate
 - Bicycle Lane Supplementary Plates
 - Bicycle Lane Pavement Markings
 - Bicycle Provisions Mid-Block
- Sealed Shoulders
- Paths

Shared Path Plate
 Separated Path Plate
 Pavement Markings

- Appendix 1 - Signage
- Appendix 2 - Pavement and Linemarking

5.6 Western Australian Bicycle Network Plan (2012)

Though prepared primarily to improve cycling in Perth, the WA Bicycle Network Plan does have some relevance to cycling in regional Western Australia.

The plan provides a succinct outline of the many benefits of cycling, being:

Economic Benefits

- Reduced traffic congestion
- Reduced infrastructure costs
- Reduced health costs
- Affordable

Environmental Benefits

- Reduced air and noise pollution
- Greenhouse gas abatement
- Land use efficiency

Social benefits

- Time saving
- Access for all
- Safety

The Aims and Objectives of the plan are:

Objective 1: Provide a coordinated approach to implement a high-quality and connected bicycle network

Objective 2: Plan for maintaining and safeguarding the existing and future bicycle network

Objective 3: Integrate network development in planning strategies with other developments, projects and programs

Objective 4: Guide professionals implementing the WABN

Objective 5: Encourage and promote cycling as a legitimate transport mode

Objective 6: Encourage a whole-of-government approach to cycling

Specially relating to cycling in regional areas, the WABN sets out several ways in which cycling can be improved:

- Major Shared Paths
- Recreational Shared Paths
- Local Bicycle Routes
- Cycle Touring Routes
- On-road via the distributor road network
- On-road via access roads

The WABN sets out the key components of a local bicycle plan, being:

- Route Plan – These routes should give specific consideration to the WABN plan, connections with neighbouring local authorities, trip attractors and end-of-trip facilities.
- Connecting Rail/Bus Stations - A renewed focus of the grants program is partnering with local government to develop a safe network of bike routes to public transport and these shared path projects will also be prioritised.
- Connecting Schools - A renewed focus of the grants program is partnering with local government to develop a safe network of bike routes to schools and these shared path projects will also be prioritised.
- Design and Standards – The design of all bicycle facilities should be to Austroads standards and where projects form part of a PBN route they should meet necessary standards.
- Schedule of Works – Established priorities for network implementation.
- Maintenance Schedule – A plan and budget estimate to ensure that all facilities are satisfactorily maintained.
- Ongoing Process to Ensure a Cycle-Friendly Road Network – Protection of PBN routes, provision for cycling in Town Planning Schemes and new developments, and consideration for cyclists in traffic calming and management projects.

6.0 The Potential for Cycling in the Shire of Toodyay

6.1 Origins and Destinations of Cyclists

Generally, shopping areas, schools, recreation centres and recreation facilities are the most popular destinations for walkers and cyclists in a town such as Toodyay. Recreational walking, and walking for exercise, occurs on the footpaths and quiet roads of the town. The frequent use of gophers by local residents was observed and many school children used scooters and skateboards to and from school and to the skate park in Duidgee Park.

There are a number of destinations within Toodyay that would attract cyclists, pedestrians and gopher users including:

- District High School
- Stirling Terrace shopping precinct
- new IGA
- Post Office
- showgrounds and sports grounds
- library on Stirling Terrace
- Duidgee Park (including the skate park)
- various consulting rooms along Stirling Terrace
- galleries along Stirling Terrace
- Toodyay railway station.

Observations made in the preparation of this Bike Plan revealed the usual habits of students and their mode of transport to school. Apart from those few who ride, others walk to and from school (often with a parent), and many catch a school bus from outlying areas. A surprisingly large number used scooters and skateboards. However, there are also a number who are delivered to school in a car, though it is expected that many of these students are from outlying farming properties (from where cycling is not an option).

An objective of this Bike Plan is to encourage many more of the students from within Toodyay to cycle or walk to school (on most days of the year – except during times of inclement weather). (Children under 10 years of age should be accompanied by an adult/parent).

The TravelSmart and Cycle Instead initiatives of the Department of Transport have produced a brochure outlining the many benefits of encouraging children to cycle (or walk) to school, pointing to the alarming decline in the numbers of children who do ride/walk to school in the last 15 years. Titled "Do you need to drive your children to school?" the brochure states that in 1986 more than 60% of



The construction of a shared path between the District High School and Drummond Street West has provided a much needed connection between residential areas and the school.

children walked, cycled or used public transport to travel to school. Twelve years later, children were still travelling the same distance to school but less than half used transport alternatives to get there.

The brochure provides compelling evidence to indicate the need for children to be active (such as by cycling or walking to school). It states that the growing dependency on our cars is leading to children becoming less physically active. Young Australians are choosing to take part in sedentary activities such as watching television, playing video games or using the computer instead. For many, the trip to school is one of the few opportunities they have to exercise.

Improving the path network, especially by putting in place 'missing links', removing barriers, and making road crossings safer and more convenient will help significantly in encouraging children (and their parents) to opt for cycling and walking as their mode of transport to school. Adults should be encouraged to ride with their children to and from school – rather than driving them.

Apart from school children, there are many other (potential) cyclists and path users within Toodyay that need to be catered for. The extension and promotion of the path network (and bicycle parking facilities when they are in place) will help stimulate and encourage adults to make additional local trips by bike or by walking. (An improved path network will service other groups, such as gopher and wheelchair users, and parents with prams and strollers).

The upgrading and extensions to the path network in Toodyay, along with suitable marketing and promotion of the facilities (such as via a Bike Map), will help ensure that many more residents and visitors are encouraged to use them, with consequent health benefits.

6.2 Crash Statistics

An analysis of crashes involving cyclists and pedestrians in Toodyay was undertaken, using the Crash Data Analysis system available through Main Roads WA.

The roads most likely to have crashes involving cyclists and pedestrians were analysed. These roads were:

- Stirling Terrace - between Goomalling Toodyay Rd and Harper Rd/Telegraph Rd
- Drummond Street – between Telegraph Rd and Goomalling Toodyay Rd
- Telegraph Road - between Harper Rd/ Stirling Tce to Bindi Bindi Rd

The Crash Analysis for the years 2007 to 2011 revealed there were no crashes involving pedestrians, scooter riders, motorised wheelchairs, skateboards or cyclists. The absence of crash data involving cyclists in Toodyay probably reflects the (current) low levels of cycling.

Based on the lack of available crash data, it is not possible to recommend any remedial actions or specific modifications to roads and/or intersections within Toodyay.

However, anecdotal evidence indicates a potential for crashes involving pedestrians and cyclists along Hamersley St where poor facilities exist but where heavy haulage vehicles are directed.

7.0 Priority Projects of the 2004 Bicycle Plan

The 2004 Toodyay Bicycle Plan recommended the following improvements to the bicycle network of Toodyay:

- Foreshore pathway/trail on river foreshore (south side) between Duidgee Park (Bolgart Bridge – now called Newcastle Bridge) and the pedestrian footbridge at Newcastle Park; further extensions to this pathway to Goomalling Bridge (now called Connor Bridge) as/when funds permit.
- Upgrade/widen path on south side of pedestrian footbridge, between Stirling Terrace and the footbridge;
- Upgrade/widen path on north side of pedestrian footbridge, between the footbridge and the District High School;
- Path upgrade between Duke Street North (ie. footbridge over railway) and Oddfellow Street (alongside railway reserve);
- New path on the east side of Oddfellow Street, between the railway and Stirling Terrace (with new kerb ramps at corner of Stirling terrace and Oddfellow St, and a median refuge on Stirling Terrace – once the town by-pass is built). A kerb ramp is also required on the north side of Stirling Terrace, opposite Oddfellow Street;
- New path on the south-east side of Toodyay St, between Telegraph Rd and Jubilee St;
- Kerb (pram) ramps at all intersections, where mountable kerbing is located. The existing mountable kerbing is an unsatisfactory situation for users of small-wheeled vehicles, such as bicycles, wheelchairs and prams. Locations include corner of Telegraph Road and Settlers Ridge; corner of Stirling Terrace and Henry Street and Stirling Terrace and Arthur Street;
- Upgrading of pathway on north side of Stirling Terrace between Goomalling-Toodyay Rd and Toodyay Tavern; and along west side of Goomalling-Toodyay Rd between Stirling Terrace and Goomalling Bridge;
- Upgrading of pathway on south side of Stirling Terrace between Oddfellow St and the 'collocation' centre (providing enhanced access to the medical centre and community resource centre);
- Path linking Hamersley Street and Stirling Terrace, across railway (including standard maze crossing);



Construction of a shared path along Toodyay St, between Telegraph Rd and Jubilee St (to the Showgrounds) was recommended in the 2004 Bicycle Plan. It remains as one of projects yet to be implemented.



The main street improvement program that occurred along Stirling Tce resulted in significant improvements to the paths along the street.

- Installation of bicycle parking rails at the locations indicated in Section 9.0 of this Plan;
- Upgrade (resurface) existing old bitumen paths throughout townsite (as/when funds permit);
- Long term development of a 'round the river' trail involving the proposed route along the river foreshore from Duidgee Park to Newcastle Park, then across the pedestrian bridge to Drummond Street East, east along Drummond Street and returning via the Goomalling Bridge to Stirling Terrace would provide good scenic vistas of the river and surrounding hills. The existing River Gum Trail could be incorporated into this 'round the river' ride – providing yet option.
- Cycle Touring Loop – Julimar Road to West Toodyay Bridge and return via Toodyay West Road. Loop is 12.6km. Some warning/advisory signage is necessary to alert all road users to likely presence of cyclists on the road; and directional signage is necessary.

Appendix 1 provides a summary of progress towards implementation of these projects.

8.0 Criteria For Setting Priorities for 2012 Bike Plan

Though many of the projects recommended in the 2004 Bicycle Plan have been implemented, there are still some that remain to be implemented. The priority projects identified in 2004 are still important. The continued growth in the townsite, together with the changes and improvements to the road network indicate that additional bicycle facilities be added to the list of projects to be undertaken to make Toodyay a safer and more convenient place for cycling.

Bicycle facilities should be built where there is the greatest potential for increasing bicycle use and reducing the potential for crashes. Priority should be given to facilities that serve children travelling to and from the school, where there is high current bicycle use or where there is the greatest potential for attracting new users and serving residents or tourists.

In this Bike Plan for Toodyay, priorities have focussed on facilities that will do the most to:

- a) Encourage cycling (especially to destinations likely to attract cyclists – such as the school);
- b) Improve the safety and convenience of cyclists using (and crossing) roads; and
- c) Provide recreational opportunities for visitors and local people.

A number of factors have been used to determine which projects should be implemented sooner than others, including:

1. The extent to which the safety of cyclists is improved – priority has been given to actions that seek to reduce (or eliminate) the potential for cyclist crashes in the future;
2. Contribution to the completed bicycle network – actions that provide a 'missing link' will be given a higher priority; as well as those that will eventually enable 'circuits' to be completed;
3. Developing facilities that connect to cyclist destinations (such as schools, shops). "Safe Routes to School" has been a focus;
4. Project cost/benefit and likely funding sources (including Bikewest); and
5. Partnerships with external stakeholders and funding partners.



3-plane ramps, and tactile markings, are features of modern day, good quality road crossings. A similar standard crossing has already been used in the recently constructed paths and ramps in Toodyay.

Priority therefore has been given to projects that serve local destinations such as the school, shops, recreation venues and commercial establishments.

The provision of appropriately designed bicycle parking is often regarded as a cost effective technique for encouraging cycling. Locations where rails should be installed are suggested.

9.0 The 2012 Bike Plan

9.1 Improvements to the Bicycle Network of Toodyay

The key issues determining the provision of bicycle facilities (and cycling levels) in Toodyay are:

- The steep hills on which the streets of the town are built, resulting in steep paths and erosion caused by stormwater run-off. (Fieldwork undertaken during the preparation of this Bike Plan revealed numerous locations where stormwater run-off had deposited sand across paths, making the path dangerous).
- The use of Hamersley St as a heavy haulage route (detour) through the Toodyay townsite, and the impact of this on other road/path users on Hamersley St.
- The (already) extensive existing network of paths throughout the town centre.
- The recent construction of several new paths of high quality, adding significantly to the existing path network.
- The need to improve access onto the existing path network, particularly for people using bicycles and small-wheeled vehicles (prams, scooters, wheelchairs, etc).
- Some recent high quality shared paths on the north side of the river servicing the District High School.
- The recently reconstructed pedestrian/bicycle bridge over the Avon River, and the connecting paths either side of the bridge.
- Few opportunities for providing on-road bicycle facilities, and a low need for such facilities given the width of roads and low volumes of traffic in Toodyay.
- Need for bicycle parking facilities at destinations where cyclists would go.

9.2 Path Improvements and Additions

Several shared path improvements are recommended for the Toodyay townsite:

- Replacement of the old bitumen path along Hamersley St, between Duke St and Henry St West (305m), and between Henry St West and Goddard St (245m). The project is to include 10m of new shared path along the south side of Fiennes St to west of Duke St South as well as ramps at Duke St South and at Henry St West;
- Planning and construction of the proposed Riverside Path (between Newcastle Bridge and Newcastle Park). Project includes an allowance for 800m of new shared path. (It is noted that the Shire of Toodyay proposes a longer riverside walkway, extending as far as Connor Bridge and beyond towards Nardie Cemetery);



One of the priority projects in this 2012 Bike Plan is the replacement of the old bitumen path along Hamersley St with a new asphalt path, linking in with the existing path network.

- Construction of a new shared path (and maze crossing) across the railway between Hamersley St and Stirling Tce (200m);
- Construction of a new shared path on the eastern side of Settlers Ridge, between Telegraph Rd and Pioneer Pl (252m) and between Pioneer Pl and Mastalerz Rt (168m). Project to include kerb ramps at south side of Pioneer Pl and at Mastalerz Rt;
- Construction of a new shared path on the north side of Toodyay Goomalling Rd, between Stirling Tce and the existing concrete path on Connor Bridge (132m);
- Construction of a new shared path on the north side of Toodyay Goomalling Rd, between the existing concrete path on Connor Bridge and Drummond St East (140m). Project to include a physical barrier (such as a series of roadside delineators between path and motor vehicle lane). Some fill and retaining likely to be required;
- Construction of a new shared path (272m) on the north side of Anzac Ave, between the Toodyay railway station and Harper Rd (including a new ramp opposite Rosedale St). The project is to include a new line of bollards at the parking area at the railway station (to match existing bollards) and relocation of the existing bike parking rails;
- Construction of a new shared path on the south side of Toodyay St, between Telegraph Rd and the showgrounds entrance opposite Jubilee St (96m). The project is to include kerb ramps at the entrance to the showgrounds and at the northern end of the new path at Telegraph Rd;
- Upgrading of the existing gravel seal path on the west side of Clinton St, between Fiennes St and the Old Gaol (107m);
- Construction of a new shared path on the south side of Drummond St West (Telegraph Rd to existing shared path) – thereby completing a circuit for walking and cycling around the river as well as providing a safer route to the school;
- Construction of a new shared path (212m) on the east side of Clinton St between Henry St West and the existing shared path (which ends at the old Police Stables). The project is to include kerb ramps at Henry St West;
- Construction of new shared paths (totalling 110m) through Duidgee Park, linking with existing paths in the park. The project allows for 90m of new shared path from the end of the existing path (that runs under Newcastle Bridge) to the existing path that heads towards the toilet block; and for 20m of new shared path from the foot of the disabled ramp to the proposed new shared path;
- A number of 'spot improvements' (see below) including construction of new kerb ramps where currently there are none; and
- The provision of bike parking throughout the town (at major destinations).

9.3 On-Road Facilities

As well as the recommended improvements to the existing shared path network, cycling in (and through) Toodyay can be enhanced by the creation of on-road facilities on the main roads leading into Toodyay.

This Bike Plan recommends that bike lanes (and edge lines) be installed on Telegraph Rd (between the cemetery and Piesse St) and on Toodyay Rd south of Toodyay Goomalling Rd.

The existing width of Telegraph Rd is generally 8.8m wide (lanes of 4.4m in each direction) – sufficiently wide to create traffic lanes of 3.2m and bike lanes of 1.2m wide. Bike lanes of 1.2m wide is the accepted minimum width when retrofitting bike lanes onto existing roads.

On Toodyay Rd (south of Toodyay Goomalling Rd), the existing edge lines finish approximately 320 metres south of Toodyay Goomalling Rd. This section of the road is approximately 8.4m wide, and the existing traffic lanes (where there is an edge line) are 3.25m. Given the width of the road, there is no reason why this edge line cannot be continued all the way to Toodyay Goomalling Rd – providing a safer on-road cycling facility.

The relatively recent upgrading of Stirling Terrace, while providing an attractive streetscape, has inadvertently meant an opportunity to create safer cycling conditions on Stirling Terrace at the same time has been lost. The current configuration has motor vehicle lanes widths of 3.5m with a 0.4m shoulder. The road could have been designed to be much more beneficial for cyclists (by having lane widths of 3.1m with a 0.8m shoulder).

If/when lane lines are re-painted along Stirling Terrace, it may be opportune to paint the edge line at 3.1m rather than in its current position.



One of many 'spot improvements' needed on the existing path network is the completion of a short section of missing path along Clinton Street.

9.4 Spot Improvement Program

In addition to the construction of additional lengths of paths to the existing path network of Toodyay, a number of 'spot improvements' are required to ensure existing facilities are safe and convenient to use. The recommended spot improvements are as follows:

- Completion of 28m missing segment of asphalt path along west side of Clinton St, between Fiennes St and Anzac Ave;
- Widening of asphalt path along Stirling Tce, to west of Toodyay Goomalling Rd (1m x 3m);
- Reinstatement of 8m missing asphalt path along south side of Stirling Tce, to east of Harper Rd (outside of Butterly House);
- Repairs to 10m² of asphalt path at corner of Oddfellow St and Stirling Tce;
- Repairs to asphalt path at NW corner of Harper Rd and Anzac Ave;
- Widen asphalt path over 5m to avoid a power pole on Harper Rd, opposite Railway Rd;



Repairs to paths should be of high quality, providing a smooth surface comparable with the existing path. This path at the corner on Harper Rd needs to be repaired again.

- Redesigning the entrance to the car park on the north side of the railway station to provide a sealed crossing of the driveway for cyclists and pedestrians (with improved links to existing paths along Piesse Street and Charcoal Lane);
- Construct 17m new path in gravel seal path along Drummond St East, near sales office;
- Construct 20m new path in gravel seal path along Drummond St East, at entrance to school;
- Install barrier fence between path and traffic lane on Newcastle Bridge;
- Trim branches/bushes alongside asphalt path on south side of pedestrian bridge over river;
- Apply reflective tape to light poles along path along Stirling Tce;
- Apply reflective tape to pole at corner of Harper Rd and St Stephens St;
- Paint chevrons on path either side of pole at corner of Harper Rd and St Stephens St;
- Make repairs to hole in brick paving on north side of Stirling Tce, opposite Toodyay Roadhouse;
- Sweep sand from asphalt path along Harper Rd;
- Sweep sand and stones from concrete path and gravel seal path along Drummond St East;
- Paint "Stop" signs on paths at the following locations:
 - At all solid white lines painted on path at crossing of school access road at Drummond St East and car park access road, where path crosses access roads (5 in total);
 - Mid-block path crossing of Harper Rd, south of St Stephen St;
- Paint "Give Way" signs on paths at all kerb ramps, and in particular at the following locations:
 - Path along Harper Rd - at crossing of St Stephens St;
 - Path along Harper Rd - at crossing of Nottingham St;
 - Path along Harper Rd - at crossing near Anzac Ave intersection;
 - Mid-block path crossing of Anzac Ave, west of Clinton St (near railway station);
 - Mid-block path crossing of Clinton St, north of Fiennes St;



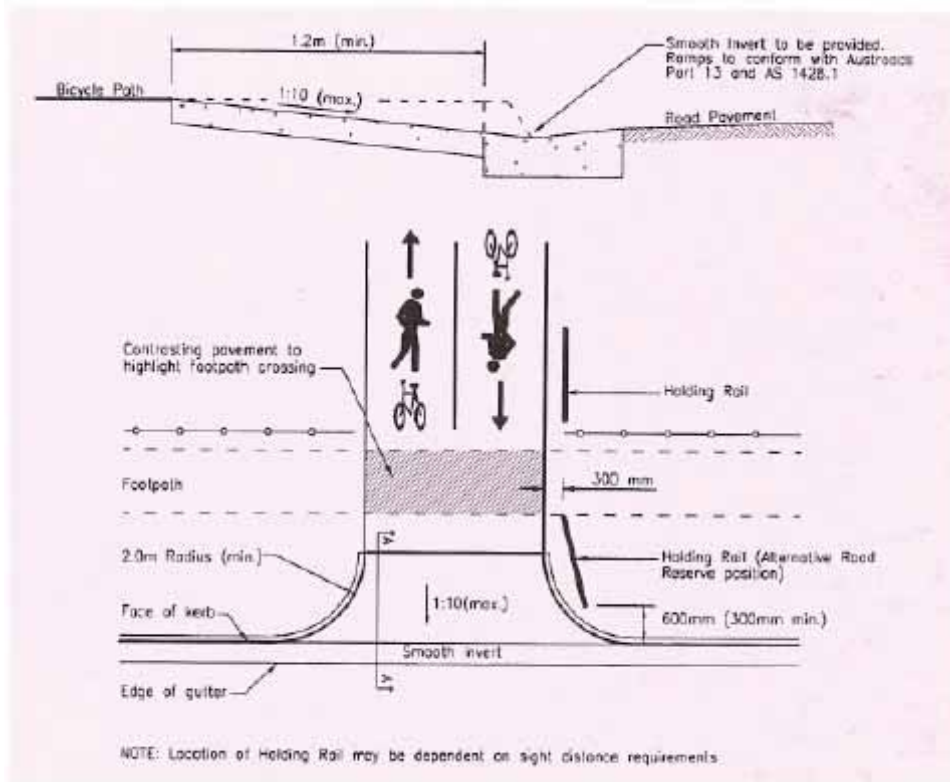
Regular sweeping of paths is required in order to maintain safe cycling conditions. This path along north side of Drummond St East requires sweeping.



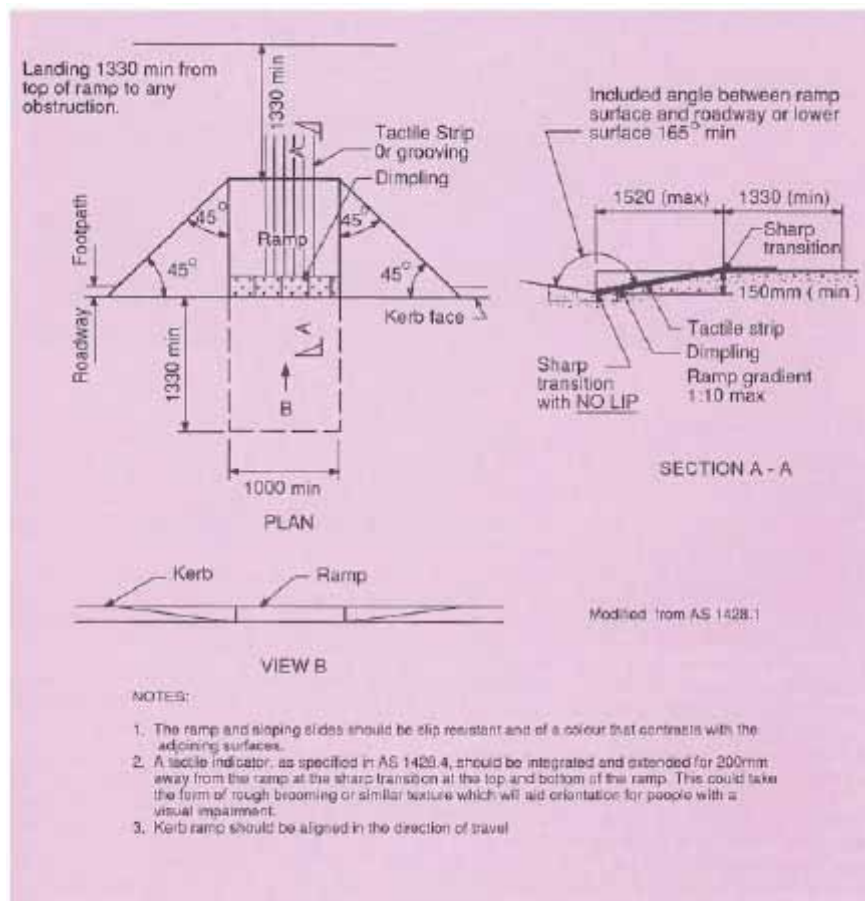
Spot repairs are need to the recently constructed path at the corner of Oddfellow St and Stirling Terrace.

- Path along Fiennes St - at crossing near Duke St;
- At path crossing at northern end of car park at District High School;
- Construct kerb ramps at the following locations:
 - Anzac Ave end of asphalt path along Rosedale St;
 - North side of Stirling Tce, opposite Harper Rd;
 - In gravel seal path along Drummond St East, at driveway crossover to house;
 - At corners of Fiennes St and Clinton St (2 @ NW cnr, 2 @ SW cnr and 1 @ SE cnr).

The designs on the following page are typical of ramp designs advocated by Austroads in its various publications.



Above: Austroads’ kerb ramp detail for shared paths. *Source: Austroads Guidelines to Traffic Engineering Practice - Part 14, Bicycles (1999).* Below: Austroads’ kerb ramp detail for use on pedestrian paths. *Source: Austroads Guidelines to Traffic Engineering Practice - Part 13, Pedestrians. (Note: both documents now superseded).*



9.5 Bike Parking Program

The installation of bicycle parking rails at various locations around the Toodyay townsite is recommended.

As stated elsewhere in this Bike Plan, bicycle parking is a relatively low cost item that can significantly enhance the cycling environment and encourage more people to opt for a bicycle for a short trip within a town such as Toodyay.



Bike parking rails need not be plain and simple: they can be an interesting part of the streetscape. Above: In High Street, Northcote, Melbourne, sculptured bike parking rails have been installed along the street. These artistically designed bicycle parking rails would be most appropriate along Stirling Terrace. Below left: a dragonfly image on a parking rail in the Sellwood District, Portland, Oregon, USA. Below right: "Bike Vancouver" slogan used on parking rails in Robson St, downtown Vancouver, British Columbia, Canada.



10.0 Cost Estimates – Proposed New Facilities and Improvements

The following tables summarise the shared path and on-road bicycle facility improvements recommended for Toodyay investigated during this project. An implementation priority ranking is also suggested. These projects could be spread out over any number of years, in the order recommended. The prioritisation of the projects should be determined each year by staff and will be dependent on available resources, funding opportunities and how they link with other shire projects (or projects being undertaken by developers or by Main Roads WA) eg. river foreshore improvement strategies; resealing of roads (such as Telegraph Rd); redesign of intersections (such as Drummond Street East and Toodyay Goomalling Rd), etc.

New Paths (see Plan 2)						
Priority	Street	From	To	Works Required	Length	Cost*
1	Hammersley St	Duke St	Goddard St	Construction of 2.0m wide asphalt path and kerb ramps	560m	\$84,000
1	Hammersley St	Hammersley St	Stirling Tce	Construction of 2.0m wide asphalt path and maze crossing of railway	200m	\$50,000
2	Riverside Path	Newcastle Bridge	Newcastle Park	Detailed site investigations, survey, site works and construction of path	800m	\$120,000**
3	Toodyay St	Telegraph Rd	Showgrounds	Construction of 2.0m wide asphalt path and ramps	96m	\$14,400
3	Drummond St West	Telegraph Rd	Existing path	Construction of 2.0m wide asphalt path	470m	\$70,500
3	Duidee Park			Construction of 2.0m wide asphalt paths	110m	\$16,500
3	Anzac Ave	Railway station	Harper Rd	Construction of 2.0m wide asphalt path and ramp	272m	\$40,800
4	Toodyay Goomalling Rd	Telegraph Rd	Connor Bridge	Construction of 2.0m wide asphalt path	132m	\$19,800
4	Toodyay Goomalling Rd	Connor Bridge	Drummond St East	Construction of 2.0m wide asphalt path, retaining wall and installation of barriers between path and road.	140m	\$31,000

4	Clinton St	Fiennes St	Gaol	Upgrade of existing gravel seal path	107m	\$16,050
4	Clinton St	Henry St West	Stables	Construction of 2.0m wide asphalt path and ramp	212m	\$31,800
4	Settlers Ridge	Telegraph Rd	Mastalerz Rt	Construction of 2.0m wide asphalt path and kerb ramps	420m	\$63,000
5	Jubilee St	Reserve St	Cemetery	Construction of 2.0m wide asphalt path	680m	\$102,000
5	Railway Rd	Harper Rd	Caravan park	Construction of 2.0m wide asphalt path (plus fill over 70m)	1,180m	\$185,000
				Total	Total	\$844,850

* Note 1: rate for construction of path is estimated at \$150/m

** Note 2: rate is an estimate for asphalt path only. The proposed Shire of Toodyay study for the Riverfront Trail will determine the exact alignment, length, starting and finishing points, trailside furniture including viewing platforms, boundary surveys, interpretation, costs etc

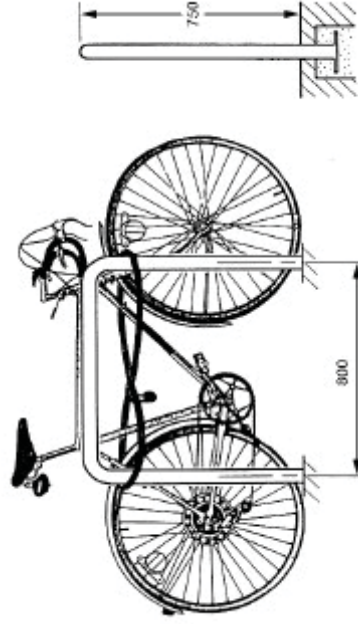
Bike Lanes (see Plan 2)						
Priority	Street	From	To	Works Required	Length	Cost*
1	Telegraph Rd	Cemetery	Piesse St	Paint white lines and logos on both sides of road	1320m	\$13,500
1	Toodyay Rd	Toodyay Goomalling Rd	320m south	Paint white edge lines on both sides of road	320m	\$3,200
				Total	Total	\$16,700

Kerb Ramp Improvements (see Plan 2)				
Priority	Intersection Name	Intersection Corner	Requirements	Cost
1	North side of Stirling Tce, opposite Harper Rd	N	Construct new kerb ramp	800
1	Fiennes St and Clinton St (2 @ NW cnr, 2 @ SW cnr and 1 @ SE cnr).	NW / going E	Construct new kerb ramp	800
		NW / going S	Construct new kerb ramp	800
		SW / going N	Construct new kerb ramp	800
		SW / going E	Construct new kerb ramp	800
		SE / going W	Construct new kerb ramp	800
2	Anzac Ave end of asphalt path along Rosedale St	SE	Construct new kerb ramp	800
3	In gravel seal path along Drummond St East, at driveway crossover to house	N	Construct new kerb ramp	800
			Total	\$6,400

Path Repairs and other Spot Improvements (see Plan 3)					
Priority	Location Number	Length	Location and Recommended Works	Width	Cost
1	1	28m	Completion of 28m missing segment of asphalt path along west side of Clinton Ave, between Fiennes St and Anzac Ave	2m	\$4,200
1	2	3m	Widening of asphalt path along Stirling Tce, to west of Toodyay Goomalling Rd (1m x 3m)	1m	\$500
1	3	8m	Reinstatement of 8m missing asphalt path along south side of Stirling Tce, to east of Harper Rd (outside of Butterfly House)	2m	\$1,200
1	4	3m	Repairs to 10m ² of asphalt path at corner of Oddfellow St and Stirling Tce	3m	\$750
1	5	2m	Repairs to asphalt path at NW corner of Harper Rd and Anzac Ave	2m	\$500
2	6	5m	Widen asphalt path over 5m along power pole on Harper Rd, opposite Railway Rd	1m	\$500
3	7	17m	Construct 17m new path in gravel seal path along Drummond St East, near sales office	3m	\$2,550
3	8	20m	Construct 20m new path in gravel seal path along Drummond St East, at entrance to school	3m	\$3,000
2	9	160m	Install barrier fence between path and traffic lane on Newcastle Bridge		\$30,000
2	10		Trim branches/bushes alongside asphalt path on south side of pedestrian bridge over river		\$200
2	11		Apply reflective tape to light poles along path along Stirling Tce		\$300
2	12		Apply reflective tape to pole at corner of Harper Rd and St Stephens St		\$50

2	13			Paint chevrons on path either side of pole at corner of Harper Rd and St Stephens St		\$200
2	14			Make repairs to hole in brick paving on north side of Stirling Tce, opposite Toodyay Roadhouse		\$100
1	15			Sweep sand from asphalt path along Harper Rd		\$100
3	16			Sweep sand and stones from concrete path and gravel seal path along Drummond St East		\$200
3	17			Redesign of car park entrance on north side of railway station (ie. kerbing and sealed path for cyclists and pedestrians)		\$10,000
1				Paint "Stop" signs on paths at the following locations: <ul style="list-style-type: none"> At all solid white lines painted on path at crossing of school access road at Drummond St East and car park access road, where path crosses access roads (5 in total); Mid-block path crossing of Harper Rd, south of St Stephen St. 		\$700
1				Paint "Give Way" signs on paths at all kerb ramps, and in particular at the following locations: <ul style="list-style-type: none"> Path along Harper Rd - at crossing of St Stephens St; Path along Harper Rd - at crossing of Nottingham St; Path along Harper Rd - at crossing near Anzac Ave intersection; Mid-block path crossing of Anzac Ave, west of Clinton St (near railway station); Mid-block path crossing of Clinton St, north of Fiennes St; Path along Fiennes St - at crossing near Duke St; At path crossing at northern end of car park at District High School. 		\$1400
Total						\$56,450

Bike Parking		
Priority		
2	25 bicycle parking rails (see section 11.0 for locations)	\$500 ea
Total		\$12,500



The recommended (and Australian Standard approved) bicycle parking facility is the simple but effective "hitching rail" or "U-rail", as illustrated in this diagram.



The standard bicycle parking U-rail – this example is on Albany Highway in East Victoria Park. There are numerous locations in Toodyay where parking rails should be installed.

10.1 Summary of Costs

The following table is a summary of the likely costs involved in the implementation of the projects recommended in this Bike Plan:

Costs Per Project (not including GST)	
New Paths	\$844,850
Bike lanes	\$16,700
Kerb Ramp Improvements	\$6,400
Path Repairs and other Spot Improvements	\$56,450
Bike Parking	\$12,500
Total	\$936,900

10.2 Implementation Schedule

The following table sets out a suggested budgeting program, assuming a 5-year program, for the projects recommended in this Bike Plan:

Priority 1 Projects (ie. Year 1)	\$164,850
Priority 2 Projects (ie. Year 2)	\$164,650
Priority 3 Projects (ie. Year 3)	\$158,750
Priority 4 Projects (ie. Year 4)	\$161,650
Priority 5 Projects (ie. Year 5)	\$287,000
Total	\$936,900

11.0 Bicycle Parking

Research indicates that the lack of secure bicycle parking facilities at the destination deters many 'would-be' cyclists from making some trips by bicycle. In towns such as Toodyay, one of the most effective and low cost improvements to the cycling environment is the provision of bicycle parking. However, the bike parking facilities must be appropriately located, and of a suitable design. All too often local government staff bemoan the fact that bicycle parking is not used – without realising that the facility provided may be a poor design, and probably not located where cyclists want it.

Good, secure bicycle parking encourages bicycle use.

Cyclists' needs for bicycle parking range from simply a convenient piece of street furniture, to storage in a bicycle locker that affords weather, theft and vandalism protection, gear storage space, and 24-hour personal access. Where a cyclists' need falls in this range is determined by several factors:

- Type of trip being made: whether or not the bicycle will be left unattended all day or just for a few minutes.
- Weather conditions: covered bicycle parking is more important during winter.
- Value of the bicycle: the more a cyclist has invested in a bicycle, the more the concern the cyclist will show for theft protection.

Bicycle parking facilities were observed at only two locations within Toodyay – on both sides of the railway station.

The preferred style of bicycle parking facility for casual use is a simple rail bent from steel pipe (ie. an inverted "U" shape – see illustration on page 49). This style of bicycle parking rail allows use of all common types of locks. Because the parking rail supports the frame of the bicycle, there is no risk of damage to the wheels.

To encourage additional local trips to be made by bicycle, the installation of parking rails at numerous destinations within the commercial area, sporting venues and other community facilities is recommended.

The following list provides an indication of where bicycle parking facilities should be provided within Toodyay.

11.1 Bicycle Parking Locations in Toodyay

	<i>Place</i>	<i>Parking Required</i>	<i>Location</i>
1	IGA	2	At entrance off Charcoal Lane
2	Duidgee Park	2	Near skate park
3	Visitor Centre	2	Outside entrance
4	Post Office	1	On paving
5	Cola cafe	1	On paving
6	Freemason Hotel	1	On paving

7	Butcher	1	Kerb extension
8	Outside Italian Restaurant	1	Kerb extension
9	Moondyne Gallery	1	Kerb extension
10	Victoria Hotel	1	Kerb extension
11	Bendigo Bank	1	Kerb extension
12	Newsagency	1	On paving
13	Library	1	Kerb extension
14	Bowling Club	1	Outside entrance
15	Toodyay Tavern / Video shop	1	On paving
16	Community Health Centre	1	Outside entrance
17	Resource Centre	1	Outside entrance
18	Newcastle Park	2	Near seating area
19	Old Gaol	1	Outside entrance
20	Council building	1	Outside entrance
21	Tennis courts	1	Outside entrance
Total		25	

11.2 Bicycle Parking Costs

25 bicycle parking racks (at approx. \$500 each, installed) have been recommended. This is an estimated cost of \$12,500.

Should it be preferred, parking rails of a more artistic design could be designed and installed. These may be more expensive, but could be produced locally (and could be sponsored by local businesses).

12.0 Complementary Programs

12.1 Objectives

Engineering improvements are just one of a range of factors which affect the propensity of people to cycle within Toodyay.

The Scope of Works for this project indicated that consideration be given to projects and activities in the areas of cycle education, awareness and encouragement.

Experience from other cities and towns around the world indicate that there are a number of other initiatives that have a significant impact on the cycling environment. These initiatives include:

- **Encouragement** factors - such as: web pages on cycling; Council staff setting an example; end of trip facilities (such as showers and change rooms, as well as parking); promotional brochures; production of local bike map for residents.
- **Enforcement** factors - such as: ensuring errant motorists and cyclists receive due attention; reinforcing courteous behaviour between all modes of transport within the town.
- **Education** factors - such as: ensuring cyclists and non-cyclists are well informed about the extent of the cycling network; the position of end-of-trip facilities (parking, showers, etc) through such means as promotional brochures; informing cyclists, motorists and pedestrians of their rights and responsibilities; child and adult bicycle use education (techniques; rules and responsibilities).

Many of the initiatives that could be developed in the encouragement, enforcement and education elements of a Bike Plan can have just as dramatic effect on bicycle user levels and safety as can the development of a path network or on-road improvements.

Many of the current deterrents to cycling will be removed as a result of remedial action recommended within the Engineering Works Program. The actions set out in this section also will remove some of the current 'behavioural' barriers and deterrents to cycling.

This section identifies programs which complement the facility-oriented components of this Bike Plan. These programs help to increase awareness of cycling facilities and opportunities, encourage people to travel by bicycle rather than drive, and improve safety through cyclists and motorist education.

12.2 Education Strategy

Aim: promote safe behaviour and use of all bicycle facilities and activities in the Shire.

Education programs inform and educate both cyclists and motorists as to how to safely share the road. Education programs also help to create an environment where motorists and cyclists mutually respect the rights of each other, and ensure that cyclists are aware of their responsibilities.

Education can promote safe behaviour regarding the use of bicycle facilities. It can concentrate on teaching children to cycle safely by ensuring they know and practice the

road rules and etiquette for using shared use paths. It can also target adults with similar information as well as educate other road users about sharing the road with cyclists.

An issue often raised is the need to educate motorists to share the road with cyclists. Motorists need to be educated that cyclists have a right to be on the road and that they need to treat them with respect and practice safe user behaviour towards cyclists. Similarly it is important for cyclists to obey the road rules and practise safe riding practices.

Education plays an important role in ensuring that cycling is safe and enjoyable for all users whether it is on or off road. Below is a list of focus areas for the Education Strategy aspect of this Bike Plan:

- educate and promote to schools (students, teachers and parents) on safe walking/cycling practices and the benefits of walking/cycling to school;
- educate parents on being role models for children with a focus on helmet wearing and safe bicycle practice;
- educate drivers to be aware of pedestrian and cyclist needs and behaviours;
- educate pedestrians and cyclists to be more aware of vehicles and be more 'defensive' in their actions; and
- educate users on safe use of shared bicycle and walking facilities.

The highest priority for education is school students. They are a vulnerable user group but also have the potential to walk and cycle more than they do at present. Despite this, educational resources still need to target and reach all residents and visitors to Toodyay.

There are a number of cycling related brochures and fact sheets published by Bikewest (Department of Transport) that could be promoted in the Shire of Toodyay as follows:

- Choosing a Bike and Accessories
- Cycling for Health, Pleasure or to Work
- Cycling on Roads and Shared paths
- Basic Bicycle Maintenance
- Cycling for all Ages
- Cycling and the Law
- Shopping by Bike
- Walking Safely on Shared Paths
- Riding Safely on Shared Paths
- Bicycle skills for children - home activity sheets
- Set your children on the right path - a guide to promoting walking and cycling to school
- Cycling has many benefits for seniors
- Riding to work is a great option
- Treat pedestrians with care and avoid problems
- Teaching a child to ride should be done in steps
- Motorists and cyclists can live in harmony
- Children really benefit from riding to school

Actions

The following actions are proposed for education of cyclists and pedestrians.

Strategy 1	Educate the local community and other users of walk and cycle facilities regarding responsible and safe behaviour whilst walking and cycling.
Action 1.1	Provide relevant brochures and promotional material produced by Bikewest at key community information locations in Toodyay. The brochures should also be sent to targeted community groups in Toodyay.
Action 1.2	Send relevant brochures and promotional material to the District High School to reinforce and promote walk and cycle safe and responsible behaviour.
Action 1.3	Incorporate education material on road rules, sharing pathways and sharing the road on any path map (showing existing facilities) for the town. This information could also be included on Council's web site.
Action 1.4	Investigate and implement a '100% Helmet Wearing' campaign at the school.
Action 1.5	Develop a specific education program targeted at safety and awareness of pedestrians and cyclists. This should be developed in association with relevant state government and community groups.
Action 1.6	Participate in the <i>TravelSmart to School</i> program, as set out in the Department of Transport's Active Transport web site (see http://www.transport.wa.gov.au/activetransport/24611.asp)

12.3 Enforcement Strategy

Aim: to provide support to the education strategies and actions.

Enforcement programs help to ensure that the rules of the road are followed by both cyclists and motorists. Enforcement programs should only be employed following widespread implementation of awareness, encouragement and particularly education programs.

Enforcement can be used to support the education strategies so that the need for safe behaviour can be reinforced if necessary. Enforcement should generally only be used in locations where there are significant conflicts and safety concerns.

Enforcement encourages responsible cyclist, pedestrian and motorist behaviour as well as reinforcing education programs. Enforcement is primarily the responsibility of the WA Police Service. There is a need to occasionally reinforce the rules. For example, helmet wearing is something that could be reinforced to improve safety in the Shire.

The Australian Road Rules require all cyclists to wear a helmet. Increased enforcement of helmet wearing can be balanced with campaigns on increased awareness and education of the safety benefits of helmet wearing, as discussed in the previous section.

Actions

The following strategies and actions are proposed:

Strategy 2	Provide a level of enforcement to ensure safety and enjoyment for users of the walk and cycle network is maintained.
Action 2.1	Consider targeted enforcement of helmet wearing and road rules for cyclists and pedestrians in Toodyay as well as motorists behaviour to cyclists sharing the road (approximately once a year).
Action 2.2	Form partnerships with the WA Police Service to undertake enforcement programs related to pedestrians and cyclists in Toodyay.

12.4 Encouragement Strategy

Aim: to effectively market, promote and raise awareness of the bicycle facilities and programs available to everyone within the Shire.

Encouragement is essentially the marketing of cycling (and walking). Council should be marketing all of the services it provides to residents and visitors, including walking and cycling facilities. People need to know where facilities are located to be able to use them. Encouragement can also raise awareness about the economic, social, environment and health benefits of walking and cycling. Such programs can encourage additional tourists to the area therefore also contributing to the economy of the Shire.

Within the Shire there are four main target groups for marketing and encouragement, they are:

- school students as a particular user group which has potential to walk and cycle more;
- elderly residents as a significant and growing proportion of the population who have the potential to walk and cycle more due to time and inclination;
- general residents of Toodyay; and
- visitors to Toodyay, including tourists.

The following strategies are ones that could be suitable for implementation in the Shire of Toodyay. The goal is to promote the benefits of cycling (and walking) by providing information on existing walk and cycle facilities in Toodyay and undertaking community events which encourage people to walk and cycle (e.g. Bike Week or Fun Runs):

- production and distribution of a walk and cycle facilities map to residents and tourists in Toodyay. The map should promote cycle (and walking) routes/circuits through the town as well as provide information on places of interest for visitors to the area e.g. the *Toodyay Living History Walk Trail*. Clear designation of circuits (by use of colour coding) works well.
- involvement in Bike Week in the Shire (including events in Toodyay). This event could include organised activities such as:
 - Ride2Work Day with a free breakfast for participants;
 - Cycle to School Day (usually in March);
 - recreational rides on the weekend;
 - corporate and school challenges to cycle; and
 - organised talks or workshops such as bicycle maintenance clinics, etc.;

Bikewest advises that its *Cycle Instead in Spring 2012* will include the popular six-week, workplace-friendly event *The Cycle Instead Bike to Work Challenge* (10 Sept – 21 Oct) (see <http://www.transport.wa.gov.au/activetransport/25140.asp>), which culminates with The *National Ride2Work Day* on 17 October (see <http://www.bwa.org.au/riding-to-work/>).

Ride2Work Day is part of a National Behaviour Change Program. The Day celebrates bike commuting within the workplace as an alternative means of transport while encouraging Australian workers to adopt a healthier and environmentally sound means of commuting.

Actions

The following strategies and actions are proposed:

Strategy 3 Encourage and promote increased walking and cycling by delivering targeted encouragement programs. These programs should coordinate with existing marketing and community programs already delivered by Council and other agencies.

Action 3.1	Obtain and distribute to the community, cycling publications, brochures and booklets from cycling organisations, in Western Australia and other states, which will promote cycling more effectively. Collate and distribute existing walk and cycle facilities map (ie. a Bike Map) to residents and tourists in Toodyay. The maps should include information on rules, destinations, cycle circuits and trails and places of interest. The map should also be made available on Council's web site. The map should be distributed to residents via the rates notices and be available at various outlets within Toodyay as well as be distributed to targeted community groups (e.g. senior citizen clubs, schools, etc). Council should also investigate opportunities for advertising by local businesses on the map to assist with the costs of production. Information boards at key locations in the Shire could also include these maps.
Action 3.2	Organise and publicise major cycling events and cycling activities during the annual Bike Week (organised by Bikewest of the Department of Transport), as a means of encouraging non-cyclists to experience cycling, and as a means of rewarding those who currently ride a bike. A "Bike to Breakfast" would be appropriate. Council's role could be to assist with financial or human resources to organise the events.
Action 3.3	Participate in the annual "Bike to Work Challenge". The 2012 event to be held over six weeks, from 10 September to 21 October.
Action 3.4	Promote the "Toodyay Living History Walk Trail" as a circuit for fitness purposes.
Action 3.5	Council to encourage and promote cycle events organised by local community groups such as Fun Runs or social cycle rides.
Action 3.6	When major cycle/walk facility routes are constructed, Council should organise promotional events to launch and encourage their use, for e.g. a Fun Run/walk event.
Action 3.7	Implement a program for the progressive installation of bicycle parking rails at the locations listed in the Bike Plan to encourage users to cycle to the shops and public reserves and to provide added security to parked bicycles.
Action 3.8	Following installation of the bicycle parking rails (as recommended in this Bike Plan), prepare and distribute a promotional brochure/leaflet illustrating the location of all these bicycle parking facilities.
Action 3.9	Arrange for a local service club (ie. Rotary, Lions, Apex) to conduct bike engraving days, to greatly enhance the chances of recovery of a stolen bike.

13.0 Provision of Bicycle Facilities by Developers

13.1 Introduction

The Brief stipulated that the Bike Plan propose policies that can be undertaken to:

- Encourage the implementation of end of trip facilities at new developments; and
- Ensure appropriate cycling facilities are incorporated into new subdivisions and ensure integration with existing / planned bicycle facilities external to the subdivision.

The Western Australian Planning Commission's *Development Control Policy 1.5 Bicycle Planning* (July 1998) sets out a range of matters relating to the provision of facilities for cyclists by developers of land.

This policy describes the planning considerations that should be taken into account in order to improve the safety and convenience of cycling. The objectives of DC Policy 1.5 are:

- To make cycling safer and more convenient through the provision of end-of-trip facilities and by the provision of better cycle route networks.
- To ensure that the needs of cyclists, are recognised and provided for by planning and road construction authorities.
- To encourage more work, school and shopping trips to be made by bicycle through the provision of more (and better) cycling facilities.
- To increase the general awareness of the benefits of cycling.
- To ensure adequate consideration is given to the provision of cycling facilities in planning studies and in the implementation of statutory planning controls.

Paragraph 3.2, dealing with Cycling Facilities in New Subdivisions, sets out the responsibilities of developers/subdividers in providing for an appropriate cycling (and walking) network. The details of that paragraph are set out on the following page.

13.2 Bicycle Parking Provisions in Town Planning Schemes

It is now common practice for local governments to include provisions within their Town Planning Schemes requiring the supply of parking for cyclists in much the same way as on-site car parking is required. Long term bicycle parking facilities should be designed in accordance with the requirements of Australian Standard AS2890.3.

The provision of appropriate bicycle facilities through the imposition of development conditions dealing with such matters as the type, number and location of bicycle parking facilities, and the installation of showers and change rooms is supported for locations such as: shopping centres, factories, offices, educational establishments, sport, leisure and entertainment centres, health centres and hospitals, libraries and other public buildings, major places of employment, parks, recreation venues and tourist attractions.

The Shire of Toodyay can ensure the provision of cycling facilities (such as paths and bicycle parking) through conditions of approval applied to development applications and subdivision proposals.

3.2 Cycling Facilities in New Subdivisions

3.2.1 Account should be taken of the Residential Road Planning Policy (DC 2.6) to ensure that most roads within the residential cell or precinct are safe for cyclists and pedestrians.

3.2.2 In the planning of a new subdivision, two fundamental issues relevant to cycling need to be considered:

- the provision of safe cycle routes to and through the subdivision (i.e. accessibility to facilities outside the subdivision such as regional recreation centres, suburban shopping centres, public transport stations, employment centres); and
- provision of safe cycling conditions within the new subdivision itself (i.e. local area bicycle movements to schools, shops, local parks and other community facilities).

3.2.3 Cyclists should be encouraged to use routes other than busy distributor roads by the adequate provision of suitable alternative routes which are both direct and continuous as they pass from one residential cell to another.

As district and local distributors will often be used by adult and secondary school age cyclists regardless of the provision of dual-use paths, they should be designed to accommodate cyclists.

3.2.4 The following matters should be taken into account in subdivision design:

- Where regional or local bike plans have been prepared, the proposals of the bike plans should be incorporated into the design.
- Within a new subdivision (particularly in residential areas) the emphasis should be on on-road facilities linked by segregated paths where necessary to ensure continuity of the cycle route system.
- Segregated dual-use paths or cyclepaths may be required along one side of district distributor roads, providing access to bus stops, grade separated crossings, or regional community facilities. Use could be made of the carriageway of subdivisional roads which run parallel with the district distributor.
- Segregated dual-use paths or cyclepaths may be required along one side of those local distributor roads without frontage access, where strong demand exists such as near schools and shops where inexperienced/novice cyclists may be expected. These paths should form part of an overall cycle route network.
- Subdivision design should provide for bicycle access along river and coastal foreshores, and across artificial obstacles such as major roads, and other transport facilities.
- Dual-use paths or cyclepaths (utilising well-designed public access ways or other reservations) between culs-de-sac heads, and between long sections of parallel roads, provide an important element of the network.

3.2.5 A cycle route network plan for a residential precinct should be based on the principles set out in Figure 1, which depicts the ideal provision of on-road and off-road facilities in a new subdivision.

Source: Western Australian Planning Commission's Development Control Policy 1.5 Bicycle Planning (July 1998)

14.0 Maintenance Issues

The goals of a Maintenance Plan are to:

1. Ensure that cyclists using shared pathways (and roads) continue to experience safe and enjoyable conditions;
2. Guard against the deterioration of infrastructure, thereby maintaining the investment made in the pathways (and on-road facilities) on behalf of the community;
3. Minimise exposure to potential public liability claims arising from incidents which may occur at the site; and
4. Set in place a management process to cover most foreseeable risks.

Regular inspection of pathways is required. In particular, close inspection of the pathway surface will determine locations where remedial action is required to eliminate dangerous conditions. Sweeping sand and debris off paths and ramps, replacing broken (and missing) pavers and repairing paths as required, pruning overhanging vegetation, and repairing damage to signage are likely to be among the primary maintenance activities.

Council staff should keep clear records of each activity/inspection.

In general, the optimum maintenance regime is based upon regular inspections, at which time simple maintenance activities should take place. The capacity to respond immediately to random incoming reports of hazards or major infrastructure failures is required.

General Maintenance Activities

1. Check asphalt surfacing of paths for erosion (or other) damage (such as potholes) and arrange repairs or sweeping if necessary - Two-monthly (or when required)
2. Check concrete and brick paved surfaces of paths for breakages and arrange repairs if necessary - Two-monthly (or when required)
3. Check and prune overhanging or intruding vegetation - Quarterly
4. Check, repair or replace all signage, and directional signage – Quarterly

In urban areas, it has been practice in some local governments (here in WA and elsewhere in the world) for a "Hazard Report Form" to be made available at various locations within the local government area (or electronically, via the internet), for cyclists (and/or pedestrians) to complete and submit to Council for action. See dpi.wa.gov.au/cycling/2345.asp for an example of the system currently operating in Western Australia. It is recommended that the Shire of Toodyay adopt a similar system, and create a web-based hazard reporting system.

15.0 Future Cycling Projects

This Bike Plan focuses on projects that can encourage cycling and make cycling more convenient and safer within the town of Toodyay. By definition, and because of the funding parameters, it is limited to facilities that have a sealed surface (ie. concrete or asphalt). It does not consider unsealed facilities (such as gravel trails).

There are however two notable trail projects that should be considered by the Shire of Toodyay. The two projects are:

Avon River Trail: this trail project would involve an extension of the currently proposed river foreshore trail (from Toodyay to Nardie Cemetery) all the way through to Northam along the Avon River. Already significant sections of this trail are in place. It is recommended that a feasibility study be conducted to examine land tenure and practical issues that would determine whether or not a riverside trail could be established all the way between the two towns.



The trail at Millard's Pool could potentially be extended along the Avon River and link Toodyay with Northam.

Toodyay Clackline Rail Trail: the disused railway between Toodyay and Clackline has for a long time been regarded as an ideal opportunity for the creation of a multi-use trail, catering potentially for cyclists, walkers and horse riders. The creation of this rail trail would be a valuable addition/spur to the Kep Track (between Mundaring Weir and Northam), and if a trail was constructed along the river to Northam a circuit trail (ie. loop) could be developed. A feasibility study is recommended.

Appendix 1: Implementation of 2004 Bicycle Plan

The 2004 Bicycle Plan proposed a number of projects. The table below indicates whether that project has been completed or not.

#	Project Description	Completed
1	Construct river foreshore pathway/trail – Duidgee Park to Newcastle Park (800 metres).	x
2	Widen existing 1.2 metre connector path – Stirling Terrace to footbridge (south side of bridge) (60 metres).	✓
3	Widen connector path – footbridge (north side of bridge) to school crossing of Drummond Street East (75 metres).	✓
4	Upgrade pathway north side Stirling Terrace – Toodyay Tavern to Goomalling - Toodyay Rd (550 metres).	✓
5	Construct new path – north side Goomalling – Toodyay Rd – Stirling Terrace to existing shared use path (100 metres).	x
6	Upgrade link path – north side railway between Duke Street North to Oddfellow Street (50 metres) – to enhance connection to bridge over railway.	✓
7	Construct new pathway along Oddfellow Street (bowling club side) – railway to Stirling Terrace (120 metres). 'Shorten' street to allow better connection alongside railway line.	✓
8	Upgrade pathway south side Stirling Terrace - Oddfellow Street to 'collocation centre' (220m).	✓
9	Widen road and construct new shared use path – south side Drummond Street East from Goomalling–Toodyay Rd to pedestrian bridge (830 metres).	✓
10	Construct new shared use path – south side of Toodyay Street from Telegraph Rd to Jubilee Street (80 metres). Install kerb ramp at Telegraph Rd, and at entrance to showground. (80 metres).	x
11	Install new kerb ramp – NW corner of intersection Stirling Terrace and Goomalling - Toodyay Rd.	✓
12	Install kerb ramps to replace mountable kerbing – intersection of Telegraph Rd and Settlers Ridge.	✓
	Fix potholes in middle of crossing of Settlers Ridge (25m x 1.5m).	x
13	Repair dangerous service cover – north side of Bolgart Bridge.	✓
14	Install new kerb ramp – north side of intersection of Stirling Terrace and Harper Road.	x
15	Install kerb ramps to replace mountable kerbing – intersection of Stirling Terrace and Herbert St.	✓
16	Install kerb ramps to replace mountable kerbing – intersection of Stirling Terrace and Henry St.	✓
17	Install barrier fencing between Goomalling -Toodyay Road and shared use path – Goomalling bridge to Drummond Street East.	x

18	Install kerb ramps corner Oddfellow Street and Stirling Terrace.	✓
19	Install kerb ramp Stirling Terrace opposite proposed new pathway along Oddfellow Street.	✓
20	Construct new shared path from (ramp to) railway station and Piesse Street (50 metres).	✓
21	Replace dangerous drainage grate at corner of Stirling Terrace and Whitechapel St with bike-safe design.	✓
22	Install barrier fencing on Bolgart Bridge - to separate shared use path from motor vehicle traffic.	✗
23	Path across railway from Hamersley St to Stirling Terrace (140 metres) and maze crossing.	✗
	Bicycle Parking	Some
	Tour loop to west Toodyay Bridge (warning and directional signage)	✗

Appendix 2 - Funding Opportunities

There are two major funding opportunities that may assist the implementation of the Shire of Toodyay Bike Plan. These are:

Regional Bicycle Network Local Government Grants Program

The Program provides funding assistance to local government and community groups to assist in planning, development and promotion of cycling facilities in regional WA.

Important priorities for the grants program are projects that:

1. Bicycle infrastructure connections to schools to encourage students to cycle and reduce school induced congestion.
2. The development of bicycle networks in regional centres, specifically larger projects of strategic importance to the centre.
3. Infrastructure projects and initiatives that encourage cycle tourism in regional Western Australia.

There is no maximum grant amount (according to the Application Guidelines). Funding assistance will be available for the following project types:

- 1) Network Planning (Development of local bike plan)
- 2) On-road Infrastructure (Installation of bicycle lanes; Improvement to traffic calming treatments (e.g. cycle bypasses); Improvement to intersections for cycling movement)
- 3) Path Infrastructure (Construction of important shared paths; Separation of bicycle and pedestrian movements on path network)
- 4) Other Infrastructure (Design and construction of bicycle parking compounds; Installation of associated 'end-of-trip' facilities (e.g. storage lockers); Generic signage programs for bicycle routes and associated facilities (signage can be directional or regulatory)

Grant applications for the 2013-2014 RBN Grants Program opened on 27 August 2012 and closed on 26 October 2012. \$2m is available in grant funding in accordance with the recommendation of the Western Australian Bicycle Network (WABN) Plan.

All the regional Local Governments (excluding City of Mandurah) in Western Australia are eligible applicants. Application Guidelines and Application Forms for the 2013-2014 grants program can be downloaded from the Department of Transport website:

<http://www.transport.wa.gov.au/activetransport/25728.asp>

Further Information:

Project Officer Regional Bicycle Network
 Department of Transport
 Tel: (08) 6551 6754
 Fax: (08) 6552 4417
 Email: rbn.cycling@transport.wa.gov.au

Royalties for Regions Wheatbelt Regional Grants Scheme

Royalties for Regions is a Western Australian Government initiative that will see the equivalent of 25 per cent of the State's annual mining and resources royalties revenue reinvested in regional communities every year.

The money is being distributed through three funds:

- the Country Local Government Fund
- the Regional Community Services Fund.
- the Regional Infrastructure and Headworks Fund

The primary objective of the Scheme is to improve economic and community infrastructure and services in the Wheatbelt region through funding projects that will assist in attracting investment and increasing jobs and help to improve the quality of life in the region.

Funding is available to assist the development of infrastructure, services and community projects, including the provision of headworks, and to assist in the broad development of the community, including the establishment of services and programs. Funding is intended to support the development of resilient communities and contribute to regional areas being vibrant and interesting places in which to live.

The Scheme is administered by the Wheatbelt Development Commission as part of the Royalties for Regions Program. Royalties for Regions is a State Government program designed to promote long-term development in Western Australia's regions. It aims to help local communities grow and prosper through the promotion of local decision-making and is specifically designed to help regions attract the resources needed to support development. The Royalties for Regions Scheme's broad objectives are to:

1. Increase capacity for local strategic planning and decision-making.
2. Retain and build the benefits of regional communities.
3. Promote relevant and accessible local services.
4. Assist communities to plan for a sustainable economic and social future.
5. Enable communities to expand social and economic opportunities.
6. Assist regional communities to prosper through increased employment opportunities, business and industry development opportunities, and improved local services.

For further information please contact (08) 9622 7222 /
royaltiesforregions@wheatbelt.wa.gov.au

Appendix 3: References

Austrroads **Guide to Traffic Management**

Austrroads **Guide to Road Design**

Bauman, A. (1999), **Physical Activity Levels of Australians. Results of the 'Active Australia' Baseline Survey** Australian Sports Commission, Canberra ACT, November 1997)

Bikewest **Local Government Bicycle Plans – Guidelines for Preparing Bicycle Plans** (December 2008)

Bikewest **Shared Path Guidelines**

Bikewest **Signage, Pavement and Linemarking Guidelines**

Bull, F., Milligan, R., Rosenberg, M., and MacGowan, H. (2000) **Physical Activity Levels of Western Australian Adults 1999** (Published by the Health Department of Western Australia and the Sport and Recreation Way2Go, Western Australian Government, Perth: Western Australia).

Department of Transport **Western Australia Bicycle Network Plan 2012 – 2021** (Draft for Consultation)

Main Roads WA **MRWA Policy for Cycling Infrastructure**, (Main Roads WA. Doc 37/09/01, 2000)

Shire of Toodyay **Disability Access and Inclusion Plan 2007 – 2010**

Shire of Toodyay **Forward Capital Works Program**

Strategic Services – South Australian Tourism Commission **Cycling Tourism – A Background Research Paper** (June 1999)

Transplan Pty Ltd **Toodyay Bicycle Plan** (March 2004)

Transport WA **Bike Ahead: Bicycle Strategy for the 21st Century** (1996 Department of Transport, Western Australian Government, Perth Western Australia)

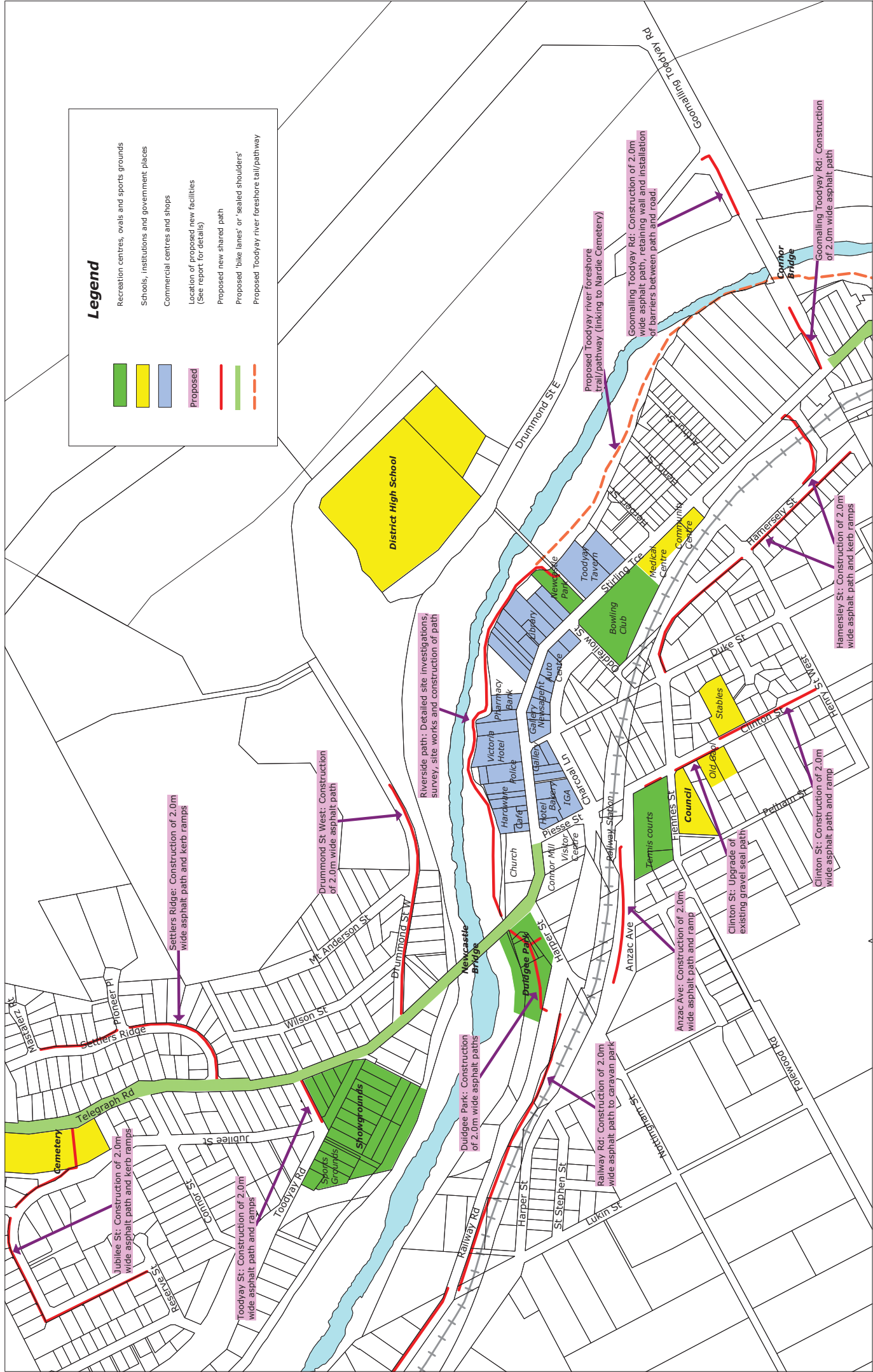
Transport WA **Perth Bicycle Network Plan** (1996 Department of Transport, Western Australian Government, Perth Western Australia)

Transport WA **Bicycle Directional Signage Guideline** (1996 Department of Transport, Western Australian Government, Perth Western Australia, 2001-04-23)

VicRoads **Cycle Notes: Design standards for bicycle facilities**

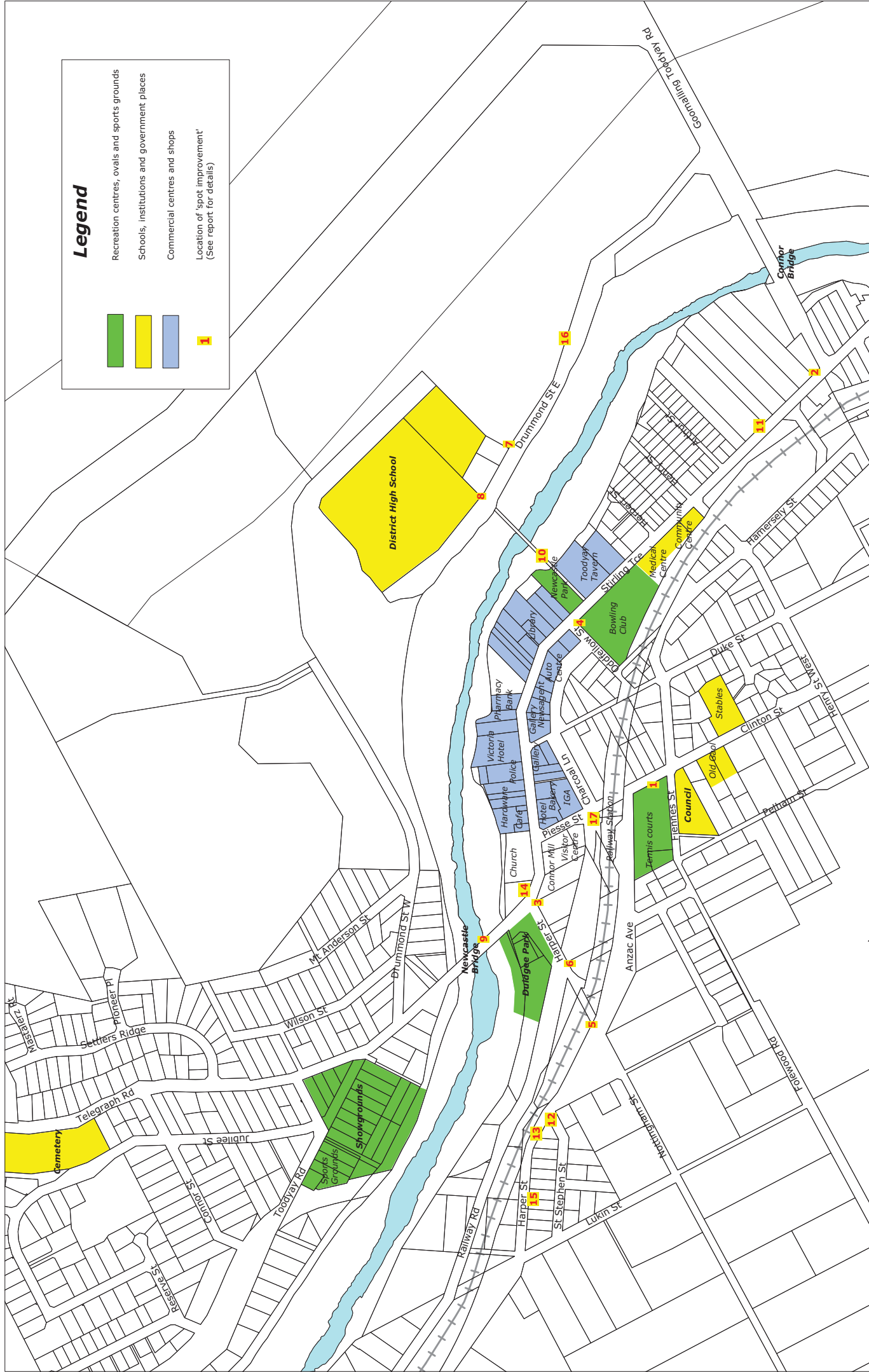
Cycle Notes is a series of information bulletins on design standards for cycling infrastructure, intended for engineers, planners and cycling enthusiasts.

PLANS



Legend

- Recreation centres, ovals and sports grounds
- Schools, institutions and government places
- Commercial centres and shops
- Location of proposed new facilities (See report for details)
- Proposed new shared path
- Proposed 'bike lanes' or 'sealed shoulders'
- Proposed Toodyay river foreshore trail/pathway



Shire of Toodyay Bike Plan

Plan 3: Spot Improvements



Shire of Toodyay

List of Payments Presented to Council for Period 1 March 2013 to 31 March 2013

Pay/Type	Date	Name	Description	Amount
IPV456	13/03/2013	Bendigo Bank	Payroll PPE 12/3/2013	79,651.44
IPV457	27/03/2013	Bendigo Bank	Payroll PPE 26/03/2013	83,164.65
BPV1125	1/03/2013	Ray White Avon Valley	Lease Staff Housing - C DeLmage - fully reimbursed	800.00
BPV1126	7/03/2013	Westnet	Internet Charges - Depot	184.84
BPV1127	12/03/2013	Cannon Finance	Lease Photocopier Admin	572.00
BPV1128	15/03/2013	Ray White Avon Valley	Lease Staff Housing - C DeLmage - fully reimbursed	800.00
BPV1129	1/03/2013	Bendigo Bank	Reserve & Trust Interest	792.66
BPV1130	14/03/2013	Bendigo Bank	Credit Card - L Vidovich - Feb 13 Card fee	4.00
BPV1131	14/03/2013	Bendigo Bank	Credit Card - A Bell - Feb 13 Northam Florist - Flowers - M Mills Council on Ageing Mainstreet DVD Accomodation - K Angus - CANWA KFC Mundaring - Fully Reimbursed T00 - Fuel Card Fee	1,337.51
BPV1132	14/03/2013	Bendigo Bank	Credit Card - C DeLmage - Feb 13 Boffin Books - M Wilson (farewell gift) partially reimbursed Instapage subscription online - monthly web page design Dear Friends Restaurant - M Wilson (farewell gift) partially reimbursed Card Fee	232.92
BPV1133	14/03/2013	Bendigo Bank	Credit Card - G Bissett - Feb 13 Building Levy Expense National Construction Code - Information Office Equipment	659.43

Shire of Toodyay				
List of Payments Presented to Council for Period 1 March 2013 to 31 March 2013				
Pay/Type	Date	Name	Description	Amount
BPV1134	14/03/2013	Bendigo Bank	Vehicle Expenses Office Equipment Vacuum Cleaner Card Fee	11.98 179.00 4.00
			Credit Card - S Scott - Feb 13	3,099.00
			T0 - Fuel	153.18
			Refreshments - SAT Hearing	44.90
			Parking - SAT Hearing	52.92
			Accommodation - OSH Training	2,844.00
			Card Fee	4.00
BPV1135	14/03/2013	Bendigo Bank	Credit Card - S Slater - Feb 13 Visitors Centre Lolly Shop Stock Card Fee	257.18 4.00
BPV1136	31/03/2013	Bendigo Bank	Bank Fees - March 2013	151.06
BPV1137	31/03/2013	Commonwealth Bank	Eftpos Fees March 2013	647.23
BPV1138	31/03/2013	Department of Transport	Licensing Debits March 2013	104,938.65
1236	14/03/2013	Construction Training Fund	CTF Levies - Feb 13	755.25
1237	14/03/2013	Building Commission	BS Levies - Feb 13	603.19
1238	14/03/2013	Kizzilea & Fane Portlock	Refund of Bond - Memorial Hall	500.00
1239	14/03/2013	Shire of Toodyay	BS Commissions Dec 12 - Feb 13	182.88
1240	14/03/2013	Toodyay Christian Fellowship	Refund of Community Centre Bond	215.00
1241	28/03/2013	Marion Guthrie	Refund of Memorial Hall Booking	500.00
11630	14/03/2013	Australian Ethical	Superannuation Contributions	752.63
11631	14/03/2013	Commissioner of State Revenue	Rates Refund - 9 Drummond Street Nunile	1,991.58
11632	14/03/2013	City of Joondalup	Lost Book	25.20
11633	14/03/2013	Commonwealth Financial Services	Superannuation Contributions	396.91
11634	14/03/2013	MLC Navigator Access Super Plan	Superannuation Contributions	517.50

Shire of Toodyay				
List of Payments Presented to Council for Period 1 March 2013 to 31 March 2013				
Pay/Type	Date	Name	Description	Amount
11635	14/03/2013	Old Gaol Museum	Old Gaol Volunteer Reimbursements - Apr 13	400.00
11636	14/03/2013	Optus	Julimar Fire Ready Group	24.50
11637	14/03/2013	Red Ink Homes	Refund - Application Cancelled - Lot 538 Jubilee St	894.73
11638	14/03/2013	Teistra	Telephone Charges	2,984.95
11639	14/03/2013	Synergy	Electricity	614.45
11640	28/03/2013	AMP Financial	Superannuation Contributions	410.40
11641	28/03/2013	Fines Enforcement Registry	FEA Payment - Chris Firms	200.00
11642	28/03/2013	Dane Guy	Rates Refund for Assessment - 191 Drummond Drive	100.00
11643	28/03/2013	Hostplus Super	Superannuation Contributions	295.92
11644	28/03/2013	NSF Super	Superannuation Contributions	81.00
11645	28/03/2013	Michael Robinson	Rates Refund for Assessment - 2395 Northam Toodyay Road	297.14
11646	28/03/2013	Shire of Toodyay - Petty Cash	Petty Cash Expenses	528.00
			Police Clearance - D Papps	62.75
			St Johns First Aid Training - K Jolly	160.00
			Fuel - T000	97.00
			Lollies - Council Meeting	81.60
			Birthday Cards	1.50
			Fuel - T0001	65.25
			Exit Signs - Medical Centre	59.90
11647	28/03/2013	Sorell Council	Tasmanian Bush Fire Appeal Donation from Bush Fire Relief Fund as per Council Resolution 01/08/13	2,000.00
11648	28/03/2013	Shire of Toodyay - Library Petty Cash	Petty Cash Expenses - Mar 13	103.10
			Glue Sticks	9.60
			Parking & Train to SLWA	10.00
			CD's by Jan Smith	30.00
			Staff Amenities	53.50
11649	28/03/2013	Shire of Toodyay	Rates Payment - C Firms	200.00

Shire of Toodyay				
List of Payments Presented to Council for Period 1 March 2013 to 31 March 2013				
Pay/Type	Date	Name	Description	Amount
11650	28/03/2013	Telstra Super	Superannuation Contributions	396.00
11651	28/03/2013	Toodyay Bakery	Refreshments - Staff Meeting	129.70
11652	28/03/2013	Tasman Council	Tasmanian Bush Fire Appeal Donation from Bush Fire Relief Fund as per Council Resolution 01/08/13	2,000.00
11653	28/03/2013	Telstra	Telephone Charges	951.17
11654	28/03/2013	Water Corporation	Water Usage	49,959.25
11655	28/03/2013	Synergy	Electricity	292.10
EFT13507	13/03/2013	Shire of Toodyay Salaries & Wages	Payroll Deductions	2,943.80
EFT13508	13/03/2013	WA Local Govt Super Plan	Superannuation Contributions	13,805.83
EFT13509	14/03/2013	Australia Post	Postage - Feb 13	951.30
EFT13510	14/03/2013	Avon Skip Bins	WTS Management & Transfer Waste	11,879.25
EFT13511	14/03/2013	Autopro Northam	Vehicle & Machinery Supplies	968.66
EFT13512	14/03/2013	Ag Implements Merredin Pty Ltd	Repairs - Mower	464.44
EFT13513	14/03/2013	Avon Waste	Waste Removal	10,367.44
EFT13514	14/03/2013	Advanced Autologic	Solvent	854.00
EFT13515	14/03/2013	Amber Spring Gardens	Accommodation to 12/3/13	614.10
EFT13516	14/03/2013	Advance Autoquip	Hoists	1,056.00
EFT13517	14/03/2013	Bitumen Surfacing	Resealing of Roads - McKnoe, Blue Gum, Red Gum, White Gum Jarrah, Wilson, Somers & Westview	165,911.37
EFT13518	14/03/2013	Covs Parts	Vehicle & Machinery Parts	249.50
EFT13519	14/03/2013	Courier Australia	Freight	8.83
EFT13520	14/03/2013	Country Copiers Northam	Colour Copier - Service & Reading	2,322.62
EFT13521	14/03/2013	Clare's Rag Bags	V/C Consignment Stock	20.00
EFT13522	14/03/2013	Fun Lea Novelty Soaps	V/C Consignment Stock	16.25
EFT13523	14/03/2013	Toodyay Central Bush Fire Brigade	Refreshments - Training	126.00
EFT13524	14/03/2013	Staples	Stationery	405.10
EFT13525	14/03/2013	Coca Cola Amatil (Aust) P/L	V/C Floor Stock	290.21
EFT13526	14/03/2013	Country Bins	Move Abandoned Vehicle	110.00
EFT13527	14/03/2013	Clockwork Print	Event Flyers 2013	511.50

Shire of Toodyay				
List of Payments Presented to Council for Period 1 March 2013 to 31 March 2013				
Pay/Type	Date	Name	Description	Amount
EFT13528	14/03/2013	Landgate	Valuations	94.60
EFT13529	14/03/2013	Andrew Dixon	V/C Consignment Stock	27.00
EFT13530	14/03/2013	Dunnings Caltex Toodyay Junction	Water Bottles	87.50
EFT13531	14/03/2013	Electritech Industries	Supply & Install Air Con 19B Clinton St & Repairs - Mrs O'Reillys Cottage	2,561.44
EFT13532	14/03/2013	Freemasons Hotel	Acom & B/Fast - EHO	773.11
EFT13533	14/03/2013	SF Fitzgerald Plumbing & Gas	Electrical Repairs	1,958.80
EFT13534	14/03/2013	Fire & Safety WA	Firefighter Boots	230.67
EFT13535	14/03/2013	Future Logic	Computer Support	5,690.58
EFT13536	14/03/2013	Graham Dunlop	Pipe Location - New Depot	737.55
EFT13537	14/03/2013	3 - Hutchison Telecommunications Ltd	Pager Charges - Feb 13	1,141.91
EFT13538	14/03/2013	Toodyay Hardware & Farm	Misc Hardware purchases - Mar 13	4,663.76
EFT13539	14/03/2013	UHY Haines Norton	12/13 LG Rates Comparison Report	198.00
EFT13540	14/03/2013	SW Hart & Co	Aircon Filters	237.60
EFT13541	14/03/2013	Adam Harris	V/C Consignment Stock	20.00
EFT13542	14/03/2013	lap2 Australasia	lap2 Membership - K Angus	160.00
EFT13543	14/03/2013	Ipswich View Homestead B & B	Accommodation to 12/3/13	436.10
EFT13544	14/03/2013	Kalgoorlie- Boulder Cemetery Board	Cemetery Seminar - N Rodger	200.00
EFT13545	14/03/2013	Lizard Landscape	Paving - Connors Cottage	12,980.00
EFT13546	14/03/2013	Local Government Managers Australia	Diploma's - C DeIMAGE, K Angus & R Bowman	1,551.00
EFT13547	14/03/2013	Leyland Engineering Services	Vehicle & Machinery Service & Repairs	1,543.00
EFT13548	14/03/2013	State Library of WA	Recoveries of Lost Books	7.70
EFT13549	14/03/2013	Major Motors	Fuel Tank Repairs	1,343.79
EFT13550	14/03/2013	McLeods Barristers & Solicitors	Cancellation of Easements	346.45
EFT13551	14/03/2013	M2 Technology Pty Ltd	Messages on Hold	195.01
EFT13552	14/03/2013	Neat N 'Trim Uniforms	Staff Uniforms - partially reimbursed	582.22
EFT13553	14/03/2013	Outdoor World	Erection of Patio - New Depot	10,036.00
EFT13554	14/03/2013	Oliomio Olive & Lavender Farm	V/C Consignment Stock	26.15
EFT13555	14/03/2013	Allcover Carports	Carport - to be partially reimbursed from Insurance Claim MPS 0001892	5,549.01
EFT13556	14/03/2013	Perth Candy Wholesale	Lolly Shoppe Stock	425.64

Shire of Toodyay				
List of Payments Presented to Council for Period 1 March 2013 to 31 March 2013				
Pay/Type	Date	Name	Description	Amount
EFT13557	14/03/2013	PT & JJ Contractors	Contract Cleaning - 26/2 - 11/3/13	3,692.00
EFT13558	14/03/2013	Toodyay RSL	Sandakan Memorial Scholarship 12/13	1,000.00
EFT13559	14/03/2013	Public Transport Authority	Transwa Ticket Sales - Feb 13	214.42
EFT13560	14/03/2013	PND Automotvie Electrical Service	Repair & Replace Roller Parts	933.90
EFT13561	14/03/2013	Book Easy Australia	Online Booking Commission - Feb 13	198.00
EFT13562	14/03/2013	Regional Pest Control	Termite & Spider Treatment - Vacant Block - Telegraph Rd	110.00
EFT13563	14/03/2013	Rural Waste Management	Waste Collection	242.00
EFT13564	14/03/2013	Stott & Hoare	Esx Server Implementation - New Depot	19,342.40
EFT13565	14/03/2013	Shire of Bruce Rock	Contract EHO Services	998.00
EFT13566	14/03/2013	Solarfruit Pty Ltd	Visitor Cntr Stock	240.00
EFT13567	14/03/2013	Toodyay Express	Freight	66.00
EFT13568	14/03/2013	Toodyay Traders	Hardware	258.45
EFT13569	14/03/2013	Toodyay Herald	Advertising - Monthly Article	1,545.00
EFT13570	14/03/2013	Shire of Northam	Disposal of Waste	7,521.45
EFT13571	14/03/2013	Toodyay IGA	Staff Amenities - Jan 13	2,572.07
EFT13572	14/03/2013	Timberworks Carpentry Solutions	Fascia Repairs - Morangup Community Centre	3,520.00
EFT13573	14/03/2013	Toodyay Historical Society	V/C Consignment Stock	15.00
EFT13574	14/03/2013	Toodyay Catering Service	Refreshments	412.50
EFT13575	14/03/2013	Toodyay Auto Parts & Pumps	Vehicle & Machinery Maintenance	1,768.30
EFT13576	14/03/2013	Tuss Concrete	Pipes	1,478.57
EFT13577	14/03/2013	Road Signs Australia	Signs	1,201.20
EFT13578	14/03/2013	Toodyay Tyre Service	Tyres & Repairs	2,313.10
EFT13579	14/03/2013	Toodyay Community Bus	Hire of Community Bus - Incident 236077	225.40
EFT13580	14/03/2013	The Limes Orchard Stay	Accommodation to 12/3/13	191.35
EFT13581	14/03/2013	The Jolly Potoroo	V/C Floor Stock	110.00
EFT13582	14/03/2013	Total Green Recycling	Waste Recycling	1,635.54
EFT13583	14/03/2013	Verandah Apartments	Accommodation - M McPhee - Transport Training- partially reimbursed	1,060.00
EFT13584	14/03/2013	Writing WA Inc	Writing WA Annual Membership	135.00
EFT13585	14/03/2013	West Coast Honey	Visitor Cntr Stock	190.20

Shire of Toodyay				
List of Payments Presented to Council for Period 1 March 2013 to 31 March 2013				
Pay/Type	Date	Name	Description	Amount
EFT13586	14/03/2013	WA Local Government Association	2013 Walga LG Directory	651.00
EFT13587	14/03/2013	Mary Wilkinson	Refund Fire Infringement F0794 - Withdrawn	250.00
EFT13588	14/03/2013	Western Australian Treasury Corporation	Loan No. 68 - Stirling Terrace Upgrade	27,601.93
EFT13589	14/03/2013	WA Local Govt Super Plan	Superannuation Contributions	1,390.12
EFT13590	19/03/2013	Timberden Pty Ltd	Extra Works To Clear Shire Reserve & Extra Fencing	74,992.50
EFT13591	21/03/2013	Australian Taxation Office	Bas Return - Jan 13	3,836.00
EFT13592	27/03/2013	Shire of Toodyay Salaries & Wages	Payroll Deductions	2,890.00
EFT13593	27/03/2013	WA Local Govt Super Plan	Superannuation Contributions	14,085.28
EFT13594	28/03/2013	Avalon Homestead	Accommodation to 26/3/13	133.50
EFT13595	28/03/2013	AV Sec Security Services	Alarm Callout - Connors Mill	55.00
EFT13596	28/03/2013	Amber Spring Gardens	Accommodation to 26/3/13	151.30
EFT13597	28/03/2013	Australian Super	Superannuation Contributions	625.34
EFT13598	28/03/2013	Ampac Debt Recovery	Legal Expenses - Debt Recovery	1,687.47
EFT13599	28/03/2013	Australian Ethical	Superannuation Contributions	272.54
EFT13600	28/03/2013	Triset Boss Business Forms	Purchase Order Books	1,045.00
EFT13601	28/03/2013	Robert Buonomo	Two Way Radios - Installation & Repairs	621.50
EFT13602	28/03/2013	Bolig Design Group	Showground Changerooms - Final Payment	780.00
EFT13603	28/03/2013	BT Lifetime Super	Superannuation Contributions	88.07
EFT13604	28/03/2013	Bendigo Superannuation Plan	Superannuation Contributions	61.34
EFT13605	28/03/2013	Civic Legal	Legal Costs - Sat - Opal Vale	23,313.09
EFT13606	28/03/2013	S Craddock	Monthly Attendance Allowance - Mar 13 & Telec Allowance	800.00
EFT13607	28/03/2013	Toodyay Central Bush Fire Brigade	Refreshments - Incident 236077	180.00
EFT13608	28/03/2013	Staples	Stationery	261.73
EFT13609	28/03/2013	CPS Wear Parts	Loader Teeth & Pins	747.82
EFT13610	28/03/2013	Landgate	Land Enquiries	456.00
EFT13611	28/03/2013	Dynapac Australia	Repairs - Roller	1,298.00
EFT13612	28/03/2013	David Dow	Monthly Attendance Allowance - Mar 13 & Telec Allowance	800.00
EFT13613	28/03/2013	Enigma Business Products	Notebook & Carry Bag	1,268.30
EFT13614	28/03/2013	Freemasons Hotel	Accommodation to 26/3/13	133.50

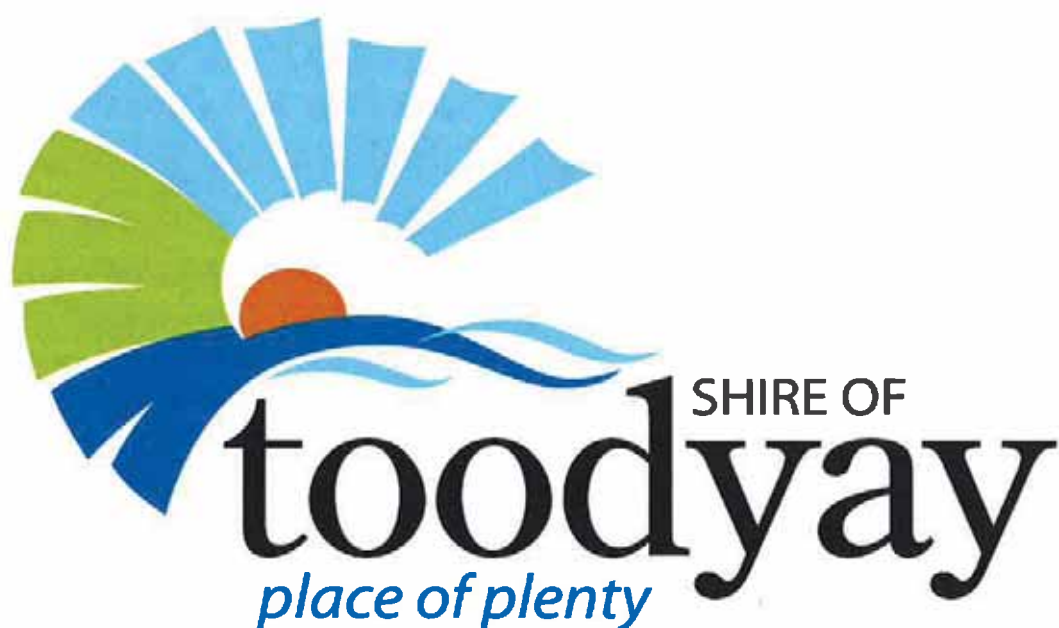
Shire of Toodyay				
List of Payments Presented to Council for Period 1 March 2013 to 31 March 2013				
Pay/Type	Date	Name	Description	Amount
EFT13615	28/03/2013	Filter Supplies (Wa) Pty Ltd	Filters	129.10
EFT13616	28/03/2013	SF Fitzgerald Plumbing & Gas	HWS - Connors Cottage	1,350.00
EFT13617	28/03/2013	Chris Firms	Monthly Attendance Allowance - Mar 13 & Telec Allowance	400.00
EFT13618	28/03/2013	Fuel Distributors	Fuel	15,094.40
EFT13619	28/03/2013	Fire & Safety WA	Firefighting Boots	461.34
EFT13620	28/03/2013	Geolatrly	Town Planning Salaries	5,566.00
EFT13621	28/03/2013	Paula Greenway	Monthly Attendance Allowance - Mar 13 & Telec Allowance	738.37
EFT13622	28/03/2013	Health Insurance Fund	Payroll Deductions	244.80
EFT13623	28/03/2013	Harcourt Street B & B	Accommodation to 26/3/13	213.60
EFT13624	28/03/2013	Kevin Hogg	Monthly Attendance Allowance - Mar 13 & Telec Allowance	2,066.67
EFT13625	28/03/2013	Harvey Norman - Midland	Air Conditioner - Parkers Cottage	699.00
EFT13626	28/03/2013	Hitachi Construction Machinery	Correction to Invoice LE500100896 (didn't show trade in)	3,397.99
EFT13627	28/03/2013	UHY Haines Norton	RRG Annual Return - Year Ended 30/6/12	2,310.00
EFT13628	28/03/2013	Hoddywell Feature Stone	Toodyay Stone	500.00
EFT13629	28/03/2013	Image Postcards	Visitor Cntr Stock	67.50
EFT13630	28/03/2013	lap2 Australasia	Training Course - K Angus	1,705.00
EFT13631	28/03/2013	Ipswich View Homestead B & B	Accommodation to 26/3/13	427.20
EFT13632	28/03/2013	ING Masterfund	Superannuation Contributions	318.62
EFT13633	28/03/2013	Localise	Executive Team Workshop	2,024.00
EFT13634	28/03/2013	Lifrite Hire & Sales	Loader Parts	1,183.96
EFT13635	28/03/2013	Lizard Landscape	Concrete	1,450.00
EFT13636	28/03/2013	Bethan Lloyd	Monthly Attendance Allowance - Mar 13 & Telec Allowance	800.00
EFT13637	28/03/2013	Leyland Engineering Services	Vehicle & Machinery Service & Repairs	1,959.37
EFT13638	28/03/2013	Rosemary Madacsi	Monthly Attendance Allowance - Mar 13 & Telec Allowance	800.00
EFT13639	28/03/2013	Andrew Mccann	Monthly Attendance Allowance - Mar 13 & Telec Allowance	738.37
EFT13640	28/03/2013	Shiller Images- Bell Art	Visitor Cntr Stock	163.97
EFT13641	28/03/2013	Monet Soaps & Gifts	Visitor Cntr Stock	117.00
EFT13642	28/03/2013	JH Martin & Company	Gravel	9,286.20
EFT13643	28/03/2013	Transpacific Industries	Waste Oil Removal	740.30

Shire of Toodyay				
List of Payments Presented to Council for Period 1 March 2013 to 31 March 2013				
Pay/Type	Date	Name	Description	Amount
EFT13644	28/03/2013	Neat N 'Trim Uniforms	Staff Uniforms - partially reimbursed	181.00
EFT13645	28/03/2013	Perth Candy Wholesale	Lolly Shoppe Stock	202.56
EFT13646	28/03/2013	John Prater	Monthly Attendance Allowance - Mar 13 & Telec Allowance	1,000.00
EFT13647	28/03/2013	Position Partners	Laser Level & Access	1,226.50
EFT13648	28/03/2013	PT & JJ Contractors	Contract Cleaning - 12/3 - 25/3/13	3,692.00
EFT13649	28/03/2013	Rylan Pty Ltd	Supply & Lay Kerb - Telegraph Rd	22,893.75
EFT13650	28/03/2013	Megan Leonie Shirt	Financial /Accounting Assistance	4,664.00
EFT13651	28/03/2013	Sacred Valley Retreat	Accommodation to 26/3/13	106.80
EFT13652	28/03/2013	Shire of Bruce Rock	Contract BS/EHO	998.00
EFT13653	28/03/2013	Securus	Connors Mill Monitoring	228.80
EFT13654	28/03/2013	Specialised Tree Service	Tree Removal	3,080.00
EFT13655	28/03/2013	Safety Equipment Preventative Maintenance &	Servicing of Safety Equipment	694.43
EFT13656	28/03/2013	Toodyay Traders	Hardware	57.00
EFT13657	28/03/2013	Shire of Northam	Disposal of Waste - Feb 13	8,074.25
EFT13658	28/03/2013	Toodyay Trenching Pty Ltd	Telephone Lines & Trenching - New Depot	962.50
EFT13659	28/03/2013	Timberworks Carpentry Solutions	Downpipes - Admin Office	530.00
EFT13660	28/03/2013	Tasmanian Polytechnic	Dip of Building Surveying - D Andrijich	1,095.00
EFT13661	28/03/2013	Toodyay Catering Service	Refreshments	712.50
EFT13662	28/03/2013	Toodyay Auto Parts & Pumps	Pump Repairs - Morangup Hall	322.10
EFT13663	28/03/2013	Tuss Concrete	Drainage	1,540.00
EFT13664	28/03/2013	Road Signs Australia	Signs	3,902.80
EFT13665	28/03/2013	Timberden Pty Ltd	Plant Hire	1,485.00
EFT13666	28/03/2013	The Limes Orchard Stay	Accommodation to 26/3/13	155.75
EFT13667	28/03/2013	Total Green Recycling	E Waste Recycling	1,562.03
EFT13668	28/03/2013	Victoria Hotel	Accommodation to 26/3/13	105.48
EFT13669	28/03/2013	It Vision Aust Ltd	Correction of Interfunds transactions errors - still in progress	1,644.50
EFT13670	28/03/2013	WA Local Government Association	Advertising	1,973.78
EFT13671	28/03/2013	WA Library Supplies	50 Metal Bookends - Library	442.51
EFT13672	28/03/2013	West Scheme	Superannuation Contributions	1,196.35

Shire of Toodyay				
List of Payments Presented to Council for Period 1 March 2013 to 31 March 2013				
Pay/Type	Date	Name	Description	Amount
EFT13673	28/03/2013	Wellburn Superannuation Fund	Superannuation Contributions	113.07
			Total Payments	947,741.31

IPV 162,816.09
 BPV 114,480.48
 Trust 2,756.32
 EFT 601,142.19
 Muni Chqs 66,546.23
TOTAL 947,741.31

Monthly Financial Statements



FOR THE PERIOD ENDING

28 February 2013

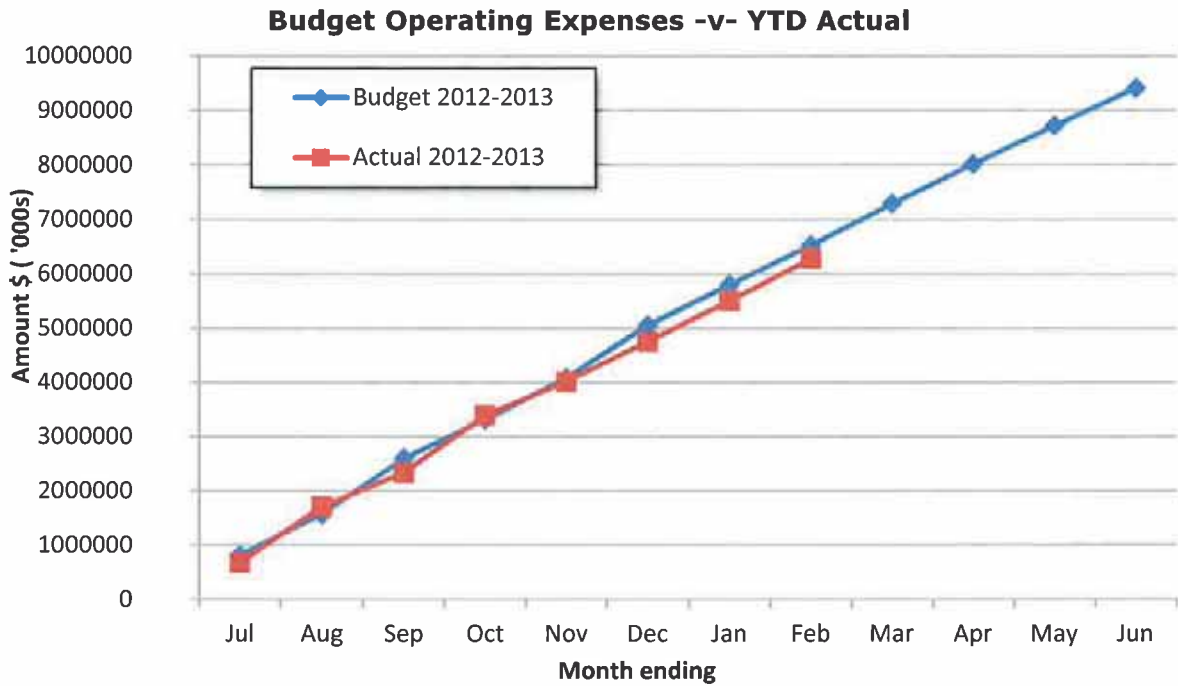
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Shire of Toodyay
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ending 28 February 2013

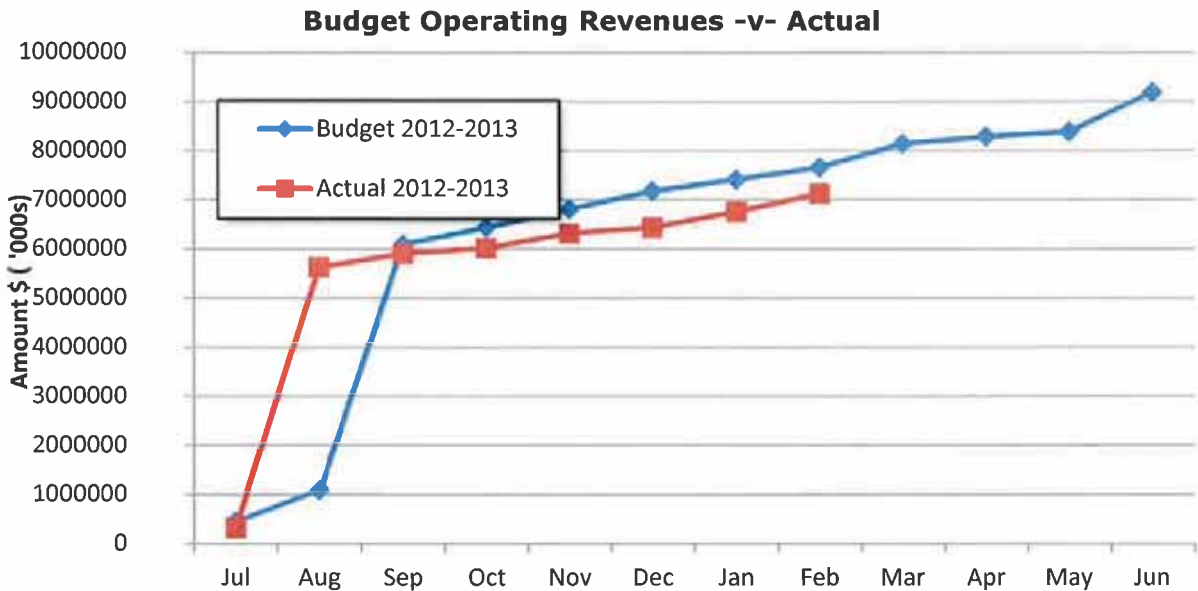
	Original Adopted Budget	Revised Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	
Note	4	4	(a)	(b)	3	
Operating Revenues		\$	\$	\$	\$	
Governance	61,158	61,158	40,752	74,071	33,319	
General Purpose Funding	1,079,845	1,079,845	582,530	698,730	116,200	
Law, Order and Public Safety	705,300	425,300	201,701	210,050	8,349	
Health	52,500	52,500	29,242	50,791	21,549	
Housing	31,600	31,600	25,392	34,016	8,624	
Community Amenities	591,310	591,310	574,804	575,293	489	
Recreation and Culture	595,322	605,247	145,387	88,699	(56,688)	
Transport	1,478,136	1,478,136	908,649	766,734	(141,915)	
Economic Services	348,700	348,700	232,424	192,733	(39,691)	
Other Property and Services	101,504	101,504	67,656	107,469	39,813	
Total (Excluding Rates)	5,045,375	4,775,300	2,808,537	2,798,587	(9,950)	
Operating Expense						
Governance	(897,806)	(897,806)	(654,566)	(563,201)	91,365	
General Purpose Funding	(274,171)	(274,171)	(163,424)	(179,346)	(15,922)	
Law, Order and Public Safety	(1,740,132)	(1,475,132)	(1,159,150)	(1,246,363)	(87,213)	
Health	(237,899)	(237,899)	(152,786)	(168,967)	(16,181)	
Housing	(138,353)	(138,353)	(90,336)	(98,073)	(7,737)	
Community Amenities	(1,010,377)	(1,100,377)	(731,288)	(683,021)	48,267	
Recreation and Culture	(1,345,364)	(1,355,289)	(958,439)	(856,967)	101,472	
Transport	(1,736,464)	(1,705,964)	(1,724,952)	(1,818,519)	(93,567)	
Economic Services	(995,260)	(995,260)	(669,160)	(562,298)	106,862	
Other Property and Services	(225,065)	(225,065)	(223,847)	(329,508)	(105,661)	
Total	(8,600,891)	(8,405,316)	(6,527,948)	(6,506,263)	21,685	
Funding Balance Adjustment						
Add back Depreciation	1,990,111	1,990,111	1,326,728	1,316,507	(10,221)	
Adjust (Profit)/Loss on Asset Disposal	(59,469)	(59,469)	(79,670)	(79,670)	0	
Adjust Provisions and Accruals				7,182	7,182	
Net Operating (Ex. Rates)	(1,624,874)	(1,699,374)	(2,472,353)	(2,463,657)	8,696	
Capital Revenues						
Proceeds from Disposal of Assets	311,637	311,637	222,863	222,863	0	
Proceeds from New Debentures	815,000	815,000	815,000	815,000	0	
Transfer from Reserves	722,500	722,500	115,535	115,535	0	
Total	1,849,137	1,849,137	1,153,398	1,153,398	0	
Capital Expenses						
Land and Buildings	(1,962,249)	(2,030,749)	(521,968)	(521,968)	0	
Plant and Equipment	(829,000)	(829,000)	(629,344)	(629,344)	0	
Furniture and Equipment	(35,000)	(35,000)	(19,404)	(19,404)	0	
Infrastructure Assets - Roads	(2,650,579)	(2,650,579)	(1,406,080)	(1,406,080)	0	
Infrastructure Assets - Other	(150,000)	(150,000)	(7,442)	(7,442)	0	
Repayment of Debentures	(172,455)	(141,455)	(74,669)	(71,257)	3,412	
Transfer to Reserves	(1,345,899)	(1,345,899)	(28,981)	(29,833)	(852)	
Total	(7,145,182)	(7,182,682)	(2,687,888)	(2,685,327)	2,560	
Net Capital	(5,296,045)	(5,333,545)	(1,534,489)	(1,531,929)	2,560	
Total Net Operating + Capital	(6,920,919)	(7,032,919)	(4,006,842)	(3,995,587)	11,256	
Rate Revenue	4,629,891	4,629,891	4,629,891	4,554,739	(75,152)	
Opening Funding Surplus(Deficit)	2,532,328	2,532,328	2,532,328	2,423,293	(109,035)	
Closing Funding Surplus(Deficit)	3	241,300	129,300	3,155,377	2,982,446	(172,931)

Shire of Toodyay
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ending 28 February 2013

Note 2 - Graphical Representation - Source Statement of Financial Activity



Comments/Notes - Operating Expenses

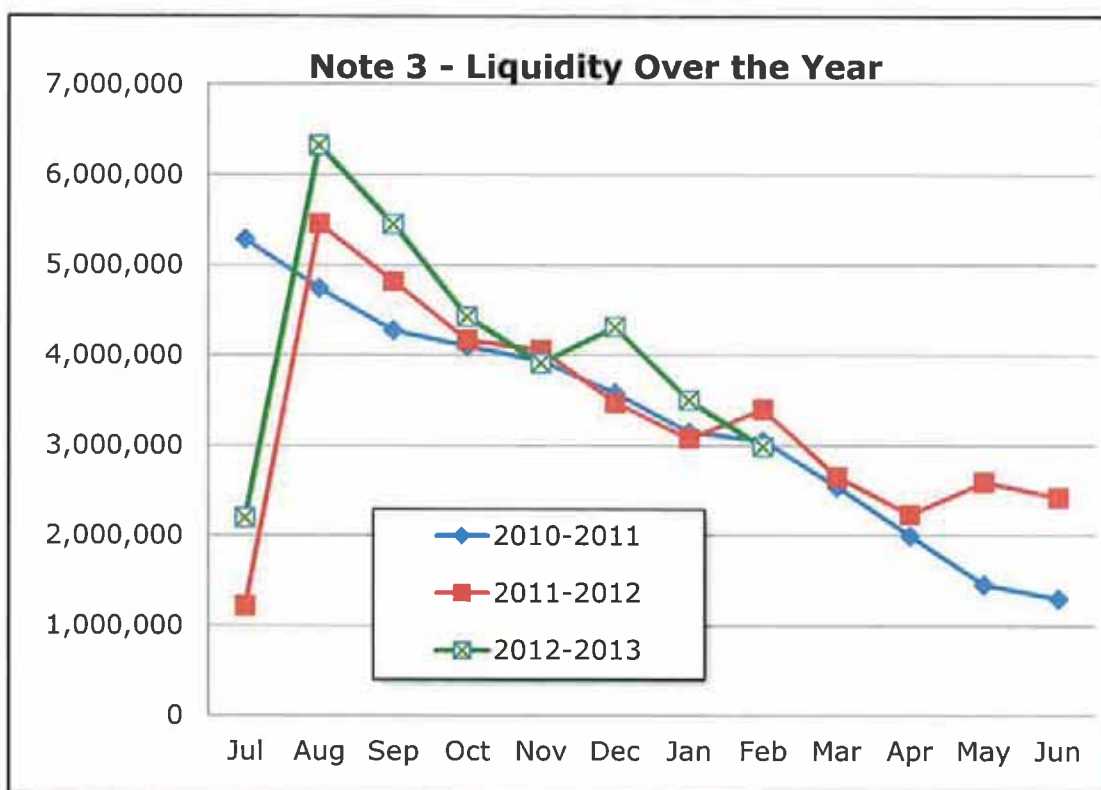


Comments/Notes - Operating Revenues

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 28 February 2013

Note 3: NET CURRENT FUNDING POSITION

Positive=Surplus (Negative=Deficit)				
2012-2013				
Note	This Period	Last Period	Same Period Last Year	1 July BFWD
	\$	\$	\$	
Current Assets				
Cash Unrestricted	1,965,771	2,485,826	2,324,372	2,643,786
Cash Restricted	2,512,668	2,512,287	2,319,406	2,598,370
Investments	0	0	0	0
Receivables - Rates and Rubbish	1,040,761	1,034,353	1,106,417	333,178
Receivables -Other	132,152	71,055	32,197	91,939
Inventories	86,623	93,147	52,242	84,996
	5,737,975	6,196,668	5,834,634	5,752,270
Less: Current Liabilities				
Payables	(183,444)	(129,290)	(10,314)	(727,934)
Provisions	(385,298)	(385,863)	(328,065)	(396,757)
	(568,742)	(515,153)	(338,380)	(1,124,691)
Less: Cash Restricted Reserves	9 (2,512,668)	(2,512,287)	(2,319,406)	(2,598,370)
Adjustment for Current Borrowings	57,199	59,750	56,081	128,456
Adjustment for Cash Backed Liabilities	268,682	265,628	144,552	265,628
Net Current Funding Position	2,982,446	3,494,606	3,377,481	2,423,293



Comments - Net Current Funding Position

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ending 28 February 2013

Note 4: CASH AND INVESTMENTS

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Investments \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits								
Municipal Reserve		66,823	750,055			66,823	Bendigo Bank	At Call
Toodyay Bush Fire Relief Fund Trust			14,622	993,236		750,055	Bendigo Bank	At Call
						14,622	Bendigo Bank	At Call
						993,236	Bendigo Bank	At Call
(b) Term Deposits								
Municipal	4.40%	506,575				506,575	Bendigo Bank	04.04.13
CLGF/RRF 2011/2012 Funds	4.60%	572,119				572,119	Bendigo Bank	18.03.13
Depot Loan Funds NO. 71	4.60%	815,000				815,000	Bendigo Bank	18.03.13
Reserve	4.50%		1,763,540			1,763,540	Bendigo Bank	08.05.13
Trust - T83	4.25%			114,996		114,996	Bendigo Bank	19.08.13
Trust - T84	4.25%			179,393		179,393	Bendigo Bank	19.08.13
Trust - T794	4.25%			89,688		89,688	Bendigo Bank	27.08.13
Trust - T100	4.70%			113,464		113,464	Bendigo Bank	27.03.13
(c) Investments								
Not Applicable								
Total		1,960,518	2,528,217	1,490,778	0	5,979,513		

Comments/Notes - Investments

The above totals reflect the actual balance of the bank statements held at the Bank at month end. These balances will not include items such as unrepresented cheques and payments, and monies received by the Shire on the last day of the month.

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 28 February 2013

Note 6: BUDGET AMENDMENTS
Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	No Change - (Non Cash Items) Adjust.	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	Budget Adoption			\$	\$	\$	\$
051200	NDRP Strategic Access & Egress	228/07/12	Operating Surplus(Deficit)				241,300
051342	NDRP Funding 2010/2010	348/12/12	Operating Expenses		265,000		506,300
091250	Staff Housing – Capital Expenditure	348/12/12	Operating Revenue			(280,000)	226,300
106210	Town Planning Legal Costs	348/12/12	Capital Expenses			(58,500)	167,800
111353	Memorial Hall – Capital Works	348/12/12	Operating Expenses			(90,000)	77,800
161213	Loan 71 – Interest Payments	348/12/12	Capital Expenses		30,500	(10,000)	67,800
161270	Loan 71 – Capital Payments	348/12/12	Operating Expenses				98,300
117213	Community Grant Expenditure	348/12/12	Capital Expenses		31,000		129,300
	- Community Arts Network WA (CANWA) Creative Network Fund						129,300
	- Seniors Week	348/12/12	Operating Expenses			(7,000)	122,300
	- Thank a Volunteer Day (TAVD)	348/12/12	Operating Expenses			(925)	121,375
	Events - Miscellaneous Income	348/12/12	Operating Expenses			(1,000)	120,375
117335	- Community Arts Network WA (CANWA) Creative Network Fund				7,000		120,375
	- Seniors Week	348/12/12	Operating Revenue				127,375
	- Thank a Volunteer Day (TAVD)	348/12/12	Operating Revenue		925		128,300
	Library - Miscellaneous Income	348/12/12	Operating Revenue		1,000		129,300
115334	- Read Out Loud Relay Program - SLWA Foundation						129,300
	Library - Equipment	348/12/12	Operating Revenue		1,000		130,300
115207	- Read Out Loud Relay Program - SLWA Foundation				265,854	(1,000)	129,300
147253	Transfer From Asset Development Reserve	348/12/12	Operating Expenses				395,154
113261	Purchase Land - Multi Purpose Recreation	381/12/12	Capital Revenue		1,000,000	(1,800,000)	(1,404,846)
113360	Loan No. 72 - Land	381/12/12	Capital Expenses				(404,846)
041223	Local Laws Review	381/12/12	Capital Revenue				(404,846)
041228	Integrated Strategic Planning Consultant	398/01/13	Operating Expenses		25,000	(25,000)	(429,846)
		398/01/13	Operating Expenses				(404,846)
				0	1,627,279	(2,273,425)	(404,846)
Closing Funding Surplus (Deficit)							

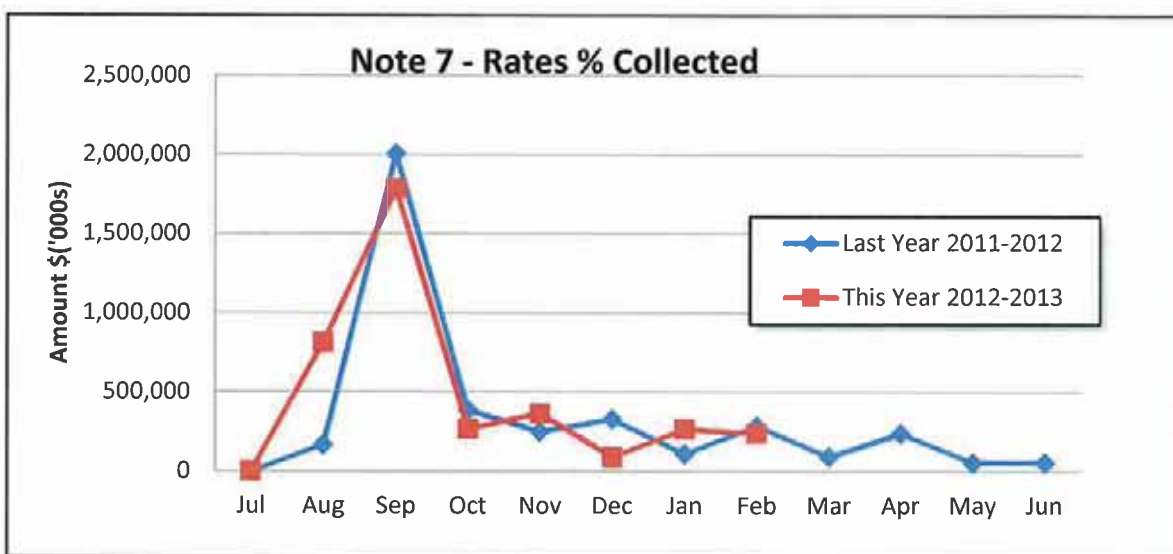
Shire of Toodyay
Notes To The Statement Of Financial Activity
For the Period Ending 28 February 2013

Note 7: RECEIVABLES

Receivables - Rates and Rubbish

Opening Arrears Previous Years
 Rates Levied this year
 Less Collections to date
 Equals Current Outstanding

Current 2012-2013	Previous 2011-2012	Total
\$	\$	\$
	140,866	140,866
4,629,892		4,629,892
(3,823,500)	(57,066)	(3,880,566)
806,392	83,800	890,191
Net Rates Collectable		890,191
% Collected		81.34%



Comments/Notes - Receivables Rates and Rubbish

Current

Credit Balances	-46,615
Employee Direct Debit	6,032
Instalments	433,575
Interim Rates	6,297
Legal Action	123,162
No Action Required	2,904
Paid	2,151
Payment Arrangement	77,502
Pensioner	113,306
Properties in Receivership	4,286
Property Settlements	4,502
Rates to be written off due to Reserve	23,242
Sale of Land LG Act S6.64	33,266
Skip Trace	11,802

Total Current **795,411**

Non- Current

Deferred Pensioners	
(not collectable till Pensioner property is sold)	94,780
Net Rates Collectable	890,191

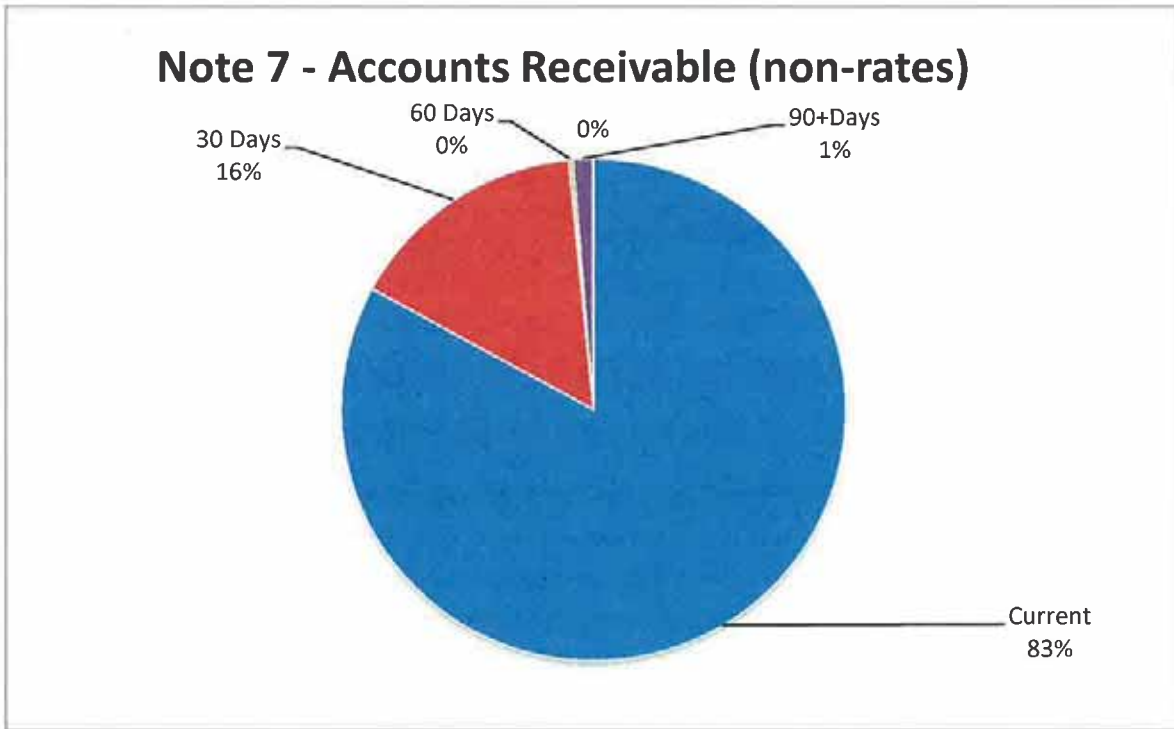
Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 28 February 2013

Note 7: RECEIVABLES

Receivables - General

	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
	178,967	33,384	528	2,800
Total Outstanding				215,680

Amounts shown above include GST (where applicable)



Comments/Notes - Receivables General

This note reflects Sundry Debtors only. It does not

Final Letters	0.00
Seven Day Letters	2,899.55
Debt Collection	0.00
No Action Required	208,371.58
Payment Arrangement	1,974.85
Payroll Deductions	2,433.80
To be Written Off	0.00
Total Outstanding	215,679.78

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 28 February 2013

Note 8: GRANTS AND CONTRIBUTIONS

Program/Details GL	Provider	Approval (Yes/No)	2012-2013 Budget	Variations Additions (Deletions)	Revised Grant	Recoup Status	
						Received	Not Received
GENERAL PURPOSE FUNDING			\$	\$	\$	\$	\$
Financial Assistance Grant - General - United	Federal Government	Yes	395,128	40,605	435,733	326,800	108,933
Financial Assistance Grant - Roads - United	Federal Government	Yes	284,271	(65,672)	218,599	163,949	54,650
Financial Assistance Grant - Special Project Bridges	Federal Government	Yes	114,000	(38,000)	76,000	57,000	19,000
GOVERNANCE							0
LAW, ORDER, PUBLIC SAFETY							
ESL Levy Recoup	DFES	Yes	133,400		133,400	109,071	24,329
FESA Firefighting Recoup	DFES	Yes	15,000		15,000	4,013	10,987
NDRP 2010/2011 Funding - Fire Egress	DFES	Yes	420,000	(280,000)	140,000	0	140,000
ESL Capital Grant - Morangup BFB Extensions	DFES	Yes	31,550		31,550	0	31,550
CESM Recoups	DFES & Shire of Goomalling	Yes	80,750		80,750	72,240	8,510
EDUCATION AND WELFARE							0
COMMUNITY AMENITIES							
Grant Income - DEC Waste Program	DEC	Yes	3,985		3,985	4,258	(273)
RECREATION AND CULTURE							
CSRFF Showground Changerooms	DSR	Yes	418,192	(418,192)	0	0	0
Bike Plan	Dept Transport	Yes	15,000	(5,000)	10,000	10,000	0
Grant Income - Interpretive Works	Lotterywest	Yes	26,000		26,000	0	26,000
Grant Income - Conservation	Lotterywest	Yes	11,310		11,310	11,310	0
Grant Income - EMRC - Avon/IFF Festival	EMRC	Yes	37,000		37,000	0	37,000
Creative Networks Fund - 2012	Community Arts Network WA	Yes		7,000	7,000	7,000	0
Seniors Week Grant		Yes		925	925	925	0
Thank A Volunteer Day Grant		Yes		1,000	1,000	1,000	0

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ending 28 February 2013

Note 8: GRANTS AND CONTRIBUTIONS

Program/Details GL	Provider	Approval (Yes/No)	2012-2013 Budget	Variations Additions (Deletions)	Revised Grant	Recoup Status	
						Received	Not Received
TRANSPORT			\$	\$	\$	\$	\$
Regional Roads Group	MRWA	Yes	549,733		549,733	227,040	322,693
Roads To Recovery	Federal Government	Yes	262,403		262,403	97,355	165,048
Unified Operating Road Grant	MRWA	Yes	85,000		85,000	92,568	(7,568)
Road Construction (Private) Contributions	Private	Yes	100,000		100,000	25,678	74,322
Road Maintenance Contributions	Private	Yes	100,000		100,000	58,180	41,820
		Yes			0		0
ECONOMIC SERVICES		Yes			0		0
OTHER PROPERTY & SERVICES		Yes			0		0
TOTALS			3,082,722	(757,334)	2,325,388	1,268,387	1,057,001

Comments - Grants and Contributions

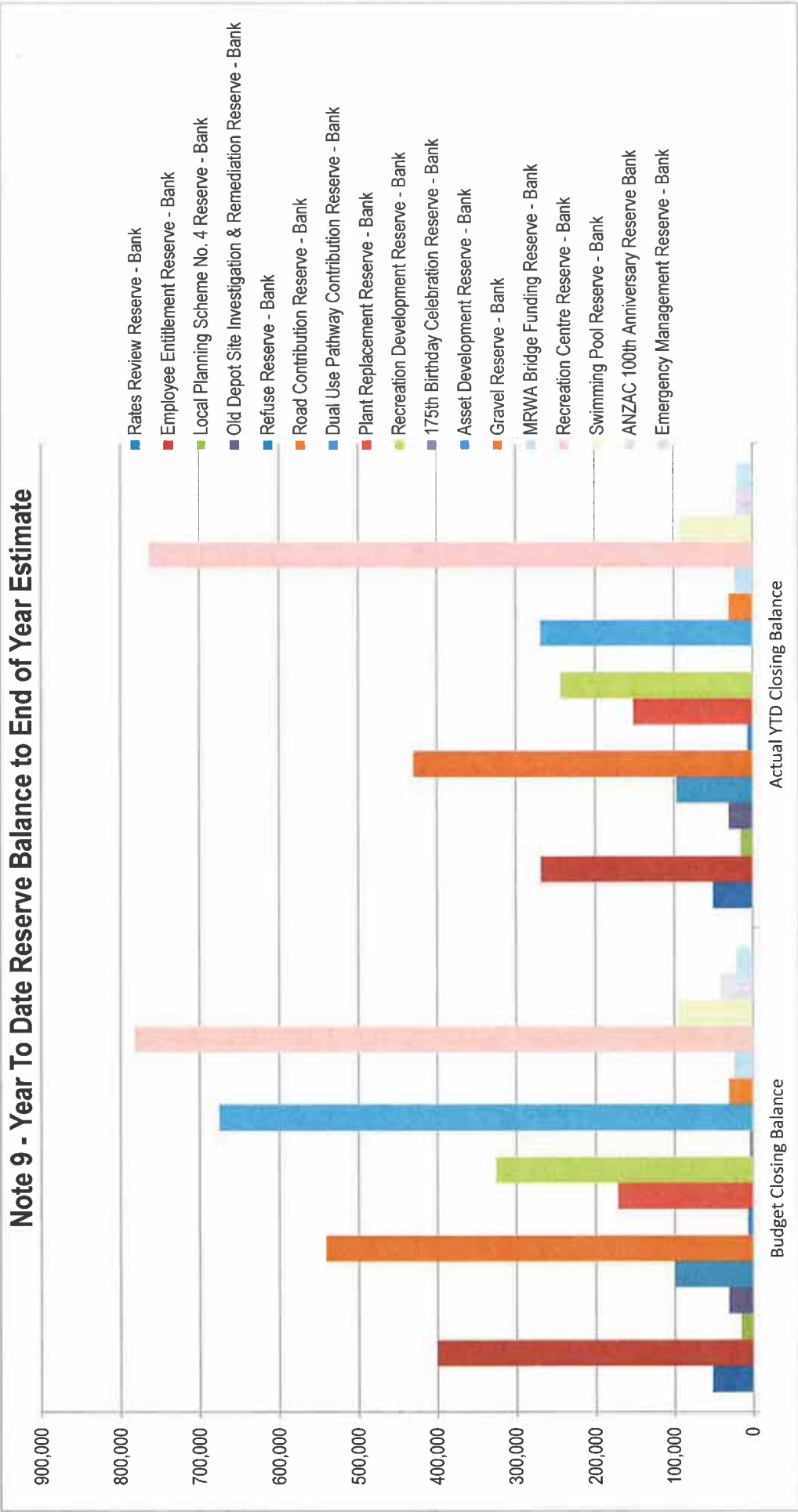
Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 28 February 2013

Note 9: Cash Backed Reserve

Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
Rates Review Reserve - Bank	\$ 50,000	1,828	575	\$ 0	\$ 0	\$ 0	\$ 0		\$ 50,575
Employee Entitlement Reserve - Bank	265,628	9,712	3,054	200,000	0	(75,000)	0		268,682
Local Planning Scheme No. 4 Reserve - Bank	15,000	548	172	0	0	0	0		15,172
Old Depot Site Investigation & Remediation Reserve - Bank	30,000	1,097	345	0	0	0	0		30,345
Refuse Reserve - Bank	95,710	3,499	1,100	0	0	0	0		96,810
Road Contribution Reserve - Bank	425,354	15,552	4,890	100,000	0	0	0		430,244
Dual Use Pathway Contribution Reserve - Bank	6,381	233	73	0	0	0	0		6,454
Plant Replacement Reserve - Bank	149,724	5,474	1,721	550,000	0	(533,240)	0		151,445
Recreation Development Reserve - Bank	241,015	8,812	2,771	75,899	0	0	0		243,785
175th Birthday Celebration Reserve - Bank	114,260	4,178	1,274	0	0	(114,260)	(115,535)		0
Asset Development Reserve - Bank	265,854	9,720	3,056	400,000	0	0	0		268,911
Gravel Reserve - Bank	29,556	1,081	340	0	0	0	0		29,896
MRWA Bridge Funding Reserve - Bank	22,825	835	262	0	0	0	0	23,659	23,087
Recreation Centre Reserve - Bank	754,493	27,585	8,674	0	0	0	0	782,079	763,167
Swimming Pool Reserve - Bank	92,008	3,364	1,058	0	0	0	0	95,372	93,066
ANZAC 100th Anniversary Reserve Bank	20,563	752	236	20,000	0	0	0	41,315	20,799
Emergency Management Reserve - Bank	20,000	731	230	0	0	0	0	20,731	20,230
	2,598,370	95,000	29,833	1,345,899	0	(722,500)	(115,535)	3,316,769	2,512,668

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ending 28 February 2013

Note 9: Cash Backed Reserve (Continued)



Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ending 28 February 2013

Note 10: CAPITAL DISPOSALS AND ACQUISITIONS

Profit(Loss) of Asset Disposal				Disposals			Current Budget Replacement	
Cost	Accum Depr	Proceeds	Profit (Loss)	Proceeds Budget	Proceeds Actual	Variance (Under)Over		
\$	\$	\$	\$	\$	\$	\$		
247,650	(247,650)	95,000	95,000	77,273	95,000	17,727	▲	
79,115	(50,135)	30,900	1,920	70,000	30,900	(39,100)	▲	
39,334	(8,524)	25,909	(4,901)	22,727	25,909	3,182	▲	
	0	0	0	25,000	0	(25,000)	▲	
34,908	(12,528)	23,600	1,220	25,000	23,600	(1,400)	▲	
51,932	(10,386)	25,455	(16,091)	25,455	25,455	0	▲	
	0	0	0	20,000	0	(20,000)	▲	
27,836	(8,358)	22,000	2,522	18,182	22,000	3,818	▲	
	0	0	0	28,000	0	(28,000)	▲	
480,776	(337,582)	222,864	79,670	311,637	222,864	(88,773)		

Comments - Capital Disposal

T0011 - This asset has been processed through the system incorrectly & will be corrected in due course.
 T0001 - A new vehicle has been purchased for the Senior Ranger but trade-in has not yet occurred as the vehicle will become a Shire Firefighting resource with the trade in cost & the cost of a new canopy (approximately \$35,000) to be covered by the Bush Fire Brigades. It is anticipated that this will occur around February 2013.

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ending 28 February 2013

Note 10: CAPITAL DISPOSALS AND ACQUISITIONS

Contributions Information			Summary Acquisitions			Current Budget	
Grants	Reserves	Borrowing	Total	Budget	Actual	Variance (Under)Over	
\$	\$	\$	\$	\$	\$	\$	
487,052	0	815,000	1,302,052	2,030,749	521,968	(1,508,781)	▼
0	533,240	0	533,240	829,000	629,344	(199,656)	▼
0	0	0	0	35,000	19,404	(15,596)	▼
827,136	0	0	827,136	2,516,523	1,406,080	(1,110,443)	▼
76,000	0	0	76,000	76,000	178	(75,822)	▼
0	0	0	0	20,056	0	(20,056)	▼
0	0	0	0	150,000	7,264	(142,736)	▼
1,390,188	533,240	815,000	2,738,428	5,657,328	2,584,238	(3,073,090)	

Comments - Capital Acquisitions

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 28 February 2013

Note 10: CAPITAL DISPOSALS AND ACQUISITIONS

Contributions			Land & Buildings	Current Budget			
Grants	Reserves	Borrowing		Total	This Year		Variance (Under)Over
					Budget	Actual	
\$	\$	\$	\$	\$	\$	\$	
31,550	0	0	31,550	40,000	0	(40,000)	
			31,550	31,550	2,248	(29,302)	
			0	66,150	54,553	(11,597)	
			0	105,000	2,000	(103,000)	
418,192	0	0	418,192	25,000	17,522	(7,478)	
			0	872,049	1,364	(870,685)	
			0	30,000	0	(30,000)	
37,310	0	0	37,310	76,000	25,854	(50,146)	
		815,000	815,000	625,000	388,520	(236,480)	
			0	90,000	0	(90,000)	
			0	20,000	5,000	(15,000)	
			0	40,000	0	(40,000)	
			0	0	4,382	4,382	
			0	10,000	20,525	10,525	
487,052	0	815,000	1,302,052	2,030,749	521,968	(1,508,781)	

Contributions			Plant & Equipment	Current Budget			
Grants	Reserves	Borrowing		Total	This Year		Variance (Under)Over
					Budget	Actual	
\$	\$	\$	\$	\$	\$	\$	
	533,240	0	533,240	370,000	354,500	(15,500)	
	0	0	0	230,000	0	(230,000)	
	0	0	0	38,000	36,196	(1,804)	
	0	0	0	35,000	35,524	524	
	0	0	0	44,000	40,453	(3,547)	
	0	0	0	34,000	0	(34,000)	
	0	0	0	35,000	35,114	114	
	0	0	0	43,000	34,241	(8,759)	
	0	0	0	0	93,316	93,316	
0	533,240	0	533,240	829,000	629,344	(199,656)	

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ending 28 February 2013

Note 10: CAPITAL DISPOSALS AND ACQUISITIONS

Contributions			Furniture & Equipment	Current Budget This Year		
Grants	Reserves	Borrowing		Budget	Actual	Variance (Under)/Over
	\$	\$				
	0	0	0	0	(15,000)	
			Council Chambers - Audio System	15,000		
			Computer Hardware - Upgrade	20,000	(596)	
	0	0	Totals	35,000	(15,596)	

Contributions			Roads	Current Budget This Year		
Grants	Reserves	Borrowing		Budget	Actual	Variance (Under)/Over
	\$	\$				
	549,733		RRG projects	129,095	(420,638)	
	262,403		R2R projects	729,048	(163,625)	
			Own works	527,607	(485,510)	
			Charcoal Lane Lighting	0	(29,000)	
	15,000		Toodyay Townsite Treescape	0	(10,000)	
			Bicycle Plan	20,331	(1,669)	
	827,136	0	Totals	1,406,080	(1,110,443)	

Contributions			Bridges	Current Budget This Year		
Grants	Reserves	Borrowing		Budget	Actual	Variance (Under)/Over
	\$	\$				
	76,000		Telegraph Rd Toodyay Brook ridge	178	(75,822)	
	76,000	0	Totals	178	(75,822)	

Contributions			Footpaths & Cycleways	Current Budget This Year		
Grants	Reserves	Borrowing		Budget	Actual	Variance (Under)/Over
	\$	\$				
			Clinton Street Footpath	0	(20,056)	
	0	0	Totals	0	(20,056)	

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ending 28 February 2013

Note 10: CAPITAL DISPOSALS AND ACQUISITIONS

Contributions				Parks, Gardens & Reserves	Current Budget This Year		
Grants	Reserves	Borrowing	Total		Budget	Actual	Variance (Under)Over
\$	\$	\$	\$	Dudgee Park Upgrade - Reticulation	\$ 150,000	\$ 7,264	\$ (142,736) ▼
0	0	0	0	Totals	150,000	7,264	(142,736)
Contributions				Other Infrastructure	Current Budget This Year		
Grants	Reserves	Borrowing	Total		Budget	Actual	Variance (Under)Over
\$	\$	\$	\$		\$	\$	\$ 0
0	0	0	0	Totals	0	0	0

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
28 February 2013

COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
<u>GENERAL PURPOSE FUNDING</u>												
<u>RATES</u>												
<u>OPERATING EXPENDITURE</u>												
031208	Rates Written Off		1,000		1,000		664		89	(575)	(86.63%)	
031209	Admin Alloc To Rates		177,965		177,965		118,640		122,801	4,161	3.51%	
031210	Rating Salaries		34,960		34,960		23,304		23,697	393	1.69%	
031212	Conference & Training		500		500		328		0	(328)	(100.00%)	
031213	Superannuation		3,146		3,146		2,096		2,099	3	0.15%	
031215	Postage		5,500		5,500		3,664		2,880	(784)	(21.40%)	
031216	Rating Valuations		35,000		35,000		4,000		6,155	2,155	53.86%	
031217	Title Searches		500		500		328		530	202	61.72%	
031218	Legal Expenses		15,000		15,000		10,000		21,095	11,095	110.95%	▲
031219	Rates Review		0		0		0		0	0	0.00%	
			273,571		273,571		163,024		179,346	16,322		
<u>OPERATING REVENUE</u>												
031301	Rates Levied All Areas	(4,629,892)		(4,629,892)		(4,629,892)		(4,554,739)		75,153	(1.62%)	
031302	Ex Gratia Rates	(646)		(646)		(646)		(675)		(29)	4.43%	
031303	Non Payment Penalty	(26,000)		(26,000)		(13,000)		(22,060)		(9,060)	69.69%	▲
031305	Installment Charges	(20,000)		(20,000)		(10,000)		(16,260)		(6,260)	62.60%	▲
031306	Administration Fee	(20,000)		(20,000)		(20,000)		(16,320)		3,680	(18.40%)	
031307	Property A/C Enquiries	(16,000)		(16,000)		(10,664)		(12,108)		(1,444)	13.54%	
031308	Payment Plan Administration Fee	(3,500)		(3,500)		(2,328)		(2,400)		(72)	3.10%	
031330	Sale Of Electoral Rolls & Maps	(300)		(300)		(200)		0		200	(100.00%)	
031331	Legal Expenses Recovered	(15,000)		(15,000)		(4,000)		(19,190)		(15,190)	379.74%	▲
031332	ESL Admin Fee	(5,000)		(5,000)		(5,000)		(4,000)		1,000	(20.00%)	
		(4,736,338)		(4,736,338)		(4,695,730)		(4,647,751)		47,979		
	TOTAL RATES - Operating	(4,736,338)		(4,736,338)		(4,695,730)		(4,647,751)		64,300		

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
28 February 2013

COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
<u>CAPITAL EXPENDITURE</u>												
			0		0		0		0	0		
			0		0		0		0	0		
<u>CAPITAL REVENUE</u>												
		0		0		0		0		0		
		0		0		0		0		0		
<u>TOTAL RATES - Capital</u>												
		0		0		0		0		0		
<u>TOTAL RATES</u>		(4,736,338)	273,571	(4,736,338)	273,571	(4,695,730)	163,024	(4,647,751)	179,346	64,300		
<u>GENERAL PURPOSE FUNDING</u>												
<u>GENERAL PURPOSE GRANTS</u>												
<u>OPERATING EXPENDITURE</u>												
			0		0		0		0	0		0.00%
			0		0		0		0	0		
<u>OPERATING REVENUE</u>												
032330	General Purpose Grant	(395,128)		(395,128)		(197,564)		(326,800)		(129,236)		▲
032331	Road Improvement Grant	(284,271)		(284,271)		(142,136)		(163,949)		(21,813)		▲
032332	Special Projects (Bridges) Grants	(114,000)		(114,000)		(57,000)		(57,000)		0		0.00%
032341	Special Projects Grants	0		0		0		0		0		0.00%
		(793,399)		(793,399)		(396,700)		(547,749)		(151,049)		
<u>TOTAL GENERAL PURPOSE GRANTS - Operating</u>		(793,399)	0	(793,399)	0	(396,700)	0	(547,749)	0	(151,049)		

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
28 February 2013

COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
<u>CAPITAL EXPENDITURE</u>												
				0	0	0	0	0	0	0	0.00%	
				0	0	0	0	0	0	0		
<u>CAPITAL REVENUE</u>												
		0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	TOTAL GENERAL PURPOSE GRANTS - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL GENERAL PURPOSE GRANTS	(793,399)	0	(793,399)	0	(396,700)	0	(547,749)	0	(151,049)		
<u>GENERAL FINANCE</u>												
<u>OPERATING REVENUE</u>												
032333	Pens Def. Rates Int. Grant	0	0	0	0	0	0	0	0	0	0.00%	▼
032334	Interest On Investment	(85,000)	(85,000)	(85,000)	(56,664)	(34,310)	(34,310)	22,354	(39,45%)			▼
032335	Interest On Reserve Accounts	(95,000)	(95,000)	(95,000)	(63,328)	(24,231)	(24,231)	39,097	(61.74%)			▼
032336	Interest Earned On Trust	0	0	0	0	572	572	572	0.00%			
032339	Royalties For Regions	0	0	0	0	0	0	0	0.00%			
		(180,000)	(180,000)	(180,000)	(119,992)	(57,969)	(57,969)	62,023				
	TOTAL GENERAL FINANCE - Operating	(180,000)	0	(180,000)	0	(57,969)	0	62,023				
<u>CAPITAL EXPENDITURE</u>												
032204	Transfer Interest to Reserves	95,000	95,000	95,000	63,328	29,833	29,833	(33,495)	(52.89%)			▼
032205	Transfer to Bridge Reserve	0	0	0	0	0	0	0	0.00%			
		95,000	95,000	95,000	63,328	29,833	29,833	(33,495)				
	<u>CAPITAL REVENUE</u>	0	0	0	0	0	0	0	0	0		

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
28 February 2013

COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
		0		0		0		0				
	TOTAL GENERAL FINANCE - Capital	0	95,000	0	95,000	0	63,328	0	29,833	(33,495)		
	TOTAL GENERAL FINANCE	(180,000)	95,000	(180,000)	95,000	(119,992)	63,328	(57,969)	29,833	28,527		
	TOTAL GENERAL PURPOSE FUNDING	(5,709,737)	368,571	(5,709,737)	368,571	(5,212,422)	226,352	(5,253,470)	209,178	(58,221)		
GOVERNANCE & ADMINISTRATION												
GOVERNANCE												
OPERATING EXPENDITURE												
041201	A.R.O.C. Subscription		5,000		5,000		3,328		3,000	(328)	(9.86%)	▼
041202	Memb. Attendance & Allowance		92,000		92,000		61,328		43,771	(17,557)	(28.63%)	
041203	Members Conf & Travel Exp		12,000		12,000		8,000		7,801	(199)	(2.49%)	
041204	Election Expenses		15,000		15,000		10,000		9,957	(43)	(0.43%)	
041205	Shire Presidents Allowance		12,000		12,000		8,000		8,000	0	0.00%	▲
041206	Wheatbelt Development Commission		8,000		8,000		8,000		15,000	7,000	87.50%	
041207	Refreshments & F'Ns - Crs		10,000		10,000		6,664		2,775	(3,889)	(58.36%)	
041208	Refreshments & F'Ns - Staff		14,000		14,000		9,336		11,605	2,269	24.30%	
041210	Members Insurance		10,000		10,000		10,000		8,697	(1,303)	(13.03%)	
041211	Subscriptions		25,986		25,986		24,000		24,190	190	0.79%	
041212	Misc Members Expenses		5,000		5,000		3,328		3,537	209	6.27%	
041213	Printing & Stationery		2,000		2,000		1,328		205	(1,123)	(84.59%)	
041214	Advertising		25,000		25,000		16,664		10,982	(5,682)	(34.10%)	
041218	Admin Allocated		366,773		366,773		244,512		253,084	8,572	3.51%	
041219	Audit Fees		35,000		35,000		25,000		24,085	(915)	(3.66%)	
041221	Strategic Development Plans		20,000		20,000		13,328		0	(13,328)	(100.00%)	
041222	Legal Fees		5,000		5,000		3,328		2,700	(628)	(18.87%)	
000312	Deprec Of Assets-Members		7,165		7,165		4,776		4,565	(211)	(4.42%)	

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
041223	Local Laws Review		10,000		35,000		0		0	0	0.00%	
041226	175th Birthday Celebrations		35,000		35,000		35,000		178	(34,822)	(99.49%)	
041227	Cost of DLG Audit Findings		5,000		5,000		3,328		0	(3,328)	(100.00%)	
041228	Integrated Strategic Plan - Consultant		130,000		105,000		75,000		54,999	(20,001)	(26.67%)	▲
			849,924		849,924		574,248		489,129	(85,119)		
	<u>OPERATING REVENUE</u>											
041320	Recoups - Council Expenses	(100)		(100)		(64)		0	0	64	(100.00%)	
041321	Recoups - Other	(1,000)		(1,000)		(664)		0	0	664	(100.00%)	
		(1,100)		(1,100)		(728)		0	0	728		
	<u>TOTAL GOVERNANCE (Operating)</u>	(1,100)	849,924	(1,100)	849,924	(728)	574,248	0	489,129	(84,391)		
	<u>CAPITAL EXPENDITURE</u>											
041251	Transfer to 175th Birthday Reserve		0		0		0	0	0	0	0.00%	
041252	Transfer to ANZAC Reserve		20,000		20,000		0	0	0	0	0.00%	
			20,000		20,000		0	0	0	0		
	<u>CAPITAL REVENUE</u>											
041322	Transfer From Reserve	(114,260)		(114,260)		(114,260)		(115,535)		(1,275)	1.12%	
		(114,260)		(114,260)		(114,260)		(115,535)		(1,275)		
	<u>TOTAL GOVERNANCE (Capital)</u>	(114,260)	20,000	(114,260)	20,000	(114,260)	0	(115,535)	0	(1,275)		
	<u>TOTAL GOVERNANCE</u>	(115,360)	869,924	(115,360)	869,924	(114,988)	574,248	(115,535)	489,129	(85,666)		
	<u>GOVERNANCE & ADMINISTRATION</u>											
	<u>ADMINISTRATION</u>											

Shire of Toodyay
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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
OPERATING EXPENDITURE												
042201	Salaries - Admin		977,828		977,888		651,888		616,622	(35,266)	(5.41%)	▲
042202	Salaries - L.S.L.		34,500		34,500		34,500		47,931	13,431	38.93%	▲
042204	Superannuation - Admin		84,100		84,100		56,064		68,950	12,886	22.98%	▲
042205	Staff Insurances		50,952		50,952		50,952		64,514	13,562	26.62%	▲
042206	F.B.T. Admin Staff		45,000		45,000		33,750		37,918	4,168	12.35%	▲
042207	Conference & Training		40,000		40,000		26,664		26,275	(389)	(1.46%)	▼
042208	Advertising Positions		25,000		25,000		16,664		6,546	(10,118)	(60.72%)	▼
042209	Staff Uniforms		4,800		4,800		3,200		194	(3,006)	(93.95%)	▼
042210	Office Maint & Surrounds		84,105		84,105		56,040		71,253	15,213	27.15%	▲
042211	Admin Printing & Stationery		26,344		26,344		17,560		16,951	(609)	(3.47%)	▼
042212	Telephone & Internet		45,655		45,655		30,440		20,693	(9,747)	(32.02%)	▼
042213	Office Equip. Mfce.		17,157		17,157		11,440		19,079	7,639	66.77%	▲
042214	Bank Charges		12,000		12,000		8,000		10,813	2,813	35.16%	▲
042215	Postage & Freight		5,000		5,000		3,328		3,746	418	12.55%	▲
042216	Computer Expenses		94,140		94,140		74,140		87,472	13,332	17.98%	▲
042217	Admin Vehicle Expenses		21,000		21,000		13,992		14,226	234	1.67%	▲
042218	Admin Legal Expenses		5,000		5,000		3,328		3,265	(63)	(1.89%)	▼
042219	Consultant/Specialist (Valuers)		0		0		0		0	0	0.00%	▲
042220	Admin Misc Expense		8,579		8,579		5,720		5,509	(211)	(3.69%)	▼
000772	Deprec Of Assets - Admin		22,861		22,861		15,240		20,884	5,644	37.03%	▲
00B402	Less Admin Allocation		(1,548,871)		(1,548,871)		(1,032,592)		(1,068,768)	(36,176)	3.50%	▲
			55,150		55,150		80,318		74,072	(6,246)		
OPERATING REVENUE												
042331	Legal Expenses	(500)		(500)		(328)		(40)		288	(87.71%)	▲
042333	Photocopying	(1,000)		(1,000)		(664)		(641)		23	(3.48%)	▲
042334	Admin Misc Income	(58,558)		(58,558)		(39,032)		(70,333)		(31,301)	80.19%	▲
042336	Transfer from LSL Reserve	0		0		0		0		0	0.00%	▲
042337	PAYG - Reduced Liability (ATO)	0		0		0		0		0	0.00%	▲
042341	Income Protection Insurance	0		0		0		0		0	0.00%	▲
042342	Admin Misc Income - GST Free	0		0		0		(3,057)		(3,057)	0.00%	▲

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
		(60,058)		(60,058)		(40,024)		(74,071)		(34,047)		
	TOTAL ADMINISTRATION (Operating)	(60,058)	55,150	(60,058)	55,150	(40,024)	80,318	(74,071)	74,072	(40,294)		
	<u>CAPITAL EXPENDITURE</u>											
042400	Computer - Upgrade		20,000		20,000		13,328		19,404	6,076	45.59%	▲
			20,000		20,000		13,328		19,404			
	<u>CAPITAL REVENUE</u>											
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
	TOTAL ADMINISTRATION (Capital)	0	20,000	0	20,000	0	13,328	0	19,404	0		
	TOTAL ADMINISTRATION	(60,058)	75,150	(60,058)	75,150	(40,024)	93,646	(74,071)	93,476	(40,294)		
	TOTAL GOVERNANCE & ADMINISTRATION	(175,418)	945,074	(175,418)	945,074	(155,012)	667,894	(189,606)	582,605	(125,959)		
	<u>LAW, ORDER & PUBLIC SAFETY</u>											
	<u>FIRE PREVENTION</u>											
	<u>OPERATING EXPENDITURE</u>											
051200	NDRP 2010/2011		875,000		610,000		556,672		577,842	21,170	3.80%	
051209	Firebreak Inspections		1,000		1,000		664		11	(653)	(98.32%)	
051210	Advertising & Signs		2,038		2,038		1,336		2,122	786	58.82%	
051211	Fire Standpipe Expenses		20,000		20,000		13,328		7,613	(5,715)	(42.88%)	▲
051212	Firebreaks - Shire Reserves		14,259		14,259		9,480		7,310	(2,170)	(22.89%)	▲
051213	Firebreaks Services - Maintenance		14,500		14,500		9,656		3,366	(6,290)	(65.14%)	▲
051214	Strategic Firebreak Services		0		0		0		0	0	0.00%	

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
051215	Firefighting - Shire Resources		40,000		40,000		32,000		15,171	(16,829)	(52.59%)	▼
051216	Legal Costs Incurred		0		0		0		0	0	0.00%	
051218	End Of Year Brigade Function		3,000		3,000		0		0	0	0.00%	
051219	Expenses from Ranger Services		122,210		122,210		81,472		84,740	3,268	4.01%	
051220	Brigade Plant & Equip (Less \$1,000)		5,000		5,000		5,000		1,926	(3,074)	(61.48%)	
051221	Brigade Plant & Equipment Maintenance		5,000		5,000		3,328		8,015	4,687	140.84%	
051222	Brigade Vehicles, Trailers Mtce		42,614		42,614		42,614		45,579	2,965	6.96%	
051223	Brigade Bldg Maintenance		3,886		3,886		2,568		5,868	3,300	128.50%	▲
051224	Brigade Clothing & Access		12,500		12,500		8,328		18,097	9,769	117.30%	▲
051225	Brigade Utilities, Rates & Taxes		11,400		11,400		7,600		14,684	7,084	93.21%	
051226	Brigade Other Goods & Services		3,000		3,000		2,000		1,680	(320)	(16.02%)	
051227	Brigade Insurances		20,000		20,000		20,000		16,088	(3,912)	(19.56%)	
001742	Deprec Of Assets - Fire		240,928		240,928		160,616		151,428	(9,188)	(5.72%)	
			1,436,335		1,171,335		956,662		961,539	4,877		
	OPERATING REVENUE											
051331	Grant - Fire	0	0	0	0	0	0	0	0	0	0.00%	
051333	Strategic Firebreaks	0	0	0	0	0	0	0	0	0	0.00%	
051334	Legal Costs Recovered	0	0	0	0	0	(931)	(931)	(931)	(931)	0.00%	
051335	Fines & Penalties	(5,500)	(5,500)	(5,500)	(3,664)	(3,664)	(7,374)	(7,374)	(3,710)	(3,710)	101.26%	
051336	E.S.L. Levy Recoup	(133,400)	(133,400)	(133,400)	(103,400)	(103,400)	(109,071)	(109,071)	(5,671)	(5,671)	5.48%	
051338	F.E.S.A. Recoup For Firefighting	(15,000)	(15,000)	(15,000)	(10,000)	(10,000)	(3,808)	(3,808)	6,192	6,192	(61.92%)	▼
051342	NDRP 2010-2011 Funding	(420,000)	(420,000)	(420,000)	0	0	0	0	0	0	0.00%	
051343	Grant - Morangup BFB Extensions	(31,550)	(31,550)	(31,550)	(31,550)	(31,550)	0	0	31,550	31,550	(100.00%)	▼
		(605,450)	(605,450)	(325,450)	(148,614)	(148,614)	(121,185)	(121,185)	27,429			
		(605,450)	1,436,335	(325,450)	1,171,335	(148,614)	956,662	(121,185)	961,539	32,306		
	TOTAL FIRE PREVENTION - Operating											
	CAPITAL EXPENDITURE											
51250	LOPS - Purchase Plant & Equip	0	0	0	0	0	0	0	0	0	0.00%	
51253	LOPS - Purchase Land & Bldgs	31,550	31,550	31,550	5,000	5,000	2,248	2,248	(2,752)	(2,752)	(55.04%)	
		31,550	31,550	31,550	5,000	5,000	2,248	2,248	(2,752)	(2,752)		

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
	<u>CAPITAL REVENUE</u>											
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
	TOTAL FIRE PREVENTION - Capital	0	31,550	0	31,550	0	5,000	0	2,248	(2,752)		
	TOTAL FIRE PREVENTION	(605,450)	1,467,885	(325,450)	1,202,885	(148,614)	961,662	(121,185)	963,787	29,554		
	<u>LAW, ORDER & PUBLIC SAFETY</u>											
	<u>ANIMAL CONTROL</u>											
	<u>OPERATING EXPENDITURE</u>											
052207	Dog Control Expenses		7,600		7,600		5,064		1,778	(3,286)	(64.89%)	
052208	Dog Pound Maintenance		9,166		9,166		6,080		1,986	(4,094)	(67.34%)	
052209	Other Animal Control		1,000		1,000		664		292	(372)	(56.02%)	
052210	Expenses from Ranger Services		171,095		171,095		114,064		118,930	4,866	4.27%	
			188,861		188,861		125,872		122,986	(2,886)		
	<u>OPERATING REVENUE</u>											
052321	Fines & Penalties - Dog Act	(1,000)		(1,000)		(664)		(645)	19	(1,586)	(2.86%)	
052322	Impounding Fees - Dogs	(2,500)		(2,500)		(1,664)		(3,250)		(1,586)	95.30%	
052323	Dog Registration Fees	(11,500)		(11,500)		(7,664)		(10,752)		(3,088)	40.30%	
052324	Kennel Licences	(100)		(100)		(64)		0	64	(100.00%)		
052325	Fines - Other Animals	(500)		(500)		(328)		0	328	(100.00%)		
052326	Impounding Fees - Other	(1,500)		(1,500)		(1,000)		(205)	795	(79.55%)		
		(17,100)		(17,100)		(11,384)		(14,852)		(3,468)		
	TOTAL ANIMAL CONTROL - Operating	(17,100)	188,861	(17,100)	188,861	(11,384)	125,872	(14,852)	122,986	(6,354)		

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
	<u>CAPITAL EXPENDITURE</u>											
		0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	<u>CAPITAL REVENUE</u>											
		0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	TOTAL ANIMAL CONTROL - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL ANIMAL CONTROL	(17,100)	188,861	(17,100)	188,861	(11,384)	125,872	(14,852)	122,986	(6,354)		
	<u>OTHER</u>											
	<u>OPERATING EXPENDITURE</u>											
053203	Printing & Stationery		1,200		1,200		0		3	3	0.00%	
			1,200		1,200		0		3	3		
	<u>OPERATING REVENUE</u>											
053321	Fines & Penalties - Misc	(2,000)		(2,000)		(1,328)		(1,782)		(454)	34.15%	
		(2,000)		(2,000)		(1,328)		(1,782)		(454)		
	TOTAL (LOPS) OTHER - Operating	(2,000)	1,200	(2,000)	1,200	(1,328)	0	(1,782)	3	(451)		
	<u>CAPITAL EXPENDITURE</u>											
		0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
	<u>CAPITAL REVENUE</u>											
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
	TOTAL (LOPS) OTHER - Capital	0		0		0		0		0		
	TOTAL (LOPS) OTHER	(2,000)	1,200	(2,000)	1,200	(1,328)	0	(1,782)	3	(451)		
	<u>EMERGENCY MANAGEMENT</u>											
	<u>OPERATING EXPENDITURE</u>											
054202	Recovery Expenses									66,608	0.00%	
054204	Community Emergency Services Manager									95,228	100.00%	▲
										161,836		
	<u>OPERATING REVENUE</u>											
054332	Reimbursements - WANDRRA	0		0		0		(0)		0	0.00%	
054335	CESM Recoup	(80,750)		(80,750)		(40,375)		(72,195)		(31,820)	78.81%	▲
		(80,750)		(80,750)		(40,375)		(72,195)		(31,820)		
	TOTAL EMERGENCY MANAGEMENT - Operating	(80,750)	113,736	(80,750)	113,736	(40,375)	75,816	(72,195)	161,836	54,200		
	<u>CAPITAL EXPENDITURE</u>											
	<u>CAPITAL REVENUE</u>											

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
	TOTAL EMERGENCY MANAGEMENT - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL EMERGENCY MANAGEMENT	(80,750)	113,736	(80,750)	113,736	(40,375)	75,816	(72,195)	161,836	54,200		
	TOTAL LAW ORDER & PUBLIC SAFETY	(705,300)	1,771,682	(425,300)	1,506,682	(201,701)	1,163,350	(210,013)	1,248,611	76,949		
	HEALTH											
	PUBLIC HEALTH											
	OPERATING EXPENDITURE											
074201	Health Salaries		59,838		59,838		39,896		30,122	(9,774)	(24.50%)	▼
074202	Salaries - L.S.L.		0		0		0		0	0	0.00%	
074204	Health Superannuation		4,705		4,705		3,136		3,359	223	7.11%	
074206	Health - Other Employment Costs		12,419		12,419		8,280		7,582	(698)	(8.43%)	
074207	Vehicle Expenses		1,000		1,000		656		0	(656)	(100.00%)	
074208	Health Control Expenses		1,000		1,000		664		0	(664)	(100.00%)	
074209	Legal Expenses		10,000		10,000		6,664		0	(6,664)	(100.00%)	
076201	Analytical Expenses		1,500		1,500		1,000		1,093	93	9.34%	
074210	Admin Allocated		24,317		24,317		16,208		16,780	572	3.53%	
074211	Consultant Expenses		0		0		0		827	827	0.00%	
002502	Deprec Of Assets - Health		18,169		18,169		12,112		12,354	242	2.00%	
			132,948		132,948		88,616		72,117	(16,499)		
	OPERATING REVENUE											
074331	Legal Expenses Recoup	(500)		(500)		(328)		(511)		(183)	55.65%	
074332	Health Act Fees,Licences	(17,500)		(17,500)		(11,664)		(11,495)		169	(1.45%)	
074333	Misc Income	0		0		0		0		0	0.00%	

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
		(18,000)		(18,000)		(11,992)		(12,006)		(14)		
	TOTAL PUBLIC HEALTH - Operating	(18,000)	132,948	(18,000)	132,948	(11,992)	88,616	(12,006)	72,117	(16,512)		
	<u>CAPITAL EXPENDITURE</u>											
		0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	<u>CAPITAL REVENUE</u>											
	TOTAL PUBLIC HEALTH - Capital	0	0	0	0	0	0	0	0	0	0.00%	
	TOTAL PUBLIC HEALTH	(18,000)	132,948	(18,000)	132,948	(11,992)	88,616	(12,006)	72,117	(16,512)		
	<u>OTHER HEALTH</u>											
	<u>OPERATING EXPENDITURE</u>											
077201	Alma Beard Centre		70,451		70,451		46,920		62,350	15,430	32.89%	▲
077202	Alma Beard Rental Contribution		34,500		34,500		34,500		34,500	0	0.00%	
			104,951		104,951		81,420		96,850	15,430		
	<u>OPERATING REVENUE</u>											
077330	Rental - Alma Beard Centre	(34,500)		(34,500)		(34,500)		(38,786)		(4,286)	12.42%	
		(34,500)		(34,500)		(34,500)		(38,786)		(4,286)		
	TOTAL OTHER HEALTH - Operating	(34,500)	104,951	(34,500)	104,951	(34,500)	81,420	(38,786)	96,850	11,144		

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
	<u>CAPITAL EXPENDITURE</u>											
		0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	<u>CAPITAL REVENUE</u>											
		0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	<u>TOTAL OTHER HEALTH - Capital</u>	0	0	0	0	0	0	0	0	0		
	<u>TOTAL OTHER HEALTH</u>	(34,500)	104,951	(34,500)	104,951	(34,500)	81,420	(38,786)	96,850	11,144		
	<u>TOTAL HEALTH</u>	(52,500)	237,899	(52,500)	237,899	(46,492)	170,036	(50,791)	168,967	(5,368)		
	<u>HOUSING</u>											
	<u>STAFF HOUSING</u>											
	<u>OPERATING EXPENDITURE</u>											
091201	Lot 14 Clinton St	18,290	18,290		18,290		12,176		19,432	7,256	59.60%	▲
091202	Other Staff Housing	1,000	1,000		1,000		664		3,391	2,727	410.73%	
091203	Lease Payments - Staff Housing	44,200	44,200		44,200		29,464		25,297	(4,167)	(14.14%)	
091204	Lot 46/47 Telegraph Rd	1,058	1,058		1,058		696		3,034	2,338	335.91%	
091205	Lot 3 Plesse St	0	0		0		0		3,547	3,547	0.00%	
091206	Clinton Street - Furnishings & Finishes	0	0		0		0		0	0	0.00%	
002602	Deprec Of Assets - Staff	2,508	2,508		2,508		1,672		1,598	(74)	(4.44%)	
002662	Deprec Of Assets-Housing	24,699	24,699		24,699		16,464		16,480	16	0.09%	
	<u>OPERATING REVENUE</u>											
			91,755		91,755		61,136		72,780	11,644		

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
091330	Rental - Staff Housing	(2,600)		(2,600)		(1,728)		(3,800)		(2,072)	119.91%	
091332	Rental - Other Staff Housing	(12,000)		(12,000)		(8,000)		(13,964)		(5,964)	74.55%	▲
091334	FBT - Reduced Liability As Per ATO	0		0		0		0		0	0.00%	
		(14,600)		(14,600)		(9,728)		(17,764)		(8,036)		
	TOTAL STAFF HOUSING - Operating	(14,600)	91,755	(14,600)	91,755	(9,728)	61,136	(17,764)	72,780	3,608		
	<u>CAPITAL EXPENDITURE</u>											
091250	Staff Housing - Capital Expenditure		7,650		66,150		44,096		54,553	10,457	23.71%	▲
			7,650		66,150		44,096		54,553	10,457		
	<u>CAPITAL REVENUE</u>											
		0		0		0		0		0		
		0		0		0		0		0		
	TOTAL STAFF HOUSING - Capital	0	7,650	0	66,150	0	44,096	0	54,553	10,457		
	TOTAL STAFF HOUSING	(14,600)	99,405	(14,600)	157,905	(9,728)	105,232	(17,764)	127,333	14,065		
	<u>OTHER HOUSING</u>											
	<u>OPERATING EXPENDITURE</u>											
092202	Stirling Terrace (O'Reilley's)		20,002		20,002		13,328		8,839	(4,489)	(33.68%)	
092203	Butterley Cottages		4,317		4,317		2,872		3,304	432	15.04%	
092205	19B Clinton Street - Doctors		13,000		13,000		13,000		13,151	151	1.16%	
			37,319		37,319		29,200		25,293	(3,907)		
	<u>OPERATING REVENUE</u>											

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
092331	Recoups - Butterley Cottages	(4,000)		(4,000)		(2,664)		(3,252)		(588)	22.08%	
092336	Recoups 19B Clinton Street - Doctors	(13,000)		(13,000)		(13,000)		(13,000)		0	0.00%	
		(17,000)		(17,000)		(15,664)		(16,252)		(588)		
	TOTAL OTHER HOUSING - Operating	(17,000)	37,319	(17,000)	37,319	(15,664)	29,200	(16,252)	25,293	(4,495)		
	<u>CAPITAL EXPENDITURE</u>											
092250	Other Housing - Renewal/Upgrade		0		0		0		0	0	0.00%	
			0		0		0		0	0		
	<u>CAPITAL REVENUE</u>											
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
	TOTAL OTHER HOUSING - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL OTHER HOUSING	(17,000)	37,319	(17,000)	37,319	(15,664)	29,200	(16,252)	25,293	(4,495)		
	TOTAL HOUSING	(31,600)	136,724	(31,600)	195,224	(25,392)	134,432	(34,016)	152,626	9,570		
	<u>COMMUNITY AMMENITIES</u>											
	<u>HOUSEHOLD REFUSE</u>											
	<u>OPERATING EXPENDITURE</u>											
101201	Waste Transfer Station		132,730		132,730		88,456		69,105	(19,351)	(21.88%)	▼
101202	Disposal Of Refuse		62,000		62,000		41,328		35,942	(5,386)	(13.03%)	▼
101203	Domestic Refuse Collection		155,000		155,000		103,328		95,630	(7,698)	(7.45%)	
101204	Admin Allocated		19,671		19,671		13,112		13,573	461	3.52%	

Shire of Toodyay
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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
101205	Waste Initiatives		20,000		13,328		100		(13,228)	(99.25%)	▲	
101206	AROC Waste Initiative Grant		0		0		0		0	0.00%		
002752	Deprec Of Assets-Rubbish		2,536		1,688		2,780		1,092	64.67%		
003502	Deprec Of Assets-Amenities		12,800		8,536		8,254		(282)	(3.31%)		
			404,737		269,776		225,384		(44,392)			
	OPERATING REVENUE											
101330	Domestic Collection Charges	(75,000)		(75,000)		(75,000)		(76,853)	(1,853)	2.47%		
101331	Commercial Collection Charges	(25,000)		(25,000)		(25,000)		(23,721)	1,279	(5.12%)		
101332	Transfer Station Fees	(1,500)		(1,500)		(1,000)		(1,028)	(28)	2.75%		
101333	Transfer Station Rates	(252,875)		(252,875)		(252,875)		(250,721)	2,154	(0.85%)		
101334	Domestic Collection Requested	(185,000)		(185,000)		(185,000)		(197,331)	(12,331)	6.67%		
101336	Waste Transfer Station Fees	0		0		0		0	0	0.00%		
101337	Waste Initiatives Grant	0		0		0		0	0	0.00%		
101338	Worm Farm/Compost Bins	(750)		(750)		(496)	91	91	587	(118.33%)		
101339	Waste Authority Grant	0		0		0		0	0	0.00%		
101340	Grant Income	(3,985)		(3,985)		(3,985)		(4,528)	(543)	13.61%		
		(544,110)		(544,110)		(543,356)		(554,089)	(10,733)			
	TOTAL HOUSEHOLD REFUSE - Operating	(544,110)	404,737	(544,110)	404,737	(543,356)	269,776	(554,089)	225,384	(55,126)		
	CAPITAL EXPENDITURE											
101250	Household Hazardous Waste		0		0		0	0	0	0	0.00%	
			0		0		0	0	0	0		
	CAPITAL REVENUE											
101350	Transfer from Refuse Reserve	0		0		0	0	0	0	0	0.00%	
		0		0		0		0	0			
	TOTAL HOUSEHOLD REFUSE - Capital	0	0	0	0	0	0	0	0	0		

Shire of Toodyay
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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
TOTAL HOUSEHOLD REFUSE		(544,110)	404,737	(544,110)	404,737	(543,356)	269,776	(554,089)	225,384	(55,126)		
<u>OTHER REFUSE</u>												
<u>OPERATING EXPENDITURE</u>												
102206	Street Bins Collection		18,200		18,200		12,128		5,519	(6,609)	(54.50%)	▼
102207	Litter Control - Other		12,000		12,000		8,000		0	(8,000)	(100.00%)	▼
102210	Expenses from Ranger Services		6,111		6,111		4,072		4,237	165	4.05%	
			36,311		36,311		24,200		9,756	(14,444)		
<u>OPERATING REVENUE</u>												
102332	Litter Infringements	(200)		(200)		0		0	0	0	0.00%	
		(200)		(200)		0		0	0	0		
TOTAL OTHER REFUSE - Operating		(200)	36,311	(200)	36,311	0	24,200	0	9,756	(14,444)		
<u>CAPITAL EXPENDITURE</u>												
			0		0		0		0	0	0.00%	
			0		0		0		0	0		
<u>CAPITAL REVENUE</u>												
		0		0		0		0	0	0	0.00%	
		0		0		0		0	0	0		
TOTAL OTHER REFUSE - Capital		0	0	0	0	0	0	0	0	0		
TOTAL OTHER REFUSE		(200)	36,311	(200)	36,311	0	24,200	0	9,756	(14,444)		
<u>COMMUNITY AMMENITIES</u>												

Shire of Toodyay
Operating Statement By Function & Activity
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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
	<u>SEWERAGE</u>											
	<u>OPERATING EXPENDITURE</u>											
		0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	<u>OPERATING REVENUE</u>											
103332	Dividend - Nth M Liquid Waste Fac	0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	<u>TOTAL SEWERAGE - Operating</u>	0	0	0	0	0	0	0	0	0		
	<u>CAPITAL EXPENDITURE</u>											
		0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	<u>CAPITAL REVENUE</u>											
		0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	<u>TOTAL SEWERAGE - Capital</u>	0	0	0	0	0	0	0	0	0		
	<u>TOTAL SEWERAGE</u>	0	0	0	0	0	0	0	0	0		
	<u>COMMUNITY SPONSORSHIP</u>											
	<u>OPERATING EXPENDITURE</u>											

Shire of Toodyay
Operating Statement By Function & Activity
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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
104201	Community Sponsorship		37,800		37,800		19,800		21,930	2,130	10.76%	
			37,800		37,800		19,800		21,930	2,130		
	<u>OPERATING REVENUE</u>											
		0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	TOTAL COMMUNITY SPONSORSHIP - Operating	0	37,800	0	37,800	0	19,800	0	21,930	2,130		
	<u>CAPITAL EXPENDITURE</u>											
			0		0		0		0	0	0.00%	
			0		0		0		0	0		
	<u>CAPITAL REVENUE</u>											
		0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	TOTAL COMMUNITY SPONSORSHIP - Capital	0	0	0	0	0	0	0	0	0		
	<u>TOTAL COMMUNITY SPONSORSHIP</u>	0	37,800	0	37,800	0	19,800	0	21,930	2,130		
	<u>TOWN PLANNING</u>											
	<u>OPERATING EXPENDITURE</u>											
106201	Town Planning Salaries		161,901		161,901		107,936		144,082	36,146	33.49%	▲
106202	Salaries - L.S.L.		0		0		0		0	0	0.00%	
106204	Superannuation		18,675		18,675		12,448		11,664	(784)	(6.30%)	
106205	Other Emp Costs		47,621		47,621		31,744		12,606	(19,138)	(60.29%)	▼

Shire of Toodyay
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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
106206	T.Ping Vehicle Expenses		15,000		15,000		10,000		6,543	(3,457)	(34.57%)	
106207	T.P.S. Scheme 4 - Review		0		0		0		0	0	0.00%	
106208	Rezoning/Subdivision Expenses		0		0		0		477	477	0.00%	
106209	T.Ping Misc. Expenses		16,200		16,200		10,800		103	(10,697)	(99.05%)	▲
106210	T.Ping Legal Costs		10,000		100,000		66,664		88,425	21,761	32.64%	▲
106212	Admin Allocated		154,577		154,577		103,048		106,663	3,615	3.51%	
106213	Depreciation of Assets		2,348		2,348		1,560		2,138	578	37.04%	
106214	Engineering Expenses		5,000		5,000		3,328		0	(3,328)	(100.00%)	
			431,322		521,322		347,528		372,699	25,171		
	OPERATING REVENUE											
106332	Subdivision Fees	(4,000)		(4,000)		(2,664)		(3,559)		(895)	33.58%	
106333	Rezoning Fees	0		0		0		0		0	0.00%	
106334	T.Ping Misc Fees	(35,000)		(35,000)		(23,328)		(10,550)		12,778	(54.77%)	▲
106335	T.Ping Legal Costs Recovered	0		0		0		0		0	0.00%	
106336	Car Parking Contribution	0		0		0		0		0	0.00%	
		(39,000)		(39,000)		(25,992)		(14,109)		11,883		
		(39,000)	431,322	(39,000)	521,322	(25,992)	347,528	(14,109)	372,699	37,055		
	TOTAL TOWN PLANNING - Operating											
	CAPITAL EXPENDITURE											
106211	Transfer To Car Parking Reserve		0		0		0		0	0	0.00%	
			0		0		0		0	0		
	CAPITAL REVENUE											
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
		0		0		0		0		0		
	TOTAL TOWN PLANNING - Capital											
		(39,000)	431,322	(39,000)	521,322	(25,992)	347,528	(14,109)	372,699	37,055		
	TOTAL TOWN PLANNING											

Shire of Toodyay
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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
<u>COMMUNITY AMMENITIES</u>												
<u>OTHER COMMUNITY SERVICES</u>												
<u>OPERATING EXPENDITURE</u>												
107201	Cemetery Maintenance		41,121		41,121		27,368		19,454	(7,914)	(28.92%)	▼
107202	Federation Square Mtce		19,604		19,604		13,032		13,735	703	5.39%	
107204	Tdy Railway Station		22,772		22,772		15,152		7,326	(7,826)	(51.65%)	▼
107205	Street Furniture		1,944		1,944		1,272		1,312	40	3.15%	
107206	War Memorial		19,766		19,766		13,160		11,425	(1,735)	(13.19%)	
107208	Abandoned Vehicles		0		0		0		0	0	0.00%	
			105,207		105,207		69,984		53,252	(16,732)		
<u>OPERATING REVENUE</u>												
107331	Cemetery Fees (Inc G S T)	(7,500)		(7,500)		(5,000)		(5,925)		(925)	18.50%	
107332	Cemetery Fees (Not Inc G S T)	(500)		(500)		(328)		(1,170)		(842)	256.71%	
107333	Railway Station Cleaning Recoup	0		0		0		0		0	0.00%	
		(8,000)		(8,000)		(5,328)		(7,095)		(1,767)		
		(8,000)		(8,000)		(5,328)		(7,095)		(18,499)		
TOTAL OTHER COMMUNITY - Operating												
<u>CAPITAL EXPENDITURE</u>												
107272	Stirling Terrace Street Furniture		0		0		0		0	0	0.00%	
			0		0		0		0	0		
<u>CAPITAL REVENUE</u>												
		0		0		0		0		0	0.00%	
		0		0		0		0		0		

Shire of Toodyay
Operating Statement By Function & Activity
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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
	TOTAL OTHER COMMUNITY - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL OTHER COMMUNITY SERVICES	(8,000)	105,207	(8,000)	105,207	(5,328)	69,984	(7,095)	53,252	(18,499)		
	TOTAL COMMUNITY AMENITIES	(591,310)	1,015,377	(591,310)	1,105,377	(574,676)	731,288	(575,293)	683,021	(48,884)		

RECREATION & CULTURE

PUBLIC HALLS

OPERATING EXPENDITURE

111201	Memorial Hall Operation		44,514		44,514		29,656		31,621	1,965	6.63%	
111202	Morangup Comm Ctre.		14,351		14,351		9,552		13,148	3,596	37.65%	
111203	Community Ctre		49,405		49,405		32,904		31,566	(1,338)	(4.07%)	
111204	Admin Allocated		28,344		28,344		18,896		19,558	662	3.51%	
161205	Loan 65 - Interest Payments		6,143		6,143		4,088		3,101	(987)	(24.14%)	
003522	Deprec Of Assets - Halls		39,991		39,991		26,664		25,497	(1,167)	(4.38%)	
			182,748		182,748		121,760		124,492	2,732		

OPERATING REVENUE

111330	Memorial Hall Rentals		(6,000)		(6,000)		(4,000)		(5,271)	(1,271)	31.78%	▼
111332	Community Centre Rentals		(39,000)		(39,000)		(26,000)		(16,340)	9,660	(37.15%)	
111333	Community Centre Reimbursements		(1,500)		(1,500)		(1,000)		0	1,000	(100.00%)	
111337	Memorial Hall Recoups		0		0		0		0	0	0.00%	
			(46,500)		(46,500)		(31,000)		(21,611)	9,389		
			(46,500)		(46,500)		(31,000)		(21,611)	12,120		

TOTAL PUBLIC HALLS - Operating

CAPITAL EXPENDITURE

Shire of Toodyay
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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
111351	Air Cons - Community Centre	0	0	0	0	0	0	0	0	0	0.00%	▼
111352	Purchase Of Land - Public Halls & Civic	105,000	105,000	105,000	70,000	70,000	2,000	(68,000)	2,000	(68,000)	(97.14%)	▲
111353	Memorial Hall - Capital Works	0	10,000	10,000	6,680	6,680	20,525	13,845	20,525	13,845	207.26%	▲
161256	Loan 65 - Principal Payment	7,553	7,553	7,553	5,032	5,032	3,712	(1,320)	3,712	(1,320)	(26.22%)	
		7,553	17,553	17,553	11,712	11,712	24,238	12,526	24,238	12,526		
	CAPITAL REVENUE											
		0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
		0	7,553	0	17,553	0	11,712	0	24,238	12,526		
	TOTAL PUBLIC HALLS - Capital											
		(46,500)	190,301	(46,500)	200,301	(31,000)	133,472	(21,611)	148,729	24,646		
	RECREATION & CULTURE											
	RECREATION & SPORT											
	OPERATING EXPENDITURE											
113201	Toodyay Showgrounds	191,963	191,963	191,963	127,808	127,808	105,694	(22,114)	105,694	(22,114)	(17.30%)	▼
113202	Toodyay Race Course	5,000	5,000	5,000	3,328	3,328	8,067	4,739	8,067	4,739	142.41%	▼
113203	Newcastle Park	23,113	23,113	23,113	15,376	15,376	6,351	(9,025)	6,351	(9,025)	(58.70%)	▼
113204	Duke St Toilets/Skate Park	9,844	9,844	9,844	6,536	6,536	8,745	2,209	8,745	2,209	33.80%	▼
113206	Parks & Gardens Depot	13,979	13,979	13,979	9,288	9,288	3,822	(5,466)	3,822	(5,466)	(58.85%)	▼
113207	Pioneer Arboretum	4,618	4,618	4,618	3,056	3,056	1,090	(1,966)	1,090	(1,966)	(64.34%)	▼
113208	Railway Wagon Res (Mini Rail)	7,412	7,412	7,412	4,928	4,928	217	(4,711)	217	(4,711)	(95.59%)	▼
113209	Toodyay St Aboriginal Reserve	1,862	1,862	1,862	1,224	1,224	314	(910)	314	(910)	(74.32%)	▼
113210	Wilson Street (Parking) Reserve	1,023	1,023	1,023	664	664	286	(378)	286	(378)	(56.90%)	▼
113212	Pelham Reserve	10,481	10,481	10,481	6,944	6,944	11,311	4,367	11,311	4,367	62.90%	▼
113213	Duidgee Park	107,576	107,576	107,576	71,640	71,640	50,420	(21,220)	50,420	(21,220)	(29.62%)	▼
113214	Misc Sports Club Facilities	6,261	6,261	6,261	4,160	4,160	4,559	399	4,559	399	9.59%	▼

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
113215	Misc Shire Parks & Gardens		10,712		10,712		7,024		8,286	1,262	17.96%	
113216	A.R.O.C. Rec. Coordinator		35,000		35,000		35,000		33,059	(1,941)	(5.55%)	
113218	Recreation Needs Analysis Review		0		0		0		0	0	0.00%	
113221	Admin Allocated		47,860		47,860		31,904		33,025	1,121	3.51%	
113224	Be Active Grant Expenses		1,000		1,000		664		0	(664)	(100.00%)	
113226	Prelim Works for Recreation Facility		0		0		0		0	0	0.00%	
113227	Youth Advisory Council - Exp		2,000		2,000		1,328		2,915	1,587	119.50%	
003792	Deprec Of Assets - Sport		55,169		55,169		36,776		35,851	(925)	(2.52%)	
			534,873		534,873		367,648		314,013	(53,635)		
	OPERATING REVENUE											
113330	Showground Rental	(2,500)		(2,500)		(1,664)		(1,619)		45	(2.70%)	
113331	Equipment Hire	(150)		(150)		(96)		0		96	(100.00%)	
113332	Club Leases	(500)		(500)		(328)		(600)		(272)	82.93%	
113334	Sports Ground Power	0		0		0		0		0	0.00%	
113335	Clubs Insurance	(10,000)		(10,000)		(6,664)		(10,932)		(4,268)	64.04%	
113351	Grants & Contributions	(433,192)		(433,192)		(15,000)		(10,000)		5,000	(33.33%)	
113354	Self Supporting Loan	(4,570)		(4,570)		(3,040)		(4,155)		(1,115)	36.67%	
113356	Corporate Challenge Income	(2,000)		(2,000)		(1,328)		(645)		683	(51.43%)	
113357	Toodyay Race Club - Shed	(5,000)		(5,000)		(3,328)		0		3,328	(100.00%)	
113358	Youth Advisory Council - Inc	(2,000)		(2,000)		(1,328)		(1,649)		(321)	24.20%	
		(459,912)		(459,912)		(32,776)		(29,600)		3,176		
	TOTAL REC & SPORT - Operating	(459,912)	534,873	(459,912)	534,873	(32,776)	367,648	(29,600)	314,013	(50,459)		
	CAPITAL EXPENDITURE											
113256	Duidgee Park Upgrade		150,000		150,000		150,000		7,264	(142,736)	(95.16%)	▼
113259	Construct Skate Park Facility		0		0		0		0	0	0.00%	
113260	Upgrade Toodyay Showgrounds		872,049		872,049		622,049		1,364	(620,685)	(99.78%)	▼
113261	Purchase Land - Multi Purpose Rec		0		0		0		0	0	0.00%	
113262	Construct Skate Park Wall		0		0		0		0	0	0.00%	
113264	Toodyay Showgrounds - Design		25,000		25,000		25,000		17,522	(7,478)	(29.91%)	▼

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
113265	Multi Purpose Rec Centre		30,000		30,000		30,000		0	(30,000)	(100.00%)	▲
113266	Installation Of Lighting - TDHS		0		0		0		0	0	0.00%	
113267	Toodyay Race Club - Upgrade		0		0		0		0	0	0.00%	
113268	Tennis Club - Retaining Wall		0		0		0		4,382	4,382	0.00%	
113273	Recreation Strategic Plan		20,000		20,000		13,328		5,000	(8,328)	(62.48%)	▲
113274	Transfer To Swimming Pool Reserve		0		0		0		0	0	0.00%	
113275	Transfer To Rec Development Reserve		0		0		0		0	0	0.00%	
113276	Bicycle Plan		22,000		22,000		14,664		20,331	5,667	38.64%	▲
			1,119,049		1,119,049		855,041		55,862	(799,179)		
	CAPITAL REVENUE											
113355	Transfer from Reserve	0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	TOTAL REC & SPORT - Capital	0	1,119,049	0	1,119,049	0	855,041	0	55,862	(799,179)		
	TOTAL RECREATION & SPORT	(459,912)	1,653,922	(459,912)	1,653,922	(32,776)	1,222,689	(29,600)	369,874	(849,639)		
	RECREATION & CULTURE											
	LIBRARIES											
	OPERATING EXPENDITURE											
115201	Library Salaries		103,433		103,433		68,952		79,202	10,250	14.87%	▲
115202	Long Service Leave Provision		0		0		0		0	0	0.00%	
115203	Superannuation		13,778		13,778		9,184		8,580	(604)	(6.58%)	
115204	Other Emp Costs		8,407		8,407		5,600		6,411	811	14.48%	
115205	Library Operating Expenses		15,000		15,000		9,992		10,501	509	5.09%	
115206	Library Bldg. Maintenance		26,285		26,285		17,488		21,393	3,905	22.33%	
115207	Library Office Equipment		8,600		9,600		6,736		11,260	4,524	67.16%	
115208	Library Book Purchases		1,000		1,000		664		27	(637)	(95.89%)	

Shire of Toodyay
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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
115210	Admin Allocated		26,176		26,176		17,448		18,062	614	3.52%	
161209	Loan 67 Interest		28,592		28,592		14,592		10,791	(3,801)	(26.05%)	
161211	Loan 69 - Interest		14,104		14,104		7,000		5,578	(1,422)	(20.31%)	
004072	Deprec Of Assets-Library		29,863		29,863		19,912		19,060	(852)	(4.28%)	
			275,238		276,238		177,568		190,865	13,297		
	<u>OPERATING REVENUE</u>											
115330	Sale Of Old Library Books	(100)		(100)		(64)		(143)		(79)	122.80%	
115332	Lib. Photocopying	(2,500)		(2,500)		(1,664)		(1,550)		114	(6.85%)	
115333	Book Fines	(500)		(500)		(328)		(262)		66	(20.22%)	
115334	Misc Income	(500)		(1,500)		(1,328)		(1,257)		71	(5.33%)	
		(3,600)		(4,600)		(3,384)		(3,212)		172		
	TOTAL LIBRARIES - Operating	(3,600)	275,238	(4,600)	276,238	(3,384)	177,568	(3,212)	190,865	13,470		
	<u>CAPITAL EXPENDITURE</u>											
161258	Loan 67 Principal Payment		24,724		24,724		14,724		12,161	(2,563)	(17.40%)	
161261	Loan 69 Principal Payment		22,785		22,785		11,217		11,217	0	0.00%	
			47,509		47,509		25,941		23,378	(2,563)		
	<u>CAPITAL REVENUE</u>											
115350	Loan Income	0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	TOTAL LIBRARIES - Capital	0	47,509	0	47,509	0	25,941	0	23,378	(2,563)		
	TOTAL LIBRARIES	(3,600)	322,747	(4,600)	323,747	(3,384)	203,509	(3,212)	214,244	10,907		
	<u>RECREATION & CULTURE</u>											

**Shire of Toodyay
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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
HERITAGE												
OPERATING EXPENDITURE												
116201	Museum (Gael) Maintenance		45,702		45,702		30,376		20,324	(10,052)	(33.09%)	▼
116202	Museum Honarariums		4,800		4,800		3,200		3,355	155	4.83%	
116203	Museum Displays		8,870		8,870		5,912		1,300	(4,612)	(78.00%)	
116204	Museum Subscriptions		200		200		128		131	3	2.02%	
116205	Mus. Conservation Materials		1,000		1,000		664		823	159	23.98%	
116206	Mus. Volunteer Uniforms		250		250		160		0	(160)	(100.00%)	
116207	Mus. Office Equip & Stationery		1,500		1,500		1,000		1,974	974	97.35%	
116208	Mus Trng & Workshops		2,000		2,000		1,328		1,751	423	31.85%	
116209	Mus. - Marketing/Promotion		400		400		264		191	(73)	(27.67%)	
116210	Heritage - Preservation & Conservation		29,690		29,690		29,690		29,690	0	0.00%	
116212	Museum Curator - Salary		64,624		64,624		43,080		44,984	1,904	4.42%	
116213	Long Service Leave Provision		0		0		0		0	0	0.00%	
116215	Museum Curator - Other Employee Costs		3,778		3,778		2,520		3,013	493	19.58%	
116217	Heritage Advisory Services		3,300		3,300		2,200		3,000	800	36.36%	
116218	Admin Allocated		45,227		45,227		30,152		31,208	1,056	3.50%	
116219	Cultural Heritage Interpret Works		40,000		40,000		26,664		0	(26,664)	(100.00%)	▼
116220	Conservation Plan - Archeological		0		0		0		0	0	0.00%	
004222	Deprec Of Assets-Culture		11,102		11,102		7,400		7,073	(327)	(4.42%)	
			262,443		262,443		184,738		148,816	(35,922)		
OPERATING REVENUE												
116332	Admissions To Museum	(6,000)		(6,000)		(4,000)		(3,145)		855	(21.37%)	
116333	Grant Income - Old Gael	(37,310)		(37,310)		(37,310)		(11,310)		26,000	(69.69%)	
116335	Recoups - Heritage Council	0		0		0		(2,160)		(2,160)	0.00%	
		(43,310)		(43,310)		(41,310)		(16,615)		24,695		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		
		(43,310)		(43,310)		(41,310)		(16,615)		(11,227)		

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
<u>CAPITAL EXPENDITURE</u>												
117252	Upgrade To Heritage Buildings		76,000		76,000		50,656		25,854	(24,802)	(48.96%)	▼
			76,000		76,000		50,656		25,854	(24,802)		
<u>CAPITAL REVENUE</u>												
		0		0		0		0	0	0	0.00%	
		0		0		0		0	0	0		
	TOTAL HERITAGE - Capital	0	76,000	0	76,000	0	50,656	0	25,854	(24,802)		
	TOTAL HERITAGE	(43,310)	338,443	(43,310)	338,443	(41,310)	235,394	(16,615)	174,670	(36,029)		
<u>RECREATION & CULTURE</u>												
<u>CULTURE</u>												
<u>OPERATING EXPENDITURE</u>												
117201	Festivals - Other		8,578		8,578		5,712		3,714	(1,998)	(34.98%)	
117202	Avon Descent		17,326		17,326		11,536		9,193	(2,343)	(20.31%)	
117203	Aust. Day Celebrations		5,000		5,000		3,328		3,000	(328)	(9.87%)	
117204	Donegans Cottage		15,813		15,813		10,512		1,863	(8,649)	(82.28%)	▼
117205	Parkers Cottage		9,809		9,809		6,520		7,896	1,376	21.10%	
117206	Moodyne Festival		1,767		1,767		1,160		(91)	(1,251)	(107.84%)	▲
117207	International Food Festival		48,993		48,993		32,648		51,675	19,027	58.28%	▲
117208	Targa West		3,377		3,377		2,232		904	(1,328)	(59.48%)	
117210	Toodyay Ag Show		2,877		2,877		1,904		5,487	3,583	188.18%	
117211	Xmas Street Party		2,948		2,948		1,944		550	(1,394)	(71.73%)	
117212	Toodyay Races		1,000		1,000		672		1,317	645	96.00%	
117213	Community Grant Expenditure		0		8,925		8,925		5,658	(3,267)	(36.60%)	
			117,488		126,413		87,093		91,166	4,073		

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
<u>OPERATING REVENUE</u>												
117332	Grant Income	(37,000)		(37,000)		(24,664)		(8,925)		15,739	(63.81%)	▲
117333	Sponsorship - IFF	(2,000)		(2,000)		(1,328)		(4,659)		(3,331)	250.84%	
117334	Stallholder Fees - IFF	(1,500)		(1,500)		(1,000)		(705)		295	(29.55%)	
117335	Events - Miscellaneous Income	(1,500)		(10,425)		(9,925)		(3,372)		6,553	(66.02%)	▲
		(42,000)		(50,925)		(36,917)		(17,661)		19,256		
TOTAL CULTURE - Operating		(42,000)	117,488	(50,925)	126,413	(36,917)	87,093	(17,661)	91,166	23,329	0	
<u>CAPITAL EXPENDITURE</u>												
117251	Xmas Lights Purchase		0		0		0		0	0	0.00%	
			0		0		0		0	0		
<u>CAPITAL REVENUE</u>												
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
TOTAL CULTURE - Capital		0	0	0	0	0	0	0	0	0		
TOTAL CULTURE		(42,000)	117,488	(50,925)	126,413	(36,917)	87,093	(17,661)	91,166	23,329		
TOTAL RECREATION & CULTURE		(595,322)	2,622,901	(605,247)	2,642,826	(145,387)	1,882,157	(88,699)	998,684	(826,785)		
<u>TRANSPORT</u>												
<u>CONSTRUCTION</u>												
<u>OPERATING EXPENDITURE</u>												

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
121201	Crossover Contributions		20,000		20,000		13,328		10,368	(2,960)	(22.21%)	
121203	Traffic Signs & Control Equipment		0		0		0		0	0	0.00%	
121214	Survey, Design & Audits		8,000		8,000		5,328		780	(4,548)	(85.36%)	
161210	Loan 68 - Interest Payments		14,593		14,593		9,728		6,669	(3,059)	(31.44%)	
161212	Loan 70 - Interest Payments		6,390		6,390		4,264		4,774	510	11.97%	
161213	Loan 71 - Interest Payments		49,500		19,000		0		0	0	0.00%	
121219	Realisation Of Disposed Assets		0		0		0		222,864	222,864	0.00%	
004670	Deprec Of Assets Roads		1,177,528		1,177,528		785,016		754,884	(30,132)	(3.84%)	
			1,276,011		1,245,511		817,664		1,000,340	182,676		
	OPERATING REVENUE											
121334	R.R.G. (Project) Grants - Revenue	(549,733)		(549,733)		(549,733)		(227,040)		322,693	(58.70%)	▼
121337	Roads to Recovery	(262,403)		(262,403)		(262,403)		0		262,403	(100.00%)	▼
121339	Road Const. (Private) Contribution	(100,000)		(100,000)		(75,000)		(25,678)		49,322	(65.76%)	▼
122330	Sale Of Plant & Equipment	(311,637)		(311,637)		(207,760)		(222,863)		(15,103)	7.27%	
121341	Contributions - Road & Pathways	0		0		0		0		0	0.00%	
		(1,223,773)		(1,223,773)		(1,094,896)		(475,581)		619,315		
	TOTAL CONSTRUCTION - Operating	(1,223,773)	1,276,011	(1,223,773)	1,245,511	(1,094,896)	817,664	(475,581)	1,000,340	801,990		
	CAPITAL EXPENDITURE											
121204	Footbridge (Newcastle) School		0		0		0		0	0	0.00%	▼
121211	R.R.G. Project Grant Works		549,733		549,733		366,448		129,095	(237,353)	(64.77%)	▲
121212	Roads To Recovery Works		892,673		892,673		595,080		729,048	133,968	22.51%	▲
121213	Own Works Construction		1,013,117		1,013,117		674,952		527,607	(147,345)	(21.83%)	▲
121215	Bridge & Culvert Works		114,000		114,000		76,000		178	(75,822)	(99.77%)	▲
121218	Transfer To Depot Reserve		0		0		0		0	0	0.00%	
121220	Stirling Terrace Upgrade (Auslink)		0		0		0		0	0	0.00%	
122202	Plant & Equipment		829,000		829,000		552,664		629,345	76,681	13.87%	▲
122203	Transfer To Plant Reserve		550,000		550,000		366,664		0	(366,664)	(100.00%)	▲
122204	Transfer to Road & Pathways Reserve		0		0		0		0	0	0.00%	
122205	Transfer to Road Maintenance Reserve		100,000		100,000		100,000		0	(100,000)	(100.00%)	▲

Shire of Toodyay
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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
122206	Construct New Depot Facility		625,000		625,000		416,640		388,520	(28,120)	(6.75%)	
161259	Loan 68 - Principal Payment		40,611		40,611		20,000		19,982	(18)	(0.09%)	
161269	Loan 70 - Principal Payment		10,135		10,135		4,996		7,548	2,552	51.08%	
161270	Loan 71 - Principal Payment		44,000		13,000		0		0	0	0.00%	
			4,768,269		4,737,269		3,173,444		2,431,322	(742,122)		
	<u>CAPITAL REVENUE</u>											
122331	Transfer from Plant Reserve	(533,240)		(533,240)		(533,240)		0		533,240	0.00%	
122334	Loan Income - Depot	(815,000)		(815,000)		(815,000)		(815,000)		0	100.00%	
		(1,348,240)		(1,348,240)		(1,348,240)		(815,000)		533,240		
	TOTAL CONSTRUCTION - Capital	(1,348,240)	4,768,269	(1,348,240)	4,737,269	(1,348,240)	3,173,444	(815,000)	2,431,322	(208,882)		
	TOTAL CONSTRUCTION	(2,572,013)	6,044,280	(2,572,013)	5,982,760	(2,443,136)	3,991,108	(1,290,581)	3,431,661	593,108		
	<u>TRANSPORT</u>											
	<u>MAINTENANCE</u>											
	<u>OPERATING EXPENDITURE</u>											
123201	Road Maintenance		845,924		845,924		563,944		460,257	(103,687)	(18.39%)	▼
123202	Bridge Maintenance		110,900		110,900		73,912		84,903	10,991	14.87%	▲
123203	Street Cleaning & Sweeping (Contract)		8,000		8,000		5,328		2,750	(2,578)	(48.38%)	▼
123205	Footpath Maintenance		9,571		9,571		6,368		0	(6,368)	(100.00%)	▼
123206	Lighting Of Streets		22,000		22,000		14,664		14,452	(212)	(1.45%)	
123207	Verge Spraying (Contract)		30,000		30,000		20,000		20,600	600	3.00%	
123209	Depot Maintenance		27,555		27,555		18,336		19,434	1,098	5.99%	
123210	Upgrade To Roman System		5,600		5,600		3,728		5,234	1,506	40.40%	
004870	Deprec Of Assets - Maint		87,777		87,777		58,520		67,084	8,564	14.63%	▲
			1,147,327		1,147,327		764,800		674,713	(90,087)		

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
<u>OPERATING REVENUE</u>												
123330	M.R.W.A. Street Light Subsidy	(1,000)		(1,000)		(664)		0		664	(100.00%)	
123331	Operating Grants	(85,000)		(85,000)		(85,000)		(92,568)		(7,568)	8.90%	
123333	Road Maintenance Contributions	(100,000)		(100,000)		(50,000)		(58,180)		(8,180)	16.36%	▲
		(186,000)		(186,000)		(135,664)		(150,748)		(15,084)		
	TOTAL MAINTENANCE - Operating	(186,000)	1,147,327	(186,000)	1,147,327	(135,664)	764,800	(150,748)	674,713	(105,171)		
<u>CAPITAL EXPENDITURE</u>												
								0		0	0.00%	
								0		0	0.00%	
<u>CAPITAL REVENUE</u>												
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
	TOTAL MAINTENANCE - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL MAINTENANCE	(186,000)	1,147,327	(186,000)	1,147,327	(135,664)	764,800	(150,748)	674,713	(105,171)		
<u>TRANSPORT</u>												
<u>POLICE LICENSING</u>												
<u>OPERATING EXPENDITURE</u>												
126201	Admin Allocated		169,137		169,137		112,760		116,709	3,949	3.50%	
126202	Police Licensing		11,000		11,000		7,328		9,573	2,245	30.64%	
126203	D.O.T. Direct Debits		1,250,000		1,250,000		833,328		817,865	(15,463)	(1.86%)	

Shire of Toodyay
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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
126332	D.O.T. Direct Credits		(1,250,000)		(1,250,000)		(833,328)		(821,673)	11,655	(1.40%)	
			180,137		180,137		120,088		122,475	2,387		
	OPERATING REVENUE											
126331	Police Licensing Commission	(70,000)		(70,000)		(46,664)		(39,742)		6,922	(14.83%)	▼
		(70,000)		(70,000)		(46,664)		(39,742)		6,922		
	TOTAL POLICE LICENSING - Operating	(70,000)	180,137	(70,000)	180,137	(46,664)	120,088	(39,742)	122,475	9,309		
	CAPITAL EXPENDITURE											
			0		0		0		0	0	0.00%	
			0		0		0		0	0		
	CAPITAL REVENUE											
			0		0		0		0	0		
	TOTAL POLICE LICENSING - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL POLICE LICENSING	(70,000)	180,137	(70,000)	180,137	(46,664)	120,088	(39,742)	122,475	9,309		
	TOTAL TRANSPORT	(2,828,013)	7,371,744	(2,828,013)	7,310,244	(2,625,464)	4,875,996	(1,481,071)	4,228,849	497,246		
	ECONOMIC SERVICES											
	RURAL SERVICES											
	OPERATING EXPENDITURE											
131201	Weed Control		10,000		10,000		6,664		0	(6,664)	(100.00%)	▼

Shire of Toodyay
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For The Period Ending
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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
131210	Rural Street Addressing		500		500		328		0	(328)	(100.00%)	
131211	Expenses from Ranger Services		6,111		6,111		4,072		4,237	165	4.05%	
131212	State Barrier Fencing		0		0		0		0	0	0.00%	
	OPERATING REVENUE		16,611		16,611		11,064		4,237	(6,827)		
131334	Rural Street Addressing	(250)		(250)		(250)		(255)		(5)	1.82%	
		(250)		(250)		(250)		(255)		(5)		
	TOTAL RURAL SERVICES - Operating	(250)	16,611	(250)	16,611	(250)	11,064	(255)	4,237	(6,832)		
	CAPITAL EXPENDITURE											
			0		0		0		0	0	0.00%	
			0		0		0		0	0		
	CAPITAL REVENUE											
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
	TOTAL RURAL SERVICES - Capital	0		0		0		0	0	0		
	TOTAL RURAL SERVICES	(250)	16,611	(250)	16,611	(250)	11,064	(255)	4,237	(6,832)		
	ECONOMIC SERVICES											
	TOURISM & AREA PROMOTION											
	OPERATING EXPENDITURE											
132201	Salaries		140,373		140,373		93,584		97,045	3,461	3.70%	

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
132202	Long Service Leave Provision	0	0	0	0	0	0	0	0	0	0.00%	
132203	Superannuation	17,836	17,836	17,836	11,888	11,888	9,270	9,270	(2,618)	(22.02%)		
132204	Conferences & Training	2,000	2,000	2,000	1,000	1,000	1,072	1,072	72	7.17%		
132205	Staff Uniforms	1,800	1,800	1,800	0	0	0	0	0	0.00%		
132207	Printing & Stationery	2,000	2,000	2,000	1,000	1,000	1,025	1,025	25	2.50%		
132208	Postage	500	500	500	328	328	276	276	(52)	(15.81%)		
132209	Public Liability Insurance	4,000	4,000	4,000	0	0	4,000	4,000	4,000	0.00%		
132210	Telephone/Internet Costs	4,000	4,000	4,000	2,664	2,664	1,623	1,623	(1,041)	(39.07%)		
132211	Other Employee Costs	7,140	7,140	7,140	4,760	4,760	2,769	2,769	(1,991)	(41.83%)		
132212	Other VIC Office Expenses	10,000	10,000	10,000	6,664	6,664	7,202	7,202	538	8.08%		
132213	Connors Mill Bldg. Operation	18,786	18,786	18,786	12,504	12,504	12,826	12,826	322	2.57%		
132214	Visitors Ctre. Bldg. Operation	31,806	31,806	31,806	21,168	21,168	15,598	15,598	(5,570)	(26.31%)	▼	
132215	Memberships Affiliated Bodies	500	500	500	0	0	0	0	0	0.00%		
132216	Accommodation Expense	77,000	77,000	77,000	51,328	51,328	50,771	50,771	(557)	(1.08%)		
132217	Accommodation Commission Expenses	2,500	2,500	2,500	1,664	1,664	1,323	1,323	(341)	(20.50%)		
132218	Ye Olde Lolly Shoppe Misc Expenses	2,500	2,500	2,500	1,664	1,664	960	960	(704)	(42.28%)		
132219	Ye Olde Lolly Shoppe Stock Purchases	35,000	35,000	35,000	23,328	23,328	19,813	19,813	(3,515)	(15.07%)		
132220	Ye Olde Lolly Shoppe Commission Paid	1,500	1,500	1,500	0	0	379	379	379	0.00%		
132221	Tourist Information Bay	761	761	761	761	761	5,340	5,340	4,579	601.70%		
132222	TRANSWA Ticket Sales	5,000	5,000	5,000	3,328	3,328	3,359	3,359	31	0.93%		
132224	Floor Stock Purchases	35,000	35,000	35,000	23,328	23,328	19,796	19,796	(3,532)	(15.14%)		
132229	Admin Allocated	76,514	76,514	76,514	51,008	51,008	52,797	52,797	1,789	3.51%		
132230	Area Promotion Advertising	8,000	8,000	8,000	4,000	4,000	16,891	16,891	12,891	322.27%		
005502	Deprec Of Assets-Tourism	13,951	13,951	13,951	9,304	9,304	9,079	9,079	(225)	(2.42%)		
161204	Loan 64 - Interest Payments	9,116	9,116	9,116	6,072	6,072	3,112	3,112	(2,960)	(48.76%)		
			507,583		507,583		331,345	336,326	4,981			
	OPERATING REVENUE											
132330	Admissions Connors Mill	(5,000)	(5,000)	(5,000)	(3,328)	(3,328)	(2,957)	(2,957)	371	(11.15%)		
132331	Travel & Accom Commissions	0	0	0	0	0	(18)	(18)	(18)	0.00%		
132332	Floor Stock Sales	(45,000)	(45,000)	(45,000)	(30,000)	(30,000)	(30,203)	(30,203)	(203)	0.68%		
132333	Misc Visitor Ctre Income	(50)	(50)	(50)	(50)	(50)	(304)	(304)	(254)	507.32%		
132334	Membership Fees	(500)	(500)	(500)	(500)	(500)	(902)	(902)	(402)	80.30%		

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
132335	Accommodation Income	(88,000)		(88,000)		(58,664)		(44,795)		13,869	(23.64%)	▲
132336	Accommodation Commission	(8,800)		(8,800)		(5,864)		(5,436)		428	(7.30%)	
132337	Ye Olde Lolly Shoppe Stock Sales	(70,000)		(70,000)		(46,664)		(36,459)		10,205	(21.87%)	▲
132338	TRANSWA Ticket Sales	(5,500)		(5,500)		(3,664)		(4,251)		(587)	16.03%	
		(222,850)		(222,850)		(148,734)		(125,324)		23,410		
	TOTAL TOURISM & AREA PROMO - Operating	(222,850)	507,583	(222,850)	507,583	(148,734)	331,345	(125,324)	336,326	28,391		
	<u>CAPITAL EXPENDITURE</u>											
			0		0		0	0	0	0	0.00%	
			0		0		0	0	0	0		
	<u>CAPITAL REVENUE</u>											
		0		0		0		0	0	0	0.00%	
		0		0		0		0	0	0		
	TOTAL TOURISM & AREA PROMO - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL TOURISM & AREA PROMOTION	(222,850)	507,583	(222,850)	507,583	(148,734)	331,345	(125,324)	336,326	28,391		
	<u>ECONOMIC SERVICES</u>											
	<u>OTHER TOURISM & AREA PROMOTION</u>											
	<u>OPERATING EXPENDITURE</u>											
132234	Interpretation Works - Connors Mill		0		0		0		0	0	0.00%	
			0		0		0		0	0		
	<u>OPERATING REVENUE</u>											
132351	Community Directory	(3,000)		(3,000)		0		0		0	0.00%	
132352	Special Issue Licence Plates	(500)		(500)		0		(186)		(186)	0.00%	

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
132354	Grant Income	0		0		0		0		0	0.00%	
132358	Interpretation Grant Connors Mill	0		0		0		0		0	0.00%	
		(3,500)		(3,500)		0		(186)		(186)		
	TOTAL OTHER TOURISM & AREA PROMO - Operating	(3,500)		(3,500)		0		(186)		(186)		
	CAPITAL EXPENDITURE											
161255	Loan 64 - Principal Payment		11,827		11,827		7,880		5,817	(2,063)	(26.18%)	
132250	Buildings		40,000		40,000		0		0	0	0.00%	
			51,827		51,827		7,880		5,817	(2,063)		
	CAPITAL REVENUE											
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
	TOTAL OTHER TOURISM & AREA PROMO - Capital	0	51,827	0	51,827	0	7,880	0	5,817	(2,063)		
	TOTAL OTHER TOURISM & AREA PROMO	(3,500)	51,827	(3,500)	51,827	0	7,880	(186)	5,817	(2,249)		
	BUILDING SERVICES											
	OPERATING EXPENDITURE											
133201	Building Salaries		226,187		226,187		150,792		71,301	(79,491)	(52.72%)	▼
133202	Long Service Leave Provision		0		0		0		0	0	0.00%	
133203	Superannuation		24,518		24,518		16,344		6,279	(10,065)	(61.58%)	▼
133204	Conferences & Training		5,400		5,400		3,600		2,421	(1,179)	(32.75%)	
133205	Other Staff Expenses		18,288		18,288		12,192		17,698	5,506	45.16%	▲
133206	Bldg Vehicles Expenses		4,000		4,000		2,664		1,211	(1,453)	(54.52%)	
133207	Bldg Control Expenses		12,200		12,200		8,128		3,436	(4,692)	(57.73%)	
133208	Legal Expenses		3,000		3,000		0		18	18	0.00%	

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
133209	Admin Allocated		77,289		77,289		51,528		53,332	1,804	3.50%	
133210	Consultant Expenses		0		0		0		0	0	0.00%	
			370,882		370,882		245,248		155,695	(89,553)		
	OPERATING REVENUE											
133331	Bldg Fines & Penalties	(100)	0	(100)	0		0		0	0	0.00%	
133333	Building Licences	(45,000)		(45,000)	(30,000)		(14,374)		(14,374)	15,626	(52.09%)	▼
133334	Building Fees - Other	(1,500)		(1,500)	(1,500)		(2,044)		(2,044)	(544)	36.28%	
		(46,600)		(46,600)	(31,500)		(16,418)		(16,418)	15,082		
	TOTAL BUILDING SERVICES (Operating)	(46,600)	370,882	(46,600)	370,882	(31,500)	245,248	(16,418)	155,695	(74,471)		
	CAPITAL EXPENDITURE											
			0		0		0		0	0	0.00%	
			0		0		0		0	0		
	CAPITAL REVENUE											
		0		0	0		0		0	0	0.00%	
		0		0	0		0		0	0		
	TOTAL BUILDING SERVICES - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL BUILDING SERVICES	(46,600)	370,882	(46,600)	370,882	(31,500)	245,248	(16,418)	155,695	(74,471)		
	ECONOMIC SERVICES											
	OTHER ECONOMIC SERVICES											
	OPERATING EXPENDITURE											

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COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
136208	Community Economic Dev Projects	0	0	0	0	0	0	0	0	0	0.00%	
137202	Standpipes		87,100		87,100		58,056		50,296	(7,760)	(13.37%)	▼
137203	Selling Costs		0		0		0		0	0	0.00%	
137205	Lot 3 Plesse St		13,574		13,574		9,040		9,690	650	7.19%	
137207	Extracts LIA		0		0		0		0	0	0.00%	
137208	Deprec of Assets		8,237		8,237		5,488		6,052	564	10.28%	
137210	Gravel Pit		0		0		0		0	0	0.00%	
			108,911		108,911		72,584		66,039	(6,545)		
	OPERATING REVENUE											
137330	Standpipes	(75,000)		(75,000)		(50,000)		(41,450)		8,550	(17.10%)	▼
137331	Extractive Industry Licences	(500)		(500)		(500)		(9,100)		(8,600)	1720.00%	▲
137333	Gravel Income	0		0		0		0		0	0.00%	
137350	Sale Of Land	0		0		0		0		0	0.00%	
		(75,500)		(75,500)		(50,500)		(50,550)		(50)		
	TOTAL OTHER ECONOMIC SERVICES (Operating)	(75,500)	108,911	(75,500)	108,911	(50,500)	72,584	(50,550)	66,039	(6,595)		
	CAPITAL EXPENDITURE											
137251	Purchase of Building		0		0		0		0	0	0.00%	
137211	Transfer to Gravel Reserve		0		0		0		0	0	0.00%	
			0		0		0		0	0		
	CAPITAL REVENUE											
137336	Transfer from Asset Reserve	0		0		0		0	0	0	0.00%	
		0		0		0		0	0	0		
	TOTAL OTHER ECONOMIC SERVICES (Capital)	0	0	0	0	0	0	0	0	0		
	TOTAL OTHER ECONOMIC SERVICES	(75,500)	108,911	(75,500)	108,911	(50,500)	72,584	(50,550)	66,039	(6,595)		

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
28 February 2013

COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
TOTAL ECONOMIC SERVICES												
		(348,700)	1,055,814	(348,700)	1,055,814	(230,984)	668,121	(192,733)	568,115	(61,755)		
<u>OTHER PROPERTY & SERVICES</u>												
<u>PRIVATE WORKS</u>												
<u>OPERATING EXPENDITURE</u>												
141201	Private Works		11,513		11,513		7,664		9,374	1,710	22.31%	
			11,513		11,513		7,664		9,374	1,710		
<u>OPERATING REVENUE</u>												
141330	Private Works Income	(15,000)		(15,000)		(10,000)		(8,616)		1,384	(13.84%)	
		(15,000)		(15,000)		(10,000)		(8,616)		1,384		
TOTAL PRIVATE WORKS - Operating												
		(15,000)	11,513	(15,000)	11,513	(10,000)	7,664	(8,616)	9,374	3,094		
<u>CAPITAL EXPENDITURE</u>												
			0		0		0		0	0	0.00%	
			0		0		0		0	0		
<u>CAPITAL REVENUE</u>												
		0		0		0	0	0	0	0	0.00%	
		0		0		0	0	0	0	0		
TOTAL PRIVATE WORKS - Capital												
		0	0	0	0	0	0	0	0	0		
TOTAL PRIVATE WORKS												
		(15,000)	11,513	(15,000)	11,513	(10,000)	7,664	(8,616)	9,374	3,094		

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
28 February 2013

COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
<u>PUBLIC WORKS OVERHEADS</u>												
<u>OPERATING EXPENDITURE</u>												
143201	Salaries		292,140		292,140		194,752		166,650	(28,102)	(14.43%)	▼
143202	Salaries - L.S.L.Provisions		0		0		0		0	0	0.00%	
143203	Engineering Expenses		20,000		20,000		0		0	0	0.00%	
143205	Conferences & Training (Super)		2,500		2,500		1,664		1,617	(47)	(2.84%)	
143206	Other Staff Expenses (Supervisory)		5,000		5,000		3,336		5,416	2,080	62.35%	
143207	Supervisors Vehicles		15,000		15,000		10,000		10,197	197	1.97%	
143208	Engineering Office Expenses		26,500		26,500		17,656		11,874	(5,782)	(32.75%)	▼
143209	Eng. - Printing & Stationery		3,500		3,500		2,328		2,018	(310)	(13.30%)	▼
143210	Wages Staff - Training Exp.		16,900		16,900		11,248		4,289	(6,959)	(61.87%)	▼
143211	Wages Staff - Meetings		14,850		14,850		9,880		9,479	(401)	(4.06%)	
143212	Wages Staff - Annual Leave		90,500		90,500		60,336		55,002	(5,334)	(8.84%)	▼
143213	Wages Staff - Public Holidays		55,200		55,200		29,128		22,318	(6,810)	(23.38%)	▼
143214	Wages Staff - Sick Leave		35,000		35,000		25,000		29,157	4,157	16.63%	
143216	Superannuation (Wages Staff)		166,292		166,292		110,864		119,209	8,345	7.53%	
143219	Insurance On Works		58,699		58,699		58,699		73,520	14,821	25.25%	
143220	Salaries - L.S.L. Taken		30,000		30,000		30,000		29,102	(898)	(2.99%)	
143222	Safety Equipment & P.P.E.		12,000		12,000		7,992		8,492	500	6.26%	
143223	Communications Costs		2,250		2,250		1,488		479	(1,009)	(67.78%)	
008580	Wages - Backpay - Adjustments		0		0		0		27,723	27,723	0.00%	
008570	Workers Compensation		0		0		0		14,971	14,971	0.00%	
143224	Admin Allocated		242,243		242,243		161,496		167,155	5,659	3.50%	
143226	Small Plant Operating Costs		16,500		16,500		11,000		9,557	(1,443)	(13.12%)	
143228	Building Maintenance Allowance		3,500		3,500		0		62	62	0.00%	
143250	Less Allocated To Works & Services		(906,327)		(906,327)		(604,224)		(480,993)	123,231	(20.39%)	
			202,247		202,247		142,643		287,294	144,651		
<u>OPERATING REVENUE</u>												
143331	P.W.O. Misc Income	(2,500)		(2,500)		(2,500)		(14,514)		(12,014)	480.56%	▲

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
28 February 2013

COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
143330	Transfer from LSL Reserve	(40,500)		(40,500)		(40,500)		0		40,500	0.00%	
143333	Workers Compensation Recoups	0		0		0		(21,472)		(21,472)	0.00%	
		(43,000)		(43,000)		(43,000)		(35,986)		7,014		
	TOTAL PUBLIC WORKS OVERHEADS - Operating	(43,000)	202,247	(43,000)	202,247	(43,000)	142,643	(35,986)	287,294	151,665		
	CAPITAL EXPENDITURE											
								0		0	0.00%	
								0		0		
	CAPITAL REVENUE											
								0		0	0.00%	
								0		0		
	TOTAL PUBLIC WORKS OVERHEADS - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL PUBLIC WORKS OVERHEADS	(43,000)	202,247	(43,000)	202,247	(43,000)	142,643	(35,986)	287,294	151,665		
	OTHER PROPERTY & SERVICES											
	PLANT OPERATION COSTS											
	OPERATING EXPENDITURE											
144202	Unleaded Fuel		50,000		50,000		33,328		22,484	(10,844)	(32.54%)	▼
144203	Distillate		275,000		275,000		183,328		159,204	(24,124)	(13.16%)	▼
144205	Tyres & Tubes		48,500		48,500		32,328		23,846	(8,482)	(26.24%)	▼
144206	Parts & Repairs		122,500		122,500		81,664		81,092	(572)	(0.70%)	
144207	Repair Wages		61,000		61,000		40,664		45,095	4,431	10.90%	
144208	Ins. & Licences		65,000		65,000		65,000		71,470	6,470	9.95%	
144209	Sundry Tool Purchases		10,200		10,200		6,784		6,896	112	1.65%	

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
28 February 2013

COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
001523	Profit On Sale Of Assets - Road Plant		(93,067)		(93,067)		(62,048)		(100,662)	(38,614)	0.00%	
004425	Less Plant Depn Written Back		(174,234)		(174,234)		(116,168)		(107,011)	9,157	(7.88%)	
005012	Loss On Sale Of Assets - Road Plant		33,598		33,598		22,400		20,992	(1,408)	0.00%	
008362	Plant Operation - Expen. Stores		500		500		0		125	125	0.00%	
008412	Plant Depreciation		217,141		217,141		144,760		156,073	11,313	7.81%	
144250	Less Allocated To Works & Services		(682,097)		(682,097)		(454,720)		(440,437)	14,283	(3.14%)	
			(65,959)		(65,959)		(22,680)		(60,835)	(38,155)		
	<u>OPERATING REVENUE</u>											
144330	Diesel Fuel Rebate	(25,000)		(25,000)		(16,664)		(19,393)		(2,729)	16.38%	
144331	Reimbursements - Insurance	0		0		0		0		0	0.00%	
		(25,000)		(25,000)		(16,664)		(19,393)		(2,729)		
	<u>TOTAL PLANT OPERATION COSTS - Operating</u>	(25,000)	(65,959)	(25,000)	(65,959)	(16,664)	(22,680)	(19,393)	(60,835)	(40,884)		
	<u>CAPITAL EXPENDITURE</u>											
			0		0		0		0	0	0.00%	
			0		0		0		0	0		
	<u>CAPITAL REVENUE</u>											
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
	<u>TOTAL PLANT OPERATION COSTS - Capital</u>	0		0		0	0	0	0	0		
	<u>TOTAL PLANT OPERATION COSTS</u>	(25,000)	(65,959)	(25,000)	(65,959)	(16,664)	(22,680)	(19,393)	(60,835)	(40,884)		
	<u>MATERIALS IN STORE</u>											
	<u>OPERATING EXPENDITURE</u>											

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
28 February 2013

COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
	<u>OPERATING REVENUE</u>											
145330	Sale Of Stock Direct	0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	TOTAL MATERIALS IN STORE - Operating	0	0	0	0	0	0	0	0	0		
	<u>CAPITAL EXPENDITURE</u>											
		0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	<u>CAPITAL REVENUE</u>											
		0	0	0	0	0	0	0	0	0	0.00%	
		0	0	0	0	0	0	0	0	0		
	TOTAL MATERIALS IN STORE - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL MATERIALS IN STORE	0	0	0	0	0	0	0	0	0		
	<u>SALARIES & WAGES</u>											
	<u>OPERATING EXPENDITURE</u>											
146201	Salaries & Wages Drawn		3,100,000		3,100,000		2,066,664		2,190,783	124,119	6.01%	
146202	Salaries & Wages Allocated		(3,100,000)		(3,100,000)		(2,066,672)		(2,191,157)	(124,485)	6.02%	
			0		0		(8)		(374)	(366)		

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
28 February 2013

COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
<u>OPERATING REVENUE</u>												
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
		0		0		0		0				
	TOTAL SALARIES & WAGES - Operating	0	0	0	0	0	(8)	0	(374)	(366)		
<u>CAPITAL EXPENDITURE</u>												
101250	Household Hazardous Waste		0		0		0		0	0	0.00%	
			0		0		0		0	0		
<u>CAPITAL REVENUE</u>												
101350	Transfer from Refuse Reserve	0		0		0		0		0	0.00%	
		0		0		0		0		0		
		0		0		0		0		0		
	TOTAL SALARIES & WAGES - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL SALARIES & WAGES	0	0	0	0	0	(8)	0	(374)	(366)		
<u>OTHER PROPERTY & SERVICES</u>												
<u>UNCLASSIFIED ITEMS</u>												
<u>OPERATING EXPENDITURE</u>												
147204	6 Duke Street		1,158		1,158		752		407	(345)	(45.83%)	
147205	Bank Building Operations		10,574		10,574		7,016		4,139	(2,877)	(41.01%)	
147206	Syreds Cottage		10,288		10,288		6,848		2,114	(4,734)	(69.13%)	
147207	Lot 1 A&B Stirling Tce		552		552		0		0	0	0.00%	
161203	Loan 63 - Interest Payments		7,764		7,764		5,176		4,430	(746)	(14.41%)	
08682	Deprec of Assets - Unclassified		4,436		4,436		2,960		2,826	(134)	(4.52%)	

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
28 February 2013

COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
	<u>OPERATING REVENUE</u>											
			34,772		34,772		22,752		13,917	(8,835)		
147331	Bank Bldg - Recoup Outgoings	(1,500)		(1,500)		(1,500)		(1,287)		213	(14.22%)	
147332	Bank Bldg - Rent Bank	(22,000)		(22,000)		(14,664)		(15,904)		(1,240)	8.46%	
147333	Recoups - Lot 1 A&B Stirling Tce	(1,500)		(1,500)		(1,500)		(1,252)		248	(16.52%)	
147335	Rental - Lot 1 A&B Stirling Tce	(30,504)		(30,504)		(20,336)		(24,568)		(4,232)	20.81%	
		(55,504)		(55,504)		(38,000)		(43,012)		(5,012)		
	TOTAL UNCLASSIFIED ITEMS - Operating	(55,504)	34,772	(55,504)	34,772	(38,000)	22,752	(43,012)	13,917	(13,847)		
	<u>CAPITAL EXPENDITURE</u>											
161254	Loan 63 - Principal Payment		10,820		10,820		10,820		10,820	(0)	(0.00%)	
			10,820		10,820		10,820		10,820	(0)		
	<u>CAPITAL REVENUE</u>											
		0		0		0		0		0		
		0		0		0		0		0		
	TOTAL UNCLASSIFIED ITEMS - Capital	0	10,820	0	10,820	0	10,820	0	10,820	(0)		
	TOTAL UNCLASSIFIED ITEMS	(55,504)	45,592	(55,504)	45,592	(38,000)	33,572	(43,012)	24,736	(13,847)		
	<u>OTHER PROPERTY & SERVICES</u>											
	<u>RANGER SERVICES</u>											
	<u>OPERATING EXPENDITURE</u>											
148201	Salaries		137,451		137,451		91,632		104,255	12,623	13.78%	▲
148202	Superannuation		12,371		12,371		8,248		7,784	(464)	(5.62%)	

**Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
28 February 2013**

COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
148203	Long Service Leave		0		0		0		0	0	0.00%	
148204	Insurance		6,916		6,916		6,916		6,749	(167)	(2.41%)	
148205	Training		5,500		5,500		3,664		3,676	12	0.32%	
148206	Vehicle Expenses		20,500		20,500		13,656		3,732	(9,924)	(72.67%)	▼
148207	Plant Depreciation		10,902		10,902		7,264		12,550	5,286	72.77%	▲
148211	Admin Allocated		92,777		92,777		61,848		64,064	2,216	3.58%	
148213	Telephone		4,000		4,000		2,664		3,106	442	16.58%	
148214	Misc Expenses		6,000		6,000		6,000		4,737	(1,263)	(21.04%)	
148215	Uniforms		1,200		1,200		800		818	18	2.25%	
148216	CEMO Expenses		0		0		0		412	412	0.00%	
148218	CCTV Maintenance		2,500		2,500		1,656		428	(1,228)	(74.14%)	
148212	Less Allocated to Schedules		(305,026)		(305,026)		(203,360)		(211,849)	(8,489)	4.17%	
			(4,909)		(4,909)		988		462	(526)		
	OPERATING REVENUE											
148330	Recoups from other LGA's	(1,500)		(1,500)		(1,000)		(276)		724	(72.41%)	
148331	CESM Recoups	0		0		0		0		0	0.00%	
148332	Ranger Services - Misc Income	(2,000)		(2,000)		0		(186)		(186)	0.00%	
		(3,500)		(3,500)		(1,000)		(462)		538		
	TOTAL RANGER SERVICES - Operating	(3,500)		(3,500)		(1,000)	988	(462)	462	12		
	CAPITAL EXPENDITURE											
148217	Installation Of CCTV Cameras		0		0		0		0	0	0.00%	
			0		0		0		0	0		
	CAPITAL REVENUE											
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
	TOTAL RANGER SERVICES - Capital	0		0		0	0	0	0	0		

**Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
28 February 2013**

COA	Description	2012-2013 Original		2012-2013 Amended		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
	TOTAL RANGER SERVICES	(3,500)	(4,909)	(3,500)	(4,909)	(1,000)	988	(462)	462	12		
	TOTAL OTHER PROPERTY & SERVICES	(142,004)	188,484	(142,004)	188,484	(108,664)	162,179	(107,469)	260,657	99,673		

**Shire Of Toodyay - Statement Of Financial Activity - 2012-2013
for the 12 month period 1 July 2012 to 30 June 2013**

Report Of Significant Variances Greater Than 10% and/or \$5,000

Operating & Capital Income

Rates

- 031303 Non Payment Penalty - increase due to larger number of late payments
- 031305 Instalment Charges - increase due to larger number of ratepayers opting for instalments
- 031331 Legal Expenses Recovered - charges added against the properties for legal expenses incurred

General Finance

- 032330 General Purpose Grant - higher allocation than originally advised - offset by reduction in road improvement grant
- 032331 Road Improvement Grant - lesser allocation than originally advised - offset by increase in general purpose grant
- 032334 Interest On Investment (Municipal) - timing variance - longer term NCD at better interest rate
- 032335 Interest On Reserve Accounts - timing variance - longer term NCD at better interest rate

Administration

- 042334 Administration -

Fire Prevention

- 051338 FESA Recoup For Firefighting - timing variance
- 051343 Grant - Morangup BFB Exentions - timing variance

Emergency Management

- 054335 CESM Recoup - included in budget review

Other Health

- 07330 Rental - Alma Beard Medical Centre - included in budget review

Staff Housing

- 091332 Rental - Other Staff Housing - included in budget review - due to change in staff housing allowance

Town Planning

- 106334 Town Planning Misc Fees - included in budget review

Public Halls

- 111332 Community Centre Rentals - timing variance - under investigation

Heritage

- 116333 Grant Income - Old Gaol - timing variance

Culture

- 117332 Grant Income - timing variance
- 117335 Events - Miscellaneous Income - timing variance

Transport

- 121334 RRG Grant Income - timing variance
- 121337 Roads To Recovery - timing variance
- 121339 Road Construction (Private) Contribution - timing variance
- 123333 Road Maintenance Contributions - timing variance
- 126331 Police Licensing Commission - timing variance

Tourism & Area Promotion

- 132335 Accommodation Income - timing variance
- 132337 Ye Old Lolly Shoppe Stock Sales - timing variance

Building Services

- 133333 Building Licences - currently under budget - timing variance

**Shire Of Toodyay - Statement Of Financial Activity - 2012-2013
for the 12 month period 1 July 2012 to 30 June 2013**

Report Of Significant Variances Greater Than 10% and/or \$5,000

Other Economic Services

- 137330 Standpipes - still relying on honour system - possible timing variance
- 137331 Extractive Industry Licences - higher than budgeted for

Public Works Overheads

- 143331 PWO Misc Income - higher than budgeted for - included in budget review

Operating & Capital Expenditure

Rates

- 031218 Legal Expenses - these charges will be added against the relevant properties - included in budget review

General Finance

- 032204 Transfer Interest To Reserves - timing variance - longer term NCD at higher interest rate

Governance

- 041202 Member Attendance & Allowance - short two Councillors - included in budget review
- 041206 Wheatbelt Development Commission - Verso Consulting & Aged Care Plan Contribution
- 041214 Advertising - included in budget review
- 041221 Strategic Development Plan - included in budget review
- 041226 175th Birthday Celebrations - included in budget review
- 041228 Integrated Strategic Plan - timing variance

Administration

- 042202 Salaries - LSL - included in budget review - unbudgeted payment to another Council - need to check offsets
- 042204 Superannuation - Admin - higher due to large payments made - included in budget review
- 042205 Staff Insurances - all insurance costs higher than budgeted/anticipated - included in budget review
- 042208 Advertising Positions - included in budget review
- 042210 Office Maintenance & Surrounds - included in budget review
- 042212 Telephone & Internet - included in budget review
- 042213 Office Equipment Maintenance - included in budget review
- 042216 Computer Upgrade - included in budget review
- 042400 Computer Upgrade - included in budget review

Fire Prevention

- 051211 Fire Standpipe Expenses - included in budget review
- 051213 Firebreak Services - Maintenance - timing variance
- 051215 Firefighting - Shire Resources - timing variance
- 051224 Brigade Clothing & Accessories - ESL Funded
- 051225 Brigade Utilities, Rates & Taxes - ESL Funded

Emergency Management

- 054204 Communi

Public Health

- 074201 Health Salaries - currently running under budget - included in budget review
- 074209 Legal Expenses - not required - included in budget review

Other Health

- 077201 Alma Beard Centre - fitout/medical expenditure reimbursement - timing variance

Staff Housing

- 091201 Lot 14 Clinton Street - additional air con expenditure - may require reallocation
- 091250 Staff Housing Capital Expenditure - included in interim budget review - timing variance

Household Refuse

**Shire Of Toodyay - Statement Of Financial Activity - 2012-2013
for the 12 month period 1 July 2012 to 30 June 2013**

Report Of Significant Variances Greater Than 10% and/or \$5,000

- 101201 Waste Transfer Station - included in budget review
- 101202 Disposal Of Refuse - included in budget review
- 101205 Waste Initiatives - included in budget review

Other Refuse

- 102206 Street Bins Collection - change in provider - included in budget review
- 102207 Litter Control - Other - included in budget review

Town Planning

- 106201 Town Planning Salaries - inc Consultant/Contract Planning Officer & casual Env Officer - included in budget review
- 106205 Other Employee Costs - timing variance - included in budget review
- 106209 Town Planning Miscellaneous Expenses - timing variance
- 106210 Town Planning Legal Costs - timing variance

Other Community Services

- 107201 Cemetery Maintenance - timing variance - included in budget review
- 107204 Toodyay Railway Station - timing variance - included in budget review

Public Halls

- 111352 Purchase Of Land - timing variance
- 111353 Memorial Hall - Capital Works - included in budget review

Recreation & Sport

- 113201 Toodyay Showgrounds - included in budget review
- 113203 Newcastle Park - timing variance - included in budget review
- 113206 Parks & Gardens Depot - timing variance - included in budget review
- 113212 Pelham Reserve - included in budget review
- 113256 Duidgee Park Upgrade - included in budget review
- 113260 Upgrade Toodyay Showgrounds - included in budget review
- 113264 Upgrade Toodyay Showgrounds design - project delayed/cancelled - included in budget review
- 113265 Multi Purpose Rec Centre - project delayed/cancelled - included in budget review
- 113273 Recreation Strategic Plan - timing variance
- 113276 Bicycle Plan - timing variance

Library

- 115201 Library Salaries - included in budget review

Heritage

- 116201 Museum (Gao) Maintenance - timing variance
- 116219 Cultural Heritage Interpretive Works - timing variance
- 117252 Upgrade To Heritage Buildings - timing variance

Culture

- 117204 Donegan's Cottage - timing variance
- 117207 International Food Festival - included in budget review

Transport

- 121211 RRG Project Grant Works - timing variance
- 121212 Roads To Recovery Works - timing variance
- 121213 Own Works Construction - included in budget review
- 121215 Bridge & Culvert Works - included in budget review
- 122202 Plant & Equipment - timing variance
- 122203 Transfer To Plant Reserve- timing variance
- 122205 Transfer To Road Maintenance Reserve- timing variance
- 123201 Road Maintenance - included in budget review
- 123202 Bridge Maintenance - timing variance

**Shire Of Toodyay - Statement Of Financial Activity - 2012-2013
for the 12 month period 1 July 2012 to 30 June 2013**

Report Of Significant Variances Greater Than 10% and/or \$5,000

123205 Footpath Maintenance - timing variance

Rural Services

131201 Weed Control - timing variance

Tourism & Area Promotion

132214 Visitor Centre Building Operations - included in budget review

132230 Area Promotion Advertising - Avon Tourism, Pioneer Pathway & Experience Perth - included in budget review

Building Services

133201 Building Salaries - included in budget review

133203 Building Superannuation - included in budget review

133205 Other Staff Expenses - FBT & Insurance now being correctly allocated - timing variance

Other Economic Services

137202 Standpipes - expenditure under budget

Public Works Overheads

143201 Salaries - included in budget review

143208 Engineering Expenses - included in budget review

143210 Wages Staff - Training - timing variance

143213 Wages Staff - Public Holidays - timing variance

143219 Insurance On Works - included in budget review

008580 Wages - Backpay - Adjustments - no budget allocation - included in budget review - includes parental leave

Plant Operation Costs

144202 Unleaded Fuel - included in budget review

144203 Distillate - included in budget review

144205 Tyres & Tubes - included in budget review

Ranger Services

148201 Salaries - relief ranger, final ranger payment, firebreak inspections - included in budget review

148206 Ranger - Vehicle Expenses - included in budget review

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**SHIRE OF TOODYAY
TRUST ACCOUNT RECONCILIATION
AS AT 31 JANUARY 2013**

GENERAL LEDGER

Opening Balance - 1 January 2013	1,459,994.94
Plus Receipts - January 2013	5,156.31
Less Payments - January 2013	3,532.86
Closing Balance - 31 January 2013	1,461,618.39

BANK RECONCILIATION

Balance Bank Statement - 110482783 - 31 January 2013	995,804.30
Balance Term Deposit - 140619784 - 31 January 2013	175,077.42
Balance Term Deposit - 140619834 - 31 January 2013	112,229.12
Balance Term Deposit - 137945127 - 31 January 2013	113,464.41
Balance Term Deposit OPA10307 - 31 January 2013	87,530.20
Outstanding Deposits	500.00
Less Funds received at Bank not processed to GL	9,914.31
Less Unpresented Cheques	3,657.68
Plus Transfer from Municipal Account	2,921.52
Less Transfer to Municipal Account	12,336.59
Reconciled Bank Balance as at 31 January 2013	1,461,618.39

The term deposit listed above with a value of \$113,464.41 is invested in a 4 Month Term Deposit with Bendigo Bank Toodyay bearing an interest rate of 4.70% maturing on 27 March 2013

The term deposit listed above with a value of \$112,229.12 is invested in a 6 Month Term Deposit with Bendigo Bank Toodyay bearing an interest rate of 4.90% maturing on 19 February 2013

The term deposit listed above with a value of \$87,530.20 is invested in a 6 Month Term Deposit with Bendigo Bank Toodyay bearing an interest rate of 4.90% maturing on 27 February 2013

The term deposit listed above with a value of \$175,077.42 is invested in a 6 Month Term Deposit with Bendigo Bank Toodyay bearing an interest rate of 4.90% maturing on 19 February 2013

**SHIRE OF TOODYAY
RESERVE ACCOUNT RECONCILIATION
AS AT 31 JANUARY 2013**

GENERAL LEDGER

Opening Balance - 1 January 2013	2,511,816.76
Plus Receipts - January 2013	
Less Payments - January 2013	
Closing Balance - 31 January 2013	2,511,816.76

BANK RECONCILIATION

Balance Bank Statement - 31 January 2013	749,203.80
Balance of OCDF - 31 January 2013	1,763,540.18
Outstanding Deposits	(927.22)
Reconciled Bank Balance as at 31 January 2013	2,511,816.76

NOTE:

\$1,763,540.18 is invested in Negotiated Certificate of Deposit (NCD) with the Bendigo Bank bearing an interest rate of 4.50% maturing on 8 May 2013

**SHIRE OF TOODYAY
MUNICIPAL BANK ACCOUNT RECONCILIATION
AS AT 31 JANUARY 2013**

GENERAL LEDGER

Opening Balance - 1 January 2013	3,043,626.01
Plus Receipts - January 2013	604,816.27
Less Payments - January 2013	1,164,266.27
Closing Balance - 31 January 2013	2,484,176.01

BANK RECONCILIATION

Balance Bank Account - 110482809 - 31 January 2013	598,256.62
Balance of Bushfire Account - 31 January 2013	14,631.40
Balance NCD - 776831 - 31 January 2013	572,119.39
Balance NCD - 780893 - 31 January 2013	506,575.34
Balance NCD - 828557 - 31 January 2013	815,000.00
Plus Outstanding Deposits	16,049.20
Muni	9,354.45
Trans	2,928.10
EFT Muni	1,164.10
EFT Trans	2,602.55
	<u>16,049.20</u>
Less Funds received at Bank not processed to GL	(7,329.16)
Direct Payments	(7,329.16)
Less Unpresented Cheques	38,223.37
Less Transfer to Trust Account	2,921.52
Plus Transfer from Trust Account	12,336.59
Receipting Discrepancy to be Investigated	2,318.48
Reconciled Bank Balance as at 31 January 2013	2,484,176.01

\$506,575.34 is invested in Negotiated Certificate of Deposit (NCD) with the Bendigo Bank bearing an interest rate of 4.40% maturing on 4 April 2013

\$572,119.39 is invested in Negotiated Certificate of Deposit (NCD) with the Bendigo Bank bearing an interest rate of 4.90% maturing on 18 March 2013

\$815,000.00 is invested in Negotiated Certificate of Deposit (NCD) with the Bendigo Bank bearing an interest rate of 4.60% maturing on 18 March 2013

**SHIRE OF TOODYAY
BUSH FIRE RELIEF ACCOUNT
AS AT 31 JANUARY 2013**

GENERAL LEDGER

Opening Balance - 1 January 2013	14,641.27
Plus Receipts - January 2013	0.13
Less Payments - January 2013	10.00
Closing Balance - 31 January 2013	14,631.40

BANK RECONCILIATION

Balance Bank Statement - 139003362 - 31 January 2013	14,631.40
Reconciled Bank Balance as at 31 January 2013	14,631.40

**SHIRE OF TOODYAY
TRUST ACCOUNT RECONCILIATION
AS AT 28 FEBRUARY 2013**

GENERAL LEDGER

Opening Balance - 1 February 2013	1,461,618.39
Plus Receipts - February 2013	7,508.78
Less Payments - February 2013	10,902.04
Closing Balance - 28 February 2013	1,458,225.13

BANK RECONCILIATION

Balance Bank Statement - 110482783 - 28 February 2013	993,236.43
Balance Term Deposit - 140619784 -28 February 2013	179,393.40
Balance Term Deposit - 140619834 - 28 February 2013	114,995.78
Balance Term Deposit - 137945127 - 28 February 2013	113,464.41
Balance Term Deposit OPA10307 - 28 February 2013	89,688.24
Outstanding Deposits	360.50
Less Funds received at Bank not processed to GL	19,154.99
Less Unpresented Cheques	8,039.57
Plus Transfer from Municipal	6,617.52
Less Transfer to Municipal Account	12,336.59
Reconciled Bank Balance as at 28 February 2013	1,458,225.13

The term deposit listed above with a value of \$113,464.41 is invested in a 4 Month Term Deposit with Bendigo Bank Toodyay bearing an interest rate of 4.70% maturing on 27 March 2013

The term deposit listed above with a value of \$114,995.78 is invested in a 6 Month Term Deposit with Bendigo Bank Toodyay bearing an interest rate of 4.25% maturing on 19 August 2013

The term deposit listed above with a value of \$89,688.24 is invested in a 6 Month Term Deposit with Bendigo Bank Toodyay bearing an interest rate of 4.25% maturing on 27 August 2013

The term deposit listed above with a value of \$179,393.40 is invested in a 6 Month Term Deposit with Bendigo Bank Toodyay bearing an interest rate of 4.25% maturing on 19 August 2013

**SHIRE OF TOODYAY
RESERVE ACCOUNT RECONCILIATION
AS AT 28 FEBRUARY 2013**

GENERAL LEDGER

Opening Balance - 1 February 2013	2,511,816.76
Plus Receipts - February 2013	851.66
Less Payments - February 2013	
Closing Balance -28 February 2013	2,512,668.42

BANK RECONCILIATION

Balance Bank Statement - 28 February 2013	750,055.46
Balance of OCDF - 28 February 2013	1,763,540.18
Outstanding Deposits	(927.22)
Reconciled Bank Balance as at 28 February 2013	2,512,668.42

NOTE:

\$1,763,540.18 is invested in Negotiated Certificate of Deposit (NCD) with the Bendigo Bank bearing an interest rate of 4.50% maturing on 8 May 2013

**SHIRE OF TOODYAY
MUNICIPAL BANK ACCOUNT RECONCILIATION
AS AT 28 FEBRUARY 2013**

GENERAL LEDGER

Opening Balance - 1 February 2013	2,484,176.21
Plus Receipts - February 2013	532,226.75
Less Payments - February 2013	1,052,282.24
Closing Balance - 28 February 2013	1,964,120.72

BANK RECONCILIATION

Balance Bank Account - 110482809 - 28 February 2013	67,003.10
Balance of Bushfire Account - 28 February 2013	14,621.52
Balance NCD - 776831 - 28 February 2013	572,119.39
Balance NCD - 780893 - 28 February 2013	506,575.34
Balance NCD - 828557 - 28 February 2013	815,000.00
Plus Outstanding Deposits	15,554.79
Muni	6641.73
Trans	3820.75
EFT Muni	3162.16
EFT Trans	1930.15
Bpoint	1,091.33
	15,554.79
Less Funds received at Bank not processed to GL	(13,434.78)
Direct Payments	(13,434.78)
Less Unpresented Cheques	18,269.23
Less Transfer to Trust	6,617.52
Plus Transfer from Trust Account	12,336.59
Receipting Discrepancy to be Investigated	768.48
Reconciled Bank Balance as at 28 February 2013	1,964,120.72

\$506,575.34 is invested in Negotiated Certificate of Deposit (NCD) with the Bendigo Bank bearing an interest rate of 4.40% maturing on 4 April 2013

\$572,119.39 is invested in Negotiated Certificate of Deposit (NCD) with the Bendigo Bank bearing an interest rate of 4.90% maturing on 18 March 2013

\$815,000.00 is invested in Negotiated Certificate of Deposit (NCD) with the Bendigo Bank bearing an interest rate of 4.60% maturing on 18 March 2013

**SHIRE OF TOODYAY
BUSH FIRE RELIEF ACCOUNT
AS AT 28 FEBRUARY 2013**

GENERAL LEDGER

Opening Balance - 1 February 2013	14,631.40
Plus Receipts - February 2013	0.12
Less Payments - February 2013	10.00
Closing Balance - 28 February 2013	14,621.52

BANK RECONCILIATION

Balance Bank Statement - 139003362 - 28 February 2013	14,621.52
Reconciled Bank Balance as at 28 February 2013	14,621.52

MINUTES OF ORDINARY MEETING OF COUNCIL
 HELD IN COUNCIL CHAMBERS ON 16 APRIL 2013
 (ADJOURNED ON 17 APRIL 2013 AND RESUMED ON 18 APRIL 2013).

DUPLICATE

FORM LAA-1023

SECTION 46

WESTERN AUSTRALIA
 LAND ADMINISTRATION ACT 1997 as amended
 TRANSFER OF LAND ACT 1893 as amended

MANAGEMENT ORDER (XE)

RESERVE DESCRIPTION (NOTE 1)	EXTENT	VOLUME	FOLIO
27015	Whole	3021 3023 0000	225 79 000
27015	Whole	3023 0000	101 000
27015	Whole	3023 0000	102 000
		3023	104
		3023	105

MANAGEMENT BODY (NOTE 2)

Shire of Toodyay of Post Office Box 96 Toodyay

CONDITIONS (NOTE 3)

1. To be utilised solely for the designated purpose of Recreation Caravan Park and Camping.
 2. Power to lease for the designated purpose (or sub-lease or licence) is granted for the whole or any portion thereof for any term not exceeding twenty-one years from the date of the lease subject to the approval in writing of the Minister for Lands being first obtained to each and every lease or assignment of lease.

THE MINISTER FOR LANDS (IN THE NAME OF AND ON BEHALF OF THE STATE OF WESTERN AUSTRALIA) ORDERS THAT THE CARE, CONTROL AND MANAGEMENT OF THE ABOVE RESERVE BE PLACED WITH THE MANAGEMENT BODY DESCRIBED ABOVE FOR THE PURPOSE FOR WHICH THE LAND COMPRISING THE RESERVE IS RESERVED UNDER SECTION 41 OF THE LAND ADMINISTRATION ACT 1997, AND FOR PURPOSES ANCILLARY OR BENEFICIAL TO THAT PURPOSE TO THE CONDITIONS ABOVE

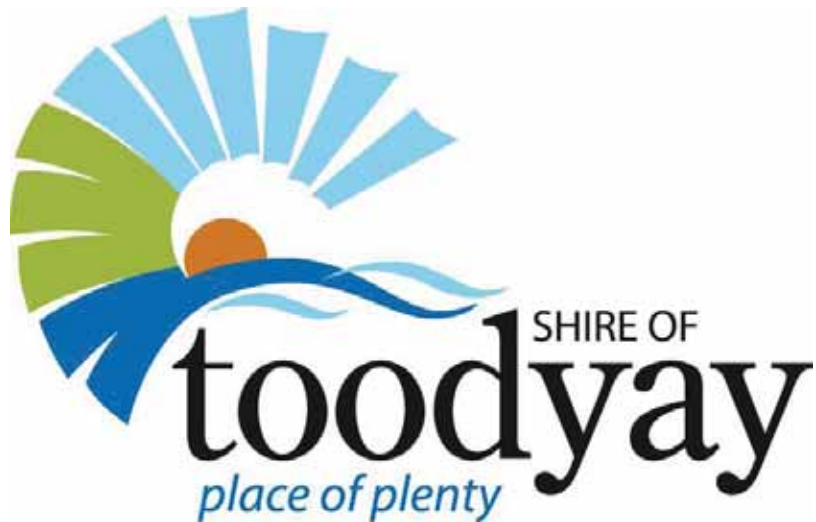
Dated this 6th day of November in the year 2012

ATTESTATION (NOTE 4)

[Signature]
 SENIOR STATE LAND OFFICER

WHEATBELT REGION
 STATE LAND SERVICES

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**Annual General Meeting of
Electors**

Minutes

21 March 2013

Preface

When the Chief Executive Officer approves these Minutes for distribution they are in essence "Unconfirmed" until the following Annual General Meeting of Electors, where the Minutes will be confirmed subject to any amendments.

The "Confirmed" Minutes are then signed off by the Presiding Person.

Attachments that formed part of the Agenda, in addition to those tabled at the Meeting are put together as an addendum to these Minutes.

Unconfirmed Minutes

These minutes were approved for distribution on 4 April 2013.



Stan Scott
CHIEF EXECUTIVE OFFICER

4 April 2013.

Confirmed Minutes

These minutes were confirmed at a meeting held on

.....

Signed:

Presiding person at the meeting at which the minutes were confirmed.

Date:

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ADDENDUM *with separate index follows Item 6.*

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Shire of Toodyay

ANNUAL GENERAL MEETING OF ELECTORS – 21 MARCH 2013

MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 7.02 pm.

2. RECORDS OF ATTENDANCE

Members

Cr K Hogg	Shire President
Cr P Greenway	
Cr B Lloyd	
Cr R Madacsi	
Cr A McCann	

Staff

Mr S Scott	Chief Executive Officer
Ms A Bell	Manager Community Development
Ms C Delmage	Manager Corporate Services
Mr G Bissett	Manager Planning and Development
Mr L Vidovich	Manager Works and Services
Mrs M Rebane	Executive Assistant

Electors / Residents

S Patten	B Jones
B Moran	F Moran
D Andrich	J Dival
G Warburton	V Warburton
C Chitty	D McCann

2.1 APOLOGIES

Cr J Prater	Deputy Shire President
Cr S Craddock	
Cr D Dow	

3. CONFIRMATION OF MINUTES

3.1 Annual General Meeting of Electors held on 16 January 2012.

MOVED Cr Lloyd

That the Unconfirmed Minutes of the Annual General Meeting of Electors held on 16 January 2012 be confirmed.

MOTION CARRIED

3.2 Business arising from the Minutes of the Annual General Meeting of Electors held on 16 January 2012.

Nil.

4. ANNUAL REPORT 2011/2012

The Annual Report for the 2011/2012 financial year, accepted by Council Resolution No. 26/02/13 on 19 February 2013 is presented.

MOVED J Dival

That the Shire of Toodyay Annual Report for the 2011/2012 financial year accepted by Council Resolution No 26/02/13 on 19 February 2013, containing:

- (a) the Annual Financial Report for the 2011/2012 financial year; and
- (b) the Independent Auditor's Report to the Electors of the Shire of Toodyay;

as presented, be received.

MOTION CARRIED

5. GENERAL BUSINESS

5.1 Questions taken on Notice at the Annual General Meeting of Electors held on 16 January 2012.

There were no questions taken on notice at the Annual General Meeting of Electors held on 16 January 2012.

5.2 Questions for which prior notice has been provided

Nil.

5.3 Other General Business

F Moran

Question One

Now that the new Depot has commenced operating, what are the plans regarding the old Depot?

The Shire President responded as follows:

The matter is under review. There may well be a number of operations within the Shire that are not covered by the new Depot. Although they have not been covered in the past they may well be put in there. We have received Expressions of Interest from a number of organisations but until we decant present operations out of the old Depot out to the new site we cannot give a definitive answer.

Council has sought expressions of interest from the community as to what can go on there and we will decide from there. One of the important things about the depot is that it forms part of a larger landholding the Shire has along with Connors Mill and Connor's Cottage that could well be of good use for the community in the future.

Council is aware of the very limited land resources within the CBD and limited scope to expand the CBD and will consider carefully what we do before we put anything there of a permanent nature.

G Warburton

Question Two

Were we successful in obtaining grant funding for the new information bay?

The Chief Executive Officer responded to the question as follows:

The grant application was unsuccessful however we will plan for that in the 2013/2014 budget.

There was a small amount of money for the Information Bay in the budget however it was for directional signage on the corner of the Toodyay and Northam Roads. This was the regional one.

The town's information bay to give tourists detailed information about the town is not covered by this funding.

F Moran

Question Three

What is happening with Connor's Cottage?

The Shire President responded as follows:

Connor's Cottage is being used for Staff Housing. We have a requirement of our staff that reside out of the town to have if you like overnight accommodation available to them when they attend late night meetings. It is contrary to Work-Safe practices to have staff drive home after late meetings. Connor's Cottage is the only staff housing vacant from full time/permanent occupation which is why we use it.

As part of our Asset Preservation planning, a number of works have been undertaken there including replacement of the brick-paving and repair of the brick retaining wall. The wall was made of hand-fired bricks many of which were soft and had fretted away. Other works have gone on inside the building to create a better standard of asset preservation on an ongoing basis. We also replaced the roof for the same reason because almost any asset deteriorates with time and if you don't keep up with it, the asset will eventually disintegrate. If you do not replace rooves when they reach the end of a useful life it compromises the rest of the building.

J Dival

Question Four

In relation to the Main Roads WA bridge reserve fund, which has an amount of \$20,000 in it, what is its purpose?

The Manager Corporate Services advised that the \$20,000 relates to funds from a previous grant. The grant has not been acquitted due to the fact that it is still to be determined where the funds originated from.

J Dival

Question Five

When you regularly drive over West Toodyay Bridge there is a ridge on the bridge. I would like it noted that I am letting the Shire know that the ridge is dangerous and would not meet Australian Road Specifications for horizontal deviation. I have spotted pig trailers bouncing on the ridge. One coat of hot mix would probably fix it. \$20,000 would be a guesstimate of what it would cost.

The Shire President advised that Main Roads have a regular inspection regime for all bridges.

J Dival advised that he spoke with Main Roads when they did their last inspection. Main Roads advised that they only look at the structural side and that they disclaim responsibility for the surface.

The Manager Works and Services confirmed this. Recently there has been a ten year plan dropped off from Main Roads. The Manager Works and Services will contact J Dival to discuss the matter further.

J Dival advised he has noticed (when he drives over the bridge with a loader) that the hand rails are straight but the bridge is out.

The Manager Works and Services advised he would investigate this matter further.

J Dival

Question Six

RE: Omnibus Amendment

The fifth year has just expired (i.e. when planning schemes ought to be reviewed according to the Act.)

Can the review of the planning scheme be treated as a consolidation with the Omnibus Amendment?

The Chief Executive Officer advised that he had answered this question before. Aside from the fact that the local planning strategy would inform

the scheme the ten year strategic plan should inform the new local planning strategy which will then inform the scheme.

J Dival

Question Seven

Are you looking at a formal review and if so will that be a consolidation?

The Chief Executive Officer advised that the plan is to do a scheme review in 2013/2014. Community Consultation will occur at that stage. It is not unusual, even though timelines are set in the Act; you do not have to look very far for people who are out of whack with those timelines. If we get it done only one (1) year late we will be three (3) years earlier than most people.

J Dival

Question Eight

Why are provisions in the Avon Arc interpreted in a way that is ridiculous?

The Shire President sought clarification in relation to whether Mr Dival was talking about the subregional strategy or the Avon River.

The Shire President advised that the Avon River Valley is a special control area.

The Chief Executive Officer replied that as far as the Omnibus Scheme Amendment is concerned it has not been put into the scheme yet. We are waiting for the Planning Commissioner and Ministerial approval.

J Dival advised that from his point of view that process was quite a good one. A few things canvassed as part of that arrangement that did not have community support, were removed. He remarked that he was impressed by the attitude of Council in relation to that.

C Chitty

Question Nine

Why do we not have a swimming pool in this lovely town?

The Shire President responded as follows:

The swimming pool is a hot topic of conversation in this town and there have been various attempts to get a swimming pool since I was a young lad. Certainly I recall a considerable push for a swimming pool in the early 1960's and in 1962 a contractor would have done the earthworks in a heartbeat. I cannot tell you why it has not happened.

The only way to get it is to build it. You are probably aware we encountered an issue with the hockey ground being on an aboriginal burial reserve. The reserve has been under heritage preservation since 1916. We can talk about how it is we managed to build a hockey field on the reserve but the fact is permission to use the reserve has been withdrawn so we will have to vacate.

In fairness to the managers of the reserve, all peoples and cultures regard the final resting place of their ancestors as sacred, as I have stated before in the press release I made in December 2012. There is a record of burials and results of burials on that site going back in the records as far as 1888.

Surveys of the land have identified over one hundred burial sites there. The sites are not identified in the way our culture does in cemeteries but they have been identified.

Our Chief Executive Officer met with the South West Aboriginal Land and Sea Council. The meeting was to discuss whether we had time to continue to plan there. The answer was contrary to the policy established some time ago regarding heritage reserves. We are endeavouring to find ways to overcome this issue in the short-term and find landholdings for the longer term.

The Newcastle town site never got a recreation reserve. Almost every other town we care to look at in the State Government got a recreation reserve when laying out their town site.

We do not know why Toodyay missed out on one, but we did. The showgrounds was freehold land belonging firstly to the cricket club who joined the football club to cut down on costs. When both clubs were unable to maintain the grounds they handed the land to the Road Board which then became the Shire of Toodyay. The lower part of the grounds was donated by Mr Clarkson who was the owner of a substantial subdivision in Newcastle.

The Youth Hall and Exhibition Hall where the bar was situated were donated by the Somers family. The Timber Mill and Coach Wagon Works were on that site prior to that.

The 2008 Recreation Strategy put together by CCS Strategic Management Consultants for the Shire of Toodyay delivered seven options. The shire has a piece of land on the other side of river between telegraph road and the school referred to as lot one. It is insufficient in size to accommodate the sporting facilities we need. It is also not served by a sealed road, sewerage or water supply. Considerable head-works would be involved to utilise that piece of land.

The upshot is that although it is not a council resolution to this effect we are looking to secure landholding which will be sufficient to accommodate all of the needs for the Shire of Toodyay in the future. I cannot see far into the future but in my time this town has grown from 1,200 to 5,000. With continued growth we need to have a look at fairly substantial landholdings for the future.

We need to do it in a staged way and give priority but at some stage we will go out to community consultation. On 3 April 2013 at 6.00pm there is an opportunity to address the Recreation Strategy. Come along. Tell us your needs, wants and desires to do with the Recreation Strategy report.

The Shire President advised that Council has some very heavy financial commitments that have been brought to the attention of local members before the election and post-election. We took the opportunity as recently as yesterday to keep it front and foremost in their minds that we have the need for a recreation ground we did not have in the first place. The Pool may be some distance off.

S Patten

Question Ten

Were there supposed to be various health facilities included on the site?

The Shire President advised that in relation to the Health and Recreation Facilities there was an opportunity for Regional Development Australia (Commonwealth Government Department) funding. This funding was contestable Australia-wide but we thought we may as well have a tilt at this pool of funding.

Our application was written in line with their funding guidelines which meant we were developing a project that was called the Health and Well-Being Centre that incorporated leisure water, a swimming pool, a gym for leasing to private enterprise, enclosed recreation hall; rooms for

Allied Health Professionals, Chiropractors, Podiatrist, Nutritionists, et cetera.

Keeping within RDA guidelines we would have had health, sport and recreation, participation with private industry and we could also get assistance in kind from the community of Toodyay.

We were unsuccessful in that round of funding. We got knocked out in the first round of assessment. Three or four applications made in Western Australia went on into the second round but we were knocked out because our project was not "shovel-ready". (Principal reason).

If we had have had the patch of land ready to go we might have gotten a Guernsey. That was the "Health and Well-being" part of the funding project.

C Chitty

Question Eleven

Is that likely to be the approach that we continue with?

The Shire President advised that to continue with the approach we had would cost an estimated \$13 million dollars. I cannot see that occurring. Council will aim to secure a big enough parcel of land to accommodate present and future needs whatever they may be but it will not be done using the same approach.

With the Shire President's permission the Chief Executive Officer responded as follows:

Even though the hockey field presents an unexpected problem one of the issues that has come up in part of the debate is where we put it. The recreation reserve will be where we put all facilities. As far as the nature of what they would look like one of the things to consider is the population we are trying to service. The population is ageing. Hydrotherapy pools are a consideration. Normal country pools are seasonal pools, open for summer season when weather is conducive. Therapy pools are indoors, heated, and a good deal smaller than country pools. What is unlikely to happen is having a \$13 million dollar centre.

The Shire President stated that one of the things to realise is that a heated swimming pool is not a therapy pool. A proper hydrotherapy pool has a completely different profile and set of equipment. There are some very interesting Hydrotherapy pools in the Wheatbelt. One in Bruce Rock was very small – not much bigger than a large spa in a small building. There is a much larger one in the recreation complex at Merredin but again there are difficulties. You cannot use a therapy pool for recreation purposes. They tried it in Merredin, teaching swimming however it was

not entirely successful. The temperature runs much higher in a therapy pool than in a swimming pool. There are different needs and demands.

C Chitty

Question Twelve

Can you teach kids to swim in therapy pool?

The Shire President advised that although the pool was big enough they had to have floatation devices on them because the therapy pool was too deep. They were using a therapy pool for a purpose it was not designed for because that was what they had to do. Merredin does have Olympic size pool also.

The Chief Executive Officer advised that the meeting on 3 April 2013 will assist in the extensive work required to meet needs and analyse gaps. Aside from the work Council requires a very good knowledge of the different requirements for pools for different purposes. It is very difficult to get multipurpose aquatic facilities. Recreation and competitive swimming require different temperatures. The challenge will be for Council to nail down exactly what we are trying to achieve with this facility.

C Chitty

Question Thirteen

Can we change the population figures on the entry sign?

The Shire President advised the 175th committee worked on the entry statement but he has also heard other sides of the argument where people don't want an entry statement. There is no utility apart from people looking at it as they drive past. We cannot please everyone at the same time.

The Chief Executive Officer advised that we have staff members working on the designs at the moment. Public consultation will occur once the designs are complete. The Boundary signs are rather dated looking signs and even signs that you see on Toodyay Road into Toodyay are dated. Those signs will be upgraded. This will be happening in the next few weeks.

G Warburton

Question Fourteen

There are 25 different access boundary signs and the population number occurs on those signs but most require updating.

The Shire President advised that some main entry roads signs do not have the population on them at all.

V Warburton

Question Fifteen

Why not have the population in one place at the Information Bay where it is easily changeable?

The Shire President advised that for some reason we virtually have three or four information bays because there was plan to have an information Bay:

1. *At Cemetery Hill;*
2. *On Main Roads land at the Northam/Toodyay Road intersection;*
3. *Opposite the Catholic Precinct; and*
4. *Anzac Terrace (at the Harper Road end).*

Again this is not going to please everyone. We are however working on information bays at present.

C Chitty

Question Sixteen

Toodyay did have a swimming pool of sorts, known as Millard's pool, which was the river up to the 1960's. This river has become degraded. With the appointment of an Environmental Health Officer, I would have liked to have seen a reference to an environmental report.

The Chief Executive Officer advised that next year the Environmental Officer will provide information in the Annual Report. There was no environmental information mentioned in this year's annual report because we did not have an environmental officer.

One of the things in the draft Strategic Community Plan which will be put out for public comment shortly will have specific environmentally strategic targets.

C Chitty

Question Seventeen

How much land is available that is free of native title anywhere?

The Shire President responded as follows:

A good deal of Toodyay is unallocated Crown Land including the Avon River. To get a sufficiently sized piece of land we need to acquire freehold land. The hockey ground site is not a native title site. It was a heritage site.

Native title was extinguished because it was previously freehold land.

We do not have the money or the land. If you can solve those two (2) major stumbling blocks we can deal with ongoing costs because this matter was put to referendum in 2007 where the result was something like 53 yes and 47 no.

The question to do with running costs was more complicated on the referendum. Council has to make decisions that are not necessarily popular at times, even with the community having a voice.

One of the issues is that Council-run facilities do not run at a profit. Almost everything the Shire does will not run at a profit. But those sorts of facilities are necessary for a well-rounded and well equipped community. Watch this space.

If we can get a private benefactor with lots of money we can overcome those hurdles.

G Warburton

Question Eighteen

As walking is a benefit to the community at large, I note the Shire was successful in obtaining \$57,000 for planning a walkway between the bridges. Has the work started?

The Chief Executive Officer advised he was not aware that any work had commenced.

The Shire President responded as follows:

Success in recent times for the benefit of people present is that there is a long term plan to have a walk-way along the back of businesses on Stirling Terrace to connect the bridges. Most of the walkways on the other side of the river are complete however the landholding on this side of the river is not continuous so we cannot build a walkway on this side of the river as yet. When developers wish to develop land this side of the river one of the requirements of the State Planning Commission is that any land below the 100 metre flood-line will be handballed back to the Local Government as reserve land.

Work has been done in relation to the cycle ways and walkways elsewhere other than just along the river. On that topic I take the opportunity to point out to people that when we refurbished the footbridge, originally the span of the footbridge was 1.7 metres wide. When the new super structure was built the span of the footbridge was 2.4 metres wide. This provided a dual use footbridge for cyclists and pedestrians.

J Dival

Question Nineteen

Did Council have a structure plan between the bank and the bridge that would give the landholders a way to divide the lots to go down there, encourage development and hasten applications that would get land below the flood plain?

The Shire President responded as follows:

If the walkway was built at the rear of those lots there are a number of access points the Shire has at present that is Shire owned land such as:

- 1. the Library and Lot 1;*
- 2. the land colloquially known as Mrs O'Reilley's Cottage;*
- 3. the Bendigo Bank Site; and*
- 4. the public right-of-way down through the St John Ambulance area.*

There are a number of connective parts along there. Once the river walkways are constructed and joined to other connections the project will progress further by acquiring land from current landholders, not below the 100 year flood-line, in order to complete the project.

V Warburton

Question Twenty

On the way to the school I see a terrible eye-sore – a fence with shade-cloth over it put in place on the left hand side. Is this the developer responsibility? Who do we go to if we want to get something like that tidied up or something done about that?

The Chief Executive Officer advised that the Shire would be a good start. If you put it to us in a letter we will investigate it and get back to you.

The Manager Planning and Development advised that the first stage of the development will be released soon. We can ask the Developer to replace the fence.

G Warburton

Question Twenty-One

The Shire has said they support small business. Local Business signs were removed from the Information Bay Signboard and not re-erected. Is there any chance they can be re-erected even on a temporary sign structure to show we have local business in this town? There is no indication as to what businesses we have and it may make people travel elsewhere.

The Shire President advised that the signage was on the Department of Main Roads' land and a number of businesses on the signs out there no longer exist so as part of the information bay series we are waiting and seeing what the design is and how it will happen.

The Chief Executive Officer proposed that the Visitor Centre could impose a fee that would link itself to signage so part of the fee will maintain the set of signs that the information bays have. Directional signs will assist businesses' potential model into the future. At present there is no system in place to ensure that the signs are kept up-to-date.

G Warburton

Question Twenty-Two

Would it be fair to give local businesses the opportunity to do that?
Could something temporary be put in place?

The Shire President advised that it is fine to have that view but when we are doing that we are not doing other things. There is a limit to what the Shire can do. There are only so many hands and so much money that we have available.

G Warburton

Mr Warburton offered his services as a volunteer.

The Shire President responded as follows:

There are avenues that can be followed to follow that through and businesses need to get on side. We have pursued a number of matters regarding various businesses; particularly the tourism industry and we don't get the support.

Membership of the Visitor Centre was mentioned. We had a heck of a lot of complaints as to the cost of the membership. When we removed the membership cost we had complaints that anyone could be a member without cost. As you would know in the past, where a member was not a paid member of the visitor centre, the visitor centre staff were instructed to not provide information regarding that business. When we removed the structure of paying a fee people could not see what they got with not paying a fee.

If businesses joined the Chamber of Commerce the businesses would strengthen the clout of the Chamber of Commerce which would become one voice united speaking for business. The Shire could then work in conjunction with the Chamber of Commerce on any major issues. What happens now is that if the Shire does something for one business another business asks us why we're not doing something for them.

Council needs to be the facilitator, assisting where we can but Council does not need to do it.

If there is appetite for business to be involved with the Information Bay then businesses should get involved with the Chamber of Commerce. The Chamber of Commerce can then talk with us, whether the topic is about business, children, aged care, or people interested in sport in general.

I will take the theme a little further – if there was one overarching body that would speak for the football clubs, the hockey club, soccer, grid-iron, clay-pigeon shooting, model aeroplanes, rocket society et cetera, wanting to come to Toodyay that one body could speak with a united voice.

We don't have one overarching sporting body that is the go-to point for all sporting bodies to come to the Shire with one voice. It would make the work of the Shire much easier. The outcome for the community would be much better. Currently when we do something for one sport the others come at us asking why will not help them.

There is some positive news. We have available some \$900,000 funding for aged care in Toodyay. We are in conversations with Silver Chain, Butterly Cottages and the Uniting Church to build Aged Persons Housing.

There is not a council resolution with regard to this yet. Talks are still in the early stages. What is fantastic is that Toodyay is the lead agency in relation to its part of the total project of \$2.7 million in partnership with the Shires of Goomalling and Victoria Plains. Luckily the Shire of Toodyay is able to ramp up our share due to the partnership with the other groups to get positive benefit for Toodyay.

There are many issues arising out of the past that we are trying to address. There is a limit to how quickly we can address them. The community need to bear with us in relation to that.

One thing I can tell you is that there has been positive reaction from the community on the standard of our roads in the Shire.

The Shire President advised that there is a 30 year program relating to the sealing of roads in Toodyay. It is not easy to find funds. At every application for funding the Shire of Toodyay is dealing with competing interests all the time. If we spend money on roads we cannot spend money on other things.

Folewood Road and River Road were high use roads and suffered considerably in wet weather so far as the safety aspect was concerned which is why these roads were done. The Shire is currently looking at what roads we do need to do as part of our budget deliberations.

We also sealed Lee road, which was again a high risk short road and had high maintenance requirements. Although we are turning things around in the Shire it is still taking time.

J Dival

Question Twenty-Three

What about the series of intersections along Julimar Road?

The Chief Executive Officer advised that the Shire had been successful in obtaining Federal Black-Spot Funding of \$360,000. This funding will be used to widen and white-line the entire length of Julimar Road.

The Shire President advised that the Manager of Works commenced work on 23 July 2012 and on 25 July 2012 he was already talking about the needs of Julimar Road and was doing the work to get that funding. It is fantastic to have had that success.

The Shire President advised that we are fortunate in that we have been successful in obtaining funding to build a regional Cat Pound here in Toodyay.

The Chief Executive Officer stated, with the Shire President's permission, the following:

I have been here a relatively short space of time. I am aware there have been relationship issues in the past between the Shire and the Community, and the Administration and the Community. There was also discontinuity with the Chief Executive Officer's which was out of the Shire's control. Since my arrival I have made a genuine effort to have an open-door policy with the community.

One of the things that has resulted is an outpouring of needs in terms of all sorts of things people are concerned with and issues bubbling away for some time. Internal issues with previous administrations and previous record-keeping practices have placed a fair bit of pressure upon us.

It would be appreciated if the community could have patience with the Shire as we will address those concerns, given the time to do so.

V Warburton

Question Twenty-Four

In relation to the land-fill site. Where is this issue at? How long do we wait to find out whether we will be Perth's dumping ground?

The Shire President advised that the matter is currently before the State Administrative Tribunal (SAT). Council rejected the application. The

applicant appealed. The appeal is going through SAT at the moment. There are ticklish things about the application and the final hearing is next Monday. We are not sure if it is going to go ahead with last minute issues that have surfaced. There were more stringent environmental conditions than they were originally contemplating.

We are reluctant to say too much about it until SAT makes its decision. We are however fighting on behalf of the community.

V Warburton

Question Twenty-Five

The red hill site and roads around Red Hill are often littered with rubbish. Can we include conditions that will make them clean up the roads?

The Chief Executive Officer advised that one of the conditions is that they have to tarp their loads. They also have indicated they will collect litter that escapes. We found it incredulous that they could achieve that but that is what their application suggested.

The Shire President advised that there has been a considerable workload, dealing with SAT. Rather than just let it go and let that happen other councillors have worked extremely hard as has the administration; but again all this work has been very time-consuming.

V Warburton

Question Twenty-Six

I missed the history of what the reason was for the rubbish tip. Can you explain?

The Chief Executive Officer advised that a levy is imposed upon landfills in the metropolitan area once it gets to a certain amount of fill. If they establish a landfill in a regional area they do not have to pay this levy.

The Minister stated that there would be no more landfills on the Swan Coastal Plain.

The Avon Arc strategy recommended regional Shires as the primary candidate for landfills. The York Shire have had a landfill proposal and we have had one. When the Minister banned landfills on the Swan Coastal Plain they did not do any planning.

In the latest version of the draft State Planning Policy it states that there will be a Strategic Waste Management Plan that will include site

identification “source to deposit”. Unfortunately this was also written in the last plan but nothing happened. Effectively this was another occasion where a problem was passed down the line to Local Government.

One of the things we are very keen on is that the Omnibus Scheme amendment which makes landfills a prohibited use.

V Warburton

Question Twenty-Seven

Has the Minister told us why they are moving out of the coastal plain and putting landfills in our catchment area? What guarantee do we have that the landfills will not leak?

The Chief Executive Officer responded that it is not quite as bad as it sounds. The SAT process had a pre-eminent hydrologist and elder statesman in seismology. They have to establish static winter water levels. The bottom of the landfill has to be two (2) metres above the ground water level.

We have said that it is unacceptable if it connects with the groundwater because you end up with pressure on the bottom of the landfill which is not good as it can lead to contamination. There has to be a reasonable level of certainty it will not contaminate the water supply unless there is an extreme disaster.

V Warburton

Question Twenty-Eight

What type of landfill is it?

The Chief Executive Officer responded that it was a Class two landfill – household land fill. It does not include asbestos or hazardous chemicals. It is relatively benign in that the landfill is designed to have to be no more environmentally damaging than having a piggery in the area. There would be potential damage if it escapes. With the changes we have made, we have managed to get some degree of assurance it would not escape.

V Warburton

Question Twenty-Nine

In terms of storms, do we have the resources to deal with litter?

The Chief Executive Officer responded that the company would have to follow their management plan that requires them to cover it as they go. They are required to have a permanent fence around the site and a temporary fence close to the site. They are also required to cover the site frequently and compact it regularly. We have reasonable assurances on those things.

V Warburton

Question Thirty

Are they required to do any recycling on the site?

The Chief Executive Officer advised that the applicants already operated a recycling facility in Bayswater. Part of their proposal is that the deposited waste will have already been through the recycling process to remove what could not be recycled. Whether we can rely on that assurance we do not know. Most waste is coming from their skip-bin business.

6. CLOSURE

The Shire President thanked the gallery for taking the time to come along and asking constructive questions.

The Shire President thanked the Councillors for coming along this evening. He stated that it was great to see them taking an interest they expressed in Council to come here.

The Shire President thanked the staff for attending.

The Shire President declared the meeting closed at 8.36pm.



Shire of Toodyay Delegation Register

Councillor Copy



Adopted 21 June 2011

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Introduction

This Delegation Register has been prepared in accordance with the Local Government Act 1995 Sections 5.16 to 5.18 and 5.42 to 5.46, and the Local Government (Administration) Regulations 1996 Regulation 19.

All delegations require approval by an absolute majority of Council.

It is a requirement that the use of all delegated authority is recorded, but it is not a requirement to report the use of delegated authority to Council. However, given the number of delegations, and their importance, it is recommended that Council be advised of use of delegations, for their information.

The Local Government Act 1995 Section 5.16 places limitations and conditions upon the delegations that may be made to various types of Committee. A Committee with delegated authority is not permitted to further delegate that authority.

The Local Government Act 1995 Section 5.42 places a limitation upon the delegations that may be made to the Chief Executive Officer. A Local Government can not delegate any powers or duties contained within Section 5.43 of the Local Government Act 1995.

The Local Government Act 1995 Section 5.44 permits the Chief Executive Officer to delegate the exercise of, or the carrying out of, a function delegated to the Chief Executive Officer.

Head of Power

Unless stated otherwise, the Local Government Act 1995 Sections 5.16 and 5.42 constitute the head of power for Council to make the delegations.

The Council is responsible for functions and activities under numerous Acts and other legislation, many of which permit Council to delegate responsibilities and authority to various officers. In order to maintain consistency with the concepts of the Local Government Act 1995, all delegations to officers are made to the Chief Executive Officer, who is then responsible for the implementation of the delegated function, either personally or through management of officers and staff.

Process

It is a requirement of the Local Government Act 1995 Section 5.18 and Section 5.46 (1) that all delegations be reviewed at least once in each financial year.

In order to ensure that there is a clear authority, Council and the appropriate officers will formally review this Delegation Register at a convenient meeting date each year and their application confirmed.

In this way, the delegations will be reviewed at a time where there is less time pressure, and after a year of operation, with the formal motion of application made for continuation into the following period.

New Delegations

Council may make new delegations at any time.

However, unless specifically stated that the authority is to be included in the Delegation Register, it will be assumed that the authority to act is for a specific matter is not a general or ongoing delegation.

Definitions

The Local Government Act 1995 has not defined the term “delegations” or “delegated power”, however:

- Section 5.16 refers to “ the exercise of any of its powers and duties...”
- Section 5.42 refers to “... the exercise of any of its powers or the discharge of any of its duties...”

The term “policy” is not defined anywhere in the Local Government Act. Accordingly, throughout this document, the following terms apply, insofar as they are consistent with all enabling legislation referred to within each of the specific delegations.

“*Authority*” means the permission or requirement for a Committee or the Chief Executive Officer to act in accordance with:

The Local Government Act or other legislation or regulation;

- A delegation made by Council;
- A policy made by Council, or
- A specific decision made by Council.

“*Delegation*” means the authority for a Committee or the Chief Executive Officer to act on behalf of Council, where the power is either specifically or by implication, intended to be exercised by the elected members, rather than an organisational responsibility.

“Policy” as the context requires, means either:

- A procedural direction to officers to implement Council's wishes or instructions in a particular way; or
- The authority for officers to act, where that authority is not considered to be a delegation, but more procedural in nature.

Certifications

The delegations contained in Part One of this register were formally reviewed by Council on 21 June 2011 and a resolution confirming their continued application.



Cr Kevin Hogg
SHIRE PRESIDENT

17 July 2012

The delegations contained in Part One of this register from the Chief Executive Officer to other Officer/s have been formally reviewed and their continued application is confirmed.



Graham Foster
ACTING CHIEF EXECUTIVE OFFICER

17 July 2012

1. – Ongoing Delegations

D.1 Infringement Notice Issue

Delegation No:	D.1
Delegation Subject:	Infringement Notice Issue
File Number:	LAW1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow infringement notices to be issued expeditiously and efficiently.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to issue infringement notices arising from all legislation controlled by the Shire of Toodyay.

If infringement remains unpaid it is to be treated in the same way as a Sundry Debtor and recovery of debt will be in accordance with Council's Finance Policy F.5 – Debt Collection.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Sections 5.42 and 5.44
History:	This delegation supersedes all previous delegations on the issuing of infringement notices
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.2 Investment of Surplus Funds

Delegation No:	D.2
Delegation Subject:	Investment of Surplus Funds
File Number:	BNK2
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow for the investment of surplus funds to maximise Council's interest earning capability.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to invest surplus monies held in any Council Fund. The Chief Executive Officer is to ensure that all investments in the Investment Register are reconciled to the general ledger on a regular basis.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Included in Monthly Financial Statements in Council Agenda
Heads of Power:	Local Government Act 1995 Sections 5.42 and 5.44 Local Government (Financial Management) Regulations. Reg. 19
History:	This delegation supersedes all previous delegations on the investment of surplus funds
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.3 Legal Representation and Costs Indemnification

Delegation No:	D.3
Delegation Subject:	Legal Representation and Costs Indemnification
File Number:	MEM1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to authorise expenditure of up to \$5,000 for urgent legal representation costs where required and justified.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to give authorisation to the value of \$5,000 for the provision of urgent legal service on costs indemnification prior to an application being considered by Council in accordance with Council Policy.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report to the next Ordinary Meeting of Council
Heads of Power:	Local Government Act 1995 Sections 5.42
History:	This delegation supersedes all previous delegations on legal representation indemnification costs
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.4 Liquor Consumption

Delegation No:	D.4
Delegation Subject:	Liquor Consumption
File Number:	MEM1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to authorise the consumption of liquor on Council property.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to approve consumption of liquor on Council property subject to applicants being advised that the requirements of State Liquor Laws and applicable Council policies must be met.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in the monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Sections 5.42 and 5.44
History:	This delegation supersedes all previous delegations on liquor consumption on Council premises
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.5 Stallholders Fee Structure

Delegation No:	D.5
Delegation Subject:	Stallholders Fee Structure
File Number:	EVT1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to make determinations on the stallholder's fee structure to be imposed on applicants.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to determine the appropriate stallholder's fee structure to be applied to applicants as contained in Council's Schedule of Fees and Charges.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Clause 6.7 of the Shire of Toodyay's Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law and the Local Government Act 1995 Sections 5.42
History:	This delegation supersedes all previous delegations on stallholder's fees
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.6 Thoroughfares and Trading in Thoroughfares and Public Places Permits

Delegation No:	D.6
Delegation Subject:	Thoroughfares and Trading in Thoroughfares and Public Places Local Law Permits
File Number:	MEM1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to issue permits pursuant to the Shire of Toodyay's Thoroughfares and Trading in Thoroughfares and Public Places Local Law.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer the power to issue permits under the Shire of Toodyay's Thoroughfares and Trading in Thoroughfares and Public Places Local Law.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Sections 5.42 and 5.44 and Clause 7.2 of the Shire of Toodyay's Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law
History:	This delegation supersedes all previous delegations on stallholder permits

Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012 /
Relevant Policies and Procedures	<ul style="list-style-type: none"> • A.14 – Trading in Thoroughfares and Public Places • LPP.24 - Directional Signage & Signage within Thoroughfares • LPP. 12 – Alfresco Dining

D.7 Issue of Summonses

Delegation No:	D.7
Delegation Subject:	Issue of Summonses
File Number:	FIN5
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow Summonses to be issued without continual reference back to Council.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to issue Summonses to any person/s who fails to comply with the legislative requirements of the Council.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42 and 5.44
History:	This delegation supersedes all previous delegations on the issuing of summonses
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.8 Withdrawal of Infringement Notices

Delegation No:	D.8
Delegation Subject:	Withdrawal of Infringement Notices
File Number:	LAW1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow for the withdrawal of infringement notices where satisfactory justification has been provided.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to withdraw infringement notices provided that satisfactory justification for withdrawal is supplied.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42
History:	This delegation supersedes all previous delegations on the withdrawal of infringement notices
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.9 Press Releases

Delegation No:	D.9
Delegation Subject:	Press Releases
File Number:	PUR2
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation is to ensure that the public receive full, appropriate and timely information.

The President, or the Deputy President (if President unavailable), should be consulted prior to matters of delicacy being discussed in public, however it is recognised that this may not always be possible.

In this case, the Chief Executive officer is to use discretion whether comment is to be made or not. Regardless, the Chief Executive Officer is not under any obligation to make any comment on any matter.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to make media releases and to speak on behalf of the Shire of Toodyay in relation to administrative matters and Council decisions, but not to be involved in policy debate issues.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.41
History:	This delegation supersedes all previous delegations on press releases
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009
Revoked Date:	17 December 2009 (Resolution No 644/12/09)

D.10 Rural Pursuits in Special Rural Areas

Delegation No:	D.10
Delegation Subject:	Rural Pursuits in Special Rural Areas
File Number:	MAN6
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow for the determination of applications to undertake a Rural Pursuit within the Special Rural zones of the Shire of Toodyay Town Planning Scheme No 3.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to determine planning applications to undertake a Rural Pursuit within a Special Rural area under the provisions of Shire of Toodyay Town Planning Scheme No 3, in accordance with the following criteria:

1. Approval of the Rural Pursuit would only be granted where the landowner can demonstrate that the Rural Pursuit meets the stocking rates contained within Agriculture WA's Stocking Rate Guidelines for Rural Small Holdings;
2. Where the requirements of Agriculture WA's Stocking Rate Guidelines for Rural Small Holdings can not be achieved, the application to undertake a Rural Pursuit within a Special Rural Zone will be refused, unless special circumstances to a particular case apply; and
3. Where special circumstances may apply and variation to the requirements of Agriculture WA's Stocking Rate Guidelines for Rural Small Holdings are sought, the application is to be referred to Council for determination.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.41 and 5.44
History:	
Reviewed Date:	16 November 2006 15 November 2007
Revoked Date:	21 February 2008

D.11 Planning Applications Involving Setback Variations
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Delegation No:	D.11
Delegation Subject:	Planning Applications Involving Setback Variations
File Number:	MAN6
Adoption Date:	21 February 2008

STATEMENT OF INTENT

This delegation will allow for the determination of planning and building applications that involve variations to setback requirements, where the provisions of Council's Local Planning Scheme may be achieved.

DELEGATION

1. Council hereby delegates authority to the Chief Executive Officer to determine planning and building applications that propose a variation to the setback requirements of Local Planning Scheme No 4 in the following circumstances:
 - a. Approval of a variation to the 30m setback to all boundaries within the Rural Residential or Rural Living zones due to the topography of the land or the lot configuration and where the proposed development will not significantly impact on views to and from the road or the rural character of the locality;
 - b. Approval of a variation to the 50m setback to all boundaries in the Rural zone due to the topography of the land or the lot configuration and where the proposed development will not impact on adjoining landowners or the rural character of the locality;
 - c. Approval of variation to the 100m setback to all boundaries in the Rural zone where the lot fronts a main or district road due to the topography of the land or the lot configuration and where the proposed development will not significantly impact on views to and from the road or the rural character of the locality.
 - d. Refusal of applications that propose variations to the setback requirements for the Rural, Rural Residential and Rural Living zones that are not considered warranted and where the setback may easily be achieved on the property.

2. The delegation of authority to the Chief Executive Officer to determine planning and building applications that propose a variation to the setback requirements of Local Planning Scheme No 4 will not apply:
 - a. Where an adjoining owner makes an objection in writing to a reduced setback proposal. In this circumstance, the proposed development is to be presented to Council for determination;
 - b. The setback variation of up to half the required setback is sought as the location of the building is on a lot with more than one street frontage, unless this variation is required for topographical or lot configuration purposes.
 - c. The setback variation is sought on the grounds that the location of the building within the setback area will not adversely affect the amenity of an adjoining landowner or the area generally; or
 - d. To properties which may be listed on the State Register of Heritage Places, contained on the Shire's Municipal Inventory or situated within a designated heritage area.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Clause 11.3 of Local Planning Scheme No 4 and the Local Government Act 1995 Section 5.42 and 5.44
History:	This delegation supersedes all previous delegations regarding the variation of setback requirements
Review Date:	25 February 2008 / 21 May 2009 13 May 2010 / 21 June 2011 / 19 June 2012

D.12 Keeping of 3 – 6 Dogs

Delegation No:	D.12
Delegation Subject:	Keeping of 3 – 6 Dogs
File Number:	DOG7
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to approve / reject applications for the keeping of more than two (2) dogs in relation to Shire of Toodyay Keeping of 3 -6 Dogs Policy.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to approve or reject applications for the keeping of more than two (2) dogs subject to the requirements set out in Council's Policy, TP.8 – Keeping of 3-6 Dogs.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Section 26 of the Dog Act 1976, Clause 3.2 of the Shire of Toodyay Dog Local Law and the Local Government Act 1995 Section 5.42 and 5.44
History:	This delegation supersedes all previous delegations on the keeping of 3 – 6 dogs within the Shire of Toodyay
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012
Relevant Policies/Procedures	<ul style="list-style-type: none"> A.15 – The Keeping of 3 to 6 Dogs

D.13 Cheque Signing

Delegation No:	D.13
Delegation Subject:	Cheque Signing
File Number:	FIN9
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to authorise the payment of all creditor's accounts.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to make payments from the Municipal Fund, Trust Fund and Reserve Fund.

This delegation is in accordance with Council's Policy, F.2 – Cheque Signing and Account Limit.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Council Agenda
Heads of Power:	Local Government (Financial Management) Regulations 13 Local Government Act 1995 Sections 5.42 and 5.44
History:	
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.14 Purchasing

Delegation No:	D.14
Delegation Subject:	Purchasing
File Number:	FIN9
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to ensure that purchasing is undertaken in an efficient and effective manner that provides transparency and accountability of the procurement process.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to sign purchase orders on behalf of Council.

This delegation is in accordance with Council's Policy, F3 – Purchasing.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Retain copy of purchase order
Heads of Power:	Local Government (Financial Management) Regulations 1996, Regulations 11,12,13
History:	
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.15 Sale of Scrap

Delegation No:	D.15
Delegation Subject:	Sale of Scrap
File Number:	TEC1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to sell or dispose of unwanted materials to any interested person.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to sell or dispose of used or unwanted materials with a value up to \$1,000 per item.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Receipt of payment.
Heads of Power:	Local Government (Functions and General) Regulations Regulation 30 (3)(a)
History:	
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.16 Oversize Vehicle Permit

Delegation No:	D.16
Delegation Subject:	Oversize Vehicle Permit
File Number:	TEC21
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to issue permits to allow oversized vehicles to travel on Shire controlled roads in accordance with Council's oversized vehicle policy.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to issue permits to any application that is compliant with Council's adopted policy position.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act Section 5.42 and 5.44
History:	
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.17 Development and Subdivision Applications

Delegation No:	D.17
Delegation Subject:	Development and Subdivision Applications
File Number:	MAN6
Adoption Date:	27 March 2008

STATEMENT OF INTENT

This delegation of authority to the Chief Executive Officer is in accordance with Clause 11.3.1 of the Shire of Toodyay Local Planning Scheme No 4 in respect to the undertaking of the planning functions of the Shire of Toodyay.

This delegation will facilitate the timely process of development and subdivision applications.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to perform the functions of Council in respect of the following matters:

1. Approve applications for land use and/or development under the Shire Local Planning Scheme No. 4, including the exercise of discretion where provided for, except as follows:
 - a) Applications for land use and/or development where an objection has been received during a public consultation period;
 - b) Applications for land use and/or development that require a variation to any adopted Council policy;
 - c) Applications for land use and/or development where the use is not mentioned in the zoning table.
 - d) Application for land use and/or development in relation to non-conforming use of land.
 - e) Application for land use and/or development on Reserve zoned land where the value of the development is less than \$50,000
 - f) Applications for land use and/or development that require a setback variation, refer to delegation D.11.

2. Refusal of all planning applications where the proposed land use and/or development is not permitted by the Scheme or where the development does not comply with the non-discretionary provisions of the Residential Design Codes or an adopted Council policy.

3. To make recommendations to the Western Australian Planning Commission for approval, with or without conditions, in respect of applications for subdivision, amalgamation and survey strata subdivision that comply with the following:
 - a) Shire of Toodyay's Local Planning Scheme No 4;
 - b) Shire of Toodyay's Local Planning Strategy; and
 - c) Residential Design Codes (2002)

4. To make recommendations to the Western Australian Planning Commission for refusal in respect of applications for subdivision, amalgamation and survey strata subdivision that do not comply with the following:
 - a) Shire of Toodyay's Local Planning Scheme No 4;
 - b) Shire of Toodyay's Local Planning Strategy; and
 - c) Residential Design Codes (2002)

5. In circumstances where:
 - (i) The Western Australian Planning Commission decides to approve an application that has not been supported by Council, including reconsidered applications; or
 - (ii) The Western Australian Planning Commission decides not to support or modify a condition recommended by Council; or
 - (iii) An application and/or condition that has not been supported by Council is to be approved as part of an appeal process,

a recommendation on the conditions required on the approval of a subdivision, survey strata subdivision or amalgamation application or on the modification of any recommended conditions may be made.

6. To undertake the clearance of conditions on a subdivision approval where the total number of lots in the subdivision does not exceed 20.

7. To prepare a Local Planning Policy for the purpose of advertising as required in Clause 2.4.1 of Local Planning Scheme No 4.

8. To issue a written direction under Section 214 of the Planning and Development Act 2005 where an owner/occupier has not satisfied Clause 11.4 of Local Planning Scheme No 4.

Any application that does not fall within the parameters defined within this delegation of authority is to be referred to Council for determination.

The Chief Executive Officer reserves the right to refer any planning application that falls within the delegation parameters specified within this delegation to Council, if in the opinion of the Chief Executive Officer, it is considered that:

- a) The application is of a sufficiently contentious nature to warrant Council's determination;
- b) The determination of the application would be contrary to the intent of a previous decision or directive made by Council; or
- c) It would be in the public interest or consistent with the principles of accountability for Council to determine the application.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Clause 11.3 of Local Planning Scheme No 4 and the Local Government Act Section 5.42 and 5.44
History:	This delegation supersedes all previous delegations regarding the determination of development and subdivision applications
Reviewed Date:	21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012
Relevant Policies/Procedures	<ul style="list-style-type: none"> • LPP.1 - Signage Outside the Central Toodyay Heritage Area; • LPP.2 - Ancillary Accommodation; • LPP.3 - Caravan Park and Camping Grounds; • LPP.4 – Development in the Residential Development Zone; • LPP.5 – Foggarthorpe Residential Estate Design Guidelines; • LPP.7 – Extractive Industries – Road Maintenance Contribution; • LPP.11 – Car Parking; • LPP.12 – Alfresco Dining; • LPP.13 – Outbuildings in Residential Areas; • LPP.14 – Use of Sea Containers and Other Similar Storage Structures; • LPP.16 – Transported and Relocated Dwellings; • LPP.17 – Development in the Extracts Industrial Area;

	<ul style="list-style-type: none">• LPP.18 – Glencoe Estate Design Guidelines;• LPP.19 – Subdivision Contributions for Road and Footpath Upgrading;• LPP.20 – Central Toodyay Heritage Area; and• LPP.21 – Landscaping Plans.
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D.18 Building

Delegation No:	D.18
Delegation Subject:	Building
File Number:	MAN6
Adoption Date:	25 August 2005

STATEMENT OF INTENT

This delegation will allow for the timely processing of building matters, in accordance with the Building Act 2011 and Building Regulations 2011.

DELEGATION

Council hereby delegates authority to the Senior Building Surveyor, Building Surveyor and Assistant Building Surveyor to exercise all of the powers and the discharge of all of the duties of the Council in relation to buildings, building work and demolition under the Building Act 2011 and Regulations 2011 in accordance with their qualifications.

Delegation By Council To:	Senior Building Surveyor, Building Surveyor and Assistant Building Surveyor
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Building Act 2011 Section 96(3) and Section 127 Local Government Act Section 5.36,
History:	
Reviewed Date:	4 November 2005 / Amended 25 May 2006 16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010/ 21 February 2012 / 19 June 2012

D.19 Health

Delegation No:	D.19
Delegation Subject:	Authorisation under Section 26 of the Health Act 1911
File Number:	HLT1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation is to specify the authorisation of authority to the Chief Executive Officer in respect of functions of the Health Section of the Shire of Toodyay, concerning the Health Act 1911(as amended).

DELEGATION

Council grant authorisation of authority under Section 26 of the Health Act 1911 (as amended) to the Chief Executive Officer.

Council grant authorisation of authority to the Chief Executive Officer to exercise and discharge all of the following powers and functions and procedures of Council with respect to the Health Act and the regulations, local laws and orders made there under:

- The issue of notices orders and requisitions.
- The closure of premises where an immediate health risk exists.
- The granting, refusal and cancellation of registration and licences.
- Initiation of legal proceedings where an offence has been committed.
- Any other powers and functions where in the opinion of the Environmental Health Officer, immediate action is necessary to prevent or alleviate a public health hazard.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Health Act 1911 (as amended) Section 26
History:	
Reviewed Date:	24 November 2005 / 16 November 2006 15 November 2007 / 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.20 Applications for Treatment of Sewage and Disposal of Effluent and Liquid Waste

Delegation No:	D.20
Delegation Subject:	Applications for Treatment of Sewage and Disposal of Effluent and Liquid Waste
File Number:	HLT17
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to approve applications for septic tanks and other alternate effluent disposal treatment systems that are compliant with the Health Act and Regulations.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to exercise and discharge the powers and functions of the Council in relation to the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974:

- Regulation 4(3)(a) – grant approval subject to form and conditions set out by Council.
- Regulation 4(3)(b) – refuse to grant approval.
- Regulation 10(2) – (relating to approvals).
- Regulation 10(4)(b) – (relating to approvals).
- Regulation 22(2)(a) – (relating to appeals).
- Regulation 22(2)(b) – (relating to appeals).

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Council Information Bulletin
Heads of Power:	Health Act 1911 Section 26 Health (Treatment of Sewage and Disposal of Liquid Waste) Regulations 1974
History:	
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.21 Police Clearances – Volunteers

Delegation No:	D.21
Delegation Subject:	Police Clearances – Volunteers
File Number:	POL1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer, upon presentation of a police clearance, to determine whether the volunteer is deemed unacceptable to act on behalf of the Shire of Toodyay.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to determine a volunteer unacceptable to act on behalf of the Shire of Toodyay in accordance with Councils Policy A.6- Police Clearance Certificates – Volunteers.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Copy in Personnel Files
Heads of Power:	Local Government Act Section 5.42 and 5.44
History:	
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.22 Sale of Light Industrial Land

Delegation No:	D.22
Delegation Subject:	Sale of Light Industrial Land
File Number:	LAN3
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow for the Chief Executive Officer to expedite the contracts of Offer and Acceptances for the sale of Extracts Light Industrial lots.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to sell Extracts Light Industrial lots that achieve a return equal to or greater than the valuation of said lots subject to compliance with Section 3.58 of the Local Government Act 1995.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Council Agenda.
Heads of Power:	Local Government Act Section 3.58, 5.42 and 5.44.
History:	
Reviewed Date:	Repealed 16 November 2006
Revoked Date:	16 November 2006

D.23 Temporary Road Closures

Delegation No:	D.23
Delegation Subject:	Temporary Road Closures
File Number:	MAN6
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will facilitate the improved processing of temporary road closure requests, in accordance with Council's Policy A.13 Temporary Road Closures.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to process and approve temporary road closure requests in accordance with the provisions of Council's Policy A.13 – Temporary Road Closures.

Any request that falls outside of the parameters specified within Council's Temporary Road Closures policy is to be referred to Council for determination.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Road Traffic Act section 83 and Local Government Act 1995 Section 5.42 and 5.44
History:	This delegation supersedes all previous delegations regarding the temporary closure of roads
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012
Relevant Policies/Procedures	A.13 – Temporary Road Closures

D.24 Permit for Revegetation Projects

Delegation No:	D.24
Delegation Subject:	Permit for Revegetation Projects
File Number:	MAN6
Adoption Date:	15 December 2005

STATEMENT OF INTENT

This delegation will facilitate the timely processing of applications to obtain a permit to collect seed from native flora on a thoroughfare.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to determine all applications made under Section 5.20 of the Shire of Toodyay Thoroughfares and Trading in Thoroughfares and Public Places Local Law and issue permits for the collection of seed from native flora on a thoroughfare.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42 and 5.44
History:	This delegation supersedes all previous delegations regarding the Section 5.20 permits issued under the Shire of Toodyay Thoroughfare and Trading in Thoroughfares and Public Places Local Law
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009

D.25 Dealing with Clearing Matters

Delegation No:	D.25
Delegation Subject:	Dealing with Clearing Matters
File Number:	MAN6
Adoption Date:	27 April 2006

STATEMENT OF INTENT

This delegation will facilitate the timely processing of applications to clear land under Council's Local Planning Scheme No 4 and to provide prompt written responses to the Department of Environment and Conservation on applications for clearing permits.

DELEGATION

Council grant delegated authority to the Chief Executive Officer to provide written comment for clearing applications under Council's Local Planning Scheme No 4 and to provide written advice to the Department of Environment and Conservation on applications for clearing permits, based on the following criteria:

1. Support of applications to clear land will be granted in the following circumstances:
 - a. Clearing of trees or vegetation that are dead, diseased or dangerous i.e. constituting an immediate threat to life or property;
 - b. Clearing of trees or vegetation that are not native to the region or have been commercially grown;
 - c. Clearing of land within 2m of infrastructure, such as power lines, sewer, water mains, stormwater drains etc where the vegetation is likely to damage or disrupt this infrastructure;
 - d. Clearing of land that is occurring as part of a native tree replanting programme or other rehabilitation project approved by Council;
 - e. Clearing of land to establish a firebreak required under Council's Fire Management Order;
 - f. An area up to 2m in width for a fence line that is being established as a new property boundary or to support legitimate farming practices;
 - g. Clearing of land for a building site, either to the maximum size of an approved building envelope shown on a development plan or

- plan or subdivision or to the extent required for the proposed buildings;
- h. Clearing of land to provide access to a building site, where the access track has a maximum width of 6m;
 - i. Clearing of land for pasture, grazing or other farming activities in the Rural or Rural Living zones of Local Planning Scheme No 4 where such clearing complies with all provisions of Council's Local Planning Scheme, the Local Planning Strategy and any other adopted policy;
 - j. The clearing of land to collect firewood, to obtain fencing or farming materials, for woodwork or the clearing of isolated trees where the requirements of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 for these activities are achieved; and/or
 - k. The total area of clearing for all activities does not exceed more than 1ha in any financial year.
2. Applications to clear land will not be supported in the following circumstances:
- a. Where the proposed area to be cleared is situated within 50m of any major watercourse and/or within the designated flood way and flood fringe for the Avon River;
 - b. The clearing of land for a building site greater than the extent required for the proposed buildings or outside of a defined building envelope; and/or
 - c. Where the clearing of land will likely have a significant negative impact upon the environment and/or landscape of an area.
3. Applications to clear land in the following circumstances will be referred to Council for determination:
- a. Any proposal which does not meet the criteria detailed in Parts (1) or (2);
 - b. Applications to clear land in areas where the topography of the land raises concerns regarding the potential negative impacts of the proposed clearing activities.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42 and 5.44
History:	This delegation supersedes all previous delegations relating to clearing matters
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.26 Authorised Officer Appointments

Delegation No:	D.26
Delegation Subject:	Authorised Officer Appointments
File Number:	RGR1
Adoption Date:	15 March 2007

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to appoint officers to carry out duties as required by Councils Planning and Development Services Department and Ranger and Emergency Services Department in a timely and efficient manner.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to appoint persons employed by Council as Pound Keeper, Registration Officer, Authorised Officer, Fire Control Officer and Ranger for the purposes of enforcing and administering the following Acts and Regulations and Local Laws for the Shire of Toodyay:

1. *Local Government Act 1995* and Regulations
2. *Local Government (Miscellaneous Provisions) Act 1960*
3. *Bush Fires Act 1954* and Regulations
4. *Dog Act 1976* and Regulations
5. *Litter Act 1979*
6. *Animal Welfare Act 2002*
7. Shire of Toodyay Local Laws
8. *Control of Vehicles (Off Road Areas) Act* and Regulations 1978
9. *Planning and Development Act 2005*
10. *Food Act 2008* and Food Regulations 2009
11. Shire of Toodyay Local Planning Scheme No 4

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42 and 5.44
History:	
Reviewed Date:	15 November 2007 / 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.27 Use of Common Seal

Delegation No:	D.27
Delegation Subject:	Use of Common Seal
File Number:	PCY2
Adoption Date:	19 April 2007

STATEMENT OF INTENT

This delegation will enable the Chief Executive Officer to use the Common Seal of the Shire of Toodyay as and when legally required.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to use the Common Seal of the Shire of Toodyay on any instruments as and when legally required.

A report will be placed in the monthly Councillor Information Bulletin listing all of the documents to which the Common Seal was applied.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42 and 5.44
History:	
Reviewed Date:	15 November 2007 / 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.28 Issue of Notice of Breach (Fencing)

Delegation No:	D.28
Delegation Subject:	Issue of Notice of Breach (Fencing)
File Number:	LAW6
Adoption Date:	27 March 2008

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to issue a 'notice of breach' for non-conformance with the requirements under the Shire of Toodyay Local Law Relating to Fencing 1999 in a timely and efficient manner.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to issue a 'notice of breach' under the Shire of Toodyay Local Laws Relating to Fencing 1999.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42 and 5.44
History:	
Reviewed Date:	21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.29 Deed of Covenant for the Payment of a Developer Contribution

Delegation No:	D.29
Delegation Subject:	Deed of Covenant for the Payment of a Development Contribution
File Number:	PLA1
Adoption Date:	19 June 2008

STATEMENT OF INTENT

This delegation of authority will enable the Shire President and the Chief Executive Officer to enter into a Deed of Covenant for the Payment of a Development Contribution with prospective developer(s) proposing to rezone land under Local Planning Scheme No 4 to enable further subdivision.

DELEGATION

Council hereby delegates authority to the Shire President and the Chief Executive Officer to enter into a Deed of Covenant for the Payment of a Development Contribution with prospective developer(s) proposing to rezone land under Local Planning Scheme No 4 to enable further subdivision, subject to the following:

1. The proposed rezoning can be supported under the provisions of the Local Planning Strategy.

Delegation By Council To:	Shire President Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42 and 5.44
History:	
Reviewed Date:	21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.30 Tenders

Delegation No:	D.30
Delegation Subject:	Tenders
File Number:	TEN1
Adoption Date:	3 April 2012

STATEMENT OF INTENT

This delegation will allow for the calling of Tenders in accordance with the *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996*.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to call tenders in accordance *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996*.

Delegation By Council To:	Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Sections 3.57 and 5.46 of <i>Local Government Act 1995</i> and regulations 11 to 24 of the <i>Local Government (Functions and General) Regulations 1996</i> .
History:	
Reviewed Date:	19 June 2012

2. – One off Delegations

Council Resolution No.590/10/09

Delegation Subject:	Bush Fires Act 1954 part III Division 2
File Number:	FIR
Adoption Date:	15 October 2009

COUNCIL RESOLUTION NO 590/10/09

MOVED Cr Somers

That Council delegate to the Shire President and the Chief Bush Fire Control Officer jointly its powers under sub sections (7) and (8) of Section 17 of the Bush Fires Act 1954 part III Division 2.

MOTION CARRIED UNANIMOUSLY 9/0

Council Resolution No.64/02/12

Delegation Subject:	Planning and Development Act 2005
File Number:	M513REDG/A3915
Adoption Date:	29 February 2012

ALTERNATIVE MOTION/COUNCIL RESOLUTION NO 64/02/12

MOVED Cr Firms

1. Council delegate authority to the Chief Executive Officer to issue temporary planning approval and temporary extractive industry licence to Mr Michael Morgan for Lot M514 Red Gully Road, Nunile for a period of 20 days to allow the Shire of Northam to extract gravel for the purposes of upgrading of Irishtown Road. This temporary approval has been granted to allow the Shire of Northam to upgrade a road for public use and to be able to deliver the project on budget.
2. The temporary planning approval and temporary extractive industry licence must be subject to the following conditions:
 - a) Gravel extracted from the site can only be used for road works being undertaken by the Shire of Northam for the upgrading of Irishtown Road.
 - b) The applicant must pay to the Shire of Toodyay the \$696 planning application fee and \$550 extractive industry licence application fee, prior to the commencement of extraction.
 - c) Those portions of public roads affected by the activities relating to the extraction site shall be maintained to a standard acceptable to the Council at the applicant's cost. To achieve this, the applicant shall pay a road maintenance contribution to an amount of \$0.50 per tonne for expenses that would be incurred by the Shire of Toodyay for the repair and maintenance of Council's roads. This money is payable at the completion of the licence period.
3. Council advise the applicant that if extraction is intended to be undertaken beyond the term of the temporary approval an application for planning approval and extractive industry licence must be submitted with the appropriate information required under the Shire of Toodyay's Extractive Industry Local Law. If such application is not submitted and approved by the Shire of Toodyay by 31 August 2012 the extraction site must be rehabilitated with the excavation slopes being battered to 1:6 slopes, covered with topsoil and returned to a state suitable for agriculture purposes to the Shire's satisfaction.
4. The Applicant be advised that if the rehabilitation is not carried out the Council will undertake the works and recover this cost from the applicant under relevant legislation.

ABSOLUTE MAJORITY CARRIED 7/0

3. – Delegation Register – Review Table

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Review No	Date	Review Type	Amended Delegation Numbers	Council Resolution No	REVIEW STATUS
1	24/11/2005	Amended	D.2	192/11/05	Complete
2	16/11/2006	Amended	D.4-D.7; D.9-D.15; D.17-D.18; D.20; D.22-D.25	190/11/06	Complete
3	15/11/2007	Amended	D.1-D.2; D.4-D.7; D.10- D.21; D.23-D.27	157/11/07	Complete
4	25/02/2008	Revoked	D.10	204/02/08	Complete
		Amended	D.11	205/02/08	Complete
		Revoked	D.17	206/02/08	Complete
5	8/06/2008	New Delegation	D.29	275/05/08	Complete
6	21/05/2009	Removed	185/01/08	500/05/09	Complete
		Amended	D.6		
		Amended	D.18		
		Amended	D.19		
		Amended	D.20		
		Amended	D.25		
7	10/12/2009	One off	590/10/09	590/10/09	Complete
8	25/02/2010	Revoked	D.9	644/12/09	Complete
		Amended	D.26	688/02/10	
9	13/05/2010	Amended	D.19; D.23; D.26;	751/05/10	Complete
10	21/06/2011	Amended	D.17	172/06/11	Complete
11	21/02/2012	Amended	D.18	37/02/12	Complete
12	21/02/2012	Amended	D.18	37/02/12	Complete
13	29/02/2012	One-off	64/02/12	64/02/12	Complete

14	3/04/2012	New	D.30	107/04/12	Complete
15	19/06/2012	Amended	D.5, D.6, D.12, D.17, D.23	189/06/12	Complete

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Shire of Toodyay Delegation Register



Adopted 19 June 2012

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Introduction

This Delegation Register has been prepared in accordance with the Local Government Act 1995 Sections 5.16 to 5.18 and 5.42 to 5.46, and the Local Government (Administration) Regulations 1996 Regulation 19.

All delegations require approval by an absolute majority of Council.

It is a requirement that the use of all delegated authority is recorded, but it is not a requirement to report the use of delegated authority to Council. However, given the number of delegations, and their importance, it is recommended that Council be advised of use of delegations, for their information.

The Local Government Act 1995 Section 5.16 places limitations and conditions upon the delegations that may be made to various types of Committee. A Committee with delegated authority is not permitted to further delegate that authority.

The Local Government Act 1995 Section 5.42 places a limitation upon the delegations that may be made to the Chief Executive Officer. A Local Government cannot delegate any powers or duties contained within Section 5.43 of the Local Government Act 1995.

The Local Government Act 1995 Section 5.44 permits the Chief Executive Officer to delegate the exercise of, or the carrying out of, a function delegated to the Chief Executive Officer.

Head of Power

Unless stated otherwise, the Local Government Act 1995 Sections 5.16 and 5.42 constitute the head of power for Council to make the delegations.

The Council is responsible for functions and activities under numerous Acts and other legislation, many of which permit Council to delegate responsibilities and authority to various officers. In order to maintain consistency with the concepts of the Local Government Act 1995, all delegations to officers are made to the Chief Executive Officer, who is then responsible for the implementation of the delegated function, either personally or through management of officers and staff.

Process

It is a requirement of the Local Government Act 1995 Section 5.18 and Section 5.46 (1) that all delegations be reviewed at least once in each financial year.

In order to ensure that there is a clear authority, Council and the appropriate officers will formally review this Delegation Register at a convenient meeting date each year and their application confirmed.

In this way, the delegations will be reviewed at a time where there is less time pressure, and after a year of operation, with the formal motion of application made for continuation into the following period.

New Delegations

Council may make new delegations at any time.

However, unless specifically stated that the authority is to be included in the Delegation Register, it will be assumed that the authority to act is for a specific matter is not a general or ongoing delegation.

Definitions

The Local Government Act 1995 has not defined the term “delegations” or “delegated power”, however:

- Section 5.16 refers to “ the exercise of any of its powers and duties...”
- Section 5.42 refers to “... the exercise of any of its powers or the discharge of any of its duties...”

The term “policy” is not defined anywhere in the Local Government Act. Accordingly, throughout this document, the following terms apply, insofar as they are consistent with all enabling legislation referred to within each of the specific delegations.

“Authority” means the permission or requirement for a Committee or the Chief Executive Officer to act in accordance with:

The Local Government Act or other legislation or regulation;

- A delegation made by Council;
- A policy made by Council, or
- A specific decision made by Council.

“Delegation” means the authority for a Committee or the Chief Executive Officer to act on behalf of Council, where the power is either specifically or by implication, intended to be exercised by the elected members, rather than an organisational responsibility.

“Policy” as the context requires, means either:

- A procedural direction to officers to implement Council's wishes or instructions in a particular way; or
- The authority for officers to act, where that authority is not considered to be a delegation, but more procedural in nature.

Certifications

The delegations contained in Part One of this register were formally reviewed by Council on 21 June 2011 and a resolution confirming their continued application.



Cr Kevin Hogg
SHIRE PRESIDENT

17 July 2012

The delegations contained in Part One of this register from the Chief Executive Officer to other Officer/s have been formally reviewed and their continued application is confirmed.



Graham Foster
ACTING CHIEF EXECUTIVE OFFICER

17 July 2012

1. – Ongoing Delegations

D.1 Infringement Notice Issue

Delegation No:	D.1
Delegation Subject:	Infringement Notice Issue
File Number:	LAW1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow infringement notices to be issued expeditiously and efficiently.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to issue infringement notices arising from all legislation controlled by the Shire of Toodyay.

If infringement remains unpaid it is to be treated in the same way as a Sundry Debtor and recovery of debt will be in accordance with Council's Finance Policy F.5 – Debt Collection.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Deputy Chief Executive Officer Senior Ranger Ranger/s Manager Planning and Development Senior Building Surveyor / Building Surveyor Planning Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Sections 5.42 and 5.44
History:	This delegation supersedes all previous delegations on the issuing of infringement notices
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.2 Investment of Surplus Funds

Delegation No:	D.2
Delegation Subject:	Investment of Surplus Funds
File Number:	BNK2
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow for the investment of surplus funds to maximise Council's interest earning capability.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to invest surplus monies held in any Council Fund. The Chief Executive Officer is to ensure that all investments in the Investment Register are reconciled to the general ledger on a regular basis.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Manager Finance and Administration
Formal Record:	Included in Monthly Financial Statements in Council Agenda
Heads of Power:	Local Government Act 1995 Sections 5.42 and 5.44 Local Government (Financial Management) Regulations. Reg. 19
History:	This delegation supersedes all previous delegations on the investment of surplus funds
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.3 Legal Representation and Costs Indemnification

Delegation No:	D.3
Delegation Subject:	Legal Representation and Costs Indemnification
File Number:	MEM1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to authorise expenditure of up to \$5,000 for urgent legal representation costs where required and justified.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to give authorisation to the value of \$5,000 for the provision of urgent legal service on costs indemnification prior to an application being considered by Council in accordance with Council Policy.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Nil
Formal Record:	Report to the next Ordinary Meeting of Council
Heads of Power:	Local Government Act 1995 Sections 5.42
History:	This delegation supersedes all previous delegations on legal representation indemnification costs
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.4 Liquor Consumption

Delegation No:	D.4
Delegation Subject:	Liquor Consumption
File Number:	MEM1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to authorise the consumption of liquor on Council property.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to approve consumption of liquor on Council property subject to applicants being advised that the requirements of State Liquor Laws and applicable Council policies must be met.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Deputy Chief Executive Officer Manager Finance and Administration
Formal Record:	Report in the monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Sections 5.42 and 5.44
History:	This delegation supersedes all previous delegations on liquor consumption on Council premises
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.5 Stallholders Fee Structure

Delegation No:	D.5
Delegation Subject:	Stallholders Fee Structure
File Number:	EVT1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to make determinations on the stallholder's fee structure to be imposed on applicants.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to determine the appropriate stallholder's fee structure to be applied to applicants as contained in Council's Schedule of Fees and Charges.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Nil
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Clause 6.7 of the Shire of Toodyay's Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law and the Local Government Act 1995 Sections 5.42
History:	This delegation supersedes all previous delegations on stallholder's fees
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.6 Thoroughfares and Trading in Thoroughfares and Public Places Permits

Delegation No:	D.6
Delegation Subject:	Thoroughfares and Trading in Thoroughfares and Public Places Local Law Permits
File Number:	MEM1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to issue permits pursuant to the Shire of Toodyay's Thoroughfares and Trading in Thoroughfares and Public Places Local Law.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer the power to issue permits under the Shire of Toodyay's Thoroughfares and Trading in Thoroughfares and Public Places Local Law.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Deputy Chief Executive Officer Senior Building Surveyor / Building Surveyor Manager Planning and Development Planning Officer Environmental Health Officer Development Support Officer Customer Service Officer/s Note: Customer Service Officer/s is not delegated to issue stallholder permits for food stallholders
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Sections 5.42 and 5.44 and Clause 7.2 of the Shire of Toodyay's Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law
History:	This delegation supersedes all previous delegations on stallholder permits

Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012 /
Relevant Policies and Procedures	<ul style="list-style-type: none"> • A.14 – Trading in Thoroughfares and Public Places • LPP.24 - Directional Signage & Signage within Thoroughfares • LPP. 12 – Alfresco Dining

D.7 Issue of Summonses

Delegation No:	D.7
Delegation Subject:	Issue of Summonses
File Number:	FIN5
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow Summonses to be issued without continual reference back to Council.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to issue Summonses to any person/s who fails to comply with the legislative requirements of the Council.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Deputy Chief Executive Officer Manager Finance and Administration
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42 and 5.44
History:	This delegation supersedes all previous delegations on the issuing of summonses
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.8 Withdrawal of Infringement Notices

Delegation No:	D.8
Delegation Subject:	Withdrawal of Infringement Notices
File Number:	LAW1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow for the withdrawal of infringement notices where satisfactory justification has been provided.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to withdraw infringement notices provided that satisfactory justification for withdrawal is supplied.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Nil
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42
History:	This delegation supersedes all previous delegations on the withdrawal of infringement notices
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.9 Press Releases

Delegation No:	D.9
Delegation Subject:	Press Releases
File Number:	PUR2
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation is to ensure that the public receive full, appropriate and timely information.

The President, or the Deputy President (if President unavailable), should be consulted prior to matters of delicacy being discussed in public, however it is recognised that this may not always be possible.

In this case, the Chief Executive officer is to use discretion whether comment is to be made or not. Regardless, the Chief Executive Officer is not under any obligation to make any comment on any matter.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to make media releases and to speak on behalf of the Shire of Toodyay in relation to administrative matters and Council decisions, but not to be involved in policy debate issues.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Senior Ranger / Fire Management Officer: To speak with the press at bush fires, but should contain their comments to matters relating to the time, date, location of the fire, its size and numbers of fire fighters and units, the expected time of containment/extinguishment, and any injuries or losses without divulging the names of those injured or who suffered loss
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.41
History:	This delegation supersedes all previous delegations on press releases
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009
Revoked Date:	17 December 2009 (Resolution No 644/12/09)

D.10 Rural Pursuits in Special Rural Areas

Delegation No:	D.10
Delegation Subject:	Rural Pursuits in Special Rural Areas
File Number:	MAN6
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow for the determination of applications to undertake a Rural Pursuit within the Special Rural zones of the Shire of Toodyay Town Planning Scheme No 3.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to determine planning applications to undertake a Rural Pursuit within a Special Rural area under the provisions of Shire of Toodyay Town Planning Scheme No 3, in accordance with the following criteria:

1. Approval of the Rural Pursuit would only be granted where the landowner can demonstrate that the Rural Pursuit meets the stocking rates contained within Agriculture WA's Stocking Rate Guidelines for Rural Small Holdings;
2. Where the requirements of Agriculture WA's Stocking Rate Guidelines for Rural Small Holdings can not be achieved, the application to undertake a Rural Pursuit within a Special Rural Zone will be refused, unless special circumstances to a particular case apply; and
3. Where special circumstances may apply and variation to the requirements of Agriculture WA's Stocking Rate Guidelines for Rural Small Holdings are sought, the application is to be referred to Council for determination.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Manager Planning and Development Building Surveyor Planning Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.41 and 5.44
History:	
Reviewed Date:	16 November 2006 15 November 2007
Revoked Date:	21 February 2008

D.11 Planning Applications Involving Setback Variations
--

Delegation No:	D.11
Delegation Subject:	Planning Applications Involving Setback Variations
File Number:	MAN6
Adoption Date:	21 February 2008

STATEMENT OF INTENT

This delegation will allow for the determination of planning and building applications that involve variations to setback requirements, where the provisions of Council's Local Planning Scheme may be achieved.

DELEGATION

1. Council hereby delegates authority to the Chief Executive Officer to determine planning and building applications that propose a variation to the setback requirements of Local Planning Scheme No 4 in the following circumstances:
 - a. Approval of a variation to the 30m setback to all boundaries within the Rural Residential or Rural Living zones due to the topography of the land or the lot configuration and where the proposed development will not significantly impact on views to and from the road or the rural character of the locality;
 - b. Approval of a variation to the 50m setback to all boundaries in the Rural zone due to the topography of the land or the lot configuration and where the proposed development will not impact on adjoining landowners or the rural character of the locality;
 - c. Approval of variation to the 100m setback to all boundaries in the Rural zone where the lot fronts a main or district road due to the topography of the land or the lot configuration and where the proposed development will not significantly impact on views to and from the road or the rural character of the locality.
 - d. Refusal of applications that propose variations to the setback requirements for the Rural, Rural Residential and Rural Living zones that are not considered warranted and where the setback may easily be achieved on the property.

2. The delegation of authority to the Chief Executive Officer to determine planning and building applications that propose a variation to the setback requirements of Local Planning Scheme No 4 will not apply:

- a. Where an adjoining owner makes an objection in writing to a reduced setback proposal. In this circumstance, the proposed development is to be presented to Council for determination;
- b. The setback variation of up to half the required setback is sought as the location of the building is on a lot with more than one street frontage, unless this variation is required for topographical or lot configuration purposes.
- c. The setback variation is sought on the grounds that the location of the building within the setback area will not adversely affect the amenity of an adjoining landowner or the area generally; or
- d. To properties which may be listed on the State Register of Heritage Places, contained on the Shire's Municipal Inventory or situated within a designated heritage area.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Senior Management Group comprising of at least three (3) of the following: Deputy Chief Executive Officer Manager Planning and Development Senior Building Surveyor / Building Surveyor Planning Officer Development Support Officer Manager Finance and Administration Manager Works and Services
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Clause 11.3 of Local Planning Scheme No 4 and the Local Government Act 1995 Section 5.42 and 5.44
History:	This delegation supersedes all previous delegations regarding the variation of setback requirements
Review Date:	25 February 2008 / 21 May 2009 13 May 2010 / 21 June 2011 / 19 June 2012

D.12 Keeping of 3 – 6 Dogs

Delegation No:	D.12
Delegation Subject:	Keeping of 3 – 6 Dogs
File Number:	DOG7
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to approve / reject applications for the keeping of more than two (2) dogs in relation to Shire of Toodyay Keeping of 3 -6 Dogs Policy.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to approve or reject applications for the keeping of more than two (2) dogs subject to the requirements set out in Council's Policy, TP.8 – Keeping of 3-6 Dogs.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Deputy Chief Executive Officer Manager Planning and Development
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Section 26 of the Dog Act 1976, Clause 3.2 of the Shire of Toodyay Dog Local Law and the Local Government Act 1995 Section 5.42 and 5.44
History:	This delegation supersedes all previous delegations on the keeping of 3 – 6 dogs within the Shire of Toodyay
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012
Relevant Policies/Procedures	<ul style="list-style-type: none"> A.15 – The Keeping of 3 to 6 Dogs

D.13 Cheque Signing

Delegation No:	D.13
Delegation Subject:	Cheque Signing
File Number:	FIN9
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to authorise the payment of all creditor's accounts.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to make payments from the Municipal Fund, Trust Fund and Reserve Fund.

This delegation is in accordance with Council's Policy, F.2 – Cheque Signing and Account Limit.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Deputy Chief Executive Officer Manager Planning and Development Manager Finance and Administration
Formal Record:	Report in monthly Council Agenda
Heads of Power:	Local Government (Financial Management) Regulations 13 Local Government Act 1995 Sections 5.42 and 5.44
History:	
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.14 Purchasing

Delegation No:	D.14
Delegation Subject:	Purchasing
File Number:	FIN9
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to ensure that purchasing is undertaken in an efficient and effective manner that provides transparency and accountability of the procurement process.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to sign purchase orders on behalf of Council.

This delegation is in accordance with Council's Policy, F3 – Purchasing.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Deputy Chief Executive Officer Manager Planning and Development Manager Finance and Administration Manager Works and Services Works Supervisor Works Coordinator Building Maintenance Officer <u>Emergencies Only:</u> Senior Ranger
Formal Record:	Retain copy of purchase order
Heads of Power:	Local Government (Financial Management) Regulations 1996, Regulations 11,12,13
History:	
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.15 Sale of Scrap

Delegation No:	D.15
Delegation Subject:	Sale of Scrap
File Number:	TEC1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to sell or dispose of unwanted materials to any interested person.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to sell or dispose of used or unwanted materials with a value up to \$1,000 per item.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Manager Works and Services
Formal Record:	Receipt of payment.
Heads of Power:	Local Government (Functions and General) Regulations Regulation 30 (3)(a)
History:	
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.16 Oversize Vehicle Permit

Delegation No:	D.16
Delegation Subject:	Oversize Vehicle Permit
File Number:	TEC21
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to issue permits to allow oversized vehicles to travel on Shire controlled roads in accordance with Council's oversized vehicle policy.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to issue permits to any application that is compliant with Council's adopted policy position.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Deputy Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act Section 5.42 and 5.44
History:	
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.17 Development and Subdivision Applications

Delegation No:	D.17
Delegation Subject:	Development and Subdivision Applications
File Number:	MAN6
Adoption Date:	27 March 2008

STATEMENT OF INTENT

This delegation of authority to the Chief Executive Officer is in accordance with Clause 11.3.1 of the Shire of Toodyay Local Planning Scheme No 4 in respect to the undertaking of the planning functions of the Shire of Toodyay.

This delegation will facilitate the timely process of development and subdivision applications.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to perform the functions of Council in respect of the following matters:

1. Approve applications for land use and/or development under the Shire Local Planning Scheme No. 4, including the exercise of discretion where provided for, except as follows:
 - a) Applications for land use and/or development where an objection has been received during a public consultation period;
 - b) Applications for land use and/or development that require a variation to any adopted Council policy;
 - c) Applications for land use and/or development where the use is not mentioned in the zoning table.
 - d) Application for land use and/or development in relation to non-conforming use of land.
 - e) Application for land use and/or development on Reserve zoned land where the value of the development is less than \$50,000
 - f) Applications for land use and/or development that require a setback variation, refer to delegation D.11.

2. Refusal of all planning applications where the proposed land use and/or development is not permitted by the Scheme or where the development does not comply with the non-discretionary provisions of the Residential Design Codes or an adopted Council policy.

3. To make recommendations to the Western Australian Planning Commission for approval, with or without conditions, in respect of applications for subdivision, amalgamation and survey strata subdivision that comply with the following:
 - a) Shire of Toodyay's Local Planning Scheme No 4;
 - b) Shire of Toodyay's Local Planning Strategy; and
 - c) Residential Design Codes (2002)
4. To make recommendations to the Western Australian Planning Commission for refusal in respect of applications for subdivision, amalgamation and survey strata subdivision that do not comply with the following:
 - a) Shire of Toodyay's Local Planning Scheme No 4;
 - b) Shire of Toodyay's Local Planning Strategy; and
 - c) Residential Design Codes (2002)
5. In circumstances where:
 - (i) The Western Australian Planning Commission decides to approve an application that has not been supported by Council, including reconsidered applications; or
 - (ii) The Western Australian Planning Commission decides not to support or modify a condition recommended by Council; or
 - (iii) An application and/or condition that has not been supported by Council is to be approved as part of an appeal process,

a recommendation on the conditions required on the approval of a subdivision, survey strata subdivision or amalgamation application or on the modification of any recommended conditions may be made.
6. To undertake the clearance of conditions on a subdivision approval where the total number of lots in the subdivision does not exceed 20.
7. To prepare a Local Planning Policy for the purpose of advertising as required in Clause 2.4.1 of Local Planning Scheme No 4.
8. To issue a written direction under Section 214 of the Planning and Development Act 2005 where an owner/occupier has not satisfied Clause 11.4 of Local Planning Scheme No 4.

Any application that does not fall within the parameters defined within this delegation of authority is to be referred to Council for determination.

The Chief Executive Officer reserves the right to refer any planning application that falls within the delegation parameters specified within this delegation to Council, if in the opinion of the Chief Executive Officer, it is considered that:

- a) The application is of a sufficiently contentious nature to warrant Council's determination;
- b) The determination of the application would be contrary to the intent of a previous decision or directive made by Council; or
- c) It would be in the public interest or consistent with the principles of accountability for Council to determine the application.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Deputy Chief Executive Officer Manager Planning and Development Senior Building Surveyor / Building Surveyor Planning Officer Note: Manager Planning and Development is the only Officer delegated authority to determine subdivision applications.
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Clause 11.3 of Local Planning Scheme No 4 and the Local Government Act Section 5.42 and 5.44
History:	This delegation supersedes all previous delegations regarding the determination of development and subdivision applications
Reviewed Date:	21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012
Relevant Policies/Procedures	<ul style="list-style-type: none"> • LPP.1 - Signage Outside the Central Toodyay Heritage Area; • LPP.2 - Ancillary Accommodation; • LPP.3 - Caravan Park and Camping Grounds; • LPP.4 – Development in the Residential Development Zone; • LPP.5 – Foggarthorpe Residential Estate Design Guidelines; • LPP.7 – Extractive Industries – Road Maintenance Contribution; • LPP.11 – Car Parking; • LPP.12 – Alfresco Dining;

	<ul style="list-style-type: none"> • LPP.13 – Outbuildings in Residential Areas; • LPP.14 – Use of Sea Containers and Other Similar Storage Structures; • LPP.16 – Transported and Relocated Dwellings; • LPP.17 – Development in the Extracts Industrial Area; • LPP.18 – Glencoe Estate Design Guidelines; • LPP.19 – Subdivision Contributions for Road and Footpath Upgrading; • LPP.20 – Central Toodyay Heritage Area; and • LPP.21 – Landscaping Plans.
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D.18 Building

Delegation No:	D.18
Delegation Subject:	Building
File Number:	MAN6
Adoption Date:	25 August 2005

STATEMENT OF INTENT

This delegation will allow for the timely processing of building matters, in accordance with the Building Act 2011 and Building Regulations 2011.

DELEGATION

Council hereby delegates authority to the Senior Building Surveyor, Building Surveyor and Assistant Building Surveyor to exercise all of the powers and the discharge of all of the duties of the Council in relation to buildings, building work and demolition under the Building Act 2011 and Regulations 2011 in accordance with their qualifications.

Delegation By Council To:	Senior Building Surveyor, Building Surveyor and Assistant Building Surveyor
Delegation By Chief Executive Officer To:	Nil
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Building Act 2011 Section 96(3) and Section 127 Local Government Act Section 5.36,
History:	
Reviewed Date:	4 November 2005 / Amended 25 May 2006 16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010/ 21 February 2012 / 19 June 2012

D.19 Health

Delegation No:	D.19
Delegation Subject:	Authorisation under Section 26 of the Health Act 1911
File Number:	HLT1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation is to specify the authorisation of authority to the Chief Executive Officer in respect of functions of the Health Section of the Shire of Toodyay, concerning the Health Act 1911(as amended).

DELEGATION

Council grant authorisation of authority under Section 26 of the Health Act 1911 (as amended) to the Chief Executive Officer.

Council grant authorisation of authority to the Chief Executive Officer to exercise and discharge all of the following powers and functions and procedures of Council with respect to the Health Act and the regulations, local laws and orders made there under:

- The issue of notices orders and requisitions.
- The closure of premises where an immediate health risk exists.
- The granting, refusal and cancellation of registration and licences.
- Initiation of legal proceedings where an offence has been committed.
- Any other powers and functions where in the opinion of the Environmental Health Officer, immediate action is necessary to prevent or alleviate a public health hazard.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Environmental Health Officer/s Deputy Chief Executive Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Health Act 1911 (as amended) Section 26
History:	
Reviewed Date:	24 November 2005 / 16 November 2006 / 15 November 2007 / 21 May 2009/ 13 May 2010 / 21 June 2011 / 19 June 2012

D.20 Applications for Treatment of Sewage and Disposal of Effluent and Liquid Waste
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Delegation No:	D.20
Delegation Subject:	Applications for Treatment of Sewage and Disposal of Effluent and Liquid Waste
File Number:	HLT17
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to approve applications for septic tanks and other alternate effluent disposal treatment systems that are compliant with the Health Act and Regulations.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to exercise and discharge the powers and functions of the Council in relation to the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974:

- Regulation 4(3)(a) – grant approval subject to form and conditions set out by Council.
- Regulation 4(3)(b) – refuse to grant approval.
- Regulation 10(2) – (relating to approvals).
- Regulation 10(4)(b) – (relating to approvals).
- Regulation 22(2)(a) – (relating to appeals).
- Regulation 22(2)(b) – (relating to appeals).

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Environmental Health Officer/s for: Regulation 4(3)(a) – grant approval subject to form and conditions set out by Council Regulation 4(3)(b) – refusal to grant approval Regulation 10(2) – (relating to approvals)
Delegation By Chief	Deputy Chief Executive Officer

Executive Officer To:	Regulation 22(2)(a) – (relating to appeals) Regulation 22(2)(b) – (relating to appeals)
Formal Record:	Report in monthly Council Information Bulletin
Heads of Power:	Health Act 1911 Section 26 Health (Treatment of Sewage and Disposal of Liquid Waste) Regulations 1974
History:	
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.21 Police Clearances – Volunteers

Delegation No:	D.21
Delegation Subject:	Police Clearances – Volunteers
File Number:	POL1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer, upon presentation of a police clearance, to determine whether the volunteer is deemed unacceptable to act on behalf of the Shire of Toodyay.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to determine a volunteer unacceptable to act on behalf of the Shire of Toodyay in accordance with Councils Policy A.6- Police Clearance Certificates – Volunteers.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Nil
Formal Record:	Copy in Personnel Files
Heads of Power:	Local Government Act Section 5.42 and 5.44
History:	
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.22 Sale of Light Industrial Land

Delegation No:	D.22
Delegation Subject:	Sale of Light Industrial Land
File Number:	LAN3
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow for the Chief Executive Officer to expedite the contracts of Offer and Acceptances for the sale of Extracts Light Industrial lots.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to sell Extracts Light Industrial lots that achieve a return equal to or greater than the valuation of said lots subject to compliance with Section 3.58 of the Local Government Act 1995.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Nil
Formal Record:	Report in monthly Council Agenda.
Heads of Power:	Local Government Act Section 3.58, 5.42 and 5.44.
History:	
Reviewed Date:	Repealed 16 November 2006
Revoked Date:	16 November 2006

D.23 Temporary Road Closures

Delegation No:	D.23
Delegation Subject:	Temporary Road Closures
File Number:	MAN6
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will facilitate the improved processing of temporary road closure requests, in accordance with Council's Policy A.13 Temporary Road Closures.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to process and approve temporary road closure requests in accordance with the provisions of Council's Policy A.13 – Temporary Road Closures.

Any request that falls outside of the parameters specified within Council's Temporary Road Closures policy is to be referred to Council for determination.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Deputy Chief Executive Officer Manager Works and Services
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Road Traffic Act section 83 and Local Government Act 1995 Section 5.42 and 5.44
History:	This delegation supersedes all previous delegations regarding the temporary closure of roads
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012
Relevant Policies/Procedures	A.13 – Temporary Road Closures

D.24 Permit for Revegetation Projects

Delegation No:	D.24
Delegation Subject:	Permit for Revegetation Projects
File Number:	MAN6
Adoption Date:	15 December 2005

STATEMENT OF INTENT

This delegation will facilitate the timely processing of applications to obtain a permit to collect seed from native flora on a thoroughfare.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to determine all applications made under Section 5.20 of the Shire of Toodyay Thoroughfares and Trading in Thoroughfares and Public Places Local Law and issue permits for the collection of seed from native flora on a thoroughfare.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Nil
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42 and 5.44
History:	This delegation supersedes all previous delegations regarding the Section 5.20 permits issued under the Shire of Toodyay Thoroughfare and Trading in Thoroughfares and Public Places Local Law
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009

D.25 Dealing with Clearing Matters

Delegation No:	D.25
Delegation Subject:	Dealing with Clearing Matters
File Number:	MAN6
Adoption Date:	27 April 2006

STATEMENT OF INTENT

This delegation will facilitate the timely processing of applications to clear land under Council's Local Planning Scheme No 4 and to provide prompt written responses to the Department of Environment and Conservation on applications for clearing permits.

DELEGATION

Council grant delegated authority to the Chief Executive Officer to provide written comment for clearing applications under Council's Local Planning Scheme No 4 and to provide written advice to the Department of Environment and Conservation on applications for clearing permits, based on the following criteria:

1. Support of applications to clear land will be granted in the following circumstances:
 - a. Clearing of trees or vegetation that are dead, diseased or dangerous i.e. constituting an immediate threat to life or property;
 - b. Clearing of trees or vegetation that are not native to the region or have been commercially grown;
 - c. Clearing of land within 2m of infrastructure, such as power lines, sewer, water mains, stormwater drains etc where the vegetation is likely to damage or disrupt this infrastructure;
 - d. Clearing of land that is occurring as part of a native tree replanting programme or other rehabilitation project approved by Council;
 - e. Clearing of land to establish a firebreak required under Council's Fire Management Order;
 - f. An area up to 2m in width for a fence line that is being established as a new property boundary or to support legitimate farming practices;
 - g. Clearing of land for a building site, either to the maximum size of an approved building envelope shown on a development plan or

- plan or subdivision or to the extent required for the proposed buildings;
- h. Clearing of land to provide access to a building site, where the access track has a maximum width of 6m;
 - i. Clearing of land for pasture, grazing or other farming activities in the Rural or Rural Living zones of Local Planning Scheme No 4 where such clearing complies with all provisions of Council's Local Planning Scheme, the Local Planning Strategy and any other adopted policy;
 - j. The clearing of land to collect firewood, to obtain fencing or farming materials, for woodwork or the clearing of isolated trees where the requirements of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 for these activities are achieved; and/or
 - k. The total area of clearing for all activities does not exceed more than 1ha in any financial year.
2. Applications to clear land will not be supported in the following circumstances:
- a. Where the proposed area to be cleared is situated within 50m of any major watercourse and/or within the designated flood way and flood fringe for the Avon River;
 - b. The clearing of land for a building site greater than the extent required for the proposed buildings or outside of a defined building envelope; and/or
 - c. Where the clearing of land will likely have a significant negative impact upon the environment and/or landscape of an area.

3. Applications to clear land in the following circumstances will be referred to Council for determination:
- a. Any proposal which does not meet the criteria detailed in Parts (1) or (2);
 - b. Applications to clear land in areas where the topography of the land raises concerns regarding the potential negative impacts of the proposed clearing activities.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Senior Management Group comprising of at least three (3) of the following: Deputy Chief Executive Officer Manager Finance and Administration Manager Works and Services Manager Planning and Development
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42 and 5.44
History:	This delegation supersedes all previous delegations relating to clearing matters
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.26 Authorised Officer Appointments

Delegation No:	D.26
Delegation Subject:	Authorised Officer Appointments
File Number:	RGR1
Adoption Date:	15 March 2007

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to appoint officers to carry out duties as required by Councils Planning and Development Services Department and Ranger and Emergency Services Department in a timely and efficient manner.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to appoint persons employed by Council as Pound Keeper, Registration Officer, Authorised Officer, Fire Control Officer and Ranger for the purposes of enforcing and administering the following Acts and Regulations and Local Laws for the Shire of Toodyay:

1. *Local Government Act 1995* and Regulations
2. *Local Government (Miscellaneous Provisions) Act 1960*
3. *Bush Fires Act 1954* and Regulations
4. *Dog Act 1976* and Regulations
5. *Litter Act 1979*
6. *Animal Welfare Act 2002*
7. Shire of Toodyay Local Laws
8. *Control of Vehicles (Off Road Areas) Act* and Regulations 1978
9. *Planning and Development Act 2005*
10. *Food Act 2008* and Food Regulations 2009
11. Shire of Toodyay Local Planning Scheme No 4

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Nil
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42 and 5.44

History:	
Reviewed Date:	15 November 2007 / 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.27 Use of Common Seal

Delegation No:	D.27
Delegation Subject:	Use of Common Seal
File Number:	PCY2
Adoption Date:	19 April 2007

STATEMENT OF INTENT

This delegation will enable the Chief Executive Officer to use the Common Seal of the Shire of Toodyay as and when legally required.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to use the Common Seal of the Shire of Toodyay on any instruments as and when legally required.

A report will be placed in the monthly Councillor Information Bulletin listing all of the documents to which the Common Seal was applied.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	In the absence of the Chief Executive Officer, the Deputy Chief Executive Officer, Manager Finance and Administration or Manager Planning and Development
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42 and 5.44
History:	
Reviewed Date:	15 November 2007 / 21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.28 Issue of Notice of Breach (Fencing)

Delegation No:	D.28
Delegation Subject:	Issue of Notice of Breach (Fencing)
File Number:	LAW6
Adoption Date:	27 March 2008

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to issue a 'notice of breach' for non-conformance with the requirements under the Shire of Toodyay Local Law Relating to Fencing 1999 in a timely and efficient manner.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to issue a 'notice of breach' under the Shire of Toodyay Local Laws Relating to Fencing 1999.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Senior Building Surveyor / Building Surveyor Manager Planning and Development Planning Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42 and 5.44
History:	
Reviewed Date:	21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.29 Deed of Covenant for the Payment of a Developer Contribution

Delegation No:	D.29
Delegation Subject:	Deed of Covenant for the Payment of a Development Contribution
File Number:	PLA1
Adoption Date:	19 June 2008

STATEMENT OF INTENT

This delegation of authority will enable the Shire President and the Chief Executive Officer to enter into a Deed of Covenant for the Payment of a Development Contribution with prospective developer(s) proposing to rezone land under Local Planning Scheme No 4 to enable further subdivision.

DELEGATION

Council hereby delegates authority to the Shire President and the Chief Executive Officer to enter into a Deed of Covenant for the Payment of a Development Contribution with prospective developer(s) proposing to rezone land under Local Planning Scheme No 4 to enable further subdivision, subject to the following:

1. The proposed rezoning can be supported under the provisions of the Local Planning Strategy.

Delegation By Council To:	Shire President Chief Executive Officer
Delegation By Chief Executive Officer To:	Nil
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42 and 5.44
History:	
Reviewed Date:	21 May 2009 / 13 May 2010 / 21 June 2011 / 19 June 2012

D.30 Tenders

Delegation No:	D.30
Delegation Subject:	Tenders
File Number:	TEN1
Adoption Date:	3 April 2012

STATEMENT OF INTENT

This delegation will allow for the calling of Tenders in accordance with the *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996*.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to call tenders in accordance *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996*.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Nil
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Sections 3.57 and 5.46 of <i>Local Government Act 1995</i> and regulations 11 to 24 of the <i>Local Government (Functions and General) Regulations 1996</i> .
History:	
Reviewed Date:	19 June 2012

2. – One off Delegations

Council Resolution No.590/10/09

Delegation Subject:	Bush Fires Act 1954 part III Division 2
File Number:	FIR
Adoption Date:	15 October 2009

COUNCIL RESOLUTION NO 590/10/09

MOVED Cr Somers

That Council delegate to the Shire President and the Chief Bush Fire Control Officer jointly its powers under sub sections (7) and (8) of Section 17 of the Bush Fires Act 1954 part III Division 2.

MOTION CARRIED UNANIMOUSLY 9/0

Council Resolution No.64/02/12

Delegation Subject:	Planning and Development Act 2005
File Number:	M513REDG/A3915
Adoption Date:	29 February 2012

ALTERNATIVE MOTION/COUNCIL RESOLUTION NO 64/02/12

MOVED Cr Firns

1. Council delegate authority to the Chief Executive Officer to issue temporary planning approval and temporary extractive industry licence to Mr Michael Morgan for Lot M514 Red Gully Road, Nunile for a period of 20 days to allow the Shire of Northam to extract gravel for the purposes of upgrading of Irishtown Road. This temporary approval has been granted to allow the Shire of Northam to upgrade a road for public use and to be able to deliver the project on budget.
2. The temporary planning approval and temporary extractive industry licence must be subject to the following conditions:
 - a) Gravel extracted from the site can only be used for road works being undertaken by the Shire of Northam for the upgrading of Irishtown Road.
 - b) The applicant must pay to the Shire of Toodyay the \$696 planning application fee and \$550 extractive industry licence application fee, prior to the commencement of extraction.
 - c) Those portions of public roads affected by the activities relating to the extraction site shall be maintained to a standard acceptable to the Council at the applicant's cost. To achieve this, the applicant shall pay a road maintenance contribution to an amount of \$0.50 per tonne for expenses that would be incurred by the Shire of Toodyay for the repair and maintenance of Council's roads. This money is payable at the completion of the licence period.
3. Council advise the applicant that if extraction is intended to be undertaken beyond the term of the temporary approval an application for planning approval and extractive industry licence must be submitted with the appropriate information required under the Shire of Toodyay's Extractive Industry Local Law. If such application is not submitted and approved by the Shire of Toodyay by 31 August 2012 the extraction site must be rehabilitated with the excavation slopes being battered to 1:6 slopes, covered with topsoil and returned to a state suitable for agriculture purposes to the Shire's satisfaction.
4. The Applicant be advised that if the rehabilitation is not carried out the Council will undertake the works and recover this cost from the applicant under relevant legislation.

ABSOLUTE MAJORITY CARRIED 7/0

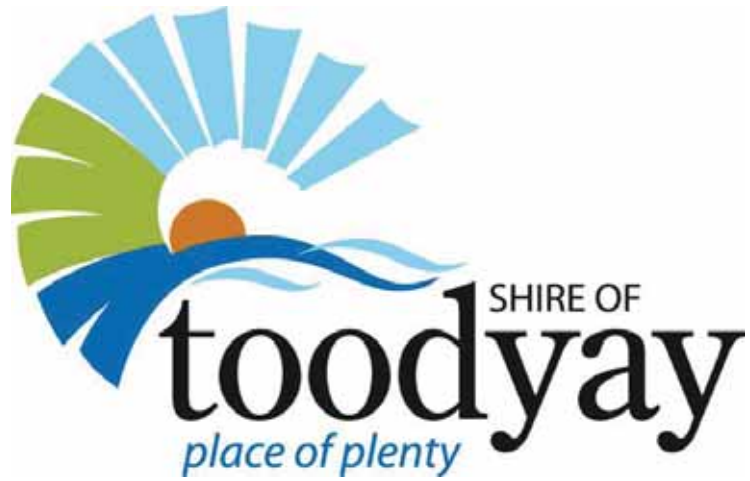
3. – Delegation Register – Review Table

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Review No	Date	Review Type	Amended Delegation Numbers	Council Resolution No	REVIEW STATUS
1	24/11/2005	Amended	D.2	192/11/05	Complete
2	16/11/2006	Amended	D.4-D.7; D.9-D.15; D.17-D.18; D.20; D.22-D.25	190/11/06	Complete
3	15/11/2007	Amended	D.1-D.2; D.4-D.7; D.10- D.21; D.23-D.27	157/11/07	Complete
4	25/02/2008	Revoked	D.10	204/02/08	Complete
		Amended	D.11	205/02/08	Complete
		Revoked	D.17	206/02/08	Complete
5	8/06/2008	New Delegation	D.29	275/05/08	Complete
6	21/05/2009	Removed	185/01/08	500/05/09	Complete
		Amended	D.6		
		Amended	D.18		
		Amended	D.19		
		Amended	D.20		
		Amended	D.26		
7	10/12/2009	One off	590/10/09	590/10/09	Complete
8	25/02/2010	Revoked	D.9	644/12/09	Complete
		Amended	D.26	688/02/10	
9	13/05/2010	Amended	D.19; D.23; D.26;	751/05/10	Complete
10	21/06/2011	Amended	D.17	172/06/11	Complete
11	21/02/2012	Amended	D.18	37/02/12	Complete
12	21/02/2012	Amended	D.18	37/02/12	Complete
13	29/02/2012	One-off	64/02/12	64/02/12	Complete

14	3/04/2012	New	D.30	107/04/12	Complete
15	19/06/2012	Amended	D.5, D.6, D.12, D.17, D.23	189/06/12	Complete

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DELEGATION REGISTER

Document No	DR1	Version Number:	1	Effective Date:	18/04/2013	Review Date	18/04/2013
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Introduction

The aim of delegated authority is to assist with improving the time taken to make decisions within the constraints allowed by relevant legislation. This is consistent with the Shire of Toodyay’s commitment to our Customer Service Charter. The Delegation Register details the related document(s) where the power to delegate is derived from, including legislation and policies of the Council. This enables easier cross-referencing.

The Functions of Local Government

The general function of a Local Government is to provide for the good government of persons in its district (the *Local Government Act 1995* s.3.1 (1)). The general function of a Local Government includes legislative and executive functions (*the Local Government Act 1995* s.3.4).

In accordance with the *Local Government Act 1995 (the Act) Section 2.6(1)* each Local Government is to have an elected Council as its governing body.

In accordance with the *Local Government Act 1995 Section 2.7(1)* the Council governs the Local Government’s affairs; and is responsible for the performance of the Local Government’s functions.

The Council is to also, in accordance with the *Local Government Act 1995 Section 2.7(2) (b)* determine the Local Government’s policies.

The Shire President will liaise with the CEO on the Local Government’s affairs and the performance of its functions in accordance with the *Local Government Act 1995 Section 2.8(1) (f)*.

Delegation Process

Council may make new delegations at any time. Delegations are to be in writing and may be general or as otherwise provided in the instrument of delegation. (the Act s.5.42 (2); the Act s.5.44 (2); the Act s.5.16 (2)).

All delegations made, amended, or revoked by the Council must be made by “Absolute Majority.” A delegation made has effect for the period of time specified in the delegation or where no period has been specified, indefinitely and any decision to amend or revoke a delegation by an absolute majority (the Act s.5.45 (1)).

In accordance with the *Interpretation Act 1984 (s.53* Appointments may be by name or office) any such appointment or designation of the holder of an office shall be construed as the appointment or designation of the person from time to time holding, acting in, or lawfully performing the functions of the office.

Legislation

Legislation covering delegations within this register is detailed below:

(1) Local Government to Chief Executive Officer

Delegations made by the Local Government (Council) to the Chief Executive Officer are in accordance with legislation listed below:

Local Government Act 1995

s.5.42 Delegation of some powers and duties the CEO.

s.5.43 Limits on delegations to CEO.

s.5.45 Other matters relevant to delegations under this Division.

s.3.24 Authorised persons under this Subdivision

s.9.10 Appointment of Authorised persons

Local Government (Administration) Regulations 1996.

r.18G Delegations to CEO's, limits on (the Act s.5.43)

r.19 Delegates to keep certain records (the Act s.5.46(3)).

Local Government (Financial Management) Regulations 1996

r.12 Payments from municipal fund or trust fund, restrictions on making

r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

r.19 Investments, control procedures for

(2) Local Government to Committees

Delegations made by the Local Government (Council) to Committees are in accordance with legislation listed below:

Local Government Act 1995

s.5.16 Delegations of some powers and duties to certain committees.

s.5.17 Limits on delegation of powers and duties to certain committees.

s.5.18 Register of delegations to committees.

s.7.1B Delegations of some powers and duties to audit committees.

(3) Chief Executive Officer to other Employees

Delegations made by the Chief Executive Officer (CEO) to other Employees are in accordance with legislation listed below:

Local Government Act 1995

s.5.44 CEO may delegate powers and duties to other employees.

s.5.45 Other matters relevant to delegations under this Division.

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

s.9.49A(4) Executions of documents (i.e. limits)

Local Government (Administration) Regulations 1996.

r.19 Delegates to keep certain records (Act s.5.46(3)).

Local Government (Financial Management) Regulations 1996

r.6 Audits and Performance Review of accounting staff, etc. who may conduct

Interpretation Act 1984

s.53 Appointments may be by name or office.

s.59 Power to delegate, effect of

Associated Legislation

Legislation other than the Act, its regulations and the local government's local laws created under the Act where delegations or authorisations may occur from are as follows:

- Bush Fires Act 1954
- Bush Fires (Infringements) Regulations 1978
- Bush Fires Regulations 1954
- Caravan Parks and Camping Grounds Act 1995
- Building Act 2011
- Cat Act 2011
- Cat Regulations 2012
- Freedom of Information Act 1992
- Dividing Fences Act 1961
- State Records Act 2000
- Cemeteries Act 1986
- Control of Vehicles (Off-road Areas) Act 1978
- Dog Act 1976
- Emergency Management Act 2005
- Fire and Emergency Services Act 1998
- Library Board of Western Australia Act 1951
- Health Act 1911
- Planning and Development Act 2005
- Waste Avoidance and Resource Recovery Act 2007
- Food Act 2008
- Food Regulations 2009

Note: this is not an exhaustive list.

Certification

The Local Government is to issue each person so authorised a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person (the Act s.9.10(2))

A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty (the Act s.5.46(3)).

Review

It is a requirement that at least once every financial year, delegations made are to be reviewed by the delegator (the Act s.5.46(2)).

Definitions

“Delegation”	specifies the delegated function of Local Government to be performed.
“Statement of Intent”	states the purpose of the delegation and the reason for it being required.
“Head of Power”	means the Act and Legislation responsible for delegation of a power to a Local Government
“Statutory Power of Delegation”	means the legislation responsible for giving the “Local Government” power to delegate to the Chief Executive Officer and/or other employees or Officers of Local Government.
“Power Delegated to”	States the position of the person to whom a function of Local Government has been delegated to.
“Council’s Conditions on Delegation”	relates to conditions by which Council approves the delegation.
Record Keeping (s.546(3))	states what the requirements are in relation to keeping a record following the performance of a function of Local Government.
“CEO’s Delegation to”	States the position of the person to whom the CEO has delegated a function of Local Government to.

“CEO’s Conditions on delegation”	relates to conditions by which the CEO approves the delegation.
“Statutory Power of Sub-Delegation”	means the legislation responsible for giving the “Chief Executive Officer” power to delegate to other employees or Officers of Local Government.
“Review Date”	will list the date a review has occurred via a Meeting of Council.
“Local Government”	means the Local Government established under the <i>Local Government Act 1995</i> .
“Delegated to”	will detail the name of the person to whom the delegation (performance of the function) has been made to.
“Sub-delegated to”	will detail the name of the person to whom the CEO delegates the performance of the function to.
“Authorised Officer”	means an authorised officer whose appointment under a relevant section of an Act or subsidiary legislation authorises the officer to perform functions.

Authorisation

I, the undersigned, certify that the delegations contained in this Register were formally reviewed by Council on 18 April 2013. At this meeting it was resolved by Council to adopt new delegations and confirm the continued application of previous delegations.

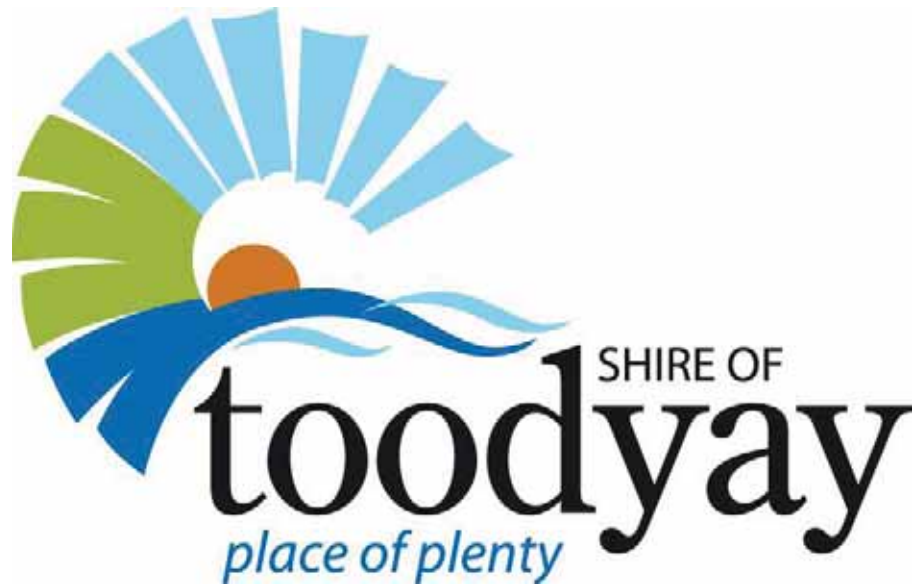
Cr Kevin Hogg
SHIRE PRESIDENT

18 April 2013

I, the undersigned, certify that the delegations contained in this register were reviewed to adopt new delegations and confirm the continued application of previous delegations.

Stan Scott
CHIEF EXECUTIVE OFFICER

18 April 2013



SECTION ONE (All Delegations)

Including (but not limited to)

Chief Executive Officer
Employees
Committees of Council

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D.1 Infringement Notice Issue

Delegation No:	D.1
Delegation Subject:	Infringement Notice Issue
File Number:	LAW1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow infringement notices to be issued expeditiously and efficiently.

DELEGATION

Council delegates authority to the Chief Executive Officer to issue infringement notices arising from all legislation controlled by the Shire of Toodyay.

If infringement remains unpaid it is then sent to the Fines Enforcement Registry in accordance with Council's Financial Policies.

Head of Power:	All Legislation controlled by the Shire of Toodyay.		
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 and s.5.43		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	This delegation supersedes all previous delegations on the issuing of infringement notices.		
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995</i> s.5.44 and s.5.46.		
CEO's Delegation to:	Manager Community Development Senior Ranger and Ranger Manager Planning and Development Senior Building Surveyor and Building Surveyor. Planning Officer		
CEO's Conditions on delegation:	Nil.		
Record Keeping s.546(3)	Report in monthly Councillor Information Bulletin		
D.1. Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.2 Investment of Surplus Funds

Delegation No:	D.2
Delegation Subject:	Investment of Surplus Funds
File Number:	BNK2
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow for the investment of surplus funds to maximise Council's interest earning capability.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to invest surplus monies held in any Council Fund. The Chief Executive Officer is to ensure that all investments in the Investment Register are reconciled to the general ledger on a regular basis.

Head of Power:	<ul style="list-style-type: none"> Local Government Act 1995 Local Government (Financial Management) Regulations 1996 		
Statutory Power of Delegation:	<ul style="list-style-type: none"> Local Government Act 1995 s.5.42 and s.5.43. Local Government (Financial Management) Regulations r.12, r.13 and r.19 		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	Funds invested in accordance with Council's Investment Policy F.9		
Statutory Power of Sub-Delegation:	<ul style="list-style-type: none"> Local Government Act 1995 s.5.44 and s.5.46. Local Government (Financial Management) Regulations r.6 		
CEO's Delegation to:	Manager Corporate Services		
CEO's Conditions on delegation:	Nil.		
Record Keeping s.546(3)	Include in Monthly Financial Statements - Council Agenda for Meetings of Council.		
D.2 Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.3 Legal Representation and Costs Indemnification

Delegation No:	D.3
Delegation Subject:	Legal Representation and Costs Indemnification
File Number:	MEM1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to authorise expenditure of up to \$5,000 for urgent legal representation costs where required and justified.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to give authorisation to the value of \$5,000 for the provision of urgent legal service on costs indemnification prior to an application being considered by Council in accordance with Council Policy.

Head of Power:	<i>Local Government Act 1995</i>		
Statutory Power of Delegation:	<ul style="list-style-type: none"> <i>Local Government Act 1995 s.5.42 and s.5.43.</i> 		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	This delegation supersedes all previous delegations on legal representation indemnification costs		
Statutory Power of Sub-Delegation:	N/A		
CEO's Delegation to:	N/A		
CEO's Conditions on delegation:	N/A		
Record Keeping s.546(3)	Report to Ordinary Meeting of Council		
D.3. Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.4 Liquor Consumption

Delegation No:	D.4
Delegation Subject:	Liquor Consumption
File Number:	MEM1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to authorise the consumption of liquor on Council property.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to approve consumption of liquor on Council property subject to applicants being advised that the requirements of State Liquor Laws and applicable Council policies must be met.

Head of Power:	<i>Liquor Control Act 1988</i>		
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	This delegation supersedes all previous delegations on liquor consumption on Council premises		
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>		
CEO's Delegation to:	Manager Community Development Manager Corporate Services		
CEO's Conditions on delegation:	Nil.		
Record Keeping s.546(3)	Report in the monthly Councillor Information Bulletin		
D.4 Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.5 Stallholders Fees

Delegation No:	D.5
Delegation Subject:	Stallholders Fees
File Number:	EVT1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to make determinations in relation to stallholder's fees to be imposed on applicants.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to waive or reduce appropriate stallholder's fees to be applied to applicants as contained in Council's Schedule of Fees and Charges.

Head of Power:	<ul style="list-style-type: none"> Local Government Act 1995 Planning and Development Act 2005 		
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 and s.5.43.		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	Clause 6.7 of the Shire of Toodyay's Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law.		
Statutory Power of Sub-Delegation:	N/A		
CEO's Delegation to:	N/A		
CEO's Conditions on delegation:	N/A		
Record Keeping s.546(3)	Report in monthly Councillor Information Bulletin		
D.5. Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.6 Thoroughfares and Trading in Thoroughfares and Public Places Permits.

Delegation No:	D.6
Delegation Subject:	Thoroughfares and Trading in Thoroughfares and Public Places Local Law Permits
File Number:	MEM1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to issue permits pursuant to the Shire of Toodyay's Thoroughfares and Trading in Thoroughfares and Public Places Local Law.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer the power to issue permits under the Shire of Toodyay's Thoroughfares and Trading in Thoroughfares and Public Places Local Law.

Head of Power:	<ul style="list-style-type: none"> • <i>Local Government Act 1995</i> • <i>Planning and Development Act 2005</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<p>In accordance with the following:</p> <ul style="list-style-type: none"> • Clause 7.2 of the Shire of Toodyay's Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law • A.14 – Trading in Thoroughfares and Public Places • LPP.24 - Directional Signage & Signage within Thoroughfares • LPP. 12 – Alfresco Dining
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>
CEO's Delegation to:	<p>Manager Community Development Senior Building Surveyor and Building Surveyor Manager Planning and Development Planning Officer</p>

	Environmental Health Officer Development Support Officer Customer Service Officer		
CEO's Conditions on delegation:	<i>Note:</i> Customer Service Officers are not delegated to issue stallholder permits for food stallholders.		
Record Keeping s.546(3)	Report in monthly Councillor Information Bulletin		
D.6. Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.7 Issue of Summonses

Delegation No:	D.7
Delegation Subject:	Issue of Summonses
File Number:	FIN5
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow Summonses to be issued without continual reference back to Council.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to issue summonses to any person/s who fails to comply with the legislative requirements of the Shire.

Head of Power:	<i>Local Government Act 1995</i>		
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	This delegation supersedes all previous delegations on the issuing of summonses		
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>		
CEO's Delegation to:	Manager Community Development Manager Corporate Services Manager Planning & Development		
CEO's Conditions on delegation:	Nil.		
Record Keeping s.546(3)	Details to be recorded in the appropriate file and/or register and inclusion in the monthly Council Information Bulletin.		
D.7 Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.8 Withdrawal of Infringement Notices

Delegation No:	D.8
Delegation Subject:	Withdrawal of Infringement Notices
File Number:	LAW1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow for the withdrawal of infringement notices where satisfactory justification has been provided.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to withdraw infringement notices provided that satisfactory justification for withdrawal is supplied.

Head of Power:	<ul style="list-style-type: none"> <i>Planning and Development Act 2005</i> <i>Local Government Act 1995</i> 		
Statutory Power of Delegation:	<ul style="list-style-type: none"> <i>Local Government Act 1995 s.5.42 and s.5.43</i> <i>Planning and Development Act 2005 s.234</i> 		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	In accordance with:- <ul style="list-style-type: none"> <i>Local Government Act 1995 s.9.20 withdrawal of notice.</i> <i>Planning and Development Act 2005 s.231 withdrawal of infringement notices.</i> 		
Statutory Power of Sub-Delegation:	N/A		
CEO's Delegation to:	N/A		
CEO's Conditions on delegation:	N/A		
Record Keeping s.546(3)	Details of determinations to be kept on appropriate file or register and reported in monthly Council Information Bulletin.		
D.8 Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.11 Planning Applications involving Setback Variations

Delegation No:	D.11
Delegation Subject:	Planning Applications Involving Setback Variations
File Number:	MAN6
Adoption Date:	21 February 2008

STATEMENT OF INTENT

This delegation will allow for the determination of planning and building applications that involve variations to setback requirements, where the provisions of Council's Local Planning Scheme may be achieved.

DELEGATION

1. Council hereby delegates authority to the Chief Executive Officer to determine planning and building applications that propose a variation to the setback requirements of Local Planning Scheme No 4 in the following circumstances:
 - a. Approval of a variation to the 30m setback to all boundaries within the Rural Residential or Rural Living zones due to the topography of the land or the lot configuration and where the proposed development will not significantly impact on views to and from the road or the rural character of the locality;
 - b. Approval of a variation to the 50m setback to all boundaries in the Rural zone due to the topography of the land or the lot configuration and where the proposed development will not impact on adjoining landowners or the rural character of the locality;
 - c. Approval of variation to the 100m setback to all boundaries in the Rural zone where the lot fronts a main or district road due to the topography of the land or the lot configuration and where the proposed development will not significantly impact on views to and from the road or the rural character of the locality.
 - d. Refusal of applications that propose variations to the setback requirements for the Rural, Rural Residential and Rural Living zones that are not considered warranted and where the setback may easily be achieved on the property.
2. The delegation of authority to the Chief Executive Officer to determine planning and building applications that propose a variation to the setback requirements of Local Planning Scheme No 4 will not apply:

- a. Where an adjoining owner makes an objection in writing to a reduced setback proposal. In this circumstance, the proposed development is to be presented to Council for determination;
- b. The setback variation of up to half the required setback is sought as the location of the building is on a lot with more than one street frontage, unless this variation is required for topographical or lot configuration purposes.
- c. The setback variation is sought on the grounds that the location of the building within the setback area will not adversely affect the amenity of an adjoining landowner or the area generally; or
- d. To properties which may be listed on the State Register of Heritage Places, contained on the Shire's Municipal Inventory or situated within a designated heritage area.

Head of Power:	<i>Planning and Development Act 2005</i>		
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43.</i>		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	<i>In accordance with Clause 11.3 of Local Planning Scheme No 4</i>		
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>		
CEO's Delegation to:	Manager Planning and Development		
CEO's Conditions on delegation:	In the absence of the CEO.		
Record Keeping s.546(3)	Report in monthly Councillor Information Bulletin		
D.11 Review Date(s)			
25 Feb 2008	21 May 2009	13 May 2010	21 June 2011
19 June 2012	18 April 2013		

D.12 Keeping of 3 to 6 Dogs

Delegation No:	D.12
Delegation Subject:	Keeping of 3 – 6 Dogs
File Number:	DOG7
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to approve / reject applications for the keeping of more than two (2) dogs in relation to Shire of Toodyay Keeping of 3 to 6 Dogs Policy.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to approve or reject applications for the keeping of more than two (2) dogs subject to the requirements set out in Council's Policy A.15 Keeping of 3 to 6 Dogs.

Head of Power:	<ul style="list-style-type: none"> • <i>Dog Act 1976</i> • <i>Local Government Act 1995</i> 		
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43.</i>		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	A.15 – The Keeping of 3 to 6 Dogs		
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>		
CEO's Delegation to:	Manager Community Development Manager Planning and Development		
CEO's Conditions on delegation:	<i>In accordance with the:</i> <ul style="list-style-type: none"> • <i>Dog Act 1976 s.26;</i> • <i>Local Government Act 1995 s.2.7(2)(b)</i> • <i>Clause 3.2 of the Shire of Toodyay Dog Local Law.</i> 		
Record Keeping s.546(3)	Report in monthly Councillor Information Bulletin		
D.12 Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.13 Authorised Signatories

Delegation No:	D.13
Delegation Subject:	Authorised Signatories
File Number:	FIN9
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to authorise the payment of all creditor's accounts.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to make payments from the Municipal Fund, Trust Fund and Reserve Fund.

Head of Power:	<ul style="list-style-type: none"> • <i>Local Government Act 1995</i> • <i>Local Government (Financial Management) Regulations 1996</i> 		
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43.</i>		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	In accordance with: <ul style="list-style-type: none"> • Council Policy F.2. Authorised Signatories; • <i>Local Government (Financial Management) Regulations 1996 r.13;</i> and • <i>Local Government (Financial Management) Regulations 1996 r.6.</i> 		
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>		
CEO's Delegation to:	Manager Corporate Services Manager Works & Services Manager Planning and Development Manager Community Development		
CEO's Conditions on delegation:	In accordance with the above delegation.		
Record Keeping s.546(3)	List of Accounts to be provided at Ordinary Meetings of Council.		
D.13 Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.14 Purchasing

Delegation No:	D.14
Delegation Subject:	Purchasing
File Number:	FIN9
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to ensure that purchasing is undertaken in an efficient and effective manner that provides transparency and accountability of the procurement process.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to sign purchase orders on behalf of Council.

Head of Power:	<ul style="list-style-type: none"> • <i>Local Government Act 1995</i> • <i>Local Government (Financial Management) Regulations 1996</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43.</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<p>In accordance with Council Policies:</p> <ul style="list-style-type: none"> • Council Policy F.3 Purchasing; • Council Policy F.10 Natural Disaster Recovery Management Account Expenditure; and • <i>Local Government (Financial Management) Regulations 1996 r.11, r.12 and r.13.</i>
Statutory Power of Sub-Delegation:	<ul style="list-style-type: none"> • <i>Local Government (Financial Management) Regulations 1996 r.6</i> • <i>Local Government Act 1995 s.5.44 and s.5.46.</i>
CEO's Delegation to:	<ul style="list-style-type: none"> • Manager Planning & Development • Manager Community Development • Manager Corporate Services • Manager Works & Services • Works Supervisor • Works Coordinator • Senior Building Surveyor

	<ul style="list-style-type: none"> • Building Maintenance Officer • Community Emergency Services Manager (CESM) • Senior Ranger (Emergencies Only) 		
CEO's Conditions on delegation:	In accordance with the above delegation.		
Record Keeping s.546(3)	In accordance with Purchasing Policy.		
D.14 Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.15 Sale of Scrap

Delegation No:	D.15
Delegation Subject:	Sale of Scrap
File Number:	TEC1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to sell or dispose of unwanted materials to any interested person.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to sell or dispose of used or unwanted materials with a value up to \$1,000 per item.

Head of Power:	<ul style="list-style-type: none"> • <i>Local Government Act 1995</i> • <i>Local Government (Functions and General) Regulations 1996</i> 		
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43.</i>		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	In accordance with: <ul style="list-style-type: none"> • Council Policy F.12 Disposal of Property; and • <i>Local Government (Functions and General) Regulations 1996 r.30 (3)(a)</i> 		
Statutory Power of Sub-Delegation:	<ul style="list-style-type: none"> • <i>Local Government (Financial Management) Regulations 1996 r.6</i> • <i>Local Government Act 1995 s.5.44 and s.5.46.</i> 		
CEO's Delegation to:	Manager Works and Services		
CEO's Conditions on delegation:	In accordance with the above delegation.		
Record Keeping s.546(3)			
D.15 Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.16 Oversize Vehicle Authorisation

Delegation No:	D.16
Delegation Subject:	Oversize Vehicle Authorisation
File Number:	TEC21
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer (CEO) to write a letter in relation to providing permission from Council to allow oversized vehicles to travel on Shire controlled roads in accordance with Council's oversized vehicle policy.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to write a letter of permission in relation to any application that is compliant with Council's adopted policy position.

Head of Power:	<ul style="list-style-type: none"> • <i>Road Traffic Act 1974</i> • <i>Road Traffic (Vehicle Standard) Regulations 2002</i> 		
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43.</i>		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	In accordance with Council Policy A.8		
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>		
CEO's Delegation to:	Manager Works and Services		
CEO's Conditions on delegation:	In accordance with the above delegation.		
Record Keeping s.546(3)	Details of determinations recorded on the appropriate file or register and reported in monthly Council Information Bulletin.		
D.16 Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.17 Development and Subdivision Applications

Delegation No:	D.17
Delegation Subject:	Development and Subdivision Applications
File Number:	MAN6
Adoption Date:	27 March 2008

STATEMENT OF INTENT

This delegation of authority to the Chief Executive Officer is in accordance with Clause 11.3.1 of the Shire of Toodyay Local Planning Scheme No 4 in respect to the undertaking of the planning functions of the Shire of Toodyay.

This delegation will facilitate the timely process of development and subdivision applications.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to perform the functions of Council in respect of the following matters:

1. Approve applications for land use and/or development under the Shire Local Planning Scheme No. 4, including the exercise of discretion where provided for, with the exception of:
 - a) Applications for land use and/or development where an objection has been received during a public consultation period;
 - b) Applications for land use and/or development that require a variation to any adopted Council policy;
 - c) Applications for land use and/or development where the use is not mentioned in the zoning table.
 - d) Application for land use and/or development in relation to non-conforming use of land.
 - e) Application for land use and/or development on Reserve zoned land where the value of the development is less than \$50,000.
 - f) Applications for land use and/or development that require a setback variation refer to delegation D.11.

2. Refusal of all planning applications where the proposed land use and/or development is not permitted by the Scheme or where the development does not comply with the non-discretionary provisions of the Residential Design Codes or an adopted Council policy.

3. To make recommendations to the Western Australian Planning Commission for approval, with or without conditions, in respect of applications for subdivision, amalgamation and survey strata subdivision that comply with the following:
 - a) Shire of Toodyay's Local Planning Scheme No 4;
 - b) Shire of Toodyay's Local Planning Strategy; and
 - c) Residential Design Codes (2002)
4. To make recommendations to the Western Australian Planning Commission for refusal in respect of applications for subdivision, amalgamation and survey strata subdivision that do not comply with the following:
 - a) Shire of Toodyay's Local Planning Scheme No 4;
 - b) Shire of Toodyay's Local Planning Strategy; and
 - c) Residential Design Codes (2002)
5. In circumstances where:
 - (i) The Western Australian Planning Commission decides to approve an application that has not been supported by Council, including reconsidered applications; or
 - (ii) The Western Australian Planning Commission decides not to support or modify a condition recommended by Council; or
 - (iii) An application and/or condition that has not been supported by Council is to be approved as part of an appeal process,

a recommendation on the conditions required on the approval of a subdivision, survey strata subdivision or amalgamation application or on the modification of any recommended conditions may be made.
6. To undertake the clearance of conditions on a subdivision approval where the total number of lots in the subdivision does not exceed 20.
7. To issue a written direction under Section 214 of the Planning and Development Act 2005 where an owner/occupier has not satisfied Clause 11.4 of Local Planning Scheme No 4.

Any application that does not fall within the parameters defined within this delegation of authority is to be referred to Council for determination.

The Chief Executive Officer may refer any planning application that falls within the delegation parameters specified within this delegation to Council, if in the opinion of the Chief Executive Officer, it is considered that:

- a) The application is of a sufficiently contentious nature to warrant Council's determination;
- b) The determination of the application would be contrary to the intent of a previous decision or directive made by Council; or
- c) It would be in the public interest or consistent with the principles of accountability for Council to determine the application.

This delegation supersedes all previous delegations regarding the determination of development and subdivision applications

Head of Power:	<i>Planning and Development Act 2005</i>		
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43.</i>		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	In accordance with Clause 11.3 of Local Planning Scheme No. 4 and Local Planning Policies.		
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>		
CEO's Delegation to:	Manager Planning and Development Planning Officer		
CEO's Conditions on delegation:	In accordance with Clause 11.3 of Local Planning Scheme No 4 and Local Planning Policies; and on the proviso that the Manager Planning and Development is the only Officer with delegated authority to determine sub-division applications.		
Record Keeping s.546(3)	Report in monthly Councillor Information Bulletin		
D.17 Review Date(s)			
21 May 2009	13 May 2010	21 June 2011	19 June 2012
18 April 2013			

D.18 Building

Delegation No:	D.18
Delegation Subject:	Building
File Number:	MAN6
Adoption Date:	25 August 2005

STATEMENT OF INTENT

This delegation will allow for the timely processing of building matters, in accordance with the Building Act 2011 and Building Regulations 2012.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to exercise all of the powers and the discharge of all of the duties of the Council in relation to buildings, building work and demolition under the *Building Act 2011* and Building Regulations 2012 in accordance with their qualifications.

Head of Power:	<i>Building Act 2011.</i>		
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	<i>In accordance with the following:</i> <ul style="list-style-type: none"> • <i>Building Act 2011; and</i> • <i>Building Regulations 2012.</i> 		
Statutory Power of Sub-Delegation:	<i>In accordance with the following:</i> <ul style="list-style-type: none"> • <i>Local Government Act 1995 s.5.36 and s.5.44 and s.5.46.</i> • <i>Building Act 2011 s.96 (3) and s.127 (6A).</i> 		
CEO's Delegation to:	Manager Planning and Development Senior Building Surveyor Building Surveyor Assistant Building Surveyor		
CEO's Conditions on delegation:	In accordance with the above delegation.		
Record Keeping s.546(3)	Council Information Bulletin		
D.18 Review Date(s)			
4 Nov 2005	25 May 2006	16 November 2006	15 Nov 2007
21 May 2009	13 May 2010	21 February 2012	19 June 2012
18 April 2013			

D.19 Health

Delegation No:	D.19
Delegation Subject:	Authorisation under Section 26 of the Health Act 1911
File Number:	HLT1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation is to specify the authorisation of authority to the Chief Executive Officer in respect of functions of the Health Section of the Shire of Toodyay, concerning the *Health Act 1911*(as amended).

DELEGATION

Council authorises the Chief Executive Officer to exercise and discharge all of the following powers and functions and procedures of Council with respect to the *Health Act 1911* and the regulations, local laws and orders made there under:

- The issue of notices orders and requisitions;
- The closure of premises where an immediate health risk exists;
- The granting, refusal and cancellation of registration and licences;
- Initiation of legal proceedings where an offence has been committed;
- Any other powers and functions where in the opinion of the Environmental Health Officer, immediate action is necessary to prevent or alleviate a public health hazard.

Head of Power:	<i>Health Act 1911</i>
Statutory Power of Delegation:	<ul style="list-style-type: none"> • <i>Health Act 1911 s.26</i> • <i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Any sub-delegation to be to suitably qualified Officers only in accordance with the <i>Health Act 1911</i> and other relevant legislation.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>
CEO's Delegation to:	Manager Planning and Development Environmental Health Officer.
CEO's Conditions on delegation:	In accordance with the above delegation.
Record Keeping	Council Information Bulletin

s.546(3)			
D.19 Review Date(s)			
24 Nov 2005	16 Nov 2006	15 Nov 2007	21 May 2009
13 May 2010	21 June 2011	19 June 2012	18 April 2013

D.20 Applications for Treatment of Sewage and Disposal of Effluent and Liquid Waste

Delegation No:	D.20
Delegation Subject:	Applications for Treatment of Sewage and Disposal of Effluent and Liquid Waste
File Number:	HLT17
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to approve applications for septic tanks and other alternate effluent disposal treatment systems that are compliant with the Health Act and Regulations.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to exercise and discharge the powers and functions of the Council in relation to the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974:

- Regulation 4(3) (a) – grant approval subject to form and conditions set out by Council.
- Regulation 4(3) (b) – refuse to grant approval.
- Regulation 10(2) – (relating to approvals).
- Regulation 10(4) (b) – (relating to approvals).
- Regulation 22(2) (a) – (relating to appeals).
- Regulation 22(2) (b) – (relating to appeals).

Head of Power:	<i>Health Act 1911</i>
Statutory Power of Delegation:	<ul style="list-style-type: none"> • <i>Health Act 1911 s.26</i> • <i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	For the following <ul style="list-style-type: none"> • Regulation 22(2)(a) – (relating to appeals) • Regulation 22(2)(b) – (relating to appeals)

	in accordance with the <i>Health Act 1911</i> s.26 and <i>Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974</i> .		
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995</i> s.5.44 and s.5.46.		
CEO's Delegation to:	Environmental Health Officer		
CEO's Conditions on delegation:	For the following: <ul style="list-style-type: none"> • Regulation 4(3)(a) – grant approval subject to form and conditions set out by Council • Regulation 4(3)(b) – refusal to grant approval • Regulation 10(2) – (relating to approvals) 		
Record Keeping s.546(3)	Council Information Bulletin		
D.20 Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.21 Record Checking - Volunteers

Delegation No:	D.21
Delegation Subject:	Record Checking – Volunteers
File Number:	POL1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

A volunteer is a person who voluntarily offers himself or herself willingly and without pay for a service or undertaking.

This delegation will provide the Chief Executive Officer, upon presentation of relevant documentation, the power to approve the engagement of a Volunteer to undertake volunteer activities on behalf of the Shire of Toodyay.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to approve a Volunteer for service with the Shire of Toodyay.

Head of Power:	Local Government Act 1995		
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 and s.5.43		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	Policy A.6 Volunteer National Police Check and Working with Children Check - Volunteers		
Statutory Power of Sub-Delegation:	Local Government Act 1995 s.5.44 and s.5.46.		
CEO's Delegation to:	Manager Community Development		
CEO's Conditions on delegation:	In accordance with Policy A.6 Volunteer National Police Check and Working with Children Check - Volunteers and Policy O.1 Standards for Volunteering.		
Record Keeping s.546(3)	Copy retained in Volunteer Personnel File.		
D.21 Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.23 Temporary Road Closures

Delegation No:	D.23
Delegation Subject:	Temporary Road Closures
File Number:	MAN6
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will facilitate the improved processing of temporary road closure requests, in accordance with Council's Policy A.13 Temporary Road Closures.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to process and approve temporary road closure requests in accordance with the provisions of Council's Policy A.13 – Temporary Road Closures.

Any request that falls outside of the parameters specified within Council's Temporary Road Closures policy is to be referred to Council for determination.

Head of Power:	<ul style="list-style-type: none"> Local Government Act 1995 Road Traffic Act 1974 		
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	In accordance with Council Policy A.13 – Temporary Road Closures.		
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>		
CEO's Delegation to:	Manager Planning and Development Manager Works and Services		
CEO's Conditions on delegation:	In the absence of the CEO and in accordance with the above delegation.		
Record Keeping s.546(3)	Council Information Bulletin		
D.23 Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.25 Dealing with Clearing Matters

Delegation No:	D.25
Delegation Subject:	Dealing with Clearing Matters
File Number:	MAN6
Adoption Date:	27 April 2006

STATEMENT OF INTENT

This delegation will facilitate the timely processing of applications to clear land under Council's Local Planning Scheme No 4 and to provide prompt written responses to the Department of Environment and Conservation on applications for clearing permits.

DELEGATION

Council grant delegated authority to the Chief Executive Officer to provide written comment for clearing applications under Council's Local Planning Scheme No 4 and to provide written advice to the Department of Environment and Conservation on applications for clearing permits, based on the following criteria:

1. Support of applications to clear land will be granted in the following circumstances:
 - a. Clearing of trees or vegetation that are dangerous i.e. constituting a threat to life or property;
 - b. Clearing of trees or vegetation that are not native to the region or have been commercially grown;
 - c. Clearing of land within 2m of infrastructure, such as power lines, sewer, water mains, stormwater drains etc. where the vegetation is likely to damage or disrupt this infrastructure;
 - d. Clearing of land that is occurring as part of a native tree replanting programme or other rehabilitation project approved by Council;
 - e. An area up to 2m in width for a fence line that is being established as a new property boundary or to support legitimate farming practices;
 - f. Clearing of land for a building site, either to the maximum size of an approved building envelope shown on a development plan or

- plan or subdivision or to the extent required for the proposed buildings;
- g. Clearing of land to provide access to a building site, where the access track has a maximum width of 6m;
 - h. Clearing of land for pasture, grazing or other farming activities in the Rural or Rural Living zones of Local Planning Scheme No 4 where such clearing complies with all provisions of Council's Local Planning Scheme, the Local Planning Strategy and any other adopted policy;
 - i. The clearing of land to collect firewood, to obtain fencing or farming materials, for woodwork or the clearing of isolated trees where the requirements of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 for these activities are achieved; and/or
 - j. The total area of clearing for all activities does not exceed more than 1ha in any financial year.
2. Applications to clear land will not be supported in the following circumstances:
 - a. Where the proposed area to be cleared is situated within 50m of any major watercourse and/or within the designated flood way and flood fringe for the Avon River;
 - b. The clearing of land for a building site greater than the extent required for the proposed buildings or outside of a defined building envelope; and/or
 - c. Where the clearing of land will likely have a significant negative impact upon the environment and/or landscape of an area.
 3. Applications to clear land in the following circumstances will be referred to Council for determination:
 - a. Any proposal which does not meet the criteria detailed in Parts (1) or (2);
 - b. Applications to clear land in areas where the topography of the land raises concerns regarding the potential negative impacts of the proposed clearing activities.

Head of Power:	<ul style="list-style-type: none"> • <i>Environmental Protection Act 1986</i> • <i>Local Government Act 1995</i>
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Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	As per Delegation Section above.		
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>		
CEO's Delegation to:	Manager Corporate Services Manager Works and Services Manager Planning and Development		
CEO's Conditions on delegation:	In the absence of the CEO and as per Delegation Section above.		
Record Keeping s.546(3)	Council Information Bulletin		
D.25 Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	13 May 2010
21 June 2011	19 June 2012	18 April 2013	

D.26 Authorised Officer Appointments

Delegation No:	D.26
Delegation Subject:	Authorised Officer Appointments
File Number:	RGR1
Adoption Date:	15 March 2007

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to appoint Officers to carry out duties as required by Councils Planning and Development Services Department and Ranger and Emergency Services Department in a timely and efficient manner.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to appoint persons employed by Council as Pound Keeper, Registration Officer, Authorised Officer, Fire Control Officer and Ranger for the purposes of enforcing and administering the following Acts and Regulations and Local Laws for the Shire of Toodyay:

1. *Local Government Act 1995 and Regulations;*
2. *Local Government (Miscellaneous Provisions) Act 1960;*
3. *Bush Fires Act 1954, Bush Fires (Infringement) Regulations 1978 and Bush Fires Regulations 1954;*
4. *Dog Act 1976 and Dog (Restricted Breeds) Regulations No 2 (2002) and Dog Regulations 1976;*
5. *Litter Act 1979 and Litter Regulations 1991;*
6. *Animal Welfare Act 2002 and Animal Welfare (commercial Poultry) Regulations 2008, Animal Welfare (General) regulations 2003, Animal Welfare (Pig Industry) Regulations 2010; and Animal Welfare (Scientific purposes) Regulations 2003;*
7. *Shire of Toodyay Local Laws;*
8. *Control of Vehicles (Off Road Areas) Act 1978 and Control of Vehicles (Off Road Areas) Regulations 1979;*
9. *Planning and Development Act 2005;*
10. *Food Act 2008 and Food Regulations 2009; and*
11. *Shire of Toodyay Local Planning Scheme No 4,*
12. *Caravan Parks and Camping Act 1995 and Regulations*
13. *CAT Act 2011 and Cat Regulations 2012;*

Head of Power:	Local Government Act 1995		
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 and s.5.43		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	Nil.		
Statutory Power of Sub-Delegation:	Local Government Act 1995 s.5.44 and s.5.46.		
CEO's Delegation to:	N/A		
CEO's Conditions on delegation:	N/A		
Record Keeping s.546(3)	Details of authorised persons to be recorded in appropriate register and reported in the Council Information Bulletin.		
D.26 Review Date(s)			
15 Nov 2007	21 May 2009	13 May 2010	21 June 2011
19 June 2012	18 April 2013		

D.27 Use of Common Seal

Delegation No:	D.27
Delegation Subject:	Use of Common Seal
File Number:	PCY2
Adoption Date:	19 April 2007

STATEMENT OF INTENT

This delegation will enable the Chief Executive Officer to use the Common Seal of the Shire of Toodyay as and when legally required.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to use the Common Seal of the Shire of Toodyay on any instruments as and when legally required.

Head of Power:	Local Government Act 1995		
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 and s.5.43.		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	In accordance with the Local Government Act s.9.49 A.		
Statutory Power of Sub-Delegation:	Local Government Act 1995 s.5.44, 5.46, 9.49 A (4) and 9.49 A (5).		
CEO's Delegation to:	Manager Community Development Manager Corporate Services Manager Planning and Development		
CEO's Conditions on delegation:	In accordance with the Local Government Act 1995 and Shire of Toodyay Standing Order Local Law S.21.		
Record Keeping s.546(3)	Details to be recorded in common seal register and reported in the Council Information Bulletin.		
D.27 Review Date(s)			
15 Nov 2007	21 May 2009	13 May 2010	21 June 2011
19 June 2012	18 April 2013		

D.28 Issue of Notice of Breach (Fencing)

Delegation No:	D.28
Delegation Subject:	Issue of Notice of Breach (Fencing)
File Number:	LAW6
Adoption Date:	27 March 2008

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to issue a 'notice of breach' for non-conformance with the requirements under the Shire of Toodyay Local Law Relating to Fencing 1999 in a timely and efficient manner.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to issue a 'notice of breach' under the Shire of Toodyay Local Laws Relating to Fencing 1999.

Head of Power:	<ul style="list-style-type: none"> • <i>Dividing Fences Act 1961</i> • <i>Local Government Act 1995</i> 		
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	Nil.		
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>		
CEO's Delegation to:	Manager Planning and Development Senior Building Surveyor Building Surveyor Planning Officer Senior Ranger.		
CEO's Conditions on delegation:	Nil.		
Record Keeping s.546(3)	Details of notices recorded on the appropriate file or register and reported in monthly Council Information Bulletin.		
D28. Review Date(s)			
21 May 2009	13 May 2010	21 June 2011	19 June 2012
18 April 2013			

D.29 Deed of Covenant for the Payment of a Developer Contribution.

Delegation No:	D.29
Delegation Subject:	Deed of Covenant for the Payment of a Development Contribution
File Number:	PLA1
Adoption Date:	19 June 2008

STATEMENT OF INTENT

This delegation of authority will enable the Shire President and the Chief Executive Officer to enter into a Deed of Covenant for the Payment of a Development Contribution with prospective developer(s) proposing to rezone land under Local Planning Scheme No 4 to enable further subdivision.

DELEGATION

Council hereby delegates authority to the Shire President and the Chief Executive Officer to enter into a Deed of Covenant for the Payment of a Development Contribution with prospective developer(s) proposing to rezone land under Local Planning Scheme No 4 to enable further subdivision, subject to the following:

1. The proposed rezoning can be supported under the provisions of the Local Planning Strategy.

Head of Power:	<i>Planning and Development Act 2005</i>		
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>		
Power Delegated to:	Chief Executive Officer		
Council's Conditions on Delegation:	In accordance with above Act.		
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44.</i>		
CEO's Delegation to:	N/A		
CEO's Conditions on delegation:	N/A		
Record Keeping s.546(3)	Detail of deeds to be recorded in appropriate register and upon the common seal being affixed, reported in the Council Information Bulletin.		
Review Date(s)			
21 May 2009	13 May 2010	21 June 2011	19 June 2012
18 April 2013			

D.30 Tenders

Delegation No:	D.30
Delegation Subject:	Tenders
File Number:	TEN1
Adoption Date:	3 April 2012

STATEMENT OF INTENT

This delegation will allow for the calling of Tenders for items included in the budget in accordance with the *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996*.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to invite tenders for items included in the budget on Council's behalf as required by the *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996*.

Head of Power:	<ul style="list-style-type: none"> • <i>Local Government Act 1995</i> • <i>Local Government (Functions and General) Regulations 1996</i>.
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 and s.5.43
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<i>In accordance with the following:</i> <ul style="list-style-type: none"> • <i>Local Government (Functions and General) Regulations 1996</i> r.11-24; and • <i>Council Policy F.3 Purchasing</i>.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995</i> s.3.57, s.5.44 and s.5.46.
CEO's Delegation to:	Manager Corporate Services Manager Community Services Manager Planning and Development Manager Works and Services
CEO's Conditions on delegation:	In accordance with the delegation section above.
Record Keeping s.546(3)	In accordance the <i>Local Government (Functions and General) Regulations 1996</i> r.17.
D.30 Review Date(s)	
19 June 2012	18 April 2013

D.31 CCTV

Delegation No:	D.31
Delegation Subject:	CCTV
File Number:	LEG052/POL1
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow for the introduction of controls in the unlikely event of misuse of the CCTV system.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer in relation to managing adherence with conditions set out in Council Policy O.5 Closed Circuit Television Systems (CCTV).

Any changes or extensions to the policy or system will only take place after consultation with Council. The CEO may authorise “Minor changes” to the system and to this policy, where appropriate.

“Minor changes” means a change that the Chief Executive Officer is satisfied is minor having regard to Council Policy O.5 Closed Circuit Television Systems (CCTV).

Head of Power:	<i>Local Government Act 1995</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council’s Conditions on Delegation:	In accordance with Council Policy O.5 – Closed Circuit Television Systems (CCTV).
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44.</i>
CEO’s Delegation to:	N/A
CEO’s Conditions on delegation:	N/A
Record Keeping s.546(3)	In accordance with Council Policy O.5 – Closed Circuit Television Systems (CCTV).
D.31 Review Date(s)	

D.32 Freedom of Information

Delegation No:	D.32
Delegation Subject:	Freedom of Information
File Number:	FOI1
Adoption Date:	18 April 2013

STATEMENT OF INTENT

The FOI Coordinator(s) is/are given authority to make decisions in regards to applications submitted to the Shire under Division 2 - Procedure for dealing with access applications of the *Freedom of Information Act 1992*.

The Chief Executive Officer is given authority to deal with an application for an Internal Review made under Division 5 — Internal review of decisions as to access (s.39-44) of the *Freedom of Information Act 1992*.

DELEGATION

- 1) The Shire of Toodyay's Chief Executive Officer delegates the role of "FOI Coordinator" for the Shire to staff member(s) who are to be suitably trained with respect to FOI Coordinator responsibilities. The staff member(s) are hereby given delegated authority to perform that function within the requirements of the Act.

- 2) The Shire of Toodyay's Chief Executive Officer assumes the role of "Decision Maker" and is hereby authorised to make decisions regarding access to information.

Head of Power:	<i>Freedom of Information Act 1992</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with Council Policy A.16 Freedom of Information.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>
CEO's Delegation to:	Rates/Finance Officer Payroll Officer
CEO's Conditions on delegation:	In accordance with Council Policy A.16 Freedom of Information.
Record Keeping s.546(3)	Determinations/correspondence related thereto are retained in appropriate file.
D.32 Review Date(s)	

D.33 Rate Payments by Agreement

Delegation No:	D.33
Delegation Subject:	Rate Payment By Agreement
File Number:	RT7.0
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow the Shire to accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to accept a payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.

Head of Power:	<i>Local Government Act 1995</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the following: <ul style="list-style-type: none"> • the <i>Local Government Act 1995 s.6.49; and</i> • Council Policy F.5 Debt Collection.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>
CEO's Delegation to:	Manager Corporate Services.
CEO's Conditions on delegation:	In the CEO's absence.
Record Keeping s.546(3)	Details of determinations to be kept on appropriate rate record.
D.33 Review Date(s)	

D.34 Approve / Reject Reimbursements

Delegation No:	D.34
Delegation Subject:	Approve / Reject Reimbursements
File Number:	TAX3/M5.4
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to approve or reject reimbursements of prescribed expenses in accordance with the *Local Government Act 1995*.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to approve reimbursements of prescribed expenses in accordance with the *Local Government Act 1995*.

Head of Power:	<i>Local Government Act 1995</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the <i>Local Government Act 1995 s.5.98 (2) (b), s.5.98 (3), s.5.98 (4) and s.5.100 (2)</i> .
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46</i> .
CEO's Delegation to:	Manager Corporate Services
CEO's Conditions on delegation:	In the absence of the CEO.
Record Keeping s.546(3)	Determinations to be recorded in appropriate file.
D.34 Review Date(s)	

D.35 Caravan Park and Camping Grounds

Delegation No:	D.35
Delegation Subject:	Caravan Park and Camping Grounds
File Number:	CAM1
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to carry out the provisions of the *Caravan Park and Camping Grounds Act 1995* and associated regulations.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer carry out the provisions of the *Caravan Park and Camping Grounds Act 1995* and associated regulations.

Head of Power:	<i>Caravan Park and Camping Grounds Act 1995</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>
CEO's Delegation to:	Manager Planning and Development
CEO's Conditions on delegation:	In the absence of the CEO.
Record Keeping s.546(3)	Records pertaining to this delegation to be kept on appropriate file.
D.35 Review Date(s)	

D.36 Lease of Council Buildings

Delegation No:	D.36
Delegation Subject:	Lease of Council Buildings
File Number:	LEG4
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow for the Chief Executive Officer to lease out Council Buildings (i.e. houses, halls, community centres, et cetera) in accordance with Council determined fees and charges.

This delegation is to be read in conjunction with D.58.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to lease out Council Buildings (i.e. houses, halls, community centres, et cetera) in accordance with Council determined fees and charges.

Head of Power:	<i>Local Government Act 1995</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>
CEO's Delegation to:	Manager Community Services Manager Planning and Development
CEO's Conditions on delegation:	In accordance with the delegation section above.
Record Keeping s.546(3)	Upon execution of the lease documentation the common seal register will be updated.
D.36 Review Date(s)	

D.37 Swimming Pool Inspections

Delegation No:	D.37
Delegation Subject:	Swimming Pool Inspections
File Number:	SWM2
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow for swimming pool inspections to take place by a suitably qualified officer in accordance with *Building Regulations 2012*.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to permit swimming pool inspections to take place by a suitably qualified officer in accordance with *Building Regulations 2012*.

Head of Power:	<i>Building Act 2011</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with Building Regulations 2012.
Statutory Power of Sub-Delegation:	<i>In accordance with the following:</i> <ul style="list-style-type: none"> • Local Government Act 1995 s.5.44 and s.5.46. • Building Act 2011 s.96 (3) and s.127 (6A).
CEO's Delegation to:	Manager Planning and Development
CEO's Conditions on delegation:	A suitably qualified Officer in accordance with the delegation section above.
Record Keeping s.546(3)	Details of inspections to be kept on appropriate file or register and reported in monthly Council Information Bulletin.
D.37 Review Date(s)	

D.38 Notices to Owners and Occupiers of Land

Delegation No:	D.38
Delegation Subject:	Notices to Owners and Occupiers of Land
File Number:	M9.7
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to authorise a person to issue and enforce owners or occupiers to do anything prescribed in *Schedule 3.1 – Powers under Notices to Owners and Occupiers of Land* of the Local Government Act 1995.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to authorise a person to issue and enforce owners or occupiers to do anything prescribed in *Schedule 3.1 – Powers under Notices to Owners and Occupiers of Land* of the Local Government Act 1995.

Head of Power:	Local Government Act 1995
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 and s.5.43
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the <i>Local Government Act 1995</i> s.3.25 (1).
Statutory Power of Sub-Delegation:	Local Government Act 1995 s.3.57 and s.5.44 and s.5.46.
CEO's Delegation to:	Manager Corporate Services Finance Officer
CEO's Conditions on delegation:	In accordance with the delegation section above.
Record Keeping s.546(3)	Determinations and correspondence related thereto are to be retained in appropriate file.
D.38 Review Date(s)	

D.39 Powers of Entry in an emergency

Delegation No:	D.39
Delegation Subject:	Powers of Entry
File Number:	P18.7
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation is to authorise entry onto land to fulfil any statutory function that the Shire of Toodyay has under the *Local Government Act 1995 (subdivision 3 – Powers of Entry)*.

This delegation will allow the Local Government to, in an emergency, lawfully enter any land, premises or thing immediately and without notice and perform any of its functions as it considers appropriate to deal with the emergency as determined by the Chief Executive Officer.

DELEGATION

Council hereby authorises the Chief Executive Officer be given delegated authority to determine in an emergency, whether Officers of the Shire of Toodyay may lawfully enter any land, premises or thing immediately and without notice and perform any of its functions as it considers appropriate to deal with the emergency.

Head of Power:	Local Government Act 1995
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 and s.5.43.
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with <i>Local Government Act 1995 s.3.34 (1)</i> .
Statutory Power of Sub-Delegation:	Local Government Act 1995 s.5.44 and s.5.46.
CEO's Delegation to:	Manager Planning and Development Building Surveyor Environmental Health Officer Manager Works and Services Ranger
CEO's Conditions on delegation:	In accordance with the <i>Local Government Act 1995, Part 3, Division 3, Subdivision 3</i>
Record Keeping s.546(3)	Notices/relevant evidence of determinations recorded in appropriate file.
D.39 Review Date(s)	



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D.40 Remove and Impound Goods

Delegation No:	D.40
Delegation Subject:	Remove and Impound Goods
File Number:	RGR2
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow for the Chief Executive Officer to authorise an employee to remove and impound goods from a public place if the goods present a hazard to public safety or they obstruct the lawful use of any place.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to authorise an employee to remove and impound goods from a public place if the goods present a hazard to public safety or they obstruct the lawful use of any public place.

Head of Power:	Local Government Act 1995
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 and s.5.43
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the Local Government Act 1995 s.3.39 and 3.42, 3.41(1) and 3.47(1).
Statutory Power of Sub-Delegation:	Local Government Act 1995 s.5.44 and s.5.46.
CEO's Delegation to:	Manager Planning and Development Manager Works and Services
CEO's Conditions on delegation:	In accordance with the delegation section above.
Record Keeping s.546(3)	Determinations and correspondence related thereto are to be retained in appropriate file.
D.40 Review Date(s)	

D.41 Variation of Requirements before entry into Contract

Delegation No:	D.41
Delegation Subject:	Variation of Requirements before entry into Contract.
File Number:	CTR1
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to, after tenders were invited for the supply of goods or services and following the choice of a successful tender but before it has entered into a contract, to make a “minor variation” in the goods or services required without again inviting tenders.

“Minor variation” means a variation that the Chief Executive Officer is satisfied is minor having regard to the total goods or services that tenders were invited to supply.

DELEGATION

Council hereby authorises that the Chief Executive Officer be given delegated authority to make “minor variations” in the goods or services required following the choice of a successful tenderer but before a contract has been entered into on behalf of the Shire of Toodyay.

Head of Power:	<i>Local Government Act 1995</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council’s Conditions on Delegation:	In accordance with in accordance with Section 20 of the <i>Local Government (Functions & General) Regulations 1996</i> where the Chief Executive Officer is satisfied that the variation is minor having regard to the total goods or services that tenders were invited to supply.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and 5.46.</i>
CEO’s Delegation to:	N/A
CEO’s Conditions on delegation:	N/A
Record Keeping s.546(3)	Details of determination to be recorded on appropriate records in accordance with the <i>Local Government (Functions and General) Regulations 1996 r.17.</i>

D.41 Review Date(s)			

D.42 Vehicles, use of

Delegation No:	D.42
Delegation Subject:	Vehicles, use of
File Number:	HR.7
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to make all appropriate private use arrangements with all staff having use of a Council vehicle, bearing in mind Legislative requirement of Fringe Benefit tax and other costs.

sales Tax, et cetera.

The above is subject to Council Policy No HR.7 Vehicle Usage and Employee letter of appointment where applicable.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to make all appropriate private use arrangements with all staff having use of a Council vehicle, bearing in mind Legislative requirement of Fringe Benefit tax and other costs.

Head of Power:	Local Government Act 1995
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 and s.5.43
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with Council Policy HR.7 Vehicle Usage.
Statutory Power of Sub-Delegation:	Local Government Act 1995 s.5.44
CEO's Delegation to:	N/A
CEO's Conditions on delegation:	N/A
Record Keeping s.546(3)	Council Policy HR.7 Vehicle Usage.
D.42 Review Date(s)	

D.43 Staff Use of Plant and Equipment

Delegation No:	D.43
Delegation Subject:	Use of Plant and Equipment
File Number:	DIS2/TS16.1
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to make all appropriate private use arrangements with all staff having use of Plant and Equipment, bearing in mind the Legislative requirements of the *Local Government Act (Financial Management) Regulations 1996* in relation to valuation of assets for financial reporting.

The above is subject to Council Policy No HR.8 Staff Use of Shire Plant.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to make all appropriate private use arrangements with all staff having use of a Council Plant and Equipment, bearing in mind Legislative requirement of Fringe Benefit, and other costs.

Head of Power:	<ul style="list-style-type: none"> • <i>Local Government Act 1995</i> • <i>Local Government Act (Financial Management) Regulations 1996</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with Council Policy HR.8 Staff Use of Shire Plant.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and 5.46.</i>
CEO's Delegation to:	Manager Corporate Services Manager Works and Services
CEO's Conditions on delegation:	In accordance with the delegation section above.
Record Keeping s.546(3)	Appropriate documentation kept on file.
D.43 Review Date(s)	

D.44 Hire of Plant

Delegation No:	D.44
Delegation Subject:	Hire of Plant
File Number:	DIS2/TS16.1
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to authorise the hire of plant for use on approved works in accordance with the *Local Government Act 1995*.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to authorise the hire of plant for use on approved works in accordance with the *Local Government Act 1995*.

Head of Power:	Local Government Act 1995
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 and s.5.43
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the Local Government Act s.3.18.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995</i> s.5.44 and s.5.46.
CEO's Delegation to:	Manager Works and Services
CEO's Conditions on delegation:	In accordance with the delegation section above.
Record Keeping s.546(3)	Appropriate documentation to be kept on file.
D.44 Review Date(s)	

D.45 Regulatory signs, i.e. stop, give-way, speed, etc.

Delegation No:	D.45
Delegation Subject:	Regulatory signs, i.e. Stop, give-way, speed, etc.
File Number:	SGN1/SGN3/TS34.1/LEG122
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow the CEO to make applications to the Main Roads WA for the installation of regulatory signs and markings at such places as the Chief Executive Officer considers warranted.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to make applications to the Main Roads WA for the installation of regulatory signs and markings at such places as the Chief Executive Officer considers warranted.

Head of Power:	<ul style="list-style-type: none"> • <i>Local Government Act 1995</i> • <i>Road Traffic Code 2000</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.3.57 and s.5.44 and s.5.46.</i>
CEO's Delegation to:	N/A
CEO's Conditions on delegation:	N/A
Record Keeping s.546(3)	Documentation and correspondence in relation to applications recorded on appropriate file.
D.45 Review Date(s)	

D.46 Disposal of Surplus Equipment, materials, tools, etc.

Delegation No:	D.46
Delegation Subject:	Disposal of Surplus Equipment, materials, tools, etc.
File Number:	DIS1
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to sell, by calling for expressions of interest, holding of a surplus goods sale at Council's Depot, or any other fair means, items of surplus equipment, materials, tools, et cetera which are no longer required, or are outmoded, or are no longer serviceable. The delegation applies only to items not included on Council's Asset Register.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to sell, by calling for expressions of interest, holding of a surplus goods sale at Council's Depot, or any other fair means, items of surplus equipment, materials, tools, et cetera which are no longer required, or are outmoded, or are no longer serviceable. The delegation applies only to items not included on Council's Asset Register.

This delegation applies only to items captured by Council Policy F.12 – Disposal of Property.

Head of Power:	Local Government Act 1995
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 and s.5.43
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with Council Policy F.12 Disposal of Property.
Statutory Power of Sub-Delegation:	Local Government Act 1995 s.5.44 and s.5.46.
CEO's Delegation to:	N/A
CEO's Conditions on delegation:	N/A
Record Keeping s.546(3)	Documentation to be recorded in appropriate file.
D.46 Review Date(s)	

D.47 Licence to deposit materials on or excavate adjacent to a street.

Delegation No:	D.47
Delegation Subject:	Licence to deposit materials on or excavate adjacent to a street.
File Number:	CPS2
Adoption Date:	18 April 2013

STATEMENT OF INTENT

The delegation will provide the Chief Executive Officer with the authority to issue licences to deposit materials on a street, way or other public place and to excavate on land neither abutting nor adjoining a street, way or other public place pursuant to Section 377 of the Local Government (Miscellaneous Provisions) Act 1960.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to issue licences to deposit materials on a street, way or other public place and to excavate on land neither abutting nor adjoining a street, way or other public place pursuant to Section 377 of the Local Government (Miscellaneous Provisions) Act 1960 subject to the following:

1. The Chief Executive Officer obtaining confirmation in writing from the Manager Works and Services that the proposed activity will not create undue interference with the operations of the street, way or public place.
2. Licences are to be issued subject to the condition detailed in Section 377 of the Local Government (Miscellaneous Provisions) Act 1960 and such other conditions as considered relevant by the Chief Executive Officer.

Head of Power:	<ul style="list-style-type: none"> • <i>Local Government Act 1960</i> • <i>Local Government (Miscellaneous Provisions) Act 1960</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 and s.5.44 and s.5.46.</i>
CEO's Delegation to:	Manager Planning and Development Manager Works and Services
CEO's Conditions on delegation:	In accordance with the delegation section

		above.	
Record Keeping s.546(3)		License and correspondence related thereto to be recorded in appropriate file.	
D.47 Review Date(s)			

D.48 Altering Thoroughfare Alignments

Delegation No:	D.48
Delegation Subject:	Altering Thoroughfare Alignments
File Number:	LAW11
Adoption Date:	18 April 2013

STATEMENT OF INTENT

Before fixing or altering the level of alignment of a public thoroughfare, this delegation will allow the Chief Executive Officer to give notice of the proposal inviting submissions from any person prescribed as having an interest in accordance with the *Local Government Act 1995* Section 3.51(3).

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to, prior to fixing or altering the level of alignment of a public thoroughfare, invite submissions from any person prescribed as having an interest in accordance with the *Local Government Act 1995* Section 3.51(3).

Head of Power:	<i>Local Government Act 1995</i>
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 and s.5.43
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995</i> s.5.44 and s.5.46.
CEO's Delegation to:	Manager Planning and Development Manager Works and Services
CEO's Conditions on delegation:	In accordance with the delegation section above.
Record Keeping s.546(3)	Documentation and correspondence relating to the invitation of submissions to be kept on appropriate file.
D.48 Review Date(s)	

D.49

Delegation No:	D.##
Delegation Subject:	
File Number:	
Adoption Date:	

STATEMENT OF INTENT

This delegation will allow for
in accordance with the (state the Act) and or Regulations

DELEGATION

Council hereby delegates authority to the Chief Executive Officer

Head of Power:	Local Government Act 1995
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 and s.5.43
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	Local Government Act 1995 s.5.44.
CEO's Delegation to:	
CEO's Conditions on delegation:	
Record Keeping s.546(3)	
D.## Review Date(s)	

D.50 Dangerous excavation

Delegation No:	D.50
Delegation Subject:	Dangerous excavation
File Number:	CPS2
Adoption Date:	18 April 2013

STATEMENT OF INTENT

If there is, in a public thoroughfare or land adjoining a public thoroughfare, an excavation that the local government considers to be dangerous it may fill in or fence the excavation or request the owner or occupier to fill or securely fence the excavation in accordance with Section 11(1) *Local Government (Uniform Local Provisions) Regulations 1996*.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to, in the event of the above, authorise a suitably qualified Officer to fill in or fence the excavation or request the owner or occupier to fill or securely fence the excavation in accordance with Section 11(1) *Local Government (Uniform Local Provisions) Regulations 1996*.

Head of Power:	<ul style="list-style-type: none"> • <i>Local Government Act 1995</i> • <i>Local Government (Uniform Local Provisions) Regulations 1996</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>
CEO's Delegation to:	Manager Planning and Development Manager Works and Services
CEO's Conditions on delegation:	In accordance with the delegation section above.
Record Keeping s.546(3)	Records to be kept on an appropriate file and instances where this delegation has been enacted, to be communicated to the Council.
D.50 Review Date(s)	

D.51 Crossing from Public Thoroughfare to Private land or private thoroughfare.

Delegation No:	D.51
Delegation Subject:	Crossing from Public Thoroughfare to Private land or private thoroughfare.
File Number:	LAW11
Adoption Date:	18 April 2013

STATEMENT OF INTENT

The local government may approve the construction of a crossing giving access from a public thoroughfare to the land or a private thoroughfare serving the land in accordance with Section 12(1) of the Local Government (Uniform Local Provisions) Regulations 1996.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to approve the construction of a crossing giving access from a public thoroughfare to the land or a private thoroughfare serving the land in accordance with Section 12(1) of the Local Government (Uniform Local Provisions) Regulations 1996.

Head of Power:	<ul style="list-style-type: none"> • <i>Local Government Act 1995</i> • <i>Local Government (Uniform Local Provisions) Regulations 1996</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s5.44 and s.5.46.</i>
CEO's Delegation to:	Manager Planning and Development
CEO's Conditions on delegation:	In accordance with the above delegation.
Record Keeping s.546(3)	Determinations and correspondence related thereto to be recorded on appropriate file.
D.51 Review Date(s)	

D.52 Crossovers

Delegation No:	D.52
Delegation Subject:	Crossovers
File Number:	CRO1
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation allows the Chief Executive Officer to authorise construction of and payment of subsidies for vehicular crossovers in accordance with s.3.18 *Performing Executive Functions* of the *Local Government Act 1995*.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to authorise construction of and payment of subsidies for vehicular crossovers in accordance with s.3.18 *Performing Executive Functions* of the *Local Government Act 1995*.

Head of Power:	Local Government Act 1995
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 and s.5.43
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	This delegation will take effect upon adoption of a Council Policy in regard to crossovers.
Statutory Power of Sub-Delegation:	Local Government Act 1995 s.5.44 and s.5.46.
CEO's Delegation to:	Manager Planning and Development Manager Works and Services
CEO's Conditions on delegation:	In accordance with the delegation section above.
Record Keeping s.546(3)	Determinations and correspondence related thereto to be recorded on appropriate file.
D.52 Review Date(s)	

D.53 Private Works on, over or under public places

Delegation No:	D.53
Delegation Subject:	Private works on, over or under public places
File Number:	TEC8/TS18.1
Adoption Date:	18 April 2013

STATEMENT OF INTENT

A local government may grant permission to construct anything on, over or under a public thoroughfare or other public place that is local government property in accordance with section 17(2) *Local Government (Uniform Local Provisions) Regulations 1996*.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to authorise the construction of anything on, over or under a public thoroughfare or other public place that is local government property in accordance with section 17(2) *Local Government (Uniform Local Provisions) Regulations 1996*.

Head of Power:	<ul style="list-style-type: none"> • <i>Local Government Act 1995</i> • <i>Local Government (Uniform Local Provisions) Regulations 1996</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>
CEO's Delegation to:	Manager Planning and Development Manager Works and Services
CEO's Conditions on delegation:	In accordance with the delegation section above.
Record Keeping s.546(3)	Determinations and correspondence related thereto to be recorded on appropriate file.
D.53 Review Date(s)	

D.54 Donations and Community Grants

Delegation No:	D.54
Delegation Subject:	Donations and Community Grants
File Number:	M8.1/DON1
Adoption Date:	18 April 2013

STATEMENT OF INTENT

The CEO is delegated authority to authorise donations from \$0 up to \$500 within budget limitations up to a maximum of \$10,000 per annum.

This delegation is to be exercised only for requests for donations of a local nature.

All other donation requests in excess of this amount and the budget allocation for donations are to be brought back to Council for consideration.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to authorise donations from \$0 up to \$500 within budget limitations up to a maximum of \$10,000 per annum provided the request is of a local nature.

Head of Power:	Local Government Act 1995
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 and s.5.43
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	Local Government Act 1995 s.5.44 and s.5.46.
CEO's Delegation to:	N/A
CEO's Conditions on delegation:	N/A
Record Keeping s.546(3)	Evidence of determinations to be kept on file.
D.54 Review Date(s)	

D.55 Extension of Contracts

Delegation No:	D.55
Delegation Subject:	Extension of Contracts
File Number:	LEG1
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to approve an extension to a contract, subject to the terms of the existing contract in accordance with s.3.18 Performing Executive Functions of the *Local Government Act 1995*.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to approve an extension to a contract, subject to the terms of the existing contract in accordance with s.3.18 Performing Executive Functions of the *Local Government Act 1995*.

Head of Power:	<i>Local Government Act 1995</i>
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 and s.5.43
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Subject to: <ul style="list-style-type: none"> • The tender specifying the provisions of the option term; • The Contract providing for the extension; • The extension being on the same terms and conditions as the last year of the original term but does allow for price increases in line with the contract provisions (if any) for price.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995</i> s.5.44 and s.5.46.
CEO's Delegation to:	N/A
CEO's Conditions on delegation:	N/A
Record Keeping s.546(3)	Details of the extension must be recorded in the appropriate file.
D.55 Review Date(s)	

D.56 Write-off monies owing

Delegation No:	D.56
Delegation Subject:	Write-off monies owing
File Number:	RT6.0/F2.3/RAT6
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to:

1. Waive or grant concessions in relation to sundry debts owed to the Shire;
2. Write off money owed to the Shire including rates; and
3. Determine the conditions to be applied to waive, grant a concession or write off money owed to the Shire.

This delegation is subject to s.6.12(1)(b) and (c) and (3) power to defer, grant discounts, waive or write off debts of the *Local Government Act 1995*.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to

1. Waive or grant concessions in relation to sundry debts owed to the Shire;
2. Write off money owed to the Shire including rates; and
3. Determine the conditions to be applied to waive, grant a concession or write off money owed to the Shire.

This delegation is subject to s.6.12(1)(b) and (c) and (3) power to defer, grant discounts, waive or write off debts of the *Local Government Act 1995*.

Head of Power:	<i>Local Government Act 1995</i>
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 and s.5.43
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	Limited to individual sundry debts that do not exceed \$2,000.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995</i> s5.44 and s.5.46.
CEO's Delegation to:	Manager Corporate Services
CEO's Conditions on delegation:	In accordance with Part 6, Division 4 of the <i>Local Government Act 1995</i> and <i>Local Government (Financial</i>

	Management) Regulations 1996 noting specifically regulation 26.
Record Keeping s.546(3)	Details of decisions to be recorded in appropriate file or financial record.
D.56 Review Date(s)	

D.57 Amend rate record

Delegation No:	D.57
Delegation Subject:	Amend rate record
File Number:	RAT12/RT1.0
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will authorise the Chief Executive Officer to amend the rate record for the current financial year to ensure the information contained in the record is current and correct and that the record is in accordance with the *Local Government Act 1995 s.6.39 Rate Record*.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to amend a rate record for the current financial year to ensure the information contained in the record is current and correct and that the record is in accordance with the *Local Government Act 1995 s.6.39 Rate Record*.

Head of Power:	<i>Local Government Act 1995</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>
CEO's Delegation to:	Manager Corporate Services
CEO's Conditions on delegation:	In accordance with the delegation section above.
Record Keeping s.546(3)	Details of the determination to be recorded in the appropriate rate record.
D.57 Review Date(s)	

D.58 Fixed term tenancy agreements

Delegation No:	D.58
Delegation Subject:	Fixed term tenancy agreements
File Number:	LEG4
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will provide the Chief Executive Officer with permission to administer and sign the fixed term tenancy agreements between the Shire of Toodyay (Lessor) and a Lessee occupying residential premises owned by the Shire of Toodyay in accordance with s.3.18 of the *Local Government Act 1995*.

This delegation is to be read in conjunction with D.36.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to administer and sign the fixed term tenancy agreements between the Shire of Toodyay (Lessor) and a Lessee occupying residential premises owned by the Shire of Toodyay in accordance with s.3.18 of the *Local Government Act 1995*.

Head of Power:	<i>Local Government Act 1995</i>
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 and s.5.43
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995</i> s.5.44 and s.5.46.
CEO's Delegation to:	Manager Community Development
CEO's Conditions on delegation:	In accordance with the delegation section above.
Record Keeping s.546(3)	Evidence of determinations and copies of agreements to be kept on file.
D.58 Review Date(s)	

D.59 Release of Cash Bonds

Delegation No:	D.59
Delegation Subject:	Release of Cash Bonds
File Number:	LEG4
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will authorise the Chief Executive Officer to approve the release of cash bonds held against Works and Technical Services in accordance with s. 3.18 of the Local Government Act 1995.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to approve the release of cash bonds held against Works and Technical Services in accordance with s. 3.18 of the Local Government Act 1995.

Head of Power:	Local Government Act 1995
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 and s.5.43
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	Local Government Act 1995 s.5.44 and s.5.46.
CEO's Delegation to:	Manager Works and Services Manager Corporate Services
CEO's Conditions on delegation:	In accordance with delegation section above.
Record Keeping s.546(3)	Evidence of determinations to be recorded in appropriate file or register.
D.59 Review Date(s)	

D.60

Delegation No:	D.##
Delegation Subject:	
File Number:	
Adoption Date:	

STATEMENT OF INTENT

This delegation will allow for
in accordance with the (state the Act) and or Regulations

DELEGATION

Council hereby delegates authority to the Chief Executive Officer

Head of Power:	Local Government Act 1995
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 and s.5.43
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	Local Government Act 1995 s.5.44.
CEO's Delegation to:	
CEO's Conditions on delegation:	
Record Keeping s.546(3)	
D.## Review Date(s)	

D.61 Performance of Functions under the *Bush Fires Act 1954*

Delegation No:	D.61
Delegation Subject:	Performance of Functions under the <i>Bush Fires Act 1954</i>
File Number:	FIR6, MAN6/NAM2438
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to discharge Council's responsibilities under the *Bush Fires Act 1954* and the *Bush Fire Regulations 1954*. This delegation includes all powers under the Act to allow for the effective management of Volunteer Bush Fire Brigades and Fire Control Officers.

For the avoidance of doubt outcomes of LEMC and BFAC meetings will continue to be considered by Council.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to perform local government functions in accordance with section 48 *Delegation by Local Governments* under the *Bush Fires Act 1954*.

Head of Power:	<i>Bush Fires Act 1954</i>
Statutory Power of Delegation:	<ul style="list-style-type: none"> <i>Bush Fires Act 1954 s.48</i> <i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	<i>Nil.</i>
CEO's Delegation to:	N/A
CEO's Conditions on delegation:	N/A
Record Keeping <i>s.546(3) State Records Act 2000</i> <i>s.38 Bush Fires Act 1954</i> <i>s.41 Bush Fire Regulations 1954.</i>	<ul style="list-style-type: none"> <i>Gazette appointments through the State Law Publisher, and keep a register of them.</i> <i>Appointments of Officers be published at least once in a newspaper circulating in its district.</i>
D.61 Review Date(s)	

D.##

Delegation No:	D.##
Delegation Subject:	
File Number:	
Adoption Date:	

STATEMENT OF INTENT

This delegation will allow for
in accordance with the (state the Act) and or Regulations

DELEGATION

Council hereby delegates authority to the Chief Executive Officer

Head of Power:	Local Government Act 1995
Statutory Power of Delegation:	Local Government Act 1995 s.5.42 and s.5.43
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	Local Government Act 1995 s.5.44.
CEO's Delegation to:	
CEO's Conditions on delegation:	
Record Keeping s.546(3)	
D.## Review Date(s)	

SECTION TWO

One-Off

Delegations

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Council Resolution No 64/02/12

Delegation Subject:	Planning and Development Act 2005
File Number:	M513REDG/A3915
Adoption Date:	29 February 2012

ALTERNATIVE MOTION/COUNCIL RESOLUTION NO 64/02/12

MOVED Cr Firms

1. Council delegate authority to the Chief Executive Officer to issue temporary planning approval and temporary extractive industry licence to Mr Michael Morgan for Lot M514 Red Gully Road, Nunile for a period of 20 days to allow the Shire of Northam to extract gravel for the purposes of upgrading of Irishtown Road. This temporary approval has been granted to allow the Shire of Northam to upgrade a road for public use and to be able to deliver the project on budget.
2. The temporary planning approval and temporary extractive industry licence must be subject to the following conditions:
 - a) Gravel extracted from the site can only be used for road works being undertaken by the Shire of Northam for the upgrading of Irishtown Road.
 - b) The applicant must pay to the Shire of Toodyay the \$696 planning application fee and \$550 extractive industry licence application fee, prior to the commencement of extraction.
 - c) Those portions of public roads affected by the activities relating to the extraction site shall be maintained to a standard acceptable to the Council at the applicant's cost. To achieve this, the applicant shall pay a road maintenance contribution to an amount of \$0.50 per tonne for expenses that would be incurred by the Shire of Toodyay for the repair and maintenance of Council's roads. This money is payable at the completion of the licence period.
3. Council advise the applicant that if extraction is intended to be undertaken beyond the term of the temporary approval an application for planning approval and extractive industry licence must be submitted with the appropriate information required under the Shire of Toodyay's Extractive Industry Local Law. If such application is not submitted and approved by the Shire of Toodyay by 31 August 2012 the extraction site must be rehabilitated with the excavation slopes being battered to 1:6 slopes, covered with topsoil and returned to a state suitable for agriculture purposes to the Shire's satisfaction.

4. The Applicant is advised that if the rehabilitation is not carried out the Council will undertake the works and recover this cost from the applicant under relevant legislation.

ABSOLUTE MAJORITY CARRIED 7/0

SECTION THREE

Revoked

Delegations

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D.9 Dealing with the Media

Delegation No:	D.9
Delegation Subject:	Dealing with the Media
File Number:	PUR2/AD32.1
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will ensure the public receive full, appropriate and timely information.

The Shire President, or Deputy Shire President (when the Shire President is unavailable), should be consulted prior to matters of delicacy being discussed in public. It is however, recognised that this may not always be possible.

In this case, the Chief Executive Officer is to use discretion whether comment is to be made or not. Regardless, the Chief Executive Officer is not under any obligation to make any comment on any matter.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to make media releases and to speak on behalf of the Shire of Toodyay in relation to administrative matters and Council decisions, but not to be involved in policy debate issues.

Head of Power:	<i>Local Government Act 1995</i>
Statutory Power of Delegation:	<i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	<i>Local Government Act 1995 s.5.44 and s.5.46.</i>
CEO's Delegation to:	Senior Ranger
CEO's Conditions on delegation:	To speak with the press at bush fires, but contain their comments to matters relating to the time, date, location of the fire, its size and numbers of fire fighters and units, the expected time of containment/extinguishment, and any injuries or losses without divulging the names of those injured or who suffered loss

Record Keeping s.546(3)		Media Releases to be recorded on appropriate file or register and to be reported in the monthly Council Information Bulletin.	
D.09 Review Date(s)			
16 Nov 2006	15 Nov 2007	21 May 2009	17 Dec 2009 revoked by Council (Res No. 644/12/09)

D.10 Rural Pursuits in Special Rural Areas (revoked)

Delegation No:	D.10
Delegation Subject:	Rural Pursuits in Special Rural Areas
File Number:	MAN6
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow for the determination of applications to undertake a Rural Pursuit within the Special Rural zones of the Shire of Toodyay Town Planning Scheme No 3.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to determine planning applications to undertake a Rural Pursuit within a Special Rural area under the provisions of Shire of Toodyay Town Planning Scheme No 3, in accordance with the following criteria:

1. Approval of the Rural Pursuit would only be granted where the landowner can demonstrate that the Rural Pursuit meets the stocking rates contained within Agriculture WA's Stocking Rate Guidelines for Rural Small Holdings;
2. Where the requirements of Agriculture WA's Stocking Rate Guidelines for Rural Small Holdings cannot be achieved, the application to undertake a Rural Pursuit within a Special Rural Zone will be refused, unless special circumstances to a particular case apply; and
3. Where special circumstances may apply and variation to the requirements of Agriculture WA's Stocking Rate Guidelines for Rural Small Holdings are sought, the application is to be referred to Council for determination.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Manager Planning and Development Building Surveyor Planning Officer
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.41 and 5.44
Reviewed Date:	16 November 2006 / 15 November 2007
Revoked Date:	21 February 2008

D.22 Sale of Light Industrial Land (Revoked)

Delegation No:	D.22
Delegation Subject:	Sale of Light Industrial Land
File Number:	LAN3
Adoption Date:	24 November 2005

STATEMENT OF INTENT

This delegation will allow for the Chief Executive Officer to expedite the contracts of Offer and Acceptances for the sale of Extracts Light Industrial lots.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to sell Extracts Light Industrial lots that achieve a return equal to or greater than the valuation of said lots subject to compliance with Section 3.58 of the Local Government Act 1995.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Nil
Formal Record:	Report in monthly Council Agenda.
Heads of Power:	Local Government Act Section 3.58, 5.42 and 5.44.
History:	
Reviewed Date:	Repealed 16 November 2006
Revoked Date:	16 November 2006

D.24 Permit for Revegetation Projects (revoked)

Delegation No:	D.24
Delegation Subject:	Permit for Revegetation Projects
File Number:	MAN6
Adoption Date:	15 December 2005

STATEMENT OF INTENT

This delegation will facilitate the timely processing of applications to obtain a permit to collect seed from native flora on a thoroughfare.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to determine all applications made under Section 5.20 of the Shire of Toodyay Thoroughfares and Trading in Thoroughfares and Public Places Local Law and issue permits for the collection of seed from native flora on a thoroughfare.

Delegation By Council To:	Chief Executive Officer
Delegation By Chief Executive Officer To:	Nil
Formal Record:	Report in monthly Councillor Information Bulletin
Heads of Power:	Local Government Act 1995 Section 5.42 and 5.44
History:	This delegation supersedes all previous delegations regarding the Section 5.20 permits issued under the Shire of Toodyay Thoroughfare and Trading in Thoroughfares and Public Places Local Law
Reviewed Date:	16 November 2006 / 15 November 2007 21 May 2009

Council Resolution No 590/10/09

Delegation Subject:	Bush Fires Act 1954 part III Division 2
File Number:	FIR
Adoption Date:	15 October 2009

COUNCIL RESOLUTION NO 590/10/09

MOVED Cr Somers

That Council delegate to the Shire President and the Chief Bush Fire Control Officer jointly its powers under sub sections (7) and (8) of Section 17 of the Bush Fires Act 1954 part III Division 2.

MOTION CARRIED UNANIMOUSLY 9/0

SECTION FOUR

Review Table

TO DELEGATION REGISTER

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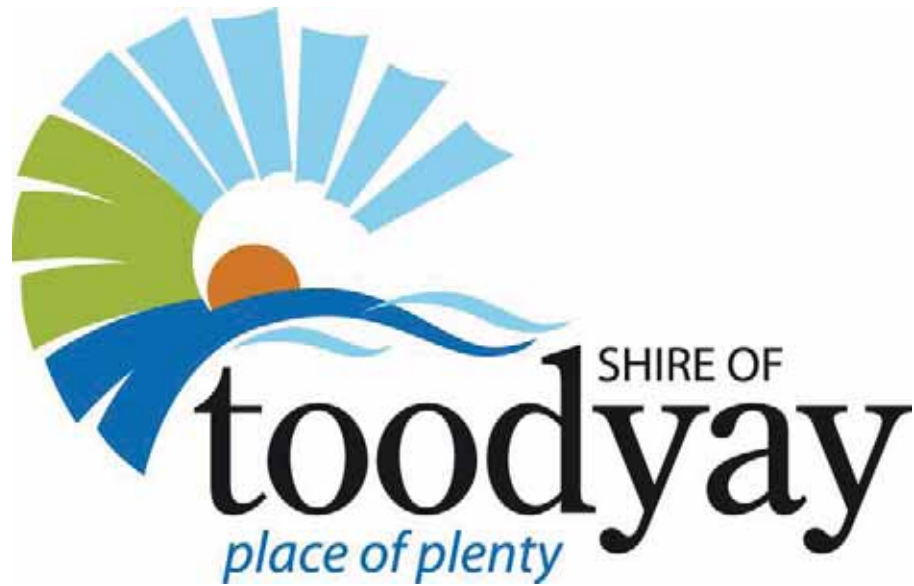
3. – Delegation Register – Review Table

Template located under: W:\CEOSEC\Templates\LG Act\Delegations Register Distribution & Review.xls

Review No	Date	Review Type	Amended Delegation Numbers	Council Resolution No	REVIEW STATUS
1	24/11/2005	Amended	D.2	192/11/05	Complete
2	16/11/2006	Amended	D.4-D.7; D.9-D.15; D.17-D.18; D.20; D.22-D.25	190/11/06	Complete
3	15/11/2007	Amended	D.1-D.2; D.4-D.7; D.10-D.21; D.23-D.27	157/11/07	Complete
4	25/02/2008	Revoked	D.10	204/02/08	Complete
		Amended	D.11	205/02/08	Complete
		Revoked	D.17	206/02/08	Complete
5	8/06/2008	New Delegation	D.29	275/05/08	Complete
6	21/05/2009	Removed	185/01/08	500/05/09	Complete
		Amended	D.6		
		Amended	D.18		
		Amended	D.19		
		Amended	D.20		
		Amended	D.25		
7	10/12/2009	One off	590/10/09	590/10/09	Complete
8	25/02/2010	Revoked	D.9	644/12/09	Complete
		Amended	D.26	688/02/10	
9	13/05/2010	Amended	D.19; D.23; D.26;	751/05/10	Complete
10	21/06/2011	Amended	D.17	172/06/11	Complete
11	21/02/2012	Amended	D.18	37/02/12	Complete

Review No	Date	Review Type	Amended Delegation Numbers	Council Resolution No	REVIEW STATUS
12	21/02/2012	Amended	D.18	37/02/12	Complete
13	29/02/2012	One-off	64/02/12	64/02/12	Complete
14	3/04/2012	New	D.30	107/04/12	Complete
15	19/06/2012	Amended	D.5, D.6, D.12, D.17, D.23	189/06/12	Complete
16	18/04/2013	Reviewed	D.2, D.3, D.4, D.5, D.8, D.11, D.12, D.16, D.18, D.21, D.23, D.27, D.28, D.29, D.30.	114/04/13	Complete
16	18/04/2013	Amended AND Adopted <i>(as amended)</i>	D.1, D.6, D.7, D.13, D.14, D.15, D.17, D.19, D.20, D.25, D.26, D.27, D.36, D.37, D.38, D.39, D.40, D.42, D.43, D.46, D.48, D.52, D.54, D.55, D.57, D.58, D.59.	114/04/13	Complete
16	18/04/2013	Adopted	D.33, D.34, D.35, D.41, D.44, D.45, D.47, D.50, D.51, D.53, D.56.	114/04/13	Complete
16	18/04/2013	Revoked	D.9.	114/04/13	Complete
17	18/04/2013	Adopted	D.61	119/04/13	Complete

Review No	Date	Review Type	Amended Delegation Numbers	Council Resolution No	REVIEW STATUS



SECTION FIVE

Matrix

TO DELEGATION REGISTER

DELEGATION REGISTER MATRIX

Template located under: W:\CEOSEC\Templates\LG Act\Delegations
Register Distribution & Review.xls

NO.	DELEGATION DESCRIPTION	ADOPTION DATE	REVIEW DATE	SUB-DELEGATIONS						
				CEO	MCS	MCD	MPD	MWS	OTHERS	
D.1	Infringement Notice Issue	24/11/2005	18/04/2013	☉		☉	☉			☉
D.2	Investment of Surplus Funds	24/11/2005	18/04/2013	☉	☉					
D.3	Legal Representation and Costs Indemnification	24/11/2005	18/04/2013	☉						
D.4	Liquor Consumption	24/11/2005	18/04/2013	☉	☉					
D.5	Stallholders Fees	24/11/2005	18/04/2013	☉						
D.6	Thoroughfares and Trading in Thoroughfares and Public Places Permits.	24/11/2005	18/04/2013	☉		☉	☉			☉
D.7	Issue of Summonses	24/11/2005	18/04/2013	☉	☉					
D.8	Withdrawal of Infringement Notices	24/11/2005	18/04/2013	☉						
D.11	Planning Applications involving Setback Variations	21/02/2008	18/04/2013	☉			☉			
D.12	Keeping of 3 to 6 Dogs	24/11/2005	18/04/2013	☉		☉				
D.13	Authorised Signatories	24/11/2005	18/04/2013	☉	☉	☉	☉			☉
D.14	Purchasing	24/11/2005	18/04/2013	☉	☉	☉	☉			☉
D.15	Sale of Scrap	24/11/2005	18/04/2013	☉					☉	
D.16	Oversize Vehicle Authorisation	24/11/2005	18/04/2013	☉					☉	
D.17	Development and Subdivision Applications	27/03/2008	18/04/2013	☉			☉			☉
D.18	Building	25/08/2005	18/04/2013	☉			☉			☉

NO.	DELEGATION DESCRIPTION	ADOPTION DATE	REVIEW DATE	SUB-DELEGATIONS						
				CEO	MCS	MCD	MPD	MWS	OTHERS	
D.19	Health	24/11/2005	18/04/2013	☉			☉			☉
D.20	Applications for Treatment of Sewage and Disposal of Effluent and Liquid Waste	24/11/2005	18/04/2013	☉						☉
D.21	Record Checking - Volunteers	24/11/2005	18/04/2013	☉		☉				
D.23	Temporary Road Closures	24/11/2005	18/04/2013	☉			☉		☉	
D.25	Dealing with Clearing Matters	27/04/2006	18/04/2013	☉			☉		☉	
D.26	Authorised Officer Appointments	15/03/2007	18/04/2013	☉						
D.27	Use of Common Seal	19/04/2007	18/04/2013	☉		☉				
D.28	Issue of Notice of Breach (Fencing)	27/03/2008	18/04/2013	☉			☉			☉
D.29	Deed of Covenant for the Payment of a Developer Contribution	19/06/2008	18/04/2013	☉						
D.30	Tenders	03/04/2012	18/04/2013	☉		☉			☉	
D.31	CCTV	18/04/2013	18/04/2013	☉						
D.32	Freedom of Information	18/04/2013	18/04/2013	☉						☉
D.33	Rate Payments by Agreement	18/04/2013	18/04/2013	☉				☉		
D.34	Approve / Reject Reimbursements	18/04/2013	18/04/2013	☉				☉		
D.35	Caravan Park and Camping Grounds	18/04/2013	18/04/2013	☉					☉	
D.36	Lease of Council Buildings	18/04/2013	18/04/2013	☉		☉				
D.37	Swimming Pool Inspections	18/04/2013	18/04/2013	☉					☉	
D.38	Notices to Owners and Occupiers of Land	18/04/2013	18/04/2013	☉					☉	☉
D.39	Powers of Entry	18/04/2013	18/04/2013	☉					☉	☉
D.40	Remove and Impound Goods	18/04/2013	18/04/2013	☉					☉	☉

NO.	DELEGATION DESCRIPTION	ADOPTION DATE	REVIEW DATE	SUB-DELEGATIONS						
				CEO	MCS	MCD	MPD	MWS	OTHERS	
D.41	Variation of Requirements before entry into Contract	18/04/2013	18/04/2013	○						
D.42	Vehicles, use of	18/04/2013	18/04/2013	○						
D.43	Use of Plant and Equipment	18/04/2013	18/04/2013	○	○	○	○	○		
D.44	Hire of Plant	18/04/2013	18/04/2013	○					○	
D.45	Regulatory signs, i.e. stop, give-way, speed, etc.	18/04/2013	18/04/2013	○						
D.46	Disposal of Surplus Equipment, materials, tools, etc.	18/04/2013	18/04/2013	○						
D.47	Licence to deposit materials on or excavate adjacent to a street.	18/04/2013	18/04/2013	○			○		○	
D.48	Altering Thoroughfare Alignments	18/04/2013	18/04/2013	○			○		○	
D.49										
D.50	Dangerous excavation	18/04/2013	18/04/2013	○			○		○	
D.51	Crossing from Public Thoroughfare to Private land or private thoroughfare.	18/04/2013	18/04/2013	○			○			
D.52	Crossovers	18/04/2013	18/04/2013	○			○		○	
D.53	Private Works on, over or under public places	18/04/2013	18/04/2013	○			○		○	
D.54	Donations and Grants	18/04/2013	18/04/2013	○						
D.55	Extension of Contracts	18/04/2013	18/04/2013	○						
D.56	Write-off monies owing	18/04/2013	18/04/2013	○					○	
D.57	Amend rate record	18/04/2013	18/04/2013	○					○	
D.58	Fixed term tenancy agreements	18/04/2013	18/04/2013	○		○				



NO.	DELEGATION DESCRIPTION	ADOPTION DATE	REVIEW DATE	SUB-DELEGATIONS						
				CEO	MCS	MCD	MPD	MWS	OTHERS	
D.59	Release of Cash Bonds	18/04/2013	18/04/2013	<input checked="" type="radio"/>	<input checked="" type="radio"/>				<input checked="" type="radio"/>	
D.60										
D.61	Performance of Functions under the <i>Bush Fires Act 1954</i>	18/04/2013	18/04/2013	<input checked="" type="radio"/>	<input checked="" type="radio"/>				<input checked="" type="radio"/>	

ADMINISTRATION POLICY

POLICY NO	A.16
POLICY SUBJECT	FREEDOM OF INFORMATION
FILE NUMBER	FOI1
ADOPTION DATE	18 APRIL 2013
LAST REVIEW:	

STATEMENT OF INTENT

This policy is designed to provide guidelines for staff regarding Freedom of Information Requests.

OBJECTIVES

- 1) To assist the public to obtain access to documents and records held by the Shire of Toodyay.
- 2) To allow documents to be obtained promptly (and at the lowest reasonable cost) unless they are "exempt" within the provisions of the Act.

POLICY STATEMENT

The Shire of Toodyay will provide a general right of access to documents and records of the Shire in accordance with the provisions of the Freedom of Information Act 1992 and the guidelines in this Policy.

GUIDELINES

- 1) The Shire of Toodyay's Chief Executive Officer delegates the role of "FOI Coordinator" for the Shire to staff member(s) who are to be suitably trained with respect to FOI Coordinator responsibilities. The staff member(s) are hereby given delegated authority to perform that function within the requirements of the Act.
- 2) The Shire of Toodyay's Chief Executive Officer assumes the role of "Decision Maker" and is hereby authorised to make decisions regarding access to information.
- 3) The Chief Executive Officer is appointed to review an application should the applicant be dissatisfied with the results of their application.
- 4) Procedures for determining access, exemptions, personal information, review, and the preparation of information statements shall be in accordance with the Freedom of Information Implementation Guidelines prepared by the Office of the Information Commissioner, Perth.

ADOPTED ON 18 APRIL 2013

COTTAGE & ENGINEERING SURVEYS

Licensed Surveyors

87-89 Guthrie Street, Osborne Park, Western Australia
 Telephone: (08) 9445 7361 Facsimile: (08) 9445 2998
 Email: perth@cottage.com.au Website: www.cottage.com.au
 J/N: DATE: SCALE: DRAWN:
 296984 07 Dec 12 1:200 J. Lewis

Builder: Redink Homes
 CLIENT: RALPH & HASSON
 LOT 10 (Units 1 & 2) #3 Herbert Street, Toodyay

OLD AREA:

LEGEND:

Diag. 55769

NOTE: All Sewer details plotted from information supplied by Water Corporation.

NOTE/BEWARE: ADVISE TRADES
 O/Head power lines

NOTE:
 LOT MISCLOSE
 (0.000m)

SOIL DESCRIPTION
 Sand / Gravel / Clay(Found) /
 Rock(Poss)
 Light Grass Cover

NOTE: EASTWINGS, SET-OUT DIMENSIONS MAY VARY ON SITE AT BUILDERS DISCRETION. SEWER/DRAINAGE MAY VARY FROM SCHEMATIC PRESENTATION / CHECK MINIMUM CLEARANCES. RETAINING NOT INCLUDED IN CONTRACT - REMAINS OWNERS RESPONSIBILITY. THIS SURVEY DOES NOT GUARANTEE THE LOCATION OF BOUNDARY PEGS OR FENCES. CHECK TITLE FOR EASEMENTS / COVENANTS ETC.

NOTE: COTTAGE & ENGINEERING SURVEYS ACCEPT NO RESPONSIBILITY FOR ANY PHYSICAL ON SITE CHANGES TO THE PARCEL OR PORTION OF THE PARCEL SHOWN ON THIS SURVEY INCLUDING ANY ADJOINING NEIGHBOURS LEVELS AND FEATURES THAT HAVE OCCURRED AFTER THE DATE ON THIS SURVEY.

NOTE: ALL FEATURES SHOWN ON SURVEY ARE POSITIONED FROM EXISTING PEGS/FENCES & WALLS WHICH MAY NOT BE ON THE CORRECT ALIGNMENT.



NOTE: TELSTRA PIT NOT LOCATED ADJACENT TO LOT AT TIME OF SURVEY. VERIFY AVAILABILITY TO LOT WITH TELSTRA.

SITE ANALYSIS

ZONING: R50
 MINIMUM LOT SIZE REQUIRED = 440m²
 AVERAGE LOT SIZE REQUIRED = 500m²
 MAXIMUM BUILDING SITE COVERAGE = 50%

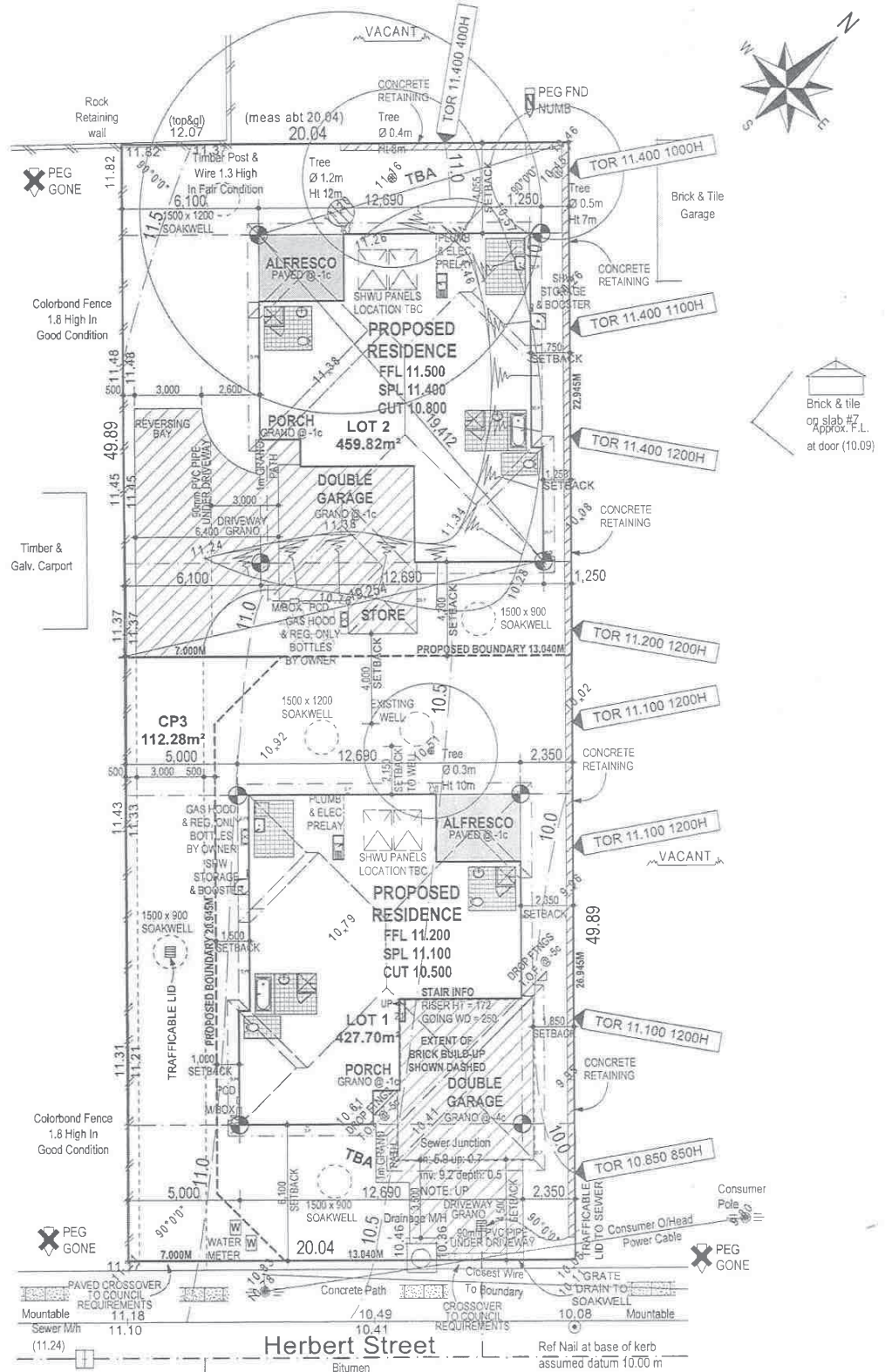
SITE AREA ALLOCATION:
 UNIT 1 (U1) EXCLUSIVE AREA = 427.70m²
 UNIT 2 (U2) EXCLUSIVE AREA = 459.82m²
 COMMON (C) AREA = 112.28m²

COMMON AREA (CA) ALLOCATION
 U1 + U2 = 427.70 + 459.82 = 887.52
 U1 = (427.70 + 887.52) x 112.28 = 54.11m²
 U2 = (459.82 + 887.52) x 112.28 = 58.17m²

HOUSE AREA (HA)
 UNIT 1 (HA1) = 182.81
 UNIT 2 (HA2) = 180.97

SITE COVERAGE NO COMMON AREA:
 UNIT 1 = HA1 + U1 x 100 = 182.81 + 427.70 x 100 = 42.74%
 UNIT 2 = HA2 + U2 x 100 = 180.97 + 459.82 x 100 = 39.36%

Scale 1:200



redink
 HOMES
 BUILDERS REGISTRATION N° 12049
 18 SANGIORGIO COURT
 OSBORNE PARK WA 6017
 Phone (08) 9208 1111 Fax (08) 9208 1122
 © Copyright 2006

THIS IS ONE OF THE DRAWINGS REFERRED TO IN THE CONTRACT:

OWNER DATE

OWNER DATE

BUILDER DATE

VARIATIONS:
 REV DESCRIPTION: INT: DATE:
 1 CONTRACT KB 03.01.13
 2 DA - SHIRE ASSESSMENT - C.B. KB 16.01.13

CLIENT:
RALPH & HASSON

SITE ADDRESS:
**LOT 10 (UNIT 1) #3 HERBERT ST
 TOODYAY WA 6566**

SALES: AD DRAWN: KB CHECKED: CS

BRAVO 190
ALL SITES PLAN

DATE: 17/01/2013 SHEET N°
 SCALE: 1:200 04 of 12

REVISION N°: 2 JOB N°: 122660M

BRAVO 190

6-STAR COMPLIANCE: * R 4.0 CEILING INSULATION * CAVITY INSULATION AS SHOWN ON PLAN * SELF SEALING EXHAUST FANS

SITE CLASSIFICATION : S
FOOTING DETAIL : C6
WIND CATEGORY : N2
COASTAL CONDITIONS : NO

FIXING CARPENTER NOTE:

LINEIN & PTY NOTE:
4x 450w SHELVES
ROBES & WIR:
LAMINATE SHELF & RAIL @ 1750

FLASHING NOTE:
ALL CAVITY CLOSERS AND STRUCTURAL COLUMNS TO BE FLASHING WITH ALCORE FLASHING AS PER AS.

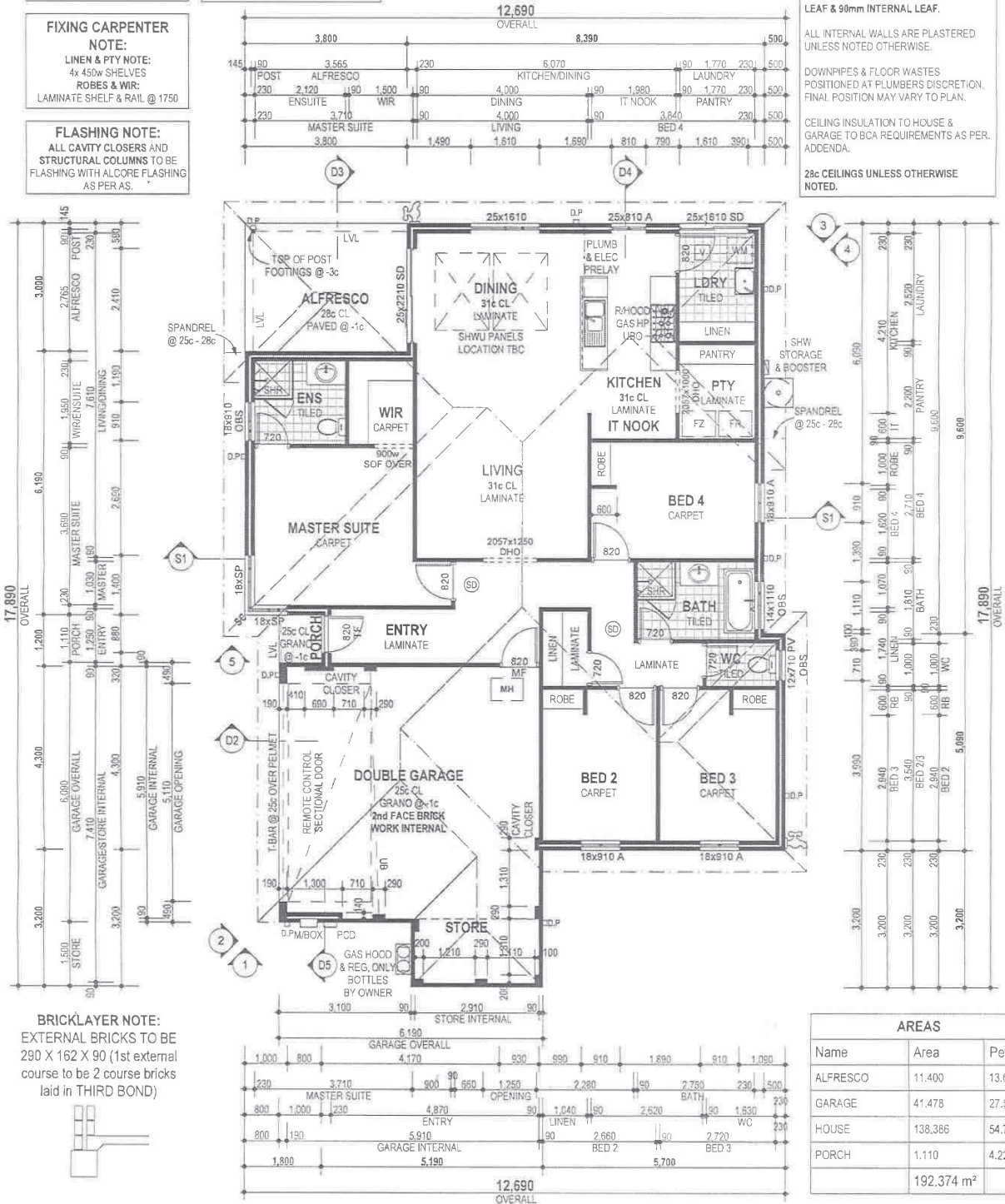
PLUMBER NOTES:
PLUMBER TO INSTALL FLOOR WASTES WHERE REQUIRED IN ACCORDANCE WITH THE HEALTH ACT.

NOTES:
EXTERNAL WALLS CONSISTS OF 230mm WIDE CAVITY BRICK CONST., UNLESS NOTED OTHERWISE. 90mm EXTERNAL LEAF & 90mm INTERNAL LEAF.

ALL INTERNAL WALLS ARE PLASTERED UNLESS NOTED OTHERWISE.
DOWNPIPES & FLOOR WASTES POSITIONED AT PLUMBERS DISCRETION. FINAL POSITION MAY VARY TO PLAN.

CEILING INSULATION TO HOUSE & GARAGE TO BCA REQUIREMENTS AS PER ADDENDA.

28c CEILINGS UNLESS OTHERWISE NOTED.



BRICKLAYER NOTE:
EXTERNAL BRICKS TO BE 290 X 162 X 90 (1st external course to be 2 course bricks laid in THIRD BOND)

AREAS		
Name	Area	Peri...
ALFRESCO	11.400	13.600
GARAGE	41.478	27.560
HOUSE	138.386	54.760
PORCH	1.110	4.220
	192.374 m ²	



THIS IS ONE OF THE DRAWINGS REFERRED TO IN THE CONTRACT.

OWNER DATE.....
OWNER DATE.....
BUILDER DATE.....

VARIATIONS:

REV.	DESCRIPTION:	INT.	DATE:
1'	CONTRACT	KB	03.01.13
2'	DA - SHIRE ASSESSMENT - C.B.	KB	16.01.13
3'			
4'			
5'			
6'			
7'			
8'			
9'			

CLIENT: **RALPH & HASSON**

SITE ADDRESS:
LOT 10 (UNIT 2) #3 HERBERT ST TOODYAY WA 6566

SALES: AD DRAWN: KB CHECKED: CS

BRAVO 190

FLOOR PLAN

DATE: 17/01/2013 SHEET N°: 07 of 12
SCALE: 1:100, 1:1
REVISION N°: 2 JOB N°: 122661M

COTTAGE & ENGINEERING SURVEYS

Licensed Surveyors ©

87-89 Guthrie Street, Osborne Park, Western Australia
 Telephone: (08) 9446 7361 Facsimile: (08) 9445 2998
 Email: perth@cottage.com.au Website: www.cottage.com.au
 J/N: 296984 DATE: 07 Dec 12 SCALE: 1:200 DRAWN: J. Lewis

Builder : Redink Homes
 CLIENT : RALPH & HASSON
 LOT 10 (Units 1 & 2) #3 Herbert Street, Toodyay

LEGEND		SEC Dome
		Power Pole
		Phone
		Conc. Path
		Conc. slabs

Diag 55769

NOTE: All Sewer details plotted from information supplied by Water Corporation.

NOTE: BEWARE: ADVISE TRADES
 O/Head power lines

NOTE:
 LOT MISCLOSE
 (0.000m)

SOIL DESCRIPTION

Sand / Gravel / Clay(Found) /
 Rock(Poss)
 Light Grass Cover

NOTE: EARTHWORKS / SET-OUT DIMENSIONS MAY VARY ON SITE AT BUILDERS DISCRETION. SEWER / DRAINAGE MAY VARY FROM SCHEMATIC PRESENTATION / CHECK MINIMUM CLEARANCES. RETAINING NOT INCLUDED IN CONTRACT. REMAINS OWNERS RESPONSIBILITY. THIS SURVEY DOES NOT GUARANTEE THE LOCATION OF BOUNDARY PEGS OR TRENCHES. CHECK TITLE FOR EASEMENTS / COVENANTS ETC.

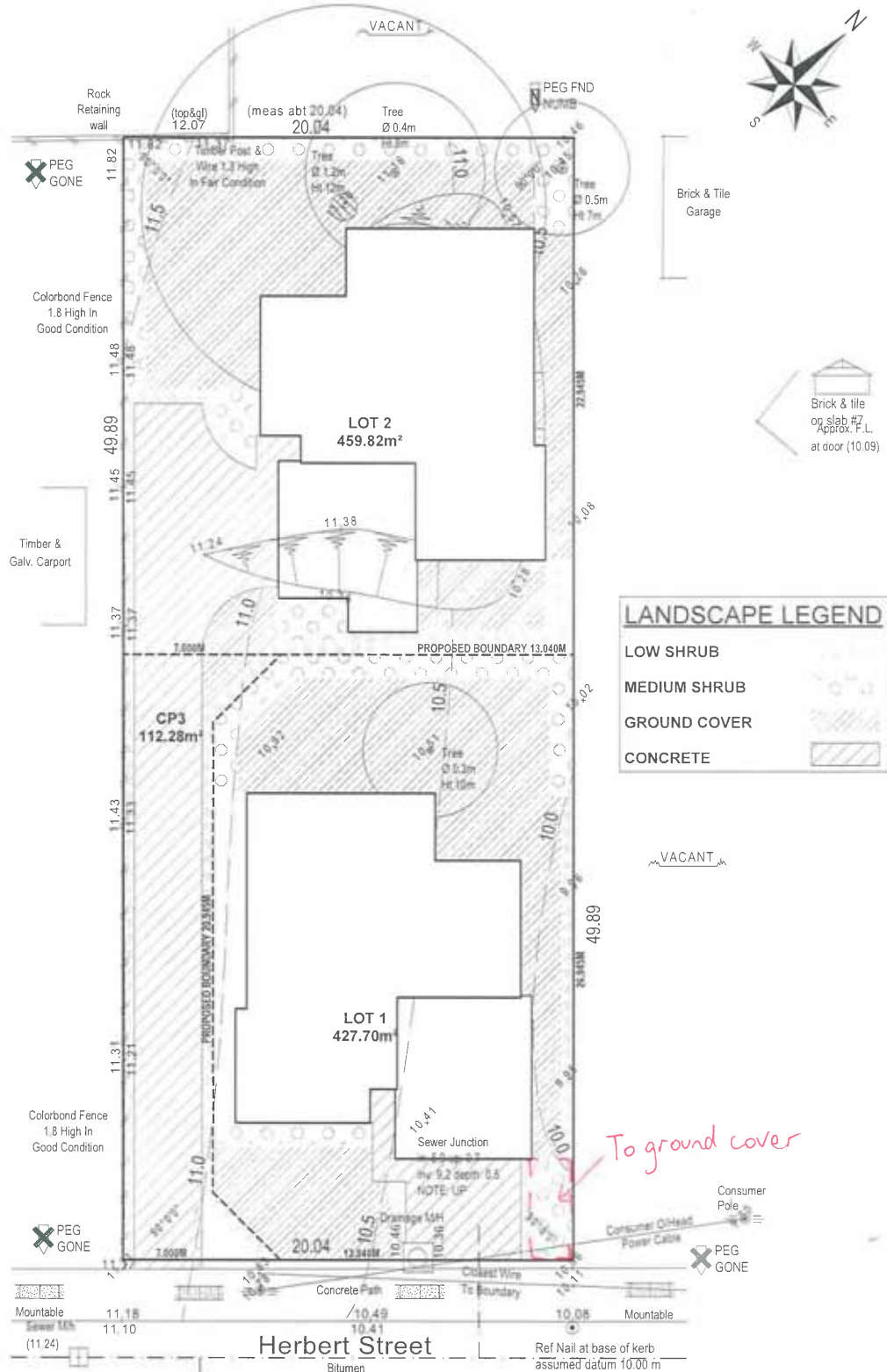
NOTE: COTTAGE & ENGINEERING SURVEYS ACCEPT NO RESPONSIBILITY FOR ANY PHYSICAL ON SITE CHANGES TO THE PARCEL OR PORTION OF THE PARCEL OF LAND SHOWN ON THIS SURVEY INCLUDING ANY ADJOINING NEIGHBOURS LEVELS AND FEATURES THAT HAVE OCCURRED AFTER THE DATE ON THIS SURVEY.

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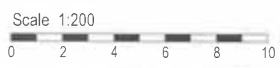
Brick & Tile Garage #74 on limestone

NOTE: TELSTRA PIT NOT LOCATED ADJACENT TO LOT AT TIME OF SURVEY. VERIFY AVAILABILITY TO LOT WITH TELSTRA.



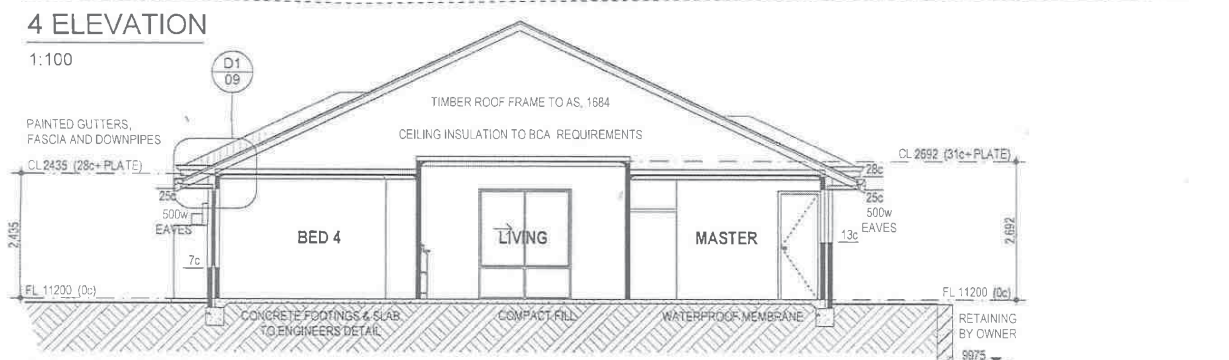
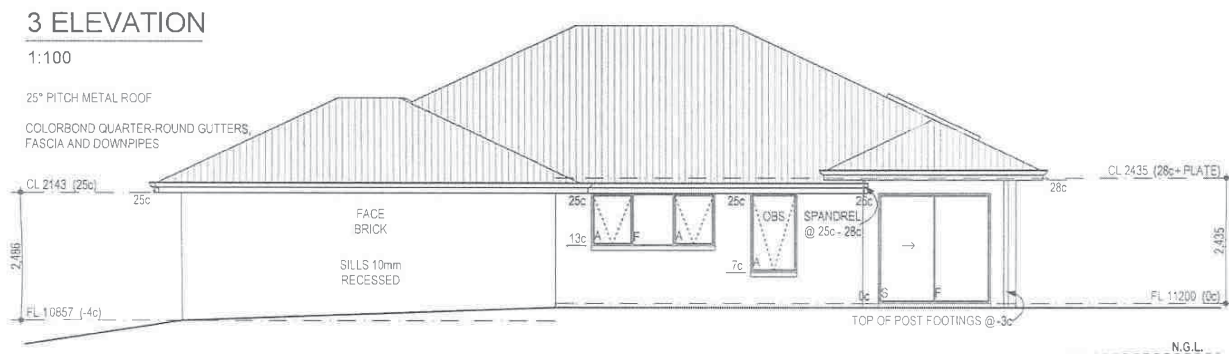
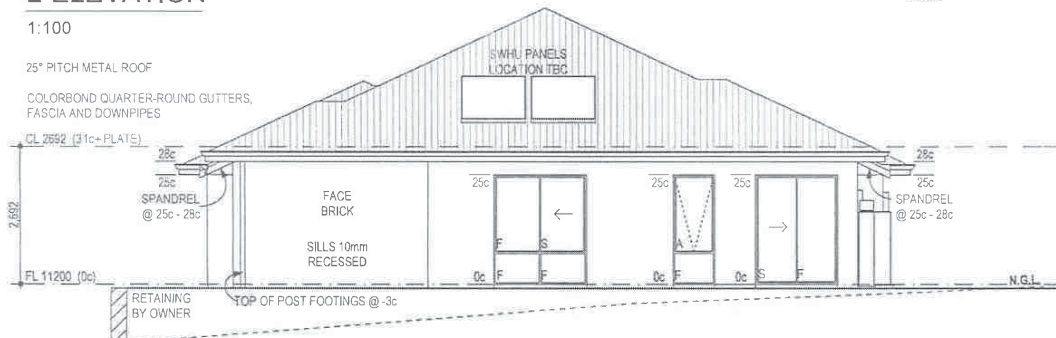
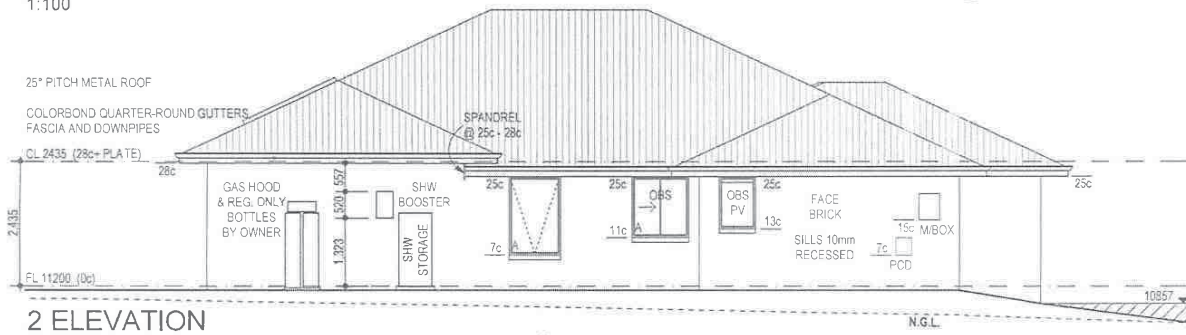
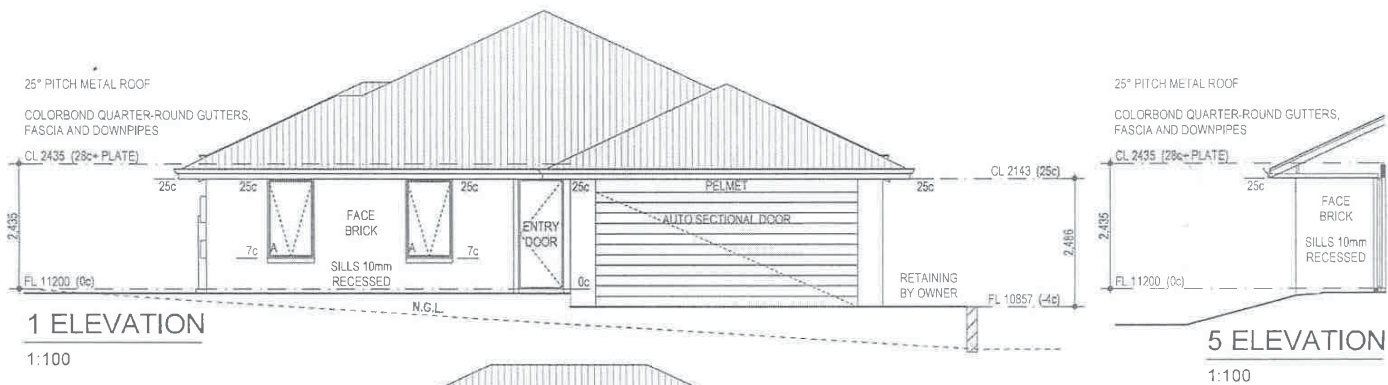
LANDSCAPE LEGEND

	LOW SHRUB
	MEDIUM SHRUB
	GROUND COVER
	CONCRETE



<p>redink H O M E S BUILDERS REGISTRATION N° 12049 18 SANGIORGIO COURT OSBORNE PARK WA 6017 Phone (08) 9208 1111 Fax (08) 9208 1122 © Copyright 2006</p>	THIS IS ONE OF THE DRAWINGS REFERRED TO IN THE CONTRACT OWNER DATE..... OWNER DATE..... BUILDER DATE.....	VARIATIONS: REV. DESCRIPTION 1' CONTRACT 2' DA - SHIRE ASSESSMENT - C.B. 3' PSVO 17487 (ITEMS 1-48) 4' 5' 6' 7' 8' 9'	INT: DATE: KB 03.01.13 KB 16.01.13 RE 21.03.13	CLIENT: RALPH & HASSON SITE ADDRESS: LOT 10 (UNIT 1) #3 HERBERT ST TOODYAY WA 6566 SALES: AD DRAWN: KB CHECKED: CS	BRAVO 190 LANDSCAPE PLAN DATE: 2/04/2013 SHEET N°: SCALE: 1:200 05 of 12 REVISION N°: 3 JOB N°: 122660M
--	--	---	---	--	--

BRAVO 190



redink
H O M E S
BUILDERS REGISTRATION N° 12049
18 SANGIORGIO COURT
OSBORNE PARK WA 6017
Phone (08) 9208 1111 Fax (08) 9208 1122
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THIS IS ONE OF THE DRAWINGS REFERRED TO IN THE CONTRACT:

OWNER DATE

OWNER DATE

BUILDER DATE

VARIATIONS:

REV:	DESCRIPTION:	INT:	DATE:
1'	CONTRACT	KB	03.01.13
2'	DA - SHIRE ASSESSMENT - C.B.	KB	16.01.13
3'			
4'			
5'			
6'			
7'			
8'			
9'			

CLIENT:
RALPH & HASSON

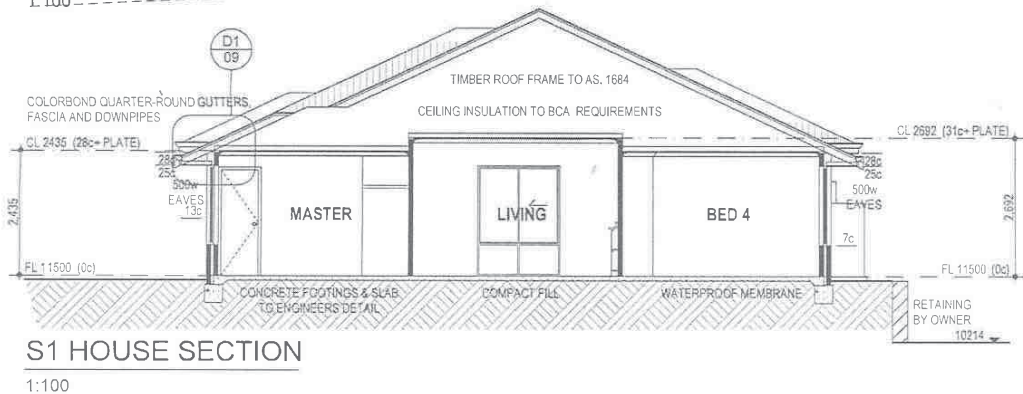
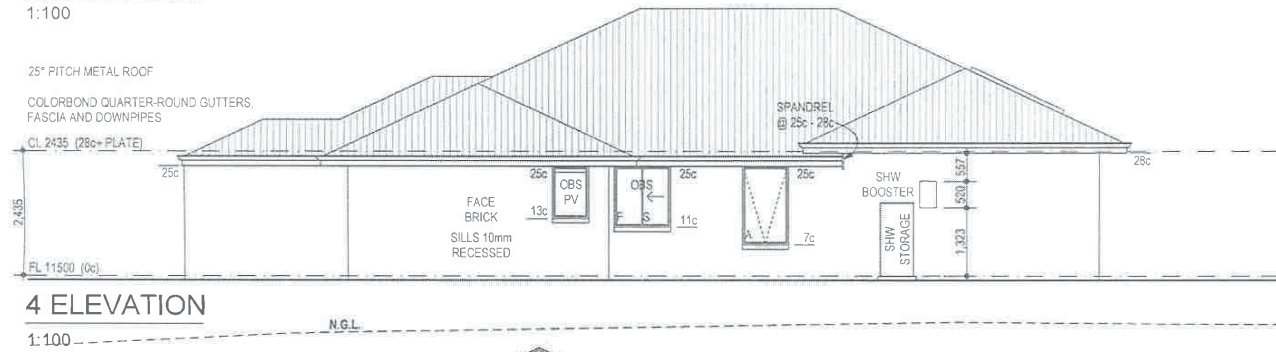
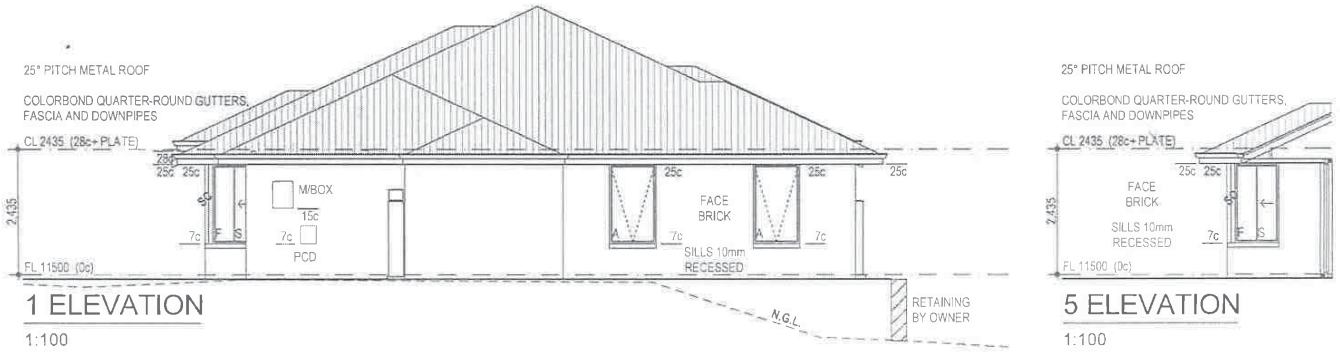
SITE ADDRESS:
LOT 10 (UNIT 1) #3 HERBERT ST TOODYAY WA 6566

SALES: AD DRAWN: KB CHECKED: CS

BRAVO 190
ELEVATIONS

DATE: 17/01/2013	SHEET N°:
SCALE: 1:100	08 of 12
REVISION N°:	JOB N°:
2	122660M

BRAVO 190



THIS IS ONE OF THE DRAWINGS REFERRED TO IN THE CONTRACT:

OWNER DATE

OWNER DATE

BUILDER DATE

REV.	DESCRIPTION:	INT.	DATE:
1'	CONTRACT	KB	03.01.13
2'	DA - SHIRE ASSESSMENT - C.B.	KB	16.01.13
3'			
4'			
5'			
6'			
7'			
8'			
9'			

CLIENT: **RALPH & HASSON**

SITE ADDRESS:
**LOT 10 (UNIT 2) #3 HERBERT ST
TOODYAY WA 6566**

SALES: AD DRAWN: KB CHECKED: CS

BRAVO 190	
ELEVATIONS	
DATE: 17/01/2013	SHEET N°
SCALE: 1:100	08 of 12
REVISION N°: 2	JOB N°: 122661M



COLOUR SCHEDULE	
CLIENT:	Ralph + Hasson
JOB NUMBER:	122661m
LOT ADDRESS:	61/3 Herbert St Toodyay Shire of Toodyay.

BRICK SUPPLIER/TYPE:	BRICK COLOUR:
MIDLAND 2C	ORAL BUSH
RENDER TYPE:	RENDER COLOUR:
N/A	-
ROOF TYPE/SUPPLIER:	ROOF COLOUR:
	ZINCALUME
WINDOW SUPPLIER:	WINDOW COLOUR:
JASON	WHITE BIRCH
DOWN PIPE COLOURS:	CLASSIC CREAM
GUTTER & FASCIA COLOUR:	CLASSIC CREAM
FRONT DOOR SUPPLIER:	FRONT DOOR COLOUR:
CORINTHIANS	CLASSIC CREAM
GARAGE DOOR SUPPLIER/TYPE:	GARAGE DOOR COLOUR:
CENTURION	CLASSIC CREAM
PAVING TYPE:	PAVING COLOUR
HEAVY DUTY. ALFRESCO ONLY	BORDER: MAIN: GREY.



COLOUR SCHEDULE	
CLIENT:	Ralph + Hasson
JOB NUMBER:	122660m
LOT ADDRESS:	U2/3 Herbert St Toodyay Shire of Toodyay

BRICK SUPPLIER/TYPE:	BRICK COLOUR:
MIDLAND 2C	OPAL BUSH
RENDER TYPE:	RENDER COLOUR:
N/A	—
ROOF TYPE/SUPPLIER:	ROOF COLOUR:
	ZINCALUME
WINDOW SUPPLIER:	WINDOW COLOUR:
JASON	WHITE BIRCH
DOWN PIPE COLOURS:	CLASSIC CREAM
GUTTER & FASCIA COLOUR:	CLASSIC CREAM
FRONT DOOR SUPPLIER:	FRONT DOOR COLOUR:
CORINTHIAN	CLASSIC CREAM
GARAGE DOOR SUPPLIER/TYPE:	GARAGE DOOR COLOUR:
CENTURION	GEORGIAN
PAVING TYPE:	PAVING COLOUR
HEAVY DUTY ALFRESCO ONLY	BORDER: GREY. MAIN:

GARAGE

- *Unit 1 garage protrudes 1.6m in front of the main building line*

The proposed garage protruding forward of unit 1 is requested to make effective use of the space available, while enhancing the privacy to the adjoining and subject properties.

The proposed dwelling is believed to enhance and reinforce the historic character of the Central Toodyay Heritage Area by being single storey with eaves and setback away from the external boundaries. The metal roof, face brick front elevation with rendered window sills was designed to be the main focus of the front facade which minimises the dominance of the garage and enhances the historic feel of the home. With the development proposed to be single storey and with the dwelling facade being stepped to create a flexibility of design and a more varied and interesting streetscape, the minor garage incursion enhances the appeal of the building and does not detract from the character of the streetscape.

The garage is currently setback 4.5m from the front boundary and 1.85m from the north east boundary which complies with the Residential Design Codes. Due to the natural ground level the garage is -4c to assist with the driveway gradient. The proposed garage protruding forward of the front elevation will have no adverse effect on building bulk as seen from the street, particularly since Herbert Street is not a main thoroughfare.

LP3.4.16 requires car parking areas to be incorporated into the design of the new house which has been achieved in this instance. They should also be setback from the primary street or behind the main building line. R50 properties require a 4m primary setback which we have also complied with.

Please advertise to the adjoining landowners for the above mentioned variations once you have completed your assessment.

The proposed units have been designed in consideration of the adjoining residents, and ensure the protection of the amenity of adjoining property along with having no adverse affect on building bulk or on the existing streetscape. In light of this, we request that you consider the above variations and use your discretion when determining the application, and support the proposal favorably.

ADDITIONAL DOCUMENTATION – AGENDA ITEM 9.5.1

Provided via Email Thursday 11 April 2013 at 9.47 am.

From: Daniel Hills

Sent: Thursday, 11 April 2013 9:47 AM

To: Andrew McCann; Bethan Lloyd; Chris Firns; David Dow; John Prater; Kevin Hogg; Paula Greenway; Rosemary Madacsi; Sally Craddock

Cc: Maria Rebane

Subject: April 2013 Council Meeting - Proposed grouped dwellings at Lot 10 Herbert Street, Toodyay

Dear Councillors

At the next Council meeting, Council will be requested to consider an application for two grouped dwellings at Lot 10 Herbert Street, Toodyay, located in the Central Toodyay Heritage Area. One of the recommendations of the report is to require that a verandah be added to the front so that it is in line with the garage. This would make the application comply with clause 3.4.15, which states that: *“Garages and carports located in front of the building line of an existing dwelling will only be permitted if it cannot be located on any other part of the property”*..

The home builder has requested that I advise Council that they strongly object to this provision for the following reasons:

- The verandah will add additional cost to the project
- “The garage wall only protrudes 1m past the bed 2/3 eave line which has a minimal impact on the streetscape, particularly since the property is located away from the main street” (Should be noted that the distance between eave to eave and wall to wall is 1.6m.)

Please also be aware that Local Planning Scheme Amendment No 2 will not be going to this month’s Council meeting, because the comments from FESA have not been received. They have advised me that they will supply the comments shortly.

If you have any queries please do not hesitate to contact me.

Regards

Daniel Hills

PLANNING OFFICER

Shire of Toodyay

PO Box 96

TOODYAY WA 6566

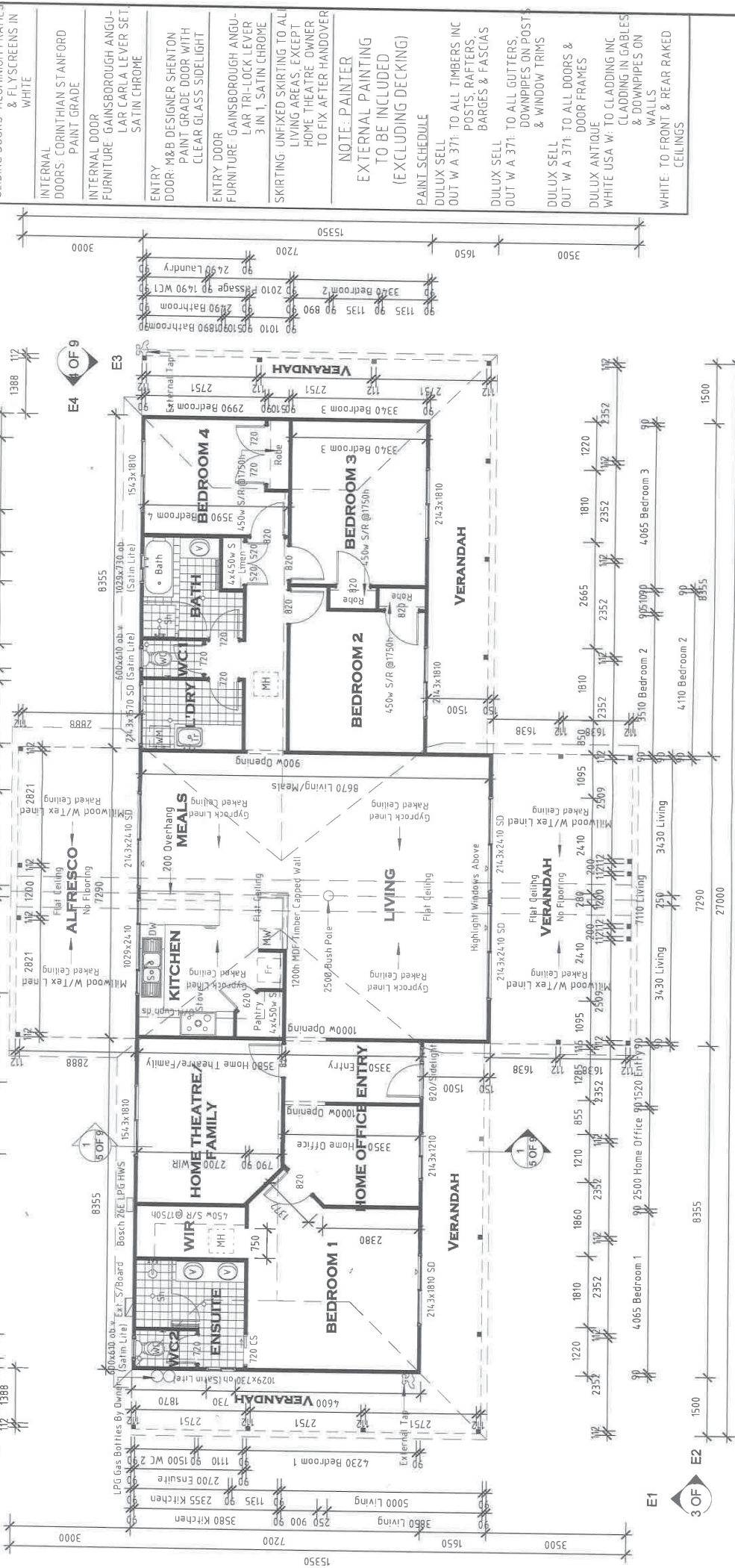
P: (08) 9574 2258

F: (08) 9574 2158

E: planner@toodyay.wa.gov.au

W: www.toodyay.wa.gov.au

FLOOR AREA	184.83 m ²
VERANDAH AREA	76.88 m ²
ALFRESCO AREA	21.87 m ²
TOTAL AREA	283.58 m ²
GROUND FLOOR PERIMETER	48.70 m



DRAWN BY: WFM	DATE: FEBRUARY 2015
REV	AMENDMENT
DATE	

THIS IS ONE OF THE DRAWINGS REFERRED TO IN THE CONTRACT.
 DATED:/...../.....
 OWNER: WITNESS:
 OWNER: WITNESS:
 BUILDER: WITNESS:

Sub-contractors to verify all dimensions on site
 THESE PLANS ARE STRICTLY UNDER COPYRIGHT TO CEDAR HOMES

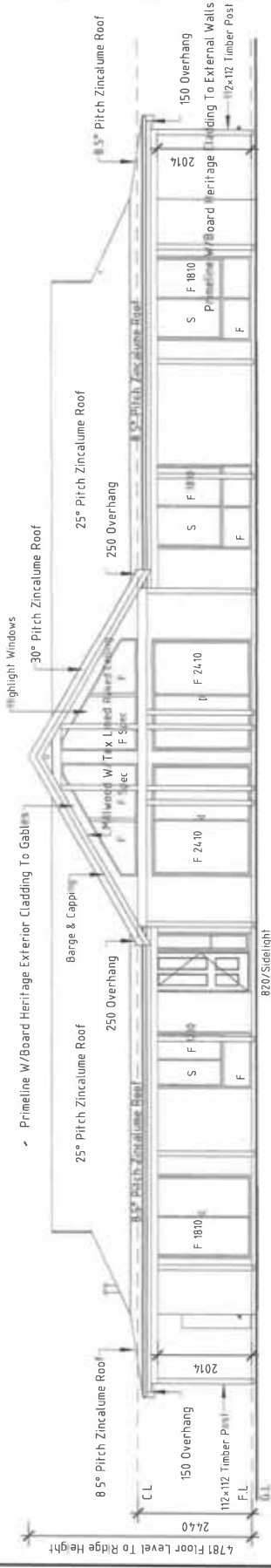
Cedar Homes
 Classic Timber Homes
 152 Balcatta Road
 Balcatta WA 6021
 PH: (08) 9240 2125
 FAX: (08) 9240 2126
 All Designs ©Copyright

CLIENT: **LUKE ANDREW DAWSON & SAMANTHA INGRID DAVIES**
 ADDRESS: **LOT 105 CAMPBELL CHASE DUMBARTON, WA 6566**

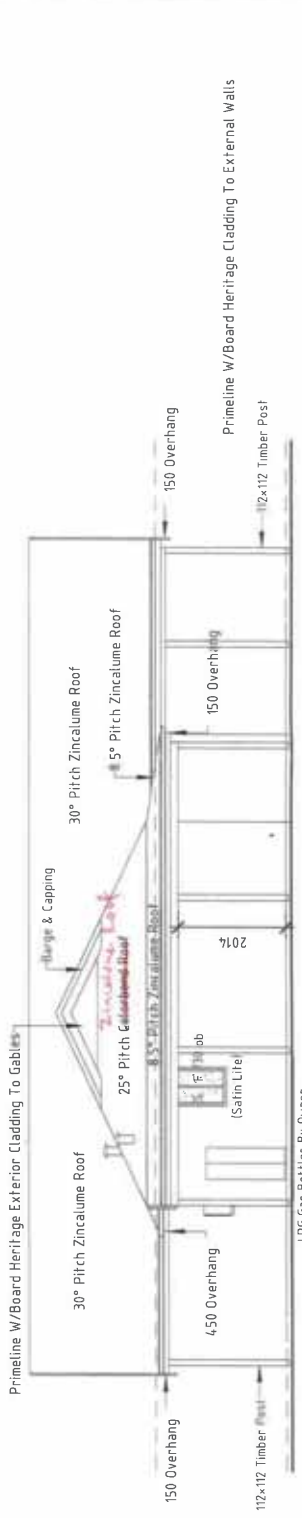
SHIRE NOTE:
 ALL TERNITE TREATMENTS ARE CARRIED OUT IN ACCORDANCE WITH AS-3601 AND SHALL INCLUDE:
 A) PRE-TREATMENT WILL BE BY-ELER BY HAND SPRAYING TO AS-3601.1.
 B) EXTERNAL FERMENTER TREATMENT TO AS-3601.
 C) PROVISION OF WARRANTY TO COMPANY & OWNER.
 D) PLACEMENT OF NOTICE IN METERBOX IN ACCORDANCE WITH B.C.A. REQS.

GRACETOWN
 FLOOR PLAN
 1 : 100
 SHEET N^o: 2 OF 9
 JOB N^o: 1312

NOTE:
 ROOF: ZINCALUME CUSTOM ORB
 GUTTERS: ZINCALUME S TYPE
 DOWNPIPES: ZINCALUME 100x50mm
 EXTERNAL
 WALLS: PRIMELINE WEATHERBOARD
 300mm HERITAGE EXTERIOR
 CLADDING WITH TREATED
 CORNER STOPS
 WINDOWS &
 SLIDING DOORS: ALUMINIUM FRAME
 & FLYSCREENS IN
 WHITE
 ENTRY
 DOOR: M&B DESIGNER SHENTON
 PAINT GRADE DOOR WITH
 CLEAR GLASS SIDELIGHT
 ENTRY DOOR
 FURNITURE: GAINSBOROUGH ANGU-
 LAR TRI-LOCK LEVER
 3 IN 1 SATIN CHROME
 NOTE: PAINTER
 EXTERNAL PAINTING
 TO BE INCLUDED
 (EXCLUDING DECKING)
 PAINT SCHEDULE
 DULUX SELL
 OUT W A 371: TO ALL TIMBERS INC
 POSTS, RAFTERS,
 BARGES & FASCIAS
 DULUX SELL
 OUT W A 371: TO ALL GUTTERS,
 DOWNPIPES ON POST
 & WINDOW TRIMS
 DULUX SELL
 OUT W A 371: TO ALL DOORS &
 DOOR FRAMES
 DULUX ANTIQUE
 WHITE USA W TO CLADDING INC
 CLADDING IN GABLE
 & DOWNPIPES ON
 WALLS
 WHITE: TO FRONT & REAR RAKED
 CEILINGS



E1 FRONT ELEVATION



E2 LEFT SIDE ELEVATION

Cedar Homes
Classic Timber Homes
 152 Balcatta Road
 Balcatta WA 6021
 PH: (08) 9240 2125
 FAX: (08) 9240 2126
 All Designs ©Copyright

DRAWN BY: WRM	DATE: FEBRUARY 20
REV	AMENDMENT
	DATE

Sub-contractors to verify all dimensions on site.
 THESE PLANS ARE STRICTLY UNDER
 COPYRIGHT TO CEDAR HOMES

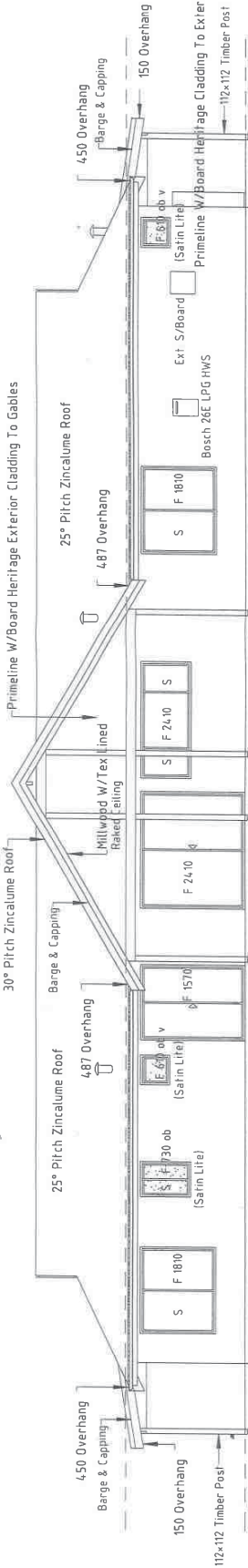
THIS IS ONE OF THE DRAWINGS
 REFERRED TO IN THE CONTRACT.
 DATED:/...../.....

OWNER: WITNESS:
 OWNER: WITNESS:
 BUILDER: WITNESS:

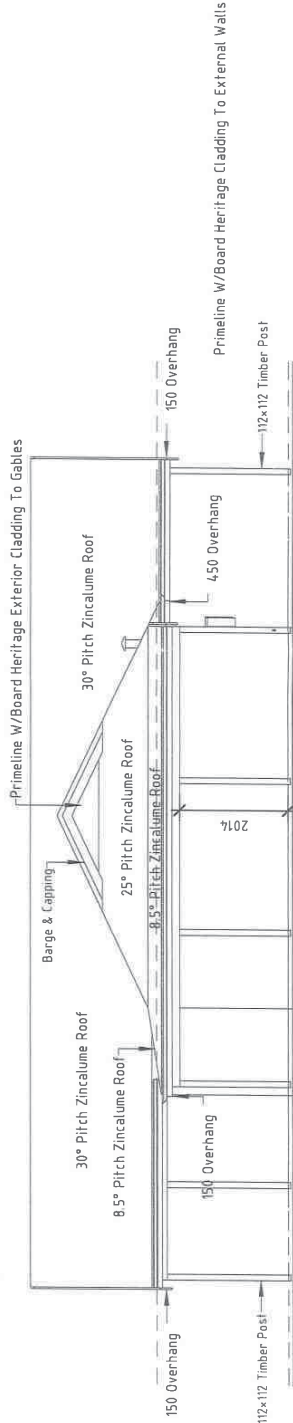
CLIENT:
**LUKE ANDREW DAWSON &
 SAMANTHA INGRID DAVIES**
 ADDRESS:
**LOT 105
 CAMPBELL CHASE
 DUMBARTON, WA 6566**

SHIRE NOTE:
 ALL TERNITE TREATMENTS ARE CARRIED
 OUT IN ACCORDANCE WITH AS-3661
 AND SHALL INCLUDE:
 A) PRE-TREATMENT TO AS-3661.
 B) HAND SPRAYING TO AS-3661.
 C) EXTERNAL PERIMETER TREATMENT
 TO AS-3661.
 D) PROVISION OF WARRANTY TO
 COMPANY & OWNER.
 E) PLACEMENT OF NOTICE IN METEBOX
 IN ACCORDANCE WITH B.C.L. REGS.

GRACETOWN	
ELEVATIONS	
1 : 100	
SHEET N°	REVISION
3 OF 9	
JOB N°	
	1312



E3 REAR ELEVATION



E4 RIGHT SIDE ELEVATION

NOTE:
 ROOF: ZINCALUME CUSTOM ORB
 GUTTERS: ZINCALUME S TYPE
 DOWNPIPES: ZINCALUME 100x50mm
 EXTERNAL WALLS: PRIMELINE WEATHERBOARD 300mm HERITAGE EXTERIOR CLADDING WITH TREATED CORNER STOPS
 WINDOWS & SLIDING DOORS: ALUMINIUM FRAMES & FLYSCREENS IN WHITE
 NOTE: PAINTER EXTERNAL PAINTING TO BE INCLUDED (EXCLUDING DECKING)
 PAINT SCHEDULE
 DULUX SELL OUT W A 371: TO ALL TIMBERS INC POSTS, RAFTERS, BARGES & FASCIAS
 DULUX SELL OUT W A 371: TO ALL GUTTERS, DOWNPIPES ON POSTS & WINDOW TRIMS
 DULUX SELL OUT W A 371: TO ALL DOORS & DOOR FRAMES
 DULUX ANTIQUE WHITE USA W: TO CLADDING INC CLADDING IN GABLES & DOWNPIPES ON WALLS
 WHITE: TO FRONT & REAR RAKED CEILINGS

Cedar Homes
Classic Timber Homes
 152 Balcatta Road
 Balcatta WA 6021
 PH: (08) 9240 2125
 FAX: (08) 9240 2126
 All Designs ©Copyright

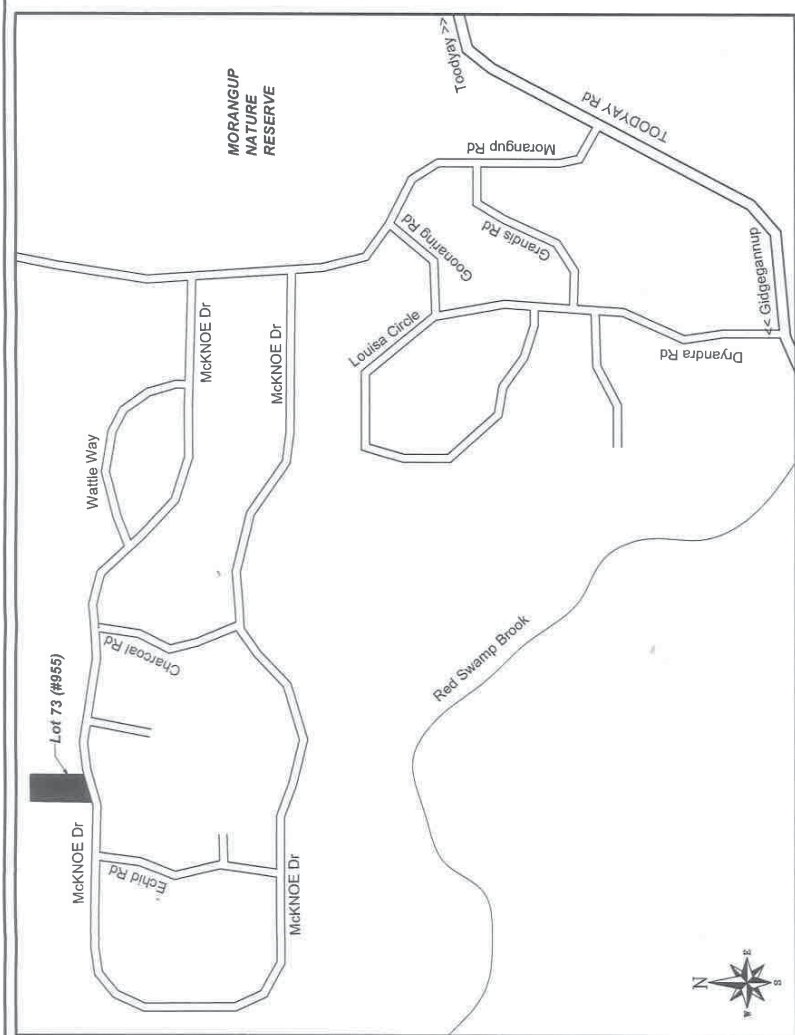
DRAWN BY: WRH	DATE: FEBRUARY 2015
REV	AMENDMENT
Sub-contractors to verify all dimensions on site.	
THESE PLANS ARE STRICTLY UNDER COPYRIGHT TO CEDAR HOMES	

THIS IS ONE OF THE DRAWINGS REFERRED TO IN THE CONTRACT.
 DATED:
 OWNER
 OWNER
 BUILDER
 WITNESS
 WITNESS
 WITNESS

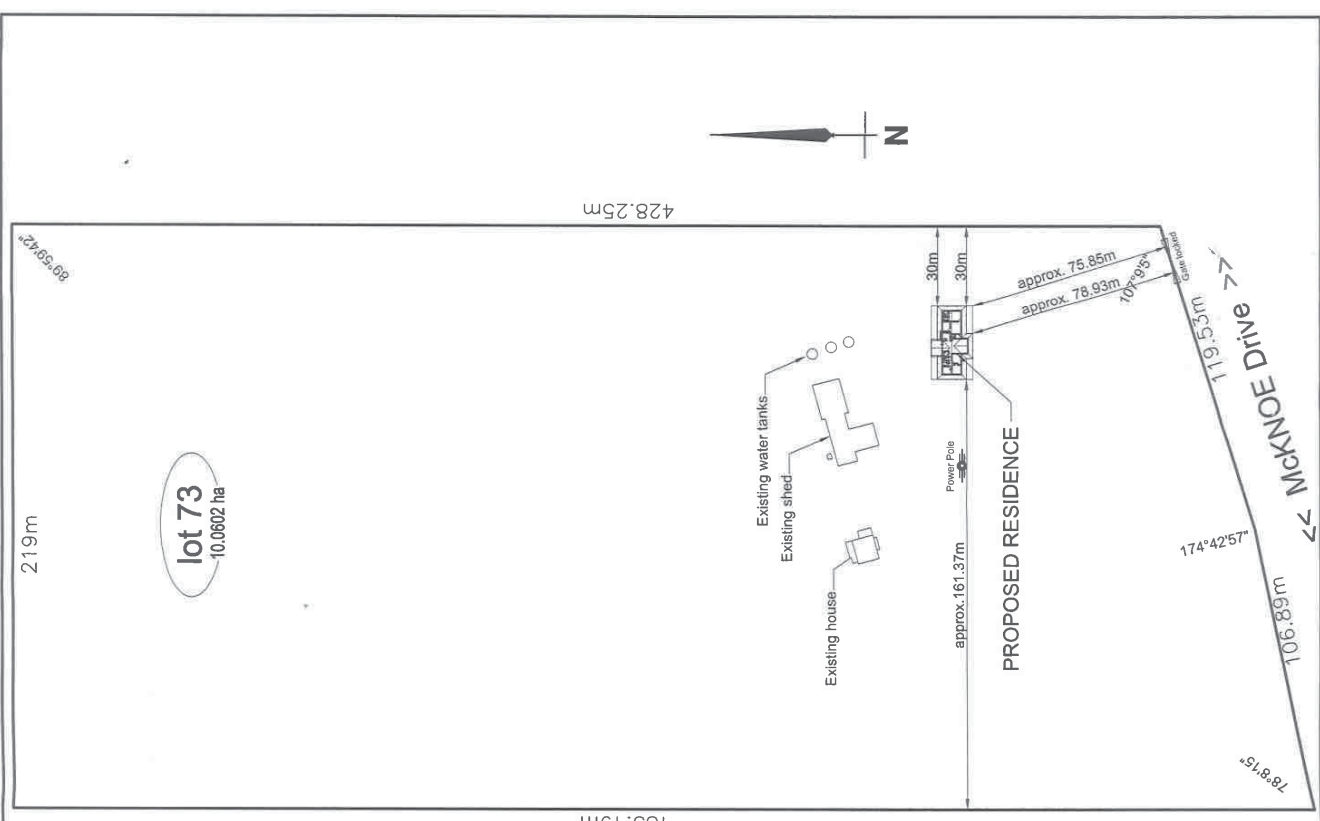
CLIENT:
LUKE ANDREW DAWSON & SAMANTHA INGRID DAVIES
 ADDRESS:
LOT 105 CAMPBELL CHASE DUMBARTON, WA 6566

SHIRE NOTE:
 ALL TERNITE TREATMENTS ARE CARRIED OUT IN ACCORDANCE WITH AS-3661 AND SHALL INCLUDE:
 A) PRE-TREATMENT WILL BE BY EIA BY HAND SPRAYING TO AS-3661.
 B) EXTERNAL PERIMETER TREATMENT TO AS-3661.
 C) PROVISION OF WARRANTY TO COMPANY & OWNER.
 D) PLACEMENT OF NOTICE IN METERBOX IN ACCORDANCE WITH B.C.A. REQS.

© Copyright	
ELEVATIONS	
1 : 100	
SHEET N ^o .	REVISION
4 OF 9	
JOB N ^o .	1312



LOCALITY PLAN
NOT TO SCALE



BLOCK PLAN
SCALE 1:2000

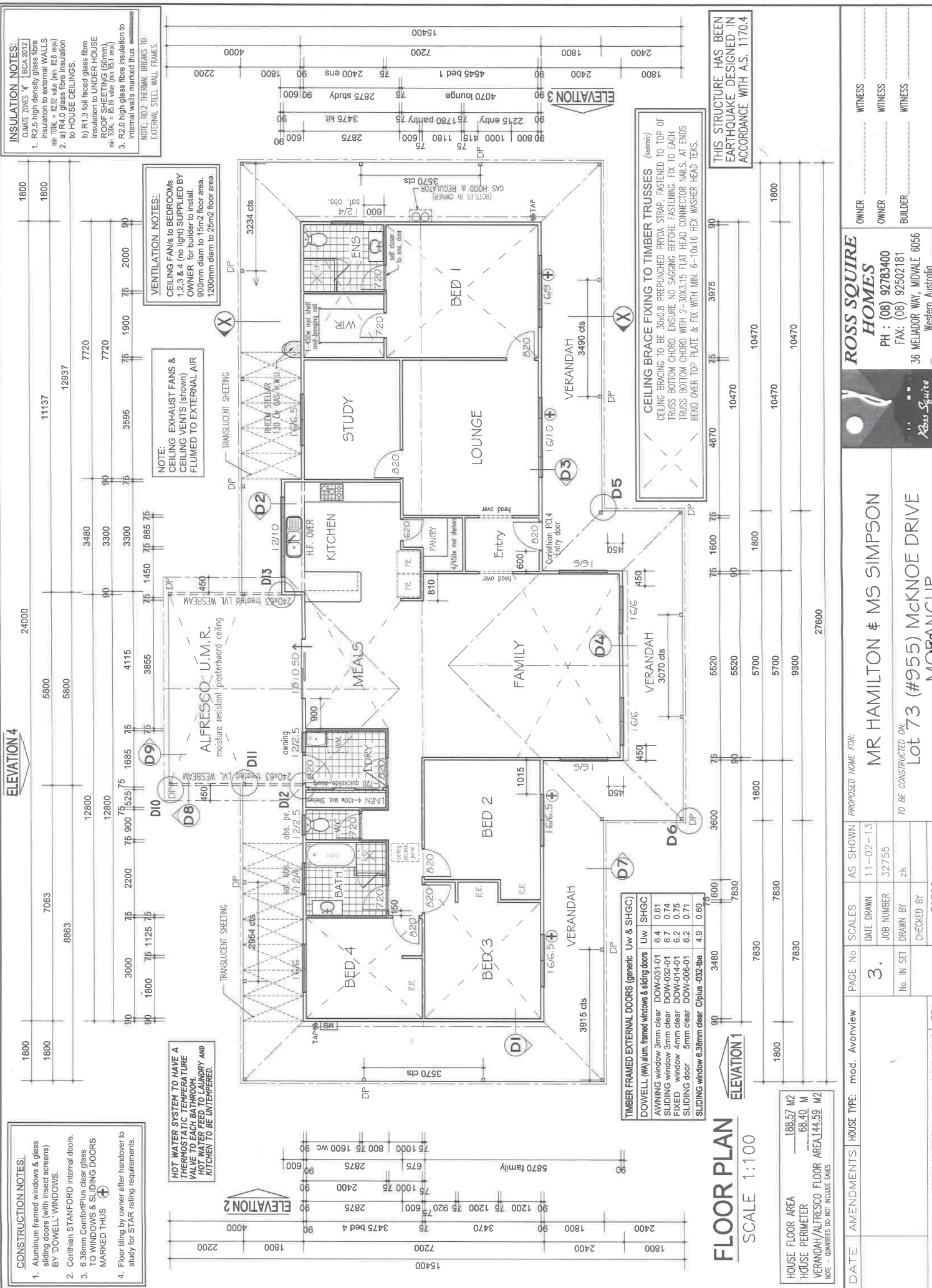
NOTE
ALL SETBACKS TO BE CHECKED TO BY OWNER !!!

NOTE
DIMENSIONS ALL TO BE CHECKED TO BY OWNER ON SITE !!!

DATE	AMENDMENTS	HOUSE TYPE	mod. Avonview	PAGE No	AS SHOWN	DATE DRAWN	SCALE	NO. IN SET	DATE CHECKED	CHECKED BY	32755 site
25-03-13	House relocated to have 30m setback			1	20-02-13	32755		z/k			

PROPOSED RESIDENCE FOR:	
MR HAMILTON & MS SIMPSON	
TO BE CONSTRUCTED ON: Lot 73 (#955) McKNOE DRIVE MORANGUP	

OWNER	ROSS SQUIRE HOMES	WITNESS	
OWNER	PH : (08) 92783400	WITNESS	
BUILDER	FAX: (08) 92502181	WITNESS	
	36 MELIADOR WAY, MIDVALE 6056		
	Western Australia		



INSULATION NOTES:
 CLIMATE ZONES 4
 1. R2.5 high density glass fibre insulation to external WALLS min 100mm = R2.52, min 125mm (min. 62.8 req)
 2. a) R4.0 glass fibre insulation to HOUSE CEILINGS.
 b) R1.3 foil faced glass fibre insulation to UNDER HOUSE ROOF SHEETING (50mm) min 100mm = R1.97, min 125mm (min. 62.8 req)
 3. R2.0 high glass fibre insulation to internal walls marked thus ∞
 NOTE: R0.2 THERMAL BREAKS TO EXTERNAL STEEL WALL FRAMES.

VENTILATION NOTES:
 CEILING FANS to BEDROOMS 1,2,3 & 4 (no light) SUPPLIED BY OWNER, for builder to install. 900mm diam to 15m² floor area. 1200mm diam to 25m² floor area.

NOTE:
 CEILING EXHAUST FANS & CEILING VENTS (shown) FLUMED TO EXTERNAL AIR

CONSTRUCTION NOTES:
 1. Aluminium framed windows & glass sliding doors (with insect screens) BY 'DOWELL' WINDOWS.
 2. Corithian STANFORD internal doors.
 3. 6.38mm ComfortPlus clear glass TO WINDOWS & SLIDING DOORS MARKED THUS \oplus
 4. Floor tiling by owner after handover to study for STAR rating requirements.

HOT WATER SYSTEM TO HAVE A THERMOSTATIC TEMPERATURE VALVE TO EACH BATHROOM. HOT WATER FEED TO LAUNDRY AND KITCHEN TO BE UNTEMPERED.

CEILING BRACE FIXING TO TIMBER TRUSSES (seismic)
 CEILING BRACING TO BE 30x0.8 PREPUNCHED PRYDA STRAP, FASTENED TO TOP OF TRUSS BOTTOM CHORD. ENSURE NO SAGGING BEFORE FASTENING. FIX TO EACH TRUSS BOTTOM CHORD WITH 2-30x3.15 FLAT HEAD CONNECTOR NAILS, AT ENDS BEND OVER TOP PLATE & FIX WITH MIN. 6-10x16 HEX WASHER HEAD TENS.

TIMBER FRAMED EXTERNAL DOORS (generic Uw & SHGC)

DOOR TYPE	Uw	SHGC
AWNING window 3mm clear	6.4	0.61
SLIDING window 3mm clear	6.7	0.74
FIXED window 4mm clear	6.2	0.75
SLIDING door 5mm clear	6.2	0.71
SLIDING window 6.38mm clear	4.9	0.60

THIS STRUCTURE HAS BEEN EARTHQUAKE DESIGNED IN ACCORDANCE WITH A.S. 1170.4

FLOOR PLAN SCALE 1:100

HOUSE FLOOR AREA 188.57 M²
 HOUSE PERIMETER 68.40 M
 VERANDAH/ALFRESCO FLOOR AREA 144.59 M²
 NOTE - QUANTITIES DO NOT INCLUDE FENCES

DATE AMENDMENTS HOUSE TYPE: mod. AvonView
 PAGE No SCALES AS SHOWN PROPOSED HOME FOR:
 3. DATE DRAWN 11-02-13
 JOB NUMBER 32755
 No. IN SET DRAWN BY zk
 CHECKED BY
 32755 plan

MR HAMILTON & MS SIMPSON
 Lot 73 (#955) McKNOE DRIVE
 MORGANGUP

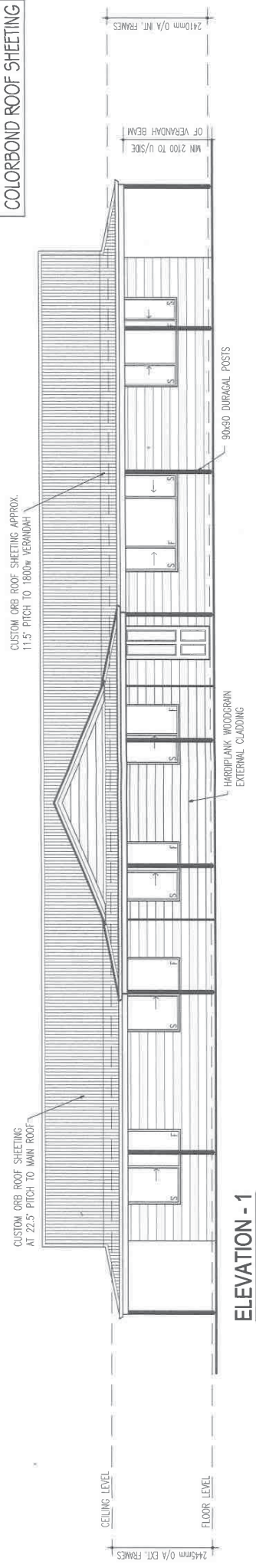
ROSS SQUIRE HOMES
 PH : (08) 92783400
 FAX: (08) 92502181
 36 MELADOUR WAY, MIDVALE 6056
 Western Australia

OWNER
 OWNER
 BUILDER
 WITNESS
 WITNESS
 WITNESS

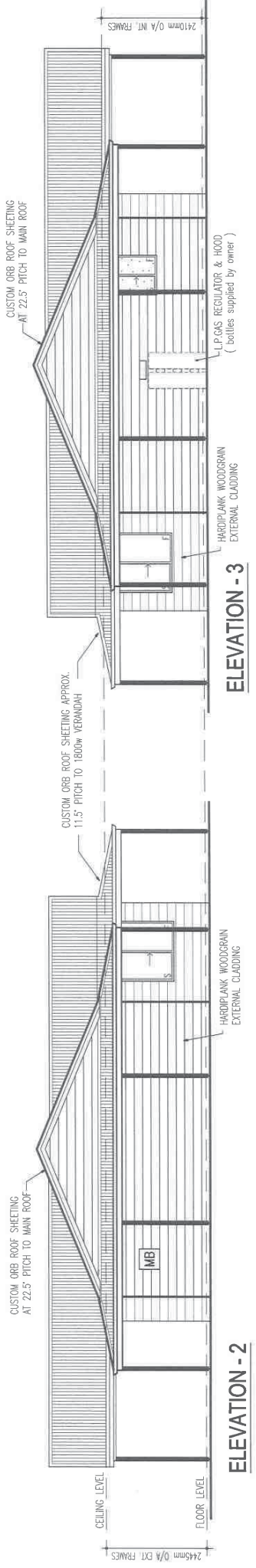
CAUTION - DO NOT SCALE FROM DRAWING AS DISTORTION CAN OCCUR DURING COPYING

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230mm HARDPLANK WOODGRAIN EXTERNAL WALL CLADDING
COLORBOND GUTTERS & DOWN PIPES
COLORBOND ROOF SHEETING

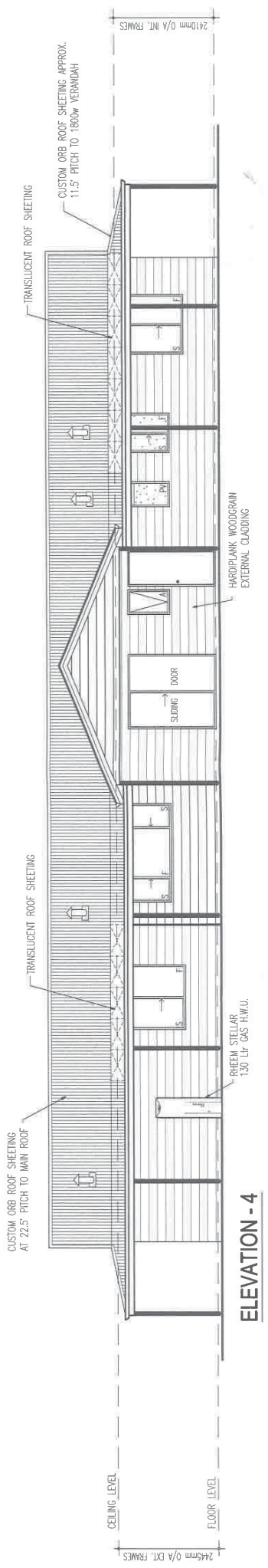


ELEVATION - 1



ELEVATION - 2

ELEVATION - 3



ELEVATION - 4

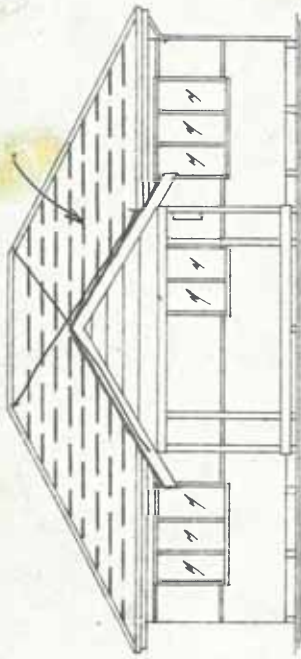
DATE	AMENDMENTS	HOUSE TYPE	mod.	Avonview	PAGE No	SCALES	AS SHOWN	PROPOSED RESIDENCE FOR:
					4.	DATE DRAWN JOB NUMBER 32755	11-02-13 32755	MR HAMILTON & MS SIMPSON
					No. IN SET	DRAWN BY z k		To BE CONSTRUCTED ON: Lot 73 (#955) McKNOE DRIVE
					CHECKED BY		32755 elev	MORANGUP
CAUTION - DO NOT SCALE FROM DRAWING AS DISTORTION CAN OCCUR DURING COPYING FB1								

ROSS SQUIRE HOMES
PH : (08) 92783400
FAX: (08) 92502181
36 MELIADOR WAY, MIDVALE 6056
Western Australia

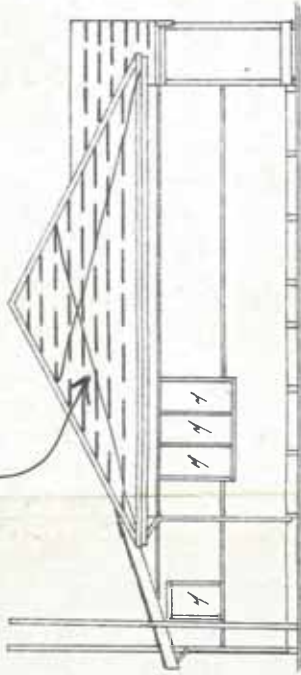
OWNER
OWNER
BUILDER

WITNESS
WITNESS
WITNESS

PROVIDE SPEED BRACES TO UNDERSIDE
RAFTERS AS SHOWN TO FOUR ROOF PLATES



FRONT ELEVATION.

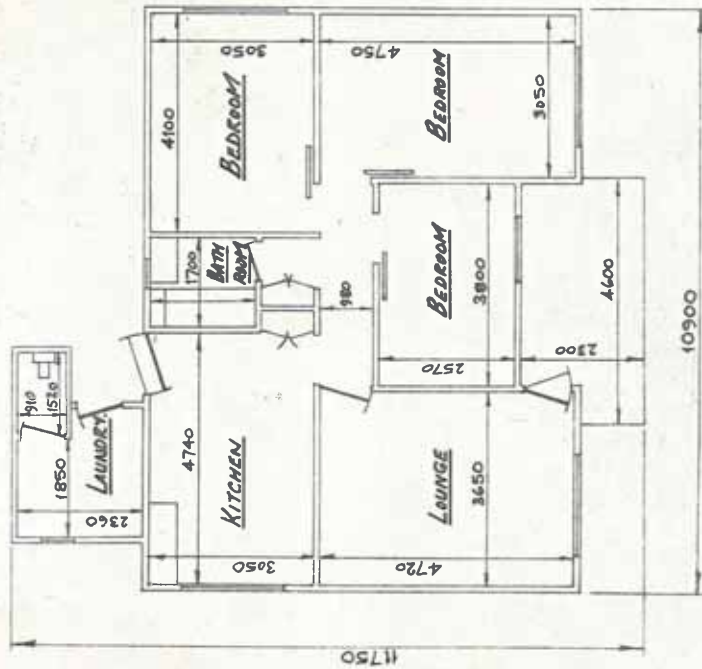


SIDE ELEVATION.



We have viewed the
my sketch of the
house. It is considered
acceptable for category
zone one (Earthquake)

14 CAMBY WAY
BRENTWOOD
M. I. E (Arch)
12.9.85



PLAN.

SPECIFICATION

- SOLE PLATES 400 x 150 x 40
- STUMPS 100 x 100 x 1200
- BEARERS 75 x 100 x 1500
- FLOOR JOISTS 100 x 50 x 460
- BOTTOM PLATE 75 x 50 x 460
- STUDS 75 x 50 x 460
- CORNER STUDS
- TOP PLATE
- BRACES 50 x 25
- CEILING JOISTS 90 x 50 x 460
- HANGERS 190 x 40
- BEAMS or LINTELS 75 x 50
- RAFTERS 100 x 50 x 610
- RIDGE 190 x 30
- HIPS 190 x 30
- VALLEY BOARDS 150 x 30
- LINDER PURLINS 75 x 100
- PURLINS 50 x 25
- STRLTS 100 x 50
- WIND BRACES 75 x 50
- COLLAR TIES 75 x 50
- FASCIA 100 x 30
- BARGES 200 x 40
- GUTTERING GALV. IRON
- DOWNPIPES GALV. IRON
- VENTILATORS GALV. IRON
- WINDOWS WOOD
- DOORS S. & D. BRUM.
- FOUNDATIONS STUMPS ON SOLE PLATES
- FLOOR T. & G. JACKRAH.
- WALLS EXTERIOR ASBESTOS.
- WALLS INTERIOR PLASTERBOARD
- CEILING FIBROUS PLASTER.
- ROOF TILES.

PLAN OF : _____
 PROPOSED TO BE ERECTED ON : _____
 LOCATION _____
 LOT N^o. _____ HOUSE N^o. _____
 ROAD _____
 OWNER _____
 ADDRESS _____
 SIGNATURE OF APPLICANT _____
 DATE LOGGED _____

DECKING

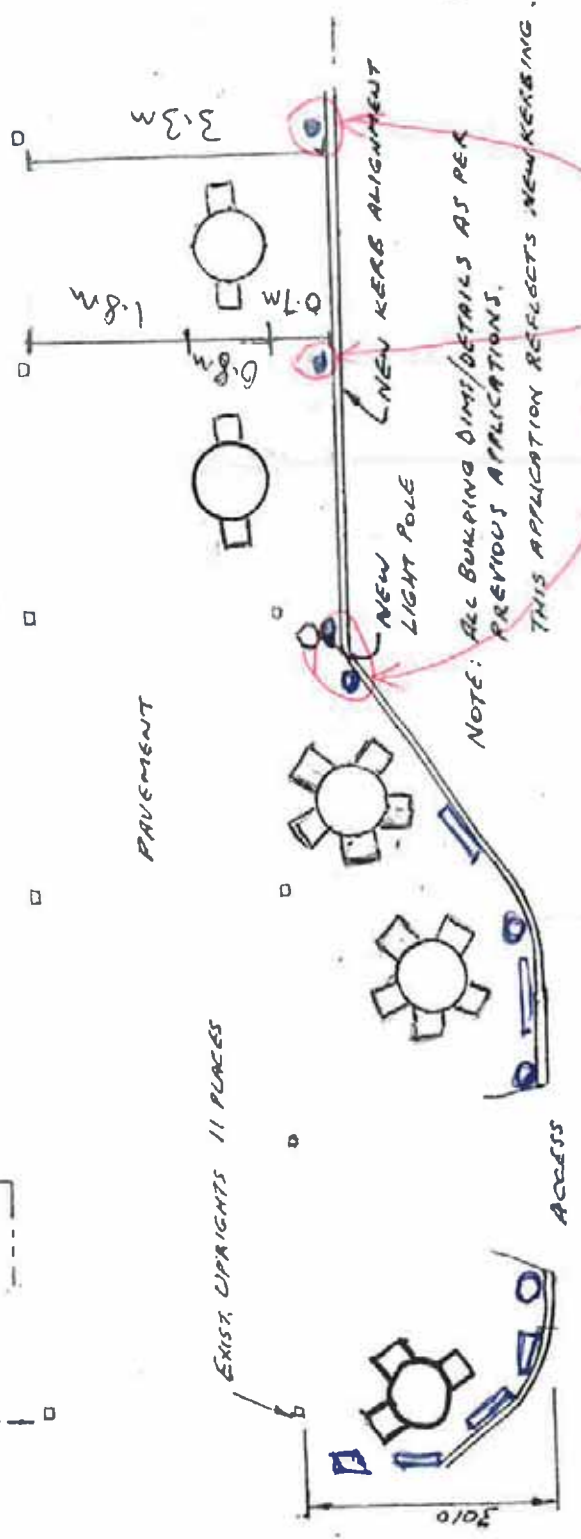
ALFRESCO

PAVEMENT

STIRLING TERRACE



EXIST. CIPRAIGHTS 11 PLACES



NOTE: ALL BUMPING DIMS/DETAILS AS PER PREVIOUS APPLICATIONS.
THIS APPLICATION REFLECTS NEW KERBING.

To be removed

- POTS & PLANTERS
- Table
- Chair

LOT 103 STIRLING TERRACE
ALFRESCO DINING LAYOUT

SCALE 1:75
DATE: 11/11/20

GRAPHIC 30.6.09






Site Plan





SCHEME AMENDMENT MAP

LEGEND


-  LPS Cadastre - Capture data
- Toodyay Z 4
-  RESIDENTIAL
-  TPS Amendment Rcodes



Government of **Western Australia**
Department of **Planning**

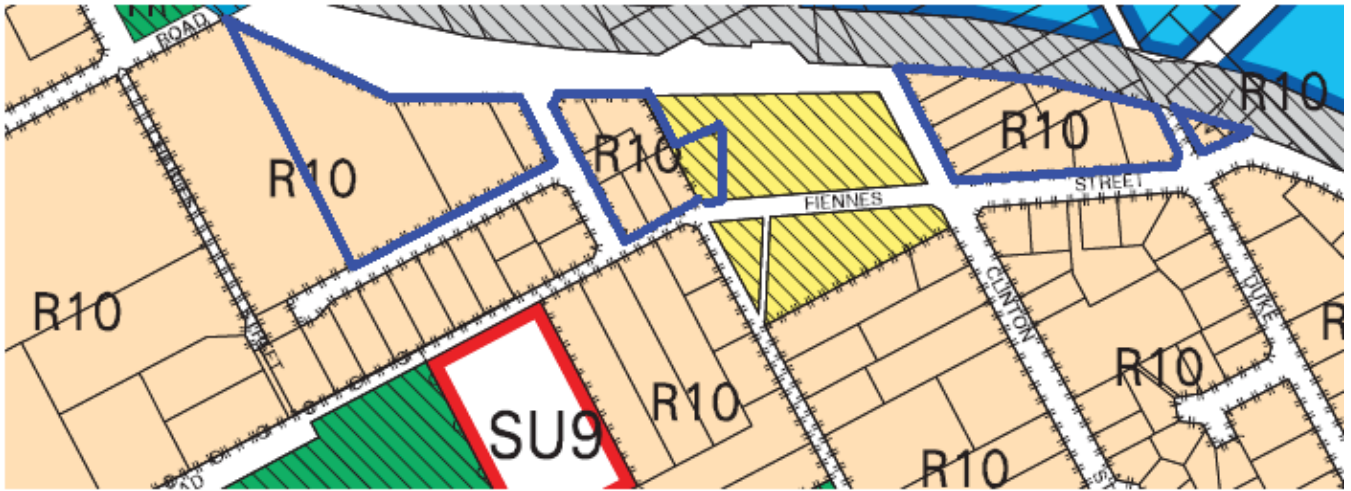
SHIRE OF TOODYAY
TOWN PLANNING SCHEME NO 4
AMENDMENT NO. 6









Scale 1:7000
0  50 m

Area identified for rezoning in the town site




Current zoning in Local Planning Scheme No 4



	Zoning
	Town Centre
	Residential
	Reserve Public Purposes
	Special Use
	Recreation and Conservation
	Railway Purposes

Current identification in the Local Planning Strategy



	Area Identification
	Business / Town Centre
	Urban
	Community / Recreation

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9.2 PLANNING AND DEVELOPMENT

9.2.1 Subdivision Clearance – Lot 3 Drummond Street and Lot 6 Goomalling Toodyay Road – WAPC Ref 144729

Date of Report:	8 February 2012
Applicant:	Ironbridge Holdings Pty Ltd
File Ref:	S144729
Senior Officer:	Kirsten Wood – Manager Planning & Development
Officer's Disclosure of Interest:	Nil
Attachments:	<ol style="list-style-type: none">1. Subdivision Plan showing Deposited Plans and Lots to be cleared.2. Letter of conditional approval from the WAPC.3. Plan showing proposed alternative location emergency access.
Voting Requirements:	Simple Majority

INTRODUCTION

Council is requested to consider an application for subdivision clearance from Ironbridge Holdings for the first stage of subdivision of Lot 3 Drummond Street and Lot 6 Goomalling Toodyay Road, Toodyay, Western Australian Planning Commission (WAPC) Ref 144729, (also known as Foggarthorpe Estate).

In December 2010, Council resolved to authorise the Chief Executive Officer to issue subdivision clearance for the previous subdivision application WAPC reference 132536. This subdivision application expired and now the site has a new subdivision approval and clearance is required to be sought under this approval and conditions.

An item was presented to the January 2012 Ordinary Council Meeting for consideration. At this meeting Council resolved to defer consideration of this item and invite Ironbridge Holdings to make a submission at a Council Forum. A representative from Ironbridge Holdings attended the Council Forum on 24 January 2012. The matter was further discussed at the Council Forum on the 7 February 2012.

The application is referred to Council as there is no delegation of authority to the Chief Executive Officer for the clearance of subdivision conditions where the total number of lots in the subdivision exceeds 20.

BACKGROUND

The subdivision application for this site (ref 144729) was conditionally approved by the WAPC on the 18 November 2011. The subdivision application is

approved for the creation of 357 lots and the applicant is seeking for clearance for 85 lots which will form stage one of this subdivision. The subdivision area is bordered by Drummond Street and the Toodyay District High School to the west, Mount Anderson to the north, the proposed Toodyay Bypass to the east and Goomalling Toodyay Road to the south. The 85 lots that clearance is being sought for is confined to the eastern most section of the site, these lots are shown in Attachment No 1.

As Council would be aware there is an extensive history to the site, which will be outlined below:

- In 1991, an amendment to the Town Planning Scheme No 1 was gazetted to rezone portions of the Foggarthorpe Estate which adjoined that Avon River to 'Urban 6 – Future Residential'. Following the gazettal of the Amendment, a subdivision application was made which was conditionally approved in January 1992 by the then Department of Planning and Urban Development (now the Western Australian Planning Commission). The subdivision application was for the creation of 150 residential lots which subsequently lapsed.
- In April 2000, a subdivision application was made to the Western Australian Planning Commission to subdivide a portion of the Foggarthorpe Estate into five larger lots ranging in size from 9.61ha to 37.42ha. This subdivision application was designed to facilitate the proposed Toodyay Bypass and the Shire of Toodyay's acquisition of a portion of land for the purpose of a District Sporting Complex. This subdivision application was issued with conditional approval by the Commission on 23 October 2000. There were 15 conditions of subdivision approval imposed by the Commission which were all cleared and resulted in the creation of the current lot configuration.
- In 2001 a scheme amendment was initiated to address a number of changes to the site, namely the acquisition of land for the proposed Toodyay Bypass and a portion of the site for the District Sporting Complex. The intention of the scheme amendment was to rationalise the zoning to reflect the changes to the lot boundaries as a result of the approved subdivision, the bypass and the District Sporting Complex land. This scheme amendment was approved by the Minister for Planning and Infrastructure on 15 June 2003. The scheme amendment resulted in the rezoning of all of Lot 6 Goomalling Toodyay Road and Lot 3 Drummond Street "Urban 6", while Lot 4 and 5 Drummond Street (located on the peak of Mount Anderson) maintained a "Rural 3" zoning.
- In August/September 2006 two subdivision applications were made (WAPC ref 132135 and 132536) to create 375 residential lots. These two applications were considered by Council at the September 2006 Council Meeting. Council resolved to advise the Western Australian Planning Commission that it did not support the proposed subdivision applications as they did not comply with the provisions of Town Planning Scheme No 1 as there was no approved Structure Plan for the subject land.
- In October 2006 the Western Australian Planning Commission refused the subdivision applications. Ironbridge Holdings lodged a review of the decision made by the Western Australian Planning Commission at the

State Administrative Tribunal, reference DR396 of 2006 and DR397 of 2006.

- As a part of the Tribunal proceedings, the applicants submitted the Foggarthorpe Residential Structure Plan (the Structure Plan) for consideration. This was first presented to the June 2007 Ordinary Council Meeting for consideration. At this meeting Council resolved not to endorse the Structure Plan until a number of outstanding items were addressed.
- A revised Structure Plan was submitted and was considered at the July 2007 Ordinary Council Meeting. As a result Council endorsed the structure plan.
- The Structure Plan was subsequently adopted by the Western Australian Planning Commission on 25 September 2007.
- As a result of the endorsement of the Structure Plan, the subdivision was approved through the issuing of consent orders by the State Administrative Tribunal on the 14 November 2007.
- Following the approval of the subdivision, the applicants commenced works on site to progress towards the clearance of the subdivision. In October 2008, the Shire of Toodyay received a request from Ironbridge Holdings' surveyors to issue clearance for the subject subdivision. The request was made to clear 76 lots. Clearance was not issued by the Shire of Toodyay or the Western Australian Planning Commission therefore the applicants lodged a review with the State Administrative Tribunal. Council considered an item at the April 2009 Ordinary Council Meeting, where it resolved that the application for clearance was considered premature due to the number of outstanding works and also resolved on actions required to clear certain conditions. The WAPC also resolved that further works were required prior to clearance being issued. As a result of the decisions, the review was withdrawn by the applicant.
- Further works were undertaken onsite which resulted in an item being presented at the December 2010 Ordinary Council Meeting, where Council resolved the following:

OFFICER'S RECOMMENDATION / COUNCIL RESOLUTION NO 882/11/10

MOVED Cr Larkin

That:

1. Council authorise the Chief Executive Officer to issue clearance of conditions No's 1 to 23, 29 and 30 for stage one (85 lots) of the subdivision of Lots 3 Drummond Street and 6 Goomalling Toodyay Road, Toodyay (WAPC Ref. 132536) subject to the following:
 - a) \$42,500 cash contribution being received at the Shire of Toodyay to satisfy condition No 21;
 - b) The bond for the intersection upgrade being received by Main Roads WA and written notification from Main Roads WA is provided to Shire of Toodyay that it has cleared conditions 29 and 30;
 - c) The receipt of 'As Constructed' drawings to the satisfaction of the Manager of Works Services; and
 - d) The required maintenance bond of \$37,902.47 (of which \$28,146.30 remains outstanding) being lodged in cash with the Shire of Toodyay. The maintenance bond

CONFIRMED MINUTES OF ORDINARY MEETING
HELD IN COUNCIL CHAMBERS ON 21 FEBRUARY 2012

is to be lodged for a period of two years and will be utilised by the Shire to complete defects with works undertaken within the subdivision in the event the subdivider does not rectify defects when requested. The two year maintenance period will commence upon issue of clearance of subdivision.

- e) The cracks within the pedestrian footpath along the Avon River foreshore must be crack sealed and repaired to the satisfaction of the Manager of Works Services.*
 - f) The portion of the footpath along Drummond Street at the first culvert from the intersection with Goomalling Toodyay Road, is required to be reinforced as the base of the path is presently being undermined. This is to be undertaken to the satisfaction of the Manager of Works Services.*
 - g) Signs at either end of the easement leading to the Boyagerring Brook crossing are to be professionally prepared and installed, to the satisfaction of the Chief Executive Officer stating 'Private Property – Access Only in the Event of an Emergency'.*
- 2. Council advise Ironbridge Holdings that the following actions must be completed during the maintenance period, in addition to any other defect works identified during the two year maintenance period:
 - a) The dead plantings undertaken as a part of the Foreshore Management Plan must be replaced.**
 - 3. Council advise Ironbridge Holdings that the outstanding plantings as a part of the Foreshore Management Plan must be completed prior to clearance being issued for any future stage of the subdivision.*
 - 4. Council advise Ironbridge Holdings that the Boyagerring Brook crossing and Drummond Street (in its entirety) must be completed prior to clearance being issued for any future stage of the subdivision.*
 - 5. Council advised Ironbridge Holdings that in respect to condition No 19, future stages of subdivision must include the placement of a Section 70A notification on title for this condition to be considered satisfied.*

MOTION CARRIED UNANIMOUSLY 9/0

Since this resolution, some minor works were undertaken, however a number of the abovementioned matters were not satisfied. The Shire of Toodyay therefore did not issue subdivision clearance.

In November 2011, the subdivision application was due to expire. This resulted in a new subdivision application being submitted to the WAPC. This subdivision application was considered by Council at the October and November 2011 Ordinary Council Meetings. Council resolved to recommend to the WAPC to approve the subdivision application subject to a number of conditions. The WAPC then issued subdivision approval. In the main, all the conditions requested by the Shire of Toodyay were imposed, however the following amendments were made:

- The condition relative to the Boyagerring Brook crossing was amended from what the Shire requested so that it does not need to be completed prior to first lot being cleared. Condition requires that it is finished to an emergency access standard (including signs) and that the crossing is to be completed after the 85th lot.
- The condition regarding the upgrading of Drummond Street West was included on this subdivision application (was not a condition on

previous application). However the WAPC have amended the wording to reflect when the road needs to be upgraded, which is after the 145th lot.

- The condition relating to the contribution towards the upgrading of the pedestrian bridge has been included; however an additional advice note has been included to advise the Shire and proponent that this cannot extend to maintenance and it is anticipated to include outstanding works associated with recent works on the footbridge.
- The condition in relation to the Foreshore Management Plan and Drainage and Nutrient Management Plan has been amended by the WAPC to provide clarification that new plans are not required to be prepared, however they still require implementation.
- The condition requesting the upgrading of Stirling Terrace and Goomalling Toodyay Road was not imposed. The reason for this is that MRWA did not request this condition to be included and as MRWA and Shire of Toodyay (in consideration of this condition for clearance previously) accepted that surveying and design work was an acceptable contribution. As this has been undertaken, the condition was not included.

Attachment No 2 includes a copy of the letter of conditional approval from the WAPC.

As the previous subdivision application has expired and a new subdivision application has been approved, the applicant is required to obtain clearance under the new subdivision application and conditions imposed on such. In total there are 30 conditions of subdivision approval that are required to be satisfied by the applicant prior to the clearance of conditions being issued. 22 of the conditions are required to be cleared by the Shire of Toodyay. These conditions and the description of works undertaken to satisfy the conditions are outlined in the Officer's Comments section of this report.

At the Ordinary Council Meeting on the 17 January 2012, Council considered an item on the subdivision clearance and resolved the following:

COUNCIL RESOLUTION 12/01/12

MOVED *Cr Firns*

1. *Council, in view of the information received from Ironbridge Holdings Pty Ltd on Monday 16 January 2012, defer consideration on this item to the Council Forum to be held on the 24 January 2012.*
2. *Council invite Ironbridge Holdings Pty Ltd to make a submission to Council at that Forum.*

MOTION CARRIED UNANIMOUSLY

Ironbridge Holdings attended the Council Forum on the 24 January 2012 where a number of matters were discussed. In summary, the matters discussed related to the proposed alternative access route, cracks within the constructed road pavement, plantings that form part of the foreshore management plan, the

stockpiling/storage of materials and contribution to the footbridge. The matter was further discussed by Council at the Council Forum on the 7 February 2012. The item is now being referred to Council for determination.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Part 10 of the *Planning and Development Act 2005* details the provisions in relation to subdivision and development control. Section 146 of the *Planning and Development Act* outlines that the Register of Titles (Landgate) is not to create or register a certificate of title for land the subject of subdivision unless a diagram or plan of survey (Deposited Plan) has been endorsed by the WAPC.

Prior to the WAPC endorsing a Deposited Plan, it requires certification from each clearing authority that the condition/s of subdivision approval has/have been satisfied. Therefore the local government is required to certify that conditions in respect to local government matters have been satisfied prior to the WAPC endorsing the Deposited Plan.

Through issuing clearance of subdivision and endorsing the Deposited Plan the local government and WAPC is certifying that all conditions have been satisfied.

POLICY IMPLICATIONS

Council's Policy E.1 Subdivisional and Development Guidelines applies to the clearance of subdivision conditions. The Subdivisional and Development Guidelines outline Council's requirements for the design and construction of subdivisional roads and drainage works. The Subdivisional and Development Guidelines also outline procedures that need to be satisfied during the civil construction works, including the requirements for control and supervision of construction works, provisions to enable the bonding of outstanding works, certification upon practical completion of works and works required to be satisfied prior to survey release (clearance of subdivision conditions).

Civil works have commenced on site and have progressively been inspected by the Shire of Toodyay in accordance with the Subdivisional Development Guidelines.

Section 1.4 of the Subdivisional Development Guidelines outlines the items required to be satisfied by the developer prior to the clearance of conditions being issued. Section 1.4 states:

1.4 Survey Release

- 1.4.1 *The Consulting Engineer shall satisfy Council that the Subdivider has complied with all relevant conditions imposed by the Department of Planning and Infrastructure's Conditions of Approval of Subdivision pertaining to survey release of all or part of the subdivision.*

CONFIRMED MINUTES OF ORDINARY MEETING
HELD IN COUNCIL CHAMBERS ON 21 FEBRUARY 2012

1.4.2 *The following items refer to the conditions which must be completed by the Subdivider prior to the approval of survey release for the subdivision.*

- (i) *Diagram of survey showing full details of all lots, road reserves, easements (temporary and permanent) and reserves.*
- (ii) *Payment of monies for construction of paths as required by Section 2.4.*
- (iii) *Payment of appropriate supervision fee as required by Clause 1.1.5.*
- (iv) *Receipt of the Consulting Engineer's Certificate as required by Clause 1.3.1.*
- (v) *Completion of all works associated with the subdivisional construction or the payment of appropriate bond to cover outstanding works as required by Section 1.5.*
- (vi) *Payment of Maintenance Retention Bond as required by Section 1.6.*
- (vii) *Provision of "As Constructed" drawings as required by Section 3.5.5.*

The table below outlines the provisions and the comments in relation to whether the requirements have been satisfied.

Clause 1.4.2	Comment
(i)	The Diagram of Survey (Deposited Plan) has been submitted with the Shire of Toodyay. The Deposited Plan has been checked to ensure compliance with conditions of subdivision approval and the approved subdivision plan. All lots, road reserves, easement and reserves are shown on the Deposited Plan. No further action required.
(ii)	All footpaths required at this stage of subdivision have been completed. A portion of the footpath in front of proposed Lot 321 has been damaged. This will need to be rectified prior to clearance being issued.
(iii)	The applicant's consulting engineer has submitted the final details of costs of works undertaken. Based on the contract costs the applicant is required to submit a supervision fee of \$25,015.36. The applicant has already paid to the Shire of Toodyay a supervision fee of \$34,778.80, this was based on the initial works schedule where it was intended to clear 160 lots. The contract costs are less than expected as less length of road and drainage have been installed. Therefore, the additional \$9,763.17 will be deducted from their maintenance bond (when paid). While these fees were paid under the previously approved subdivision application (132536) as no additional supervision works were required the previous fee paid is still applicable.
(iv)	Consulting Engineers certificate of practical completion has been received for works completed to date.

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(v)	All works required by the conditions of subdivision approval for this stage have been completed. No further action is required.
(vi)	Details of construction cost have been provided and a maintenance bond of 2.5% will be paid prior to issue of clearance. As detailed above the applicant has paid \$9,763.17 therefore \$28,146.30 remains outstanding.
(vii)	"As Constructed" drawings have been provided.

FINANCIAL IMPLICATIONS

This matter could potentially have financial implications for the Shire of Toodyay. Ultimately, once clearance is issued and the subdivision maintenance period has been completed, the Shire of Toodyay is responsible for maintenance works within the subdivision. It is therefore important that all works are completed satisfactorily so that the Shire of Toodyay inherits a subdivision with minimal on-going maintenance.

STRATEGIC IMPLICATIONS

The clearance of the conditions of subdivision will result in new titles being created for this area. This will be consistent with the subdivision approval for this site and the Shire's Local Planning Scheme and Local Planning Strategy.

ENVIRONMENTAL IMPLICATIONS

Environmental implications were addressed in the assessment of the engineering drawings for the site and implementation of management plans during construction works.

SOCIAL IMPLICATIONS

This proposal does not contain any notable social implications.

OFFICER'S COMMENT

The majority of the works required to satisfy the Shire of Toodyay's conditions, in the main, were completed when Council considered the request for clearance for the previous subdivision application in December 2010. At this meeting Council resolved that there were further items that were required to be satisfied and that once these had been completed the Chief Executive Officer was authorised to issue clearance. These identified items were not satisfied and hence clearance was not issued under the previous approval. Furthermore, clearance could not be obtained from other service authorities as the upgrading of the intersection of Drummond Street with Goomalling Toodyay Road and the completion of the sewer pump station and rising main remains outstanding.

The conditions which require the clearance of the Shire of Toodyay are listed below. The comments provided outline whether the conditions have been satisfied or if any further action is required to be undertaken.

- 1. Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected by a constructed**

road(s) to the local road system and such road(s) being constructed and drained at the applicant/owner's cost. (Local Government)

All of the lots for which clearance is being sought front a constructed, drained road and are connected to the local road system. The roads will become gazetted once the subdivision is cleared.

In late 2009, Ironbridge Holdings advised the Shire of Toodyay that cracking had appeared on portions of the roads that had been constructed. Initial inspections of the roads were undertaken in November 2009 and Ironbridge Holdings was advised that an independent engineer would need to be engaged to determine the reasons for cracking and how to rectify the issue. SGS engineering consultants was engaged and undertook investigations on the site conditions and prepared a report detailing their findings. The report concluded that the cracks are likely to have resulted due to the high plasticity limits within the sub-grade and sub base of the road. It was recommended that the cracks be sealed immediately and that after construction of houses, the cracked portions of the road are to be boxed out and resurfaced with SAMI or geotextile application.

Ironbridge Holdings was advised that if the boxing out and resealing of the damaged portions was postponed it would be at Council's discretion and cash bonds would have to be submitted to cover these works. Ironbridge Holdings preference was to undertake the works prior to clearance. An onsite inspection was undertaken with Ironbridge Holdings, Wood and Grieve Engineers, David Porter and the Shire of Toodyay on 1 October 2010 and the areas requiring reconstruction were identified, and the cracks which were to be sealed were marked out.

The reconstruction and crack sealing works were undertaken in October 2010 and this was inspected as a part of the practical completion inspection on 5 November 2010, where no concerns were raised with the works undertaken.

Council has raised concerns that some additional cracks have appeared in the roads. This was discussed with the representative from Ironbridge Holdings at the Forum on 24 February 2012. Ironbridge advised that they were intending upon sealing these cracks when the contractor is engaged to seal the cracks on the foreshore footpath. This has been reflected in the Officer's recommendation and must be completed prior to clearance.

As per the Shire of Toodyay's Subdivision Development Guidelines, the applicant is required to maintain the subdivision for a two year period. If any further defects are identified during that time, it will be the applicant's responsibility to rectify, not the Shire of Toodyay's. As per the previous resolution of Council, it is recommended that Council resolve to advise that the two year maintenance period does not commence until clearance is issued by the Shire of Toodyay.

As the roads are now constructed and works have been completed to address the cracking issues, this condition can be cleared.

2. **Arrangements being made with the Local Government for the upgrading and/or construction of Drummond Street where it directly fronts the proposed subdivision up to the Goomalling-Toodyay Road as a result of the proposed subdivision. The future alignment of Drummond Street through the subdivision is to be constructed to a two-wheel drive trafficable standard for emergency access purposes prior to the endorsement of the first Deposited Plan for the subdivision. Any parts of Drummond Street or its future alignment that are constructed to a two-wheel drive trafficable standard only are to be shown on the Deposited Plan as an access easement benefiting the Shire of Toodyay and public at large for emergency access purposes until such time as the relevant stage is completed and Drummond Street has been constructed to its finished standard. (Local Government)**

The Boyagerring Brook crossing has been formed and there is a track in existence along the future Drummond Street road alignment. The track however is presently not to an acceptable standard and requires reconstruction to enable suitable access to two-wheel drive vehicles. Also, there is presently drainage issues being experienced where water travels down this road which has recently caused minor damage to the temporary footpath. Works are required to rectify this issue and it is recommended that Council advise the applicant that this is required prior to clearance.

Ironbridge Holdings have acknowledge the need to reconstruct the emergency access road, however have suggested an alternative location, being along the alignment of the future Jarratt Pass and Burt Parkway, shown in **Attachment No 3**. This proposal has been discussed with Council and due to the additional bends in the road it was considered unsuitable as an emergency access track.

Since this time, the applicant has met with the Shire's Community Emergency Services Manager (CESM) and following an onsite inspection it was suggested that an alternative access route should be considered, being the extension of Gladson Pass and Raynor Loop (also shown on **Attachment No 3**). The reasons for this are as follows:

- In the event of a fire (which would be the likely emergency situation) it would be quicker for the majority of the residents in the area to travel this route.
- The most likely source of a fire requiring self-evacuation of residents would come from the river. It is preferable that residents would not travel towards to fire source (which they would need to if the Drummond Street alignment was used) and instead move in a north-westerly direction away from the this area.
- This alignment would avoid the need to traverse the steeper gradients that exist on the present alignment of the emergency access track and is a preferred option for egress/access in an emergency situation.

Concerns were also raised in discussion at the Forum as to the finished standard of the emergency access track. It was discussed that the same standard to that prescribed by the Shire in the construction of its own Fire Access Tracks would be acceptable and that this would need to be all weather (presently not achievable due to the pooling of water near the Boyagerring Brook crossing). These standards have been forwarded to the proponent and this was also discussed with the CESM on the site inspection. The officers recommendation reflects this position and also requires that an amended Deposited Plan is required to be submitted as the emergency access track is in an alternative location.

- 3. The crossing of Boyagerring Brook is to be constructed to a two-wheel drive trafficable standard for emergency access purposes prior to the endorsement of the first Deposited Plan for the subdivision. Construction of the crossing of Boyagerring Brook is to be completed to its final standard after creation of the eighty fifth (85th) lot within the subdivision and prior to the endorsement of further Deposited Plans for the subdivision. Prior to endorsing the first Deposited Plan for the subdivision, signs at either end of the easement leading to the Boyagerring Brook crossing are to be professionally prepared and installed stating 'Private Property – Access Only in the Event of an Emergency'. (Local Government)**

As mentioned above, the Boyagerring Brook crossing is formed and is accessible to two-wheel drive vehicles. The signs have not been erected and this must be completed prior to clearance.

- 4. Arrangements being made with the Local Government for the upgrading and/or construction of Drummond Street (West) from the western boundary of the subdivision area up to and including the intersection of Telegraph Road after creation of the one hundred and forty fifth (145th) lot within the subdivision and prior to the endorsement of further Deposited Plans for the subdivision. (Local Government)**

This condition is not applicable for this stage of subdivision. Therefore this condition can be cleared.

- 5. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the proposed lots shown on the approved plan of subdivision. (Local Government)**

Each of the lots for which clearance is being sought have been provided with a crossover, the only exemption to this is Lot 321 as the crossover has been removed and requires reinstatement. Subject to the reinstatement of this crossover, this condition is satisfied.

- 6. The intersection of Goomalling-Toodyay Road and Drummond Street (East) is to be designed and reconstructed by the applicant to**

the specifications of the Local Government and Main Roads Western Australia. (Mains Roads WA) (Local Government)

This condition still remains outstanding. MRWA has approved the intersection design and copies have been submitted to the Shire of Toodyay. MRWA has yet to clear the condition as the bond money remains outstanding. The bond for the intersection upgrade would be over \$800,000 and the bonding agreement would stipulate that the intersection upgrade has to be completed within one year of subdivision clearance being issued.

Based on the above, it is recommended that Council authorise the Chief Executive Officer to issue clearance subject to MRWA receiving the bond, bonding agreement and confirmation in writing from MRWA that it has cleared this condition of subdivision; or alternatively the upgrading of the intersection is completed.

- 9. Footpaths and dual use paths/cycleways are to be constructed in accordance with the Foggarthorpe Residential Structure Plan endorsed by the Western Australian Planning Commission on 26 October 2007, and more specifically, as depicted in Figure 13 of the Revised Traffic Assessment Report which is an addendum to that Structure Plan. (Local Government)**

The Revised Traffic Assessment Report details that every road will be provided with a constructed footpath on one side of the road. All roads that have been created as part of stage 1 of the subdivision have a footpath constructed and this is consistent with the Revised Traffic Assessment Report within the Structure Plan. The footpath in front of proposed Lot 321 has been removed and this is required to be reinstated. Therefore this condition will be satisfied once the path is reinstated.

- 10. Street corners within the subdivision are to be truncated to the standard truncation of 8.5 meters. (Local Government)**

This condition is satisfied.

- 11. Street lighting being installed on all new subdivisional roads at the subdividers cost. (Local Government)**

This condition has been satisfied.

- 17. The foreshore management plan previously approved by the Shire of Toodyay in respect to subdivision application WAPC reference 132536 is to implemented to the satisfaction of the Western Australian Planning Commission. (Local Government)**

A Foreshore Management Plan was prepared by RPS consultants and was approved by the Shire of Toodyay in February 2009, following advice from the Department of Water. The Foreshore Management Plan provided a general overview of the foreshore area abutting the subdivision site and recommended

measures that were to be implemented to reduce any potential negative impacts the subdivision could have. The following actions were identified within the Foreshore Management Plan:

1. Revegetation plantings;
2. Weed management;
3. Footpath construction to control pedestrian access;
4. Fencing to control pedestrian access and installation of bollards to prevent vehicular access; and

The revegetation of the Boyagerring Brook and Avon River foreshore commenced in July 2008. The majority of the revegetated area has been successful, however, there are some areas, particularly around the footpath along Boyagerring Brook, which have not had good success rates. It is not an appropriate time of year to undertake the plantings it was originally recommended that this could be completed in the two year maintenance period. Concern in this regard has been raised by Council and it is therefore recommended that Council requires that this be addressed prior to clearance, rather than in the maintenance period.

There are some additional areas within the Foreshore Management Plan that have been identified for replanting which has not occurred to date. Again, this cannot be undertaken in the summer months. As the majority of plantings have been undertaken it is considered reasonable that the outstanding plantings can be implemented in proceeding stages of subdivision. It is recommended that Council resolve to advise the applicant of this.

The footpath and fencing has been constructed and weed management has been undertaken progressively around the revegetation areas. The implementation of the footpath and fencing were required at the first stage of subdivision as these measures are important in controlling further degradation to the foreshore environment that could be created by additional residents in the area. There are presently cracks within the footpath. It is recommended that if Council resolve to authorise the Chief Executive Officer to issue clearance that it is subject to these cracks being sealed. Also since December 2010, the footpath crossing over Boyagerring Brook has sustained damage. This needs to be rectified prior to clearance being issued.

Subject to the two abovementioned issues being addressed, this condition is considered satisfied.

- 18. The drainage and nutrient management plan previously approved by the Shire of Toodyay in respect to subdivision application WAPC reference 132536 is to implemented to the satisfaction of the Western Australian Planning Commission. (Local Government)**

A drainage and nutrient management plan was prepared by JHD Consultant Hydrologists in consultation with the Department of Water. The drainage and nutrient management plan provided the framework for the application of a total water cycle management strategy for the development, incorporating

stormwater drainage and conservation, and nutrient and pollutant management, and is based on the principles of Water Sensitive Urban Design.

The drainage infrastructure was designed and installed in line with the principles of the plan.

This condition is satisfied.

- 19. A landscaping plan relating to the planting of street trees and treatment of 10m landscape strip along the proposed bypass and Goomalling Toodyay Road, and the drainage sites in conjunction with the Foreshore Management Plan, are to be prepared and implemented. (Local Government)**

A landscaping plan addressing the above requirements was prepared and has been implemented by the developer. The plantings along Goomalling Toodyay Road and the proposed bypass can be viewed when on site.

The landscaping of the stormwater basins are the more recent plantings on site. These species should become established over time. There will be a two year maintenance period and maintenance bond as part of the subdivision. If there are any issues with the success of the planting, the applicant will be required to correct and the Shire would have a bond to cover such work in the event of default.

Upon receipt of the maintenance bond, this condition is considered satisfied.

- 20. A construction management plan being prepared prior to the commencement of subdivision works and implemented to the specifications of the Local Government. (Local Government)**

This was submitted by the Applicant's engineer prior to the works first commencing on site. This condition is satisfied.

- 21. The proposed reserve(s) shown on the approved plan of subdivision being shown on the Deposited Plan as a "Reserve for Recreation" and vested in the Crown under Section 152 of the *Planning and Development Act 2005*, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)**

This condition has been satisfied.

- 22. A Notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the Certificates of Title of the proposed Lots 246-262; 284,285;290,291; 299-371; 498-518; 531-541 in the vicinity of the proposed Toodyay Bypass advising of the existence of a hazard or other factor. Notice of this notification is to be included on the Deposited Plan. The notification to state as follows:**

"This lot is situated in the vicinity of the proposed Toodyay Bypass, may in future be affected by noise from this road and is subject to Quiet House Design guidelines as per the Foggarthorpe Residential Structure Plan endorsed by the Western Australian Planning Commission on 26 October 2007"

(Local Government)

All notifications required by the abovementioned condition have been included on the respective lots. This condition is satisfied.

- 23. Notification in the form of a section 70A notification, pursuant to the *Transfer of Lands Act 1893* (as amended) is to be placed on the Certificates of Title of the proposed lots 204,205, 208-221; 223-234; 297, 303-305, 377, 378, 434-439, 442-446, 459 and 484-486 advising of the following:**

"Granite outcrops are identified on this lot and may impact on the development of the site"

(Local Government)

All notifications required by the abovementioned condition have been included on the respective lots. This condition is satisfied.

- 24. Notification in the form of a section 70A notification, pursuant to the *Transfer of Lands Act 1893* (as amended) is to be placed on the Certificates of Titles, advising the following:**

"All landowners must comply with the design guidelines prepared for the subdivision unless

(Local Government)

Notifications have been included on the Deposited Plan. This condition is considered satisfied.

- 25. No earthworks shall commence until the Shire of Toodyay has approved detailed engineering plans and specification of the works required to complete the subdivision. (Local Government)**

Engineering drawings for the works were submitted and approved by the Shire for Stage 1 of the works. This condition is satisfied.

- 26. The land being graded and stabilised. (Local Government)**

All the lots for which clearance is sought have been graded and stabilized.

There are a number of mounds of earth, including stockpiles of topsoil, which remain on the site to be used in the future stages of the subdivision. There is also some unused drainage infrastructure presently being stored along

Drummond Street and at the rear of the school. Also there are large mounds of broken concrete stored on site.

As the mounds of earth have been stabilised with vegetation cover, will be used in civil works in future stages and are generally confined to the rear of the site, no concerns are raised in this regard. However the mounds of broken concrete should be removed from the site and the drainage infrastructure should either be removed from the site or stored neatly. This was discussed with the applicant at the Council Forum. Direction was provided that it may be acceptable for the unused stormwater pits and drainage items being stacked and stored in the fenced compound for future use. A condition to this effect has been recommended.

27. The land being filled and/or drained at the subdivider's cost and any easements and/or reserves necessary for the implementation thereof, being granted free of cost. (Local Government)

All lots are provided with an onsite stormwater connection point, so that when the lots are developed they can be adequately drained. All the easements necessary for this have been created on the Deposited Plan. This condition is satisfied.

28. Arrangements being made to the satisfaction of the Local Government for a contribution towards the upgrading of the pedestrian bridge as a result of the proposed subdivision. (Local Government)

This condition was imposed on the previous subdivision application. In April 2009, as a part of the Tribunal proceedings when the Shire refused to issue clearance, it was resolved that a \$500 per lot contribution would be considered reasonable for the clearance of this condition. In December 2010, when Council considered clearance, it was resolved that \$42,500 contribution was required. These monies were never paid. Since this time, the Shire has refurbished the footbridge and this was reopened in December 2011.

In line with this, the WAPC has included an advice note to the applicant and the Shire of Toodyay to advise that this condition is not intended to fund future maintenance to the recently upgraded footbridge. It also states that the contribution is a matter for negotiation between the applicant and the Shire of Toodyay and that it is anticipated that the contribution would fund specific outstanding works associated with the recent works on the footbridge, such as the reconstruction of footpaths leading up to the footbridge.

In initial discussions with the applicant, they indicated that they could fund the works undertaken on the footpaths on the lead up to the bridge and also reinstate the footpath leading to the school. When the clearance documents were lodged Ironbridge have outlined that they estimate that these works would cost \$21,000 and that they were willing to contribute the equivalent amount on a per lot basis as clearances are sought. The contribution of 85 lots approximates \$58.82, totalling \$5,000.

Such a contribution is not considered acceptable. The pedestrian footbridge is an important link to the Toodyay townsite and as detailed in the advice note on the letter of conditional approval from the WAPC, there is a clear nexus between the subdivision application and the need for the footbridge.

To date the Shire of Toodyay has spent \$17,756.79 on upgrading the footpaths leading to the bridge. It is recommended that Council advise Ironbridge Holdings that a cash contribution of \$17,756.79 is required and also that the footpath from the footbridge to the school is required to be reconstructed in asphalt finish. This is considered to be a reasonable contribution towards this condition.

- 29. The mitigation measures in the Noise Impact Assessment which is an addendum to the Foggarthorpe Residential Structure Plan endorsed by the Western Australian Planning Commission on 26 October 2007 is to be implemented to the satisfaction of the Local Government with advice from Main Roads WA, and measures to be implemented shall not include noise walls. (Local Government)**

As a part of the Structure Planning process for the subject site, the applicant had to prepare a Noise Impact Assessment. This was prepared and there were a number of recommendations for measures to be implemented to reduce potential noise.

The Noise Impact Assessment recommended that a combination of factors were to be implemented to reduce noise levels on site, including the finished surface of the road and construction of bunds/noise walls. As some of the lots, based on the modelling undertaken, would still have higher noise levels, when building homes they have to incorporate the quiet house design principles to reduce noise. All these lots that are subject of this requirement have notifications on title.

Main Roads Western Australia (MRWA) has confirmed in writing (on the 3 July 2007 and 14 November 2011) that it will implement the noise bunds/wall construction and place the appropriate road surface as a part of the future construction of the bypass. Based on this, and as the notifications have been placed on titles, this condition is satisfied.

- 30. The subdivider is to provide a suitably designed student drop off and pick up point adjacent to the south-east boundary of the school site within the existing road reserve to the satisfaction of the Local Government and Department of Education and Training. (Local Government)**

Preliminary designs have been provided for the student drop of and pick up location. These works will be a part of future stages of the subdivision. Therefore this condition is satisfied for Stage 1 of the works.

Based on the abovementioned comments, it is recommended that Council advise Ironbridge Holdings of the outstanding works it must complete prior to the issue of clearance.

OFFICER'S RECOMMENDATION

It is recommended that:

1. Council advise Ironbridge Holdings that the following matters must be addressed prior to the issue clearance of conditions No's 1 to 6, 9 to 11, 17 to 30 for stage one (85 lots) of the subdivision of Lots 3 Drummond Street and 6 Goomalling Toodyay Road, Toodyay (WAPC Ref. 144729):
 - a) That condition 6 is satisfied either through the completion of the intersection upgrade or a bond and bond agreement being received by Main Roads WA for completion of this outstanding work. Written confirmation must also be submitted confirming that Main Roads WA have cleared this condition.
 - b) That a cash contribution of \$17,756.79 must be received and the footpath from the pedestrian bridge to the school crossing must be upgraded and sealed in asphalt to satisfy condition 28.
 - c) The required maintenance bond of \$37,902.47 (of which \$28,146.30 remains outstanding) being lodged in cash with the Shire of Toodyay. The maintenance bond is to be lodged for a period of two years and will be utilised by the Shire to complete defects with works undertaken within the subdivision in the event the subdivider does not rectify defects when requested. The two year maintenance period will commence upon issue of clearance of subdivision.
 - d) The cracks within the pedestrian footpath along the Avon River foreshore must be crack sealed and repaired to the satisfaction of the Manager of Works Services.
 - e) The Boyagerring Brook crossing on the foreshore footpath must be fixed to the satisfaction of the Manager of Works Services.
 - f) Signs at either end of the easement leading to the Boyagerring Brook crossing are to be professionally prepared and installed, to the satisfaction of the Chief Executive Officer stating 'Private Property – Access Only in the Event of an Emergency'.
 - g) The footpath and crossover in front of proposed Lot 321 is required to be reinstated.
 - h) The emergency access route is to be reinstated in the approved amended location (being an extension of Gladson Pass and Rayner Loop) and must be accessible to two-wheel drive vehicles at all times and during all weather conditions. The emergency access must be finished the standards contained within the Shire of Toodyay's Fire Access Track Tender Specification. The easement on the Deposited Plan is to be amended to reflect the new alignment.
 - i) The drainage issues presently being experienced on the future alignment of Drummond Street and the temporary basin must be fixed to the satisfaction of the Manager of Works Services including any

- damage to the temporary footpath on Drummond Street.
- j) The mounds of broken concrete must be removed from the site;
 - k) The stormwater pits and drainage items presently stored on site are to be stored neatly within the fenced compound.
 - l) Any cracks that have appeared on the constructed roads are to be cracked sealed.
 - m) The unsuccessful plantings undertaken as a part of the Foreshore Management Plan must be replanted and therein maintained.
2. Council advise Ironbridge Holdings that the outstanding plantings as a part of the Foreshore Management Plan must be completed prior to clearance being issued for any future stage of the subdivision.

Cr Hogg advised of a typographical error under point 1(a) of the Officer's Recommendation and for the word "is" to be replaced with the words "can be."

Cr Lloyd moved the Officer's Recommendation as altered.

Cr Hogg moved an amendment to the motion as follows:

At Point 1(m) add after the word "replanted" the words "in June/July."

Cr Lloyd accepted the amendment to the motion.

COUNCIL RESOLUTION NO 33/02/12

MOVED Cr Lloyd

That:

1. Council advise Ironbridge Holdings that the following matters must be addressed prior to the issue clearance of conditions No's 1 to 6, 9 to 11, 17 to 30 for stage one (85 lots) of the subdivision of Lots 3 Drummond Street and 6 Goomalling Toodyay Road, Toodyay (WAPC Ref. 144729):
 - a) That condition 6 can be satisfied either through the completion of the intersection upgrade or a bond and bond agreement being received by Main Roads WA for completion of this outstanding work. Written confirmation must also be submitted confirming that Main Roads WA have cleared this condition.
 - b) That a cash contribution of \$17,756.79 must be received and the footpath from the pedestrian bridge to the school crossing must be upgraded and sealed in asphalt to satisfy condition 28.
 - c) The required maintenance bond of \$37,902.47 (of which \$28,146.30 remains outstanding) being lodged in cash with the Shire of Toodyay. The maintenance bond is to be lodged for a period of two years and will be utilised by the Shire to complete defects with works undertaken within the subdivision in the event the subdivider does not rectify defects when requested. The two year maintenance period will commence upon issue of clearance of subdivision.
 - d) The cracks within the pedestrian footpath along the Avon River foreshore must be crack sealed and repaired to the satisfaction of the Manager of Works Services.
 - e) The Boyagerring Brook crossing on the foreshore footpath must be fixed to the satisfaction of the Manager of Works Services.
 - f) Signs at either end of the easement leading to the Boyagerring Brook crossing are to be professionally prepared and installed, to the satisfaction of the Chief Executive Officer stating 'Private Property – Access Only in the Event of an Emergency'.
 - g) The footpath and crossover in front of proposed Lot 321 is required to be reinstated.
 - h) The emergency access route is to be reinstated in the approved amended location (being an extension of Gladson Pass and Rayner Loop) and must be accessible to two-wheel drive vehicles at all times and during all weather conditions. The emergency access must be finished the standards contained within the Shire of Toodyay's Fire Access Track Tender Specification. The easement on the Deposited Plan is to be amended to reflect the new alignment.
 - i) The drainage issues presently being experienced on the future alignment of Drummond Street and the temporary basin must be fixed to the satisfaction of the Manager of Works Services including any damage to the temporary footpath on Drummond Street.
 - j) The mounds of broken concrete must be removed from the site;

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HELD IN COUNCIL CHAMBERS ON 21 FEBRUARY 2012

- k) The stormwater pits and drainage items presently stored on site are to be stored neatly within the fenced compound.
 - l) Any cracks that have appeared on the constructed roads are to be cracked sealed.
 - m) The unsuccessful plantings undertaken as a part of the Foreshore Management Plan must be replanted in June/July and thereafter maintained.
2. Council advise Ironbridge Holdings that the outstanding plantings as a part of the Foreshore Management Plan must be completed prior to clearance being issued for any future stage of the subdivision.

MOTION CARRIED UNANIMOUSLY 6/0



- DP 60129
- DP 60730
- DP 61705
- DP 62289
- DP 62843
- DP 62844
- DP 62847
- DP 63018

<p>TOODYAY DP - INDEX PLAN</p>		<p>McMULLEN & CO. SURVEYORS & PLANNERS</p>	<p>Quality Quantity Commodity</p>	<p>PO Box 3333 W.A. 9844 Perth Australia</p> <p>McMullen & Co. 100 Stirling Street Perth Australia</p>	<p>North</p>	<p>SCALE: 1:1000 (A3) - 1:2500 (A4)</p> <p>ALL DIMENSIONS ARE IN METRES</p>	<p>DATE: 10/12/2018 DRAWN: J.M. CHECKED: J.M.</p>	<p>DATE: 10/12/2018 DRAWN: J.M. CHECKED: J.M.</p>	<p>DATE: 10/12/2018 DRAWN: J.M. CHECKED: J.M.</p>	<p>DATE: 10/12/2018 DRAWN: J.M. CHECKED: J.M.</p>	<p>DATE: 10/12/2018 DRAWN: J.M. CHECKED: J.M.</p>	<p>DATE: 10/12/2018 DRAWN: J.M. CHECKED: J.M.</p>
Rev.	Description	Drawn	Date	Checked	Date	Checked	Date	Checked	Date	Checked	Date	Checked



SHIRE OF TOODYAY
Record Number: JCR 1497
23 NOV 2011
Officer / Dept: MPD
File Number: S144729

Your Ref : S144729
Enquiries : Daniel Stevens (Ph 6551 9365)

Chief Executive Officer
Shire of Toodyay
P O Box 96
TOODYAY WA 6566

Approval Subject To Condition(s) Freehold (Green Title) Subdivision

Application No : 144729

Planning and Development Act 2005

Applicant	:	Ironbridge Property 114 Forrest Street COTTESLOE WA 6010
Owner	:	Ironbridge Holdings Pty Ltd 114 Forrest Street COTTESLOE WA 6011
Application Receipt	:	15 August 2011

Lot Number	:	6 & Pt 3
Diagram / Plan	:	Deposited Plans 34990, 25741
Location	:	-
C/T Volume/Folio	:	2536/31, 2516/977
Street Address	:	Goomalling-Toodyay Road & Drummond Street, Nunile
Local Government	:	Shire of Toodyay

The Western Australian Planning Commission has considered the application referred to and is prepared to endorse a deposited plan in accordance with the plan date-stamped 15 August 2011 once the condition(s) set out have been fulfilled.

This decision is valid for four years from the date of this advice, which includes the lodgement of the deposited plan within this period.

The deposited plan for this approval and all required written advice confirming that the requirement(s) outlined in the condition(s) have been fulfilled must be submitted by 18 November 2015 or this approval no longer will remain valid.

Reconsideration - 28 days

Under section 151(1) of the *Planning and Development Act 2005*, the applicant/owner may, within 28 days from the date of this decision, make a written request to the WAPC to reconsider any condition(s) imposed in its decision. One of the matters to which the WAPC will have regard in reconsideration of its decision is whether there is compelling evidence by way of additional information or justification from the applicant/owner to warrant a reconsideration of the decision. A request for reconsideration is to be submitted to the WAPC on a Form 3A with appropriate fees. An application for reconsideration may be submitted to the WAPC prior to submission of an application for review. Form 3A and a schedule of fees are available on the WAPC website: <http://www.wapc.wa.gov.au>

Right to apply for a review - 28 days

Should the applicant/owner be aggrieved by this decision, there is a right to apply for a review under Part 14 of the *Planning and Development Act 2005*. The application for review must be submitted in accordance with part 2 of the *State Administrative Tribunal Rules 2004* and should be lodged within 28 days of the date of this decision to: the State Administrative Tribunal, 12 St Georges Terrace, Perth, WA 6000. It is recommended that you contact the tribunal for further details: telephone 9219 3111 or go to its website: <http://www.sat.justice.wa.gov.au>

Deposited plan

The deposited plan is to be submitted to the Western Australian Land Information Authority (Landgate) for certification. Once certified, Landgate will forward it to the WAPC. In addition, the applicant/owner is responsible for submission of a Form 1C with appropriate fees to the WAPC requesting endorsement of the deposited plan. A copy of the deposited plan with confirmation of submission to Landgate is to be submitted with all required written advice confirming compliance with any condition(s) from the nominated agency/authority or local government. Form 1C and a schedule of fees are available on the WAPC website: <http://www.wapc.wa.gov.au>

Condition(s)

The WAPC is prepared to endorse a deposited plan in accordance with the plan submitted once the condition(s) set out have been fulfilled.

The condition(s) of this approval are to be fulfilled to the satisfaction of the WAPC.

The condition(s) must be fulfilled before submission of a copy of the deposited plan for endorsement.

The agency/authority or local government noted in brackets at the end of the condition(s) identify the body responsible for providing written advice confirming that the WAPC's requirement(s) outlined in the condition(s) have been fulfilled. The written advice of the agency/authority or local government is to be obtained by the applicant/owner. When the written advice of each identified agency/authority or local government has been obtained, it should be submitted to the WAPC with a Form 1C and appropriate fees and a copy of the deposited plan.

If there is no agency/authority or local government noted in brackets at the end of the condition(s), a written request for confirmation that the requirement(s) outlined in the condition(s) have been fulfilled should be submitted to the WAPC, prior to lodgement of the deposited plan for endorsement.

Prior to the commencement of any site works or the implementation of any condition(s) in any other way, the applicant/owner is to liaise with the nominated agency/authority or local government on the requirement(s) it considers necessary to fulfil the condition(s).

The applicant/owner is to make reasonable enquiry to the nominated agency/authority or local government to obtain confirmation that the requirement(s) of the condition(s) have been fulfilled. This may include the provision of supplementary information. In the event that the nominated agency/authority or local government will not provide its written confirmation following reasonable enquiry, the applicant/owner then may approach the WAPC for confirmation that the condition(s) have been fulfilled.

In approaching the WAPC, the applicant/owner is to provide all necessary information, including proof of reasonable enquiry to the nominated agency/authority or local government.

The condition(s) of this approval, with accompanying advice, are:

CONDITION(S)

Road and pathway conditions

1. Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) being constructed and drained at the applicant/owner's cost. (Local Government)
2. Arrangements being made with the Local Government for the upgrading and/or construction of Drummond Street where it directly fronts the proposed subdivision up to the Goomalling-Toodyay Road as a result of the proposed subdivision. The future alignment of Drummond Street through the subdivision is to be constructed to a two-wheel drive trafficable standard for emergency access purposes prior to the endorsement of the first Deposited Plan for the subdivision. Any parts of Drummond Street or its future alignment that are constructed to a two-wheel drive trafficable standard only are to be shown on the Deposited Plan as an access easement benefiting the Shire of Toodyay and public at large for emergency access purposes until such time as the relevant stage is completed and Drummond Street has been constructed to its finished standard. (Local Government)
3. The crossing of Boyagerring Brook is to be constructed to a two-wheel drive trafficable standard for emergency access purposes prior to the endorsement of the first Deposited Plan for the subdivision. Construction of the crossing of Boyagerring Brook is to be completed to its final standard after creation of the eighty fifth (85th) lot within the subdivision and prior to the endorsement of further Deposited Plans for the subdivision. Prior to endorsing the first Deposited Plan for the subdivision, signs

at either end of the easement leading to the Boyagerring Brook crossing are to be professionally prepared and installed stating 'Private Property – Access Only in the Event of an Emergency'. (Local Government)

4. Arrangements being made with the Local Government for the upgrading and/or construction of Drummond Street (West) from the western boundary of the subdivision area up to and including the intersection of Telegraph Road after creation of the one hundred and forty fifth (145th) lot within the subdivision and prior to the endorsement of further Deposited Plans for the subdivision. (Local Government)
5. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the proposed lots shown on the approved plan of subdivision. (Local Government)
6. The intersection of Goomalling-Toodyay Road and Drummond Street (East) is to be designed and reconstructed by the applicant to the specifications of the Local Government and Main Roads Western Australia. (Mains Roads WA) (Local Government)
7. Goomalling-Toodyay Road being widened by 10 metres along the full frontage of the land the subject of this application by the applicant/owner ceding the land required to the Crown free of cost for the purpose of widening Goomalling-Toodyay Road reserve. (Main Roads WA)
8. Pursuant to section 129BA of the Transfer of Land Act (as amended), a restrictive covenant preventing motor vehicle access onto the Goomalling-Toodyay Road or the future Toodyay Bypass benefiting Main Roads Western Australia being lodged on the Certificates of Title of the proposed lots with frontage to the aforementioned roads, at the full expense of the applicant. (Main Roads WA)
9. Footpaths and dual use paths/cycleways are to be constructed in accordance with the Foggarthorpe Residential Structure Plan endorsed by the Western Australian Planning Commission on 26 October 2007, and more specifically, as depicted in Figure 13 of the Revised Traffic Assessment Report which is an addendum to that Structure Plan. (Local Government)
10. Street corners within the subdivision are to be truncated to the standard truncation of 8.5 meters. (Local Government)
11. Street lighting being installed on all new subdivisional roads at the subdividers cost. (Local Government)

Servicing conditions

12. Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lot(s) shown on the approved plan of subdivision. (Water Corporation)

13. Suitable arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lot/s shown on the approved plan of subdivision. (Water Corporation)
14. The provision of easements for existing or future water, sewerage and/or drainage infrastructure as may be required by the Water Corporation being granted free of cost to that body. (Water Corporation)
15. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply service to the lot(s) shown on the approved plan of subdivision. (Western Power)
16. The transfer of land as a Crown Reserve, free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)

Plans to be prepared and/or implemented

17. The foreshore management plan previously approved by the Shire of Toodyay in respect to subdivision application WAPC reference 132536 is to implemented to the satisfaction of the Western Australian Planning Commission. (Local Government)
18. The drainage and nutrient management plan previously approved by the Shire of Toodyay in respect to subdivision application WAPC reference 132536 is to implemented to the satisfaction of the Western Australian Planning Commission. (Local Government)
19. A landscaping plan relating to the planting of street trees and treatment of 10m landscape strip along the proposed bypass and Goomalling Toodyay Road, and the drainage sites in conjunction with the Foreshore Management Plan, are to be prepared and implemented. (Local Government)
20. A construction management plan being prepared prior to the commencement of subdivision works and implemented to the specifications of the Local Government. (Local Government)

Notifications and reserves

21. The proposed reserve(s) shown on the approved plan of subdivision being shown on the Deposited Plan as a "Reserve for Recreation" and vested in the Crown under Section 152 of the *Planning and Development Act 2005*, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)
22. A Notification, pursuant to Section 165 of the *Planning and Development Act 2005* is to be placed on the Certificates of Title of the proposed Lots 246-262; 284,285;290,291; 299-371; 498-518; 531-541 in the vicinity of the proposed Toodyay Bypass advising of the existence of a hazard or other factor. Notice of this notification is to be included on the Deposited Plan. The notification to state as follows:

"This lot is situated in the vicinity of the proposed Toodyay Bypass, may in future be affected by noise from this road and is subject to Quiet House Design guidelines as per the Foggarthorpe Residential Structure Plan endorsed by the Western Australian Planning Commission on 26 October 2007"

(Local Government)

23. Notification in the form of a section 70A notification, pursuant to the *Transfer of Lands Act 1893* (as amended) is to be placed on the Certificates of Title of the proposed lots 204,205, 208-221; 223-234; 297, 303-305, 377, 378, 434-439, 442-446, 459 and 484-486 advising of the following:

"Granite outcrops are identified on this lot and may impact on the development of the site"

(Local Government)

24. Notification in the form of a section 70A notification, pursuant to the *Transfer of Lands Act 1893* (as amended) is to be placed on the Certificates of Titles, advising the following:

"All landowners must comply with the design guidelines prepared for the subdivision unless

(Local Government)

Site works

25. No earthworks shall commence until the Shire of Toodyay has approved detailed engineering plans and specification of the works required to complete the subdivision. (Local Government)
26. The land being graded and stabilised. (Local Government)
27. The land being filled and/or drained at the subdivider's cost and any easements and/or reserves necessary for the implementation thereof, being granted free of cost. (Local Government)

Other

28. Arrangements being made to the satisfaction of the Local Government for a contribution towards the upgrading of the pedestrian bridge as a result of the proposed subdivision. (Local Government)
29. The mitigation measures in the Noise Impact Assessment which is an addendum to the Foggarthorpe Residential Structure Plan endorsed by the Western Australian Planning Commission on 26 October 2007 is to be implemented to the satisfaction of the Local Government with advice from Main Roads WA, and measures to be implemented shall not include noise walls. (Local Government)

30. The subdivider is to provide a suitably designed student drop off and pick up point adjacent to the south-east boundary of the school site within the existing road reserve to the satisfaction of the Local Government and Department of Education and Training. (Local Government)

ADVICE

1. In respect to Condition 28, the applicant and Shire of Toodyay are advised that the condition is not intended to fund maintenance of the recently upgraded footbridge. There is a clear nexus between the subdivision application and the need for the footbridge. The contribution required by this condition is a matter for negotiation between the applicant/subdivider and the Shire of Toodyay. It is anticipated that the contribution could fund specific outstanding works associated with the recent works on the footbridge, such as redesigning/reconstructing footpaths leading up to the footbridge, which it is understood do not correctly align with the recent works.



Neil Thomson
Acting Secretary
Western Australian Planning Commission
18 November 2011



IRONBRIDGE HOLDINGS PTY LTD

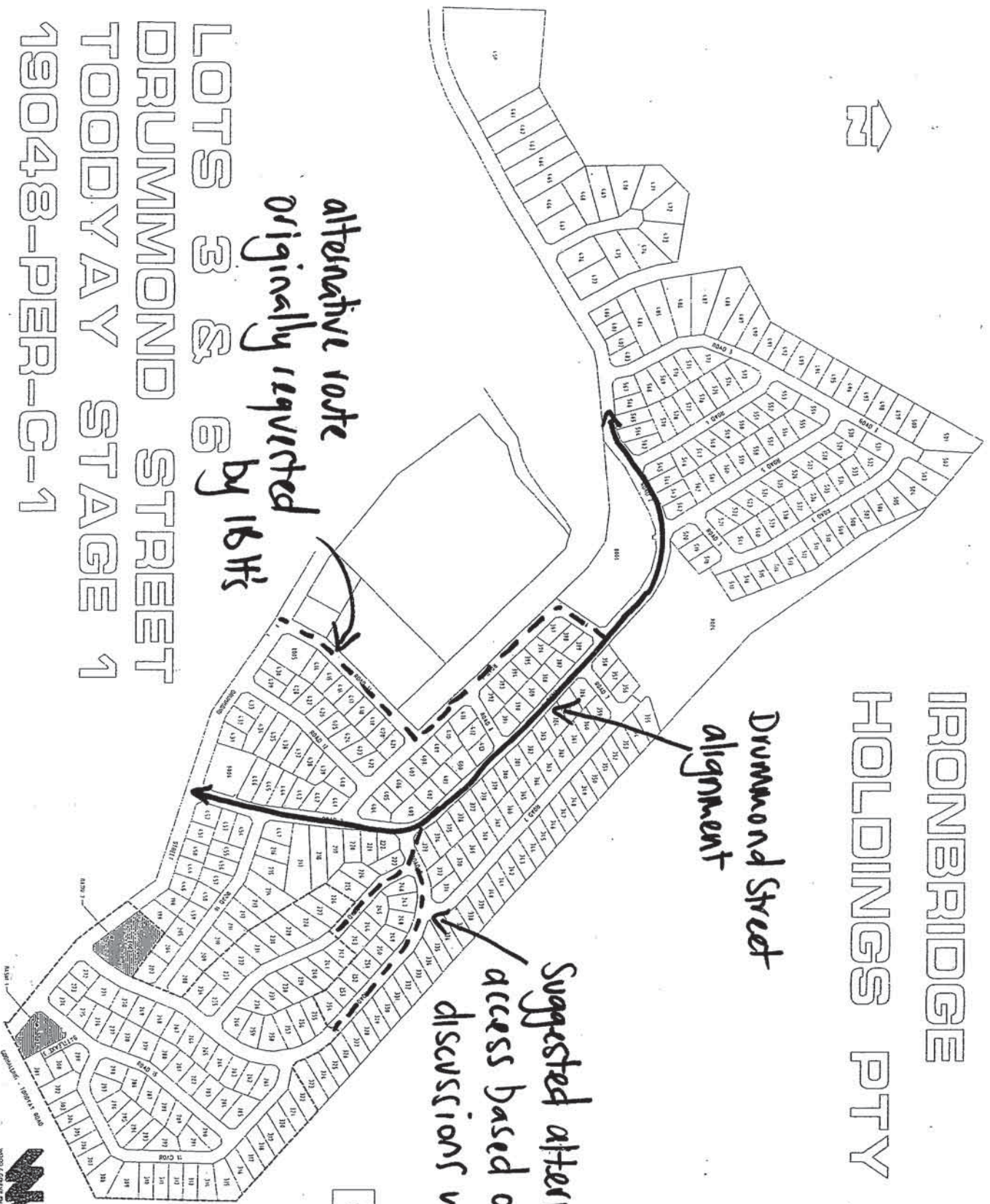
Drummond Street alignment

Suggested alternative access based on discussions with CEM

alternative route originally reverted by 18th's

85 LOTS

LOTS 3 & 6 by 18th's DRUMMOND STREET TOODYAY STAGE 1 19048-PER-C-1



WJ CONSULTANTS ENGINEERS
1000 GARDNER STREET
MELBOURNE VIC 3000
PH: (03) 9412 1000
WWW.WJCONSULTANTS.COM.AU





Enquiries: Daniel Stevens (6551 9365)
Our Ref: 144729
Your Ref:

Bill Carmody
Ironbridge Property
114 Forest Street
COTTESLOE WA 6401



Dear Sir

APPROVAL FOR THE SUBDIVISION OF LOTS 6 AND PART LOT 3 DRUMMOND STREET, NUNILE (WAPC REF 144729) – LOCAL GOVERNMENT CONDITION NO. 24

I refer to the Western Australian Planning Commission's (WAPC) decision letter dated 18 November 2011 granting preliminary approval to the subdivision of the above land.

Condition 24 on the WAPC's approval letter incorrectly printed and should state in full:

"Notification in the form of a section 70A notification, pursuant to the Transfer of Land Act 1893 (as amended) is to be placed on the Certificates of Titles advising the following:

All landowners must comply with the design guidelines prepared for the subdivision unless otherwise approved by the Shire of Toodyay"

(Local Government)

I apologise for any inconvenience this may have caused. If you require any further information or clarification please contact Daniel Stevens on 6551 9365.

Yours sincerely

A handwritten signature in black ink, appearing to read "Neil Thomson".

Neil Thomson
Acting Secretary
Western Australian Planning Commission

cc. All consulting authorities

30 November 2011



MEMORANDUM

MEMO TO: Mr S Scott
Chief Executive Officer
Shire of Toodyay

FROM: Councillors

DATE: 16 April 2013

SUBJECT: Revocation of motion 66/03/13.

Administration Centre
15 Fiennes Street
PO Box 96
TOODYAY WA 6566

T (08) 9574 2258
F (08) 9574 2158
E records@toodyay.wa.gov.au
W www.toodyay.wa.gov.au

Dear Stan

This memorandum is notice, in accordance with the *Local Government Act 1995* 5.25(1)(e)), that we, the undersigned, being at least one third of the total number of Councillors give notice of the motion to:

- (a) Revoke Council Resolution No 66/03/13 attached herewith in favour of a motion as follows:

OFFICER'S RECOMMENDATION

It is recommended that Council accept and approve the proposed demolition of the dwelling at Lot 8 Bindi Bindi Toodyay Road subject to the following conditions:

1. Demolition shall be carried out only in accordance with the terms of the application as approved herein and any approved plan.
2. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
3. A demolition licence being obtained prior to the demolition of any building works.

Yours sincerely

Cr D Dow

Cr R Madacsi

Cr P Greenway

Cr

Cr
(Mover of recommendation)

MOTION TO BE REVOKED

COUNCIL RESOLUTION NO 66/03/13

MOVED Cr Lloyd

SECONDED Cr Craddock

That:

1. Council not approve the proposed demolition of the dwelling at Lot 8 Bindi Bindi Toodyay Road; and
2. The applicants be advised that Council would be receptive to discussions in relation to the future of this building.

MOTION CARRIED 7/1

In accordance with:

Local Government (Administration) Regulations 1996

10. Revoking or changing decisions (Act s. 5.25(1)(e))

- (1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —
 - (a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or
 - (b) in any other case, by at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the council or committee,

inclusive of the mover.

- (1a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.
- (2) If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made —
 - (a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or
 - (b) in any other case, by an absolute majority.
- (3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

Local Government Act 1995

5.25. Regulations about council and committee meetings and committees

- (1) Without limiting the generality of section 9.59, regulations may make provision in relation to —
 - (e) the circumstances and manner in which a decision made at a council or a committee meeting may be revoked or changed (which may differ from the manner in which the decision was made); and

D.61 Performance of Functions under the *Bush Fires Act 1954*

Delegation No:	D.61
Delegation Subject:	Performance of Functions under the <i>Bush Fires Act 1954</i>
File Number:	FIR6, MAN6/NAM2438
Adoption Date:	18 April 2013

STATEMENT OF INTENT

This delegation will allow the Chief Executive Officer to discharge Council's responsibilities under the *Bush Fires Act 1954* and the *Bush Fire Regulations 1954*. This delegation includes all powers under the Act to allow for the effective management of Volunteer Bush Fire Brigades and Fire Control Officers.

For the avoidance of doubt outcomes of LEMC and BFAC meetings will continue to be considered by Council.

DELEGATION

Council hereby delegates authority to the Chief Executive Officer to perform local government functions in accordance with section 48 *Delegation by Local Governments* under the *Bush Fires Act 1954*.

Head of Power:	<i>Bush Fires Act 1954</i>
Statutory Power of Delegation:	<ul style="list-style-type: none"> <i>Bush Fires Act 1954 s.48</i> <i>Local Government Act 1995 s.5.42 and s.5.43</i>
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	In accordance with the delegation section above.
Statutory Power of Sub-Delegation:	<i>Nil.</i>
CEO's Delegation to:	N/A
CEO's Conditions on delegation:	N/A
Record Keeping <i>s.546(3) State Records Act 2000</i> <i>s.38 Bush Fires Act 1954</i> <i>s.41 Bush Fire Regulations 1954.</i>	<ul style="list-style-type: none"> <i>Gazette appointments through the State Law Publisher, and keep a register of them.</i> <i>Appointments of Officers be published at least once in a newspaper circulating in its district.</i>
D.61 Review Date(s)	

